

Appendix A

**Better Market Street Final Section 4(f) Evaluation**

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# Table of Contents

Appendix A <b>Better Market Street Final Section 4(f) Evaluation</b> .....	A-1
1 Introduction.....	A-1
2 Project Description .....	A-2
2.1 Purpose and Need.....	A-3
2.2 Existing Conditions.....	A-6
2.3 Proposed Build Alternative and Design Option.....	A-9
2.4 Construction and Staging .....	A-34
2.5 No-Build Alternative.....	A-37
3 Section 4(f) Properties.....	A-37
3.1 Attributes and Function of the Section 4(f) Property .....	A-55
3.2 Unusual Characteristics of the Section 4(f) Property.....	A-58
3.3 Consultation with the SHPO.....	A-58
4 Use of the Section 4(f) Property .....	A-59
4.1 Market Street Cultural Landscape District.....	A-60
5 Avoidance Alternatives.....	A-64
5.1 No-Build Alternative.....	A-65
5.2 Accelerated Repair and Maintenance Alternative .....	A-68
5.3 Mission Street with Bus Lanes Alternative.....	A-73
5.4 Mission Street with Cycle Tracks Alternative.....	A-79
5.5 Summary of Avoidance Alternatives .....	A-83
6 Other Project Alternatives.....	A-85
6.1 Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative.....	A-85
6.2 Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative.....	A-86
6.3 Market Street Partial Build Alternative-1.....	A-86
6.4 Market Street Partial Build Alternative-2.....	A-87
6.5 Core Elements Alternative .....	A-88
7 Measures to Minimize Harm .....	A-90
8 Least Overall Harm Analysis .....	A-97
8.1 Ability to mitigate adverse impacts on each Section 4(f) property (including any measures that result in benefits to the property) .....	A-99
8.2 Relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or features that qualify each Section 4(f) property for protection.....	A-100
8.3 Relative significance of each Section 4(f) property.....	A-101

8.4 Views of the official(s) with jurisdiction over each Section 4(f) property..... A-102

8.5 Degree to which each alternative meets the purpose and need for the project..... A-103

8.6 After reasonable mitigation, the magnitude of any adverse impacts on resources  
not protected by Section 4(f) ..... A-105

8.7 Substantial differences in costs among the project alternatives ..... A-106

8.8 Coordination with Agencies Having Jurisdiction ..... A-107

8.9 Conclusions ..... A-109

9 References ..... A-119

## List of Tables and Figures

### Tables

Table 1 Collisions per Million Vehicle Miles Traveled ..... A-4

Table 2 Logical Termini for Each Mode of Transportation ..... A-6

Table 3 Pedestrian Route Accessibility Requirements from the United States Access Board ..... A-26

Table 4 Section 4(f) Properties and Section 4(f) Determinations..... A-38

Table 5 Contributing Features of the Market Street Cultural Landscape District ..... A-56

Table 6 Contributing Features of the Market Street Cultural Landscape District  
Altered by the Project ..... A-60

Table 7 Historic Districts Potentially Affected by the Mission Street Alternatives ..... A-75

Table 8 Summary of Avoidance Alternatives Analysis ..... A-84

Table 9 Measures to Minimize Harm ..... A-91

Table 10 Least Harm Analysis..... A-111

### Figures

Figure 1 Proposed Project Transportation and Streetscape Improvements ..... A-11

Figure 2 Proposed Project and Design Option Cross Sections..... A-21

Figure 3 Proposed Project and Design Option Cross Sections..... A-22

Figure 4 From Contract Drawings for Market Street Reconstruction: Herringbone Brick Pattern .... A-25

Figure 5 Market Street Cultural Landscape District ..... A-43

Figure 6 Mission Street Alternative with Center - running Bus Lanes ..... A-74

Figure 7 Mission Street Alternative with Side - running Bus Lane ..... A-74

Figure 8 Mission Street Bikeway with Two - way Cycle Track on One Side..... A-79

Figure 9 Mission Street Bikeway with One - way Cycle Track on Each Side ..... A-79



# Appendix A

## Better Market Street Final Section 4(f) Evaluation

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### 1 Introduction

Section 4(f) of the U.S. Department of Transportation Act of 1966, codified in federal law at 49 United States Code (USC) 303, declares that “it is the policy of the United States government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.” Section 4(f) specifies that the Secretary of Transportation may approve a transportation program or project requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of a historic site of national, state, or local significance (as determined by the federal, state, or local officials having jurisdiction over the park, area, refuge, or site), only if:

- There is no prudent and feasible alternative to using that land, and
- The program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.

Section 4(f) further requires coordination among the Department of the Interior and, as appropriate, the involved offices of the Department of Agriculture and the Department of Housing and Urban Development in developing transportation projects and programs that use lands protected by Section 4(f). If historic sites are involved, then coordination with the State Historic Preservation Officer is also needed.

The California Department of Transportation (Caltrans) is the federal lead agency for National Environmental Policy Act and Section 4(f), pursuant to 23 USC 326 and 23 USC 327 and the Memorandum of Understanding dated December 23, 2016, and executed by the Federal Highway Administration (FHWA) and Caltrans. Responsibility for compliance with Section 4(f) has been assigned to Caltrans, including determinations and approval of Section 4(f) evaluations as well as coordination with those agencies that have jurisdiction over a Section 4(f) resource that may be affected by a project action.

This document is the Final Section 4(f) Evaluation. A draft of this evaluation was circulated for public review and comment at the same time as the Draft Environmental Assessment on the project. Caltrans has reviewed comments made during the circulation period and input received by the Officials with jurisdiction over each Section 4(f) resource (i.e., the State Historic Preservation Officer [SHPO]) into account in the preparation of this Final Section 4(f) Evaluation.

This Final Section 4(f) Evaluation compares the one build alternative presented in the Environmental Assessment (Build Alternative) with other alternatives as required by 23 Code of Federal Regulations (CFR) 774. The Build Alternative is the proposed project described in Section 2, Project Description. This Final Section 4(f) Evaluation documents the analysis and identification of the alternative that has the least overall harm.

## 2 Project Description

San Francisco Public Works, in coordination with the Citywide Planning Division of the San Francisco Planning Department, the San Francisco Municipal Transportation Agency (SFMTA), the San Francisco Public Utilities Commission (SFPUC), and the San Francisco County Transportation Authority (SFCTA), proposes to redesign and provide various transportation and streetscape improvements to Market Street.

The project includes changes to or replacement/modification of:

- Roadway configuration and private vehicle access
- Traffic signals
- Surface transit, including transit-only lanes, stop spacing, service, transit-stop location, transit-stop characteristics, and infrastructure
- Bicycle facilities
- Pedestrian facilities
- Commercial and passenger loading
- Vehicular parking
- Utilities
  - Sewer Line Replacement
  - Water Line Replacement
  - Traction Power System Improvement
  - PUC Power System Installation
  - DT Fiber Conduit Installation
  - Overhead Contact System Replacement
  - Track Replacement
  - F-loop Installation
  - Streetlight improvement
  - Irrigation System Improvement
  - Fire Hydrant Improvement
  - Curb Ramps and Accessibility Improvement
  - Streetscape Improvement

All of the various proposed project elements will be constructed within the public right-of-way; the majority of these elements will be implemented within the operational public right-of-way. The project will require a temporary encroachment permit for construction activities and a permanent encroachment permit (for modifications within the Van Ness Avenue and Central Freeway rights-of-way) from Caltrans.

The total area of disturbance is approximately 40 acres. Excavations to approximately 3 to 15 feet will be necessary for underground utility rehabilitation/replacement. At one location, 691 Market Street, the depth of soil disturbance could be as much as 35 feet because of an existing two-story sub-sidewalk basement. No roadway cut-and-fill work is anticipated to be required.

The project will be entirely within the area served by San Francisco's combined sewer/stormwater system. It will not entail any new or intensified land uses that could increase the amount of wastewater. Therefore, the project will not require environmental regulatory approvals from state or federal regulatory agencies concerning wastewater.

The project corridor consists primarily of the 2.2 miles of Market Street between Octavia Boulevard and the Embarcadero in the city and county of San Francisco, spanning the Downtown/Civic Center, South of Market, and Financial District neighborhoods. The project corridor also includes the following street segments/intersections:

- Valencia Street between Market and McCoppin streets
- McAllister Street between Market Street and Charles J. Brenham Place
- Charles J. Brenham Place between Market and McAllister streets
- Four off-corridor intersections (see Figure 1-1 in the environmental assessment)
- Portions of adjacent Caltrans facilities that intersect Market Street on its north and south sides
  - Immediate intersection area of South Van Ness Avenue (U.S. 101)
  - Portion of the Market Street/Octavia Boulevard intersection (U.S. 101/I-80 eastbound connector)

## 2.1 Purpose and Need

The principal purpose of the project is to make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians. Ancillary purposes of the project are to replace infrastructure in the corridor that is reaching the end of its operational design life, and to improve the accessibility of the corridor and quality of its streetscape environment.

### Need

#### Capacity, Transportation Demand, and Safety

Market Street is the main artery of the San Francisco Municipal Railway (Muni), with the majority of routes operating on or crossing Market Street. Market Street is among the slowest corridors in the Muni system, with average speeds of approximately 5.1 mph on Market Street between Larkin and First streets because of conflicts between different modes of transportation, stop spacing, and heavy passenger volumes. In addition to an average of approximately 250,000 transit boardings per day and private-vehicle traffic, Market Street sees substantial pedestrian use (approximately 85,000 pedestrians per weekend day on Market Street between Fourth and Fifth streets) and has experienced a substantial increase in the number of bicyclists. (At Market Street and Van Ness Avenue during the p.m. peak hour, there were approximately 165 bicyclists in 1995 compared to 467 bicyclists in 2015, a 183 percent increase.)

Market Street is located on a high-injury network, with 166 reported pedestrian collisions along the project corridor, consisting of 137 collisions between vehicles and pedestrians and 29 collisions between pedestrians and bicyclists between January 2012 and December 2016. Market Street's collision rate (67 Muni/auto collisions and 53 bicycle/pedestrian or pedestrian/auto collisions total on Market Street for the period 2012–2013, the most recent data available) is higher than the statewide average for an urban four-lane undivided road (see Table 1).

**Table 1. Collisions per Million Vehicle Miles Traveled**

Market Street	32.0
Statewide average for urban four-lane undivided road	1.53
Caltrans District 4 average	0.58
San Francisco County	4.7
Mission Street	6.9

Collision data: SFMTA, 2015; Caltrans, 2014.

The entire length of Market Street is approximately 0.4 percent of San Francisco's total street miles but the site of 11 percent of the city's severe/fatal bicyclist injuries and 6 percent of the city's severe/fatal pedestrian injuries. On average, one person is killed each year along the corridor. Market Street has three of the top-five intersections for bicyclist-involved injury collisions (at Octavia, Gough and Fifth streets) and two of the top-five intersections for pedestrian-involved injury collisions (at Fifth and Seventh streets).<sup>1</sup> A 2015 study (San Francisco Municipal Transportation Agency 2015; Perkins and Will et al. 2011) by SFMTA concluded that the nature of the collisions suggests that the mixing of automobiles on a street that carries a large volume of bicyclists, pedestrians, and transit buses is contributory because shared facilities pose conflicts between modes of transportation.

### Roadway Deficiencies

Design deficiencies that contribute to a higher-than-average collision rate and pose potential hazards for all modes of transportation are outlined below.

- Shared vehicle, transit, and bicycle facilities pose potentially hazardous conditions for all modes of transportation.
- High demand for parking and loading by private vehicles and the low availability of non-commercial parking spaces in the area lead to conflicts between vehicles, double parking, and parking on the sidewalk and create pinch zones at commercial on-street loading areas.
- Congestion results from limited opportunities for vehicles to pass in center lanes, particularly when vehicles are queued while making right turns.

<sup>1</sup> San Francisco Department of Public Health, using San Francisco Police Department records and the Statewide Integrated Traffic Records System, 2012 to 2016.

- Curbside lane blockages at right-turn areas or commercial loading areas lead to conflicts between traffic and loading vehicles
- The lack of existing dedicated bicycle facilities east of Eighth Street leads to bicyclists, transit, and vehicles competing for the same space; vehicles weaving in bus lanes; and pinch zones in lanes due to encroachment from boarding islands.
- Left turns are not defined for bicyclists at several intersections, which can make bicyclists unsure of where and how to cross
- Lack of intersection waiting space for bicyclists leads to unsafe conditions when waiting to turn
- Rails for Muni streetcars and ventilation grates for the Bay Area Rapid Transit (BART) system can be hazards for bicyclists
- Market Street's considerable width requires extended time for pedestrians to navigate across crosswalks.
- For low-vision and mobility-impaired pedestrians, existing non-standard brick sidewalks do not comply with the Americans with Disabilities Act (ADA). The frequency with which joints in the surface occur tends to cause the front end of a wheelchair to vibrate or bounce, which can cause pain or muscle spasms, possibly leading to a loss of control and maneuvering ability. In addition, brick has a tendency to buckle, which can create changes in level and tripping hazards for people with visual impairments as well as ambulatory pedestrians with mobility impairments, and which can also catch wheelchair casters.
- For transit users, boarding islands have limited capacity (i.e., narrow width) and are not ADA compliant. United States Access Board Guidelines require bus boarding and alighting areas to provide a clear length of 96 inches measured perpendicular to the curb or vehicle roadway edge, and a clear width of 60 inches measured parallel to the vehicle roadway, in order to provide sufficient clearance.

### Logical Termini and Independent Utility

The logical termini for the project are the aggregates of the logical termini for each of the principal modes of transportation which the project addresses. The purpose of the project is safer and more efficient for all modes of transportation, but each mode has different logical termini, which are presented in Table 2.

As shown in Table 2, no additional projects are required to establish the utility of the Better Market Street project. The work will extend from the ends of all lines to the end of the four-lane segment of Market Street where the reduction of roadway capacity impacts transit and traffic, and captures the largest transfer point (Market Street and Van Ness Avenue). For bicycles, the project will complete the existing Class IV facility for Market Street. For pedestrians, the project will capture the entire area with non-ADA-compliant pavers and ramps.

**Table 2. Logical Termini for Each Mode of Transportation**

<b>Mode of Transportation</b>	<b>Eastern Terminus of Mode</b>	<b>Western Terminus of Mode</b>
Transit	<b>Market Street &amp; Steuart Street</b> All bus lines terminate at Market Street and Steuart Street	<b>Market Street &amp; Van Ness Avenue</b> Market Street at Van Ness Avenue is the biggest transfer point between regular buses, Bus Rapid Transit, and the Metro. It is also the point at which the density of bus lines drastically increases (from 16 lines west of Van Ness to 30 east of Van Ness).
Traffic	<b>Market Street &amp; Steuart Street</b> Market Street terminates at Steuart Street	<b>12<sup>th</sup> Street/Franklin Street &amp; Market Street</b> This is the point at which the number of lanes on Market Street reduces from six to four, correspondingly reducing capacity and increasing congestion.
Bicycles	<b>Embarcadero</b> The Embarcadero is the end destination on Market Street and provides connections to the waterfront. Currently, cyclists can dismount and walk their bicycles through the existing plaza between Steuart Street and the Embarcadero.	<b>Octavia Street &amp; Market Street</b> The existing Class IV facility ends here.
Pedestrians	<b>Embarcadero</b> The Embarcadero is the end destination on Market Street and provides connections to the waterfront.	<b>Octavia Street &amp; Market Street</b> This is the western limit of the brick pavers; the area east of here contains all the non-compliant curb ramps.

## 2.2 Existing Conditions

Market Street is a major city street and a significant regional destination, functioning as the backbone to San Francisco's local and regional (Bay Area Rapid Transit [BART]) transportation systems, a significant bicyclist commuter route, and a major retail portal, serving a population both within and outside the city. The project corridor crosses or is adjacent to several distinct districts and neighborhoods. The land use distribution along Market Street is primarily commercial and office, with few residential uses but several hotels.

In general, there are four travel lanes on Market Street between 12<sup>th</sup> Street and Main Street. The blocks between Main and Steuart streets have three travel lanes. West of 12<sup>th</sup> Street, Market Street widens to seven travel lanes to allow left turns onto northbound Franklin Street and southbound Valencia Street. Market Street has traffic signals at most intersections.

As of January 29, 2020, private vehicles are not permitted on Market Street eastbound (outbound) between 10<sup>th</sup> and Main streets and westbound (outbound) between Steuart Street and Van Ness Avenue. Where permitted to travel on Market Street, vehicles are restricted from using transit-only lanes at all times. Eastbound private vehicles are required to turn right at 10<sup>th</sup> Street.

Market Street's center transit-only lanes permit use by public transit, taxis, and emergency vehicles 24 hours a day, seven days a week. Existing transit-only lanes are located in the westbound (outbound) direction between Third Street and Van Ness Avenue and between 12<sup>th</sup> and Third streets in the eastbound (inbound) direction. Streetcar tracks run in both directions on Market Street in the center lanes between Octavia Boulevard and Steuart Street.

The San Francisco Municipal Railway (Muni) operates 23 bus routes and one streetcar line (the F line, on a tie-and-ballast track) along the surface of Market Street during the evening peak hour within the project corridor. Of these, five trolleybuses and 10 motor coaches travel on Market Street for more than one block (the remainder cross Market Street, travel only a short distance, or do not stop on Market Street). Most of these routes operate throughout the day and serve at least one of 17 curbside stops (eight inbound, nine outbound) and 23 center boarding island stops (12 inbound, 11 outbound) within the project corridor.

In addition to the daytime bus routes, Muni operates two late-night bus routes on Market Street. Amtrak Thruway coaches also travel eastbound on Market Street, serving a stop between Powell and Fourth streets. During late-night hours, SamTrans route 397 and AC Transit route 800 also run on Market Street between Van Ness Avenue and 11<sup>th</sup> Street and Octavia Boulevard and Beale Street, respectively.

Existing bicycle facilities consist of dedicated lanes or shared lanes that are marked with sharrows, depending on location. There is a protected cycle track with plastic safe-hit posts as well as partially raised bikeways between Gough Street and halfway between Ninth and Eighth streets in the eastbound direction and between Eighth Street and Octavia Boulevard in the westbound direction. Sharrows are painted in the curb lanes at all other locations on Market Street to indicate that bicycles and vehicles share these lanes. Valencia Street has an existing road-level bikeway in each direction between Market and McCoppin streets. Nine Ford Go-Bike pods are located along Market Street. Bicycle racks are also located at a number of locations along Market Street.

Existing sidewalks on Market Street are generally wider east of Van Ness Avenue (between 25 and 35 feet) than they are west of Van Ness Avenue (closer to 15 feet).

Market Street's sidewalks are constructed of red bricks set in a herringbone pattern, with 18-inch-wide granite curbs separating sidewalks from the roadway. The brick paving does not meet federal standards regarding traction or joints for pedestrian access routes. The numerous joints associated with the existing brick paving have been found to cause vibration for some people who use wheelchairs as well as visually impaired persons and individuals with mobility impairments who use canes.<sup>2</sup> The requirement related to joints in the surface of the pedestrian access route is intended to eliminate, to the greatest extent possible, surfaces that tend to cause the front end of a wheelchair to vibrate or bounce as it travels across the surface. For many people who must use wheelchairs, this vibration can cause pain or muscle spasms, possibly

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<sup>2</sup> Conclusions in this discussion are drawn from the Access Board's Guidelines and Standards, Advisory Committee Report, n.d., <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/background/access-advisory-committee-final-report/x02-new-construction-minimum-requirements-x02-1-public-sidewalks>, accessed December 12, 2018.

leading to loss of control of the wheelchair. Moreover, the existing herringbone pattern, with its wide joints, poses challenges for visually impaired persons. Joints between bricks can be wide enough to catch the tip of a cane and thus be dangerous for those with walking aids. In addition, brick has a tendency to buckle over time, creating tripping issues for people with visual impairments as well as pedestrians with mobility impairments. Moreover, many sidewalk crossings lack ADA-compliant curb ramps.

A number of objects are located on the existing sidewalks, including bus shelters, trees, signage, newspaper kiosks and boxes, flower stands, public art, bicycle racks, self-cleaning bathrooms, advertising signs, bollards with chains at several intersection crossings, Auxiliary Water Supply System (AWSS) hydrants, and two sets of light standards (the Path of Gold light standards and the Golden Triangle light standards, described below).

The AWSS is a high-pressure fire suppression water supply system that was instituted after the 1906 earthquake to create redundancies in the city's system. It includes the Twin Peaks Reservoir, two water pump stations, two storage tanks, approximately 1,600 water hydrants, sub-surface distribution pipes, gate valves, and approximately 200 underground cisterns. Approximately 65 AWSS hydrants, as well as the associated sub-surface distribution pipes and gate valves, line both sides of Market Street within the project corridor.

The Path of Gold light standards are decorative light poles with a trident-shaped top; each top part supports a light globe. The Path of Gold light standards are a City and County of San Francisco (City) historic landmark, as defined under article 10 of the San Francisco Planning Code (Landmark No. 200). A total of 327 Path of Gold light standards are located between 1 Market Street and 2490 Market Street (near Castro Street); 236 Path of Gold light standards are located within the 2.2 miles of the project corridor (Steuart Street to Octavia Boulevard).

The Golden Triangle light standards are also decorative light poles but with a two-part top with two light globes. A total of 189 Golden Triangle light standards remain standing, generally between Mason, Market, and Sutter streets.

As of a 2017 survey, there were 767 trees within the project's limit of work, of which 93 percent were various cultivars of London plane tree. Of the total, 360 trees, or 47 percent, were evaluated as "fair to healthy," and 407 trees, or 53 percent, were evaluated as "declining to dead," with contributing factors that included scant soil quantities, poor soil quality, poor drainage, limited water, and underground constraints, such as sub-sidewalk basements and utilities (San Francisco Bureau of Urban Forestry 2017).

Market Street has a limited number of designated on-street commercial and passenger loading bays. However, a limited number of curb cuts exists on Market Street, allowing access to off-street parking and loading facilities.

Existing utilities along Market Street include a brick sewer line beneath Market Street, electrical components for the streetcar overhead contact system (OCS), electrical conduits for the Path of Gold light standards and traffic signals, and other subsurface utilities beneath the Market Street right-of-way. Fire hydrants, in addition to the large AWSS hydrants, are also located within the project corridor.



## 2.3 Proposed Build Alternative and Design Option

The Build Alternative includes changes to, or replacement/modification of, the various elements listed in Section 2, Project Description. Figure 1, Sheets 1 through 10, pp. A-11 through A-20, show the Build Alternative's proposed improvements.

The design option reflects differences in emphasis with respect to prioritizing different modes of transportation, principally transit and bicycles, and refers to the approximately 0.6-mile portion of Market Street between Octavia Boulevard and a point approximately 300 feet east of the intersection of Hayes and Market streets. This design option also includes a portion of 11<sup>th</sup> Street south of Market Street. There are fewer transit lines west of the 9th/Hayes/Larkin/Market intersection—only Muni routes 6, 7, 9 and the F-line remain. Also, substantial high-density residential development is underway in this area known as The Hub, with the majority concentrated within one block of the Market/Van Ness intersection. Several thousand new residents are expected to move into the new residential towers. As part of the public outreach for the Hub Area Plan, the community asked for a design option for Better Market Street that provided more space for pedestrians and further reduced conflicts with vehicles. As a result, this design option between the intersections of Ninth/Hayes/Larkin/Market and Gough/Market is being considered. It differs from the Build Alternative in that there are additional turn restrictions, only one vehicle lane in each direction, and wider sidewalks. Only transit, paratransit, taxis, and emergency vehicles will be allowed to use the roadway in this area. Delivery vehicles westbound on Market will be detoured onto Hayes or Larkin streets. Eastbound, all private and delivery vehicles will be detoured before reaching 12th Street. Figures 2 and 3, pp. A-21 and A-22, show the differences between the Build Alternative and the design option.

The design option will not materially increase construction costs. The proposed project, with or without the design option will cost approximately \$603.7 million.

### 2.3.1 Project Elements – Measures to Increase the Efficiency of the Facility for Transit, Bicyclists, Pedestrians, and Commercial Vehicles

The project proposes to increase the efficiency of the corridor for transit, bicyclists, pedestrians, and commercial vehicles and, consequently, make the facility safer for all modes of transportation. In addition, the project proposes to bring elements of city infrastructure in the corridor that are reaching the ends of their operational design lives into a state of good repair. The project elements as well as construction of staging are described below.

#### Roadways

The project will continue to provide four travel lanes on Market Street, with two center lanes and two curb lanes between Franklin and Beale streets but with the following exceptions: up to seven lanes will be provided west of Franklin Street; only three lanes will be provided east of Main and Beale streets and two lanes east of Spear Street. The project will generally convert the existing center lanes on Market Street from transit-only to Muni-only lanes. These lanes will

permit only Muni buses, streetcars, and emergency vehicles at all times. The Muni-only lanes will also extend from Gough to Main in the eastbound direction and from Beale Street to 12<sup>th</sup> Street in the westbound direction.

The width of the center travel lanes will remain about the same as under existing conditions (approximately 10.5 to 12 feet wide). Existing outer lanes (curb lanes) are 11 to 13 feet wide; the project will reduce these to 11 feet. Although the two center lanes will remain at approximately the same location, curbside lanes will deviate from their current alignment to allow for the inclusion of four new center boarding islands and widening of the existing center boarding islands that remain.

Some intersections will be reconfigured. Intersection reconfigurations will include, but are not limited to, curb extensions for bulb-out construction to minimize crossing distances, curb pull-back for sidewalk-level bikeway coordination, relocation or modification of existing traffic islands, addition of small islands for sidewalk-level bikeway protection, raised crosswalks at alleyways, updated curb radii to accommodate bus movements, and updated curb ramps to meet the latest ADA requirements and align with proposed crosswalks. Major intersection reconfigurations include:

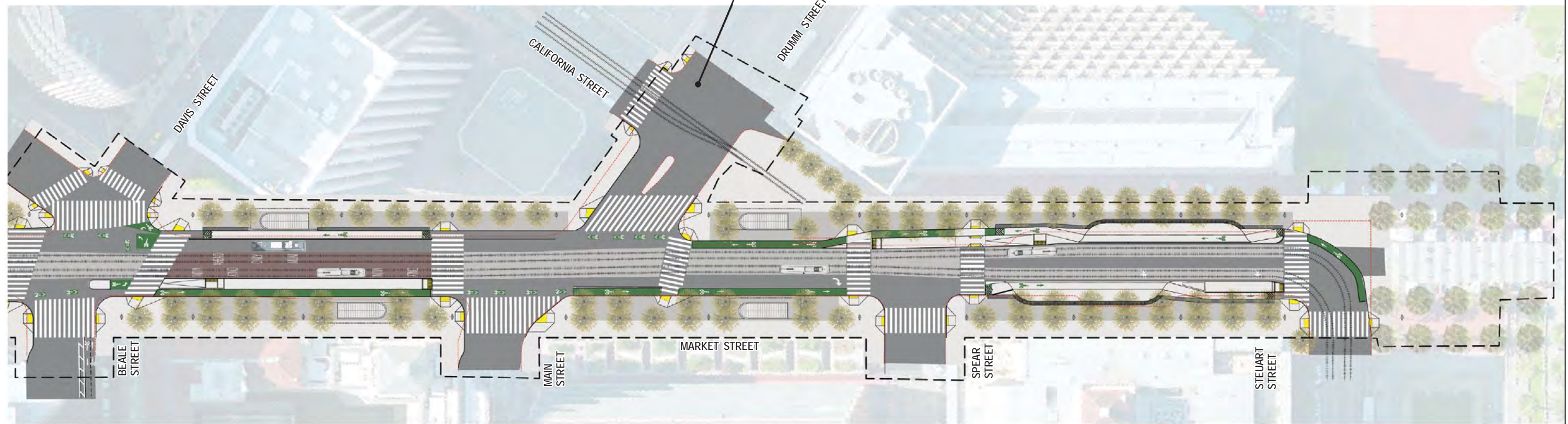
- Modification of track and curb alignments at the Market/Charles J. Brenham Place/Seventh Street and Market Street/McAllister Street/Jones Street intersections.
- Conversion of existing roadway to plaza space at northwest corner of Market and Bush streets.
- Reconfiguration of Market Street/Kearny Street/Geary Street intersection to accommodate proposed traffic island.

The project will include signal timing changes, control modifications, and signal relocations at all existing signal locations. Traffic signal modifications will occur at eight intersections (Golden Gate Avenue/Jones Street, Eddy Street/Mason Street, Turk Street/Taylor Street, McAllister Street/Charles J Brenham Place, Ellis Street/Powell Street, Ellis Street/Cyril Magnin Street, Drumm Street/California Street, and Eddy Street/Cyril Magnin Street) to accommodate new two-way/one-way changes. In addition, the project will install two new signals at 11<sup>th</sup> and Market streets and at Steuart and Market streets.

### **Design Option**

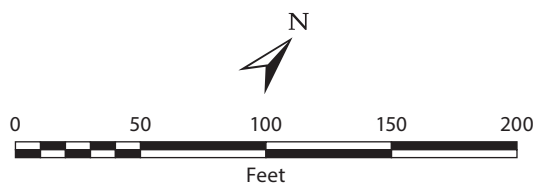
This design option will modify the design of the Build Alternative to include additional sidewalk widening to provide a 14-foot-wide two-way bikeway along Page Street between Franklin and Market Street. The number of westbound (outbound) travel lanes on Market Street will be reduced from two to one between Hayes and 12<sup>th</sup> streets. The number of eastbound (inbound) travel lanes on Market Street will be reduced from two to one between 12<sup>th</sup> and 11<sup>th</sup> streets. These will be 12.5 to 13.5 feet wide to provide, at a minimum, a 26-foot clear width for fire department access. These lanes will be accessible only to Muni, taxis, paratransit, and emergency vehicles. Furthermore, as with the proposed project, the design option will create a new northbound Muni-only lane on 11<sup>th</sup> Street, extending approximately 155 feet south of Market Street.

PROPOSED PROJECT WILL NOT MODIFY EXISTING CABLE CAR TRACKS



**Notes:**

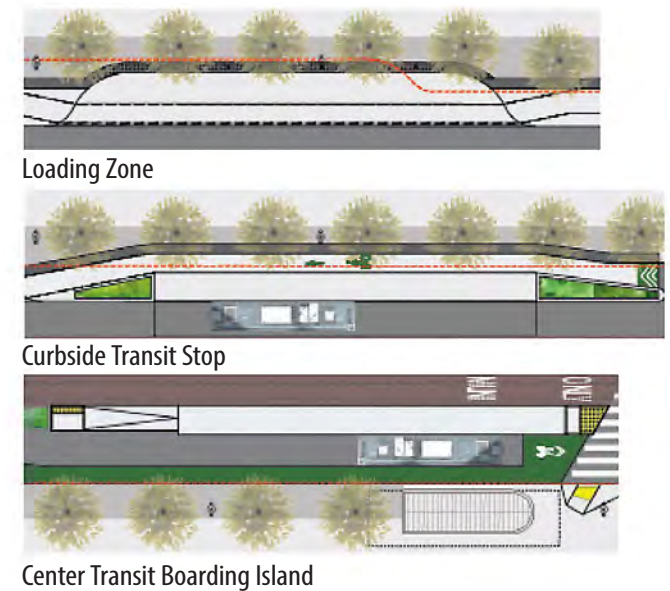
- Substations that will be upgraded as part of the proposed project are located within the project corridor but are not identified in this figure for security purposes.
- This figure illustrates proposed transportation and streetscape improvements that will occur slightly outside of the project corridor (e.g., traffic striping and turn restrictions); these proposed improvements will not involve ground disturbance.
- This figure does not illustrate some project-related activities that will result in changes to existing cultural resources (e.g., relocating and rehabilitating underground Auxiliary Water Supply System lines).



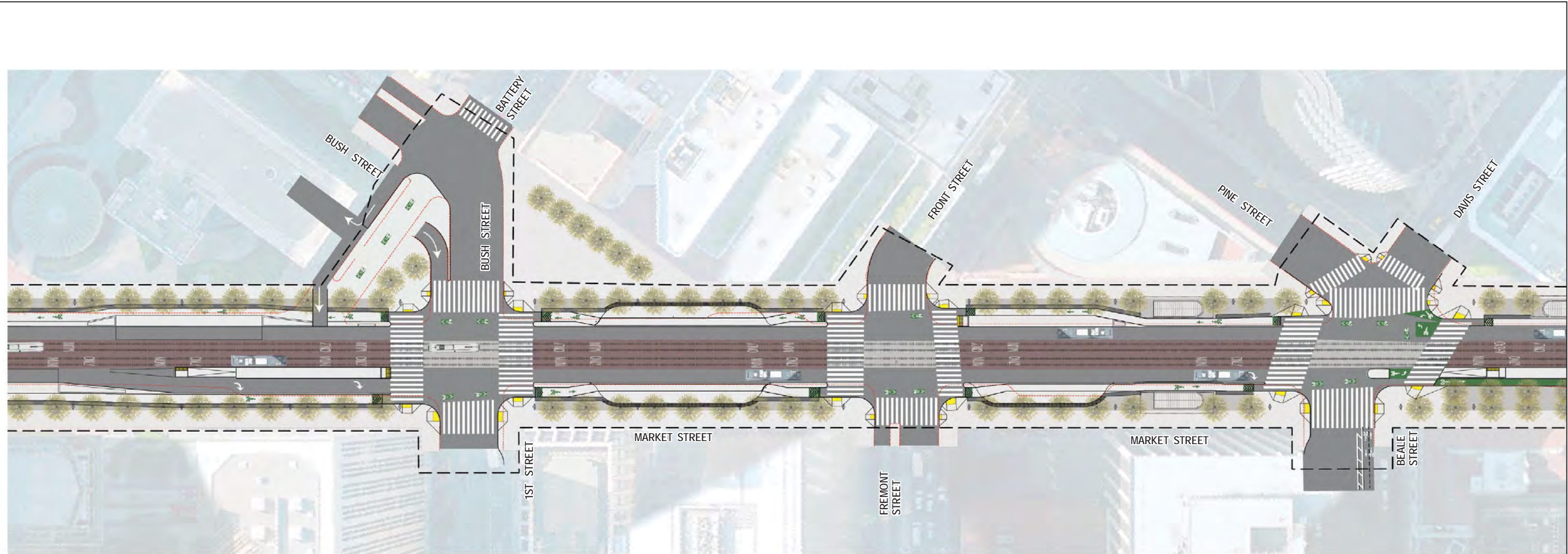
Source: San Francisco Public Works, 2020.

**Legend**

- Project Corridor (area of ground disturbance)
- Existing curb
- SIDEWALK**
  - Buffer
  - Furnishings Zone
  - Pedestrian Through Zone
- Sidewalk-level Bikeway
- Street-level Bicycle Lane
- Path of Gold (partially restored, reconstructed, and realigned)
- Crosswalk
- BART/Muni Metro Portal
- Streetcar
- Bus
- Sidewalk Planting Area
- Muni-only Lanes (center lanes east of Third Street, eastbound lane between 12th and Gough streets, & southbound lane on Charles J. Brenham Place)
- Curb Ramp
- Street Tree (*Platanus* monoculture replaced with trees screened for use by the Public Works Bureau of Urban Forestry)
- Streetcar Tracks

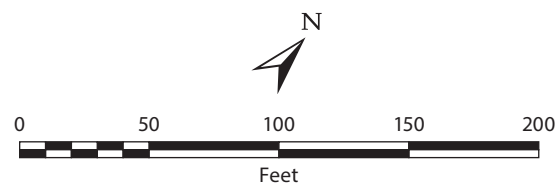






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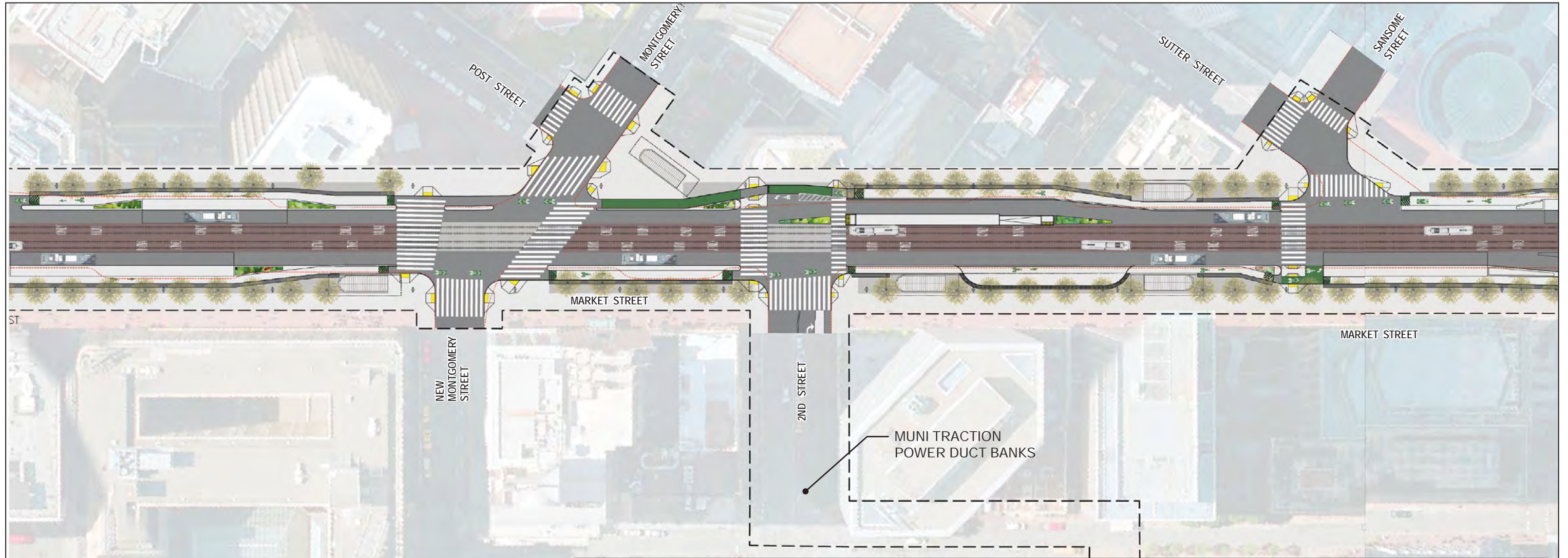


Source: San Francisco Public Works, 2020.

**Legend**

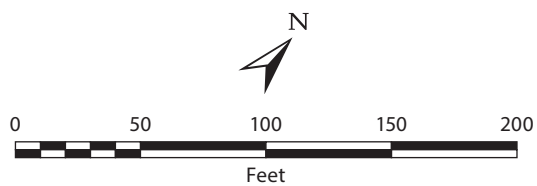
	Project Corridor (area of ground disturbance)		BART/Muni Metro Portal	
	Existing curb		Streetcar	
	<b>SIDEWALK</b>		Bus	
	→ Buffer		Sidewalk Planting Area	
	→ Furnishings Zone		Muni-only Lanes (center lanes east of Third Street, eastbound lane between 12th and Gough streets, & southbound lane on Charles J. Brenham Place)	
	→ Pedestrian Through Zone		Curb Ramp	
	Sidewalk-level Bikeway		Street Tree ( <i>Platanus</i> monoculture replaced with trees screened for use by the Public Works Bureau of Urban Forestry)	
	Street-level Bicycle Lane		Streetcar Tracks	
	Path of Gold (partially restored, reconstructed, and realigned)			
	Crosswalk			





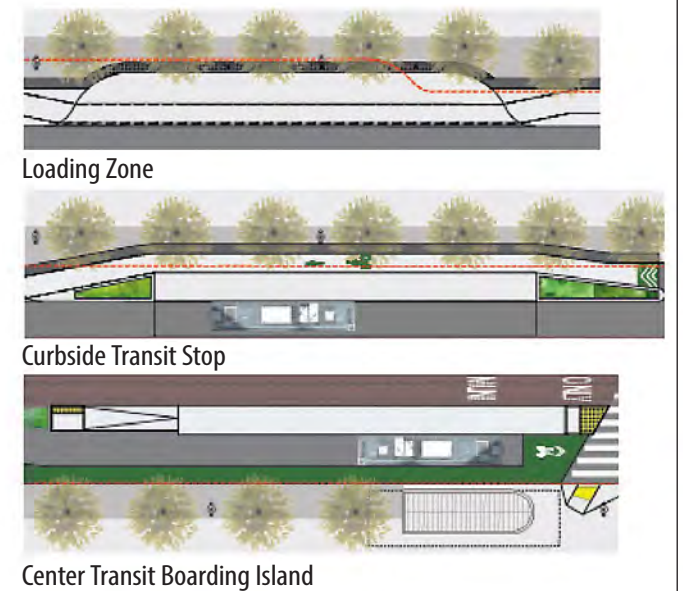
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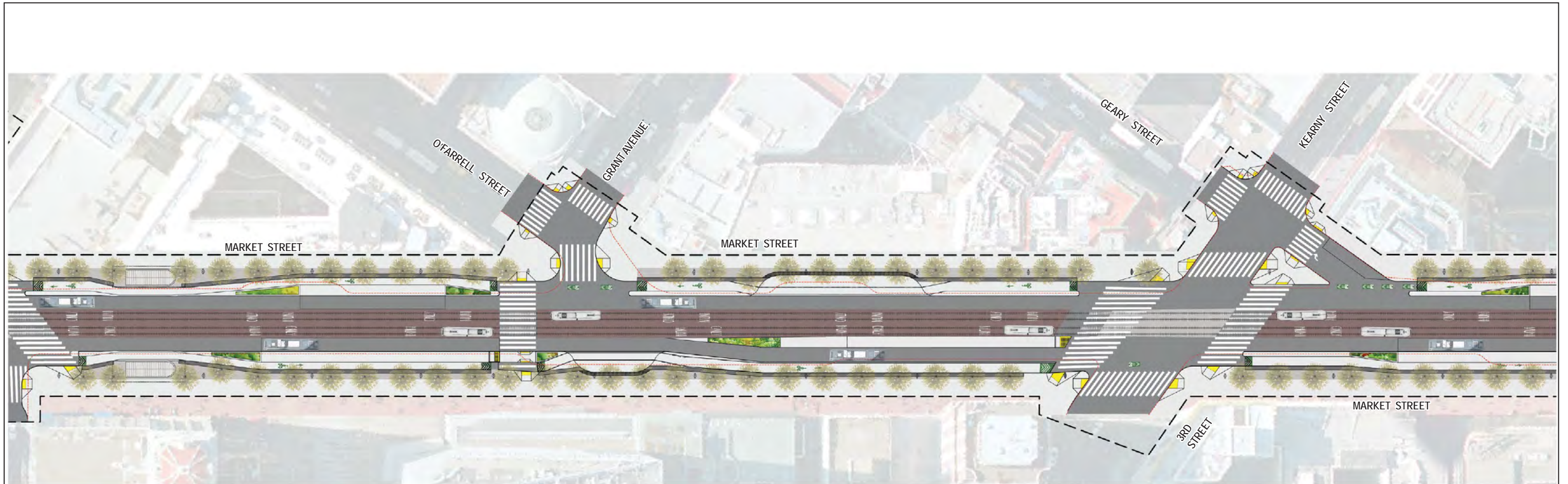
**Legend**

- Project Corridor (area of ground disturbance)
- Existing curb
- SIDEWALK**
  - Buffer
  - Furnishings Zone
  - Pedestrian Through Zone
  - Sidewalk-level Bikeway
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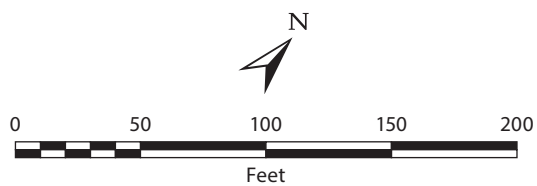
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**Notes:**

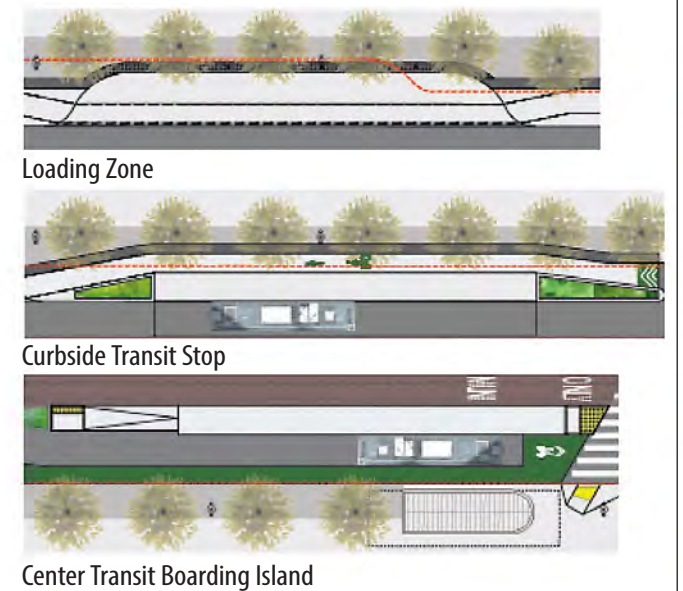
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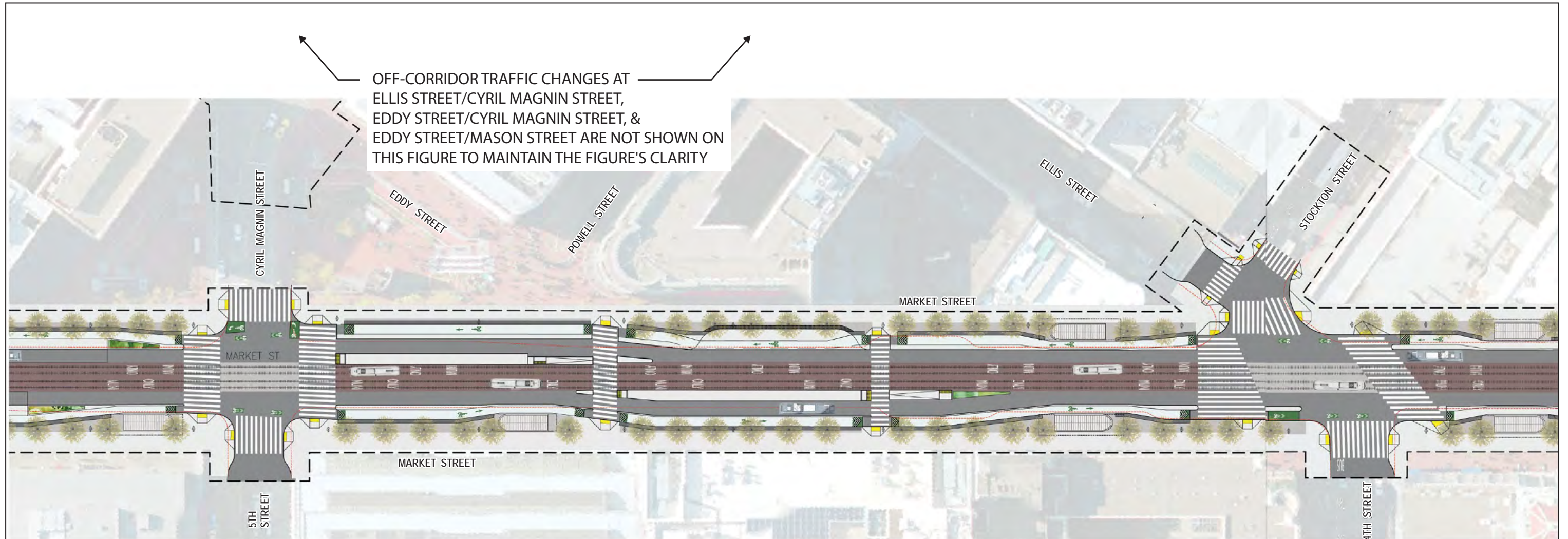
Source: San Francisco Public Works, 2020.

**Legend**

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- Existing curb
- SIDEWALK**
  - Buffer
  - Furnishings Zone
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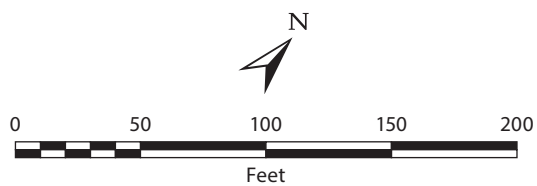






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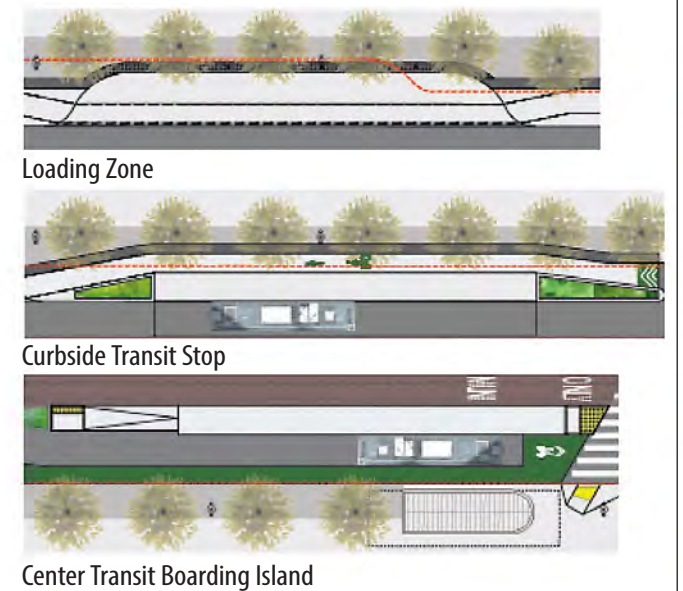
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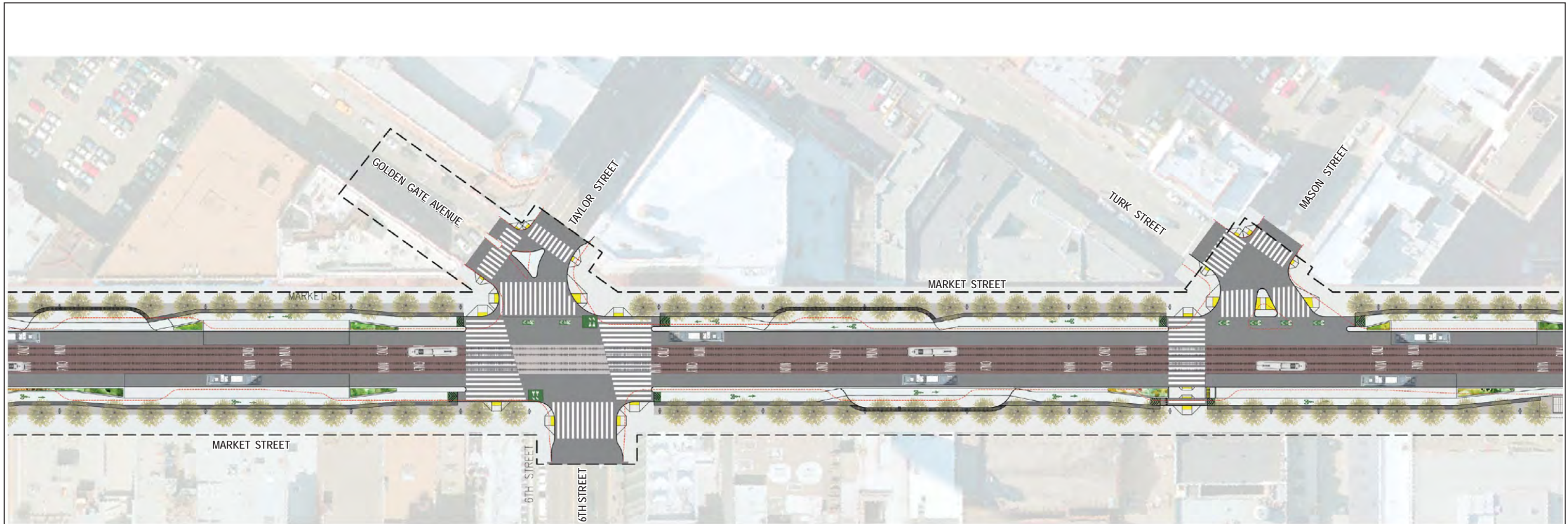
Source: San Francisco Public Works, 2020.

**Legend**

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- Existing curb
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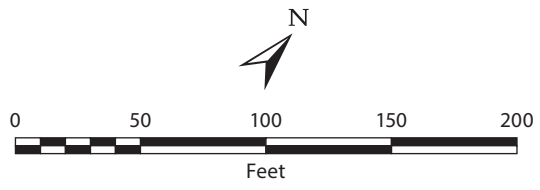






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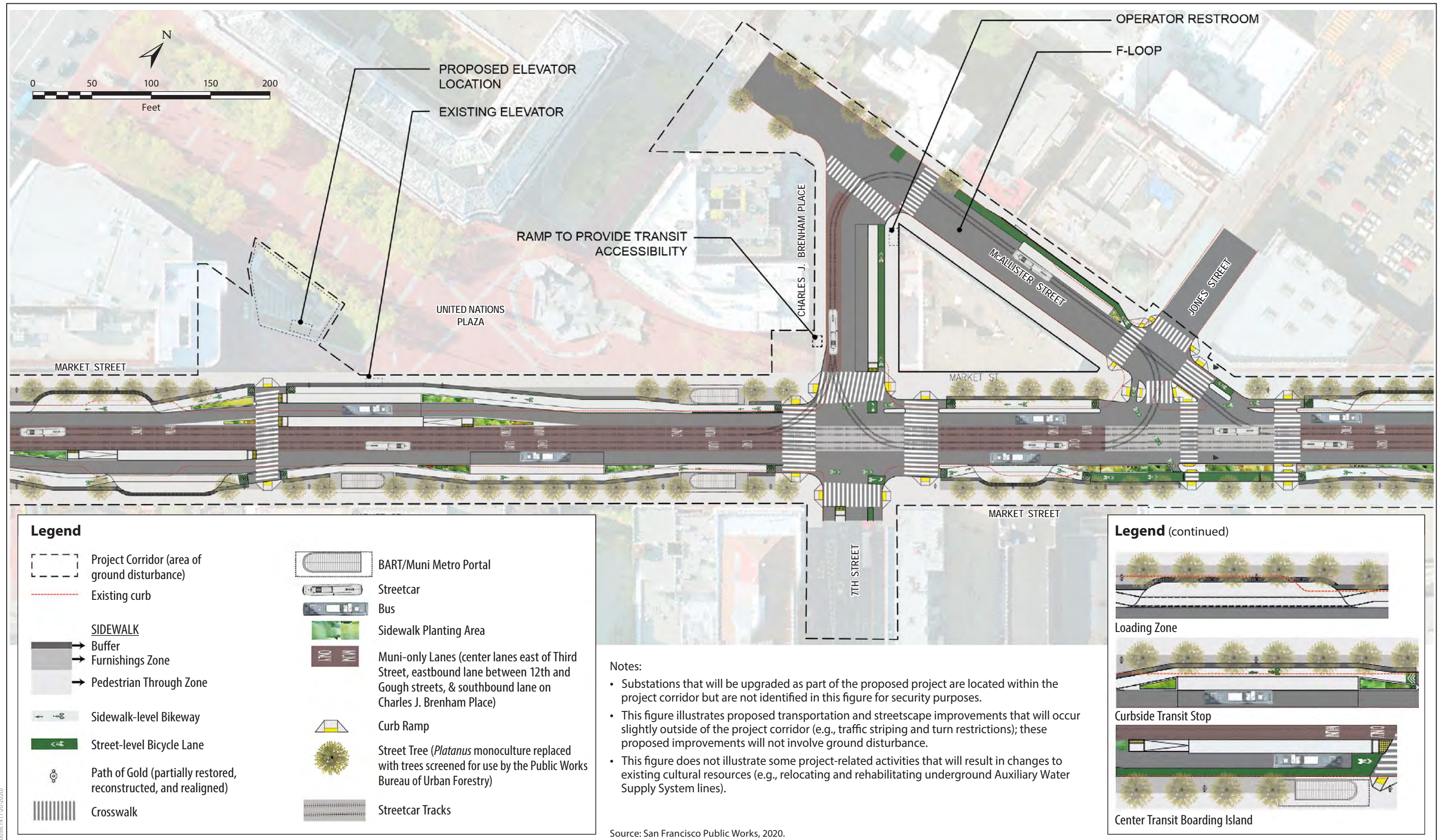


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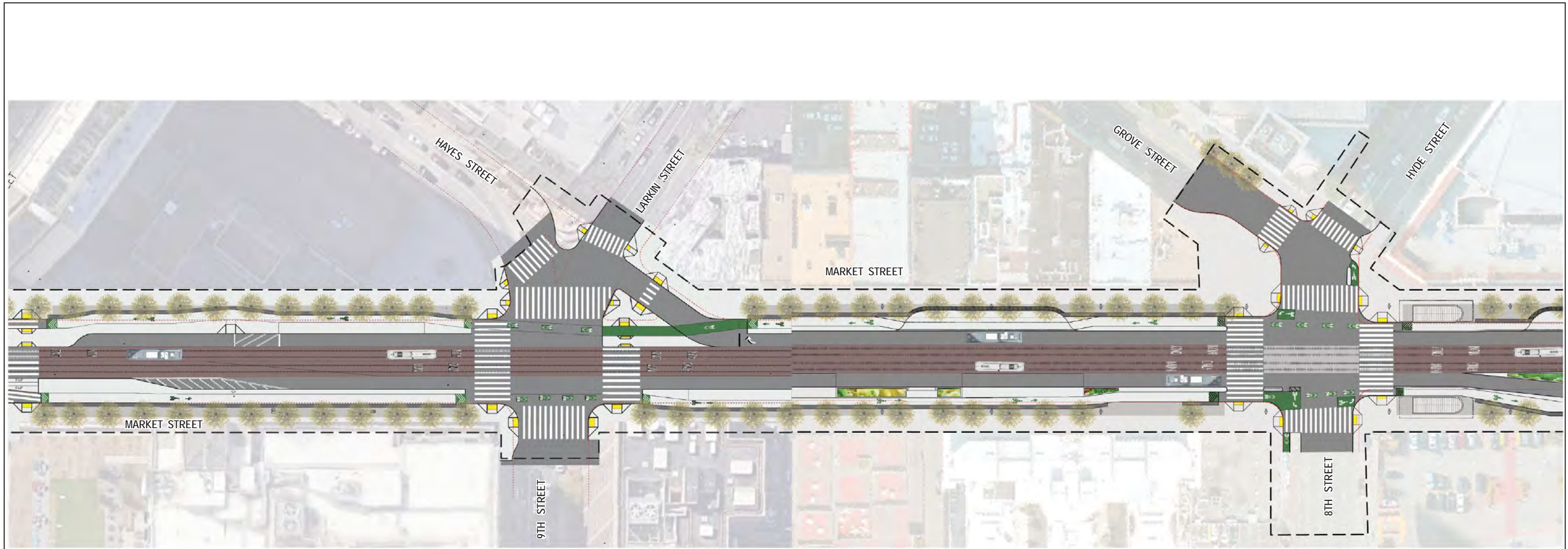
Project Corridor (area of ground disturbance)	BART/Muni Metro Portal	
Existing curb	Streetcar	
Buffer	Bus	
Furnishings Zone	Sidewalk Planting Area	
Pedestrian Through Zone	Muni-only Lanes (center lanes east of Third Street, eastbound lane between 12th and Gough streets, & southbound lane on Charles J. Brenham Place)	
Sidewalk-level Bikeway	Curb Ramp	
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Path of Gold (partially restored, reconstructed, and realigned)	Streetcar Tracks	
Crosswalk		

Source: San Francisco Public Works, 2020.



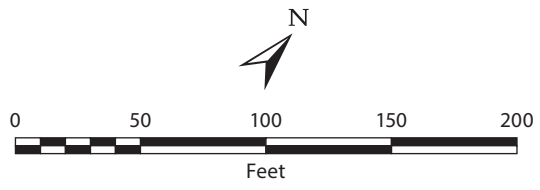






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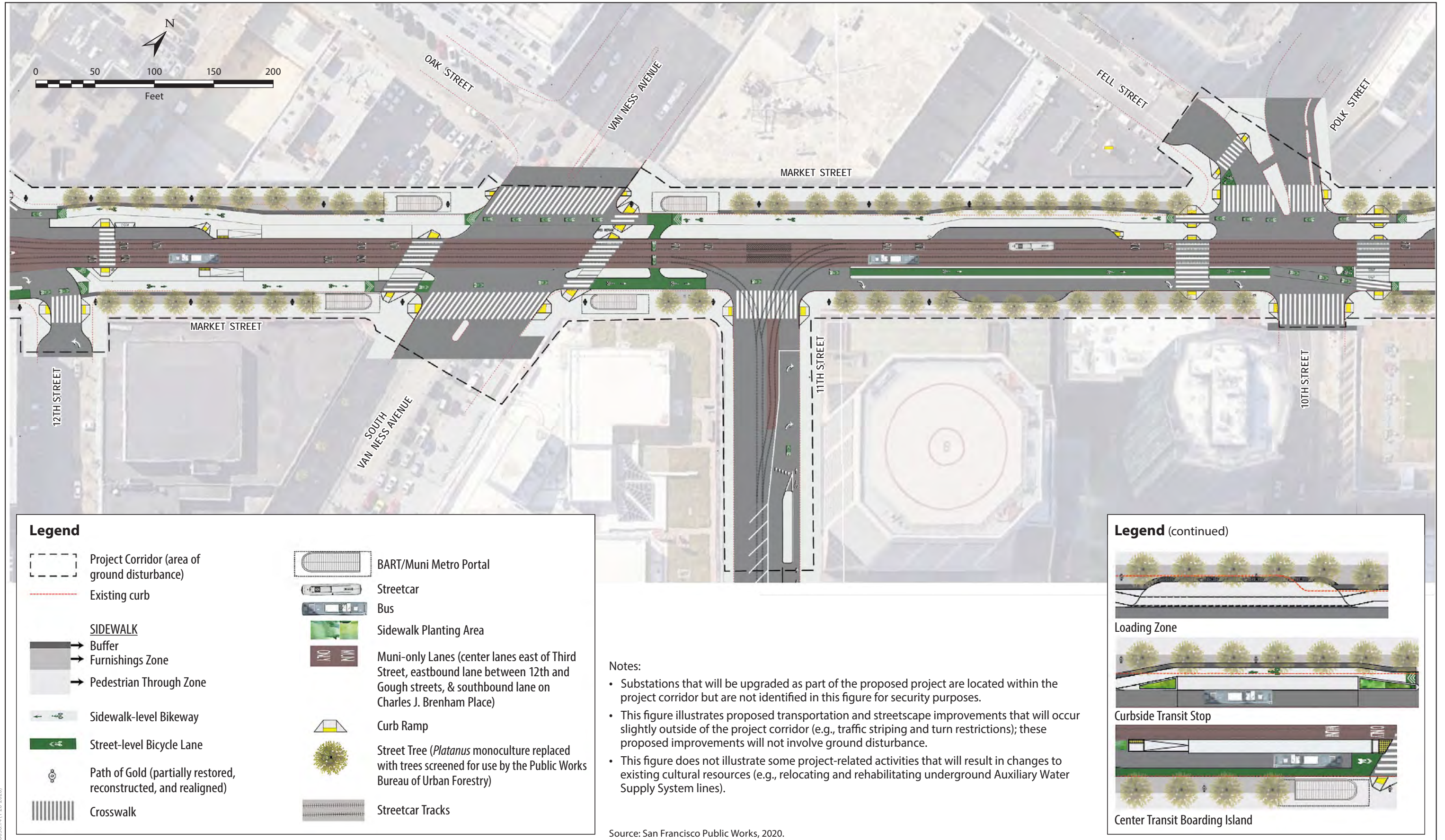


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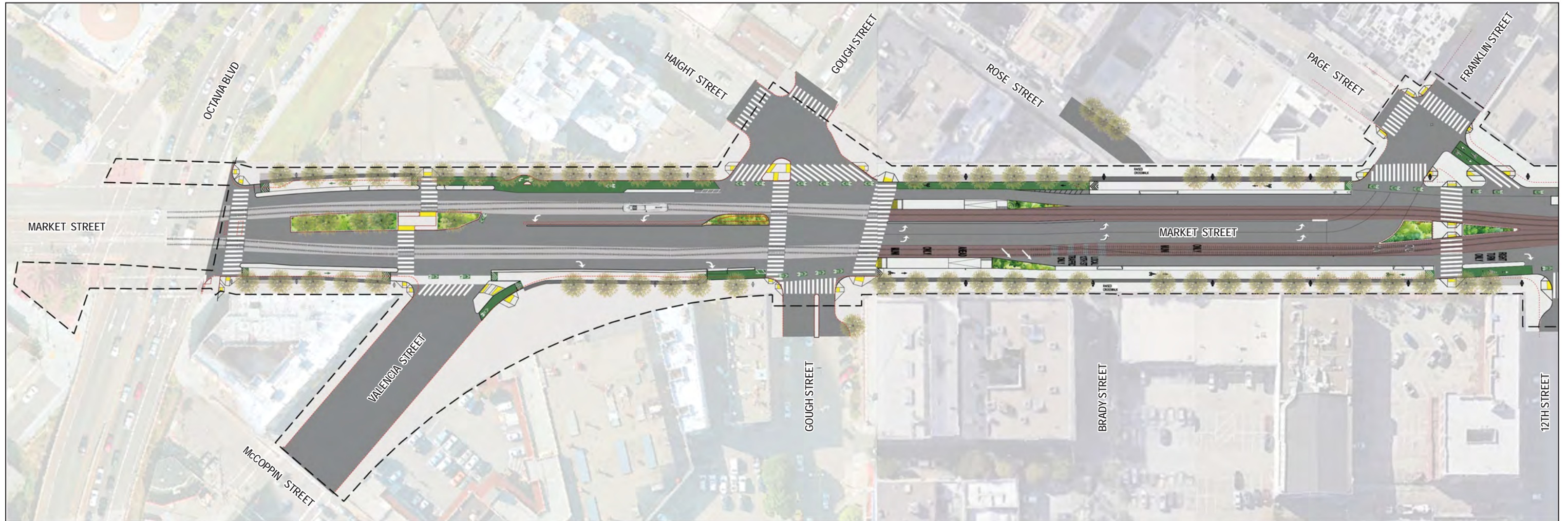
	Project Corridor (area of ground disturbance)		BART/Muni Metro Portal	
	Existing curb		Streetcar	
	<b>SIDEWALK</b> Buffer		Bus	
	Furnishings Zone		Sidewalk Planting Area	
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	Crosswalk			

Source: San Francisco Public Works, 2020.



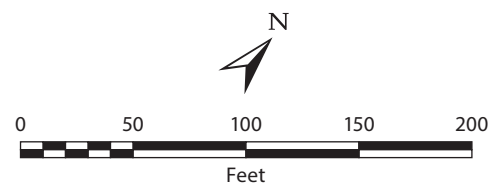






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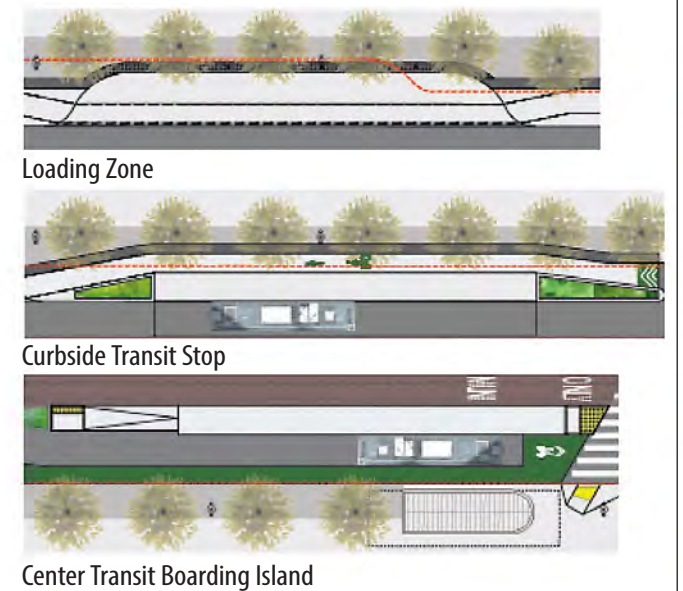
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Source: San Francisco Public Works, 2020.

**Legend**

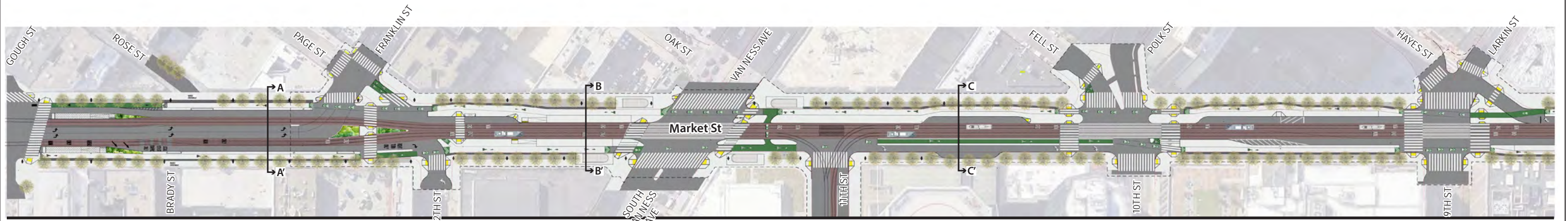
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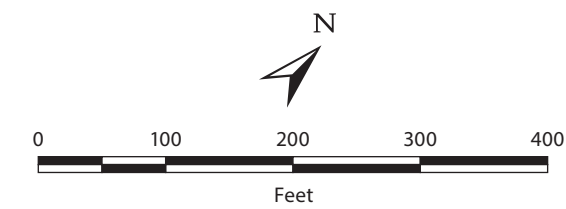




**Proposed Project**



**Design Option**



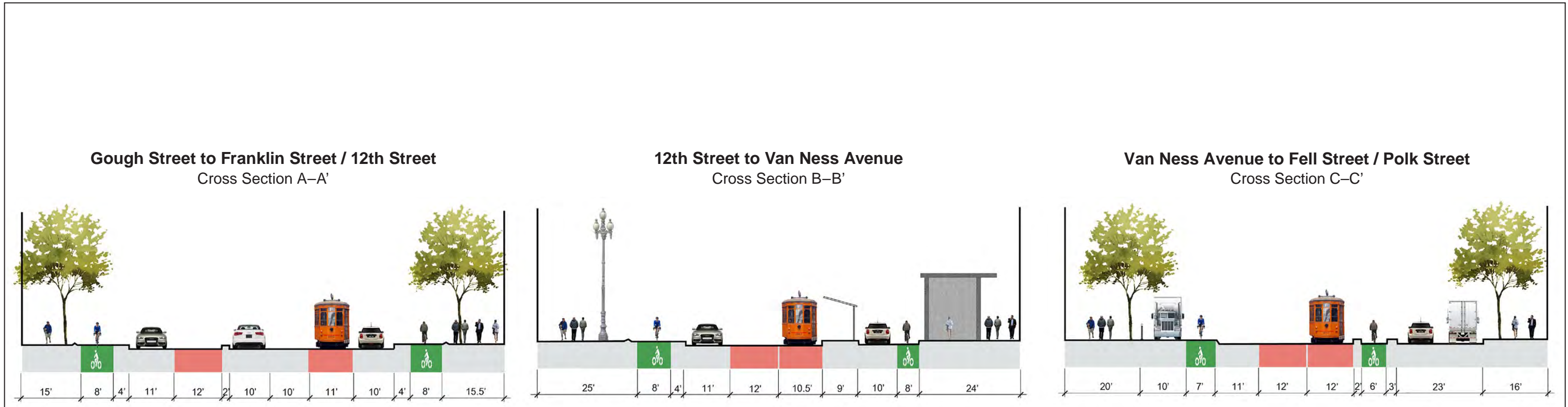
**Notes:**

- This figure illustrates proposed transportation and streetscape improvements that will occur in the project corridor in the vicinity of Market Street and Van Ness Avenue. It does not show the full extent of the project corridor. The project's proposed transportation and streetscape improvements outside of the design option also apply to the design option.
- See Figure 3 for cross sections A, B, and C shown in this figure.

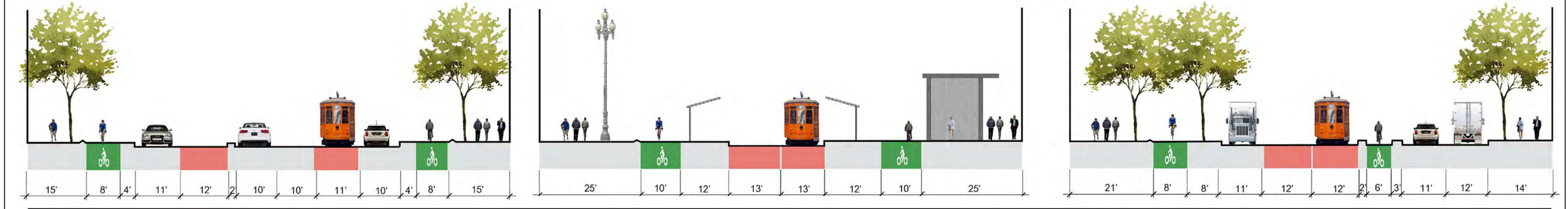
Source: San Francisco Public Works, 2020.

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**Proposed Project**



**Design Option**

Note: See Figure 2 for the locations of cross sections A, B, and C.

Source: San Francisco Public Works, 2020.

The signal phase for the eastside Market Street crosswalk will be modified so that pedestrians cross the intersection at the same time that northbound 12<sup>th</sup> Street traffic turns left onto Market Street. This design option will also include reconfiguration of the intersection at 11<sup>th</sup> and Market streets, which will maintain the stop sign for 11<sup>th</sup> Street traffic, create a northbound 11<sup>th</sup> Street Muni-only lane for approximately 155 feet, and shift the northbound bus stop to midblock to create a 65-foot-long bus boarding island. In addition to the improvements described for the proposed project, the design option will also include a new F Market & Wharves streetcar line turnout on Market Street at 11<sup>th</sup> Street to allow westbound F Market & Wharves streetcars to turn directly onto southbound 11<sup>th</sup> Street.

### **Access Control Restrictions**

No additional private vehicle restrictions will be implemented with the proposed project.

### **Design Option**

The design option will modify the design of the Build Alternative to include additional private vehicle restrictions beyond those currently in effect. These modifications will extend private vehicle access restrictions for all westbound (outbound) private vehicles from Van Ness Avenue to 12<sup>th</sup> Street. The design option will also require a right turn for eastbound (inbound) Market Street vehicles at 12<sup>th</sup> Street. The design option will require that northbound 12<sup>th</sup> Street traffic only be allowed to turn left onto westbound Market Street. Commercial vehicles will not be permitted to travel westbound on Market Street between Ninth and 12<sup>th</sup> streets and eastbound between 12<sup>th</sup> and Ninth streets (with the exception of the general purpose curb lane between 11<sup>th</sup> and 10<sup>th</sup> streets).

### **Sidewalks**

All existing sidewalks within the project footprint will be removed from the property line to the curb and replaced. Existing brick sidewalk surfaces will be replaced with paving materials consistent with federal accessibility requirements.<sup>3</sup> Replacement sidewalk surfaces will meet current City standards for traction (a minimum coefficient of friction of 0.65 for a relatively flat sidewalk and 0.80 for sloped surfaces greater than 1:20) and be consistent with the requirements of San Francisco's 1995 Downtown Streetscape Plan for special sidewalk surfaces, which are applicable elsewhere in the downtown area. The new surface will consequently comply with the United States Access Board's Public Rights-of-Way Access Advisory Committee Final Report, part III, section X02.1.6, and its minimum requirements for public sidewalks (discussed in the section that follows titled *Americans with Disabilities Act*), which call for pedestrian routes on new sidewalk surfaces to be as free of jointed surfaces and visually uniform as possible. All new sidewalks will comply with federal accessibility requirements regarding minimum widths and allowable materials for an accessible pedestrian route.<sup>4</sup>

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<sup>3</sup> Public Works Order 200369 sets forth numerous regulations regarding allowable paving materials, shapes, and dimensions; it also describes the installation requirements.

<sup>4</sup> See Public Works Order 200369.

Sidewalks east of 12<sup>th</sup> Street will generally provide a 15-foot-wide “through” (i.e., walking) zone for pedestrians. West of 12<sup>th</sup> Street, the sidewalk through zone will be approximately 10 feet wide.

In addition to the pedestrian through zone, sidewalks will generally include a furnishing zone that will be between 4 and 10 feet wide, depending on whether a curbside transit island, center boarding island, or loading zone is proposed at a particular location. The furnishing zone will include trees, landscaping, street furniture, and public art elements. In locations where curbside transit stops, center transit boarding islands, or loading zone are present, the furnishing zone will generally be 4 to 5 feet wide. Wherever there is a sidewalk without proposed transit stops or loading zones, the furnishing zone will be approximately 10 feet wide. The majority of the sidewalks along Market Street between Van Ness Avenue and Steuart Street will include these wider 10-foot furnishing zones.

Bulb-outs will be installed at crosswalks where possible. Most bulb-outs will shorten the side-street crossings, not the Market Street crossing. Corner curb radii along Market Street will typically be 12 to 15 feet, depending on the angle of the intersecting street, with a 33-foot radius at the intersection with Taylor Street. Bulb-outs will extend 4 to 8 feet into the street and typically be 20 to 25 feet long.

Crossing distances at Market Street will depend on whether a boarding island is present and the angle of the intersecting street. Crosswalk distances at Market Street will vary from 54 feet (typical right-angle, 90-degree crossing) to 115 feet (54-degree crossing at South Van Ness Avenue). Crossing distances at side streets also will vary (typically between 40 and 50 feet).

As feasible, straight pieces of granite curb will be reused within the proposed project. The project is still in the design phase, but at this time, it is estimated that approximately 20 percent of the existing granite curb on Market Street is straight enough for reuse. The remainder of the existing granite curb is likely to be irreparably damaged during removal and therefore assumed to be not suitable for reuse.

### **Americans with Disabilities Act**

“Alterations” that affect or could affect the usability of all or part of the Market Street corridor, as proposed under the project, must comply with the ADA. The ADA is a federal civil rights law that prohibits discrimination against people with disabilities. Under this law, people with disabilities are entitled to all rights, privileges, advantages, and opportunities that others have when participating in civic activities. Title II of the ADA applies to all state and local governments as well as all departments, agencies, special purpose districts, and other instrumentalities of state or local government (“public entities”). It applies to all programs, services, or activities of public entities. The City has broad obligations under Title II of the ADA, providing its programs, services, and activities in a manner that is accessible to persons with disabilities.

New facilities and additions or alterations to existing facilities require compliance with federal, state and local design standards for accessibility. According to the *Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing* (U.S. Department of Justice and



U.S. Department of Transportation 2013), public-rights-of-way are to be upgraded to current ADA standards whenever a facility is altered. Alterations of streets, roads, or highways include activities such as reconstruction, rehabilitation, resurfacing, widening, and projects of similar scale and effect (U.S. Department of Justice 2010).<sup>5</sup>

The proposed project constitutes an alteration of the transportation facility provided by Market Street in the project area, as the scope of the project includes substantial renovation and upgrading of the transportation, transit, cycling, and pedestrian infrastructure.

For an alteration that affects or could affect the usability of or access to an area of a facility containing a primary function, the entity shall make the alteration in such a manner that, to the maximum extent feasible, the path of travel to the altered area is readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs (28 CFR § 35.151(b)(4); 49 CFR § 37.43(a)(2)). Therefore, for a facility such as Market Street, accessible routes are required from site arrival points such as transit stops, public streets and sidewalks, from accessible passenger loading zones, and from accessible parking spaces. It is essential to provide continuous accessible routes that connect a City facility with the pedestrian and transportation network of the City in the public right-of-way.

The brick surfacing of the existing sidewalk, installed using 4-inch by 8-inch by 2-inch (Figure 4) standard brick in a herringbone pattern, does not comply with the standards set by the United States Access Board (Access Board), the federal agency that produces the de facto standards and guidelines and standards for the built environment and transportation. The Access Board produced its *Public Rights-of-Way Access Advisory Committee Final Report* in January 2001 (United States Access Board 2001a), with a supplement published in the *Federal Register* on July 26, 2011 (United States Access Board 2011). Section X02.1 presents New Construction: Minimum Requirements: Public Sidewalks (Table 3). General provisions relating to the proposed replacement of the existing herringbone-pattern brick sidewalk surface are as follows:



**Figure 4. From Contract Drawings for Market Street Reconstruction: Herringbone Brick Pattern**

<sup>5</sup> Maintenance activities on streets, roads, or highways, such as filling potholes, are not alterations.

**Table 3. Pedestrian Route Accessibility Requirements from the United States Access Board**

<b>Chapter</b>	<b>Requirement</b>
X02.1.1 General.	Where provided, public sidewalks shall comply with this section.
X02.1.2 Pedestrian Access Route X02.1.2.1 General.	Where public sidewalks are provided, they shall contain a pedestrian access route. The pedestrian access route shall connect to elements required to be accessible in Section X02.3 and shall meet the requirements set forth in Section X02.1.1 through Section X02.1.7.
X02.1.2.2	General Reduced Vibration Zone. Within the pedestrian access route, there shall be an unobstructed reduced vibration zone meeting the requirements of this section. The reduced vibration zone shall be a contiguous part of the pedestrian access route that connects to elements required to be accessible in Section X02.3, and shall meet the requirements set forth in Section X02.1.1 through Section X02.1.7.
X02.1.6.1	General. The surfaces of the pedestrian access route shall comply with proposed ADAAG Section 302 and shall be as free of jointed surfaces and as visually uniform as possible. The accessible route should be the same, or be located in the same area as, the general route used by people without mobility disabilities.

The number of perpendicular joints encountered in a representative section of the sidewalk along Market Street along a line drawn down the path of travel surfaced with the herringbone brick pattern is a minimum of two per foot. This density of perpendicular joints results in a rough surface that is a barrier to accessibility. The following extract from the "Discussion" for X02.1.6.1 in the 2001 Public Rights-of-Way Access Advisory Committee Final Report (United States Access Board 2001a) explains why this is so:

The requirement related to joints in the surface of the pedestrian access route is intended to eliminate, to the greatest extent possible, surfaces that tend to cause the front end of a wheelchair to vibrate or bounce as one travels across the surface. For many people, this vibration can cause pain or muscle spasms, possibly leading to a loss of control and maneuvering ability of the wheelchair. Allowances need to be made for expansion and contraction of the sidewalk material. This smooth surface would also serve as a reliable, uniform surface for the placement of crutches, free of unpredictable surface anomalies. The ADAAG [ADA Accessibility Guidelines] Manual, developed by the Access Board in July 1998, states in Section 4.5.4, "Irregular paved surfaces, where jointed surfaces may be recessed below the level of the paving unit, can disrupt wheelchair maneuvering even if the differences in level are less than 1/4 inch." As stated on page 20 of FHWA's Designing Sidewalks and Trails for Access, "Surface quality significantly affects ease of travel for walking aid users. Grates and cracks wide enough to catch the tip of a cane can be potentially dangerous for walking-aid users. Icy or uneven surfaces can also be hazardous because they further reduce the already precarious stability of walking-aid users." The FHWA document further states, in Section 6.3.3.1.4, "Although asphalt and concrete are the most common surfaces for sidewalks, many sidewalks are designed using decorative materials such as bricks or cobblestones. Although these materials improve the aesthetic quality of the sidewalk, they may increase the amount of work required for mobility. For example, tiles that are not spaced tightly together can cause grooves that catch wheelchair casters. These decorative surfaces may also create a bumpy ride that can be uncomfortable to those in wheelchairs. In addition, brick and cobblestone have a tendency to buckle creating changes in level and tripping hazards for people with visual impairments as well as ambulatory pedestrians with mobility impairments. For these reasons, brick and cobblestone sidewalks are not recommended."

San Francisco Public Works' Order No. 200369, "Standard Paving Materials in San Francisco's Public Right of Ways," incorporates these standards for use on San Francisco streets, so any new sidewalk installed by the City will meet the Access Board Standards (City and County of San Francisco n.d.). Current City standards for an ADA compliant sidewalk using pavers rather than concrete require the minimum paver length to be 36 inches, with a range of widths from 6 to 12 inches. Pavers must be placed with the longest dimension parallel with the direction of travel. Additional standards are provided for warpage, lippage, and roughness.<sup>6</sup> Replacement of the existing brick with new pavers will reduce the number of perpendicular joints encountered to one per yard, producing a much smoother surface.

In addition to replacing the sidewalk, the project proposes "Streetlife Zones" to maximize the reuse of underutilized street space to encourage the activation of public spaces. Streetlife Zones will be extra-wide furnishing zones adjacent and complementary to the pedestrian through zone and the sidewalk-level bikeway. These Streetlife Zones will allow the installation of features such as street furniture, benches, moveable tables and chairs, small retail stands (e.g., flower sellers, food carts), public restrooms, wayfinding signs, real-time transit information, and newsstands.

The Access Board Public Rights-of-Way Access Advisory Committee Final Report additionally states that street furniture provided for pedestrian use or operation, installed on or adjacent to a public sidewalk, and accessed from the public right-of-way shall be provided access to the same standards as the for the sidewalk (United States Access Board 2001b). Accordingly, compliance with the ADA would mean that no brick sidewalk surface could be used where it would interfere with access to these Streetlife Zones.

This herringbone brick that presents a barrier to accessibility is considered a contributing element to a historic landscape, specifically the Market Street Cultural Landscape District. In California, the application of ADA standards to historic resources is the remit of the Division of the State Architect and is addressed in the State Historical Building Code. The ADA mandates standards for application of the ADA by the Department of Justice, which devolves the process of setting processes and standards for application of ADA to historic properties to the state. This delegation of authority for implementing the ADA to the state is memorialized in California in the State Historical Building Code, Part 8, Title 24, of the California Code of Regulations.<sup>7</sup>

In general, retaining the historic features of a cultural property where these features present barriers to access would require some form of equivalent facilitation (Chapter 8 of the California Historic Building Code). "Equivalent facilitation" means the use of alternatives that provide "substantially equivalent or greater accessibility and usability" (United States Access Board n.d.). This could include, for example, a video presentation provided in a historic structure where there is no ramp or elevator to convey visitors in wheelchairs to the upper

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<sup>6</sup> Warpage is the variation in the planarity of the walking surface of an individual paver. Lippage is the variation in the height of the walking surface of adjacent installed pavers and adjoining materials, defined in ANSI (American National Standards Institute) Standards A108/A118/A136. Roughness, in the context of accessibility for persons with disabilities, is a measurement of whole-body vibrations caused by traveling over a surface in a wheelchair.

<sup>7</sup> California Government Code commencing with Section 4450 incorporates the federal accessibility requirements and the California Building Requirements for all state and local jurisdictions in California.

stories of a building, when the historic fabric of the building would be irreparably harmed by the installation of ramps and/or elevators. In this case, equivalent facilitation would mean restriction of access to the upper stories of the building, but with provision for an alternative experience. Equal treatment is a fundamental purpose of the ADA. People with disabilities must not be treated in a different or inferior manner.

The terms under which the California Division of the State Architect would consider an equivalent-facilitation request are the following:

1. Such alternatives shall be applied only on an item-by-item or a case-by-case basis.
2. Access provided by experiences, services, functions, materials and resources through methods including, but not limited to, maps, plans, videos, virtual reality and related equipment, at accessible levels. The alternative design and/or technologies used will provide substantially equivalent or greater accessibility to, and usability of, the facility.
3. The official charged with the enforcement of the standards shall document the reasons for the application of the design and/or technologies and their effect on the historical significance or character-defining features. Such documentation shall be in accordance with Section 8-602.2, Item 2, and shall include the opinion and comments of state or local accessibility officials, and the opinion and comments of representative local groups of people with disabilities. Such documentation shall be retained in the permanent file of the enforcing agency. Copies of the required documentation should be available at the facility upon request (California State Historic Building Code Section 8-604).

In the case of the proposed project, any attempt to provide equivalent facilitation would entail restricting access to the public right-of-way from people with disabilities. However, persons with disabilities must be able to participate equally in basic civic activities such as using the public transportation system, traveling along sidewalks and crosswalks, enjoying a public park, and attending or participating in park events individually or with family and friends. The integration of people with disabilities into the mainstream of American life is a fundamental purpose of the ADA (Jensen 2019). In the case of a public route such as along Market Street, either a pedestrian has access, or they do not; there is no half measure.

The U.S. Department of the Interior addresses accessibility issues for cultural landscapes in its Preservation Brief No. 32, Making Historic Properties Accessible (U.S. Department of the Interior 1993). This brief does not address a situation comparable to that of Market Street. While “[f]ull access throughout a historic landscape may not always be possible,” as the authors state (p.10), restricting access to the public right-of-way on San Francisco’s pre-eminent ceremonial street and the main artery of the Muni transit system is not consistent with the intent of the ADA because equivalent facilitation is not feasible.

That alternative design and/or technologies could provide substantially equivalent or greater accessibility to Market Street is improbable. Also improbable would be the support of representative local groups of people with disabilities for retaining the bricks and accepting some of equivalent facilitation. Members of these groups have regularly made complaints to Public Works about the barriers to mobility posed by the bricks. A pedestrian realm focus group was convened to gather opinions from persons with disabilities on the performance of various possible surfaces to be used in the Better Market Street improvements (San Francisco Public

Works, Better Market Street Project, and Mayor's Office on Disability 2013). This focus group advised that the Market Street brick does not meet the goals of accessibility for the Better Market Street project. Other paving materials and design schemes would provide better accessibility, usability, safety, durability, and maintainability, especially for those with mobility disabilities and visual and sensory disabilities. Choices for paving materials should have texture for slip resistance and color for visual cues. The group also advised that current Market Street design patterns, include location, size, and misalignment of granite curb ramps, are in conflict with good design for accessibility, safety, and maintainability.

In conclusion, in order to comply with the ADA, it is not possible to make alterations to the Market Street facility and at the same time retain the existing herringbone brick. It must be replaced with a surface meeting current ADA standards. This replacement will comply with the San Francisco Public Works Order No. 200369 (City and County of San Francisco n.d.) that incorporates these standards.

### **Design Option**

The design option will modify the design of the Build Alternative to include widened sidewalks, approximately 37 to 48 feet wide (with a 25-foot pedestrian through zone), in most of the affected areas (Market Street between Octavia Boulevard and a point approximately 300 feet east of the Hayes and Market street intersection). There will be an approximately 8-foot-wide sidewalk area at the following three locations where there will be a proposed loading bay:

- North side of Market Street between 12<sup>th</sup> Street and the proposed Van Ness Avenue outbound stop location
- North side of Market Street between 11<sup>th</sup> and 10<sup>th</sup> streets
- North side of Market Street between 10<sup>th</sup> Street and proposed Ninth Street curbside transit stop

The design option will retain the existing crosswalk on the eastern portion of 12<sup>th</sup> Street at Market Street, unlike the Build Alternative. The design option will also provide raised crosswalks at Rose, Brady, and 12<sup>th</sup> streets and include public art at all four corners of the Van Ness Avenue and Market Street intersection.

### **Loading Areas**

The 23 existing loading bays on Market Street between Octavia Boulevard and Steuart Street (20 for commercial loading, three for both passenger and commercial loading) will be removed and replaced by 22 loading zones, either near or at the same location as the existing loading bays. Most of the loading zones will be located at sidewalk level. The curb within the loading zones will be mountable, allowing loading vehicles to cross through the bikeway and access the loading area. During off-peak hours when a loading zone could be in use, the bikeway will narrow at loading zone locations; during peak hours when loading will not occur, loading zones will be used as additional bikeway space.

New commercial and passenger loading zones will be established where possible on adjacent cross streets and along nearby alleys by converting general on-street parking spaces to commercial loading spaces, white loading passenger zones, or blue accessible parking spaces.

Commercial zones will accommodate truck loading and promote more use of the alleyways for access to the rear of the buildings along Market Street. Nearby alleys could include Angelo's Alley as well as Jessie, Stevenson, and Annie streets. Up to 198 new cross-street and alleyway commercial loading spaces will be created to provide alternative commercial loading options off of Market Street. In addition, up to 46 proposed new passenger loading zones and nine new blue accessible zones will be created on cross streets. In addition, the project will remove one passenger loading zone on the east side of 11<sup>th</sup> Street.

### **Design Option**

The design option will modify the design of the Build Alternative to restrict three proposed loading zones on the north side of Market Street, between Hayes and 12<sup>th</sup> streets, to paratransit and taxi use.

### **Bicycle Facilities**

The project will provide physically separated bicycle lanes. A sidewalk-level bikeway will be constructed on Market Street in each direction between the curb lanes and the sidewalk. The new sidewalk-level bikeway will be immediately adjacent to the sidewalk and include buffers on both sides of the lane as well as a distinct paving pattern or material to help identify the designated space for bicyclists. The sidewalk-level bikeways will meet Caltrans' standard for class IV separated bikeways.

The sidewalk-level bikeway will generally be separated from the adjacent curb lane by a 1- to 4-foot-wide buffer between the roadway curb lane and sidewalk-level bikeway. The buffer will include a standard 6-inch curb (providing grade separation) and regulatory signage, fire hydrants, planted areas, and other vertical obstructions to prevent vehicles from pulling into the sidewalk-level bikeway. On the sidewalk side of the sidewalk-level bikeway, furnishings, signage, bicycle racks, and other vertical obstructions will act as buffers between the sidewalk and the sidewalk-level bikeway. This will include a 1- to 3-foot-wide ADA-compliant feature for separating the pedestrian through zone from the bikeway and ensuring that people with limited vision will not accidentally cross into the bikeway.

At curbside transit stops, the new sidewalk-level bikeway will be placed between the transit island and the sidewalk. Pedestrians will have designated places to cross the sidewalk-level bikeway when walking from the transit stop to the sidewalk.

The project will also include construction of new sidewalk-level bicycle parking, protected bicycle lanes on Valencia Street between Market and McCoppin streets, and a new buffered street-level bicycle lane between two vehicular travel lanes on the south side of Market Street, between South Van Ness Avenue and 10<sup>th</sup> Street. In addition, there will be improved or new bicycle connections to other proposed and existing bicycle facilities at Sansome, Second, McAllister, Seventh, Eighth, 10<sup>th</sup>, 11<sup>th</sup>, Page, and Valencia streets.

Bicycle signals will be installed at most intersections to maintain the separation of vehicle traffic and bicycles. Two-stage turn-queue bicycle boxes will allow bicyclists to make two-point left turns from a designated waiting area at the far right corner of an intersection. At some locations, bicycle boxes will allow bicyclists to queue at the front of the vehicle queue during red lights.

### Design Option

The design option will modify the design of the Build Alternative to include a sidewalk-level bikeway between 11<sup>th</sup> and 12<sup>th</sup> streets. At 11<sup>th</sup> Street, bicyclists will be directed to make the westbound left turn onto 11<sup>th</sup> Street by going all the way to Van Ness Avenue, making a U-turn, then making a right turn onto 11<sup>th</sup> Street. As part of this design option, the northbound 11<sup>th</sup> Street bicycle lane will serve only bicyclists going to eastbound Market Street.

### Transit

The project will modify transit stop spacing. New stop locations will accommodate surface-running streetcars, local bus routes (both rapid and local service), and regional buses. The length and width of existing transit boarding islands will be increased to meet ADA standards. Some existing transit boarding islands will be removed or relocated. Wheelchair ramps will be constructed to serve the F Market & Wharves historic streetcar (F-Line). Access to the proposed transit boarding islands will continue to be provided from marked crosswalks. Replacement stops will be provided with transit information signs as well as advertisements; transit shelters will be included at all transit stops along the corridor.

A new bidirectional track loop (F-loop) will be constructed in the roadway to give the surface-running F-Line streetcar the ability to switch from running westbound (outbound) to running eastbound (inbound) or from running eastbound (inbound) to running westbound (outbound). The F-loop will consist of approximately 1,000 linear feet of track along McAllister Street and Charles J. Brenham Place.

All F-loop movements will be controlled by a traffic signal; therefore, F-loop turns will have dedicated signal phases, which will hold all conflicting traffic while the streetcar completes its movement. The F-loop intersections will have special train signals that will tell F-Line operators which way the track switch is set and whether they have the right-of-way. There will also be bicycle signals and "TRAIN COMING" signs to emphasize F-loop movements and warn other street users about the train.

### Design Option

The design option will modify the design of the Build Alternative to integrate transit boarding islands at Van Ness Avenue into the widened sidewalks. The outbound F, 6, and 7 stops will move from east to west of Van Ness Avenue, and the northbound 9/9R stop at 11<sup>th</sup> and Market streets will be shifted south to incorporate a northbound Muni-only lane on 11<sup>th</sup> Street.

The design option will also include new F-line track alignments on Market and 11<sup>th</sup> streets, allowing for increased service flexibility and better Muni operator safety when using the 11<sup>th</sup> Street track wye<sup>8</sup>. Westbound trains will be able to turn directly into the southbound 11<sup>th</sup> Street track (westernmost track), and trains in the northbound 11<sup>th</sup> Street track (easternmost) will be able to turn directly into the eastbound Market Street track. The easternmost tail track will be removed south of the existing track switch to accommodate a northbound 65-foot-long bus boarding island.

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<sup>8</sup> A wye is a triangle of railroad track used for turning trains.

## Other Elements

Fire hydrants, including components of the historic AWSS, will be relocated to accommodate changes in curb lines; the existing AWSS cisterns below Market Street will be preserved in place.

Stormwater catch basins will be relocated or reconstructed as required by curb movements or the introduction of transit islands. Sewer/stormwater lines will be relocated because of SFPUC facility proximity restrictions for rail. All sewer laterals within the project limits will be replaced and reconnected. SFPUC water lines, Pacific Gas and Electric Company (PG&E) lines, NRG steam lines, AT&T lines, other communication lines, conduits and wiring for streetlights and signals, and structural reinforcement elements of the sub-sidewalk basements will also be relocated to accommodate project improvements. OCS pole locations will be adjusted to accommodate sidewalk widening.

All existing street trees, the majority of which are in the path of construction, will be removed, and new street trees will be planted in a new alignment within the (previously described) furnishing zone. Tree selection and planting will follow best arboricultural practices to increase diversity and avoid disease, which has affected the current monoculture of London plane trees.

The project includes the relocation of a BART/Muni elevator at the Civic Center station on the north side of Market Street, near United Nations Plaza, to the current location of a staircase entrance to the Civic Center station within United Nations Plaza.

The 236 Path of Gold light standards within the project corridor will be partially restored (the tridents), reconstructed (base and poles), and realigned. Specifically, the existing poles will be replaced with larger poles, the tridents will be salvaged and reinstalled, and the clamshell bases will be recast and modified to accommodate the larger poles. The standards will be reinstalled in a consistent alignment to create a visible linear edge to the pedestrian zone. Although some individual standards may need to be located out of alignment with adjacent standards or removed to accommodate conflicts in the furnishing zone or sub-sidewalk basements, no more than 24.6 percent of the 236 standards will be removed or located out of alignment with other standards. This percentage translates to an estimated 58 of the 236 light standards in the project corridor, less than 18 percent of the total number of standards (327) within the entire article 10 landmark. At the currently available level of project design, the project sponsor cannot conclude at this time with certainty exactly how many standards will need to be relocated out of alignment or permanently removed.

All street lighting will be provided by the Path of Gold light standards, which will be located within the furnishing zone. A photometric study will be performed to meet current SFPUC lighting standards for pedestrian and traffic safety. Lighting installed as part of the project will be required to conform to American National Standard Practice for Roadway Lighting (ANSI/IESNA RP-8-00) and the Caltrans Roadway Classification.



## 2.3.2 Project Elements – “State of Good Repair” Upgrades

### Transit

The project will replace almost all components of the F-line streetcar, including the in-street tracks, the OCS, OCS support poles, the underground traction-power duct banks that power the OCS, and both of the power substations that feed the duct.

### Track Replacement

The project will replace all track from Octavia to Steuart streets with track that will be fixed directly to a concrete plinth. Track will be realigned by approximately 3 feet at the following locations:

- Drumm Street to Steuart Street (because of curb realignment)
- Davis Street to Fremont Street (known location of BART grates)
- Octavia Street to 12<sup>th</sup> Street (because of curb realignment)

### Overhead Contact System Replacement

The proposed project will also replace existing OCS-only trolley poles with new steel poles along Market Street and cross streets as needed to accommodate the OCS trolley wire alignment; the poles will be relocated to the furnishing zone.

The project will replace all feeder/equalizer/tangent spans along Market Street from Octavia Street to Steuart Street, including approximately 100,000 feet of trolley wire. Trolley wire will largely be replaced within its existing alignment. Additional OCS wires between Eighth and 10th streets will be included to accommodate curb-lane trolleybus operations.

### Traction-Power System Replacement

Existing traction-power duct banks consist of continuous runs of electrical conduits that have been encased in cast concrete, forming a rectangular block in cross section that extends the length of Market Street in the project area, generally outside the curbs on the south side and in the public right-of-way under Second and Stevenson streets at depths of 6 to 25 feet below the surface. Existing duct banks will be excavated and removed or abandoned in place. Two new duct banks will be constructed through the project corridor in the same alignment so as not to conflict with other project elements.

### Roadway

The entire roadway and roadway base throughout the project area will be removed. The sub-base will be compacted, and a new concrete street base will be placed and topped with an asphalt surface. Utility castings such as manhole covers, catch basins, and similar street iron will be protected and adjusted to meet the new street surface. After resurfacing, pavement markings will be reapplied.

## Utilities

The project will relocate or rehabilitate wastewater lines, water lines, AWSS lines, SFPUC power lines, and fiber optic conduits to maintain a state of good repair. Some rehabilitated utility lines will occupy a new joint trench for a number of the “dry” utilities. All “wet” utilities will be the same size as the existing lines; no additional capacity will be provided.

## Electrical

There will be a complete upgrade of all the existing signal infrastructure on Market Street between Octavia and Steuart streets, which will include new poles, conduits, accessible pedestrian signal buttons, vehicle/pedestrian/bicycle signals, signal cabinets, and interconnects.

## 2.4 Construction and Staging

Construction will begin in 2020, with work divided between up to seven separate multiple-block segments of Market Street. Work will continue for at least a six-year period (and, potentially, up to 14 years), including inactive periods. Construction will proceed in both directions along up to two segments simultaneously. Active construction is expected to last a minimum of one year per segment.

Areas of active construction on Market Street will vary in size but always be separated from traffic and pedestrians by a buffer that will include a temporary barrier. All openings in the street and sidewalk will be closed by backfilling and paving or plating over to provide a safe and adequate passageway for bicyclists, motorists, transit, and pedestrians. Adjacent to the construction zone, transit speeds will be reduced. Loading spaces will be relocated away from active construction zones. Depending on local conditions, there may be opportunities to allow loading when a construction zone is inactive.

Construction will typically be restricted to 7 a.m. to 5 p.m. seven days a week. Work hours and days will be adjusted to accommodate transit operations, bike movement, pedestrian needs, and local businesses along the corridor during different stages of construction. Further study of each block and side streets will be performed during the detailed design phase to finalize the work hours.

Some night work and weekend work may be required in areas where land uses are primarily commercial. An example of an activity that may require both nighttime and weekend work is the construction of tracks at intersections. Tracks will be constructed at each intersection over the course of one weekend to minimize potential impacts on transit riders. In addition to day-to-day hourly restrictions, the City’s holiday construction moratorium (Thanksgiving to January 1) places additional restrictions on construction work in the public right-of-way. Market Street between Fremont and Eighth streets falls under the moratorium, as does any city block where at least 50 percent of the frontage is devoted to business.

Vehicles and bicycles will be rerouted from Market Street during some stages. For utilities, limited construction may need to take place over multiple stages; any excavation will be plated. Some of the deeper excavations will be required for minor changes to existing stormwater collection infrastructure.

The following construction stages will occur in different orders within different segments:

- Closure of center lanes for track replacement as well as demolition and installation of new center transit islands. Curbside lanes will remain open to public transit. F-Line streetcar service will be maintained as much as possible but will require bus substitutions when travel in the center lane is not possible.
- Closure of curbside lanes for relocation and reconstruction of the curb, along with accompanying removal and replanting of trees; relocation of fire hydrants, light poles, catch basins, and other utilities; and demolition and installation of center transit islands. The center lanes will remain open to public transit.
- Closure of sidewalks for reconstruction; access to buildings and businesses will be maintained with the use of temporary walkways. Curbside lanes and United Nations Plaza will be available for pedestrian detours, while the center lanes will be available to public transit.
- Closure of intersections for demolition, relocation, and installation of utilities that cross Market Street. All pavement work will occur in quadrants (each one-quarter of the intersection) to accommodate cross traffic and transit along Market Street. Construction for each stage and sub-stage will generally proceed in the following order:
  - Mobilization of contractor equipment, facilities, materials, and personnel into construction staging areas
  - Installation of construction area signs, circulation of construction announcements
  - Establishment of work zone and perimeter buffers
  - Installation of temporary street lighting, OCS lines, and traffic signals.
  - Local de-energizing of OCS lines, as needed
  - Execution of removal work, including bus platforms, pavement, streetlights, signals, OCS lines, and interfering underground utilities, to prepare the work zone for construction of new infrastructure
  - Construction of infrastructure within the work zone, including underground utilities, pole foundations, pavement, tracks, tree trenches, curbs, sidewalks, bike lanes, boarding islands, hydrants, streetlights, OCS systems, traffic signals and poles, and streetscape features, followed by lane resurfacing
  - Installation of transit stop amenities and landscaping, signage, lane striping, and lane coloring
  - Demobilization

### **2.4.1 Construction Staging**

All construction and staging will occur within the operational public right-of-way. The mobilization of personnel and materials will require areas for field offices and trailers, parking, material delivery, storage, and handling. These areas will need to be in proximity to active construction areas, ideally no more than 200 feet away. Staging areas will be located on Market Street or adjacent side streets, within 200 feet of active construction areas, and able to move in tandem with the shifting work zone.

Temporarily stockpiled materials will include excavated soil, crushed concrete, reinforcing steel, imported soil, pipe, appurtenances, streetcar tracks, OCS lines and poles, and other building materials that are customary of street and utility construction. Material delivery and removal, as well as onsite handling, will, in some cases, involve platoons of vehicles.

Temporary lighting, OCS lines, and signals will be needed. Temporary poles will most likely have above-grade foundations, such as large reinforced-concrete cylinders. Some temporary poles for the OCS will be timber direct-burial poles; others could be placed within new foundations. The poles will be within the street right-of-way or construction staging areas, depending on the available space.

Construction equipment will include track-mounted vehicles, including, but not limited to, excavators, asphalt cold planers, asphalt pavers, dozers, and earth-compacting rollers. Conventional equipment that can be transported on street-legal rubber-tires will make up the remainder of the construction vehicles.

Demolition of bus platforms, curbs, and sidewalks will require hammers, hydraulic breakers, demolition shears, pulverizers, grapples, brooms, and similar equipment.

#### **2.4.2 Transportation Conditions during Construction**

Vehicular traffic on the Market Street corridor will be restricted to public transit vehicles, including paratransit, but may be interrupted periodically. Emergency vehicles will be allowed at all times. At least one transit travel lane will be maintained in each direction on Market Street, with a minimum temporary width of 11 feet.

Transit access will be preserved, but some stops may be temporarily relocated and the number of stops temporarily reduced. Detours along some transit routes (e.g., to Mission Street) may be required for the duration of the construction period, as described in the coordinated construction management plan or focused construction transit plan that will be developed prior to final design and construction. Enhanced transit priority features will be provided on Mission Street during detours.

Pedestrian access throughout the corridor will be preserved, including access to transit stops and land uses along or near the project corridor. However, periodic sidewalk, plaza, or crosswalk closures will occur during sidewalk reconstruction and utility work. Sidewalk improvements will be completed over multiple stages of construction to maintain access. During each stage, pedestrian access to portions of the sidewalks and United Nations Plaza will be limited or narrowed but not completely restricted. Some intersection crosswalks may need to be closed, with pedestrians detoured to the nearest intersection. For all pedestrian facilities, the alternate path of travel will meet the minimum width required to maintain ADA compliance and ensure that pedestrian overcrowding does not occur at busier corridor locations.

Bicycles will be temporarily detoured at some locations, or along the entire corridor, to Mission Street, Howard Street, and/or Folsom Street. Bicycle facility changes will be completed in multiple stages to maintain access where possible.

Commercial loading activities will take place on adjacent side streets and/or during restricted hours along Market Street (e.g., staggered hours for loading and construction). Loading within an active construction zone will not be permitted at any time. Loading areas within active construction zones will be relocated as close to the construction zone as is practical. Temporary loading zones (within a mixed-flow lane adjacent to an inactive construction zone) may be possible in some circumstances.

Parking along adjacent side streets will be subject to restrictions, beyond existing restrictions, to accommodate construction staging. When feasible, temporary alternative access may be provided at a location outside the construction zone or within an acceptable location within the construction zone.

In addition to construction-related effects on transit service along Market Street, transit lines that run perpendicular to Market Street will be subject to temporary changes. In general, bus access along the Market Street corridor and transit lines that cross the corridor will be maintained during construction. However, some bus stops or routes will be changed during the course of construction. Potentially affected transit routes and services include 1AX California A Express, 1BX California B Express, 3 Jackson, 8 Bayshore, 8AX Bayshore A Express, 8BX Bayshore B Express, 10 Townsend, 12 Folsom-Pacific, 19 Polk, 27 Bryant, 30 Stockton, 30X Marina Express, 31AX Balboa A Express, 31BX Balboa B Express, 38AX Geary A Express, 38BX Geary B Express, 41 Union, 45 Union-Stockton, 47 Van Ness, 49 Van Ness-Mission, 81X Caltrain Express, 82X Levi Plaza Express, 83X Mid-Market Express, 90 San Bruno Owl, 91 Third Street-19th Avenue Owl, the PresidiGo Downtown Shuttle, Golden Gate Transit routes, SamTrans routes, and privately operated shuttles.

## 2.5 No-Build Alternative

The No-Build (No-Action) Alternative consists of those transportation projects that are already planned for construction by or before the 2020 opening year and 2040 design year. Consequently, the No-Build Alternative represents future travel conditions on Market Street without the Build Alternative. Reasonably foreseeable land use projects, plans, and transportation projects are included in the No-Build Alternative analysis, based on inputs from the City. These projects include development projects (e.g., residential, commercial, mixed-use projects), area plans (e.g., Market and Octavia Area Plan, Eastern Neighborhoods Rezoning and Area Plans) that will amend land use designations (e.g., plus zoning, height, bulk, etc.), and transportation/streetscape projects.

## 3 Section 4(f) Properties

This document discusses potential impacts to 173 Section 4(f) properties, including 11 historic districts, 135 individual historic properties, and 28 recreational properties. These properties and their Section 4(f) determinations are listed below in Table 4. The sole resource for which an impact greater than *de minimis* is proposed is the Market Street Cultural Landscape District, illustrated in Figure 5, p. A-43. The Market Street Cultural Landscape District is located within the Market Street roadway as well as adjacent parcels along Market Street between Embarcadero Plaza and Castro Street in San Francisco, California.

The Market Street Cultural Landscape District comprises a vehicular roadway, adjacent pedestrian sidewalks, and associated elements, which include trees, transit infrastructure, street furniture, and other small-scale features that support Market Street's function as a transportation corridor. The resource comprises related physical characteristics and spatial relationships that change over its course between its limits at Embarcadero Plaza and Castro Street. It occupies approximately 147 acres and exists entirely within the public right-of-way in the city and county of San Francisco.

**Table 4. Section 4(f) Properties and Section 4(f) Determinations**

<b>Name of Section 4(f) Property</b>	<b>Section 4(f) Determination</b>
<b>NRHP-Listed, NRHP-Eligible, and Assumed NRHP-Eligible Historic Districts</b>	
Market Street Cultural Landscape District	Section 4(f) use
Market Street Masonry Landmark District	No Section 4(f) use
San Francisco Auxiliary Water Supply System	<i>De minimis</i> impact
BART District	<i>De minimis</i> impact
Civic Center National Historic Landmark District	<i>De minimis</i> impact
Civic Center Landmark District <sup>9</sup>	<i>De minimis</i> impact
LGBTQ Tenderloin Historic District	<i>De minimis</i> impact
Uptown Tenderloin Historic District	No Section 4(f) use
Market Street Theatre and Loft National Register District	No Section 4(f) use
Kearny-Market-Mason-Sutter Conservation District	<i>De minimis</i> impact
New Montgomery Mission-2 <sup>nd</sup> Street Conservation District	<i>De minimis</i> impact
<b>NRHP-Listed, NRHP-Eligible, and Assumed NRHP-Eligible Individual Historic Properties</b>	
Hotel Andree, 1661–1667 Market Street	No Section 4(f) use
Wilson Brothers Company Building, 1632 Market Street	No Section 4(f) use
8 buildings within the Market Street Masonry Landmark District:	No Section 4(f) use
<ul style="list-style-type: none"> <li>• 20 Franklin Street</li> <li>• 1666–1668 Market Street</li> <li>• 1670–1680 Market Street</li> <li>• 64–78 Gough Street</li> <li>• 1649–1655 Market Street</li> <li>• 1693–1695 Market Street</li> <li>• 1687 Market Street</li> <li>• 1657 Market Street</li> </ul>	

<sup>9</sup> The Civic Center Landmark District, a locally designated historic district in San Francisco, is larger than and fully encompasses the NRHP-listed Civic Center National Historic Landmark District. For the purpose of Section 106 compliance and the Draft Section 4(f) analysis, Caltrans had assumed the larger Civic Center Landmark District as eligible for listing in the NRHP and considered potential effects to the Civic Center National Historic Landmark and Civic Center Landmark District together. During consultation with officials with jurisdiction, the Department of Interior and National Park Service commented that National Historic Landmarks have separate procedural requirements from other historic resources, and thus the Draft Section 4(f) analysis did not fully evaluate the Civic Center National Historic Landmark District because it was combined with the evaluation of the Civic Center Landmark District. This Final Section 4(f) evaluation treats effects on these two districts separately. Discussion of the proposed project's use under Section 4(f) on both the Civic Center National Historic Landmark District and the Civic Center Landmark District is presented in Appendix B.

<b>Name of Section 4(f) Property</b>	<b>Section 4(f) Determination</b>
Lesser Brothers Building, 1629–1637 Market Street	No Section 4(f) use
Civic Center Hotel, 1605 Market Street	No Section 4(f) use
Fillmore West, 10–12 South Van Ness Avenue	<i>De minimis</i> impact
17 buildings within the Civic Center Landmark District: <ul style="list-style-type: none"> <li>• 2 Hyde Street</li> <li>• 79 McAllister Street</li> <li>• 35 Fulton Street</li> <li>• 40 Leavenworth Street</li> <li>• 1170 Market Street</li> <li>• 83–91 McAllister Street</li> <li>• 30 Grove Street</li> <li>• 11 Grove Street</li> <li>• 25–29 Grove Street</li> <li>• 37–39 Grove Street</li> <li>• 1240–1242 Market Street</li> <li>• 1244–1254 Market Street</li> <li>• 1256–1266 Market Street</li> <li>• 1272–1276 Market Street</li> <li>• 1278–1298 Market Street</li> <li>• 1200 Market Street</li> <li>• 99 Grove Street</li> </ul>	No Section 4(f) use
Western Furniture and Merchandise Mart, 1301–1363 Market Street	No Section 4(f) use
Whitcomb Hotel, 1215–1231 Market Street	No Section 4(f) use
United Nations Plaza	<i>De minimis</i> impact
Francesca Theater, 1127 Market Street	No Section 4(f) use
37 buildings within the LGBTQ Tenderloin Historic District: <ul style="list-style-type: none"> <li>• 982–988 Market Street</li> <li>• 982–988 Market Street</li> <li>• 42 Golden Gate Avenue</li> <li>• 1 Jones Street</li> <li>• 1000–1108 Market Street</li> <li>• 1028–1056 Market Street</li> <li>• 1066 Market Street</li> <li>• 20 Jones Street</li> <li>• 1100–1112 Market Street</li> <li>• 6–26 7th Street</li> <li>• 6–12 6th Street</li> <li>• 1011 Market Street</li> <li>• 1035 Market Street</li> <li>• 25 7th Street</li> <li>• 1089 Market Street</li> <li>• 1083–1087 Market Street</li> <li>• 1073–1081 Market Street</li> <li>• 1067–1071 Market Street</li> <li>• 1063 Market Street</li> </ul>	No Section 4(f) use

Name of Section 4(f) Property	Section 4(f) Determination
<ul style="list-style-type: none"> <li>• 1059–1061 Market Street</li> <li>• 1053–1055 Market Street</li> <li>• 1049–1051 Market Street</li> <li>• 1041–1045 Market Street</li> <li>• 1035 Market Street</li> <li>• 1023 Market Street</li> <li>• 1017–1019 Market Street</li> <li>• 1007 Market Street</li> <li>• 1025–1029 Market Street</li> <li>• 993 Market Street</li> <li>• 979–989 Market Street</li> <li>• 973 Market Street</li> <li>• 1 6th Street</li> <li>• 101–127 Eddy Street</li> <li>• 2–16 Turk Street</li> <li>• 44 McAllister Street</li> <li>• 60 Leavenworth Street</li> <li>• 54–70 McAllister Street</li> </ul>	
Golden Triangle light standards	No Section 4(f) use
925 Market Street	No Section 4(f) use
32 buildings within the Kearny-Market-Mason-Sutter Conservation District:	No Section 4(f) use
<ul style="list-style-type: none"> <li>• 2 Geary Street</li> <li>• 37–45 Geary Street</li> <li>• 744 Market Street</li> <li>• 47–55 Geary Street</li> <li>• 1–31 Geary Street</li> <li>• 1 Grant Street</li> <li>• 120–150 Cyril Magnin Street</li> <li>• 17–25 Stockton Street</li> <li>• 18 Ellis Street</li> <li>• 750–780 Market Street</li> <li>• 790 Market Street</li> <li>• 800–830 Market Street</li> <li>• 41 Ellis Street</li> <li>• 840–842 Market Street</li> <li>• 844–846 Market Street</li> <li>• 856 Market Street</li> <li>• 870–898 Market Street</li> <li>• 119–139 Ellis Street</li> <li>• 1 Powell Street</li> <li>• 934–936 Market Street</li> <li>• 944–948 Market Street</li> <li>• 83 Eddy Street</li> <li>• 25 Cyril Magnin Street</li> <li>• 938–940 Market Street</li> <li>• 901 Market Street</li> </ul>	



Name of Section 4(f) Property	Section 4(f) Determination
<ul style="list-style-type: none"> <li>• 825–833 Market Street</li> <li>• 845 Market Street</li> <li>• 801 Market Street</li> <li>• 799 Market Street</li> <li>• 783–785 Market Street</li> <li>• 735 Market Street</li> <li>• 725–731 Market Street</li> </ul>	
San Francisco Cable Cars National Historic Landmark	No Section 4(f) use
Samuels Clock	No Section 4(f) use
Kamm Building, 715–719 Market Street	No Section 4(f) use
Call Building, 701–703 Market Street	No Section 4(f) use
Lotta’s Fountain	No Section 4(f) use
Chronicle Building, 690 Market Street	No Section 4(f) use
648–660 Market Street	No Section 4(f) use
Admission Day Monument	No Section 4(f) use
44 and 2–8 Montgomery Street	No Section 4(f) use
Hobart Building, 582–590 Market Street	No Section 4(f) use
Finance Building, 576–580 Market Street	No Section 4(f) use
Chancery Building, 562–566 Market Street	No Section 4(f) use
Flatiron Building, 540–548 Market Street	No Section 4(f) use
9 buildings within the New Montgomery-Mission-2nd Street Conservation District:	No Section 4(f) use
<ul style="list-style-type: none"> <li>• 601–605 Market Street</li> <li>• 20–30 2nd Street</li> <li>• 609 Market Street</li> <li>• 36 2nd Street</li> <li>• 681–685 Market Street</li> <li>• 643–665 Market Street</li> <li>• 1–29 3rd Street</li> <li>• 625 Market Street</li> <li>• 615 Market Street</li> </ul>	
Standard Oil Building/Chevron Towers, 555–575 Market Street	No Section 4(f) use
Crown Zellerbach Complex, One Bush Street	<i>De minimis</i> impact
Postal Telegraph Building, 2–22 Battery Street	No Section 4(f) use
Mechanics Monument	No Section 4(f) use
Pacific Gas & Electric General Office Building and Annex, 245 Market Street	No Section 4(f) use
Matson Building and Annex, 215 Market Street	No Section 4(f) use
Hyatt Regency, 22 Drumm Street	No Section 4(f) use
Southern Pacific Building, 1 Market Street	No Section 4(f) use
<b>Parks and Recreational Resources</b>	
Mark Twain Plaza	<i>De minimis</i> impact
Mechanics Monument Plaza	<i>De minimis</i> impact
Robert Frost Plaza	<i>De minimis</i> impact

<b>Name of Section 4(f) Property</b>	<b>Section 4(f) Determination</b>
Embarcadero Plaza	<i>De minimis</i> impact
United Nations Plaza	<i>De minimis</i> impact
Debose Avenue Bike Path	No Section 4(f) use
Koshland Park	No Section 4(f) use
Page and Laguna Mini Park	No Section 4(f) use
SoMa West Dog Park	No Section 4(f) use
SoMa West Skate Park	No Section 4(f) use
Patricia's Green in Hayes Valley	No Section 4(f) use
Joseph L. Alioto Performing Arts Piazza	No Section 4(f) use
Helen Diller Civic Center Playgrounds	No Section 4(f) use
Howard and Langton Mini Park	No Section 4(f) use
Turk and Hyde Mini Park	No Section 4(f) use
Father Alfred E. Boeddeker Park	No Section 4(f) use
Hallidie Plaza	No Section 4(f) use
Union Square	No Section 4(f) use
Yerba Buena Gardens	No Section 4(f) use
Jessie Square	No Section 4(f) use
St. Mary's Square	No Section 4(f) use
Transit Center Park	No Section 4(f) use
Maritime Plaza	No Section 4(f) use
Sue Bierman Park (formerly Ferry Park)	No Section 4(f) use
Harry Bridges Plaza/Ferry Building Square	No Section 4(f) use
Bay Trail	No Section 4(f) use
Rincon Park	No Section 4(f) use
Ferry Plaza	No Section 4(f) use





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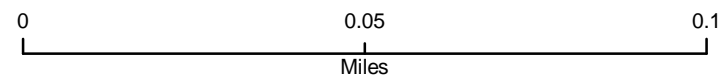


### Better Market Street Project

Source: Bing Maps Aerial, Microsoft Corporation 2010; Streets, City and County of San Francisco 2014; World Topographic Map, ESRI et al. 2019.  
Map Elements: Roadway Work (Contract Number: 2752J)  
San Francisco Public Works, January 2018; Approved Limits of Work, June 2019

Federal Project Number: STPL-5934(180)

-  Market Street Cultural Landscape District (MR-20)\*
-  Project Corridor



**Figure 5**  
**Market Street Cultural Landscape District (Sheet 1 of 11)**







Path: \\PDC\GIS1\Projects\_1\CCSF\00056\_14\_BetterMarketStreets\data\working\90\_41\_BuiltFigures\_20190904\mxd\Figure\_1\_41\_HistResources\_CulturalLandscapeDistrict.mxd; User: 50860; Date: 1/31/2020

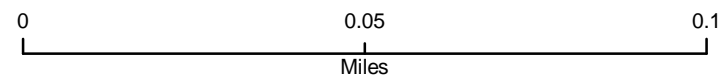


### Better Market Street Project

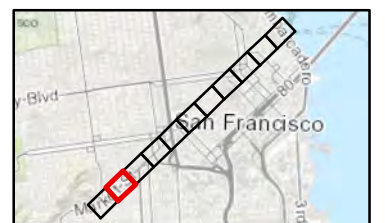
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Map Elements: Roadway Work (Contract Number: 2752J)  
San Francisco Public Works, January 2018; Approved Limits of Work, June 2019

Federal Project Number: STPL-5934(180)

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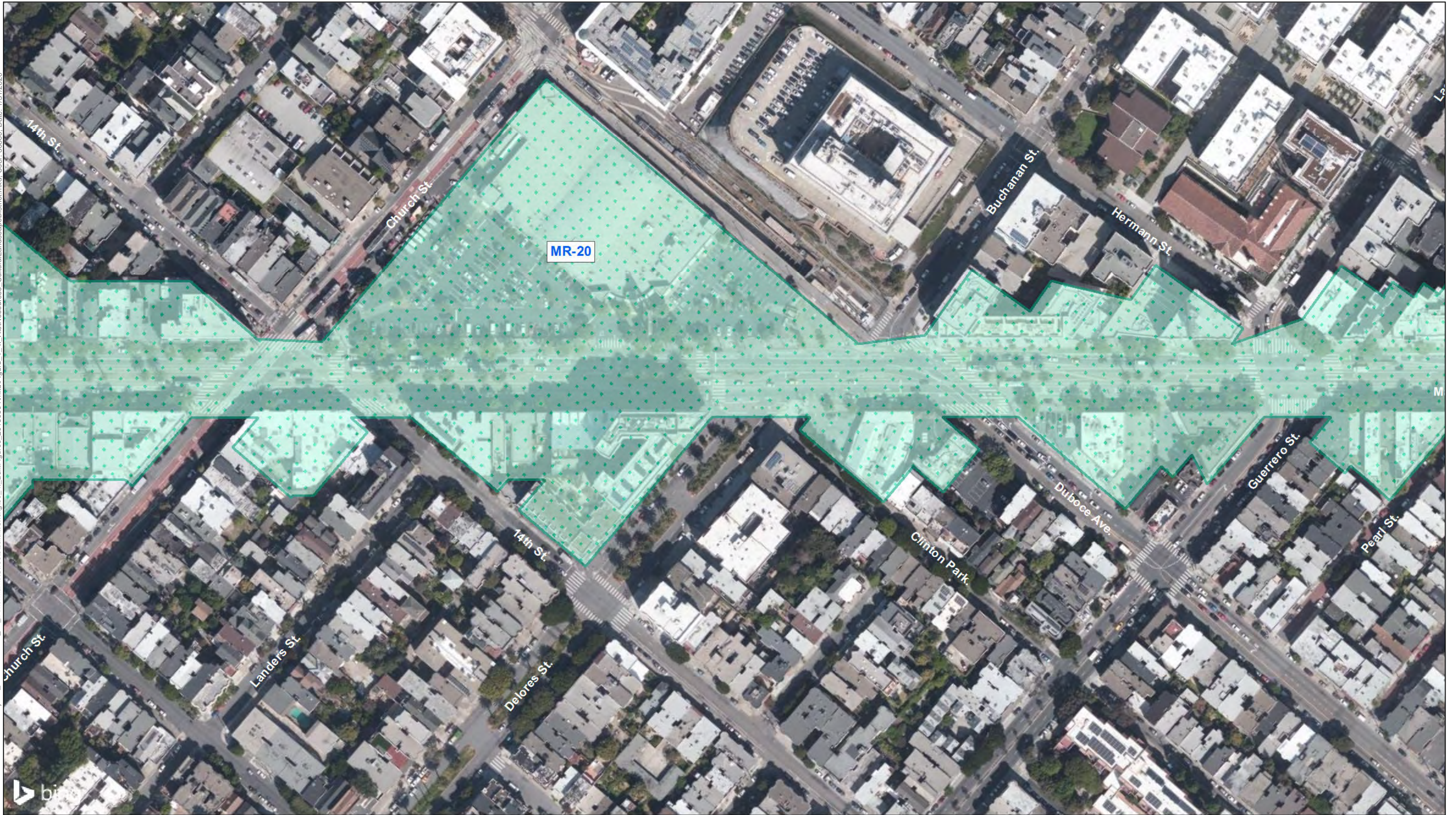


**Figure 5**  
**Market Street Cultural Landscape District (Sheet 2 of 11)**





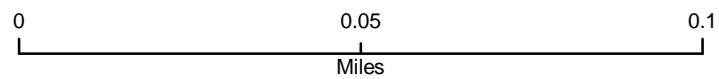
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**Better Market Street Project**

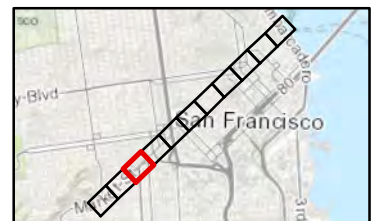
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San Francisco Public Works, January 2018; Approved Limits of Work, June 2019

Federal Project Number: STPL-5934(180)



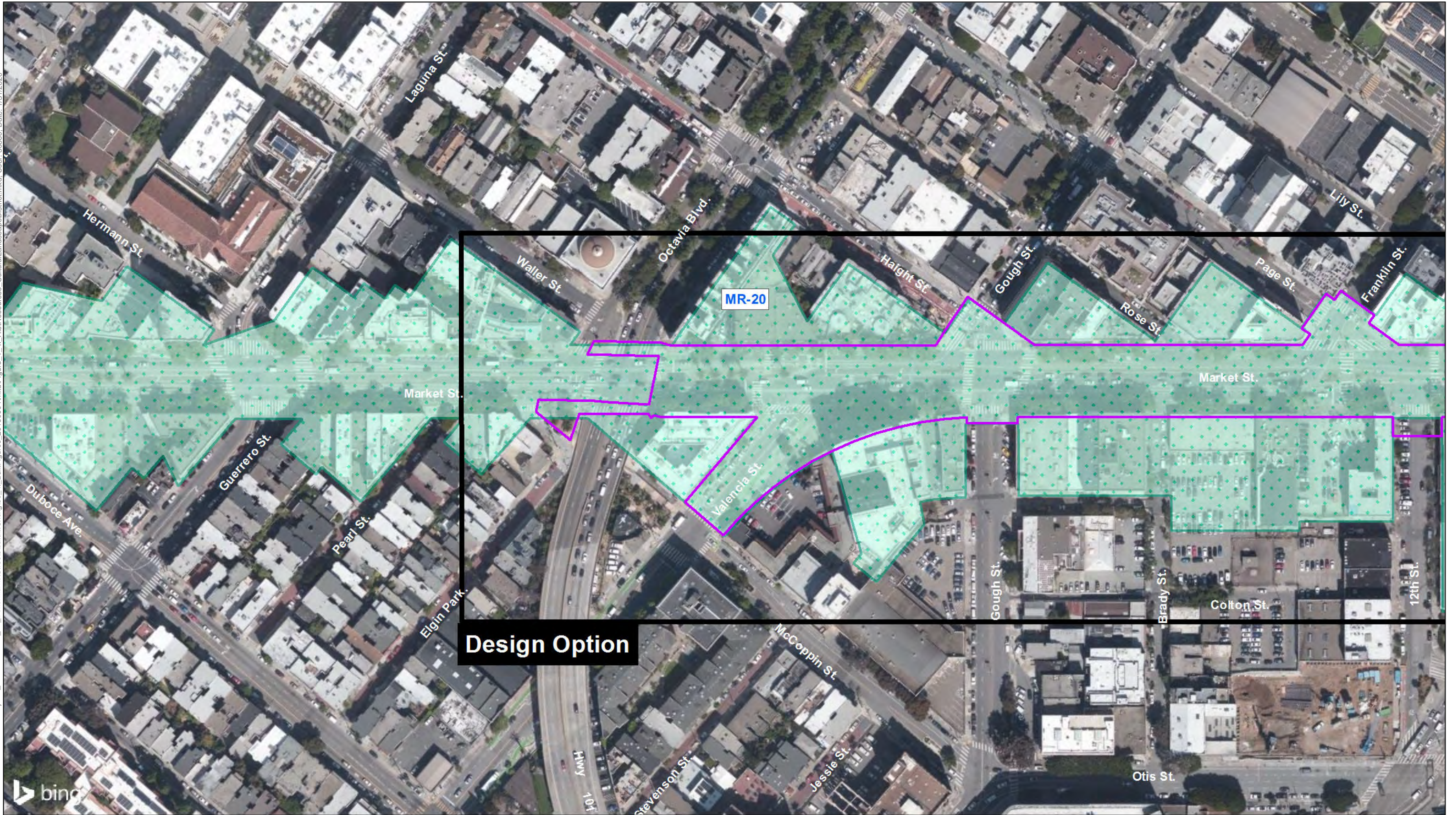
-  Market Street Cultural Landscape District (MR-20)\*
-  Project Corridor

**Figure 5**  
**Market Street Cultural Landscape District (Sheet 3 of 11)**







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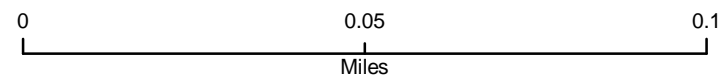


### Better Market Street Project

Source: Bing Maps Aerial, Microsoft Corporation 2010; Streets, City and County of San Francisco 2014; World Topographic Map, ESRI et al. 2019.  
Map Elements: Roadway Work (Contract Number: 2752J)  
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Federal Project Number: STPL-5934(180)

-  Market Street Cultural Landscape District (MR-20)\*
-  Project Corridor

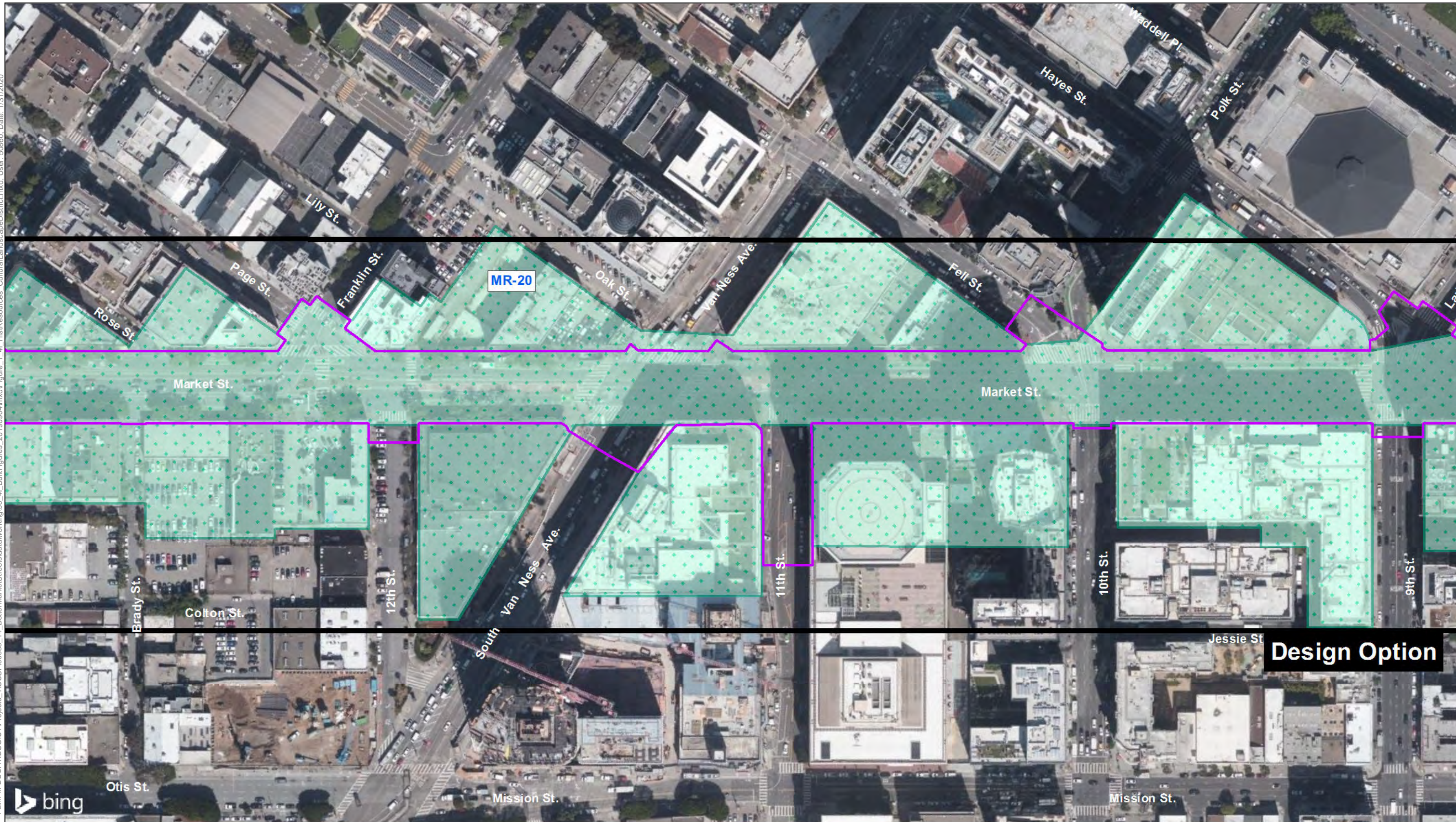


**Figure 5**  
**Market Street Cultural Landscape District (Sheet 4 of 11)**





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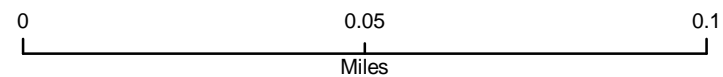


### Better Market Street Project

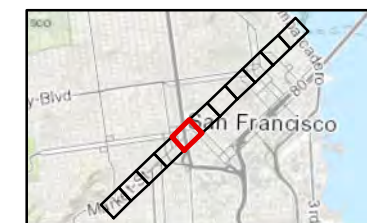
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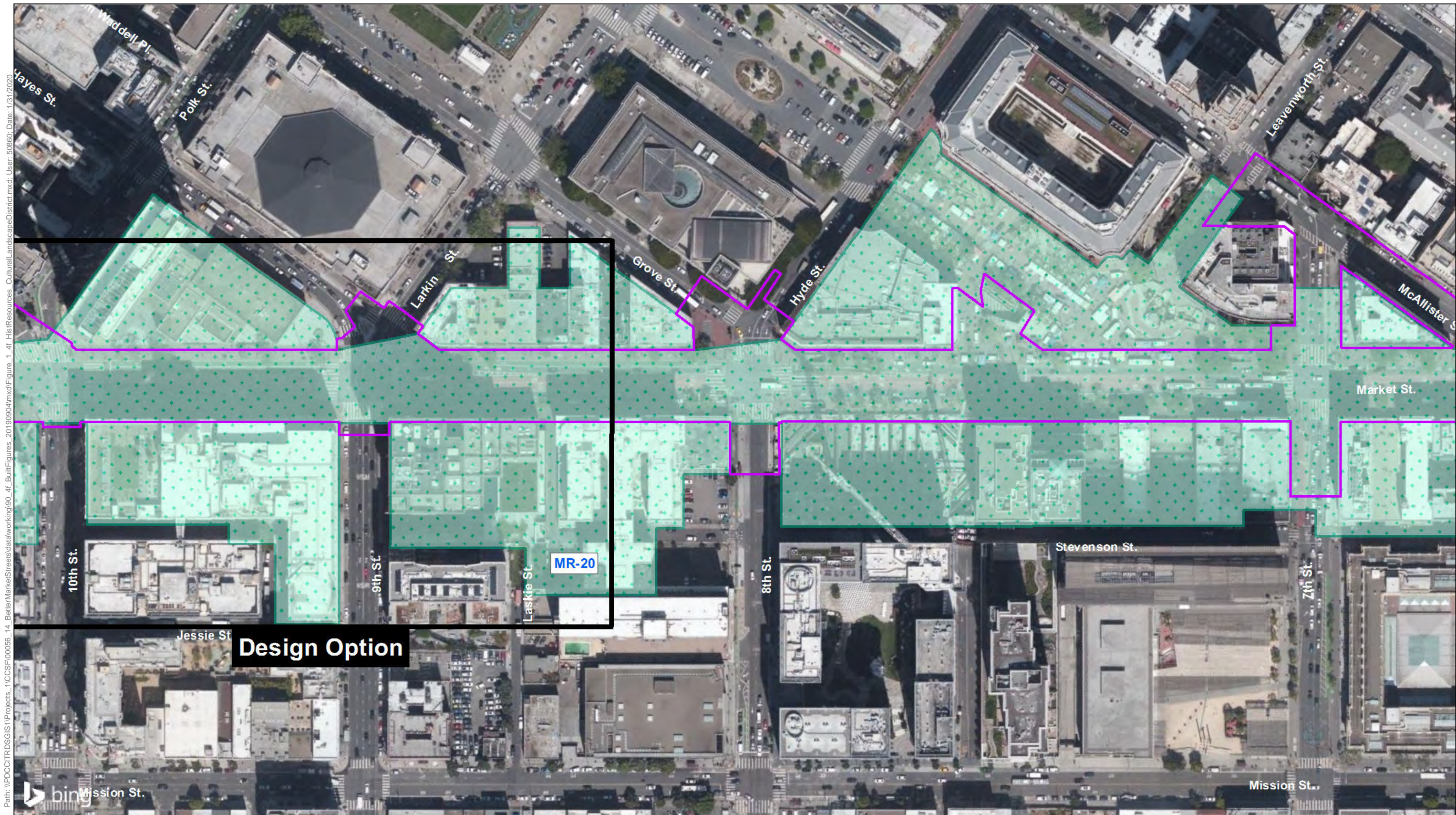
- Market Street Cultural Landscape District (MR-20)\*
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**Figure 5**  
**Market Street Cultural Landscape District (Sheet 5 of 11)**





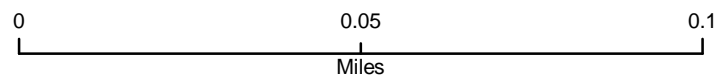


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**Better Market Street Project**

Source: Bing Maps Aerial, Microsoft Corporation 2010; Streets, City and County of San Francisco 2014; World Topographic Map, ESRI et al. 2019.  
Map Elements: Roadway Work (Contract Number: 2752J)  
San Francisco Public Works, January 2018; Approved Limits of Work, June 2019

Federal Project Number: STPL-5934(180)



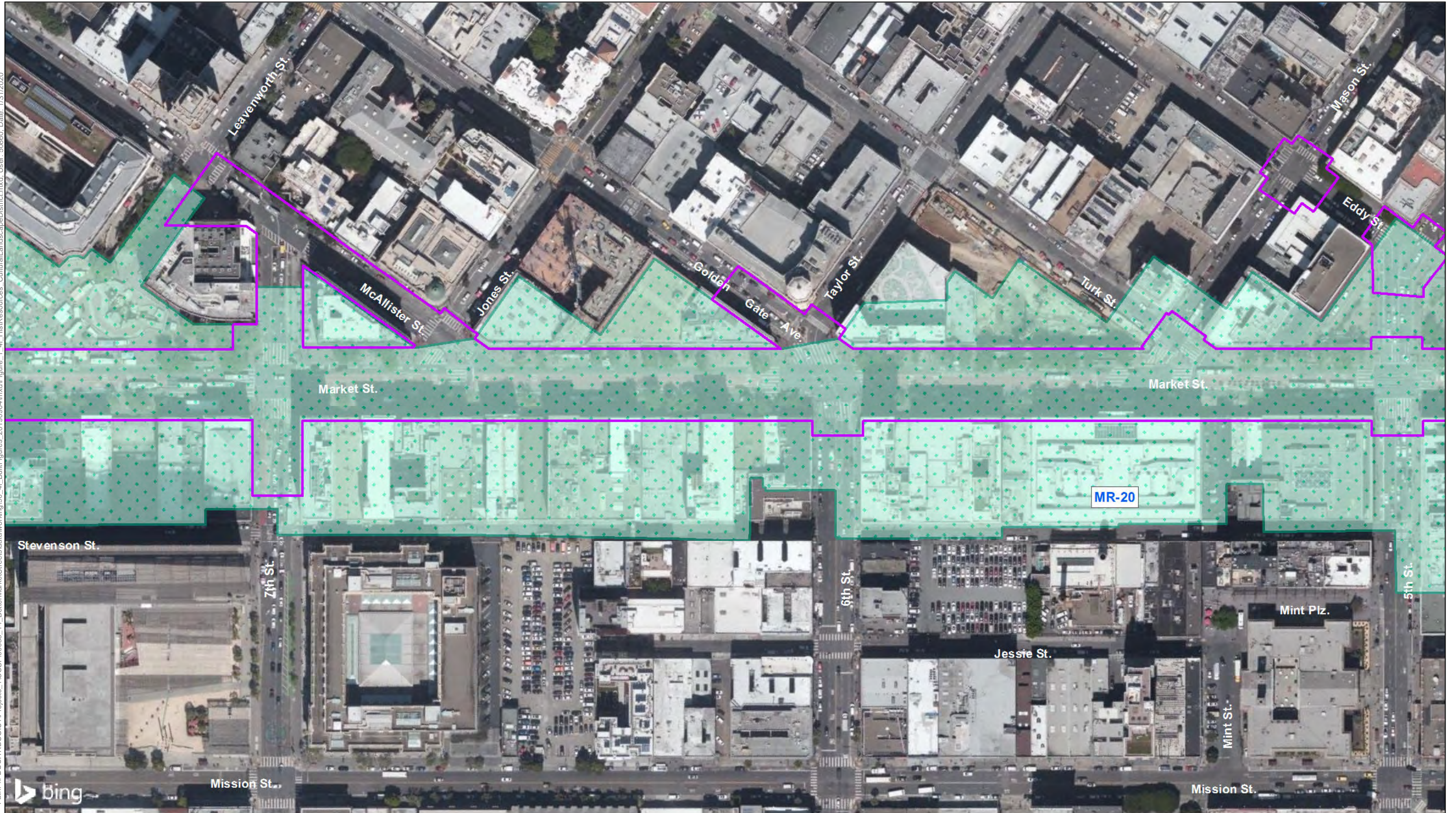
- Market Street Cultural Landscape District (MR-20)\*
- Project Corridor

**Figure 5**  
**Market Street Cultural Landscape District (Sheet 6 of 11)**





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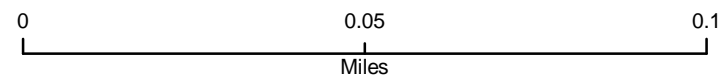


**Better Market Street Project**

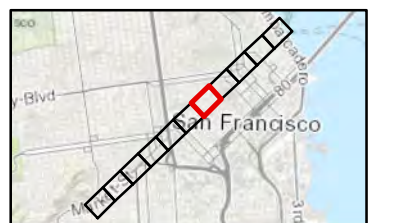
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Federal Project Number: STPL-5934(180)

- Market Street Cultural Landscape District (MR-20)\*
- Project Corridor

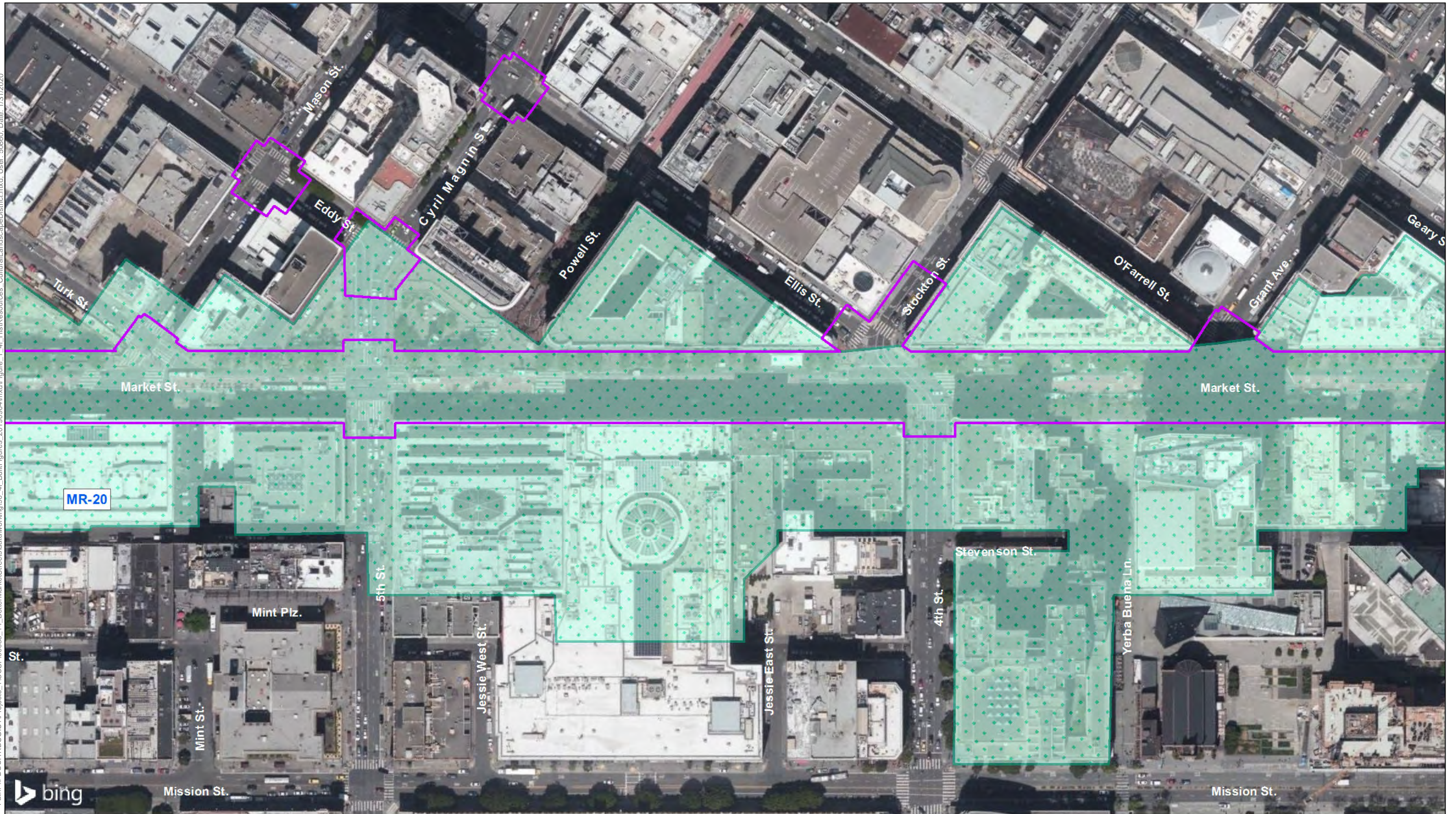


**Figure 5**  
**Market Street Cultural Landscape District (Sheet 7 of 11)**





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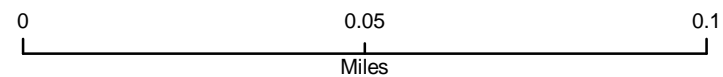


### Better Market Street Project

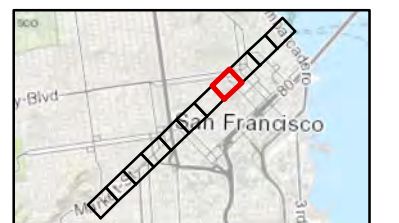
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Map Elements: Roadway Work (Contract Number: 2752J)  
San Francisco Public Works, January 2018; Approved Limits of Work, June 2019

Federal Project Number: STPL-5934(180)

- Market Street Cultural Landscape District (MR-20)\*
- Project Corridor

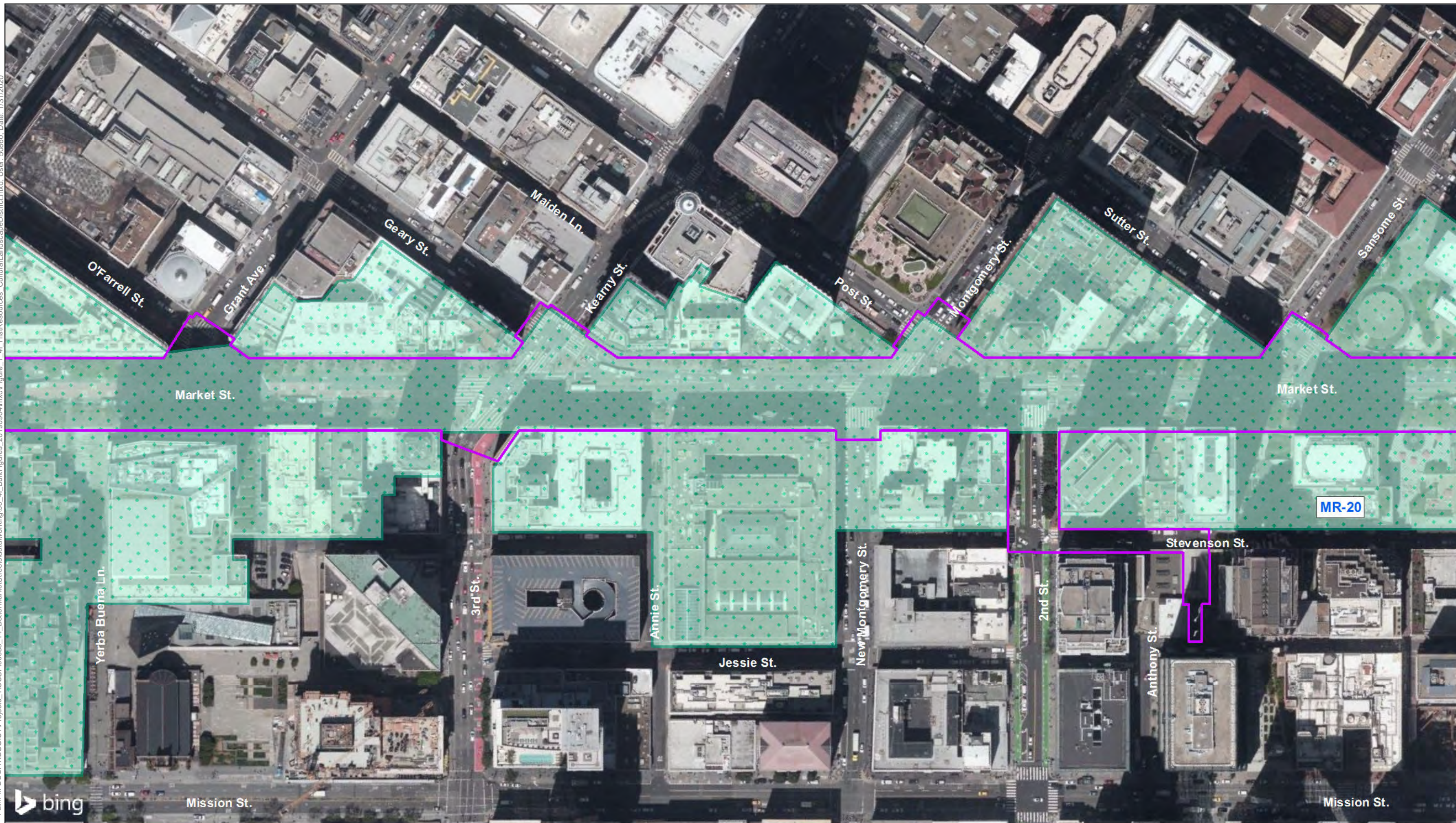


**Figure 5**  
**Market Street Cultural Landscape District (Sheet 8 of 11)**





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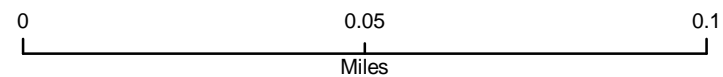


### Better Market Street Project

Source: Bing Maps Aerial, Microsoft Corporation 2010; Streets, City and County of San Francisco 2014; World Topographic Map, ESRI et al. 2019.  
Map Elements: Roadway Work (Contract Number: 2752J)  
San Francisco Public Works, January 2018; Approved Limits of Work, June 2019

Federal Project Number: STPL-5934(180)

- Market Street Cultural Landscape District (MR-20)\*
- Project Corridor

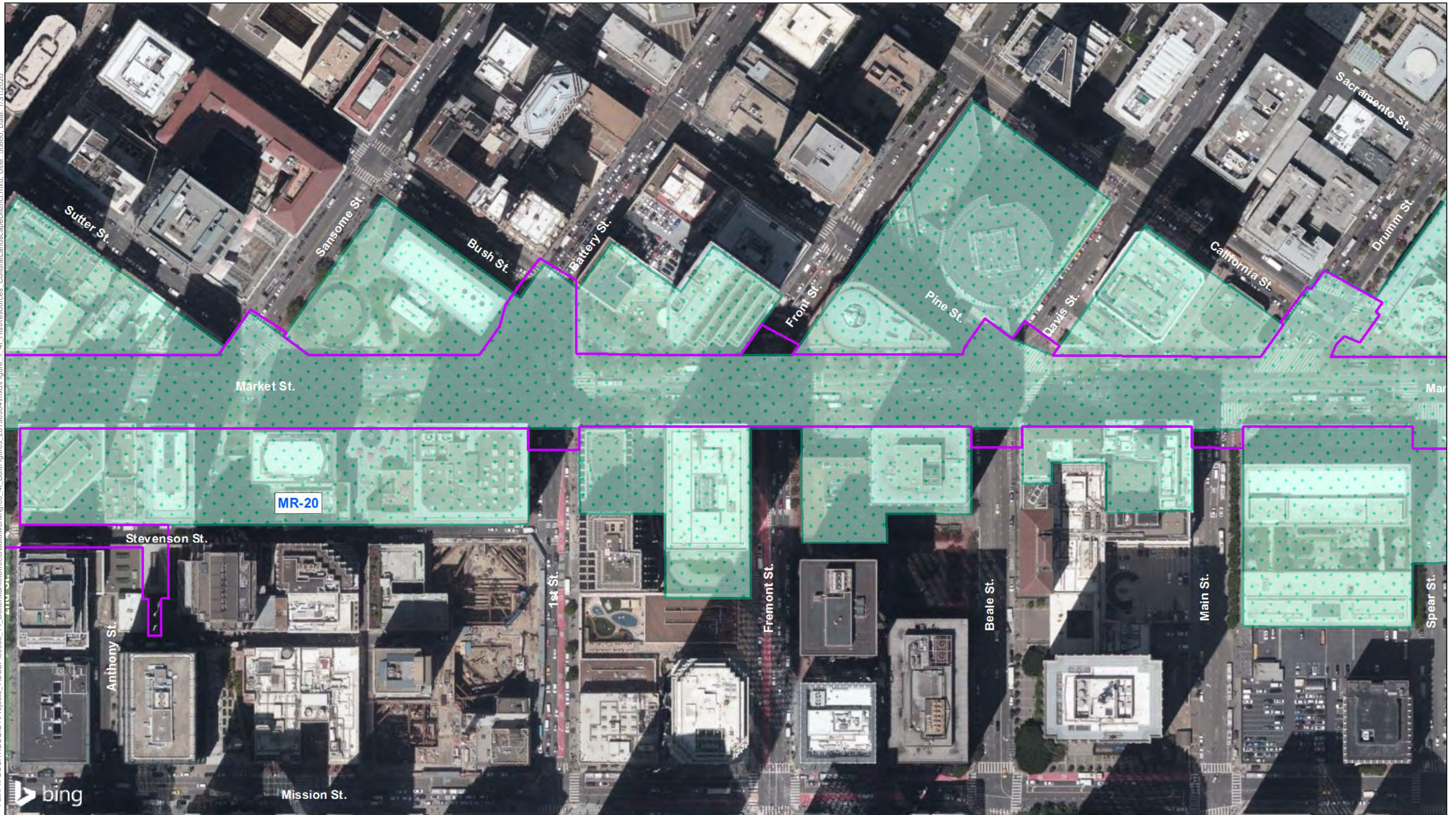


**Figure 5**  
**Market Street Cultural Landscape District (Sheet 9 of 11)**





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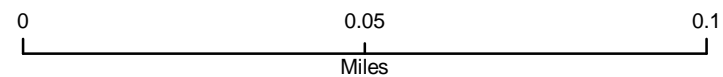


### Better Market Street Project

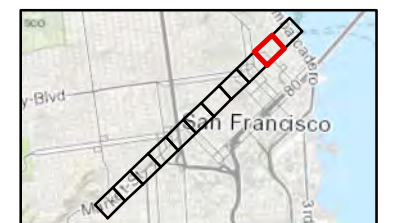
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Federal Project Number: STPL-5934(180)

- Market Street Cultural Landscape District (MR-20)\*
- Project Corridor

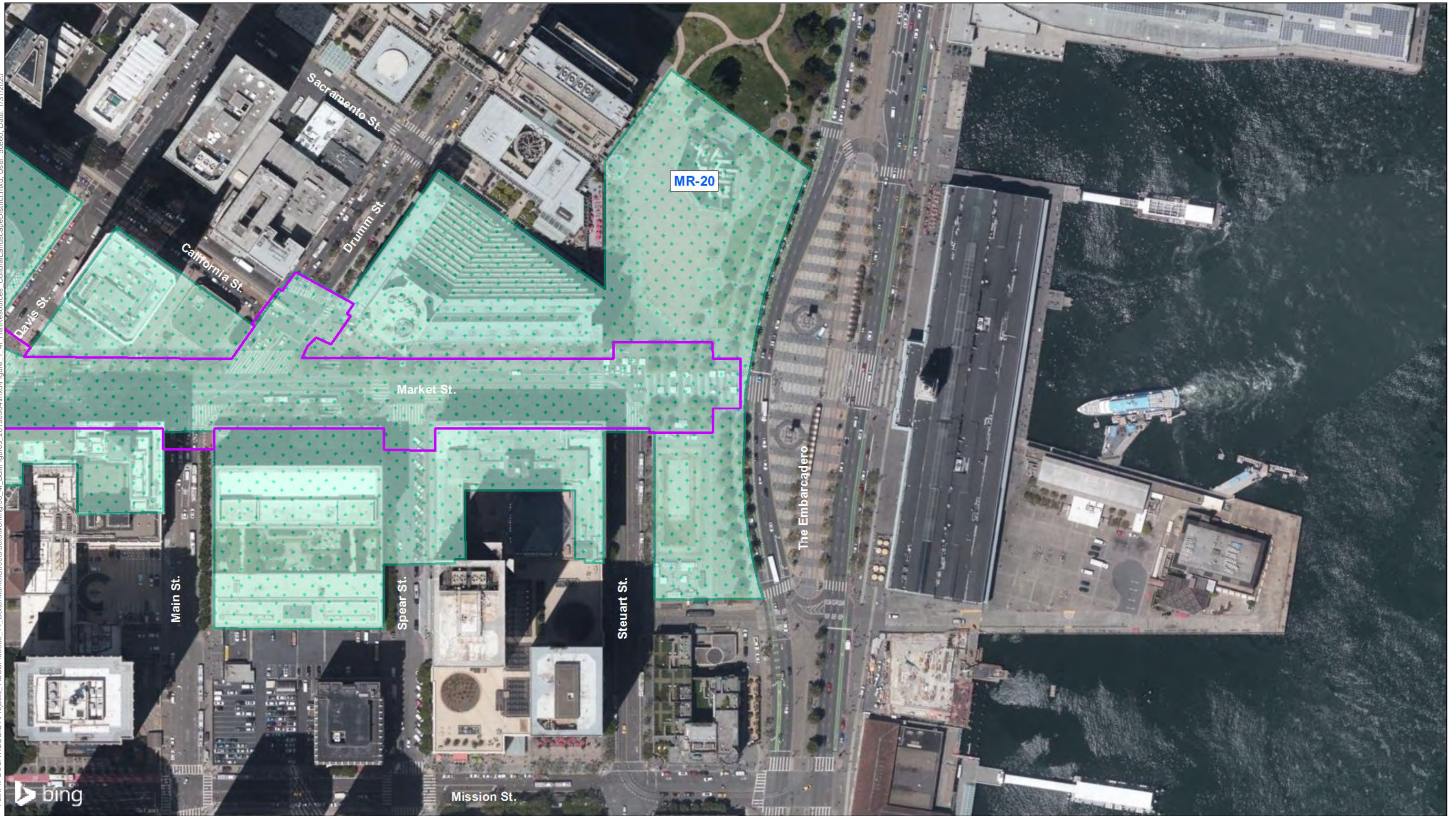


**Figure 5**  
Market Street Cultural Landscape District (Sheet 10 of 11)





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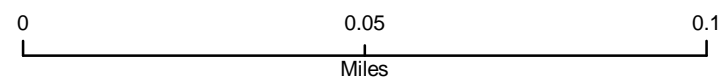


### Better Market Street Project

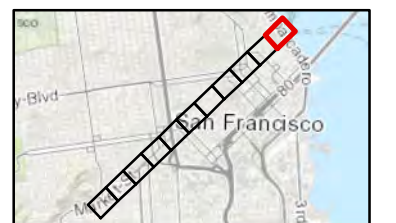
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Federal Project Number: STPL-5934(180)

- Market Street Cultural Landscape District (MR-20)\*
- Project Corridor



**Figure 5**  
**Market Street Cultural Landscape District (Sheet 11 of 11)**





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### 3.1 Attributes and Function of the Section 4(f) Property

The Market Street Cultural Landscape District (district) is a major transportation facility and transit thoroughfare. It has traditionally been the major access route from the rest of the city to the San Francisco central business district (CBD), and the commercial retail uses lining Market Street in the vicinity of the intersection with Powell Street, which connects to Union Square, for transit and motor vehicles. Regionally, it also historically provided access by being a major local route in proximity to the U.S. 101 and I-280, and I-80, which along with SR-1 are the regional-access routes that serve San Francisco. The district is the site of all downtown MUNI metro and Bay Area Rapid Transit (BART) stations, and within the district, there are 23 bus routes, the F-line surface streetcars, and 40 bus and streetcar stops to serve them. As such, the district serves as a major link to areas of commerce, employment and housing. It provides bicycle access to the CBD by a combination of Class II, III, and IV bicycle facilities. The pedestrian facilities provide connectivity to commerce, employment and housing, in addition to multiple public agency programs, services and activities that rely on the pedestrian network along the Market Street Corridor for access. Approximate numbers of users are provided in the Purpose and Need statement, above.

The Market Street Cultural Landscape District has been evaluated as eligible for listing in the National Register of Historic Places (NRHP) under Criteria A and C.<sup>10</sup> The district, which was evaluated for this project, is nationally significant under NRHP Criterion A for its historic role as San Francisco's main circulation artery and facilitator of urban development, based on its association with the early urban and economic growth of San Francisco, as well as its historic role as a venue for civic engagement in San Francisco, based on its association with public demonstrations that elevated issues of LGBTQ rights to national attention beginning in the 1960s through 1979 (ICF 2016). The district is significant under NRHP Criterion C for its association with the Market Street Redevelopment Plan, designed by master architects John Carl Warnecke and Mario J. Ciampi and master landscape architect Lawrence Halprin. The Market Street Cultural Landscape District retains contributing elements through the following landscape characteristics: natural systems and features, spatial organization, cluster arrangements, circulation, vegetation, topography, buildings and structures, views and vistas, constructed water features, and small-scale features. These are presented in Table 5, below.

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<sup>10</sup> The Market Street Cultural Landscape District has significance under NRHP Criterion A for its role as San Francisco's Main Circulation Artery and Facilitator of Urban Development (significance area 1) and for its role as a Venue for Civic Engagement in San Francisco (significance area 2). In addition, the Market Street Cultural Landscape District also has significance under NRHP Criterion C for its association with the work of master architects Mario J. Ciampi and John Carl Warnecke and master landscape architect Lawrence Halprin (significance area 3). The Market Street Cultural Landscape District retains sufficient historical integrity to convey these three areas of significance and, in the case of significances 2 and 3 (which have periods of significance that include end dates of less than 50 years), meet the NRHP Criteria Consideration G threshold. Thus, the Market Street Cultural Landscape District meets the criteria for listing in the NRHP for all three of its areas of significance.

**Table 5. Contributing Features of the Market Street Cultural Landscape District**

<b>Contributing Feature</b>	<b>Area(s) of Significance</b>
<b>Natural Systems and Features</b>	
Sunlight channeled through northern diagonal street grid into triangular plazas	NRHP Criterion C
<b>Spatial Organization</b>	
Verticality of streetscape (including buildings adjacent to the Market Street corridor)	NRHP Criterion A
Alignment as axis	NRHP Criterion A
Grid alignment	NRHP Criterion A
Linear plan	NRHP Criterion A
Alignment of 120-foot-wide street, diagonally from east to west	NRHP Criterion C
Pedestrian-oriented separation of foot, vehicle, and rail traffic	NRHP Criterion C
Large plazas (Embarcadero Plaza, Hallidie Plaza, UN Plaza)	NRHP Criterion C
Small plazas (Robert Frost Plaza, Mechanics Monument Plaza, One Post Plaza, Mark Twain Plaza)	NRHP Criterion C
<b>Cluster Arrangements</b>	
Presence of multi-modal transportation systems	NRHP Criterion A
Plaza arrangement along Market Street	NRHP Criteria A and C
North-south intersections	NRHP Criterion A
Repeating pattern of BART/Muni subway entrances along length of Market Street	NRHP Criterion C
Repeating pattern of street signage (square and circular)	NRHP Criterion C
Repeating pattern of traffic lights and traffic signage	NRHP Criterion C
Arrangement of street trees in double and single rows down sidewalks	NRHP Criterion C
<b>Circulation</b>	
Sidewalks	NRHP Criterion A
Roadway	NRHP Criterion A
Rails, including California Street cable car turnaround	NRHP Criterion A
Electric catenary wire system	NRHP Criterion A
Red brick paving in herringbone pattern that distinguishes pedestrian from vehicular space	NRHP Criterion C
Granite curbs	NRHP Criterion C
Tree allées (double and single rows)	NRHP Criterion C
Vertical circulation features (elevator, escalator, and stairs) of BART/Muni stations (Civic Center, Embarcadero, Montgomery, and Powell) and Muni-only station (Van Ness)	NRHP Criterion C
<b>Vegetation</b>	
Street trees	NRHP Criterion C
<b>Topography</b>	
Grade	NRHP Criterion A



<b>Contributing Feature</b>	<b>Area(s) of Significance</b>
<b>Buildings and Structures</b>	
Landmark buildings	NRHP Criterion A
BART/Muni station street entrances (Embarcadero Station, Montgomery Station, Powell Station, Civic Center Station)	NRHP Criterion C
Van Ness Muni station street entrance	NRHP Criterion C
<b>Views and Vistas</b>	
Line of sight from east to west	NRHP Criterion A
Line of sight from west to east	NRHP Criterion A
View of Market Street from Twin Peaks	NRHP Criterion A
Broad view of streetscape	NRHP Criterion A
Vista of City Hall from UN Plaza and Market Street	NRHP Criteria A and C
Embarcadero Plaza open space	NRHP Criterion A
Broad view of Market Street width	NRHP Criterion C
<b>Constructed Water Features</b>	
Lotta's Fountain	NRHP Criteria A and C
<b>Small-Scale Features</b>	
Replica Path of Gold light standards	NRHP Criteria A and C
AWSS fire hydrants	NRHP Criteria A and C
Samuels Clock	NRHP Criteria A and C
Mechanics Monument	NRHP Criteria A and C
California Admission Day Monument	NRHP Criteria A and C
Emergency call boxes	NRHP Criteria A and C
Traffic control boxes	NRHP Criterion C
Granite bollards with chain links	NRHP Criterion C
Bronze BART/Muni street-level elevators	NRHP Criterion C
Bronze four-sided clocks	NRHP Criterion C
Street signage	NRHP Criterion C
Semaphore-style traffic signage and traffic lights	NRHP Criterion C
Bronze tree grates	NRHP Criterion C

The non-contributing elements of the Market Street Cultural Landscape District include features that were installed following the district's periods of significance, including Muni high-low loading platforms, bicycle parking of a variety of styles, bollards in a variety of styles, bike lanes and pavement markings in some portions of the roadway, waste receptacles in a variety of styles, advertising billboards, wayfinding signage, newspaper vending machines, the Liberty Bell Slot Machine monument, vendor kiosks, public restroom facilities, BART/Muni elevator structures, transit shelters, flower stands, newsstands, vending machines, and BART/Muni station entrance canopies.

Other planned transportation facilities in the project area which could result in streetscape and transportation system improvements similar to the Build Alternative include the Van Ness Bus Rapid Transit Project/Van Ness Improvement Project, Geary Rapid Project/Geary Boulevard Improvement Project, Active Beale Street Project, and Vision Zero, amongst others.

## 3.2 Unusual Characteristics of the Section 4(f) Property

The most prominent unusual characteristic of the district is that it is a transportation facility and transit corridor undergoing uninterrupted, continuous use and that several of the design characteristics that underlie the district's historic status also constitute the design deficiencies that the proposed project will address. The widening of the sidewalk as part of the Market Street Redevelopment Plan has condensed all vehicular traffic, including rail, buses, and cyclists, into four travel lanes. This has left no space for consistent, dedicated bicycle facilities and has increased the conflict between the various transportation modes. This apportioning of public space is a direct result of the design decisions imposed on Market Street by the Market Street Redevelopment Plan. Character-defining features of the Market Street Redevelopment Plan streetscape, notably the brick sidewalk in a herringbone bond, are also barriers to mobility to the disabled to access on Market Street.

There are no clauses affecting ownership (including lease, easement, covenants, restrictions, or conditions, including forfeiture) applicable to the Section 4(f) resource.

## 3.3 Consultation with the SHPO

Consultation with the SHPO has been completed.

A Historic Resource Evaluation Report (HRER) was completed for this project (ICF 2020b), which evaluated the Market Street Cultural Landscape District for the National Register of Historic Places. The HRER was submitted to SHPO for concurrence on the determination of eligibility. On April 23, 2020, SHPO concurred with Caltrans' NRHP eligibility determinations for 21 resources and requested edits to the evaluations of two others, including splitting one evaluation into two. On May 6, 2020, Caltrans sent edited determinations of eligibility to SHPO. On May 22, 2020, SHPO concurred with Caltrans' NRHP eligibility determinations of three resources. Therefore, the Market Street Cultural Landscape District is considered a Section 4(f) property.

A letter was sent to the SHPO on June 25, 2020, to confirm the finding of Adverse Effect to Market Street Cultural Landscape District, Yerba Buena Cemetery, and potentially to four wharves; and the finding that the remaining 145 built environment properties<sup>11</sup> and five archaeological properties will not be adversely affected by the project. On July 20, 2020, the SHPO concurred with the proposed findings. A subsequent letter was sent to the SHPO on July 30, 2020, with minor revisions to the Finding of Adverse Effect (ICF 2020a) that discussed the effects to the Civic Center National Historic Landmark separate from the Civic Center Landmark District. No response was requested from or received by SHPO in response to the July 30, 2020 letter.

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<sup>11</sup> This number reflects the Civic Center NHL District and Civic Center Landmark District as separate historic properties; Caltrans assessed potential effects to these two districts together in the Finding of Adverse Effect (ICF 2020a) that was prepared pursuant to the requirements of Section 106.

Consultation under Section 106 of the National Historic Preservation Act (Section 106) continued through the summer of 2020 in order to draft a Memorandum of Agreement (MOA) to resolve adverse effects and refine the reporting and review requirements for the draft stipulations. A draft MOA and a Data Recovery Plan (DRP) for archaeological resources was submitted to SHPO for their review on August 4, 2020. SHPO responded via letter on August 14, 2020, and stated that a Project-level Programmatic Agreement (Project PA) was a more appropriate agreement document than a MOA due to the proposed identification and evaluation procedures for potential archaeological resources in the DRP. The draft MOA was converted to a Project PA and revised accordingly. The DRP was also expanded with additional reporting, consultation, and review requirements, and renamed the Archaeological Treatment and Data Recovery Plan (ATDRP). Caltrans submitted the final Project PA and ATDRP to SHPO on August 25, 2020 and it was signed on September 11, 2020.

## 4 Use of the Section 4(f) Property

This section discusses the concept of “use” in relation to the Market Street Cultural Landscape District. Per 23 CFR 774.17, a Section 4(f) “use” occurs when:

1. Land is permanently incorporated into a transportation facility;
2. There is a temporary occupancy of land that is adverse in terms of the Section 4(f) statute's preservation purposes; or
3. There is a constructive use of a Section 4(f) property.

When Section 4(f) applies to historic sites, it relies on analysis carried out under Section 106.

Section 4(f) of the Department of Transportation Act and Section 106 of the National Historic Preservation Act (NHPA) both require federal agencies to consider a project's effect on cultural resources. The Section 106 process is the method by which historic properties are identified, project effects on historic properties are determined, and measures to avoid, minimize, or mitigate adverse effects on historic properties are developed. Section 4(f) uses the results of the Section 106 process to analyze whether the project will result in a use of a historic property under Section 4(f). The most important difference between the two statutes is the way in which each measures impacts on cultural resources. Section 106 is concerned with adverse effects, while Section 4(f) is concerned with use of protected properties. This distinction is important for the proposed project because implementation of the project will result in changes to multiple cultural resources in the area of potential effects (APE) but proposes an adverse effect on only one resource, the Market Street Cultural Landscape District, by changing the characteristics that qualify it for listing on the NRHP.

As the Market Street Cultural Landscape District includes land affected by the project which is permanently incorporated into a transportation facility, there is a Section 4(f) “use.” FHWA has a long-standing policy for applying Section 4(f) in historic districts, namely that Section 4(f) applies to those properties that are considered contributing to the eligibility of the historic



district to the NRHP, as well as any individually eligible property within the district.<sup>12</sup> Further discussion on what contributes to the eligibility of the Market Street Cultural Landscape District is provided in Section 3.1, above.

As listed in Section 3, above, the project also proposes 14 *de minimis* impact determinations on resources protected under Section 4(f), and that there are 159 resources where there is no Section 4(f) use. Per 23 CFR 774.17, a *de minimis* impact is where no historic property is affected by the project or where the project will have “no adverse effect” on the historic property in question. For parks, recreation areas, and wildlife and waterfowl refuges, a *de minimis* impact is one that will not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f). When there is a *de minimis* impact finding, no individual 4(f) evaluation is required.

The 15 *de minimis* impacts identified in Section 3, above, contribute to the analysis contained within this Appendix. However, because the Market Street Cultural Landscape District is the only 4(f) resource for which an individual 4(f) evaluation is required, the reasoning for the *de minimis* impact or no use determinations is provided separately in Appendix B.

## 4.1 Market Street Cultural Landscape District

The project corridor runs along a portion of Market Street within the Market Street Cultural Landscape District, encompassing 35.2 acres of the Market Street roadway and extending approximately 2.2 miles in length (Figure 5, p. A-43). The proposed project will not involve acquisition of any property because construction will occur within the public right-of-way and ownership will not change.

All project features are proposed to be constructed in the public right-of-way and will not affect any contributing buildings within the Market Street Cultural Landscape District (Table 6). However, aspects of the project will demolish or alter the following contributing streetscape elements of the cultural landscape district. Additional details on the project’s effects on these elements are described below.

**Table 6. Contributing Features of the Market Street Cultural Landscape District Altered by the Project**

Contributing Feature	Area(s) of Significance
<b>Spatial Organization</b>	
Small plazas (Robert Frost Plaza, Mechanics Monument Plaza, One Post Plaza, Mark Twain Plaza)	NRHP Criterion C
<b>Cluster Arrangements</b>	
Repeating pattern of street signage (square and circular)	NRHP Criterion C
Repeating pattern of traffic lights and traffic signage	NRHP Criterion C
Arrangement of street trees in double and single rows down sidewalks	NRHP Criterion C

<sup>12</sup> This guidance is provided under Question 2B of the FHWA’s Section 4(f) Policy Paper (Federal Highway Administration 2012).

<b>Contributing Feature</b>	<b>Area(s) of Significance</b>
<b>Circulation</b>	
Red brick paving in herringbone pattern that distinguishes pedestrian from vehicular space	NRHP Criterion C
Granite curbs	NRHP Criterion C
Elevator at BART/Muni Civic Center station	NRHP Criterion C
<b>Vegetation</b>	
Street trees	NRHP Criterion C
<b>Small-Scale Features</b>	
Replica Path of Gold light standards	NRHP Criteria A and C
AWSS fire hydrants	NRHP Criteria A and C
Granite bollards with chain links	NRHP Criterion C
Street signage	NRHP Criterion C
Semaphore-style traffic signage and traffic lights	NRHP Criterion C
Bronze tree grates	NRHP Criterion C

The project will include sidewalk demolition and replacement within the small plazas (Robert Frost Plaza, Mechanics Monument Plaza, One Post Plaza, Mark Twain Plaza), and replace any lighting and furnishings. The project will preserve the monument associated with Mechanics Monument Plaza in place and will not alter the physical dimensions of the small plazas.

The project will include demolition and replacement of all existing paving materials within the public right-of-way; the project does not include replacement of existing paving materials within large plazas adjacent to Market Street. The project will widen the sidewalk area and completely replace existing surface pavement and curbing. Existing red brick paving in herringbone patterns will be replaced with unit pavers, according to the City's standard paving material palette and consistent with ADA standards and the San Francisco Downtown Streetscape Plan. (For more information on the requirements that make removal of the brick necessary, see the section titled *Americans with Disabilities Act*.) Although the new pavement will differentiate the pedestrian sidewalk area from the vehicular space, paver sizes, materials, and finishes may differ in various locations within the sidewalk area. For example, a paver used in the pedestrian through zone may be different from what is used in the furnishing zone/Streetlife Zone. The project will include detectable warnings in the paving between the sidewalk through zone and the proposed bikeway to prevent people with limited vision from accidentally crossing into the bikeway.

Changes in paving for sidewalks and small plazas will also result in a lack of uniformity across the entire range of design components for the Market Street Redevelopment Plan, given that existing original paving for the large plazas (Embarcadero Plaza, Hallidie Plaza, United Nations Plaza) will not be altered as part of the project. In addition, a raised sidewalk-level bikeway will be constructed immediately adjacent to the sidewalk and include buffers on both sides of the bikeway as well as a distinct paving pattern or material to help identify the designated space for bicyclists. This will change the setting of the sidewalk, which is now immediately adjacent to the roadway and separated by the granite curb.

The project will include removal of London plane trees (*Platanus acerifolia*) that were installed as part of the Market Street Redevelopment Plan. Because the existing trees have experienced an approximately 60 percent mortality rate, the project will install replacement trees of an alternative type. When the London plane trees were selected for the Market Street Redevelopment Plan, they were chosen for scale and canopy size (40 feet tall, with a spread of 30 feet) relative to the planned sidewalk width and height of the Path of Gold light standards, as well as quick rate of growth to maturity. The deciduous species was perceived as preferable because the canopy will shade pedestrians from the sun in summer and allow sunlight through the bare branches when the tree was leafless in the winter. In addition, the lowest tree branches grow about 12 feet from the base of the trunk and will not obscure views of storefronts from the street.

Trees will be replaced or relocated in areas where sidewalks will be reconfigured to accommodate wider and longer transit boarding islands and the new sidewalk-level bikeway. The tree selection will not be a single species, as was the case with the historic design, and that not all of the trees in the new planting palette will be consistent in height, canopy size, canopy shape, leaf size, color, etc. Trees will be selected from the following list of genera: Ginkgo (selections), Lophostemon (*L. confertus*, Brisbane box), Magnolia (selections of *M. grandiflora*, southern magnolia), *Pittosporum* (*P. undulatum*, Victorian box), *Platanus* (plane trees, sycamores, and selected hybrids), *Quercus* (evergreen “live oak” species), and *Ulmus* (*U. parviflora* selections and hybrids).

The proposed street tree alignment will be a single-row arrangement, unlike the Market Street Redevelopment Plan design, which included double rows of trees in some locations along the corridor. Some street trees are currently missing in locations throughout the streetscape. In some cases, only single rows are present where double rows were originally designed and installed. In other locations, no trees are present where single rows were originally designed and installed. In places where the original design featured a single row of street trees, the proposed cluster arrangement will be consistent with the historic design. However, in places where the historic design included double rows of streets, the project will not be consistent with the historic cluster arrangement. In multiple locations along the corridor where the project includes reduced sidewalk width, street trees will not be included because of the lack of clearance to adjacent building façades.

The project will either retain or relocate the existing BART/Muni elevator at the Civic Center station on the north side of Market Street near United Nations Plaza. This elevator has already been substantially altered and no longer retains its bronze exterior. However, the location of the extant elevator contributes to the significance of the Market Street Cultural Landscape District. The potential relocation site is within an existing staircase and escalator area in United Nations Plaza, approximately 80 feet to the west. The escalator and stairs associated with this character-defining feature will not be altered by the relocation of the elevator at Civic Center station (see below).

The project will remove the existing granite bollards with chain links, which are in the path of planned bicycle and streetscape improvements.



The project will remove all of the square and circular pole-mounted street signs associated with the Market Street Redevelopment Plan design and replace them with new pole-mounted street signs, consistent with contemporary traffic safety standards.

The project will remove all of the square and circular regulatory, street name, and guide signs that were designed specifically for Market Street. This change will also include removal of the traffic lights and semaphore-design signal assemblies, which are unique to Market Street, where the signs and signals are mounted. The project will replace these features with new traffic signs, signals, and mounting structures, consistent with contemporary traffic safety standards.

The project will remove all of the existing bronze tree grates associated with the Market Street Redevelopment Plan design. Consistent with contemporary horticultural standards, no new tree grates will be introduced as part of the project.

The 236 replica Path of Gold light standards that intersect the project corridor will be removed, partially restored (the tridents and globes), reconstructed (base and poles), and realigned. Specifically, the existing replica poles will be replaced with larger poles; the tridents will be salvaged, restored, and reinstalled with new interior lighting systems; and the clamshell bases will be recast and modified to accommodate the larger poles. The standards will be reinstalled in a new alignment to maintain the visible linear edge along the pedestrian zone.<sup>13</sup> Additionally, the character-defining AWSS will be altered by project activities. These features include portions of the underground AWSS pipes, which will be relocated or replaced within the project corridor to maintain a state of good repair or match curb movements. In addition, the majority of AWSS fire hydrants within the project corridor will be shifted to accommodate proposed traffic lanes, a pedestrian through zone, and other project elements. Utility covers on the three AWSS cisterns within the project corridor will be retained or replaced in kind.

Caltrans proposes a finding of adverse effect under Section 106, because the project will adversely affect the Market Street Cultural Landscape Historic District, as the district will no longer be able to convey its National Register significance under Criterion C (ICF 2020a). However, the Market Street Cultural Landscape Historic District will continue to convey its significance under Criterion A of the National Register; and as such will continue to be eligible for the National Register following the completion of the project.

As there is a proposed finding of adverse effect under Section 106, there cannot be a *de minimis* impact finding under Section 4(f) for the Market Street Cultural Landscape Historic District and so an individual 4(f) evaluation is required.

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<sup>13</sup> The 236 replica Path of Gold light standards, which will experience change as a result of the project, are contributing elements to the Market Street Cultural Landscape District. However, these replica light standards are geographically separate from the 92 original Path of Gold light standards, which are eligible for listing in the NRHP but are not contributing elements to the district because they were installed in their current locations following the district's period of significance. The project does not propose to alter the individually NRHP-eligible original Path of Gold light standards, which are located outside the project APE.

## 5 Avoidance Alternatives

Section 4(f) requires the selection of an alternative that completely avoids the use of Section 4(f) properties if that alternative is deemed feasible and prudent. A “feasible and prudent” avoidance alternative is one that “avoids using Section 4(f) property and does not cause other severe problems of a magnitude that substantially outweigh the importance of protecting the Section 4(f) property.” (23 CFR 774.17). An avoidance alternative is not feasible if it “cannot be built as a matter of sound engineering judgment.” (*Ibid.*) An alternative is not prudent if: (1) It compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need; (2) It results in unacceptable safety or operational problems; (3) After reasonable mitigation, it still causes: (A) Severe social, economic, or environmental impacts; (B) Severe disruption to established communities; (C) Severe disproportionate impacts to minority or low income populations; or (D) Severe impacts to environmental resources protected under other Federal statutes; (4) It results in additional construction, maintenance, or operational costs of an extraordinary magnitude; (5) It causes other unique problems or unusual factors; or (6) It involves multiple factors listed above, that while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude. (*Ibid.*)

This section discusses a total of 4 avoidance alternatives. These alternatives include the No-Build Alternative, an Accelerated Repair and Maintenance Alternative, a Mission Street with Bus Lanes Alternative, and a Mission Street with Cycle Tracks Alternative. These alternatives originated from two sources, early design concepts prepared in collaboration with numerous members of the public and stakeholders throughout the city of San Francisco and the environmental review process conducted pursuant to the California Environmental Quality Act (CEQA), which led to preparation of the *Better Market Street Draft Environmental Impact Report* (San Francisco Planning Department 2019). These alternatives were the result of more than a decade of consultation with stakeholders and the public. A more complete description of the public engagement process is provided in Section 1.7.3, *Alternatives Considered but Eliminated from Consideration*, in Chapter 1 of the environmental assessment prepared for the Better Market Street project.

Seventeen design concepts were developed during the early part of the formal public engagement process, beginning in 2011, and evaluated by the interagency team at that time (San Francisco Public Works, SFMTA, the San Francisco Planning Department, SFCTA, and SFPUC), based on their consistency with the proposed project’s goals and compatibility with community-identified design priorities. Most of these design concepts were determined to be either infeasible or incompatible with the project purpose and need. Three of the design concepts developed through the early formal engagement process were refined and carried forward for environmental analysis as alternatives in the *Better Market Street Initial Study* (San Francisco Planning Department 2016). Following preparation of the *Better Market Street Initial Study* (San Francisco Planning Department 2016), the three alternatives evaluated in that document were dismissed from further consideration because they were determined to not meet the project purpose and need. Various components of those three alternatives were refined to develop the one proposed project that was evaluated in the *Better Market Street Draft Environmental Impact Report* (San Francisco Planning Department 2019).

In addition to the proposed project, the *Better Market Street Draft Environmental Impact Report* (San Francisco Planning Department 2019) considered five other build alternatives. One of these, discussed below as the Accelerated Repair and Maintenance Alternative, would minimize impacts on the Market Street Cultural Landscape Historic District by reducing the scope of proposed project such that several priority 1 character-defining features of the Market Street Cultural Landscape District would remain intact. The four other build alternatives evaluated in the *Better Market Street Draft Environmental Impact Report* (San Francisco Planning Department 2019) are not considered avoidance alternatives because they would affect Section 4(f) resources and therefore are discussed in Section 6, *Other Project Alternatives*.

In addition to the Accelerated Repair and Maintenance Alternative, the 17 early design concepts were re-evaluated in light of the need to identify potential feasible and prudent avoidance alternatives. This re-evaluation resulted in the identification of the Mission Street with Bus Lanes Alternative and the Mission Street with Cycle Tracks Alternative as potential avoidance alternatives. The following sections explain the factors considered in the analysis of the four avoidance alternatives evaluated in this document and the basis on which they were eliminated.

## 5.1 No-Build Alternative

Under the No-Build Alternative, generally, the roadway configuration; access for private vehicles; surface transit, such as Muni service; streetscapes; commercial and passenger loading; vehicular parking; and utilities would remain in their current condition. Limited physical changes would be made on Market Street (e.g., regularly scheduled or emergency repairs, electrification of the two track switches on Market Street at 11<sup>th</sup> Street, replacement/repair of BART/Muni ventilation grates, additional concrete protection to bike lanes, refreshing existing crosswalk and other pavement markings, minor signal timing changes to improve vehicle progression, other minor physical changes to respond to maintenance or operational needs). The No-Build Alternative also includes other planned land-use projects, plans, and transportation projects. These projects include development projects (e.g., residential, commercial, mixed-use projects), area plans (e.g., Market and Octavia Area Plan, Eastern Neighborhoods Rezoning and Area Plans) that would amend land use designations (e.g., plus zoning, height, bulk, etc.), and transportation/streetscape projects. Transportation projects that would overlap some portion of the project corridor include:

- Muni Forward
- Van Ness Improvement Project
- Geary Rapid Project
- Electrification of the two existing track switches on Market Street at 11<sup>th</sup> Street
- Replacement/repair of BART/Muni ventilation grates
- Addition of concrete protection to bike lanes
- Refreshing of existing crosswalk and other pavement markings
- Minor signal timing changes to improve vehicle progression



Because such activities are routinely implemented on city streets, the No-Build Alternative could be constructed and operated from a technical point of view. While some of the improvements associated with the No-Build Alternative could impact Section 4(f)-protected properties, no FHWA funds are anticipated to be used to fund such improvements therefore the provisions of Section 4(f) do not apply.

The principal purpose of the project is to make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists and pedestrians. The No-Build Alternative would not relieve existing transit capacity constraints on Market Street because the planned and emergency repairs and replacements under this alternative would not be sufficient to address the existing conflicts that occur between pedestrians, bicyclists, and different types of vehicles in shared lanes on Market Street. In addition, this alternative would not provide a fully separated bicycle route along the Market Street corridor and bicycle access would be the same as under existing conditions. Therefore, the efficiency of the corridor for bicyclists would not be increased. Based on the above, the No-Build Alternative would not meet the principal purpose of the project.

An ancillary purpose of the project is to bring elements of city infrastructure in the Market Street corridor that are reaching the ends of their operational design lives into a state of good repair, and to improve the accessibility of the corridor and quality of its streetscape environment. The No-Build Alternative would not include the large-scale corridor-wide repairs proposed under the Build Alternative for aging infrastructure on Market Street, and this alternative would not address existing accessibility issues or quality of its streetscape environment. Rather, the No-Build Alternative would only include regularly scheduled or emergency repairs. Therefore, the No-Build Alternative would not meet the ancillary purpose of the project.

One of the needs of the project is related to safety, as Market Street is located on a high-injury network and has a higher than statewide average rate of injuries for an urban four-lane undivided road. The No-Build Alternative would not provide a fully separated bicycle route and would not address the existing conflicts that occur between pedestrians, bicyclists, and different types of vehicles in shared lanes on Market Street. In addition, the alternative would not address other existing roadway deficiencies that contribute to the higher-than-average collision rate on Market Street. As a result, the No-Build Alternative would not address this project need.

One of the needs of the project related to roadway deficiencies is that existing non-standard brick sidewalks that do not comply with the ADA with respect to slip resistance, surface smoothness, and surface visual uniformity can present substantial challenges to low-vision and mobility impaired pedestrians. As described in the section titled *Americans with Disabilities Act*, the existing red brick paving on Market Street sidewalks does not meet federal standards regarding traction or joints for pedestrian access routes, which cause vibration for some people who use wheelchairs as well as visually impaired persons and individuals with mobility impairments who use canes.<sup>14</sup> Furthermore, existing joints between bricks on Market Street

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<sup>14</sup> Conclusions in this discussion are drawn from the U.S. Access Board's Guidelines and Standards, Advisory Committee Report, n.d., <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/background/access-advisory-committee-final-report/x02-new-construction-minimum-requirements-x02-1-public-sidewalks?highlight=WYJ2aWJyYXRpb24iLCJ2aWJyYXRliiwidmlicmF0aW5nIiwidmlicmF0b3liLCJ2aWJyYXRpb25zIiwidmlicmF0ZXMiLCJ3aGVlbGNoYWlyIiwid2hlZWxjaGFpcnMiLCJ3aGVlbGNoYWlyJ3MiLCJ3aGVlbGNoYWlyJyJd>, accessed December 12, 2018.

sidewalks can be wide enough to catch the tip of a cane and thus be dangerous for those with walking aids, and the brick creates tripping issues for people with visual impairments as well as pedestrians with mobility impairments. Lastly, many sidewalk crossings on Market Street lack ADA-compliant curb ramps. The No-Build Alternative would retain existing red brick sidewalks along Market Street and therefore would not address this project need. Furthermore, another need of the project related to roadway deficiencies is that for transit users, boarding islands have limited capacity (i.e., narrow width) and are not ADA compliant. The No-Build Alternative would not address current ADA requirements for boarding island width for the boarding islands on Market Street and so would not address this project need.

The above analysis indicates that the No-Build Alternative compromises the project to a degree that it is unreasonable to proceed with the project in light of the project purpose and need.

The No-Build Alternative would also result in unacceptable safety and operational problems as follows:

- Under the No-Build Alternative, transit, taxis, commercial vehicles, and bicyclists would continue to utilize shared lanes within the project corridor, potentially posing hazardous conditions for all modes of transportation. Specifically, high demand for commercial and taxi loading areas would continue, resulting in pinch points. Congestion from limited opportunities for vehicles to pass in center lanes would continue, particularly when vehicles are queued while making right turns. Curbside lane blockages at right-turn areas or commercial loading areas would continue to lead to conflicts between traffic and loading vehicles. Pinch zones will also occur where transit boarding islands encroach on the flow of traffic, resulting in vehicles weaving in bus lanes. While the No-Build Alternative could include the future addition of limited concrete protection for bike lanes, this protection would only partially address the conflicts between bicycles and vehicles.
- Under the No-Build Alternative, the width of Market Street would not change. Market Street's considerable width requires extended time for pedestrians to navigate across crosswalks, leading to conflicts between vehicle traffic and pedestrians.
- For low-vision and mobility-impaired pedestrians, existing non-standard brick sidewalks that do not comply with the ADA present safety concerns. The frequency with which joints in the surface occur tends to cause the front end of a wheelchair to vibrate or bounce, which can cause pain or muscle spasms, possibly leading to a loss of control and maneuvering ability. In addition, brick has a tendency to buckle, which can create changes in level and tripping hazards for people with visual impairments as well as ambulatory pedestrians with mobility impairments, and which can also catch wheelchair casters. The No-Build Alternative would not replace the non-ADA-compliant sidewalk surface. Accordingly, this alternative would not improve safety for low-vision and mobility-impaired users of the corridor.
- For transit users, boarding islands have limited capacity (i.e., narrow width) and are not ADA-compliant. Therefore, boarding islands, which are in the middle of vehicle traffic, can become overloaded with users that exceed the boarding islands' safe capacity.

By allowing traffic congestion to continue, not addressing bicyclist/vehicle conflicts, not narrowing Market Street pedestrian crossings, and allowing sidewalk conditions that are not ADA compliant to continue, the No-Build Alternative would facilitate a continuation of the

Market Street corridor as a high-injury network, and its higher than statewide average rate of injuries would very likely continue. Therefore, the No-Build Alternative results in unacceptable safety and operational problems.

The anticipated cost to implement this alternative, additional to costs of ongoing maintenance and an allowance for emergency repairs, is \$0. Therefore, this alternative does not result in additional construction, maintenance, or operational costs of an extraordinary magnitude.

The No-Build Alternative would not, after reasonable mitigation, cause severe social, economic, or environmental impacts; severe disruption to established communities; severe disproportionate impacts to minority or low income population; or severe impacts to environmental resources protected under other Federal statutes.

The No-Build Alternative does not cause other unique problems or unusual factors.

The No-Build Alternative does not involve multiple of the above factors that, while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude. As discussed above, this alternative is not prudent because it compromises the project to a degree that it is unreasonable to proceed with the project in light of the project purpose and need and results in unacceptable safety and operational problems.

As described above, the No-Build Alternative would not meet the project purpose or need to make the Market Street corridor safer and more efficient for all modes of transportation. Further, this alternative would not meet the ancillary project purpose to bring elements of the city infrastructure on Market Street to a state of good repair and to improve the accessibility of the corridor and quality of its streetscape environment. Therefore, for the reasons discussed above, the No-Build Alternative is not prudent, as it compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need. Further, the No-Build Alternative would result in unacceptable safety and operational problems by allowing existing vehicle congestion, bicycle/vehicle conflicts, excessive pedestrian crossing width, and lack of ADA compliance on Market Street sidewalks to continue.

## 5.2 Accelerated Repair and Maintenance Alternative

The Accelerated Repair and Maintenance Alternative<sup>15</sup> would include all the activities under the No-Build Alternative as well as some features of the Build Alternative. Specifically, the Accelerated Repair and Maintenance Alternative would include, but is not limited to, the following maintenance and operational activities:

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<sup>15</sup> The activities described for the Accelerated Repair and Maintenance Alternative, considered together, essentially comprise the “Full Preservation Alternative” that the City of San Francisco included for local procedural reasons in its California Environmental Quality Act Environmental Impact Report (San Francisco Planning Department 2019). The local procedural reasons are included in the following resolution: San Francisco Planning Department, “Historic Preservation Commission Resolution No. 0746: Adoption Of A Policy Statement To Clarify Historic Preservation Commission Expectations For The Development And Evaluation Of Preservation Alternatives In Environmental Impact Reports For The Purposes Of The California Environmental Quality Act.” March 18, 2015. Accessed January 3, 2020, from <http://sfmea.sfplanning.org/HPC%20EIR%20Pres%20Alts%20Reso%20746.pdf>.

- Replacing existing trees with new trees to preserve the *Platanus* monoculture, although healthy trees in locations that do not conflict with the design of the alternative would be retained
- Utility relocation or rehabilitation activities that can be accommodated beneath the existing roadway and thus avoid excavation into the sidewalk
- Revising time restrictions on loading zones
- Extension of the Muni-only lanes

The Accelerated Repair and Maintenance Alternative would not include most of the elements of the Build Alternative. The following elements associated with the Build Alternative are not included in this alternative:

- Changes to curb alignments
- Intersection reconfiguration to minimize pedestrian crossing distances, accommodate the sidewalk-level bikeway, or relocate and modify traffic islands
- Signal timing changes, control modifications, and signal relocations
- Replacement of existing sidewalks with paving materials consistent with federal accessibility requirements
- Construction of pedestrian furnishing zones
- Removal and replacement of existing loading bays on Market Street and establishment of new commercial and passenger loading zones on adjacent cross streets
- Construction of physically separated bicycle lanes
- Modifications to transit stop spacing
- Construction of a new bidirectional F-loop
- Relocation of AWSS fire hydrants and stormwater catch basins
- Relocation of a BART/Muni elevator at the Civic Center station
- Partial restoration, reconstruction, and realignment of the Path of Gold light standards
- State-of-good-repair upgrades to replace components of the F-line streetcar (tracks, OCS, OCS support poles, and underground traction-power duct banks)
- Roadway and roadway subbase replacement
- Relocation or rehabilitation of wastewater lines, water lines, AWSS lines, SFPUC power lines, and fiber optic conduits to maintain a state of good repair
- Upgrade of all the existing signal infrastructure

The Accelerated Repair and Maintenance Alternative includes all currently required repair and maintenance for facilities in and under the roadway, which would be carried out as a single project, but avoiding any alteration of the sidewalks. The Accelerated Repair and Maintenance Alternative would not result in any alterations to plazas along the project corridor. Necessary incremental modification of sidewalks, tree wells and grates, and similar features would still be



carried out as needed, but as maintenance activities separate from the Accelerated Repair and Maintenance Alternative. Compared to the No-Build Alternative, the Accelerated Repair and Maintenance Alternative would carry out the repairs within a more compressed time frame with more planned scheduling and siting of work. As with the No-Build Alternative, based on historical funding streams, improvements associated with the Accelerated Repair and Maintenance Alternative are not anticipated to be federally funded, thus the provisions of Section 4(f) do not apply to this alternative.

Any construction that constitutes an alteration for purposes of the ADA in the Market Street corridor would require the removal of the greater part of the historic material (e.g., sidewalk surfaces and granite curbs) that in turn contribute to the district's significance as a designed landscape associated with the Market Street Redevelopment Plan.

Because this alternative includes the same actions as the No-Build Alternative, the Accelerated Repair and Maintenance Alternative could be constructed and operated from a technical point of view. The Accelerated Repair and Maintenance Alternative is therefore feasible. However, for the reasons outlined below, this alternative is not considered prudent.

The Accelerated Repair and Maintenance Alternative was designed to avoid most impacts on the Market Street Cultural Landscape District. Therefore, this alternative would omit many project-related alterations to the physical features of Market Street. Accordingly, transit stop spacing and service, bicycle facilities, and commercial and passenger loading facilities would remain similar to existing conditions.

The principal purpose of the project is to make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists and pedestrians. The Accelerated Repair and Maintenance Alternative would not relieve existing transit capacity constraints on Market Street because transit operations would be generally similar to existing conditions. This alternative would include the same extension of the Muni-only lanes as the proposed project; however, this change would not be sufficient to address the existing conflicts that occur between pedestrians, bicyclists, and different types of vehicles in shared lanes on Market Street. For example, this alternative would not include construction of physically separated sidewalk-level bicycle lanes, which are necessary to encourage bicyclists to avoid the vehicle travel lanes, and thus would not avoid conflicts between cyclists and transit, paratransit, taxis, and commercial vehicles operating within the project corridor. In addition, this alternative would not include changes to loading zones to avoid conflicts between vehicles entering/exiting loading zones and cyclists. This alternative would also not include the intersection reconfiguration changes necessary to reduce pedestrian crossing distances, which, in turn, would not reduce conflicts between pedestrians and transit, paratransit, taxis, and commercial vehicles operating within the project corridor. Lastly, because this alternative would not provide a fully separated bicycle route along the Market Street corridor and bicycle access would be the same as under existing conditions, the efficiency of the corridor for bicyclists would not be increased. Based on the above, the Accelerated Repair and Maintenance Alternative would not meet the principal purpose of the project.

An ancillary purpose of the project is to bring elements of city infrastructure in the Market Street corridor that are reaching the ends of their operational design lives into a state of good repair. The Accelerated Repair and Maintenance Alternative would partially replace infrastructure that is nearing the end of its useful life on this section of Market Street. Specifically, this alternative would only allow replacement of utilities that are below the roadway portion of Market Street but would not replace curbs, sidewalk areas, or the Path of Gold light standards. Therefore, this alternative would not fully meet the ancillary purpose of the project.

One of the needs of the project is related to safety, as Market Street is located on a high-injury network and has a higher than statewide average rate of injuries for an urban four-lane undivided road. As discussed above, this alternative would not provide a fully separated bicycle route along the Market Street corridor and would not address the existing conflicts that occur between pedestrians, bicyclists, and different types of vehicles in shared lanes on Market Street. This alternative also does not address existing roadway deficiencies, including poorly defined left-turn movements for bicyclists at some intersections, which leads to confusion about where and how to cross; a lack of intersection waiting space for bicyclists, which leads to unsafe conditions when waiting to turn; and rails for Muni streetcars and ventilation grates for the BART system, which can pose hazards for bicyclists. These existing roadway deficiencies contribute to the higher-than-average collision rate on Market Street.

Based on the above, the Accelerated Repair and Maintenance Alternative would not address this project need.

One of the needs of the project related to roadway deficiencies is that existing non-standard brick sidewalks that do not comply with the ADA with respect to slip resistance, surface smoothness, and surface visual uniformity can present substantial challenges to low-vision and mobility impaired pedestrians. As described in the section titled *Americans with Disabilities Act*, the existing brick paving on Market Street sidewalks does not meet federal standards regarding traction or joints for pedestrian access routes, which cause vibration for some people who use wheelchairs as well as visually impaired persons and individuals with mobility impairments who use canes.<sup>16</sup> Furthermore, existing joints between bricks on Market Street sidewalks can be wide enough to catch the tip of a cane and thus be dangerous for those with walking aids, and the brick creates tripping issues for people with visual impairments as well as pedestrians with mobility impairments. Lastly, many sidewalk crossings on Market Street lack ADA-compliant curb ramps. The Accelerated Repair and Maintenance Alternative would retain existing red brick sidewalks and therefore would not address this project need.

Another need of the project related to roadway deficiencies is that for transit users, boarding islands have limited capacity (i.e., narrow width) and are not ADA compliant. This alternative would retain all curbside boarding stops and maintain center boarding islands as they exist today and this alternative would not address this project need.

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<sup>16</sup> Conclusions in this discussion are drawn from the U.S. Access Board's Guidelines and Standards, Advisory Committee Report, n.d., <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/background/access-advisory-committee-final-report/x02-new-construction-minimum-requirements-x02-1-public-sidewalks?highlight=Wj2aWJyYXRpb24iLCJ2aWJyYXRlIiwidmlicmF0aW5nIiwidmlicmF0b3liLCJ2aWJyYXRpb25zIiwidmlicmF0ZXMiLCJ3aGVlbGNoYWlyIiwid2hlZWxjaGFpcnMiLCJ3aGVlbGNoYWlyJ3MiLCJ3aGVlbGNoYWlyJyJd>, accessed December 12, 2018.

The above analysis indicates that the Accelerated Repair and Maintenance Alternative compromises the project to a degree that it is unreasonable to proceed with the project in light of the project purpose and need.

The Accelerated Repair and Maintenance Alternative would also result in unacceptable safety and operational problems.

- Under the Accelerated Repair and Maintenance Alternative, transit, taxis, commercial vehicles, and bicyclists would continue to utilize shared lanes within the project corridor, potentially posing hazardous conditions for all modes of transportation. While this alternative would include the same extension of the Muni-only lanes as the proposed project, this change would not be sufficient to address the existing conflicts that occur between pedestrians, bicyclists, and different types of vehicles in shared lanes on Market Street. Specifically, high demand for commercial and taxi loading areas would continue, resulting in pinch points. Congestion from limited opportunities for vehicles to pass in center lanes would continue, particularly when vehicles are queued while making right turns. Curbside lane blockages at right-turn areas or commercial loading areas would continue to lead to conflicts between traffic and loading vehicles. Pinch zones would also occur where transit boarding islands encroach on the flow of traffic, resulting in vehicles weaving in bus lanes.
- Under the Accelerated Repair and Maintenance Alternative, the width of Market Street would not change. Market Street's considerable width requires extended time for pedestrians to navigate across crosswalks, leading to conflicts between vehicle traffic and pedestrians.
- For low-vision and mobility-impaired pedestrians, existing non-standard brick sidewalks that do not comply with the ADA present safety concerns. The frequency with which joints in the surface occur tends to cause the front end of a wheelchair to vibrate or bounce, which can cause pain or muscle spasms, possibly leading to a loss of control and maneuvering ability. In addition, brick has a tendency to buckle, which can create changes in level and tripping hazards for people with visual impairments as well as ambulatory pedestrians with mobility impairments, and which can also catch wheelchair casters. The Accelerated Repair and Maintenance Alternative would not replace the non-ADA-compliant sidewalk surface. Accordingly, this alternative would not improve safety for low-vision and mobility-impaired users of the corridor.
- For transit users, boarding islands have limited capacity (i.e., narrow width) and are not ADA-compliant. Therefore, boarding islands, which are in the middle of vehicle traffic, can become overloaded with users that exceed the boarding islands' safe capacity.

By allowing traffic congestion to continue, not addressing bicyclist/vehicle conflicts, not narrowing the Market Street pedestrian crossings, and allowing sidewalk conditions that are not ADA compliant to continue, the Accelerated Repair and Maintenance Alternative would facilitate the continuation of the Market Street corridor as a high-injury network, and its higher than statewide average rate of injuries for an urban four-lane undivided road would likely continue. Therefore, the Accelerated Repair and Maintenance Alternative results in unacceptable safety and operational problems.

The anticipated cost to implement this alternative, additional to costs of ongoing maintenance and an allowance for emergency repairs, is \$0. The anticipated cost for all currently required maintenance and repair of the roadway and facilities within and beneath the roadway, if completed as a single project (exclusive of maintenance and repair of sidewalks and other Criterion C contributory features), is approximately \$20 million to \$26 million. Therefore, this alternative does not result in additional construction, maintenance, or operational costs of an extraordinary magnitude.

The Accelerated Repair and Maintenance Alternative would not, after reasonable mitigation, result in severe social, economic, or environmental impacts; severe disruption to established communities; severe disproportionate impacts to minority or low income population; or severe impacts to environmental resources protected under other Federal statutes.

The Accelerated Repair and Maintenance Alternative does not cause other unique problems or unusual factors. The Accelerated Repair and Maintenance Alternative does not involve multiple of the above factors that while individually minor, cumulatively cause problems or impacts of extraordinary magnitude. As discussed above, this alternative is not prudent because it compromises the project to a degree that it is unreasonable to proceed with the project in light of the project purpose and need and results in unacceptable safety and operational problems.

The Accelerated Repair and Maintenance Alternative would avoid impacts on Section 4(f)-protected resources. However, it would not meet project purpose to make the Market Street corridor safer and more efficient for all modes of transportation. Further, this alternative would not meet the ancillary project purpose to bring elements of the city infrastructure on Market Street to a state of good repair and to improve the accessibility of the corridor and quality of its streetscape environment. Therefore, for the reasons discussed above, the Accelerated Repair and Maintenance Alternative is not prudent, as it compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need. Further, the Accelerated Repair and Maintenance Alternative would result in unacceptable safety and operational problems by allowing existing vehicle congestion, bicycle/vehicle conflicts, excessive pedestrian crossing width, and lack of ADA compliance on Market Street sidewalks to continue.

### **5.3 Mission Street with Bus Lanes Alternative**

The only way to build a project intended to improve safety and efficiency for transportation in the area of Market Street without triggering the need for an ADA upgrade on Market Street, and affecting the Market Street Cultural Landscape District by so doing, is to avoid Market Street altogether by moving the project to the closest major arterial street. The closest major arterial street is Mission Street, one block south of Market Street. The right-of-way on Mission Street is more constricted than that of Market Street, so there is not enough space both for dedicated transit lanes and for a protected bicycle facility. With 52 feet of existing roadway width, and narrow existing 9.5-foot-wide travel lanes, reapportionment and the removal of all parking still would result in cycle lanes being a maximum of 4 feet wide. For this reason, either transit improvements or bicycle improvements would be possible, but not both.



Unlike the Build Alternative, which would be constructed on Market Street, the Mission Street with Bus Lanes Alternative would be constructed on Mission Street. A Mission Street with Bus Lanes Alternative would construct two 24-hour bus lanes, either center-running (Figure 6) or side-running (Figure 7). Bikes would share the travel lanes or shoulders. Center-running bus lanes would allow for new boarding islands serving these lanes to be constructed and to introduce queue jumps that would allow buses to get ahead of other vehicles at stop lights. For both lane configurations, signal priority would be given to transit, and existing bus zones would be extended, select stops would be consolidated, and a new boarding island at Transbay Transit Center (inbound) would be provided. Parking restrictions would be required: curbside parking only from 7 p.m. to 7 a.m. for side-running lanes, or no parking 24 hours a day between Fremont and Sixth for center-running lanes. No circulation improvements would be provided as there would be insufficient space for turn pockets.



**Figure 6. Mission Street Alternative with Center-running Bus Lanes. Bus lanes would be 13 feet wide, the outer lanes would be 13 feet, 3 inches wide. The illustration shows the condition outside of the Sixth Street to Fremont Street corridor (within which there would be no space for parking).**



**Figure 7. Mission Street Alternative with Side-running Bus Lane. Inner traffic lanes would be 9 feet wide; outer transit lanes with parking would be 17 feet, 3 inches wide.**

With respect to avoidance of resources protected by Section 4(f), there are four historic districts on Mission Street between South Van Ness Avenue and Steuart Street, three of which are outside the built environment Area of Potential Effects (APE) of the Build Alternative. The historic district within the APE (New Montgomery-Mission-2<sup>nd</sup> Street Conservation District) is locally designated and has been assumed NRHP eligible for the purpose assessing the impacts of the Build Alternative but has not been formally evaluated for NRHP eligibility. The remaining districts have been locally designated or found eligible for listing in the California Register of Historical Resources (CRHR), but have not been previously evaluated or found eligible for inclusion in the NRHP. However, for the purposes of assessing the potential impacts of the Mission Street Alternatives, it is anticipated that these four historic districts would formally

meet the NRHP eligibility criteria. It is also anticipated that the SHPO would concur with the existing designations stating that all four of these historic districts are comprised solely of contributing features that are outside of the right-of-way, shown in Table 7. Therefore, it is expected that there would be no Section 4(f) use to any of these four historic districts. In regard to potential individual historic properties, the density of historic properties along Mission Street, which have not yet been evaluated, is anticipated to be roughly equivalent to the density of historic properties along Market Street. Individual historic properties along Mission Street would be significant at the local, state, or national levels. Unlike Market Street, however, Mission Street is not known to contain individual historic properties such as monuments in the right-of-way, therefore there would be no Section 4(f) use to individual historic properties.

The Mission Street with Bus Lanes Alternative would reapportion only the right-of-way and remove and introduce structures and materials common to urban commercial streets, such as light poles, traffic signals, and similar, which would not be expected to interfere with views of any contributing structures composing the district or otherwise result in some form of constructive use. The continuous incremental alteration of the Market Street transportation facility and contributing features through repair and maintenance would continue.

**Table 7. Historic Districts Potentially Affected by the Mission Street Alternatives**

<b>District Name</b>	<b>Designation Status</b>	<b>No. of Contributing Features in Mission Street Right-of-Way</b>
Mint-Mission Conservation District <sup>1</sup>	Locally designated	0
Western SoMa Light Industrial and Residential Historic District <sup>1</sup>	CRHR-Eligible	0
Sixth Street Lodginghouse District <sup>1</sup>	CRHR-Eligible	0
New Montgomery-Mission-2nd Street Conservation District <sup>1</sup>	Locally designated	0

<sup>1</sup> These districts are locally designated or have been found eligible for listing in the California Register of Historical Resources. They have not been previously evaluated for inclusion in the National Register of Historic Places but, for the purposes of assessing impacts of the Mission Street alternatives, they are anticipated to meet the NRHP eligibility criteria at the local level of significance. Furthermore, it is anticipated that SHPO would concur that none of these districts will have contributing features within the right-of-way.

The dimensions of Mission Street would make it infeasible to construct the Mission Street with Bus Lanes Alternative and comply with SFMTA's guidance related to lane widths for bus lanes and vehicle lanes. In addition, Mission Street provides loading zones that offset the loading demands on Market Street and nearby side streets; substantial amounts of loading zones on Mission Street would need to be removed under this alternative to comply with SFMTA's lane width guidance. There are also more residential uses and vehicle traffic on Mission Street compared to Market Street, which would require shorter construction hours and, thus, a longer construction schedule. Any ground disturbance associated with the Mission Street with Bus Lanes Alternative would be required to avoid the existing subsurface traction power system. The locations of much of the utilities along Mission Street are unknown and substantial interagency coordination with the various utilities would need to be completed.



The principal purpose of the proposed project is to make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists and pedestrians. Currently, Mission Street serves to provide backup transit capacity for Market, particularly in the event of parades, protests, and other times at which the transit facility on Market Street is inaccessible. This alternative would formalize the use of this backup capacity. It is reasonable to assume that this would have a positive effect on the collision rate on Mission Street, which experiences a high rate of side-swipe collisions due to the narrow lanes and resultant close proximity of on-street parking, but there would be no positive effect on bicycle and pedestrian traffic on Market Street.

The Mission Street with Bus Lanes Alternative would not relieve existing transit capacity constraints on Market Street because transit operations would remain as under existing conditions. Therefore, existing conflicts that occur between pedestrians, bicyclists, and different types of vehicles, including transit, in shared lanes on Market Street would not be addressed. In addition, the Mission Street with Bus Lanes Alternative would not provide a fully separated bicycle route at all, either along the Market Street corridor or on Mission Street. Therefore, the efficiency of the corridor for bicyclists would not be increased. Based on the above, the Mission Street with Bus Lanes Alternative would not meet the principal purpose of the project.

An ancillary purpose of the project is to bring elements of city infrastructure in the corridor that are reaching the ends of their operational design lives into a state of good repair. The Mission Street with Bus Lanes Alternative would not include planned repairs for aging infrastructure on Market Street and this alternative would not meet the ancillary purpose of the project.

One of the project needs is related to safety. Market Street is part of a high-injury network. The rate of injuries is higher than the statewide average for an urban four-lane undivided road. As discussed above, the Mission Street with Bus Lanes Alternative would not provide a fully separated bicycle route or address existing conflicts that occur between pedestrians, bicyclists, and different types of vehicles in shared lanes on Market Street. In addition, the design concept would not address other existing roadway deficiencies that contribute to the higher-than-average collision rate on Market Street. Based on the above, this alternative would not address this project need.

One of the needs of the project related to roadway deficiencies is that existing non-standard brick sidewalks that do not comply with the ADA with respect to slip resistance, surface smoothness, and surface visual uniformity can present substantial challenges to low-vision and mobility impaired pedestrians. As described in the *Americans with Disabilities Act* section, the brick paving on Market Street's sidewalks does not meet federal standards regarding traction or joints for pedestrian access routes, which cause vibration for some people who use wheelchairs as well as visually impaired persons and individuals with mobility impairments who use

canes.<sup>17</sup> Furthermore, existing joints between bricks on Market Street sidewalks can be wide enough to catch the tip of a cane and thus be dangerous for those with walking aids, and the brick creates tripping issues for people with visual impairments as well as pedestrians with mobility impairments. Lastly, many sidewalk crossings on Market Street lack ADA-compliant curb ramps. The Mission Street with Bus Lanes Alternative would retain existing red brick sidewalks in a herringbone pattern along Market Street; therefore, this alternative would not address this project need.

Another need of the project related to roadway deficiencies is that, for transit users, boarding islands have limited capacity (i.e., narrow width) and are not ADA compliant. Design Concept XIV would not address current ADA requirements for boarding island width for boarding islands on Market Street; the Mission Street with Bus Lanes Alternative would not address this project need.

The above analysis indicates that the Mission Street with Bus Lanes Alternative compromises the project to a degree that it is unreasonable to proceed with the project in light of the project purpose and need.

The Mission Street with Bus Lanes Alternative would also result in unacceptable safety and operational problems.

- While the Mission Street with Bus Lanes Alternative will result in less transit on Market Street than under current conditions, some transit will remain on Market Street and will utilize shared lanes on Market Street, along with taxis, commercial vehicles, and bicyclists. Therefore, conflicts between transit, taxis, commercial vehicles, and bicyclists will continue in the Market Street corridor, potentially posing hazardous conditions for all modes of transportation. Specifically, high demand for commercial and taxi loading areas will continue, resulting in pinch points. Congestion from limited opportunities for vehicles to pass in center lanes will continue, particularly when vehicles are queued while making right turns. Curbside lane blockages at right-turn areas or commercial loading areas will continue to lead to conflicts between traffic and loading vehicles. Pinch zones will also occur where transit boarding islands encroach on the flow of traffic, resulting in vehicles weaving in bus lanes.
- Under the Mission Street with Bus Lanes Alternative, the width of Market Street will not change. Market Street's considerable width requires extended time for pedestrians to navigate across crosswalks, leading to conflicts between vehicle traffic and pedestrians.
- For low-vision and mobility-impaired pedestrians, existing non-standard brick sidewalks that do not comply with the Americans with Disabilities Act (ADA) present safety concerns. The frequency with which joints in the surface occur tends to cause the front end of a wheelchair to vibrate or bounce, which can cause pain or muscle spasms, possibly leading to

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<sup>17</sup> Conclusions in this discussion are drawn from the U.S. Access Board's Guidelines and Standards, Advisory Committee Report, n.d., <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/background/access-advisory-committee-final-report/x02-new-construction-minimum-requirements-x02-1-public-sidewalks?highlight=Wj2aWjYXRpb24iLCJ2aWjYXRRIiwidmlicmF0aW5nIiwidmlicmF0b3liLCJ2aWjYXRpb25zIiwidmlicmF0ZXMiLCJ3aGVlbGNoYWlyIiwid2hlZWxjaGFpcnMiLCJ3aGVlbGNoYWlyJ3MiLCJ3aGVlbGNoYWlyJyJd>, accessed December 12, 2018.



a loss of control and maneuvering ability. In addition, brick has a tendency to buckle, which can create changes in level and tripping hazards for people with visual impairments as well as ambulatory pedestrians with mobility impairments, and which can also catch wheelchair casters. The Mission Street with Bus Lanes Alternative would not replace the non-ADA-compliant sidewalk surface. Accordingly, this alternative would not improve safety for low-vision and mobility-impaired users of the corridor.

- For transit users, boarding islands have limited capacity (i.e., narrow width) and are not ADA-compliant. Therefore, boarding islands, which are in the middle of vehicle traffic, can become overloaded with users that exceed the boarding islands' safe capacity.

By allowing traffic congestion to continue, not addressing bicyclist/vehicle conflicts, not narrowing the Market Street pedestrian crossings, and allowing sidewalk conditions that are not ADA compliant to continue, the Mission Street with Bus Lanes Alternative would facilitate the continuation of the Market Street corridor as a high-injury network, and its higher than statewide average rate of injuries for an urban four-lane undivided road will likely continue. Therefore, the No-Build Alternative results in unacceptable safety and operational problems.

The Mission Street with Bus Lanes Alternative would not, after reasonable mitigation, result in severe social, economic, or environmental impacts; severe disruption to established communities; severe disproportionate impacts to minority or low income population; or severe impacts to environmental resources protected under other Federal statutes.

The anticipated cost to implement this alternative is approximately \$30 million. This alternative does not result in additional construction, maintenance, or operational costs of an extraordinary magnitude.

This alternative does not cause other unique problems or unusual factors.

The Mission Street with Bus Lanes Alternative does not involve multiple of the above factors that while individually minor, cumulatively cause problems or impacts of extraordinary magnitude. As discussed above, this alternative is not prudent because it compromises the project to a degree that it is unreasonable to proceed with the project in light of the project purpose and need and results in unacceptable safety and operational problems.

The Mission Street with Bus Lanes Alternative would not meet the project purpose to make the Market Street corridor safer and more efficient for all modes of transportation. Further, this alternative would not meet the ancillary project purpose to bring elements of the city infrastructure on Market Street to a state of good repair and improve the accessibility of the corridor and quality of its streetscape environment. In conclusion, the Mission Street with Bus Lanes Alternative is not prudent because it compromises the project to a degree that it is unreasonable to proceed with the project in light of the project purpose and need. Further, the Mission Street with Bus Lanes Alternative would result in unacceptable safety and operational problems by allowing vehicle congestion, bicycle/vehicle conflicts, excessive pedestrian crossing width, and lack of ADA compliance to continue.

## 5.4 Mission Street with Cycle Tracks Alternative

Similar to the Mission Street with Bus Lanes Alternative, the Mission Street with Cycle Tracks Alternative would be constructed on Mission Street because the only way to build a project intended to improve safety and efficiency for transportation in the area of Market Street without affecting the Market Street Cultural Landscape District is to avoid Market Street altogether. The right-of-way on Mission Street is more constricted than that of Market Street, so there is not enough space both for dedicated transit lanes and for a protected bicycle facility. For this reason, either transit improvements or bicycle improvements would be possible, but not both.

A Mission Street with Cycle Tracks Alternative would include no bus lanes and would reduce transit capacity on Mission Street in order to provide adequate space to construct the cycle tracks (Figure 8 and Figure 9). As a consequence, existing transit lines – the Muni 14-Mission line, Golden Gate Transit buses, and SamTrans lines would be moved to Market Street. Either two 6.0- to 8.0-foot-wide bikeways on each side of Mission Street, with 2.0- to 5.0-foot painted buffers, or one 12.0- to 16.0-foot-wide bikeway on the north side of Mission Street would be constructed. Two-stage left-turn bike boxes would be constructed to connect bike lanes to bike routes on cross-streets. Floating parking (that is, located between the bikeway and vehicle traffic) would be provided on one side of the street. Traffic signals would be timed to prioritize bicycle progression along Mission Street. The absence of transit lanes allows for the introduction of left turns (turn pockets) from Mission at some locations. This would make circulation more efficient, as less circling would be needed. This would require new signals at these locations.



**Figure 8. Mission Street Bikeway with Two-way Cycle Track on One Side. Parking strips are 8 feet wide, travel lanes for vehicles are 12 feet wide, and the bikeway is 16 feet wide with a 4.5-foot buffer.**



**Figure 9. Mission Street Bikeway with One-way Cycle Track on Each Side. Bikeways are 6 feet wide, buffers are 4.5 feet wide, floating parking strip is 8 feet wide, and travel lanes are 12 feet wide.**



The dimensions of Mission Street would make it infeasible to construct the Mission Street with Cycle Tracks Alternative and comply with SFMTA's guidance related to lane widths for bus lanes and vehicle lanes. In addition, Mission Street provides loading zones that offset the loading demands on Market Street and nearby side streets; substantial amounts of loading zones on Mission Street would need to be removed under this alternative to comply with SFMTA's lane width guidance. There are also more residential uses and vehicle traffic on Mission Street compared to Market Street, which would require shorter construction hours and, thus, a longer construction schedule. Any ground disturbance associated with the Mission Street with Cycle Tracks Alternative would be required to avoid the existing subsurface traction power system. In addition, the proposed cycle tracks under this alternative would require construction of concrete boarding islands, which could encounter underground utilities. The locations of much of the utilities along Mission Street are unknown and substantial interagency coordination with the various utilities would need to be completed.

The principal purpose of the proposed project is to make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists and pedestrians. The purpose of the Mission Street with Cycle Tracks Alternative is to resolve the conflict of having to share the crowded Market Street transit facility with bicycles by providing and promoting an alternative, protected (and so safer) route. This can reasonably be assumed to reduce the Market Street collision rate. However, there would be no means of requiring cyclists to use Mission Street, so there would be no guarantee that cycle traffic would migrate to the new facility and so bring down the collision rate.

The Mission Street with Cycle Tracks Alternative would not relieve existing transit capacity constraints on Market Street because some transit service (14-Mission, all Golden Gate Transit and all SamTrans bus routes) would shift from Mission Street to Market Street, thus increasing the number of transit vehicles operating on Market Street and therefore potentially increasing the number of conflicts that occur between pedestrians, bicyclists, and different types of vehicles in shared lanes on Market Street. The shift of transit service from Mission Street to Market Street would also result in more crowding on the existing undersized boarding platforms on Market Street. In addition, the Mission Street with Cycle Tracks Alternative would not provide a fully separated bicycle route along the Market Street corridor. Therefore, the efficiency of the corridor for bicyclists would not be increased. Based on the above, this alternative would not meet the principal purpose of the project.

An ancillary purpose of the project is to bring elements of city infrastructure in the Market Street corridor that are reaching the ends of their operational design lives into a state of good repair. The Mission Street with Cycle Tracks Alternative would not include planned repairs for aging infrastructure on Market Street, and this alternative would not meet the ancillary purpose of the project.

One of the needs of the project is related to safety, as Market Street is located on a high-injury network and has a higher than statewide average rate of injuries for an urban four-lane undivided road. The Mission Street with Cycle Tracks Alternative would not provide a fully separated bicycle route along the Market Street corridor and would not address the existing conflicts that occur between pedestrians, bicyclists, and different types of vehicles in shared lanes on Market Street. In addition, the Mission Street with Cycle Tracks Alternative would not

address other existing roadway deficiencies that contribute to the higher-than-average collision rate such on Market Street. Based on the above, this alternative would not address this project need.

One of the needs of the project related to roadway deficiencies is that existing non-standard brick sidewalks that do not comply with the ADA with respect to slip resistance, surface smoothness, and surface visual uniformity can present substantial challenges to low-vision and mobility impaired pedestrians. As described in the section titled *Americans with Disabilities Act*, the existing brick paving on Market Street sidewalks does not meet federal standards regarding traction or joints for pedestrian access routes, which cause vibration for some people who use wheelchairs as well as visually impaired persons and individuals with mobility impairments who use canes.<sup>18</sup> Furthermore, existing joints between bricks on Market Street sidewalks can be wide enough to catch the tip of a cane and thus be dangerous for those with walking aids, and the brick creates tripping issues for people with visual impairments as well as pedestrians with mobility impairments. Lastly, many sidewalk crossings on Market Street lack ADA-compliant curb ramps. The Mission Street with Cycle Tracks Alternative would retain existing red brick sidewalks along Market Street in a herringbone pattern and therefore this alternative would not address this project need.

Another need of the project related to roadway deficiencies is that for transit users, boarding islands have limited capacity (i.e., narrow width) and are not ADA compliant. The Mission Street with Cycle Tracks Alternative would not address current ADA requirements for boarding island width for the boarding islands on Market Street and this alternative would not address this project need.

The above analysis indicates that the Mission Street with Cycle Tracks Alternative compromises the project to a degree that it is unreasonable to proceed with the project in light of the project purpose and need.

This alternative also presents safety and operational problems by not addressing deficiencies. The Mission Street with Cycle Tracks Alternative would result in unacceptable safety and operational problems.

- Under the Mission Street with Cycle Tracks Alternative, transit, taxis, and commercial vehicles would continue to co-exist in the corridor, potentially posing hazardous conditions for all modes of transportation. Specifically, high demand for commercial and taxi loading areas will continue, resulting in pinch points. Congestion from limited opportunities for vehicles to pass in center lanes would continue, particularly when vehicles are queued while making right turns. Curbside lane blockages at right-turn areas or commercial loading areas would continue to lead to conflicts between traffic and loading vehicles. Pinch zones would also occur where transit boarding islands encroach on the flow of traffic, resulting in

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<sup>18</sup> Conclusions in this discussion are drawn from the U.S. Access Board's Guidelines and Standards, Advisory Committee Report, n.d., <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/background/access-advisory-committee-final-report/x02-new-construction-minimum-requirements-x02-1-public-sidewalks?highlight=Wj2aWjYXRpb24iLCJ2aWjYXRlIiwidmlicmF0aW5nIiwidmlicmF0b3liLCJ2aWjYXRpb25zIiwidmlicmF0ZXMiLCJ3aGVlbGNoYWlyIiwid2hlZWxjaGFpcnMiLCJ3aGVlbGNoYWlyJ3MiLCJ3aGVlbGNoYWlyJyJd>, accessed December 12, 2018.



vehicles weaving in bus lanes. In addition, while the bulk of the bicycle traffic would move to Mission Street, some bicycle traffic is expected to remain on Market Street because it is the principal corridor through this part of the city.

- Under the Mission Street with Cycle Tracks Alternative, the width of Market Street would not change. Market Street's considerable width requires extended time for pedestrians to navigate across crosswalks, leading to conflicts between vehicle traffic and pedestrians.
- For low-vision and mobility-impaired pedestrians, existing non-standard brick sidewalks that do not comply with the ADA present safety concerns. The frequency with which joints in the surface occur tends to cause the front end of a wheelchair to vibrate or bounce, which can cause pain or muscle spasms, possibly leading to a loss of control and maneuvering ability. In addition, brick has a tendency to buckle, which can create changes in level and tripping hazards for people with visual impairments as well as ambulatory pedestrians with mobility impairments, and which can also catch wheelchair casters. The Mission Street with Cycle Tracks Alternative would not replace the non-ADA-compliant sidewalk surface. Accordingly, this alternative would not improve safety for low-vision and mobility-impaired users of the corridor.
- For transit users, boarding islands have limited capacity (i.e., narrow width) and are not ADA-compliant. Therefore, boarding islands, which are in the middle of vehicle traffic, can become overloaded with users that exceed the boarding islands' safe capacity.

By allowing traffic congestion to continue, not narrowing the Market Street pedestrian crossings, allowing conditions that are not ADA compliant to continue, and not completely addressing bicyclist/vehicle conflicts, the Mission Street with Cycle Tracks Alternative would allow the Market Street corridor to remain a high-injury network, and its higher than statewide average rate of injuries for an urban four-lane undivided road would likely continue. Therefore, the Mission Street with Cycle Tracks Alternative results in unacceptable safety and operational problems.

The Mission Street with Cycle Tracks Alternative would not, after reasonable mitigation, result in severe social, economic, or environmental impacts; severe disruption to established communities; severe disproportionate impacts to minority or low income population; or severe impacts to environmental resources protected under other Federal statutes.

The anticipated cost to implement this alternative is approximately \$27 million. This alternative does not result in additional construction, maintenance, or operational costs of an extraordinary magnitude.

The Mission Street with Cycle Tracks Alternative does not cause other unique problems or unusual factors.

This alternative does not involve multiple of the above factors that, that while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude. As discussed above, this alternative is not prudent because it compromises the project to a degree that it is unreasonable to proceed with the project in light of the project purpose and need and results in unacceptable safety and operational problems. The Mission Street with Cycle Tracks Alternative would not meet project purpose to make the Market Street corridor safer and more

efficient for all modes of transportation. Further, this alternative would not meet the ancillary project purpose to bring elements of the city infrastructure on Market Street to a state of good repair and improve the accessibility of the corridor and quality of its streetscape environment. In conclusion, the Mission Street with Cycle Tracks Alternative is not prudent, as it compromises the project to a degree that it is unreasonable to proceed with the project in light of the project purpose and need. Further, the Mission Street with Cycle Tracks Alternative would result in unacceptable safety and operational problems by allowing vehicle congestion, bicycle/vehicle conflicts, excessive pedestrian crossing width, and lack of ADA compliance to continue.

## 5.5 Summary of Avoidance Alternatives

Table 8 summarizes the avoidance alternatives, and whether such alternatives are prudent as defined in 23 CFR 774.17.

As Table 8 shows, all four avoidance alternatives would avoid Section 4(f) resources, but are not prudent because they would compromise the project to a degree that it is unreasonable to proceed with the project in light of the project purpose and need and would result in unacceptable safety and operational problems.



**Table 8. Summary of Avoidance Alternatives Analysis**

<b>Factor</b>	<b>No-Build Alternative</b>	<b>Accelerated Repair and Maintenance Alternative</b>	<b>Mission Street with Bus Lanes Alternative</b>	<b>Mission Street with Cycle Tracks Alternative</b>
Avoidance of Section 4(f) Resources?	Yes - Avoids Section 4(f) Resources	Yes - Avoids Section 4(f) Resources	Yes - Avoids Section 4(f) Resources	Yes - Avoids Section 4(f) Resources
Does it compromise the project to a degree that it is unreasonable to proceed with, in light of its stated purpose and need?	Yes	Yes	Yes	Yes
Does it result in unacceptable safety or operational problems?	Yes	Yes	Yes	Yes
After reasonable mitigation, does it still cause severe impacts <sup>19</sup> or severe disruption to established communities?	No	No	No	No
Does it result in additional construction, maintenance, or operational costs of an extraordinary magnitude?	No	No (Cost is \$20–26 million)	No (Cost is \$30 million)	No (Cost is \$27 million)
Does it cause other unique problems or unusual factors?	No	No	No	No
Does it involve multiple factors that cumulatively cause unique problems or impacts of extraordinary magnitude?	No	No	No	No

<sup>19</sup> Severe impacts are defined as 1) Severe social, economic or environmental impacts; 2) Severe disproportionate impacts to minority or low income populations; or 3) Severe impacts to environmental resources protected under other Federal statutes (23 CFR 774.17)

## 6 Other Project Alternatives

The alternatives that follow originated in two reports prepared pursuant to the California Environmental Quality Act (CEQA): the *Better Market Street Initial Study* (San Francisco Planning Department 2016) and the *Better Market Street Draft Environmental Impact Report* (San Francisco Planning Department 2019). The alternatives included in these CEQA reports were the result of more than a decade of consultation with stakeholders and the public. A more complete description of this process can be found in Section 1.7.3, *Alternatives Considered but Eliminated from Consideration*, in Chapter 1 of the environmental assessment. All of the alternatives described in this section would require physical modification of Market Street constituting an “alteration” for the purposes of the ADA. Any construction that constitutes an alteration for purposes of the ADA in the Market Street corridor would require the removal of the greater part of the historic material (e.g., sidewalk surfaces and granite curbs) that in turn contribute to the Market Street Landscape District’s significance as a designed landscape associated with the Market Street Redevelopment Plan. Therefore, these alternatives would not avoid use of Section 4(f) resources, and accordingly do not constitute avoidance alternatives.

### 6.1 Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative

The Complete Street and Transit Priority Improvements Alternative and the Complete Street and Moderate Transit Priority Improvements Alternative differ from each other in operational changes, specifically changes to private vehicle access and commercial and passenger loading.<sup>20</sup> From the standpoint of construction, the two alternatives are the same. Both alternatives include changes in roadway configuration; transit stop spacing, service, and characteristics; bicycle facilities; and sidewalk width and streetscapes; removal or relocation of street trees; partial renovation of Path of Gold light standards; and replacement and relocation of existing sewer lines and water lines, fire hydrants, AWSS lines, including AWSS fire hydrants, and electrical and other infrastructure. Both alternatives include two design options for bicycle paths.

The first design option would include a dedicated street-level bicycle facility on Market Street, and at locations where a dedicated facility does not currently exist, the existing shared lane painted with sharrows would be widened to 15 feet where feasible. Under the second design option, a new, approximately 5- to 9-foot-wide raised cycle track would be constructed on Market Street in each direction between the curb lanes and sidewalk. The new raised cycle track would be slightly raised above the adjacent curb lanes and could have different paving patterns or material to help identify the designated space for bicycles. At curbside transit stops,

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<sup>20</sup> The Complete Street and Transit Priority Improvements Alternative and the Complete Street and Moderate Transit Priority Improvements Alternative are essentially the same as Alternatives 1 and 2, respectively, that the City of San Francisco included in its *Better Market Street Initial Study* (San Francisco Planning Department 2016).



the new raised cycle track would be placed between a curbside transit boarding island and the sidewalk. A new protected cycle track also would be constructed on Valencia Street between Market and McCoppin streets.

The majority of transportation and streetscape improvements associated with the Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative would be implemented within the operational public right-of-way. Some of these improvements, such as roadway configuration, transit stop spacing, and transit stop characteristics, would be an alteration as defined under the ADA (see section titled *Americans with Disabilities Act*), requiring upgrades of contributing features of the district to comply with ADA requirements. These include replacing sidewalk surfaces and some granite curbs with materials that are ADA compliant. This change to the Market Street Cultural Landscape District would be a use under Section 4(f), similar to that described for the Build Alternative.

## 6.2 Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative

The Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative would have the same changes on Market Street as the Complete Street and Transit Priority Improvements Alternative with the first design option to construct a dedicated street-level bicycle facility on Market Street.<sup>21</sup> However, this alternative would also include construction of a protected bicycle path on Mission Street.

This alternative would implement the same improvements on Market Street as the Build Alternative including changes in roadway configuration; transit stop spacing, service, and characteristics; sidewalk width and streetscapes; removal or relocation of street trees; partial renovation of Path of Gold light standards; and replacement and relocation of existing sewer lines and water lines, fire hydrants, AWSS lines, including AWSS fire hydrants, and electrical and other infrastructure. As a result, this alternative would also result in a Section 4(f) use of the Market Street Cultural Landscape District by altering the same contributing streetscape features necessary for ADA compliance.

## 6.3 Market Street Partial Build Alternative-1

The Market Street Partial Build Alternative-1<sup>22</sup> differs from the Build Alternative in the tree species proposed to replace the existing *Platanus* monoculture and the choice of paving and paving pattern to replace the existing sidewalk paving materials that are non-ADA compliant.

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<sup>21</sup> The Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative is essentially the same as Alternative 3 that the City of San Francisco included in its *Better Market Street Initial Study* (San Francisco Planning Department 2016).

<sup>22</sup> The Market Street Partial Build Alternative-1 is essentially the same as the “Partial Preservation Alternative 1” that the City of San Francisco included for local procedural reasons in its *Better Market Street Draft Environmental Impact Report* (San Francisco Planning Department 2019).

Specifically, this alternative would replace the existing *Platanus* monoculture with trees of three to five genera that would have similar canopy shape and height as the existing *Platanus*. In addition, this alternative would completely replace the existing red brick in a herringbone pattern in order to better meet safety and mobility objectives of the proposed project while lessening the aesthetic change in color and pattern of the sidewalk materials. The color of the paving material for this alternative would be as close as possible to the existing red brick, consistent with Order 200369's stipulations on color. This alternative would also seek to implement the same uniformity of existing sidewalk paving material as exists to the maximum allowable extent of the order, including its exception process.

The Market Street Partial Build Alternative-1 would implement other improvements that are proposed as part of the Build Alternative including: changing lane and intersection configurations as well as some signal timing, control, and locations; constructing furnishing zones and bulb-outs; changing pedestrian crossing distances, and replacing some portions of granite curb; replacing loading areas; constructing physically separated bicycle lanes; modifying transit stop spacing, constructing a new bidirectional track loop, and upgrading transit stops for ADA compliance; relocating fire hydrants, including components of the historic AWSS, relocating or reconstructing stormwater catch basins, replacing street trees, relocating a BART/Muni elevator near United Nations Plaza, and partially restoring Path of Gold light standards within the project corridor.

Any physical modification of Market Street required to meet the project purpose and need would require removal of the greater part of the historic material, for example, sidewalk surfaces and granite curbs, that in turn contribute to the Market Street Cultural Landscape District's significance as a designed landscape associated with the Market Street Redevelopment Plan. Thus, Market Street Partial Build Alternative-1 would not avoid the use of Section 4(f) resources.

## 6.4 Market Street Partial Build Alternative-2

The Market Street Partial Build Alternative-2<sup>23</sup> differs from the Build Alternative in the geographic extent of modifications. Specifically, in blocks of Market Street where no modifications to center boarding islands or curbside transit stops are needed, those blocks would generally retain streetscapes similar to existing conditions, with no changes to modify the facility for ADA compliance. In contrast, blocks of Market Street where modifications to center boarding island and/or curbside transit stops are needed would see streetscape improvements similar to the Build Alternative, including modifications for ADA compliance, as discussed in the section titled *Americans with Disabilities Act*.

For those blocks where there would be no changes to curbside or center boarding island stops, the loading locations would remain the same as existing conditions, however, the proposed project's time restrictions would apply to these existing loading zones. For all other blocks, including side street locations where parking would be removed, the loading locations and time

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<sup>23</sup> The Market Street Partial Build Alternative-2 is essentially the same as the "Partial Preservation Alternative 2" that the City of San Francisco included for local procedural reasons in its *Better Market Street Draft Environmental Impact Report* (San Francisco Planning Department 2019).



restrictions would be the same as the Build Alternative. Bicycle access would be the same as under existing conditions for the blocks where no transit stop changes are proposed, which comprise Class II facilities (bicycle lanes) west of Eighth Street and Class III facilities (bicycle route markings in a mixed-flow lane) east of Eighth Street. Notably, these facilities would continue to operate alongside curbside bus stops. At locations where transit stop changes are proposed, a Class IV facility would be built at sidewalk level.

Market Street Partial Build Alternative-2 would not include utility relocation or rehabilitation activities associated with the Build Alternative in blocks that would retain the existing brick material because those activities generally require excavation into the sidewalk.<sup>24</sup> Utility relocation or rehabilitation activities that could be conducted within the blocks that would have the sidewalk material replaced or could be located entirely within the roadway right-of-way may occur under this alternative, including portions of some wastewater lines, water lines, and Muni traction power duct banks.<sup>25</sup> It can be assumed/expected that, over time, existing infrastructure that is not upgraded as part of this alternative would continue to decay past its useful life, potentially resulting in the need for future ad hoc/emergency repairs and/or replacements. Such repairs and replacements would be expected to require as-needed removal and reconstruction of existing red brick sidewalk material. In addition, existing tree wells would be replanted with new trees to preserve the *Platanus* monoculture, selecting from one of two varieties<sup>26</sup> similar in character to the trees that would be removed but with greater disease tolerance.

Because the Market Street Partial Build Alternative-2 involves many of the same transportation improvements as the Build Alternative, which in turn would result in changes to the streetscape in those blocks where the improvements are constructed, this alternative would result in impacts on contributing features of the Market Street Cultural Landscape District. These impacts would result from required upgrades to make these portions of the facility ADA compliant and result in a Section 4(f) use of the district.

## 6.5 Core Elements Alternative

The Core Elements Alternative would implement the same roadway configuration, transit facilities and operations, and pedestrian and bicycle facilities as the Build Alternative.<sup>27</sup> However, this alternative would not implement the following “state of good repair” infrastructure upgrades:

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<sup>24</sup> Excavation beneath the sidewalk would require removal of the existing brick material which would likely damage some or most of the existing bricks that would need to be removed to access the areas to be excavated. In addition, the activity of removing the existing bricks triggers compliance with ADA standards, which in turn require replacement of enough material to maintain a pedestrian through corridor of at least ten feet in width. Therefore, this alternative does not include any utility work that would need to occur beneath the sidewalks on blocks that would not have any changes to curbside or boarding island stops.

<sup>25</sup> Because the entire corridor would not be opened to utility replacement, the Market Street Partial Build Alternative-2 would likely need to forego any utility upsizing, but instead repair/replace existing infrastructure on affected blocks.

<sup>26</sup> These two varieties are 1) *Platanus x acerfolia* Bloodgood “Columbia” and 2) *Platanus x acerfolia* “Liberty.”

<sup>27</sup> The Core Elements Alternative is essentially the same as the Core Elements Alternative that the City of San Francisco included for local procedural reasons in its *Better Market Street Draft Environmental Impact Report* (San Francisco Planning Department 2019).

- Relocation/rehabilitation of SFMTA signals
- Full upgrade of all existing signal infrastructure on Market between Octavia Boulevard and Steuart Street
- Full track replacement
- Replacement of traction power system duct banks
- Roadway and roadway subbase replacement
- Relocation/rehabilitation of the following:
  - Fiber optic conduits
  - Wastewater facilities (sewer lines, manholes, catch basins)
  - Water facilities (water lines, low-pressure fire hydrants)
  - AWSS line/cisterns/hydrants
  - Muni traction power duct banks
  - Electrical lines serving traffic signals/streetlights
  - SFPUC power lines
  - Fire alarm call boxes

This alternative also includes the following transportation elements, which would necessitate ADA-compliant upgrades for sidewalk brick and granite curbs during construction (see the section titled *Americans with Disabilities Act*):

- Roadway configuration (e.g., curb extensions for bulb-out construction to minimize crossing distances, curb pull-back for sidewalk-level bikeway coordination, relocation or modification of existing traffic islands, addition of small islands for sidewalk-level bikeway protection, raised crosswalks at alleyways, updated curb radii to accommodate bus movements, updated curb ramps, and major intersection reconfigurations)
- Surface transit facilities (Muni-only lanes, stop spacing and service, stop characteristics, track and OCS locations, overhead catenaries and trolley poles, other surface infrastructure, and minor realignments of existing F-line tracks)
- Bicycle facilities (constructing physically separated bicycle lanes)
- Pedestrian facilities (removing and replacing of all sidewalks in the project corridor)
- Path of Gold (partial restoration, reconstruction, and realignment)

The above changes would result in alterations in those blocks where the improvements are constructed, and therefore this alternative would result in impacts on contributing features of the Market Street Cultural Landscape District. These impacts would result from required upgrades to make these portions of the facility ADA compliant and would result in a Section 4(f) use of the district.



## 7 Measures to Minimize Harm

Per 23 CFR 774.3, an individual Section 4(f) evaluation must include all possible planning to minimize harm to the 4(f) property. In addition, 23 CFR 774.17 states that all possible planning means that all reasonable measures identified in the Section 4(f) evaluation to minimize harm or mitigate for adverse impacts and effects must be included in the project (Table 9).

With regard to all possible planning for historic sites, 23 CFR 774.17 specifically identifies the measures which serve to preserve the historic activities, features, or attributes of the site as those agreed by the Administration and the official(s) with jurisdiction over the Section 4(f) resource in accordance with the consultation process under 36 CFR part 800.

The official with jurisdiction over the Market Street Cultural Landscape District is the State Historic Preservation Officer (SHPO). The SHPO concurred with Caltrans's determination that construction of the proposed project will result in an adverse effect on the Market Street Cultural Landscape District on July 20, 2020.

In accordance with the requirements of Section 106, Caltrans and San Francisco Public Works consulted with stakeholders as well as SHPO on mitigation for adverse effects on the Market Street Cultural Landscape District, and the final set of stipulations that have been agreed upon to resolve this adverse effect<sup>28</sup> are memorialized in a Project-level Programmatic Agreement (Project PA) between Caltrans and SHPO. The Project PA was signed on September 11, 2020, and the stipulations in the Project PA have been included in this Final Section 4(f) Evaluation. The Project PA is included in Appendix K.

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<sup>28</sup> Under Section 106, adverse effects may be resolved through consultation with consulting parties and the SHPO to identify and agree upon measures to mitigate for impacts to the resource.

**Table 9. Measures to Minimize Harm**

Resource	Impact	Measures to Minimize Harm
Market Street Cultural Landscape District	Demolition of character-defining features that convey historic significance	<p><b>AMM-CUL-5: Secretary of the Interior’s Standards for the Treatment of Historic Properties</b></p> <ol style="list-style-type: none"> <li>1. Prior to the start of work that could affect the following historic properties; San Francisco Civic Center NHL, Civic Center Landmark District, United Nations (UN) Plaza, Replica Path of Gold, or the San Francisco Auxiliary Water Supply System (AWSS), Public Works will:               <ol style="list-style-type: none"> <li>a. Submit to Caltrans for review and approval, the project plans to ensure the that the Secretary of the Interior’s Standards for the Treatment of Historic Properties (SOIS) are included and clearly described and illustrated.</li> <li>b. Public Works shall retain a professional who meets the Secretary of the Interior’s Professional Qualifications Standards (PQS) for Architectural History, who shall discuss the requirements of the project to meet the SOIS at the preconstruction meeting.</li> <li>c. Public Works will notify Caltrans three weeks in advance of the beginning of construction on the historic properties.</li> <li>d. Public Works’ PQS Architectural Historian consultant, will complete spot monitoring during construction of activities affecting the historic properties to ensure that the project is being constructed according to the plans.</li> <li>e. Public Works will inform Caltrans when the construction work is complete.</li> <li>f. Public Works will provide to Caltrans District 4 for review and approval, updated Department of Parks and Recreation (DPR) 523 forms documenting the changes to the Civic Center Landmark District, UN Plaza and the AWSS, which will be filed with the Northwest Information Center of the California Historic Resources Information System.</li> </ol> </li> </ol> <p><b>AMM-CUL-6: Historic Properties Treatment Plan</b></p> <ol style="list-style-type: none"> <li>1. Public Works shall retain a professional who meets the Secretary of the Interior’s Professional Qualifications Standards (PQS), Architectural History, to prepare a Historic Properties Treatment Plan (HPTP) for the following contributing elements of the Market Street Cultural Landscape District: Embarcadero Plaza, Hallidie Plaza, and United Nations Plaza. The HPTP shall incorporate rehabilitation recommendations for maintaining and protecting the paving materials at the three plazas and shall include the following elements:               <ol style="list-style-type: none"> <li>a. The HPTP shall be prepared and implemented to aid in protecting the physical elements of the plazas that contribute to the character of the Market Street Cultural Landscape District, as identified and described in the State of California DPR district record appended to the Historic Resource Evaluation Report that was completed as part of the Section 106 review and technical documentation for this project. The HPTP shall focus on the district’s association with the Market Street Redevelopment Plan design led by</li> </ol> </li> </ol>



Resource	Impact	Measures to Minimize Harm
		<p>architects John Carl Warnecke and Mario Ciampi and landscape architect Lawrence Halprin with specific guidance on the treatment of historic materials, including the red brick herringbone paving present in all three locations.</p> <ol style="list-style-type: none"> <li>b. The HPTP shall also take into consideration United Nations Plaza as a contributor to the San Francisco Civic Center National Historic Landmark district.</li> <li>c. The HPTP shall provide a baseline conditions assessment of the contributing elements in each of three plazas, including documentation of areas that illustrate typical conditions and deteriorations that will be addressed through rehabilitation recommendations.</li> <li>d. The HPTP will also include best practice guidelines and rehabilitation recommendations to guide future projects associated with ongoing maintenance and repair of the red brick and other contributing elements of the plazas to ensure compliance with the Secretary of the Interior’s Standards for Rehabilitation.</li> <li>e. If deemed necessary by PQS Architectural History in consultation with Caltrans District 4, upon assessment of the resources’ condition, the plan shall include guidance for stabilization measures to be carried out before construction to prevent damage to the three plazas as a result of construction activities. Specifically, the protection measures shall incorporate construction specifications to be implemented by the construction contractor(s) to ensure all feasible means of avoiding damage to the resources.</li> <li>f. Public Works will submit the HPTP to Caltrans District 4 for review and approval pursuant to Stipulation II.F of the Project PA (AMM-CUL-10).</li> <li>g. Caltrans District 4 will submit the HPTP to all Signatories, Invited Signatories and Concurring Parties of the Project PA for review and comment, for a period of 30 calendar days.</li> </ol> <ol style="list-style-type: none"> <li>2. Public Works will not authorize the implementation of any aspect of the Undertaking that may affect historic properties until the HPTP has been approved by Caltrans District 4.</li> </ol> <p><b>AMM-CUL-7: Historic American Landscape Survey Documentation</b></p> <ol style="list-style-type: none"> <li>1. Prior to the commencement of project construction, Public Works shall contact the regional Historic American Building Survey/Historic American Engineering Record/Historic American Landscape Survey(HABS/HAER/HALS) coordinator at the National Park Service Interior Regions 8, 9, 10, and 12 Regional Office (NPS) to request that NPS stipulate the level of and procedures for completing the documentation. Within ten (10) days of receiving the NPS stipulation letter, Public Works shall send a copy of the letter to Project PA Consulting Parties for their information.</li> <li>2. Public Works will ensure that all recordation documentation activities are performed or directly supervised by architects, historians, photographers, and/or other professionals meeting the qualification standards in the Secretary of Interior's Professional Qualification Standards (36 CFR 61, Appendix A).</li> </ol>

Resource	Impact	Measures to Minimize Harm
		<ol style="list-style-type: none"> <li>3. Upon receipt of the NPS written acceptance letter, Public Works will make archival, digital and bound library-quality copies of the documentation and provide them to the History Room of the San Francisco Public Library, Northwest Information Center, California Historical Society, Environmental Design Archives at the University of California, Berkeley, Architectural Archives at the University of Pennsylvania, and California State Library.</li> <li>4. The documentation will be completed prior to the expiration of the Project PA. Caltrans shall notify SHPO that the documentation is complete and all copies distributed as outlined in Stipulation II.C (AMM-CUL-7) and include the completion of the documentation in the Project PA Annual Report. All field surveys shall be completed prior to the commencement of project construction.</li> </ol> <p><b>AMM-CUL-8: Print-on-Demand Booklet</b></p> <p>Following preparation of HALS photography, narrative report, and drawings sets, Public Works will produce a print-on-demand booklet to include the HALS documentation and additional resources including historical documentation and photographs. The print-on-demand booklet shall be made available to the public for distribution prior to the expiration of the Project PA.</p> <ol style="list-style-type: none"> <li>1. Public Works shall submit a draft of the print-on-demand booklet to Caltrans, District 4 for review and approval prior to publication, pursuant to Stipulation II.F of the Project PA (AMM-CUL-2).</li> <li>2. Public Works shall contact the History Room of the San Francisco Public Library; Northwest Information Center of the California Historical Resources Information System; California Historical Society; Environmental Design Archives at the University of California, Berkeley, the San Francisco Planning Department; and the Architectural Archives at the University of Pennsylvania to inquire whether the research repositories would like to receive a hard and/or digital copy of the final booklet.</li> <li>3. Public Works shall seek to identify interested groups that would receive digital copies of the booklet upon request.</li> <li>4. Public Works shall document the extent and result of outreach and transmittal of digital and hard copies of the print-on-demand booklet and provide the documentation to Caltrans District 4, which will be included in the annual report pursuant to Stipulation VII.F of the Project PA.</li> </ol> <p><b>AMM-CUL-9: Interpretive Program</b></p> <ol style="list-style-type: none"> <li>1. Temporary Public Exhibition: Public Works shall craft a public exhibition about the history of the resources being adversely affected within the APE using, at a minimum, the HALS documentation.             <ol style="list-style-type: none"> <li>a. Public Works shall prepare an exhibition for public display in venues physically proximate to Market Street, such as the San Francisco Public Library; California Historical Society; San Francisco Bay Area Planning and Urban Research Association; American Institute of Architects, San Francisco; or a similar space within an educational or civic organization.</li> </ol> </li> </ol>



Resource	Impact	Measures to Minimize Harm
		<ul style="list-style-type: none"> <li>b. In consultation with Caltrans, Public Works shall identify a minimum of one publicly accessible location for installation of the exhibition and work with the selected venue(s) to secure a commitment to house the display for an agreed upon length of time prior to the commencement of construction. If the required documentation shows that a good-faith effort was put forward by Public Works to locate an appropriate display location but no commitment could be procured, then Public Works shall consult with Caltrans discuss an alternative temporary installation of the exhibition at the project site where it shall be visible and accessible to the public and maintained for the duration of the construction process.</li> <li>c. Caltrans District 4, will review and approve the public displays pursuant to Stipulation II.F of the Project PA (AMM-CUL-10), and all efforts outlined in Stipulation II.E.1 of the Project PA (AMM-CUL-9 subsection 1) will be completed prior to the termination of the Project PA and included in the Project PA Annual Report as applicable, pursuant to Stipulation VII.F.</li> </ul> <p>2. Educational Website: Public Works shall prepare a Better Market Street educational website about the history of the resources being adversely affected in the APE using, at a minimum, the HALS documentation. The information will be added to the already existing Public Works website (<a href="http://www.sfpublishworks.org/projects">http://www.sfpublishworks.org/projects</a>), upon receipt of the written NPS letter accepting the final HALS documentation. Public Works shall house and maintain the webpage in perpetuity on Public Works website, with links to the HALS documentation and other interpretive materials outlined in Stipulation II.E.1, II.E.3, II.E.4 and II.E.5 (AMM-CUL-9 subsections 1, 3, 4, and 5).</p> <ul style="list-style-type: none"> <li>a. Public Works will update Caltrans District 4, on the development of the website, and notify Caltrans when information is added, which will be included in the Project PA Annual Report pursuant to Project PA Stipulation VII.F.</li> </ul> <p>3. Interpretive Signage: Public Works shall incorporate between six and 10 permanent interpretive markers or signs into the design of the proposed project that interpret the history of the resources being adverse affected in the APE. The markers shall be located within the project footprint (on Market Street between Steuart Street and Octavia Boulevard), and the content shall relate to the specific locations of the markers/signs within the corridor.</p> <ul style="list-style-type: none"> <li>a. Public Works shall prepare and present to Caltrans, District 4, for review and approval, an outline of the proposed permanent interpretive signage before the commencement of construction, pursuant to Stipulation II.F of the Project PA (AMM-CUL-10).</li> <li>b. Installation location and summary of content will be included in the Project PA Annual Report pursuant to Stipulation VII.F.</li> </ul>

Resource	Impact	Measures to Minimize Harm
		<p>4. Public educational event series: Public Works shall include three to five public programs to tell the story of development of the Market Street Redevelopment Plan. Programs may include panel discussions and lectures with scholars and designers; collaborative artistic performances, such as re-enactment of Lawrence and Anna Halprin’s RSVP cycles; walking tours; parades; and related activities on Market Street.</p> <ul style="list-style-type: none"> <li>a. Public Works will notify Caltrans District 4, with a preliminary schedule of the program series which will be completed before the content and participants are finalized and prior to commencement of construction.</li> <li>b. Public Works will oversee the development of the educational event series and notify Caltrans of milestones including: selection of program(s), dates of program(s), finalization of content, and completion of programs. As applicable this information will be included in the Annual Report, pursuant to Stipulation VII.F of the Project PA.</li> <li>c. All programs held as part of the program series shall be recorded by a professional videographer, and the recordings shall be made available on the educational website specified in Stipulation II.E.2 (AMM-CUL-9 subsection 2).</li> <li>d. As applicable Stipulation II.E.4.a-c (AMM-CUL-9 subsection 4 parts a through c) will be included in the Annual Report pursuant to Stipulation VII.F of the Project PA.</li> </ul> <p>5. Community Led Public Programs: Public Works will administer the selection of one community-led public programs to celebrate and commemorate the history of Market Street. Proposals will be solicited through a Request for Proposal (RFP) submission process and will be proposed, managed and implemented by California-based non-profit organizations with an interest in the history and/or cultural properties of the Market Street Cultural Landscape District.</p> <ul style="list-style-type: none"> <li>a. Public Works shall fund one interpretive or commemorative program that will be awarded which may include temporary events such as dances, lectures, or walking tours, or they may take the form of permanent installations such as interpretive signage or an on-site exhibition. Organizations with a demonstrated interest in the history of Market Street may apply through the RFP process. Preference will be given to organizations located within the project APE. Program selection will be made by a committee that will include a minimum of five persons, and include at least three members with professional experience in arts and cultural programming. The committee may include professionals from the following fields and organizations: a representative of Public Works; a representative of Caltrans District 4; professionals from the fields of history, historic preservation, performing arts, visual arts, or design. Organizations with representation on the committee will not be eligible to apply for award consideration.</li> </ul>



Resource	Impact	Measures to Minimize Harm
		<ul style="list-style-type: none"> <li>b. Where responses to the RFP include proposals for temporary programming, a plan for documentation or recordation of the program will be included. The documentation or recordation materials will be available to be hosted by the organizations so that the information included in the programs are made available to the public as part of the permanent historical record on the history of Market Street. Additionally, the programs, both temporary and permanent, must be accessible to the public through in-person or digital participation.</li> <li>c. Public Works will oversee the development of the public program(s) and notify Caltrans of milestones including: selection of program(s), dates of program(s), finalization of content, and completion of programs. Stipulation II.E.5 (AMM-CUL-9 subsection 5) will be completed prior to the expiration of the Project PA, and as applicable this information will be included in the Annual Report, pursuant to Stipulation VII.F of the Project PA.</li> </ul> <p><b>AMM-CUL-10: Reporting Requirements and Related Reviews</b></p> <ul style="list-style-type: none"> <li>1. For all measures in Stipulation II (AMM-CUL-5, AMM-CUL-6, AMM-CUL-7, AMM-CUL-8, and AMM-CUL-9), Public Works will submit draft documents to Caltrans District 4, for review and comment. Caltrans District 4 will have thirty (30) business days to provide comment on the documents. If Caltrans does not respond within thirty (30) business days Public Works may consider the submitted document as final. Caltrans may request a ten (10) business day extension if needed.</li> <li>2. Public Works will take all comments into account in revising the documents and submit a final version to Caltrans District 4 for approval. Caltrans has thirty (30) business days to approve or schedule a meeting to discuss comments on the documents. If a comment resolution meeting is required, Caltrans will have thirty (30) business days from the date of the meeting to provide any further comments.</li> </ul>

Per 23 CFR 774.17, in evaluating the reasonableness of measures to minimize harm, Caltrans will consider the preservation purpose of the 4(f) statute, along with:

- The views of the official(s) with jurisdiction over the Section 4(f) property;
- Whether the cost of the measures is a reasonable public expenditure in light of the adverse impacts of the project on the Section 4(f) property and the benefits of the measure to the property;
- Any impacts or benefits of the measures to communities or environmental resources outside of the Section 4(f) property.

## 8 Least Overall Harm Analysis

8 When there is no feasible and prudent avoidance alternative to using Section 4(f) resources, the Lead Agency must approve the alternative that causes the least overall harm to Section 4(f) resources, taking into consideration the preservation purpose of the statute. To ascertain which alternative that uses Section 4(f) properties would cause the overall least harm under 23 CFR 774.3(c)(1), the following seven factors must be considered:

- 8 • Ability to mitigate adverse impacts on each Section 4(f) property (including any measures that result in benefits to the property)
- 8 • Relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or features that qualify each Section 4(f) property for protection
- Relative significance of each Section 4(f) property
- 8 • Views of the official(s) with jurisdiction over each Section 4(f) property
- Degree to which each alternative meets the Purpose and Need for the project
- 8 • After reasonable mitigation, the magnitude of any adverse impacts on resources not protected by Section 4(f)
- Substantial differences in costs among the project alternatives

8 The first four factors relate to the net harm that each project alternative would cause to the Section 4(f) property, and the remaining three factors take into account concerns with the project alternatives that are not specific to Section 4(f).

8 To determine the alternative that has least overall harm, a balancing test was undertaken. The balancing test compared the seven alternatives described below:

- **Build Alternative** - This alternative is the proposed project, and would make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians. The project includes changes to and replacement/modification of: roadway configuration; traffic signals; surface transit, including transit-only lanes, stop spacing, service, transit-stop location, transit stop characteristics, and infrastructure; bicycle facilities; pedestrian facilities; commercial and passenger loading; vehicular parking; and utilities, as described in Section 2, Project Description. Figure 1, Sheets 1 through 10, pp. A-11 through A-20, show the Build Alternative's proposed improvements.



- **Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative**<sup>29</sup> - These alternatives differ from each other in operational changes, specifically changes to private vehicle access and commercial and passenger loading, as described in Section 6.1, Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative. Both alternatives include two design options for bicycle paths.
- **Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative** – This alternative would have the same changes on Market Street as the Complete Street and Transit Priority Improvements Alternative with the first design option to construct a dedicated street-level bicycle facility on Market Street, as described in Section 6.2, Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative. However, this alternative would also include construction of a protected bicycle path on Mission Street.
- **Market Street Partial Build Alternative-1** – This alternative differs from the Build Alternative in the tree species proposed to replace the existing *Platanus* monoculture and the choice of paving materials and paving color and pattern to replace the existing sidewalk paving materials that are non-ADA compliant, as described in Section 6.3, Market Street Partial Build Alternative-1.
- **Market Street Partial Build Alternative-2** – This alternative differs from the Build Alternative in the geographic extent of modifications. Specifically, in blocks of Market Street where no modifications to center boarding islands or curbside transit stops are needed, those blocks would generally retain streetscapes similar to existing conditions, with no changes to modify the existing sidewalk for ADA compliance. In contrast, blocks of Market Street where modifications to center boarding island and/or curbside transit stops are needed would see streetscape improvements similar to the Build Alternative, including modifications for ADA compliance, as described in Section 6.4, Market Street Partial Build Alternative-2.
- **Core Elements Alternative** – This alternative would implement the same roadway configuration, transit facilities and operations, and pedestrian and bicycle facilities as the Build Alternative. However, this alternative would not implement certain “state of good repair” infrastructure upgrades, as described in Section 6.5, Core Elements Alternative.

This Final Section 4(f) evaluation discloses the various impacts to the different Section 4(f) properties and contains an assessment of how the alternatives compare to one another. This assessment is discussed in Sections 8.1 through 8.7, and summarized in Section 8.9 and Table 10 below. Table 10 evaluates five categories of Section 4(f) resources with respect to the least harm analysis criteria: the Market Street Cultural Landscape District, national historic landmarks, other historic districts, individual historic properties, and recreation resources. Each of these criteria are compared using a point system to provide an objective comparison of

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<sup>29</sup> The Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative are two separate alternatives. However, construction of these two alternatives would be similar, and they are treated together in the Least Harm Analysis.

each alternative with respect to the criteria. This point system is modeled on the point system used for the Section 4(f) least harm analysis for the Fulton Mall Reconstruction Project in Fresno (California Department of Transportation 2014). The point allocation system is described further in Sections 8.1 through 8.7 below. Higher scores on each criterion indicate better performance with respect to Section 4(f) requirements.

## **8.1 Ability to mitigate adverse impacts on each Section 4(f) property (including any measures that result in benefits to the property)**

The evaluation assigned 5 points to each type of Section 4(f) resource for which an alternative would best meet the criterion (i.e., an alternative would have the best ability to mitigate adverse impacts on a Section 4(f) property) for each alternative, ranging down to 1 point for not meeting the criterion. The point value for all Section 4(f) resources was then averaged. The final scoring indicated that the ability to mitigate adverse impacts on these Section 4(f) resources would be similar under all alternatives. All alternatives, including the Build Alternative, would result in changes to contributing features of the Market Street Cultural Landscape District that would eliminate the Market Street Cultural Landscape District's eligibility under NRHP Criterion C by removing the majority of the physical features that contribute to the district's significance under that criterion. All the alternatives would result in changes in roadway configuration, transit stops, transit service, bicycle facilities, sidewalk width and streetscapes, street trees, Path of Gold light standards, and AWSS hydrants, distribution, pipes, and electrical and other infrastructure. These changes would affect spatial organization, cluster arrangements, circulation, vegetation, and small-scale features in the Market Street corridor (see Table 6), which are contributing features of the Market Street Cultural Landscape District that qualify the Section 4(f) resource for listing on the NRHP.

The alternatives differ with respect to tree species chosen, number of street blocks that would be upgraded for ADA compliance, types of pavers used for the new sidewalk surface, and extent of state of good repair infrastructure upgrades. All alternatives would remove a volume of material that would result in an adverse effect under Section 106 and accordingly a Section 4(f) use. Because all other alternatives would result in a similar degree of effect on this Section 4(f) resource as the Build Alternative, mitigation would be equally effective for all alternatives.

The Build Alternative would result in no impact greater than *de minimis* on the other historic districts, individual historic properties, and recreation resources. The only alternative that would have a greater geographic extent of physical improvements, and thus increased potential to result in impacts, than the Build Alternative is the Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative with its proposed improvements along the Mission Street corridor between South Van Ness Avenue and Steuart Street. Contributing features of the four identified historic districts along Mission Street in the study area are outside of the right-of-way and therefore would not be affected by this alternative because all work would be limited to the public right-of-way. In addition, the footprint of this alternative would be adjacent to numerous additional individual historic properties along the Mission Street corridor, however no individual historic properties or recreation resources are known to intersect the Mission Street right-of-way. As such, the



Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative is not anticipated to physically alter individual historic properties or encroach upon recreation resources. Therefore, effects would be either *de minimis* or no use, and no mitigation would be required.

## 8.2 **Relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or features that qualify each Section 4(f) property for protection**

The evaluation assigned 5 points to each type of Section 4(f) resource that would best meet all elements of the criterion (i.e., would result in the least remaining harm, after mitigation, on each Section 4(f) property) for each alternative, ranging down to 1 point for not meeting the criterion. The point value for all Section 4(f) resource was then averaged for each alternative. Scoring indicated that the relative severity of remaining harm on these Section 4(f) resources would be similar under all alternatives. The Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative would have a larger footprint than the Build Alternative because it involves construction of a protected bicycle path along Mission Street. The Market Street Partial Build Alternative-2 would have a smaller footprint because it involves construction on a subset of blocks in the Market Street Corridor, namely, only those blocks where modifications to curbside or center boarding island stops are required.

All alternatives would result in a use under Section 4(f) of the Market Street Cultural Landscape District because all of the alternatives involve extensive construction on Market Street that would remove contributing elements of the district such that the streetscape's significant Modernist design would no longer be discernible. All alternatives would replace brick pavers on the sidewalk and in small plazas along the Market Street corridor as well as replace lighting and furnishings in these small plazas. All alternatives would remove all the square and circular regulatory, street name, and guide signs that were designed specifically for Market Street. and replace them with new traffic signs, signals, and mounting structures, consistent with contemporary traffic safety standards. All these alternatives also include replacement of existing London plane trees, although they differ with respect to species that would be chosen for the replacement trees. Further, all the alternatives would partially restore and replace the Path of Gold light standards. Because all alternatives would alter contributing features of the Market Street Cultural Landscape District under NRHP Criterion C, the use of this Section 4(f) resource would be the same under all the alternatives.

All alternatives would either have no use or *de minimis* impacts for the other historic districts (see Appendix B for a discussion of no use and *de minimis* impacts under the Build Alternative). All alternatives would result in *de minimis* impacts on some historic districts in the Market Street corridor. The only alternative that could potentially affect more historic districts than the Build Alternative is the Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative with its expanded footprint on Mission Street. This alternative would be adjacent to four known historic districts along the Mission

Street corridor that are anticipated to be eligible for NRHP listing at the local level of significance, including three that are not within the APE for the Build Alternative. However, no contributing features for the historic districts along Mission Street in the study area would be affected by this alternative because all work would take place in the public right-of-way, and none of the historic districts have contributing features in the right-of-way. Therefore, for these additional historic districts, no use is anticipated.

All alternatives would either have no use or *de minimis* impacts for the individual historic resources (see Appendix B for a discussion of no use and *de minimis* impacts under the Build Alternative). The only alternative that could potentially affect more individual historic properties than the Build Alternative is the Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative. As described in Section 5.3, NRHP-listed and -eligible historic properties along the Mission Street corridor have not been formally identified for the current analysis because they lie outside the APE of the Build Alternative. While it is anticipated that numerous NRHP-eligible historic properties would be identified in an APE for this alternative were the Mission Street corridor to be formally surveyed, none are anticipated to lie within or extend into the public right-of-way. As such, no individual historic properties would be anticipated to be affected by this alternative because all work would take place in the public right-of-way and would not alter any characteristics of adjacent buildings. Therefore, for these additional individual historic properties along the Mission Street corridor, no use is anticipated.

All alternatives would either have no use or *de minimis* impacts for recreation resources (see Appendix B for a discussion of no use and *de minimis* impacts under the Build Alternative). All alternatives would result in *de minimis* impacts on some recreation resources in the Market Street corridor. The only alternative that could potentially affect more resources than the Build Alternative is the Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative. However, because construction in the Mission Street corridor would not encroach on any existing recreation resources, either no use of any of these additional recreation resources would result or impacts would be *de minimis*.

### 8.3 Relative significance of each Section 4(f) property

The evaluation assigned points to each type of Section 4(f) resource, depending on the level of significance present within each type. Points were assigned as follows: 3 points to each alternative if the APE contained properties with national significance, 2 additional points if the APE contained properties with state level significance, 1 additional point if the APE contained properties with local significance, and 3 additional points if the study area contained parks or recreational resources. For example, if the APE for an alternative included the Section 4(f) resource type historic districts with national, state, and local significance, the points assigned to that Section 4(f) resource type for that alternative would be 3 (national) + 2 (state) + 1 (local). Finally, the total score was averaged. Scoring indicated that the relative significance of Section 4(f) resources would be similar under all alternatives.

Section 4(f) properties included in this evaluation consist of 10 historic districts, 135 individual historic properties, and 28 recreational properties (see Table 4). These Section 4(f) resources include historic properties that are significant at the national level (including two National



Historic Landmarks), state level, and/or local level (ICF 2020a). The Build Alternative APE is relevant for all alternatives except for the Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative. An APE for this alternative with a larger footprint would include three additional locally significant historic districts along the Mission Street corridor (four total) (see Table 7)<sup>30</sup> and numerous additional individual historic properties that are nationally, state, and/or locally listed.

Recreation resources in the study area, which are under the jurisdiction of multiple agencies, include small mini-parks, a regional bicycle path, other special-purpose parks (skate and dog parks), and larger plazas with recreational uses. The study area for all alternatives other than the Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative is the same. The study area for the alternative that includes Mission Street is larger than the study area for the other alternatives because it also includes the Mission Street corridor. Accordingly, the study area for this alternative includes additional recreation resources that were not identified for the Build Alternative. All parks contribute to the character of the study area and San Francisco in general, which contains hundreds of parks and open spaces (San Francisco Parks Alliance 2019) and is known as a city of parks and green spaces.

## 8.4 Views of the official(s) with jurisdiction over each Section 4(f) property

While Table 10 briefly describes OWJ concurrence, the evaluation did not assign points because no OWJ expressed views on the Section 4(f) resources that would affect the selection of an alternative, nor did any OWJ express views on any alternative other than the Build Alternative. Therefore, no comparison through point assignment was possible.

The San Francisco Department of Recreation and Parks, the Department of Public Works, and the Department of the Interior and the National Park Service concurred with the findings of the Section 4(f) evaluation for each Section 4(f) resource. The San Francisco Department of Recreation and Parks and the Department of Public Works did not provide comments during the concurrence process. The Department of the Interior and the National Park Service noted that the Draft Section 4(f) evaluation treated effects on the Civic Center National Historic Landmark District and the Civic Center Landmark District together and advised that the effects on the two resources should be considered independently. With implementation of this change in this Final Section 4(f) evaluation, the Department of the Interior and the National Park Service concurred with the findings of the Section 4(f) evaluation.

Further details regarding coordination with agencies having jurisdiction over Section 4(f) resources are provided in Section 9.

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<sup>30</sup> The Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative, Mission Street with Bus Lanes Alternative, and Mission Street with Cycle Lanes Alternative (the latter two analyzed under Section 5, *Avoidance Alternatives*) would use the same Mission Street corridor.

## 8.5 Degree to which each alternative meets the purpose and need for the project

The principal purpose of the project is to make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians. Ancillary purposes of the project are to replace infrastructure in the corridor that is reaching the end of its operational design life, and to improve the accessibility of the corridor and quality of its streetscape environment.

The evaluation assigned between 1 and 3 points, depending on how well each alternative met the principal project purpose, with the higher score indicating a better match. The evaluation assigned an additional 1 or 2 points, depending on how well each alternative met the ancillary project purposes. Scoring indicated that only the Build Alternative would fully meet the primary and ancillary project purposes, with a total score of 5 points. The Market Street Partial Build Alternative-1 and the Core Elements Alternative would fully meet the project purpose but fail to meet fully the ancillary project purposes, with a total score of 4 points each. The Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative and the Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission would fail to meet the primary project purpose but would meet the ancillary project purposes, with a total score of 3 points each. The Market Street Partial Build Alternative-2 would fail to meet both the primary and ancillary project purposes, with a total score of 2 points.

### 8.5.1 Primary Purpose: Make Market Street safer and more efficient

The alternatives that would best meet the principal purpose of the project are the Build Alternative, the Market Street Partial Build Alternative-1, and the Core Elements Alternative. These alternatives would implement the same changes to the roadway configuration, transit facilities and operations, and pedestrian and bicycle facilities on the Market Street corridor that are necessary to reduce conflicts between all modes of transportation and thereby improve safety and efficiency.

The other alternatives would partially meet the principal project purpose. The Complete Street and Transit Priority Improvements Alternative and the Complete Street and Moderate Transit Priority Improvements Alternative would implement most of the transportation improvements proposed under the Build Alternative, both in terms of changes to the roadway configuration, transit facilities and operations, and pedestrian facilities on Market Street. However, the design options for the bicycle facility corresponding with these alternatives would result in a continuation of conflicts between bicyclists and vehicles operating in the travel lanes and between bicyclists and loading activities on Market Street; therefore, these alternatives would not improve the safety and efficiency of all modes of transportation on Market Street.

The Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative would implement the same changes on Market Street as the Complete Street and Transit Priority Improvements Alternative with the first design option to construct a dedicated street-level bicycle facility on Market Street. This alternative would also include construction of a protected bicycle path on Mission Street. Because this alternative

proposes a street-level bicycle path rather than a dedicated facility, it would result in a continuation of conflicts between bicyclists and vehicles operating in the travel lanes and between bicyclists and loading activities on Market Street; therefore, this alternative would not improve the safety and efficiency of all modes of transportation on Market Street.

The Market Street Partial Build Alternative-2 would have the same improvements to the transportation corridor as the Build Alternative, except that bicycle access would be the same as under existing conditions for the blocks where no transit stop changes are proposed. Accordingly, the bicycle facility would consist of Class II, Class III, and Class IV facilities at different locations. This alternative would result in a continuation of conflicts between bicyclists and vehicles operating in the travel lanes and between bicyclists and loading activities on Market Street; therefore this alternative would not improve the safety and efficiency of all modes of transportation on Market Street

### **8.5.2 Ancillary Purpose: Replace infrastructure in the corridor that is reaching the end of its operational design life**

Most alternatives would meet the ancillary purpose to replace infrastructure in the corridor that is reaching the end of its operational design life: the Build Alternative, Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative, Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative, and Market Street Partial Build Alternative-1.

The Market Street Partial Build Alternative-2 would implement infrastructure upgrades where such infrastructure can be accessed within the roadway right-of-way, and, where such infrastructure lies within the sidewalk, would occur only within those blocks that would undergo sidewalk replacement. Over time, existing infrastructure that is not upgraded as part of this alternative would continue to decay past its useful life. Therefore, this alternative would not meet this ancillary purpose.

The Core Elements Alternative would not implement a range of “state of good repair” infrastructure upgrades. Accordingly, this alternative would not meet this ancillary purpose.

### **8.5.3 Ancillary Purpose: Improve the accessibility of the corridor and quality of its streetscape environment**

The alternatives that would best meet the ancillary purpose to improve accessibility of the corridor and quality of its streetscape environment are the Build Alternative, Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative, Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative, and Core Elements Alternative. These alternatives would all implement the same improvements with respect to corridor accessibility and quality of the streetscape environment.

The Market Street Partial Build Alternative-1 differs from the Build Alternative in the tree species proposed to replace the existing *Platanus* monoculture and the choice of paving and paving pattern to replace the existing sidewalk paving materials that are non-ADA compliant.



This alternative proposes to replace the existing *Platanus* monoculture with trees of three to five genera that would have similar canopy shape and height as the existing *Platanus*. In addition, the color of the sidewalk paving material for this alternative would be as close as possible to the existing red brick, consistent with Order 200369's stipulations on color. This alternative would also seek to implement the same uniformity of existing sidewalk paving material as exists to the maximum allowable extent of the order, including its exception process. Because this alternative closely replicates the existing monoculture of London plane trees and uniform color and pattern of the existing brick sidewalk materials on Market Street as under existing conditions, it does not achieve the desired visual nuance and character of the Market Street streetscape and therefore would not fully meet this ancillary project purpose.

The Market Street Partial Build Alternative-2 differs from the Build Alternative in the geographic extent of modifications. Specifically, in blocks of Market Street where no modifications to center boarding islands or curbside transit stops are needed, those blocks would generally retain streetscapes similar to existing conditions, with no changes to modify the facility for ADA compliance. In contrast, blocks of Market Street where modifications to center boarding island and/or curbside transit stops are needed would see streetscape improvements similar to the Build Alternative, including modifications for ADA compliance. As a result, ADA compliance and streetscape improvements would occur in a patchwork pattern, would not achieve pedestrian accessibility needs, and would not achieve the desired visual nuance and character of the Market Street streetscape. Therefore, this alternative would fail to meet this ancillary project purpose.

## **8.6 After reasonable mitigation, the magnitude of any adverse impacts on resources not protected by Section 4(f)**

The evaluation assigned 5 points to alternative that would best meet all elements of the criterion (i.e., would have the least adverse impacts on resources no protected by Section 4[f]), ranging down to 1 point for not meeting the criterion. Scoring indicated that the ability to mitigate adverse impacts would be similar under all alternatives.

As discussed in Chapter 2 of the Final Environmental Assessment, minimization and/or mitigation measures would be required in the following areas:

- Community Impacts and Environmental Justice
- Utilities and Emergency Services
- Cultural Resources
- Water Quality and Stormwater Runoff
- Hazardous Wastes and Materials
- Air Quality
- Noise and Vibration
- Biological Environment

These measures would be applicable across all alternatives. With implementation of these measures, no adverse impacts would occur.

## 8.7 Substantial differences in costs among the project alternatives

The evaluation assigned points for cost and competitiveness for funding. Points for cost ranged from least cost (3 points) to 1 point (greatest cost). Points for competitiveness for funding, based on professional opinion of types of funding for which alternative would qualify (described below), ranged from greatest competitive (2 points) to least competitive (1 point).

The estimated costs vary substantially, ranging from approximately \$604 million for the Build Alternative and Market Street Partial Build Alternative-1 to \$160 million for the Market Street Partial Build Alternative-2 and the Core Elements Alternative (see Table 10).

In general, transportation funding programs favor projects that improve pedestrian and bicycle safety, reduce greenhouse gases, and/or improve transit. Potential funding availability depends on funding types for which each alternative would qualify. These depend on requirements of the funding sources, such as complex projects that involve multiple modes of transportation and projects that involve transit. For the purposes of this analysis, five funding categories were identified, each of which include different types of requirements for candidate projects.

- **Complete Street/Streetscape funding sources:** These sources include projects that focus on safe use and mobility for all users, including drivers, pedestrians, bicyclists, and public transportation riders, regardless of age and ability (U.S. Department of Transportation n.d.a). Complete streets projects reduce motor vehicle crashes and pedestrian and bicyclist risk, and often include facilities to promote walking and bicycling.
- **Multi-modal funding sources:** These sources generally include complex projects that involve multiple modes of transportation, (i.e. automobiles, trucks, buses, other transit such as light rail, bicycles, emergency vehicles, pedestrians, and disabled persons). These grants assume cooperative, continuous, and comprehensive planning (Federal Transit Administration n.d.).
- **Transit funding sources:** These sources include projects that support improvements and expansions to transit such as bus and light rail.
- **Safety funding sources:** These sources include projects that improve safety and eliminate or reduce hazards.
- **State of good repair funding sources:** These sources include projects that fund infrastructure repair and improvement projects.

Because the alternatives have similar elements, they would generally be eligible for similar grant programs. However, they differ with respect to their competitiveness for each type of grant. The Build Alternative is expected to be the most competitive amongst all alternatives considered for all five grant categories because it would: provide safe access for street users of all types, ages, and abilities (Complete Streets/Streetscape, Multi-Modal, and Safety funding sources); build safe bicycle routes and improve quality public spaces and streetscapes (Complete Streets/Streetscape funding sources); prioritize transit, including improving transit efficiency and adding service (Transit funding sources); renew aging transit and utility

infrastructure with in-kind assets (State of Good Repair funding sources). Because the Build Alternative is expected to be the most competitive for all of these funding categories amongst all alternatives considered, this alternative has improved chances of being funded.

The Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative, and the Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative, are expected to be similarly competitive for all five grant categories for the same reasons as the Build Alternative.

The Market Street Partial Build Alternative-1 would not provide the same level of ADA compliance as the Build Alternative and would accordingly not be as competitive for Complete Streets funding, which favors projects that improve safety. It is expected to be competitive for all other funding categories.

The Market Street Partial Build Alternative-2 would not be competitive for the Complete Streets or State of Good Repair funding grants. It would not be competitive for Complete Streets grants because the patchwork improvements resulting from the block-by-block approach would in turn travel lanes and between bicyclists and loading activities on Market Street and would therefore not improve safety and mobility for all users. It would not be competitive for State of Good Repair funding grants because its approach to infrastructure upgrades is not comprehensive within the corridor. Specifically, it would only implement infrastructure upgrades (1) where such infrastructure can be accessed within the roadway right-of-way and (2) where such infrastructure lies within the sidewalk, only within those blocks that would undergo sidewalk replacement.

The Core Elements Alternative would not be competitive for State of Good Repair funding because this alternative omits a wide range of infrastructure “state of good repair” infrastructure upgrades. However, it is expected to be competitive for the grants in the remaining funding categories.

## **8.8 Coordination with Agencies Having Jurisdiction**

### **8.8.1 State Historic Preservation Officer**

SHPO is the official with jurisdiction for all Section 4(f) historic properties affected by the project. Six resources in the project area were identified as listed on the NRHP, an additional nine resources were identified as eligible for the NRHP, and 14 as not eligible. A letter was sent to the SHPO on March 9, 2020, to confirm the eligibility determinations of the properties in the APE. On April 23, 2020, and May 22, 2020, the SHPO concurred with the determinations, confirming that the evaluated properties are or are not eligible for the NRHP. Furthermore, 131 resources are assumed eligible for listing in the NRHP for the purposes of the project.

As discussed in Section 3.3, *Consultation with the SHPO*, a letter was sent to the SHPO on June 25, 2020, to confirm the finding of Adverse Effect to Market Street Cultural Landscape District, Yerba Buena Cemetery, and potentially to four wharves; and the finding that the remaining 143 built environment properties and five archaeological properties will not be



adversely affected by the project. The letter further informed the SHPO of Caltrans' intention to make a Section 4(f) *de minimis* impact determination for the following properties within the APE, contingent on the SHPO's concurrence with the No Adverse Effect findings:

- AWSS; BART District; Civic Center Landmark District, including the San Francisco Civic Center National Historic Landmark District; Kearny-Market-Mason-Sutter Conservation District; LGBTQ Tenderloin Historic District; New Montgomery, Mission, Second Street Conservation District; Crown Zellerbach Complex, One Bush Street; United Nations Plaza, and Fillmore West, 10-12 South Van Ness Avenue.

On July 20, 2020, the SHPO concurred with the proposed findings. A subsequent letter was sent to the SHPO on July 30, 2020, with minor revisions to the Finding of Adverse Effect that discussed the effects to the Civic Center National Historic Landmark separate from the Civic Center Landmark District. No response was requested from or received by SHPO in response to the July 30, 2020 letter. Correspondence with the SHPO is provided in Appendix E.

### 8.8.2 U.S. Department of the Interior

The National Park Service (NPS), as a bureau of the U.S. Department of the Interior, serves as an additional official with jurisdiction for any Section 4(f) property that is also designated a National Historic Landmark (NHL). Two NHLs are among the Section 4(f) properties identified for the current project: the Civic Center National Historic Landmark District and the San Francisco Cable Cars National Historic Landmark.

On May 29, 2020, Caltrans contacted the National Park Service, Pacific West Regional Office regarding their concurrence on *de minimis* findings for Civic Center National Historic Landmark located within the Civic Center Landmark District via e-mail. The National Park Service, Pacific West Regional Office and the Department of the Interior, Office on Environmental Policy and Compliance responded to this email with a request for further information. San Francisco Public Works provided the requested information.

Following these communications, the National Park Service, Pacific West Regional Office and the Department of the Interior, Office on Environmental Policy and Compliance responded with a letter dated July 17, 2020, stating both concurrence and concerns. The National Park Service concurred with the Section 4(f) use of the Market Street Cultural Landscape District, that there is no feasible and prudent alternative that completely avoids the use of this Section 4(f) resource, and that the project includes all possible planning to minimize harm to this Section 4(f) property resulting from the transportation use.

The National Park Service stated that they would concur with a *de minimis* finding for the San Francisco Civic Center National Historic Landmark District provided that the resource would be evaluated separately under Section 4(f) from the Civic Center Landmark District, the size of the elevator would not increase over its current dimensions, the location would remain close to the existing BART/MUNI entrance, and the location would not immediately adjacent to or within the character-defining axis of the San Francisco Civic Center National Historic Landmark District that aligns with the central axis of City Hall and Civic Center Plaza.

On July 22, 2020, the National Park Service, Pacific West Regional Office and the Department of the Interior, Office on Environmental Policy and Compliance met with Caltrans to discuss and address these concerns. Subsequent to this meeting, Caltrans made requested revisions to the Section 4(f) evaluation, Finding of Adverse Effect, historic preservation treatment plan, and Project-level Programmatic Agreement. The National Park Service provided its concurrence regarding the *de minimis* use finding for the Civic Center NHL District on August 4, 2020. Correspondence with the U.S. Department of the Interior/NPS is provided in Appendix E.

### **8.8.3 Local Officials with Jurisdiction**

The following agencies serve as an official with jurisdiction over parks and recreational resources within the project corridor: San Francisco Public Works, San Francisco Recreation and Parks Department, San Francisco Municipal Transportation Agency, Office of Community Investment and Infrastructure, Transbay Joint Powers Authority, Port of San Francisco, Association of Bay Area Governments and the Metropolitan Transportation Commission.

#### **San Francisco Recreation and Parks Department**

On July 1, 2020, San Francisco Public Works contacted San Francisco Recreation and Parks regarding their concurrence on *de minimis* findings for Embarcadero Plaza. San Francisco Recreation provided their concurrence without further comment on July 20, 2020. Correspondence with the San Francisco Recreation and Parks Department is provided in Appendix E.

#### **San Francisco Public Works**

On July 1, 2020, San Francisco Public Works contacted San Francisco Public Works regarding their concurrence on *de minimis* findings for:

- Mark Twain Plaza
- Mechanics Monument Plaza
- Robert Frost Plaza
- United Nations Plaza

San Francisco Public Works provided their concurrence on each Section 4(f) resource without further comment on July 14, 2020. Correspondence with San Francisco Public Works is provided in Appendix E.

## **8.9 Conclusions**

The Least Harm Analysis weighs each alternative with respect to its ability to meet the seven criteria discussed above. Considering these criteria, the Build Alternative scores the highest total (see Table 10 below). The Core Elements Alternative scores the second highest, and the Complete Street and Transit Priority Improvements Alternative, Complete Street and Moderate Transit Priority Alternative, and the Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative score next highest. The Market Street Partial Build Alternative-2 scores the lowest.

Based on the above considerations, there is no feasible and prudent alternative to the use of land from the Market Street Cultural Landscape District. The Build Alternative includes all possible planning to minimize harm to Market Street Cultural Landscape District resulting from such use and causes the least overall harm in light of the statute's preservation purpose.



**Table 10. Least Harm Analysis**

Factor	Build Alternative	Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative	Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative	Market Street Partial Build Alternative-1	Market Street Partial Build Alternative-2	Core Elements Alternative
<p><i>i Ability to mitigate adverse impacts on each Section 4(f) property (including any measures that result in benefits to the property)</i></p> <p>5 = Best meets all elements of the criterion 4 = Meets most elements of the criterion 3 = Meets most elements of the criterion to some degree 2 = Meets some elements of the criterion to a lesser degree 1 = Does not meet the criterion</p>	<p>Scoring: Market Street Cultural Landscape District: 1 National Historic Landmarks: 4 Other Historic Districts: 4 Individual Historic Properties: 4 Recreation Resources: 4 Average: 17/5 = 3.4</p>	<p>Scoring: Market Street Cultural Landscape District: 1 National Historic Landmarks: 4 Other Historic Districts: 4 Individual Historic Properties: 4 Recreation Resources: 4 Average: 17/5 = 3.4</p>	<p>Scoring: Market Street Cultural Landscape District: 1 National Historic Landmarks: 4 Other Historic Districts: 4 Individual Historic Properties: 4 Recreation Resources: 4 Average: 17/5 = 3.4</p>	<p>Scoring: Market Street Cultural Landscape District: 1 National Historic Landmarks: 4 Other Historic Districts: 4 Individual Historic Properties: 4 Recreation Resources: 4 Average: 17/5 = 3.4</p>	<p>Scoring: Market Street Cultural Landscape District: 1 National Historic Landmarks: 4 Other Historic Districts: 4 Individual Historic Properties: 4 Recreation Resources: 4 Average: 17/5 = 3.4</p>	<p>Scoring: Market Street Cultural Landscape District: 1 National Historic Landmarks: 4 Other Historic Districts: 4 Individual Historic Properties: 4 Recreation Resources: 4 Average: 17/5 = 3.4</p>
Market Street Cultural Landscape District	The ability of the Build Alternative to mitigate adverse impacts is low. The Build Alternative would eliminate the Market Street Cultural Landscape District's NRHP eligibility under Criterion C by removing the bulk of the physical features that contribute to its significance under that criterion. Recordation is proposed to preserve a permanent record of the resources that would be destroyed.	The ability of the Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative to mitigate adverse impacts is low. The alternative would eliminate the Market Street Cultural Landscape District's NRHP eligibility under Criterion C by removing the bulk of the physical features contributing under that criterion. Recordation is proposed to preserve a permanent record of the resources that would be destroyed.	The ability of the Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative to mitigate adverse impacts is low. The alternative would eliminate the Market Street Cultural Landscape District's NRHP eligibility under Criterion C by removing the bulk of the physical features contributing under that criterion. Recordation is proposed to preserve a permanent record of the resources that would be destroyed.	The ability of the Market Street Partial Build Alternative-1 to mitigate adverse impacts is low. The alternative would eliminate the Market Street Cultural Landscape District's NRHP eligibility under Criterion C by removing the bulk of the physical features contributing under that criterion. Recordation is proposed to preserve a permanent record of the resources that would be destroyed.	The ability of the Market Street Partial Build Alternative-2 to mitigate adverse impacts is low. The alternative would eliminate the Market Street Cultural Landscape District's NRHP eligibility under Criterion C by removing the bulk of the physical features contributing under that criterion. Recordation is proposed to preserve a permanent record of the resources that would be destroyed.	The ability of the Core Elements Alternative to mitigate adverse impacts is low. The alternative would eliminate the Market Street Cultural Landscape District's NRHP eligibility under Criterion C by removing the bulk of the physical features contributing under that criterion. Recordation is proposed to preserve a permanent record of the resources that would be destroyed.
National Historic Landmarks	Impacts on the Civic Center National Historic Landmark District would be <i>de minimis</i> (see Table 4, p. A-38); therefore, there would be no other adverse effects under Section 4(f) to mitigate. There would be no use of the San Francisco Cable Car National Historic Landmark.	Same as Build Alternative.	No additional national historic landmarks are in the study area for this alternative beyond the Civic Center National Historic Landmark District and the San Francisco Cable Car National Historic Landmark. Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.

Factor	Build Alternative	Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative	Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative	Market Street Partial Build Alternative-1	Market Street Partial Build Alternative-2	Core Elements Alternative
Other Historic Districts	All impacts on other Section 4(f) historic districts would be <i>de minimis</i> (see Table 4, p. A-38); therefore, there would be no other adverse effects under Section 4(f) to mitigate.	Same as Build Alternative.	While additional historic districts are in the study area for this alternative, they would not be altered. Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.
Individual Historic Properties	All impacts on Section 4(f) individual historic properties would be <i>de minimis</i> (see Table 4, p. A-38); therefore, there would be no other adverse effects under Section 4(f) to mitigate.	Same as Build Alternative.	While additional individual historic properties are in the study area for this alternative, they would not be altered. Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.
Recreation Resources	All other impacts on Section 4(f) properties would be <i>de minimis</i> (see Table 4, p. A-38); therefore, there would be no other adverse effects under Section 4(f) to mitigate.	Same as Build Alternative.	While additional recreation resources are in the study area for this alternative, they would not be altered. Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.
ii <i>Relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or features that qualify each Section 4(f) property for protection</i> 5 = Least severity of remaining harm 4 = Some severity of remaining harm 3 = Moderate severity of remaining harm 2 = Substantial remaining harm 1 = Most severity of remaining harm	Scoring: Market Street Cultural Landscape District: 1 National Historic Landmarks: 4 Other Historic Districts: 4 Individual Historic Properties: 4 Recreational Resources: 4 Average: 17/5 = 3.4	Scoring: Market Street Cultural Landscape District: 1 National Historic Landmarks: 4 Other Historic Districts: 4 Individual Historic Properties: 4 Recreational Resources: 4 Average: 17/5 = 3.4	Scoring: Market Street Cultural Landscape District: 1 National Historic Landmarks: 4 Other Historic Districts: 4 Individual Historic Properties: 4 Recreational Resources: 4 Average: 17/5 = 3.4	Scoring: Market Street Cultural Landscape District: 1 National Historic Landmarks: 4 Other Historic Districts: 4 Individual Historic Properties: 4 Recreational Resources: 4 Average: 17/5 = 3.4	Scoring: Market Street Cultural Landscape District: 1 National Historic Landmarks: 4 Other Historic Districts: 4 Individual Historic Properties: 4 Recreational Resources: 4 Average: 17/5 = 3.4	Scoring: Market Street Cultural Landscape District: 1 National Historic Landmarks: 4 Other Historic Districts: 4 Individual Historic Properties: 4 Recreational Resources: 4 Average: 17/5 = 3.4

Factor	Build Alternative	Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative	Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative	Market Street Partial Build Alternative-1	Market Street Partial Build Alternative-2	Core Elements Alternative
Market Street Cultural Landscape District	Moderate overall. The harm to the features that qualify the Market Street Cultural Landscape District under Criterion C would be severe, but the facility would still qualify for Section 4(f) protection under Criterion A, as the majority of features that contribute to its significance under this criterion would remain unaffected. Accordingly, the district would continue to be eligible for listing on the NRHP. Section 4(f) protection for the district would remain in place.	Same as the Build Alternative: Moderate overall severity.	Same as the Build Alternative: Moderate overall severity.	Same as the Build Alternative: Moderate overall severity.	Same as the Build Alternative: Moderate overall severity.	Same as the Build Alternative: Moderate overall severity.
National Historic Landmarks	Any Section 4(f) impacts would be <i>de minimis</i> , resulting in no remaining harm (see Table 4).	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.
Other Historic Districts	Any Section 4(f) impacts would be <i>de minimis</i> , resulting in no remaining harm (see Table 4).	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.
Individual Historic Properties	Any Section 4(f) impacts would be <i>de minimis</i> , resulting in no remaining harm (see Table 4).	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.
Recreation Resources	Any Section 4(f) impacts would be <i>de minimis</i> , resulting in no remaining harm (see Table 4).	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.
<i>iii Relative significance of each Section 4(f) property</i> Historic: APE contains properties with national level significance = 3 APE contains properties with state level significance = 2 APE contains properties with local level significance = 1 Recreation: 3	Scoring: Market Street Cultural Landscape District: 3 +1 = 4 National Historic Landmarks: 3 Other Historic Districts: 3 +2 +1 = 6 Individual Historic Properties: 3 + 2 + 1 = 6 Recreational Resources: 3 Average: 22/5 = 4.4	Scoring: Market Street Cultural Landscape District: 3 +1 = 4 National Historic Landmarks: 3 Other Historic Districts: 3 +2 +1 = 6 Individual Historic Properties: 3 + 2 + 1 = 6 Recreational Resources: 3 Average: 22/5 = 4.4	Scoring: Market Street Cultural Landscape District: 3 +1 = 4 National Historic Landmarks: 3 Other Historic Districts: 3 +2 +1 = 6 Individual Historic Properties: 3 + 2 + 1 = 6 Recreational Resources: 3 Average: 22/5 = 4.4	Scoring: Market Street Cultural Landscape District: 3 +1 = 4 National Historic Landmarks: 3 Other Historic Districts: 3 +2 +1 = 6 Individual Historic Properties: 3 + 2 + 1 = 6 Recreational Resources: 3 Average: 22/5 = 4.4	Scoring: Market Street Cultural Landscape District: 3 +1 = 4 National Historic Landmarks: 3 Other Historic Districts: 3 +2 +1 = 6 Individual Historic Properties: 3 + 2 + 1 = 6 Recreational Resources: 3 Average: 22/5 = 4.4	Scoring: Market Street Cultural Landscape District: 3 +1 = 4 National Historic Landmarks: 3 Other Historic Districts: 3 +2 +1 = 6 Individual Historic Properties: 3 + 2 + 1 = 6 Recreational Resources: 3 Average: 22/5 = 4.4
Market Street Cultural Landscape District	The Market Street Cultural Landscape District is nationally significant for two of its three areas of significance (Criteria A and C) and locally significant for its third area of significance (Criterion A).	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.



Factor	Build Alternative	Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative	Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative	Market Street Partial Build Alternative-1	Market Street Partial Build Alternative-2	Core Elements Alternative
National Historic Landmarks	National Historic Landmarks in the APE are the Civic Center National Historic Landmark District and the San Francisco Cable Cars National Historic Landmark. Both are significant at the national level.	Same as Build Alternative	No additional National Historic Landmarks would be located in the study area for this alternative than under the project. Same as Build Alternative	Same as Build Alternative	Same as Build Alternative	Same as Build Alternative
Other Historic Districts	Additional nationally significant Section 4(f) properties in the APE of the Build Alternative include the Civic Center Landmark District and LGBTQ Tenderloin Historic District. The BART District is significant at the state level. Six remaining historic districts are significant at the local level.	Same as Build Alternative.	In addition to historic districts identified for the Build Alternative, this alternative also includes three historic districts that are significant at the local level.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.
Individual Historic Properties	Individual historic properties include a total of 135 resources that are significant at the national, state, and/or local levels. The resources that are significant at the national level are the United Nations Plaza and the San Francisco Cable Cars National Historic Landmark.	Same as Build Alternative.	In addition to the individual historic resources identified for the Build Alternative, this alternative would include further properties along the Mission Street corridor that are significant at the national, state, and/or local levels.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.
Recreation Resources	Recreation resources include a total of 28 properties that include mini-parks, a regional bicycle path, special-purpose parks, and larger plazas. All contribute to the defining character of San Francisco as a city of parks and green spaces.	Same as Build Alternative.	In addition to the recreation resources identified for the Build Alternative, this alternative would also include additional recreation resources.	Same as Build Alternative.	Same as Build Alternative.	Same as Build Alternative.
<i>iv Views of the official(s) with jurisdiction over each Section 4(f) property</i>	Scoring: n/a Views of OWJ: concurrence with all Section 4(f) findings	Scoring: n/a Views of OWJ: not discussed	Scoring: n/a Views of OWJ: not discussed	Scoring: n/a Views of OWJ: not discussed	Scoring: n/a Views of OWJ: not discussed	Scoring: n/a Views of OWJ: not discussed
	The San Francisco Recreation and Parks Department, Public Works Department, and National Park Service concurred with all findings of this Section 4(f) analysis.	The officials with jurisdiction did not provide input on this alternative.	The officials with jurisdiction did not provide input on this alternative.	The officials with jurisdiction did not provide input on this alternative.	The officials with jurisdiction did not provide input on this alternative.	The officials with jurisdiction did not provide input on this alternative.

Factor	Build Alternative	Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative	Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative	Market Street Partial Build Alternative-1	Market Street Partial Build Alternative-2	Core Elements Alternative
<p><i>v Degree to which each alternative meets the purpose and need for the project</i></p> <p>Principal purpose: Maximum of 3 points</p> <p>Ancillary purposes: Maximum of 2 points</p>	<p>Scoring:</p> <p>Principal purpose: Make Market Street safer and more efficient: 3</p> <p>Ancillary purposes: Replace infrastructure reaching the end of its operational design life and improve the accessibility of the corridor and quality of its streetscape environment: 2</p> <p>Total: 5</p>	<p>Scoring:</p> <p>Principal purpose: Make Market Street safer and more efficient: 1</p> <p>Ancillary purposes: Replace infrastructure reaching the end of its operational design life and improve the accessibility of the corridor and quality of its streetscape environment: 2</p> <p>Total: 3</p>	<p>Scoring:</p> <p>Principal purpose: Make Market Street safer and more efficient: 1</p> <p>Ancillary purposes: Replace infrastructure reaching the end of its operational design life and improve the accessibility of the corridor and quality of its streetscape environment: 2</p> <p>Total: 3</p>	<p>Scoring:</p> <p>Principal purpose: Make Market Street safer and more efficient: 3</p> <p>Ancillary purposes: Replace infrastructure reaching the end of its operational design life and improve the accessibility of the corridor and quality of its streetscape environment: 1</p> <p>Total: 4</p>	<p>Scoring:</p> <p>Principal purpose: Make Market Street safer and more efficient: 1</p> <p>Ancillary purposes: Replace infrastructure reaching the end of its operational design life and improve the accessibility of the corridor and quality of its streetscape environment: 1</p> <p>Total: 2</p>	<p>Scoring:</p> <p>Principal purpose: Make Market Street safer and more efficient: 3</p> <p>Ancillary purposes: Replace infrastructure reaching the end of its operational design life and improve the accessibility of the corridor and quality of its streetscape environment: 1</p> <p>Total: 4</p>
<p>Principal purpose: make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians</p>	<p>The Build Alternative fully meets the primary project purpose and need because it will: make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians through changes to the roadway configuration and pedestrian facilities, and the addition of new dedicated bicycle facilities.</p>	<p>The Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative partially meets the primary project purpose and need because they would: partially reduce conflicts between transit, paratransit, taxis, commercial vehicles, bicyclists, and pedestrians through changes to the roadway configuration and pedestrian facilities, and the addition of new bicycle facilities. However, these alternatives fail to meet the project purpose and need fully because they would result in the construction of bicycle facilities that would pose safety conflicts with transit, paratransit, taxis, and commercial vehicles either as a result of continued use of shared lanes or through conflicts between bicycle lanes and loading zones.</p>	<p>The Complete Street and Transit Priority Improvements Alternative and Complete Street on Market plus Bicycle Facility Improvements on Mission Alternative partially meets the primary project purpose and need because it would: partially reduce conflicts between transit, paratransit, taxis, commercial vehicles, bicyclists, and pedestrians through changes to the roadway configuration and pedestrian facilities, and the addition of new bicycle facilities. However, this alternative fails to meet the project purpose and need fully because it would result in the construction of bicycle facilities that would pose safety conflicts with transit, paratransit, taxis, and commercial vehicles either as a result of continued use of shared lanes or through conflicts between bicycle lanes and loading zones; and it would cause a substantial delay to several Muni routes thereby negating the project purpose to increase the efficiency of different transportation modes.</p>	<p>The Market Street Partial Build Alternative-1 fully meets the primary project purpose and need because it would: make Market Street safer for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians through changes to the roadway configuration and pedestrian facilities, and the addition of new bicycle facilities.</p>	<p>The Market Street Partial Build Alternative2 partially meets the primary project purpose and need because it would: partially reduce conflicts between transit, taxis, commercial vehicles, cyclists, and pedestrians through changes to the roadway configuration and pedestrian facilities and the addition of new bicycle facilities on select blocks. However, this alternative fails to meet the project purpose and need fully because it would not construct a bicycle facility on all blocks in the corridor and thus would not avoid existing conflicts with transit, paratransit, taxis, and commercial vehicles.</p>	<p>The Core Elements Alternative meets the primary project purpose and need because it would: reduce conflicts between transit, taxis, commercial vehicles, cyclists, and pedestrians through changes to the roadway configuration and pedestrian facilities, and the addition of new bicycle facilities.</p>

Factor	Build Alternative	Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative	Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative	Market Street Partial Build Alternative-1	Market Street Partial Build Alternative-2	Core Elements Alternative
Ancillary purposes: replace infrastructure in the corridor that is reaching the end of its operational design life and improve the accessibility of the corridor and quality of its streetscape environment	<p>This alternative fully meets ancillary project purposes. It would replace infrastructure reaching the end of its operational design life.</p> <p>Further, this alternative would improve the accessibility of the corridor through replacement of existing pavement materials that do not meet ADA standards and upgrades to boarding islands.</p> <p>In addition, this alternative would improve the quality of the Market Street streetscape environment through the use of new pavement materials, new street trees, and other streetscape furnishings.</p>	<p>These alternatives fully meet the ancillary project purposes. They would replace infrastructure reaching the end of its operational design life.</p> <p>Further, these alternatives would improve the accessibility of the corridor through replacement of existing pavement materials that do not meet ADA standards and upgrades to boarding islands.</p> <p>In addition, these alternatives would improve the quality of the Market Street streetscape environment through the use of new pavement materials, new street trees, and other streetscape furnishings.</p>	<p>This alternative fully meets the ancillary project purposes. It would replace infrastructure reaching the end of its operational design life.</p> <p>Further, this alternative would improve the accessibility of the corridor through replacement of existing pavement materials that do not meet ADA standards and upgrades to boarding islands.</p> <p>In addition, this alternative would improve the quality of the Market Street streetscape environment through the use of new pavement materials, new street trees, and other streetscape furnishings.</p>	<p>This alternative partially meets the ancillary project purposes. It would replace infrastructure reaching the end of its operational design life.</p> <p>However, this alternative would only partially improve the accessibility of the corridor through upgrades of existing boarding islands to meet ADA standards. This alternative would not fully meet the ancillary project purpose of improving the accessibility of the corridor because it would replace existing sidewalk with materials that seek to replicate the color and pattern of the existing sidewalk materials, which would make it difficult for people with vision disabilities to identify and navigate the various sidewalk zones.</p> <p>In addition, this alternative would only partially improve the quality of the Market Street streetscape environment because this alternative does not reflect the desirable design and placemaking characteristics of the Build Alternative, specifically the choice of pavers and street tree species.</p>	<p>This alternative partially meets ancillary project purposes. It would replace infrastructure reaching the end of its operational design life on some block.</p> <p>However, it would not replace infrastructure the full length of the corridor.</p> <p>In addition, this alternative would improve the accessibility of the corridor through replacement of existing pavement materials that do not meet ADA standards and upgrades to boarding islands on some blocks. However, it would not replace existing pavement materials and upgrade boarding islands the full length of the corridor to meet ADA standards.</p> <p>In addition, this alternative would improve the quality of the Market Street streetscape environment through the use of new pavement materials, new street trees, and other streetscape furnishings on some blocks.</p>	<p>This alternative partially meets the ancillary project purposes. It fails to replace infrastructure reaching the end of its operational design life.</p> <p>However, this alternative would improve the accessibility of the corridor through replacement of existing pavement materials that do not meet ADA standards and upgrades to boarding islands.</p> <p>In addition, this alternative would improve the quality of the Market Street streetscape environment by planting new street trees, and installing streetscape furnishings.</p>
<p><i>vi After reasonable mitigation, the magnitude of any adverse impacts on resources not protected by Section 4(f)</i></p> <p>5 = Best meets all elements of the criterion                      4 = Meets most elements of the criterion                      3 = Meets most elements of the criterion to some degree                      2 = Meets some elements of the criterion to a lesser degree                      1 = Does not meet the criterion</p>	<p>Scoring: Impacts on non-protected resources: 4</p>	<p>Scoring: Impacts on non-protected resources: 4</p>	<p>Scoring: Impacts on non-protected resources: 4</p>	<p>Scoring: Impacts on non-protected resources: 4</p>	<p>Scoring: Impacts on non-protected resources: 4</p>	<p>Scoring: Impacts on non-protected resources: 4</p>



Factor	Build Alternative	Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative	Complete Street and Transit Priority Improvements on Market plus Bicycle Facility Improvements on Mission Alternative	Market Street Partial Build Alternative-1	Market Street Partial Build Alternative-2	Core Elements Alternative
Impacts on non-protected resources	The Build Alternative would result in construction-period impacts related to parks and recreational facilities, community impacts, traffic and transportation, visual quality/aesthetics, cultural resources, water quality and storm runoff, air quality, noise and vibration. Operation of the Build Alternative would result in beneficial effects on parks and recreational facilities, community character and cohesion, traffic and transportation, visual quality/aesthetics, and air quality.	The magnitude of the impacts of the Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative would roughly be the same as the Build Alternative. This alternative would involve the sequential closure and reconstruction of major arterial streets and similar impacts of construction over similar lengths of Market Street.	The magnitude of the impacts of the Complete Street and Transit Priority Improvements Alternative and Complete Street and Moderate Transit Priority Improvements Alternative would roughly be the same as the Build Alternative. This alternative would involve the sequential closure and reconstruction of major arterial streets and similar impacts of construction over similar lengths of Market Street. In addition, major construction activities and roadway closures would be required on Mission Street.	The magnitude of the impacts of the Market Street Partial Build Alternative-1 would roughly be the same as the Build Alternative. This alternative would involve the sequential closure and reconstruction of major arterial streets and similar impacts of construction over similar lengths of Market Street.	The magnitude of the impacts of the Market Street Partial Build Alternative-2 would roughly be the same as the Build Alternative. This alternative would involve the sequential closure and reconstruction of major arterial streets and similar impacts of construction over similar lengths of Market Street.	The magnitude of the impacts of the Core Elements Alternative would be slightly less than the Build Alternative due to fewer infrastructure and utility upgrades. This alternative would involve the sequential closure and reconstruction of major arterial streets and similar impacts of construction over similar lengths of Market Street.
<i>vii Substantial differences in costs among the project alternatives</i> Cost: Least cost = 3 Moderate cost = 2 Greatest cost = 1 Competitiveness for Funding source: Greatest competitiveness = 2 Least competitiveness = 1	Scoring: Cost: 1 Funding Availability: 2 Average: 3/2 = 1.5	Scoring: Cost:2 Funding Availability: 2 Average: 4/2 = 2	Scoring: Cost: 2 Funding Availability: 2 Average: 4/2 = 2	Scoring: Cost: 1 Funding Availability: 1 Average: 2/2 = 1	Scoring: Cost: 3 Funding Availability: 1 Average: 4/2 = 2	Scoring: Cost: 3 Funding Availability: 1 Average: 4/2 = 2
Cost by alternative	\$603.7 million	\$535 million	\$560 million	\$603.7 million	\$160 million	\$160 million
Funding availability	Complete Street Multi-Modal Transit Safety State of Good Repair	Complete Street Multi-Modal Transit Safety State of Good Repair	Complete Street Multi-Modal Transit Safety State of Good Repair	Multi-Modal Transit Safety State of Good Repair	Multi-Modal Transit Safety	Complete Street Multi-Modal Transit Safety
<b>Total Scores</b>	<b>21.7</b>	<b>20.2</b>	<b>20.2</b>	<b>20.2</b>	<b>19.2</b>	<b>21.2</b>

Notes: This point system is based on the point system used for the Section 4(f) least harm analysis for the Fulton Mall Reconstruction Project in Fresno (California Department of Transportation 2014).

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Appendix B

**Section 4(f) De Minimis Determinations and Resources  
Evaluated Relative to the Requirements of Section 4(f):  
No-Use Determinations**

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## Section 4(f) *De Minimis* and No Use Determinations

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Appendix B discusses cultural and recreational resources where project implementation will result in *de minimis* impacts (Section 1) or no use (Section 2) under Section 4(f). In both sections, cultural resources are discussed first and parks and recreational facilities discussions follow.

### 1 Section 4(f) *De Minimis* Determinations

This section discusses *de minimis* impact determinations under Section 4(f). Section 6009(a) of SAFETEA-LU amended Section 4(f) legislation at 23 United States Code (USC) 138 and 49 USC 303 to simplify the processing and approval of projects that have only *de minimis* impacts on lands protected by Section 4(f). This amendment provides that once the U.S. Department of Transportation determines that a transportation use of Section 4(f) property, after consideration of any impact avoidance, minimization, and mitigation or enhancement measures, results in a *de minimis* impact on that property, an analysis of avoidance alternatives is not required and the Section 4(f) evaluation process is complete. FHWA's final rule on Section 4(f) *de minimis* findings is codified in 23 Code of Federal Regulations (CFR) 774.3 and CFR 774.17.

Responsibility for compliance with Section 4(f) has been assigned to the California Department of Transportation (Caltrans) pursuant to 23 USC 326 and 327, including *de minimis* impact determinations, as well as coordination with those agencies that have jurisdiction over a Section 4(f) resource that may be affected by a project action.

#### 1.1 Historic Properties

The study area for historic properties is referred to as the Area of Potential Effects (APE). The APE was established to include all potential direct and indirect effects on cultural resources that may result from the project. An APE was delineated for the built environment and one was delineated for archaeological resources. Historic properties in the APE, including archaeological resources, where no use will occur are discussed in Section 2.1.

One hundred and forty-six NRHP-listed, NRHP-eligible, or assumed eligible built historic properties are located within the built environment APE. Seven built properties located in the built environment APE are already listed in the NRHP, and eight built properties within the built environment APE were evaluated in the current study as appearing to meet the NRHP eligibility criteria. Pursuant to Section 106 PA Stipulation VIII.C.4, Caltrans assumed 131 additional built



properties as eligible for listing in the NRHP for the purposes of this project. Eleven of these NRHP-listed, NRHP-eligible, and assumed eligible built properties are historic districts, and 135 are individual resources (ICF 2020a).<sup>1</sup>

FHWA guidance for determining use under Section 4(f) differs subtly for historic districts that are NRHP-listed and NRHP-eligible with concurrence from the State Historic Preservation Officer (SHPO), and historic districts that are assumed eligible for NRHP listing for the purposes of a single project and have not received SHPO concurrence. In all cases, Section 4(f) takes into consideration changes to contributing elements of a historic district. If the historic district is NRHP-listed or -eligible with SHPO concurrence, its contributing elements generally have been identified as part of the NRHP listing process or SHPO review of the NRHP eligibility determination. Because the process for assuming an historic district as eligible for NRHP listing under the Section 106 PA does not necessarily involve the identification of the district's contributing elements, however, then elements within the boundaries are assumed to be contributing elements of the district "unless they are determined by FHWA in consultation with the SHPO/THPO not to contribute" (FHWA 2012).

All 146 NRHP-listed, NRHP-eligible, or assumed eligible built historic properties within the built environment APE qualify for protection under Section 4(f). The Market Street Cultural Landscape District, an NRHP-eligible landscape district, is evaluated under Section 4(f) in Appendix A because the project would have an adverse effect on the district under Section 106 and accordingly a use under Section 4(f). The use of this resource requires an individual Section 4(f) evaluation and which is provided in Appendix A. This Appendix B addresses the remaining 145 NRHP-listed, -eligible, or assumed eligible built properties within the built environment APE. Of these, 10 are proposed to have a *de minimis* use under the proposed project, because the project would result in changes to contributing elements of these historic resources. These include 3 individual properties and 7 historic districts. The remaining 135 built properties, inclusive of 132 individual properties and 3 historic districts, do not contain contributing elements that would be changed as a result of the project and are analyzed only for their potential to experience a constructive use.

Table 1 lists the 10 properties in the built-environment APE that are protected by Section 4(f) and that are proposed to have a *de minimis* impact. The subsections following Table 1 provide a description of the proposed changes to the properties and their existing setting, along with an explanation for why a finding of *de minimis* is appropriate for each property. The locations of all the built properties that qualify for protection under Section 4(f) are shown in Figure 1 (overview and sheets 1-8).

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<sup>1</sup> The Civic Center Landmark District, a locally designated historic district in San Francisco, is larger than and fully encompasses the NRHP-listed Civic Center National Historic Landmark (NHL) District. For the purpose of Section 106 compliance, Caltrans has assumed the larger Civic Center Landmark District as eligible for listing in the NRHP, and impacts to both districts are analyzed together in the Finding of Adverse Effect document. Because Section 4(f) has separate procedural requirements for NHLs, this Section 4(f) analysis considers impacts to the Civic Center NHL District separately from impacts to the Civic Center Landmark District. Therefore, this Section 4(f) analysis discusses one additional historic property than does the Section 106 Finding of Adverse Effect document.

**Table 1. Historic Properties with Proposed *De Minimis* Impact Determinations**

<b>APE Map ID</b>	<b>Name of Historic Property and Location</b>	<b>Period of Significance and Evaluation Criteria</b>
<b>NRHP-Eligible and Assumed NRHP-Eligible Historic Districts</b>		
MR-29	San Francisco Auxiliary Water Supply System (AWSS), roadways throughout the city and county of San Francisco	<b>Period of Significance:</b> 1908 to 1913 <b>Evaluation Criteria:</b> A and C
MR-36	BART District, San Francisco, the East Bay, and portions of the San Francisco Peninsula	<b>Period of Significance:</b> 1972 <b>Evaluation Criteria:</b> A and C
MR-11a	Civic Center National Historic Landmark (NHL) District, bounded by McAllister Street to the north, Franklin Street to the west, Grove and Hayes streets to the south, and Leavenworth Street to the east, SF, CA	<b>Period of Significance:</b> 1913 to 1975 <b>Evaluation Criteria:</b> A and C
MR-11b	Civic Center Landmark District, bounded by Golden Gate Avenue to the north, Franklin Street to the west, Market Street to the south, and Jones Street to the east, SF, CA	<b>Period of Significance:</b> 1896 to 1975 <b>Evaluation Criteria:</b> A and C
MR-26	Kearny-Market-Mason-Sutter Conservation District, bounded by Bush Street to the north, Kearny Street to the east, Market Street to the south, and Taylor Street to the west, SF, CA	<b>Period of Significance:</b> 1906 to 1930 <b>Evaluation Criterion:</b> C
MR-17	LGBTQ Tenderloin Historic District, bounded by Geary Street to the north, Taylor Street to the east, Market Street to the south, and Larkin Street to the west, SF, CA	<b>Period of Significance:</b> 1933 to 1990 <b>Evaluation Criterion:</b> A
MR-44	New Montgomery Mission-2 <sup>nd</sup> Street Conservation District, bounded by Market Street to the north, Second Street to the east, Howard Street to the south, and Third Street to the west, SF, CA	<b>Period of Significance:</b> 1906 to 1933 <b>Evaluation Criterion:</b> C
<b>NRHP-Eligible and Assumed NRHP-Eligible Individual Historic Properties</b>		
MR-45	Crown Zellerbach Complex, One Bush Street, SF, CA	<b>Period of Significance:</b> 1959 <b>Evaluation Criterion:</b> C
MR-16	United Nations Plaza, San Francisco City Center, in the block bounded by Market, Hyde, McAllister, and Seventh streets, SF, CA	<b>Period of Significance:</b> 1977 to 1978 and 1985 to 1995 <b>Evaluation Criteria:</b> A and C
MR-9	Fillmore West, 10–12 South Van Ness Avenue, SF, CA	<b>Period of Significance:</b> 1968 to 1971 <b>Evaluation Criteria:</b> A and B

**Notes:**

A = Association with “events that have made a significant contribution to the broad patterns of our history.”

B = Association with “the lives of persons significant in our past.”

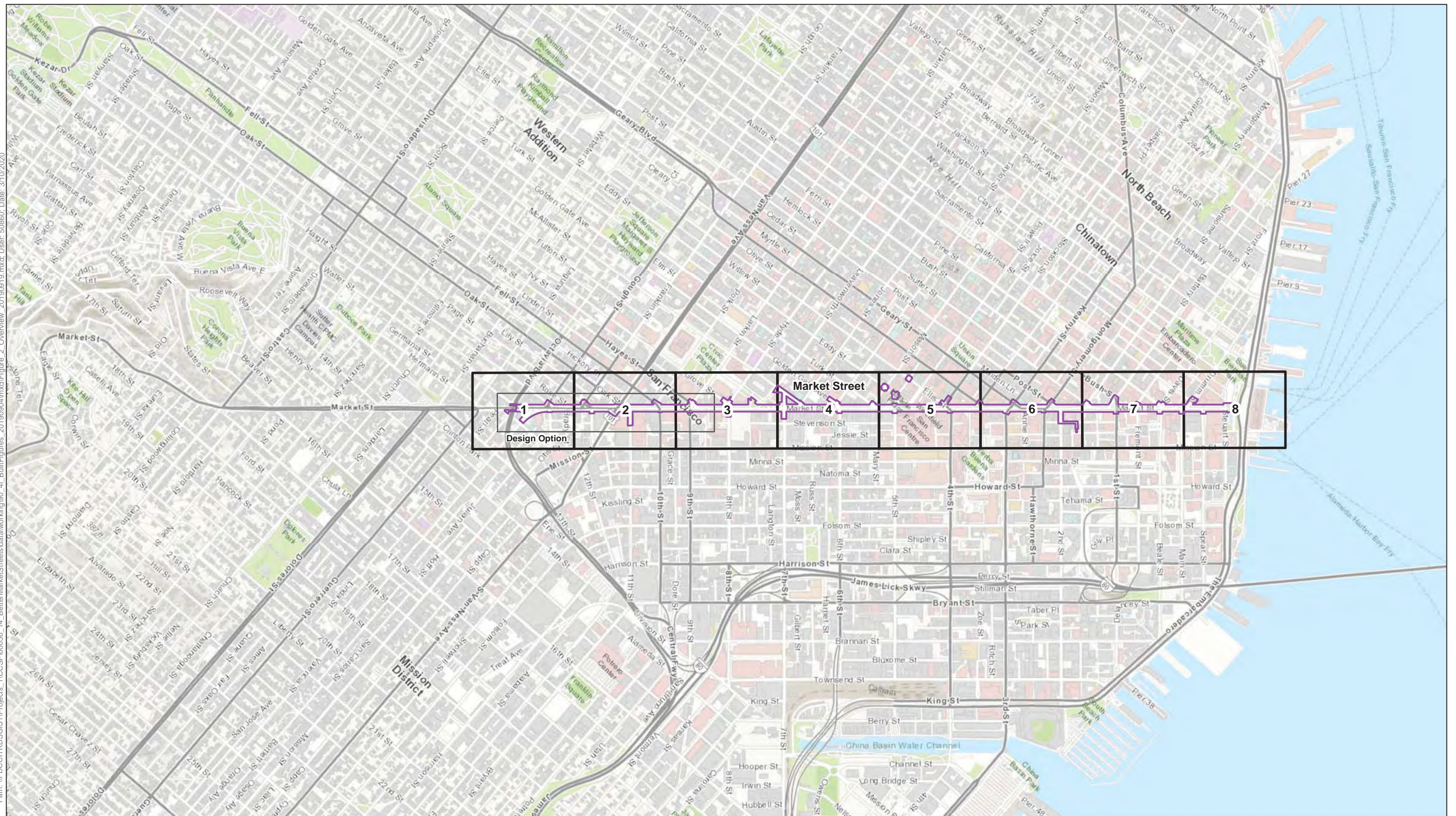
C = Resources “that embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; possess high artistic values; or represent a significant and distinguishable entity whose components may lack individual distinction.”

D = Resources “that have yielded, or may be likely to yield, information important to history or prehistory.”

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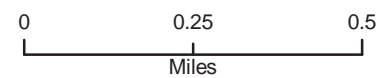
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### Better Market Street Project

Source: World Topographic Map, ESRI et al. 2019  
San Francisco Public Works, January 2018.

Federal Project Number: STPL-5934(180)



-  Project Corridor
-  Map Book Sheet

**Figure 1 Overview**  
**Section 4(f) Historic Properties**

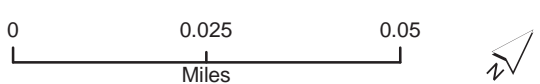


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**Better Market Street Project**  
 Source: Bing Maps Aerial, Microsoft Corporation 2010; Streets, City and County of San Francisco 2014; World Topographic Map, ESRI et al. 2019.  
 San Francisco Public Works, January 2018; Approved Limits of Work, June 2019

Federal Project Number: STPL-5934(180)



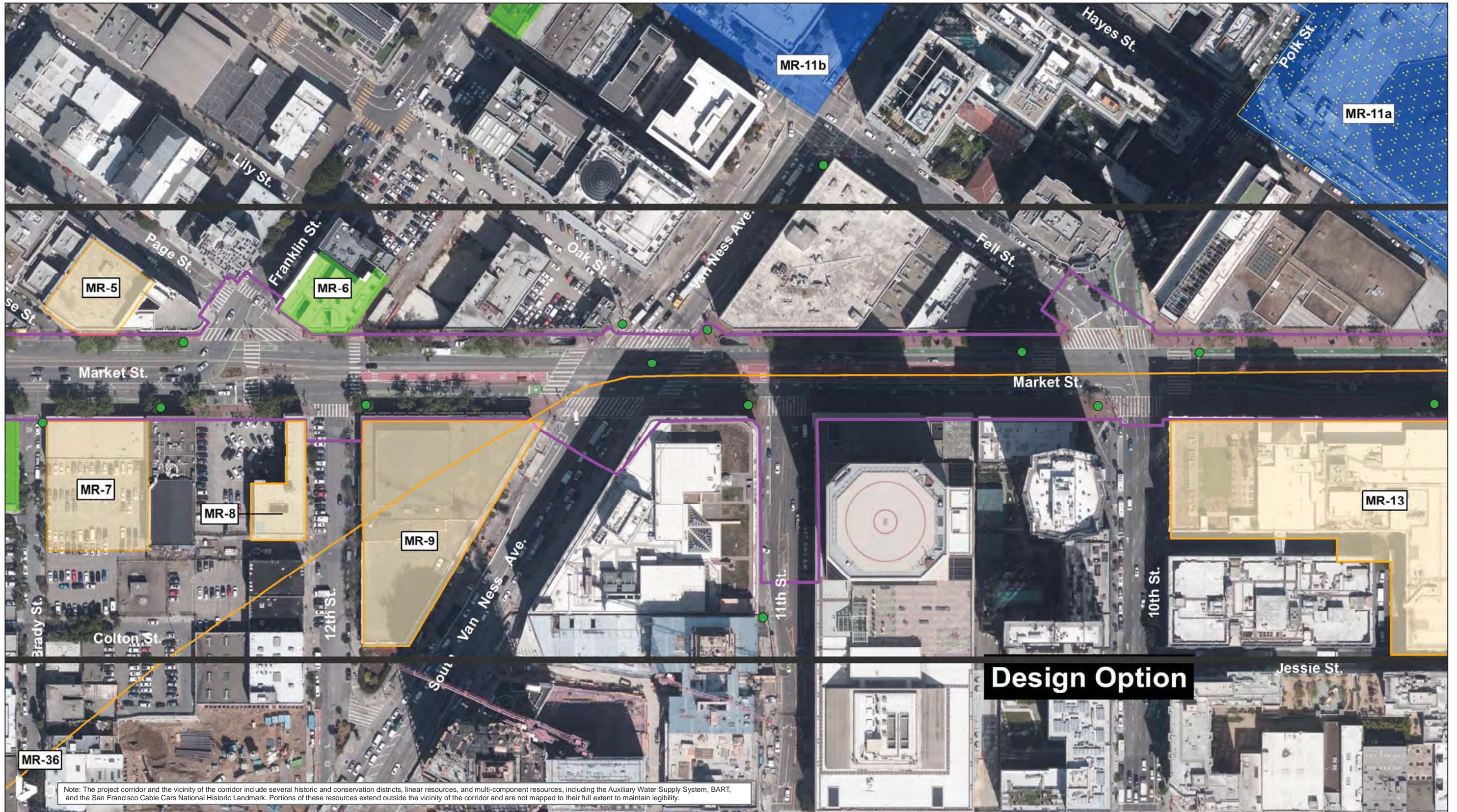
- Project Corridor
- Auxiliary Water Supply System (MR-29)
- BART District (MR-36)
- Hotel Andree (MR-4)
- Wilson Brothers Company Building (MR-5)
- Lesser Brothers Building (MR-7)
- Civic Center Hotel (MR-8)
- Market Street Masonry Landmark District (MR-6)

**Section 4(f) Historic Properties**  
 (Sheet 1 of 8)





Path: \\PDC\ITRDSGIS\Projects\_1\CCSF\00056\_14\_BetterMarketStreets\data\working\90\_4f\_BuiltFigures\_2019\90904\mxd\Figure\_1b\_HistResources\_MapIDs\_202004120.mxd; User: 50860; Date: 7/23/2020

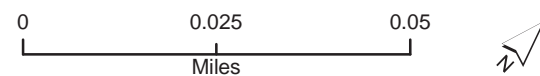


### Better Market Street Project

Source: Bing Maps Aerial, Microsoft Corporation 2010; Streets, City and County of San Francisco 2014; World Topographic Map, ESRI et al. 2019.  
San Francisco Public Works, January 2018; Approved Limits of Work, June 2019

### Section 4(f) Historic Properties (Sheet 2 of 8)

Federal Project Number: STPL-5934(180)

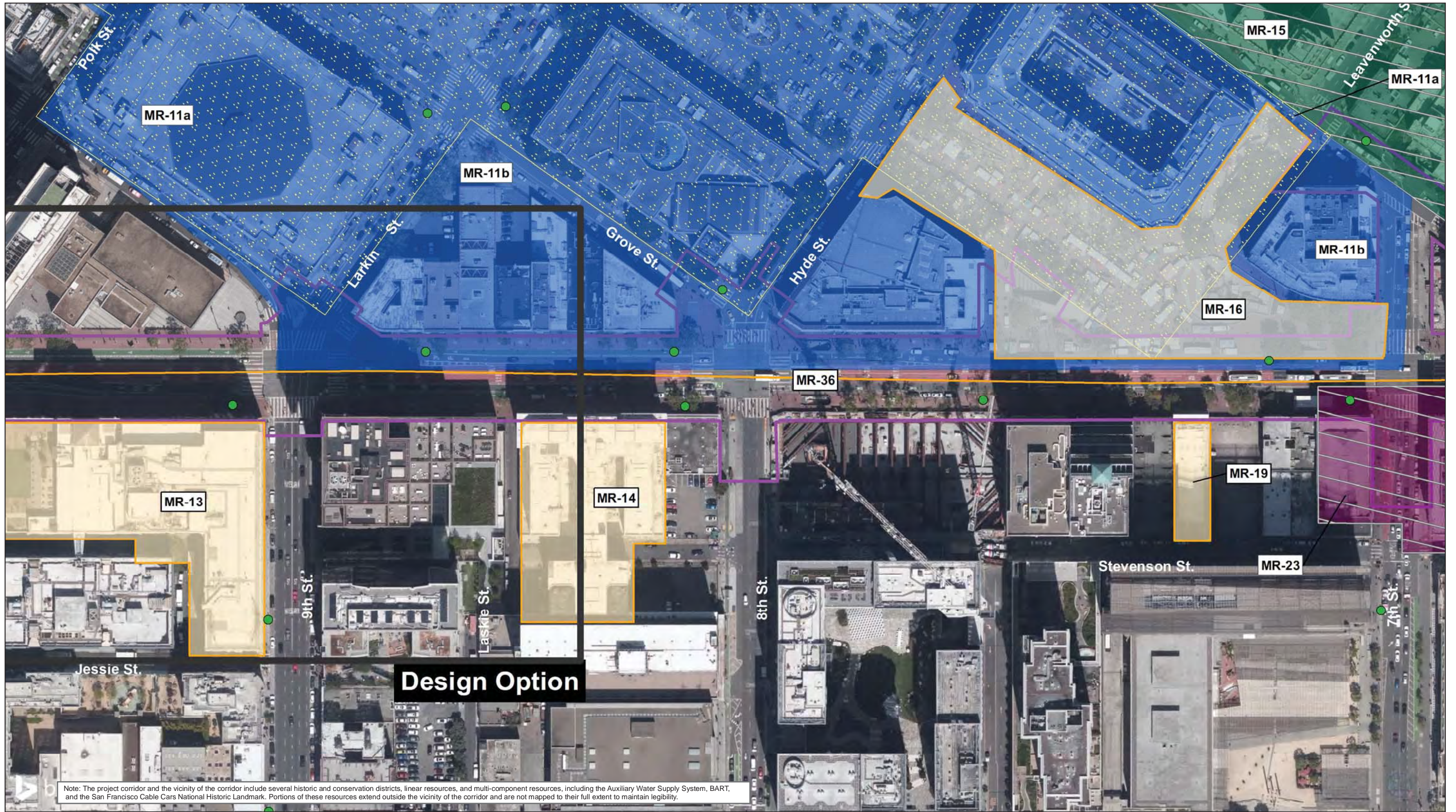


- Auxiliary Water Supply System (MR-29)
- BART District (MR-36)
- Fillmore West (MR-9)
- Wilson Brothers Company Building (MR-5)
- Lesser Brothers Building (MR-7)
- Civic Center Hotel (MR-8)
- Western Furniture and Merchandise Mart (MR-13)
- Market Street Masonry Landmark District (MR-6)
- Civic Center National Historic Landmark District (MR-11a)
- Civic Center Landmark District (MR-11b)
- Project Corridor





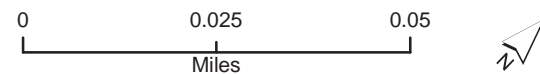
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**Better Market Street Project**

Source: Bing Maps Aerial, Microsoft Corporation 2010; Streets, City and County of San Francisco 2014; World Topographic Map, ESRI et al. 2019. San Francisco Public Works, January 2018; Approved Limits of Work, June 2019

Federal Project Number: STPL-5934(180)



- Auxiliary Water Supply System (MR-29)
- BART District (MR-36)
- Francesca Theater (MR-19)

- United Nations Plaza (historic property with recreational uses) (MR-16)
- Western Furniture and Merchandise Mart (MR-13)
- Whitcomb Hotel (MR-14)

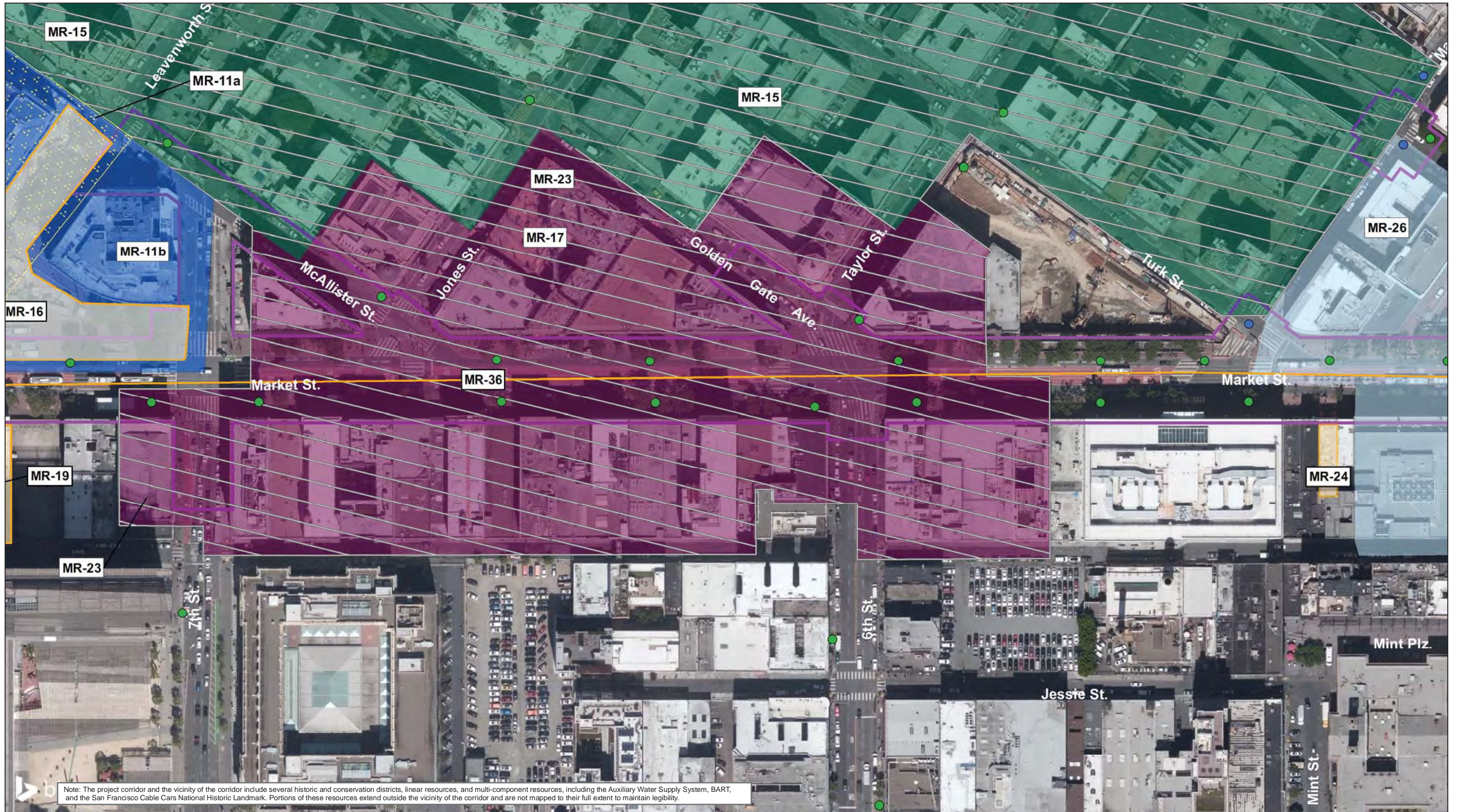
- Civic Center National Historic Landmark District (MR-11a)
- Civic Center Landmark District (MR-11b)
- LGBTQ Tenderloin Historic District (MR-17)
- Uptown Tenderloin National Register Historic District (MR-15)
- Market Street Theatre and Loft National Register District (MR-23)
- Project Corridor

**Section 4(f) Historic Properties (Sheet 3 of 8)**





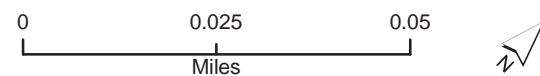
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### Better Market Street Project

Source: Bing Maps Aerial, Microsoft Corporation 2010; Streets, City and County of San Francisco 2014; World Topographic Map, ESRI et al. 2019. San Francisco Public Works, January 2018; Approved Limits of Work, June 2019

Federal Project Number: STPL-5934(180)



- Golden Triangle Light Standards (MR-28)
- Auxiliary Water Supply System (MR-29)
- BART District (MR-36)
- 925 Market Street (MR-24)

- Francesca Theater (MR-19)
- United Nations Plaza (historic property with recreational uses) (MR-16)

- Civic Center National Historic Landmark District (MR-11a)
- Civic Center Landmark District (MR-11b)
- LGBTQ Tenderloin Historic District (MR-17)
- Uptown Tenderloin National Register Historic District (MR-15)
- Market Street Theatre and Loft National Register District (MR-23)

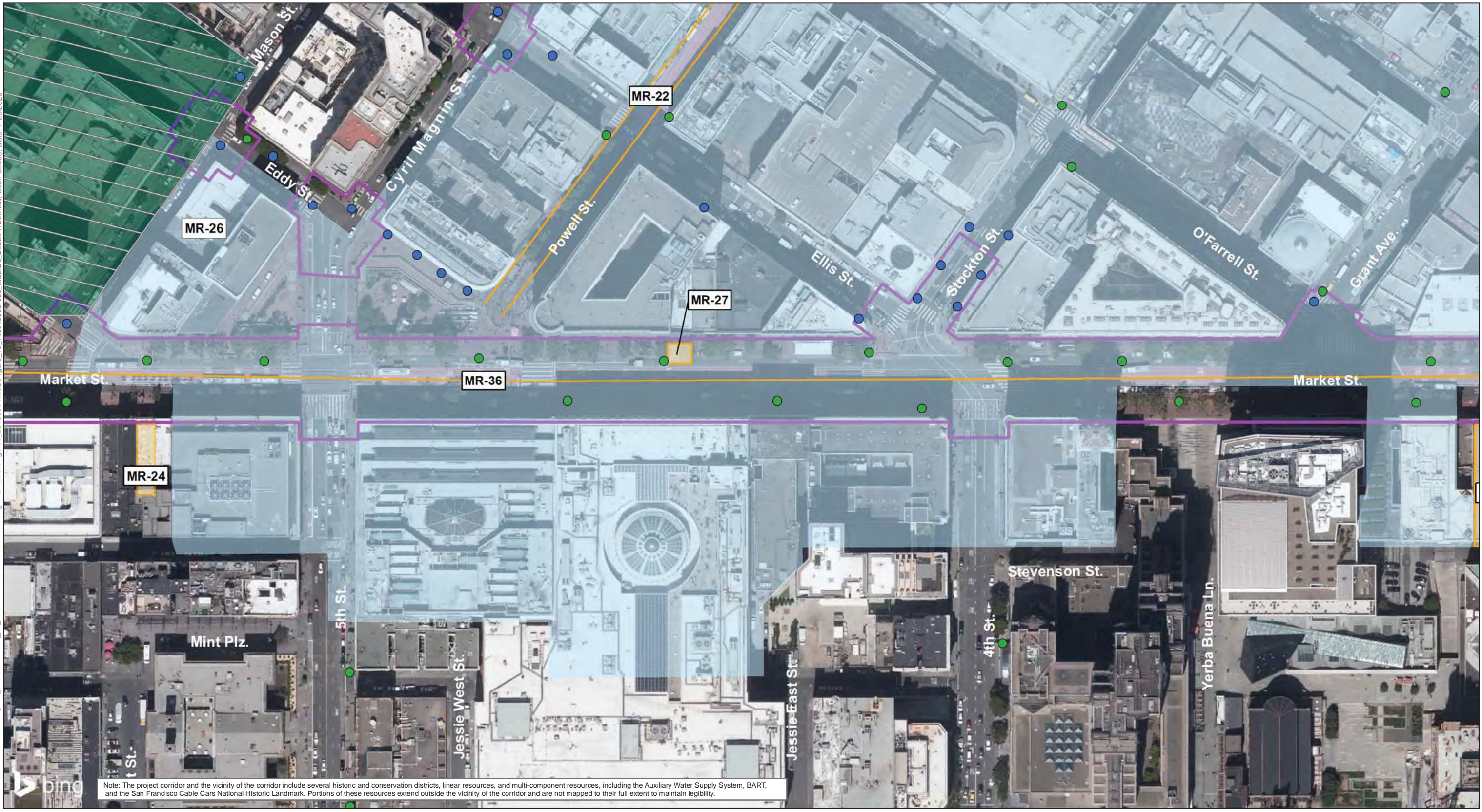
- Kearny-Market-Mason-Sutter Conservation District (MR-26)
- Project Corridor

### Section 4(f) Historic Properties (Sheet 4 of 8)





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Note: The project corridor and the vicinity of the corridor include several historic and conservation districts, linear resources, and multi-component resources, including the Auxiliary Water Supply System, BART, and the San Francisco Cable Cars National Historic Landmark. Portions of these resources extend outside the vicinity of the corridor and are not mapped to their full extent to maintain legibility.

**Better Market Street Project**

Source: Bing Maps Aerial, Microsoft Corporation 2010; Streets, City and County of San Francisco 2014; World Topographic Map, ESRI et al. 2019. San Francisco Public Works, January 2018; Approved Limits of Work, June 2019

Federal Project Number: STPL-5934(180)



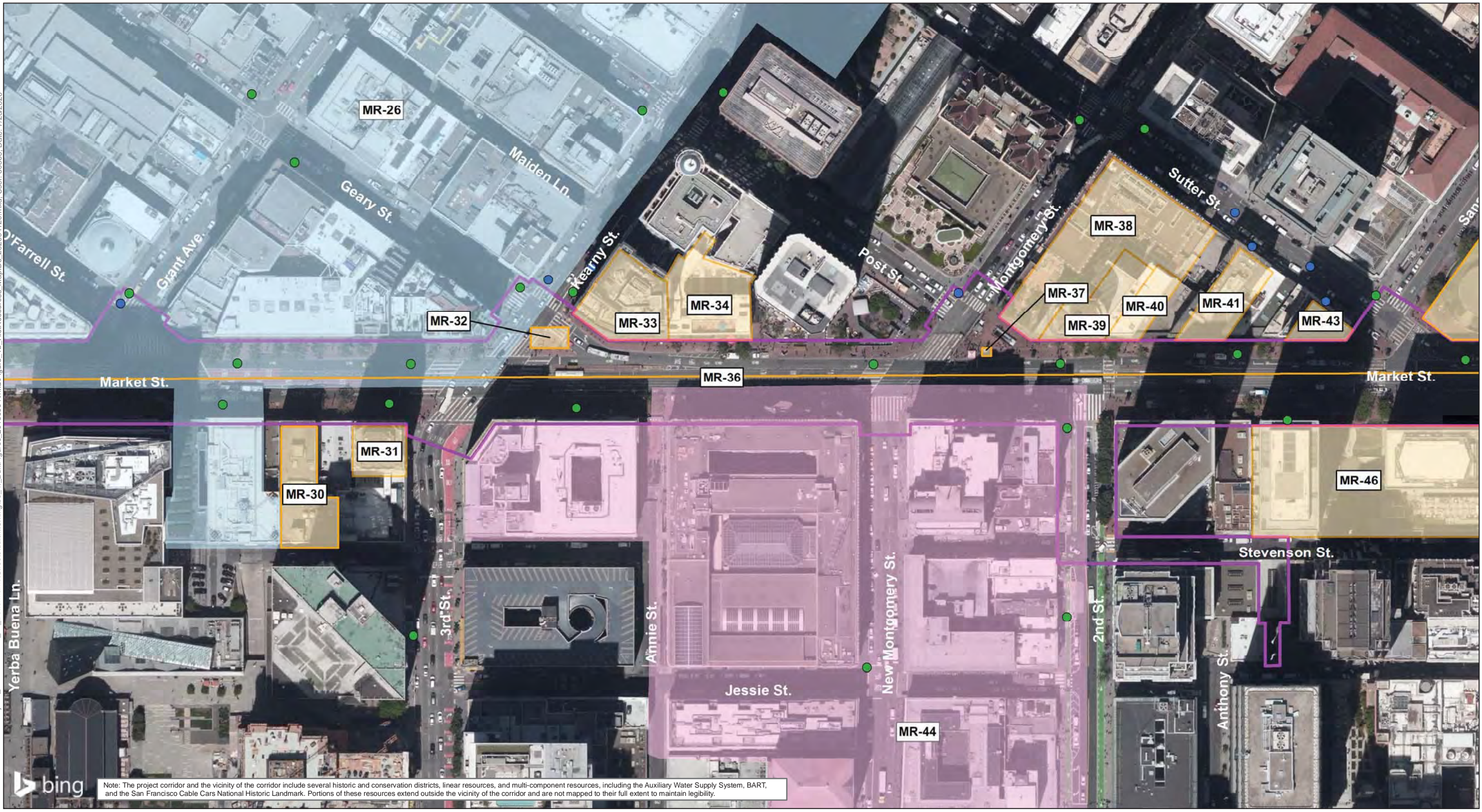
- ▬ Project Corridor
- Golden Triangle Light Standards (MR-28)
- Auxiliary Water Supply System (MR-29)
- ▬ BART District (MR-36)
- ▬ San Francisco Cable Cars National Historic Landmark (MR-22)
- ▬ 925 Market Street (MR-24)
- ▬ Kamm Building (MR-30)
- ▬ Samuels Clock (MR-27)
- ▬ LGBTQ Tenderloin Historic District (MR-17)
- ▬ Uptown Tenderloin National Register Historic District (MR-15)
- ▬ Kearny-Market-Mason-Sutter Conservation District (MR-26)

**Section 4(f) Historic Properties (Sheet 5 of 8)**





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**Better Market Street Project**  
 Source: Bing Maps Aerial, Microsoft Corporation 2010; Streets, City and County of San Francisco 2014; World Topographic Map, ESRI et al. 2019.  
 San Francisco Public Works, January 2018; Approved Limits of Work, June 2019

Federal Project Number: STPL-5934(180)



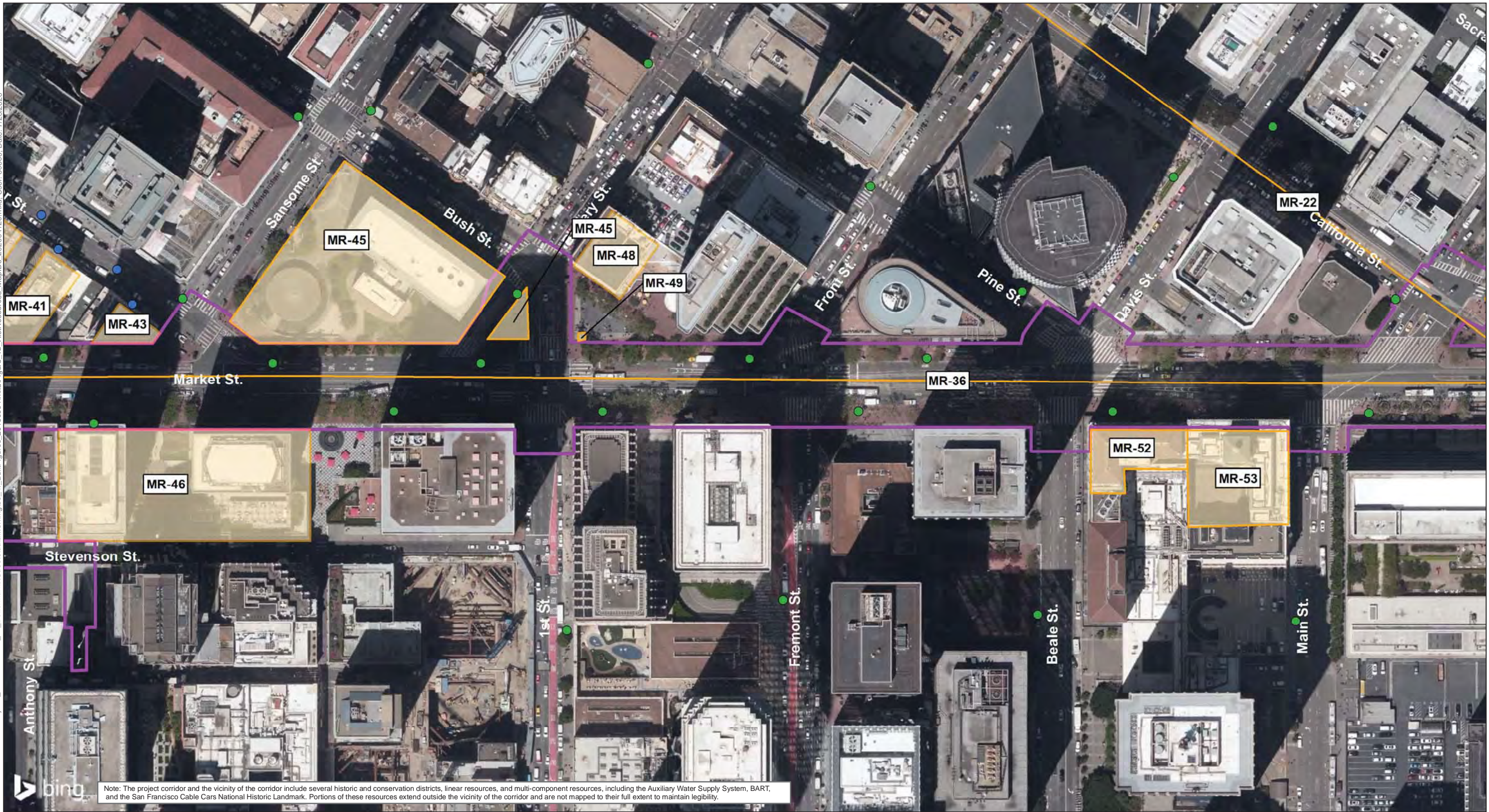
- ▬ Project Corridor
- Golden Triangle Light Standards (MR-28)
- Auxiliary Water Supply System (MR-29)
- ▬ BART District (MR-36)
- ▭ Chancery Building (MR-41)
- ▭ Chronicle Building (MR-33)
- ▭ Finance Building (MR-40)
- ▭ Flatiron Building (MR-43)
- ▭ Hobart Building (MR-39)
- ▭ 44 and 2-8 Montgomery Street (MR-38)
- ▭ Crown Zellerbach Complex (MR-45)
- ▭ Call Building (MR-31)
- ▭ Kamm Building (MR-30)
- ▭ Lotta's Fountain (MR-32)
- ▭ Admission Day Monument (MR-37)
- ▭ 648-660 Market Street (MR-34)
- ▭ Standard Oil Building/ Chevron Towers (MR-46)
- ▭ Kearny-Market-Mason-Sutter Conservation District (MR-26)
- ▭ New Montgomery-Mission-2nd Street Conservation District (MR-44)

**Section 4(f) Historic Properties (Sheet 6 of 8)**





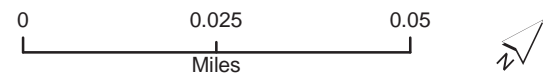
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**Better Market Street Project**

Source: Bing Maps Aerial, Microsoft Corporation 2010; Streets, City and County of San Francisco 2014; World Topographic Map, ESRI et al. 2019. San Francisco Public Works, January 2018; Approved Limits of Work, June 2019

Federal Project Number: STPL-5934(180)



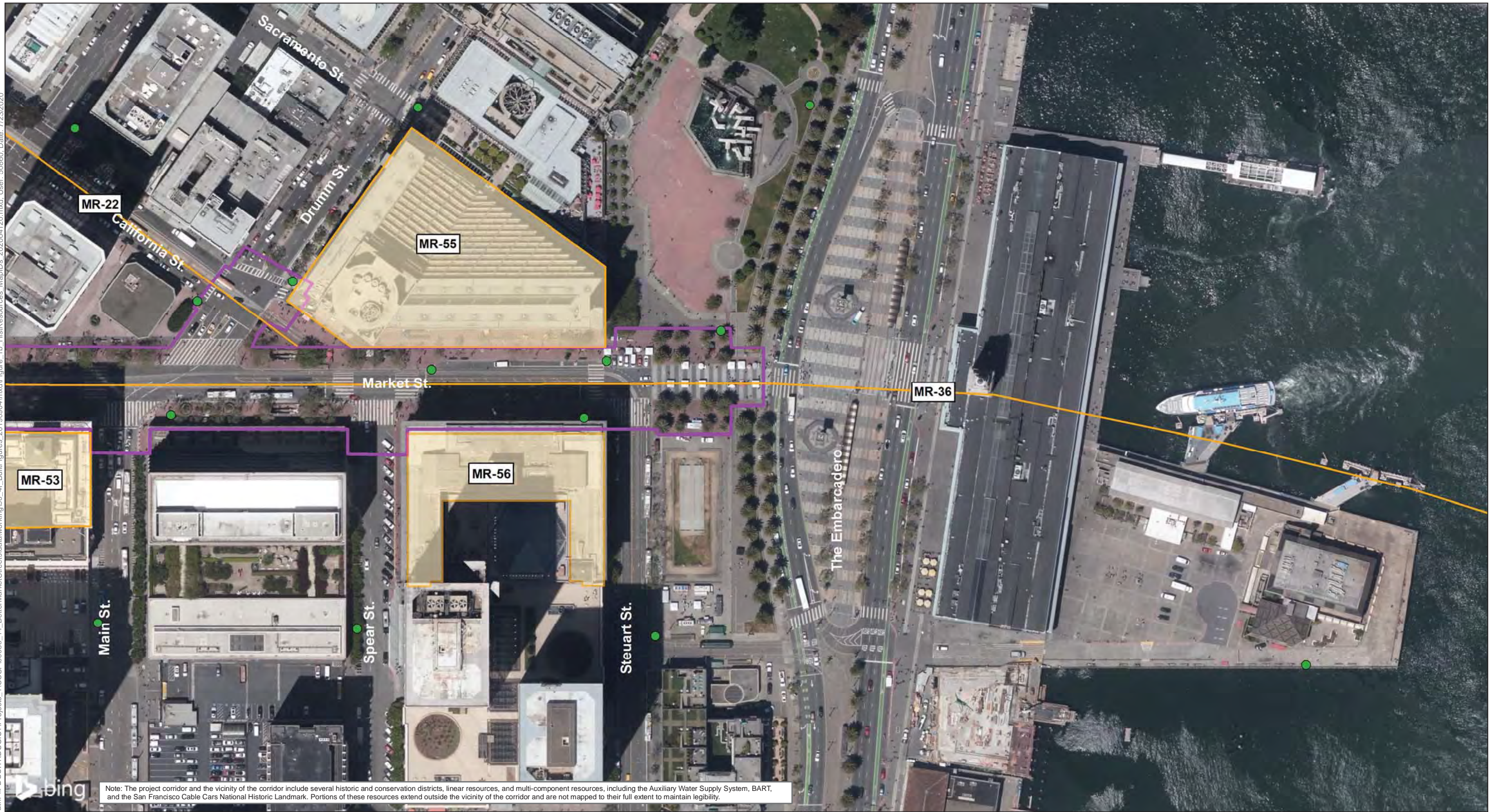
- ▬ Project Corridor
- Golden Triangle Light Standards (MR-28)
- Auxiliary Water Supply System (MR-29)
- ▬ BART District (MR-36)
- ▬ San Francisco Cable Cars National Historic Landmark (MR-22)
- Chancery Building (MR-41)
- Flatiron Building (MR-43)
- 44 and 2-8 Montgomery Street (MR-38)
- Hyatt Regency (MR-55)
- Crown Zellerbach Complex (MR-45)
- Matson Building and Annex (MR-53)
- Mechanics Monument (MR-49)
- PG&E General Office Building and Annex (MR-52)
- Postal Telegraph Building (MR-48)
- Standard Oil Building/ Chevron Towers (MR-46)

**Section 4(f) Historic Properties (Sheet 7 of 8)**





Path: \\PDC\ITRDSGIS\Projects\_1\CCSF\00056\_14\_BetterMarketStreets\data\working\90\_4f\_BuiltFigures\_2019\90904.mxd;Figure\_1b\_HistResources\_MapIDs\_2020\04120.mxd; User: 50860; Date: 7/23/2020

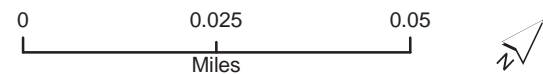


Note: The project corridor and the vicinity of the corridor include several historic and conservation districts, linear resources, and multi-component resources, including the Auxiliary Water Supply System, BART, and the San Francisco Cable Cars National Historic Landmark. Portions of these resources extend outside the vicinity of the corridor and are not mapped to their full extent to maintain legibility.

**Better Market Street Project**

Source: Bing Maps Aerial, Microsoft Corporation 2010; Streets, City and County of San Francisco 2014; World Topographic Map, ESRI et al. 2019. San Francisco Public Works, January 2018; Approved Limits of Work, June 2019

Federal Project Number: STPL-5934(180)



- Project Corridor
- Auxiliary Water Supply System (MR-29)
- BART District (MR-36)
- San Francisco Cable Cars National Historic Landmark (MR-22)
- Southern Pacific Building (MR-56)
- Hyatt Regency (MR-55)
- Matson Building and Annex (MR-53)

**Section 4(f) Historic Properties  
(Sheet 8 of 8)**





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### 1.1.1 San Francisco Auxiliary Water Supply System

The San Francisco Auxiliary Water Supply System (AWSS) (MR-29) is a discontinuous, gravity-fed fire-suppression system with numerous buildings, other structures, and infrastructural features throughout San Francisco (Figure 1). This property was evaluated as eligible for listing in the NRHP in the Historic Resources Evaluation Report (HRER) prepared for the proposed project, and SHPO concurrence was received on April 23, 2020.

The contributing elements of the AWSS within the project corridor include the iron pipes below Market Street, lying inside the project boundaries; however, in many areas, these pipes were replaced in the 1970s with ductile iron. Therefore, their contributing status is related primarily to their role in supporting the overall function of the AWSS rather than the materials. In addition, the project corridor has three AWSS cisterns (near the Market Street intersections at Battery Street, Van Ness Avenue, and Valencia Street) and approximately 65 AWSS fire hydrants, which line both edges of Market Street and are in many cases contributing elements. Some of the contributing elements of the AWSS will be altered by project activities. This includes relocating or replacing portions of the underground AWSS pipes within the project corridor to maintain a state of good repair or match curb movement and shifting the majority of AWSS fire hydrants within the project corridor to accommodate proposed traffic lanes, pedestrian through zones, and other project elements. Utility covers on the three AWSS cisterns within the project corridor will be retained or replaced in kind. In addition, one AWSS hydrant along the northern edge of Market Street, between Front and Pine streets, may be removed as a result of the project; this hydrant was installed after the period of significance for the resource and is not a contributing element of the AWSS.

The project prioritizes updating the AWSS to maintain functionality within the project corridor through replacement of existing pipes with new pipes that are consistent with respect to functionality, although not consistent with respect to a specific material (cast iron was used in the original system). In areas where the proposed project may remove original cast iron AWSS pipes, the replacement pipes will support the system's fire suppression function and withstand the force of pressurized water. None of the three AWSS cisterns in the project corridor will be altered during the project. Furthermore, the only AWSS hydrant proposed for removal under the project does not date to the property's period of significance; therefore, the project will not lessen its historic integrity. The approximately 64 AWSS hydrants within the project corridor will remain at or near their current locations within the Market Street streetscape and maintain the overall spatial relationships that characterize the property. In summary, the proposed project would maintain the overall characteristics that allow the property to convey its historical significance.

Permanent changes to the AWSS, including replacing or relocating pipes, shifting the location of the AWSS fire hydrants, removing one fire hydrant, and replacing the cistern utility covers, will result in a finding of no adverse effect with standard conditions on the historic property. Because these changes will result in a finding of no adverse effect on the property under Section 106, Caltrans has determined that the impacts on the AWSS are *de minimis* and has informed the SHPO of its intent to make the *de minimis* finding during the Section 106 consultation process. The SHPO concurred with this finding on July 20, 2020.

### 1.1.2 BART District

The BART District (MR-36) is a multi-component regional transit system, consisting of sub-surface tunnels, passenger stations, and light-rail trains that traverse San Francisco, the East Bay, and portions of the San Francisco Peninsula (Figure 1). Construction of the BART segment within the APE, including the Embarcadero, Montgomery Street, Powell Street and Civic Center/United Nations Plaza stations, was completed and opened to the public in 1973. Each of these stations has multiple entrance portals that provide access from Market Street to the station concourse level. The BART District is assumed to be eligible for listing in the NRHP as a historic district for the purpose of the current project. Accordingly, elements within this district's boundaries are assumed to be contributing elements.

While the BART District is primarily located underground, some elements within the boundaries of the BART District extend above ground and are within the project corridor. The project may result in relocation of the BART/Muni elevator at the Civic Center station to a new location within United Nations Plaza. However, the relocation of this BART District element to a nearby location represents a minor change that will not diminish the district's overall historic character or function as the Bay Area's public transit system. The proposed project will not introduce other visual, atmospheric, or audible elements that have potential to diminish the integrity of the BART District's elements that qualify the historic district for protection under Section 4(f).

Construction in the vicinity of the BART district will alter paving materials, traffic-lane configurations, infrastructure, and small-scale features along Market Street as well as McAllister Street between Market Street and Charles J. Brenham Place. However, these project activities represent a continuation of streetscape improvements that have been implemented along Market Street since the nineteenth century. The project will introduce new rail spurs from Market Street to McAllister Street and Charles J. Brenham Place to create the new F-loop. These alterations also represent a continuation of transit improvements that have been implemented within the Market Street streetscape since the nineteenth century.

In addition to the relocation of the BART/Muni elevator, streetscape and transit improvements will permanently change the historic district's setting, resulting in a Section 106 finding of no adverse effect on the historic property. These improvements will result in a permanent change to assumed contributing elements. Because these changes will result in a finding of no adverse effect on the property under Section 106, Caltrans has determined that the impacts on the BART District are *de minimis* and has informed the SHPO of its intent to make the *de minimis* finding during the Section 106 consultation process. The SHPO concurred with this finding on July 20, 2020.

### 1.1.3 Civic Center National Historic Landmark District

The Civic Center NHL District (MR-11a) lies north of the project corridor, generally bounded by Franklin Street to the west, McAllister Street to the north, Leavenworth Street to the east, and Grove and Hayes streets to the south (Figure 1). The Civic Center NHL District is listed in the NRHP and is designated a NHL in recognition of its national-level historical and architectural significance. This NHL district is separate from, but smaller than and entirely within the boundaries of, the locally designated Civic Center Landmark District (analyzed under Section 1.1.4 below). The Civic Center NHL District contains a collection of striking Beaux-Arts civic institutional buildings, including the landmark city hall, public library, state administrative and court buildings, and Exposition Auditorium, which are arranged around the landscaped Civic Center Plaza and formal approach axis



provided by Fulton Street. The Fulton Street axis continues through United Nations Plaza toward Market Street. The NRHP designation form for the Civic Center NHL District identifies 21 contributing buildings, structures, and landscaped areas within NHL district's boundaries. Following consultation with the SHPO, Caltrans is considering United Nations Plaza (constructed in 1975) to be a contributor to the NHL district. United Nations Plaza is also analyzed as an individually NRHP-eligible historic property in Section 1.1.9 below. For the purpose of this analysis, the contributing elements of United Nations Plaza are assumed also to contribute to the significance of the Civic Center NHL District.

A portion of the district, 0.3 acres, lies within the boundaries of the project corridor. The Civic Center NHL District intersects with the project corridor in three locations: at the intersection of Hayes and Larkin streets, at the intersection of Grove and Hyde streets, and at the intersection of the Fulton Street and Leavenworth Street alignments in United Nations Plaza. The Hayes-Larkin and Grove-Hyde intersections will be reconfigured, and associated construction in the NHL district boundary will involve removal and replacement of public sidewalks, updating of curb ramps, and removal and replacement and/or reuse and reinstallation of granite curbs. In these locations, the features to be altered are within the public right-of-way and are located along the southern edge of the NHL district. None of the features to be altered in these locations are identified as contributing elements to the Civic Center NHL District. As such, at these two intersections, the project will not change any of the buildings and landscaped areas that contribute to the NHL district's character as a formally planned Beaux-Arts urban district.

Work occurring in United Nations Plaza, which extends into the boundary of the Civic Center NHL District along the Fulton Street and Leavenworth Street alignments, will involve upgrades to the power traction substation, which will involve the removal of a portion of the brick paving in the plaza. After the upgrades, the area will be repaved using the removed bricks or, if needed, in-kind replacement bricks. The project will also remove areas of brick paving and a portion of the granite inlay that delineates quadrants of United Nations Plaza and indicates the city's latitude and longitude. However, only the outermost segments of the inlay near Market Street will be removed; therefore, the feature will continue to delineate plaza quadrants and indicate the city's location. Removal of sidewalk brick and construction of new streetscape elements along Market Street will remove the continuous surface paving that unifies United Nations Plaza with the adjacent sidewalk.

In addition, the project will include relocation of the BART/Muni elevator at United Nations Plaza. The existing elevator is located outside the boundary of, and is not a contributing feature to, the NHL district. The proposed new location for the BART/Muni elevator is within the existing portal for the BART/Muni Civic Center station. This proposed location is outside the southern boundary of the Civic Center NHL District. The new elevator would be of a similar scale as the current elevator and would remain outside the Fulton Street axis. Specifically, the elevator would be over 50 feet south of the primary visual axis along Fulton Street that facilitates views between Market Street, the center of Civic Center Plaza, and San Francisco City Hall. Relocation of the BART/Muni station elevator at United Nations Plaza would not disrupt the site characteristics of the Civic Center NHL District that contribute to its historical and architectural significance. In addition, work proposed in the immediate vicinity of the Civic Center NHL District includes demolishing the public right-of-way along Market Street as well as designing and constructing various transportation improvements and streetscape improvements, including the reconstruction of Path of Gold light standards. Tracks for the new F-loop will be constructed within the roadway of Charles J. Brenham Place, which forms the eastern edge of United Nations Plaza but remains over 200 feet east of the boundary of the Civic Center NHL District.

The proposed project will involve a limited change to the character-defining features of United Nations Plaza, which is considered a contributor to the Civic Center NHL District. These features include the brick paving and inlaid granite bands near Market Street. However, this change is minimal relative to the multi-block size of the NHL district, and these materials are not related to the formal site characteristics that most clearly define the historic and design character of the NHL district. United Nations Plaza contributes to the Civic Center NHL District most crucially by reinforcing views and circulation along the Fulton Street axis toward Civic Center Plaza and City Hall. The project will not impede these relationships via any visual, atmospheric, or audible elements that have the potential to diminish the integrity of the elements that qualify the historic district for protection under Section 4(f). The project will furthermore not physically damage or alter contributing buildings that form the Civic Center NHL District.

The permanent changes to contributing elements in the public right-of-way, including United Nations Plaza, as well as permanent changes to the NHL district's setting, will result in a Section 106 finding of no adverse effect to the Civic Center NHL District, which was analyzed with the Civic Center Landmark District for Section 106 (see below). The SHPO concurred with this finding on July 20, 2020. Because these changes will result in a finding of no adverse effect on the property under Section 106, Caltrans has determined that the impacts on the Civic Center NHL District are *de minimis* and has informed SHPO of its intent to make the *de minimis* finding during the Section 106 consultation process.

#### 1.1.4 Civic Center Landmark District

The Civic Center Landmark District (MR-11b) is located along the north side of Market Street and adjacent to the project corridor, generally between Larkin Street and Charles J. Brenham Place (Figure 1). The locally designated Civic Center Landmark District fully encompasses the Civic Center NHL District (discussed under Section 1.1.3 above). Similar to the Civic Center NHL District, the Civic Center Landmark District contains a collection of Beaux-Arts civic institutional buildings, the landscaped Civic Center Plaza, and formal approach axis provided by Fulton Street. In addition to the grand civic buildings and public plazas that contribute to the Civic Center NHL District, contributing elements to the Civic Center Landmark District also include numerous small-scale landscape features that help the district convey its historic character as an early twentieth-century master-planned civic center, designed according to City Beautiful planning principles. United Nations Plaza is also considered a contributor to the Civic Center Landmark District, and the boundary of this district encompasses the entirety of the plaza (whereas the boundary of the Civic Center National Historic Landmark District contains only a portion of it). The Civic Center Landmark District is assumed eligible for NRHP listing for the purpose of the current project. Accordingly, elements within this district's boundaries, including elements in the public right-of-way, are assumed to be contributing elements.

A greater portion of the district, 2.9 acres, lies within the boundaries of the project corridor than does the Civic Center NHL District. The portion of the Civic Center Landmark District within the project corridor is along Market Street between 9<sup>th</sup> Street and 7<sup>th</sup> Street, and along 7<sup>th</sup> Street between Market Street and McAllister Street. Construction in the district will involve the removal and replacement of public sidewalks at Market Street and McAllister Street, introduction of furnishing zones, addition of curb ramps, removal and replacement and/or reuse and reinstallation of granite curbs, relocation of AWSS hydrants and emergency call boxes, removal/relocation of some Path of Gold light standards, and relocation of some associated historic utility boxes. However, these modifications will not change the ability of these elements to convey the character of the district.



As described above, the proposed project will include upgrades to the power traction substation at United Nations Plaza, which will include the removal of a portion of the brick paving in the plaza. After the upgrades, the area will be repaved using the removed bricks or, if needed, in-kind replacement bricks. In addition, the project will include relocation of the BART/Muni elevator at United Nations Plaza. This feature is not a contributing element for the district. The proposed new location for the BART/Muni elevator is within the existing portal for the BART/Muni Civic Center station. The new elevator would be of a similar scale as the current elevator and would remain outside the Fulton Street axis. Specifically, the elevator would be over 50 feet south of the primary visual axis along Fulton Street that facilitates views between Market Street, the center of Civic Center Plaza, and San Francisco City Hall. Relocation of the BART/Muni station elevator at United Nations Plaza would not disrupt the site characteristics of the Civic Center Landmark District that contribute to its historical and architectural significance.

The removal of brick paving will remove a portion of one of the small-scale features that is also a contributing element, the granite inlay that delineates quadrants of United Nations plaza and indicates the city's latitude and longitude. However, only the outermost segments of the inlay near Market Street will be removed; therefore, the feature will continue to delineate plaza quadrants and indicate the city's location. Removal of sidewalk brick and construction of new streetscape elements along Market Street will remove the continuous surface paving that unifies United Nations Plaza with the adjacent sidewalk.

Furthermore, the project will introduce new rail spurs from Market Street to McAllister Street and Charles J. Brenham Place to create the new F-loop and an associated boarding ramp. The ramp will require removal of two trees, a small area of red brick pavers, and a span of the granite curb. These changes will be minimal and will not diminish the overall historic character of the district.

In addition, work proposed in the immediate vicinity of the Civic Center Landmark District includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. In addition, tracks for the new F-loop will be constructed within the roadway of Charles J. Brenham Place, an area where no street tracks are currently located. Charles J. Brenham Place forms the eastern edge of the Civic Center Landmark District; the new F-loop tracks will be located adjacent to the district boundary. The rails will require construction of a boarding ramp along the sidewalk adjacent to the southbound lane on Charles J. Brenham Place. The ramp will require removal of two non-contributing trees, a small swath of red brick pavers, and a span of the granite curb. These project activities will alter the broader streetscape outside of the boundaries of the district, but will occur within its setting.

Assumed contributing elements of the district in the existing setting of the Civic Center Landmark District will be permanently altered by new sidewalk and roadway materials, new street trees, and reconstructed Path of Gold light standards. The proposed project will not physically damage or alter assumed contributing buildings that form the Civic Center Landmark District or introduce other visual, atmospheric, or audible elements that have potential to diminish the integrity of the elements that qualify the historic district for protection under Section 4(f). As discussed above, the relocated BART/Muni station elevator would remain outside of the Fulton Street axis and would not disrupt any visual relationships or circulation between Market Street and Civic Center Plaza.

The permanent changes to assumed contributing elements in the public right-of-way, as well as permanent changes to the historic district's setting, will result in a Section 106 finding of no adverse effect. Because these changes will result in a finding of no adverse effect on the property under

Section 106, Caltrans has determined that the impacts on the Civic Center Landmark District are *de minimis* and has informed the SHPO of its intent to make the *de minimis* finding during the Section 106 consultation process. The SHPO concurred with this finding on July 20, 2020.

### 1.1.5 Kearny-Market-Mason-Sutter Conservation District

The Kearny-Market-Mason-Sutter Conservation District (MR-26), arranged across approximately 25 city blocks, contains contributing buildings constructed between 1906 and 1930. It is generally bounded by Pine and Bush streets to the north; Kearny Street to the east; Market, Jessie, and Stevenson streets to the south; and Taylor Street to the west (Figure 1). The district has a primarily retail and commercial character. Its buildings are typically four to six stories high, constructed of masonry material, and clad in stone, terra cotta, or stucco. The structures, which fill the entire lot, are designed in a Classically influenced architectural style that was popular in the early twentieth century. The district is assumed eligible for NRHP listing for the purpose of the current project. Accordingly, elements within this district's boundaries, including elements in the public right-of-way, are assumed to be contributing elements.

A portion of the district, 6.1 acres within the public right-of-way, lies within the boundaries of the project corridor along Market Street between Mason Street and Kearny Street north of Market Street and between 6<sup>th</sup> Street and 3<sup>rd</sup> Street south of Market Street. Construction in the district will involve modification of the street grid in the project corridor, but no direct modifications to any buildings that are assumed to contribute to the district are proposed as part of the project. However, all work is proposed in Market Street in the vicinity of contributing buildings to the Kearny-Market-Mason-Sutter Conservation District and will involve the removal of assumed contributing elements in the public right-of-way. Work proposed includes removing and replacing public sidewalks, installing a sidewalk-level bikeway, introducing furnishing zones within the sidewalk area, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing the Path of Gold light standards. This work will take place within a limited portion of the district, along its southeastern edge in the public right-of-way. The remaining buildings within the district are physically removed from the proposed work and will not experience any change to their physical characteristics. These project activities will alter the broader streetscape outside of the district but within its setting. Furthermore, the project will not introduce other visual, atmospheric, or audible elements that have potential to diminish the integrity of the elements that qualify the historic district for protection under Section 4(f).

The permanent changes to assumed contributing elements in the public right-of-way, as well as permanent changes to the historic district's setting, will result in a Section 106 finding of no adverse effect on the historic property. Because these changes will result in a finding of no adverse effect on the property under Section 106, Caltrans has determined that the impacts on the Kearny-Market-Mason-Sutter Conservation District are *de minimis* and has informed the SHPO of its intent to make the *de minimis* finding during the Section 106 consultation process. SHPO concurred with this finding on July 20, 2020.

### 1.1.6 LGBTQ Tenderloin Historic District

The LGBTQ Tenderloin Historic District (MR-17) contains buildings that include businesses, nightlife establishments, low-rent residences, and other uses that served members of San Francisco's LGBTQ communities between the end of Prohibition in 1933 and 1990. These buildings are generally within the boundaries of the Market Street Theatre and Loft National Register District and Uptown



Tenderloin National Register Historic District (Figure 1). The district is assumed eligible for NRHP listing for the purpose of the current project. Accordingly, elements within this district's boundaries, including elements in the public right-of-way, are assumed to be contributing elements.

A portion of the district, 4.4 acres within the public right-of-way, lies within the boundaries of the project corridor along Market Street between Charles J. Brenham Place and Mason Street north of Market Street, and between 8<sup>th</sup> Street and 5<sup>th</sup> Street south of Market Street. Construction in the district will involve modification of the Market Street streetscape, but these changes are consistent with streetscape improvements that began along Market Street during the district's period of significance. No direct modifications to any buildings that are assumed to contribute to the district are proposed as part of the project. All project features are proposed to be constructed in the public right-of-way and involve the removal of assumed contributing elements. Work proposed includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, introducing furnishing zones, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing the Path of Gold light standards. In addition, tracks for the new F-loop will be constructed within McAllister Street between Market Street and Charles J. Brenham Place, an area where no street tracks are currently located. A curbside transit stop will also be constructed along McAllister Street west of Jones Street. Both this segment of the F-loop and the curbside transit stop will be within the boundary of the LGBTQ Tenderloin Historic District. This work will take place within a limited portion of the district, near its southeastern edge. These project activities will alter the broader streetscape outside of the boundaries of the district, but will occur within its setting. However, the proposed project will not physically damage or alter assumed contributing buildings that form the LGBTQ Tenderloin Historic District or introduce other visual, atmospheric, or audible elements that have potential to diminish the integrity of the property's elements that qualify the historic district for protection under Section 4(f).

The permanent changes to assumed contributing elements in the public right-of-way, as well as to the historic district's setting, will result in a Section 106 finding of no adverse effect on the historic property. These improvements will result in a permanent change to assumed contributing elements. Because these changes will result in a finding of no adverse effect on the property under Section 106, Caltrans has determined that the impacts on the LGBTQ Tenderloin Historic District are *de minimis* and has informed the SHPO of its intent to make the *de minimis* finding during the Section 106 consultation process. SHPO concurred with this finding on July 20, 2020.

### 1.1.7 New Montgomery-Mission-2<sup>nd</sup> Street Conservation District

The New Montgomery-Mission-2<sup>nd</sup> Street Conservation District (MR-44) is in the eastern portion of the South of Market area in downtown San Francisco. It is generally bounded by Market Street to the north, Third Street to the west, Howard Street to the south, and Second Street to the east (Figure 1). The district is characterized primarily by large masonry commercial loft and light industrial buildings that were constructed between 1906 and 1933 and clustered around New Montgomery Street, which was planned as an extension to Montgomery Street, leading two blocks south from Market Street before terminating at Howard Street. The district is assumed eligible for NRHP listing for the purpose of the current project. Accordingly, elements within this district's boundaries, including elements in the public right-of-way, are assumed to be contributing elements.

A portion of the district, 0.9 acre within the public right-of-way, lies within the boundaries of the project corridor along Market Street between 3<sup>rd</sup> Street and 2<sup>nd</sup> Street south of Market Street and along 2<sup>nd</sup> Street between Market Street and Stevenson Street. However, no direct modifications to

any buildings that are assumed to contribute to the district are proposed as part of the proposed project. All project features are proposed to be constructed in the public right-of-way. Work proposed in the immediate vicinity of the New Montgomery-Mission-2<sup>nd</sup> Street Conservation District's assumed contributing buildings adjacent to Market Street includes removing and replacing public sidewalks, installing a sidewalk-level bikeway, introducing furnishing zones, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing the Path of Gold light standards. These elements are assumed to contribute to the district's historic character. Buildings within the district are located at a distance from the proposed work, and there will be no change to their physical characteristics. These project activities will alter the broader streetscape outside of the boundaries of the district but will occur within its setting. The proposed project will not physically damage or alter these assumed contributing buildings that form the New Montgomery-Mission-2<sup>nd</sup> Street Conservation District nor introduce other visual, atmospheric, or audible elements that have potential to diminish the integrity of the property's elements that qualify the historic district for protection under Section 4(f).

The permanent changes to assumed contributing elements in the public right-of-way, as well as to the historic district's setting, will result in a Section 106 finding of no adverse effect on the historic property. Because these changes will result in a finding of no adverse effect on the property under Section 106, Caltrans has determined that the impacts on the New Montgomery Mission-2<sup>nd</sup> Street Conservation District are *de minimis* and has informed the SHPO of its intent to make the *de minimis* finding during the Section 106 consultation process. SHPO concurred with this finding on July 20, 2020.

### 1.1.8 Crown Zellerbach Complex, One Bush Street

The Crown Zellerbach Complex (MR-45) is a "Miesian" International-style and Corporate Modern-style office complex situated on an irregularly shaped lot formed by the intersection of Bush, Market, Sansome, and Battery streets. It comprises a 20-story office tower, one-story circular commercial bank building, sunken garden plaza between the two buildings, and a triangular median at the intersection of Bush and Battery streets (Figure 1). The complex was constructed in 1959. This property was evaluated as eligible for listing in the NRHP in the HRER prepared for the proposed project, and SHPO concurrence was received on April 23, 2020.

A portion of the Crown Zellerbach Complex, 0.1 acre, lies within the boundaries of the project corridor along Market Street between Sansome Street and Battery Street. Project activities will not demolish or alter the resource in an adverse manner. However, the project will require permanent alterations to this resource, including closure of the portion of Battery Street east of the Crown Zellerbach Complex to vehicle traffic and transition of this area to a pedestrian use. It is possible that the proposed modification of the Battery Street bridge could entail alterations to adjacent landscape features on a separate parcel, including a small area of river rock paving and two trees on the traffic island adjacent to the parking garage exit. These landscape features match landscaping at the resource, however, they read as a secondary feature of the property. Any change will not affect the contributing elements of the property. In addition, the sequence of street circulation at the eastern edge of the Crown Zellerbach Complex will be modified; private vehicles exiting the sub-surface parking garage will be required to turn right onto Market Street. Furthermore, the project will close the Battery Street bridge between Bush and Market streets and pave it for pedestrian and bicycle use. The Battery Street bridge is not a contributing element to the historic property, nor is the river rock paving that covers the traffic island between Battery, Bush, and Market Streets, which may also be paved for pedestrian use under the project. Work proposed in the immediate vicinity of the Crown Zellerbach Complex includes removing



and replacing the public sidewalks, installing a sidewalk level bikeway, introducing a furnishing zone, removing existing street trees and planting new street trees in a new alignment, and reconstructing the Path of Gold light standards. Work proposed in Market Street in the vicinity of the Crown Zellerbach Complex includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements.

The existing setting of the Crown Zellerbach Complex's will be permanently altered by including new sidewalk and roadway materials, new configurations, new street trees, and reconstructed Path of Gold light standards. These changes will occur primarily in the Market Street streetscape; the Battery Street bridge will be paved for pedestrian use. The proposed project will not physically damage or alter the Crown Zellerbach Complex or introduce other visual, atmospheric, or audible elements that have potential to diminish the integrity of the property's historical features that qualify the historic property for protection under Section 4(f).

There will be permanent changes to the existing setting, including landscaping changes on an adjacent parcel and changes to vehicular circulation, that will result in a Section 106 finding of no adverse effect on the historic property. Because these changes will result in a finding of no adverse effect on the property under Section 106, Caltrans has determined that the impacts on the Crown Zellerbach Complex are *de minimis* and has informed SHPO of its intent to make the *de minimis* finding during the Section 106 consultation process. SHPO concurred with this finding on July 20, 2020.

### 1.1.9 United Nations Plaza

United Nations Plaza (MR-16) is a Modern-style public plaza in San Francisco's Mid-Market area (Figure 1); the plaza was designed by mid-twentieth-century landscape architect Lawrence Halprin and completed in 1975. The 2.6-acre plaza features two primary pedestrian axes. One runs east-west along Fulton Street; the other runs north-south along Leavenworth Street. Red brick laid in a herringbone pattern is found throughout the pedestrian portions of the plaza. A large fountain, located at the eastern end of the plaza, is composed of more than 100 granite blocks, which have been organized into five primary groups that represent the world's major continents. United Nations Plaza includes landscape features, such as light standards and paired rows of trees parallel to the pedestrian mall along the east-west axis on Fulton Street. The plaza is also landscaped with grassy areas and scattered seating and provides access to the Civic Center BART and Muni station. This property was evaluated as eligible for listing in the NRHP in the HRER prepared for the proposed project, and SHPO concurrence was received on April 23, 2020. The United Nations Plaza is also being considered as a contributor to the Civic Center NHL District and Civic Center National Historic Landmark District (see Section 1.1.3 and Section 1.1.4 above).

A portion of United Nations Plaza, 0.7 acre, lies within the boundaries of the project corridor along Market Street between Hyde Street and 7<sup>th</sup> Street north of Market Street. The proposed project will include upgrades to the power traction substation at the resource, which will include the removal of a portion of the brick paving in the plaza. After the upgrades, the area will be repaved using the removed bricks or, if needed, in-kind replacement bricks. In addition, the project will include relocation of the BART/Muni elevator at United Nations Plaza. The proposed new location for the BART/Muni elevator is within the existing portal for the BART/Muni Civic Center station. The new elevator would be of a similar scale as the current elevator and would remain outside the Fulton Street axis. Specifically, the elevator would be over 50 feet south of the primary visual axis along Fulton Street that facilitates character-defining views between Market Street, the center of Civic Center Plaza, and San Francisco City Hall. However, the removal of brick paving will remove a

portion of one of the small-scale features that is also a contributing element, the granite inlay that delineates quadrants of the plaza and indicates the city's latitude and longitude. However, only the outermost segments of the inlay near Market Street will be removed; therefore, the feature will continue to delineate plaza quadrants and indicate the city's location. Removal of sidewalk brick and construction of new streetscape elements along Market Street will remove the continuous surface paving that unifies the resource with the adjacent sidewalk. In addition, the on-boarding ramp associated with the F-loop, to be installed in the southbound lane of Charles J. Brenham Place, will result in the removal of two trees, a small portion of brick paving, and a span of the granite curb. These changes, however, are minimal relative to the resource's 2.6-acre size. These changes will not change the contributing elements such that it will no longer be eligible for the NRHP or protection under Section 4(f).

The project will remove limited amounts of historic materials, including bricks to facilitate traction substation work and portions of the inlaid granite bands that extend through the sidewalk pedestrian zone adjacent to Market Street. In addition, the project may remove limited amounts of historic materials at the internal slope of the BART/Muni station portal to accommodate relocation of the elevator to this location. Despite removal of the inlaid granite bands and the original facing materials at the BART/Muni station portal, overall, the historic materials and designs throughout the approximately 110,000-square-foot plaza will remain intact.

United Nations Plaza also has a recreational use and is discussed below in Section 1.2.4, *United Nations Plaza*.

Permanent changes to the historic property, including upgrades to the power traction substation and associated removal of brick paving; relocation of a BART/Muni elevator and associated removal of a granite inlay that delineates plaza quadrants and indicates the city's latitude and longitude; removal of sidewalk brick adjacent to the plaza, which will remove unifying elements between the plaza and the existing setting; and installation of the on-boarding ramp associated with the F-loop, resulting in removal of two trees, brick paving, and a span of granite curb, will result in a Section 106 finding of no adverse effect with standard conditions on the historic property. Because these changes will result in a finding of no adverse effect on the property under Section 106, Caltrans has determined that the impacts on United Nations Plaza are *de minimis* and has informed the SHPO of its intent to make the *de minimis* finding during the Section 106 consultation process. SHPO concurred with this finding on July 20, 2020.

### **1.1.10 Fillmore West, 10–12 South Van Ness Avenue**

The resource at 10–12 South Van Ness Avenue (MR-9) (Figure 1) is a two-story commercial building that was constructed in 1927; between 1968 and 1971, it housed Fillmore West, a music performance venue. The asymmetrical, mostly two-story building sits on a triangularly shaped lot with an angular orientation toward Market Street and Van Ness Avenue. The building is assumed eligible for NRHP listing for the purpose of the current project.

A portion of the historic boundary of 10–12 South Van Ness Avenue, < 0.1 acre, lies within the boundaries of the project corridor along Market Street between 12<sup>th</sup> Street and S Van Ness Avenue south of Market Street. No direct modifications to the historic building are proposed as part of the project. All project features are proposed to be constructed in the public right-of-way. The project proposes modification of Fillmore West's existing setting, including new sidewalk and roadway materials, new street trees, new transit boarding island, and reconstructed Path of Gold light



standards. These changes will occur primarily in the Market Street streetscape, immediately in front of the building's primary façade. However, Fillmore West has experienced similar types of changes to its setting since its period of significance (1968–1971), with almost no alteration to the elements that convey the property's historic character. As such, new project features are part of the continuum of change to the visual landscape and setting of the Market Street streetscape over time. The proposed project will not physically damage or alter 10–12 South Van Ness Avenue or introduce other visual, atmospheric, or audible elements that have potential to diminish the integrity of the property's historical features that qualify the historic district for protection under Section 4(f).

The permanent change in the historic property's setting will result in a Section 106 finding of no adverse effect on the historic property. Because these changes will result in a finding of no adverse effect on the property under Section 106, Caltrans has determined that the impacts on 10–12 South Van Ness Avenue are *de minimis* and has informed the SHPO of its intent to make the *de minimis* finding during the Section 106 consultation process. SHPO concurred with this finding on July 20, 2020.

### 1.1.11 Conclusion for Historic Properties

Of the 10 historic properties discussed in this section, the project will alter contributing elements of 9 historic properties (AWSS, BART District, Civic Center NHL District, Civic Center Landmark District, Kearny-Market-Mason-Sutter Conservation District, LGBTQ Tenderloin Historic District, New Montgomery-Mission-2<sup>nd</sup> Street Conservation District, Crown-Zellerbach Complex, and United Nations Plaza) and it will not alter contributing elements of the remaining 1 property (Fillmore West, 10–12 South Van Ness Avenue), although it will extend inside the property's boundary and will alter its setting. Accordingly, Caltrans has determined the Section 106 findings of no adverse effect will be a *de minimis* use under Section 4(f) of the 10 historic properties. The SHPO concurred with the no adverse effect findings on July 20, 2020. Because the project proposes to alter characteristics of the Civic Center NHL District, concurrence was also sought from the National Park Service, which serves as an official with jurisdiction for Section 4(f) properties that are designated as NHLs. The National Park Service provided its concurrence regarding the *de minimis* use finding for the Civic Center NHL District on August 4, 2020.

## 1.2 Parks and Recreational Facilities

The study area for recreational facilities, defined as the area within 0.25 mile of the project corridor, includes publicly owned parks, recreational facilities, and Class 1 trails that qualify for protection under Section 4(f). Twenty-eight park and recreational facility resources were identified in the study area, one of which is also discussed as a historic property in Section 1.1.9, *United Nations Plaza*. Figure 2 shows the locations of all parks and recreational facility resources that qualify for protection under Section 4(f). The map ID number for each resource is illustrated in the figure, numbered from west to east, and is also provided in Tables 2 and 5.

Table 2 lists the five recreational resources in the study area that are protected by Section 4(f) and that are proposed to have a *de minimis* impact. The project will not result in a proposed Section 4(f) use of the remaining 23 parks and recreational facilities in the study area, which are discussed in Section 2, *Resources Evaluated Relative to the Requirements of Section 4(f): No-Use Determinations*. The subsections following Table 2 provide a description of the proposed changes to the resources, along with an explanation for why a finding of *de minimis* is appropriate for each resource.

**Table 2. Parks and Recreational Facilities with *De Minimis* Impact Determinations**

Map ID	Name	Description
16	Mark Twain Plaza	<p><b>Distance from Project Corridor:</b> within project boundaries</p> <p><b>Location:</b> Annie and Market streets, SF, CA 94105</p> <p><b>Size:</b> 0.1 acre, &lt;0.01 acre within study area</p> <p><b>Features:</b> Shrubs in plaza planting beds, benches, and red brick paving in herringbone pattern</p> <p><b>Agency with Jurisdiction:</b> San Francisco Public Works</p> <p><b>Section 4(f) Applicability:</b> Publicly owned park</p>
19	Mechanics Monument Plaza	<p><b>Distance from Project Corridor:</b> within project boundaries</p> <p><b>Location:</b> Battery and Market streets, SF, CA 94105</p> <p><b>Size:</b> 0.1 acre, &lt;0.01 acre within study area</p> <p><b>Features:</b> Monument by Douglas Tilden, benches and landscaping</p> <p><b>Agency with Jurisdiction:</b> San Francisco Public Works</p> <p><b>Section 4(f) Applicability:</b> Publicly owned park</p>
20	Robert Frost Plaza	<p><b>Distance from Project Corridor:</b> 0—adjacent</p> <p><b>Location:</b> Drumm and Market streets, SF, CA 94105</p> <p><b>Size:</b> 0.1 acre, 0.1 acre within study area</p> <p><b>Features:</b> Small plaque dedicated to Robert Frost, as well as a four-faced clock, an advertising kiosk, and trees</p> <p><b>Agency with Jurisdiction:</b> San Francisco Public Works</p> <p><b>Section 4(f) Applicability:</b> Publicly owned park</p>
23	Embarcadero Plaza	<p><b>Distance from Project Corridor:</b> 0—adjacent</p> <p><b>Location:</b> Steuart and Market streets, SF, CA, 94105</p> <p><b>Size:</b> 1.2 acres, 1.2 acres within study area</p> <p><b>Features:</b> Play fountain, seasonal lunchtime concerts, seasonal skating, seasonal zip lining, picnic area, benches</p> <p><b>Agency with Jurisdiction:</b> San Francisco Recreation and Parks Department</p> <p><b>Section 4(f) Applicability:</b> Publicly owned park</p>
MR-16	United Nations Plaza	<p><b>Distance from Project Corridor:</b> within project boundaries</p> <p><b>Location:</b> Hyde and Market streets, SF, CA 94105</p> <p><b>Size:</b> 2.6 acres, 0.7 acre within study area</p> <p><b>Features:</b> Statues, United Nations Fountain, grassy areas, seating</p> <p><b>Agency with Jurisdiction:</b> San Francisco Public Works</p> <p><b>Section 4(f) Applicability:</b> Publicly owned park</p>

Sources: City and County of San Francisco 2016, 2019a, 2019b







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### 1.2.1 Mark Twain Plaza

Mark Twain Plaza (map ID #16), managed by Public Works, is located at the intersection of Annie and Market Streets (Figure 3). Amenities in the 0.1-acre plaza include landscaping and seating on planter walls.

A small portion of the plaza, <0.01 acre, lies within the boundaries of the project corridor. In this area, the existing red brick paving will be removed and replaced with ADA-compliant paving materials consistent with San Francisco Public Works Order No. 200369 (City and County of San Francisco n.d.). The existing trees will be removed and replaced. The work zone will be temporarily fenced for safety reasons and access to the plaza will be maintained around the construction zone. Construction activities to replace the sidewalk materials and to construct the portion of the project adjacent to this plaza are anticipated to last for a minimum of one year. However, the portion of the plaza which will not be affected will remain open to the public during construction activities with access maintained from Mission Street. Plaza users in the vicinity of the work zone will also experience temporary construction-related noise and visual impacts during sidewalk replacement as well as when construction on Market Street is underway. Plaza users will also have views of construction, including heavy equipment, staging areas, signage, and closures on Market Street.

Once construction of this segment of the project is complete, the plaza will reopen to the public and continue to function as it does currently. Replacing the sidewalk is a permanent change, even though there will be no permanent incorporation of the plaza into the transportation right-of-way on Market Street or change in ownership. Since the duration of the impact is not temporary, the use does not meet temporary occupancy criteria (23 CFR 774.13 [d]1). This permanent change will not adversely affect the protected activities, features, or attributes that qualify the plaza for protection under Section 4(f). Therefore, a *de minimis* impact was proposed for Mark Twain Plaza and the official with jurisdiction, San Francisco Department of Public Works, concurred with this finding on July 14, 2020.

### 1.2.2 Mechanics Monument Plaza

Mechanics Monument Plaza (map ID #19), managed by San Francisco Public Works, is adjacent to the project corridor at Battery and Market streets, in San Francisco (Figure 4). It encompasses 0.1 acre. Mechanics Monument Plaza includes a monument by Douglas Tilden, benches, and landscaping.

A portion of the plaza lies within the boundaries of the project corridor. In this area, the existing red brick paving will be removed and replaced with ADA-compliant paving materials consistent with San Francisco Public Works Order No. 200369 (City and County of San Francisco n.d.), as shown on Figure 4. The monument (discussed below in Section 2.1.1, *Built-Environment Resources*, is outside the sidewalk area that will be replaced. The existing trees and any lighting and furnishing in the project corridor will be removed and replaced. The work zone will be temporarily fenced for safety reasons and access to the plaza will be maintained around the construction zone. Construction activities to replace the sidewalk materials and to construct the portion of the project adjacent to this plaza are anticipated to last for a minimum of one year. However, the portion of the plaza which will not be affected will remain open to the public during construction activities with access maintained from Bush or Front streets. The monument will not be affected on a temporary or permanent basis. Plaza users in the vicinity of the work zone will also experience temporary construction-related noise and visual impacts during sidewalk replacement as well as when construction on Market Street is underway. Plaza users will also have views of construction, including heavy equipment, staging areas, signage, and closures on Market Street.



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 Federal Project Number: STPL-5934(180)



 Project Corridor  
 Featured Park\*

**Figure 3**  
**Mark Twain Plaza**

0 0.01 0.02 Miles

\*Labeled by Resource ID; refer to Tables 2 and 5 in the Section 4(f) De Minimis and No Use Determinations analysis





**Better Market Street Project**  
 Federal Project Number: STPL-5934(180)



0 0.01 0.02 Miles

-  Project Corridor
-  Featured Park\*

**Figure 4**  
**Mechanics Monument Plaza**

*\*Labeled by Resource ID; refer to Tables 2 and 5 in the Section 4(f) De Minimis and No Use Determinations analysis*

Once construction of this segment of the project is complete, the plaza will reopen to the public and continue to function as it does currently. Replacing the sidewalk is a permanent change, even though there will be no permanent incorporation of the plaza into the transportation right-of-way on Market Street or change in ownership. Since the duration of the impact is not temporary, the use does not meet temporary occupancy criteria (23 CFR 774.13 [d]1). This permanent change will not adversely affect the protected activities, features, or attributes that qualify the plaza for protection under Section 4(f). Therefore, a *de minimis* impact was proposed for Mechanics Plaza and the official with jurisdiction, San Francisco Department of Public Works, concurred with this finding on July 14, 2020.

### 1.2.3 Robert Frost Plaza

Robert Frost Plaza (map ID #20), managed by San Francisco Public Works, is adjacent to the project corridor at Drumm and Market streets, in San Francisco (Figure 5). It encompasses 0.1 acre. Robert Frost Plaza includes a small plaque dedicated to Robert Frost, a four-faced clock, and trees.

The majority of the plaza, slightly less than the 0.1 acre plaza size, lies within the boundaries of the project corridor. In this area, the existing red brick paving will be removed and replaced with ADA-compliant paving materials consistent with San Francisco Public Works Order No. 200369 (City and County of San Francisco n.d.), as shown on Figure 4. The plaque and clock are outside the sidewalk area that will be replaced. The existing trees will be removed and replaced. The work zone will be temporarily fenced for safety reasons and access to the plaza will be maintained around the construction zone. Construction activities to replace the sidewalk materials and to construct the portion of the project adjacent to this plaza are anticipated to last for a minimum of one year. However, the portion of the plaza which will not be affected will remain open to the public during construction activities with access maintained from Drumm Street. The plaque and clock will not be affected on a temporary or permanent basis. Plaza users in the vicinity of the work zone will also experience temporary construction-related noise and visual impacts during sidewalk replacement as well as when construction on Market Street is underway. Plaza users will also have views of construction, including heavy equipment, staging areas, signage, and closures on Market Street.

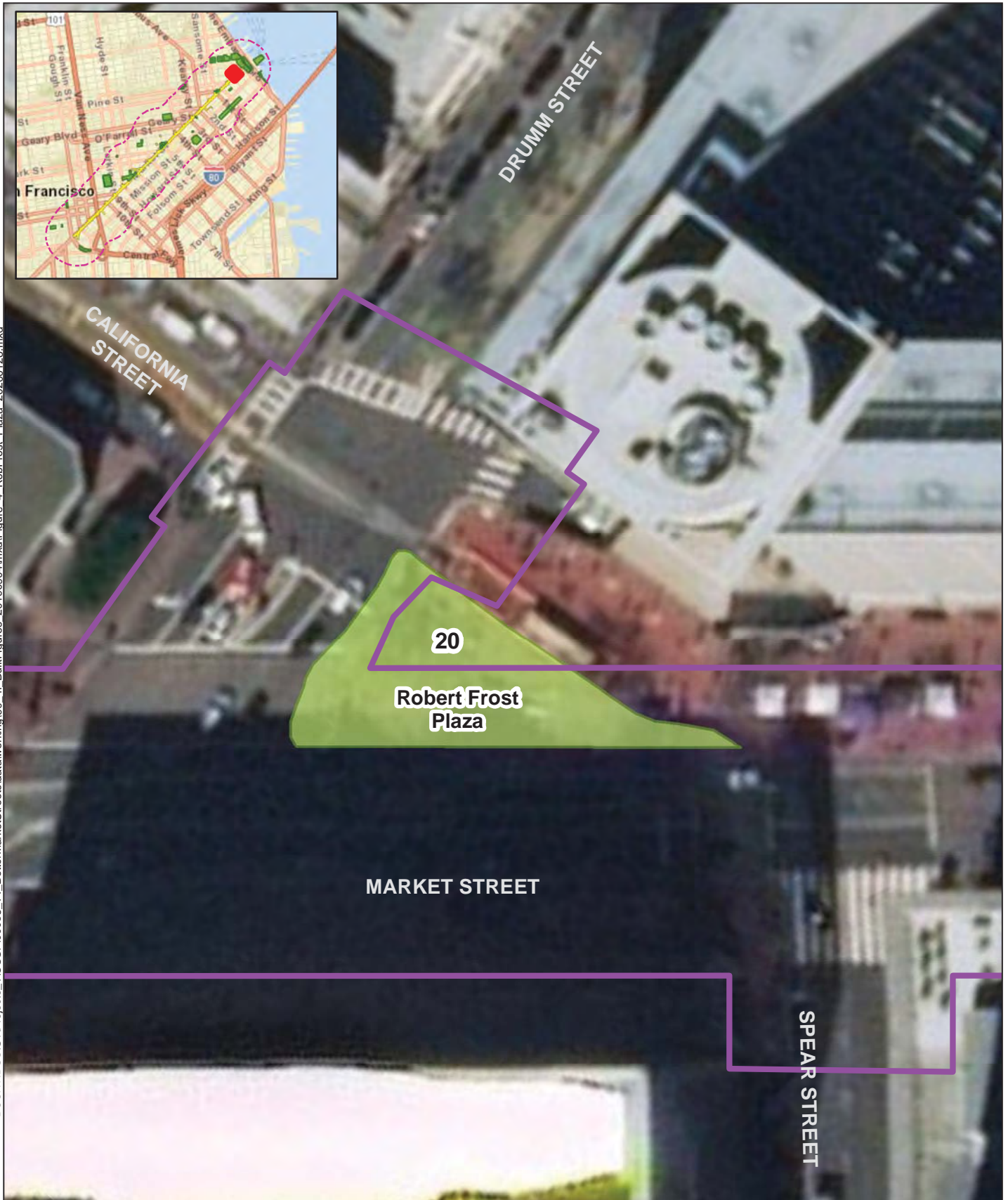
Once construction of this segment of the project is complete, the plaza will reopen to the public and continue to function as it does currently. Replacing the sidewalk is a permanent change, even though there will be no permanent incorporation of the plaza into the transportation right-of-way on Market Street or change in ownership. Since the duration of the impact is not temporary, the use does not meet temporary occupancy criteria (23 CFR 774.13 [d]1). This permanent change will not adversely affect the protected activities, features, or attributes that qualify the plaza for protection under Section 4(f). Therefore, a *de minimis* impact was proposed for Robert Frost Plaza and the official with jurisdiction, San Francisco Department of Public Works, concurred with this finding on July 14, 2020.

### 1.2.4 Embarcadero Plaza

Embarcadero Plaza (map ID #23), managed by San Francisco Recreation and Parks Department, is adjacent to the project corridor at 1 Market Street, at the intersection with Steuart Street, in San Francisco (Figure 6). It encompasses 1.2 acres. Embarcadero Plaza is at the end of Market Street and The Embarcadero across from the Ferry Building on the San Francisco Bay. Amenities include a picnic area, benches, a children's play area, bocce courts, the Vaillancourt Fountain, and seasonal lunchtime concerts, skating, and zip lining. In addition, weekly farmers markets are held on the sidewalk areas adjacent to the plaza. Access to the plaza is via Market Street and The Embarcadero.



Path: \\PDCCITRDSGIS\Projects\_1\CCSF\00056\_14\_BetterMarketStreets\data\working\90\_4f\_BuiltFigures\_20190904\mxd\Figure 4\_RobFrost Plaza\_20200128.mxd



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 Federal Project Number: STPL-5934(180)



- Featured Park\*
- Project Corridor

**Figure 5**  
**Robert Frost Plaza**



*\*Labeled by Resource ID; refer to Tables 2 and 5 in the Section 4(f) De Minimis and No Use Determinations analysis*





**Better Market Street Project**  
 Federal Project Number: STPL-5934(180)



- Project Corridor
- Featured Park\*
- Other Parks and Recreational Facilities\*

0                      0.02                      0.04 Miles

**Figure 6**  
**Embarcadero Plaza**

*\*Labeled by Resource ID; refer to Tables 2 and 5 in the Section 4(f) De Minimis and No Use Determinations analysis*



A portion of the plaza, 0.44 acre, lies within the boundaries of the project corridor between Steuart Street and The Embarcadero. In this area, the existing brick paving of the sidewalk that extends through the plaza center will be removed and replaced, as shown on Figure 5. The sidewalk consists of alternating inlaid granite bands that will be replaced with ADA-compliant paving materials consistent with San Francisco Public Works Order No. 200369 (City and County of San Francisco n.d.). The recreational amenities are located outside the sidewalk area that will be replaced, however the farmers market is currently held in an area that will experience some temporary closures while the sidewalk materials are being replaced and therefore will need to be relocated to another part of the plaza for the duration of construction. The parallel rows of palm trees on either side of the sidewalk will remain in place. The work zone will be temporarily fenced for safety reasons and access to the other recreational areas of the plaza will be maintained around the construction zone. Access to the plaza from The Embarcadero, Sue Bierman Park, and areas to the south will not change.

Access from Market Street to the plaza may be limited or narrowed by construction or work zones during some portion of the construction period, which is anticipated to last for a minimum of one year. However, at a minimum access to the plaza will be maintained from the north side of the plaza and from The Embarcadero to the east of the plaza. None of the existing recreational amenities in the plaza will be affected by the project on a temporary or permanent basis. Plaza users in the vicinity of the work zone will also experience temporary construction-related noise and visual impacts but would not experience any loss of access or usage of recreational amenities. Replacing the sidewalk is a permanent change to 0.44 acre of the 1.2-acre plaza, even though there will be no permanent incorporation of the plaza into the transportation right-of-way on Market Street or change in ownership. Since the duration of the impact is not temporary, the use does not meet temporary occupancy criteria (23 CFR 774.13 [d]1). This permanent change will not adversely affect the protected activities, features, or attributes that qualify the plaza for protection under Section 4(f). Therefore, a *de minimis* impact was proposed for Embarcadero Plaza because of sidewalk replacement and the official with jurisdiction, San Francisco Department of Recreation and Parks, concurred with this finding on July 20, 2020.

### 1.2.5 United Nations Plaza


United Nations Plaza (map ID MR-16), managed by San Francisco Public Works, is located at the intersection of Hyde Street and Market Street (Figure 7). The 2.6-acre plaza includes elements with historic character (described above in Section 1.1.9, *United Nations Plaza*) that also have recreational purposes. Amenities include the United Nations Fountain, statues, grassy areas, and seating.

As described above in Section 1.1.9, *United Nations Plaza*, a portion of the plaza, 0.7 acre, lies within the boundaries of the project corridor along Market Street between Hyde Street and 7<sup>th</sup> Street north of Market Street. The street-level plaza has grassy areas with scattered seating areas “display[ing] San Francisco history and culture.” The plaza is surrounded by the Asian Art Museum and the San Francisco Main Public Library, as well as its multiple historic statues, features, and fountain. The “Heart of the City Farmers Market” is a diverse and popular weekly attraction for locals (San Francisco Recreation and Park Department 2020). The plaza is popular for walkers and shoppers at the farmers markets. During construction, 0.7 acres will be temporarily fenced for safety reasons and unavailable to the plaza users for a minimum of one year. The fenced areas will include the relocated BART/Muni elevator, the F-loop ADA ramp, and areas where sidewalk removal and replacement will occur. The BART/Muni elevator at the Civic Center station on the north side of



**Better Market Street Project**  
 Federal Project Number: STPL-5934(180)



 Project Corridor  
 Featured Park\*

**Figure 7**  
**United Nations Plaza**

0 0.02 0.04 0.08 Miles

\*Labeled by Resource ID; refer to Tables 2 and 5 in the Section 4(f) De Minimis and No Use Determinations analysis



Market Street will be relocated to the current location of the staircase entrance to the Civic Center station in the plaza. As a result, access to portions of the sidewalks and plaza will be limited or narrowed but not completely restricted. The landscaped grassy and seating areas are outside the construction zone and given the size of the plaza, the weekly market or other activities will be relocated to other areas. Once construction is finished, access and public use of the plaza will resume.

None of the existing recreational amenities in the plaza will be affected by the project on a temporary or permanent basis. Plaza users in the vicinity of the work zone will also experience temporary construction-related noise and visual impacts but would not experience any loss of access or usage of recreational amenities. Permanent changes include replacement of sidewalk bricks, granite bands, and other features as well as potential relocation of an elevator, these permanent changes will not adversely affect the protected activities, features, or attributes that qualify the plaza for protection under Section 4(f). Since the duration of the impact is not temporary, the use does not meet temporary occupancy criteria (23 CFR 774.13 [d]1). This permanent change will not adversely affect the protected activities, features, or attributes that qualify the plaza for protection under Section 4(f). Therefore, a *de minimis* impact was proposed for United Nations Plaza because of sidewalk replacement and elevator relocation and the official with jurisdiction, San Francisco Department of Public Works, concurred with this finding on July 14, 2020.

### 1.2.6 Conclusion for Parks and Recreational Resources

The project will have *de minimis* impacts on five recreational resources: Mark Twain Plaza, Mechanics Monument Plaza, Robert Frost Plaza, Embarcadero Plaza, and United Nations Plaza. The permanent changes to these plazas will not substantially impair the protected activities, features, or attributes that qualify the resources for protection under Section 4(f). Accordingly, Caltrans has determined the impacts will be a *de minimis* use under Section 4(f). The San Francisco Department of Recreation and Parks provided its concurrence regarding the *de minimis* use finding for Embarcadero Plaza on July 20, 2020. The San Francisco Department of Public Works provided its concurrence regarding the *de minimis* use finding for Mark Twain Plaza, Mechanics Monument Plaza, Robert Frost Plaza, and United Nations Plaza on July 14, 2020.

### 1.2.7 Coordination with Agencies Having Jurisdiction

San Francisco Recreation and Parks Department and San Francisco Public Works have jurisdiction over the plazas. The City has informed San Francisco Recreation and Parks Department and San Francisco Public Works of the impacts of the project, discussed the measures to minimize impacts, and Caltrans' intention to adopt a *de minimis* finding. Written concurrence from the San Francisco Recreation and Parks Department that the proposed project would result in a *de minimis* use of Embarcadero Plaza was received on July 20, 2020. Written concurrence from San Francisco Public Works that the proposed project would result in a *de minimis* use of Mark Twain Plaza, Mechanics Monument Plaza, Robert Frost Plaza, and United Nations Plaza was received on July 14, 2020.

### 1.2.8 *De Minimis* Impact Finding Review Process

Given the above analysis of the project, a *de minimis* impact finding was proposed for the Mark Twain Plaza, Mechanics Monument Plaza, Robert Frost Plaza, Embarcadero Plaza, and United Nations Plaza. Through the draft EA, the proposed *de minimis* findings were made available for public and agency review as required under 23 CFR 774.5(b)(2). Public and agency comments on

the proposed *de minimis* impact findings, either through review of the EA or participation in the public hearing on the EA, were analyzed. As stated above, written concurrence from the San Francisco Recreation and Parks Department that the proposed project would result in a *de minimis* use of Embarcadero Plaza was received on July 20, 2020. Written concurrence from San Francisco Public Works that the proposed project would result in a *de minimis* use of Mark Twain Plaza, Mechanics Monument Plaza, Robert Frost Plaza, and United Nations Plaza was received on July 14, 2020. Caltrans has therefore made the final determination on the *de minimis* finding and included it in the final EA.

## 2 Resources Evaluated Relative to the Requirements of Section 4(f): No-Use Determinations

Section 4(f) of the Department of Transportation Act of 1966, codified in federal law at 49 USC 303, declares that “it is the policy of the United States government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.”

This section of the document discusses parks, recreational facilities, wildlife refuges, and historic properties within or next to the project area that do not trigger Section 4(f) protection because 1) they are not publicly owned, 2) they are not open to the public, 3) they are not eligible historic properties, or 4) the project will not permanently use the property and will not hinder preservation of the property.

### 2.1 Historic Properties

As stated in Section 1, background research revealed 146 NRHP-listed or -eligible historic properties within the built-environment APE (ICF 2020a). Eleven of these properties are historic districts and 135 are individual historic properties. For the purpose of this Section 4(f) analysis, the Civic Center NHL District and Civic Center Landmark District are considered separate historic properties. All qualify for protection under Section 4(f).

As noted previously, the Market Street Cultural Landscape District is evaluated in Appendix A. Ten historic properties with a proposed *de minimis* use are discussed in Section 1, and the remaining 135 historic properties protected by Section 4(f) but for which there will be no use are discussed in this section.

Data collection involved identifying historic properties in the built-environment APE by reviewing the HRER (ICF 2020a) and Finding of Adverse Effect (ICF 2020b) as well as archaeological resources in the archaeological APE by reviewing the Archaeological Survey Report (ICF 2020c).

#### 2.1.1 Built-Environment Resources

##### Description of Section 4(f) Historic Properties

Table 3 presents an inventory of the 135 historic resources in the built-environment APE that would have no Section 4(f) use under the proposed project. Figure 1 shows the location of these resources.



**Table 3. Historic Properties in the Area of Potential Effects with No Use**

<b>APE Map ID</b>	<b>Name of Historic Property and Location</b>	<b>Period of Significance and Evaluation Criteria</b>
<b>NRHP-Listed Historic Districts</b>		
MR-15	Uptown Tenderloin National Register Historic District, approximately 16 city blocks in central San Francisco, SF, CA	<b>Period of Significance:</b> 1906 to 1957 <b>Evaluation Criteria:</b> A and C
MR-23	Market Street Theatre and Loft National Register Historic District, parcels along or near the Market Street corridor generally between 7th Street and Turk Street, SF, CA	<b>Period of Significance:</b> 1899 to 1930 <b>Evaluation Criteria:</b> A and C
<b>NRHP-Listed Individual Historic Properties</b>		
MR-22	San Francisco Cable Cars National Historic Landmark (NHL), Hyde, Powell, Jackson, Washington, Mason, Taylor, and California streets, SF CA	<b>Period of Significance:</b> 1873 to 1899 <b>Evaluation Criteria:</b> A and C
MR-32	Lotta's Fountain, intersection of Market, Geary, and Kearny streets, SF CA	<b>Period of Significance:</b> 1875 <b>Evaluation Criteria:</b> A, B, and C
MR-52	Pacific Gas & Electric General Office Building and Annex, 245 Market Street, SF, CA	<b>Period of Significance:</b> 1923 to 1947 <b>Evaluation Criteria:</b> A and C
MR-53	Matson Building and Annex, 215 Market Street, SF, CA	<b>Period of Significance:</b> 1922 to 1947 <b>Evaluation Criteria:</b> A and C
<b>Assumed NRHP-Eligible Historic Districts</b>		
MR-6	Market Street Masonry Landmark District—specific buildings on and near Market Street between Franklin and Valencia streets, SF, CA	<b>Period of Significance:</b> 1911 to 1925 <b>Evaluation Criteria:</b> A and C
<b>NRHP-Eligible and Assumed NRHP-Eligible Individual Historic Properties</b>		
MR-4	Hotel Andree, 1661–1667 Market Street, SF, CA	<b>Period of Significance:</b> 1921 <b>Evaluation Criterion:</b> C
MR-5	Wilson Brothers Company Building, 1632 Market Street, SF, CA	<b>Period of Significance:</b> 1911 <b>Evaluation Criterion:</b> C
MR-6	8 buildings within the Market Street Masonry Landmark District (MR-6) assumed NRHP-eligible as individual historic properties: <ul style="list-style-type: none"> <li>• 20 Franklin Street, SF, CA</li> <li>• 1666–1668 Market Street, SF, CA</li> <li>• 1670–1680 Market Street, SF, CA</li> <li>• 64–78 Gough Street, SF, CA</li> <li>• 1649–1655 Market Street, SF, CA</li> <li>• 1693–1695 Market Street, SF, CA</li> <li>• 1687 Market Street, SF, CA</li> <li>• 1657 Market Street, SF, CA</li> </ul>	<b>Period of Significance:</b> 1911 to 1925 <b>Evaluation Criteria:</b> A and C
MR-7	Lesser Brothers Building, 1629–1637 Market Street, SF, CA	<b>Period of Significance:</b> 1925 <b>Evaluation Criterion:</b> C
MR-8	Civic Center Hotel, 1605 Market Street, SF, CA	<b>Period of Significance:</b> 1915 <b>Evaluation Criterion:</b> C

<b>APE Map ID</b>	<b>Name of Historic Property and Location</b>	<b>Period of Significance and Evaluation Criteria</b>
MR-11	17 buildings within the Civic Center Landmark District (MR-11) assumed NRHP-eligible as individual historic properties: <ul style="list-style-type: none"> <li>• 2 Hyde Street, SF, CA</li> <li>• 79 McAllister Street, SF, CA</li> <li>• 35 Fulton Street, SF, CA</li> <li>• 40 Leavenworth Street, SF, CA</li> <li>• 1170 Market Street, SF, CA</li> <li>• 83–91 McAllister Street, SF, CA</li> <li>• 30 Grove Street, SF, CA</li> <li>• 11 Grove Street, SF, CA</li> <li>• 25–29 Grove Street, SF, CA</li> <li>• 37–39 Grove Street, SF, CA</li> <li>• 1240–1242 Market Street, SF, CA</li> <li>• 1244–1254 Market Street, SF, CA</li> <li>• 1256–1266 Market Street, SF, CA</li> <li>• 1272–1276 Market Street, SF, CA</li> <li>• 1278–1298 Market Street, SF, CA</li> <li>• 1200 Market Street, SF, CA</li> <li>• 99 Grove Street, SF, CA</li> </ul>	<b>Period of Significance:</b> 1896 to 1975 <b>Evaluation Criteria:</b> A and C
MR-13	Western Furniture and Merchandise Mart, 1301–1363 Market Street, SF, CA	<b>Period of Significance:</b> 1937 <b>Evaluation Criterion:</b> C
MR-14	Whitcomb Hotel, 1215–1231 Market Street, SF, CA	<b>Period of Significance:</b> 1911 to 1915 <b>Evaluation Criteria:</b> A and C
MR-17	37 buildings within the LGBTQ Tenderloin Historic District (MR-17) assumed NRHP-eligible as individual historic properties: <ul style="list-style-type: none"> <li>• 982–988 Market Street, SF, CA</li> <li>• 982–988 Market Street, SF, CA</li> <li>• 42 Golden Gate Avenue, SF, CA</li> <li>• 1 Jones Street, SF, CA</li> <li>• 1000–1108 Market Street, SF, CA</li> <li>• 1028–1056 Market Street, SF, CA</li> <li>• 1066 Market Street, SF, CA</li> <li>• 20 Jones Street, SF, CA</li> <li>• 1100–1112 Market Street, SF, CA</li> <li>• 6–26 7th Street, SF, CA</li> <li>• 6–12 6th Street, SF, CA</li> <li>• 1011 Market Street, SF, CA</li> <li>• 1035 Market Street, SF, CA</li> <li>• 25 7th Street, SF, CA</li> <li>• 1089 Market Street, SF, CA</li> <li>• 1083–1087 Market Street, SF, CA</li> <li>• 1073–1081 Market Street, SF, CA</li> <li>• 1067–1071 Market Street, SF, CA</li> </ul>	<b>Period of Significance:</b> 1933 to 1990 <b>Evaluation Criterion:</b> A



APE Map ID	Name of Historic Property and Location	Period of Significance and Evaluation Criteria
	<ul style="list-style-type: none"> <li>• 1063 Market Street, SF, CA</li> <li>• 1059–1061 Market Street, SF, CA</li> <li>• 1053–1055 Market Street, SF, CA</li> <li>• 1049–1051 Market Street, SF, CA</li> <li>• 1041–1045 Market Street, SF, CA</li> <li>• 1035 Market Street, SF, CA</li> <li>• 1023 Market Street, SF, CA</li> <li>• 1017–1019 Market Street, SF, CA</li> <li>• 1007 Market Street, SF, CA</li> <li>• 1025–1029 Market Street, SF, CA</li> <li>• 993 Market Street, SF, CA</li> <li>• 979–989 Market Street, SF, CA</li> <li>• 973 Market Street, SF, CA</li> <li>• 1 6th Street, SF, CA</li> <li>• 101–127 Eddy Street, SF, CA</li> <li>• 2–16 Turk Street, SF, CA</li> <li>• 44 McAllister Street, SF, CA</li> <li>• 60 Leavenworth Street, SF, CA</li> <li>• 54–70 McAllister Street, SF, CA</li> </ul>	
MR-19	Francesca Theater, 1127 Market Street, SF, CA	<b>Period of Significance:</b> 1917 <b>Evaluation Criterion:</b> C
MR-24	925 Market Street, SF, CA	<b>Period of Significance:</b> 1910 <b>Evaluation Criterion:</b> C
MR-26	<p data-bbox="363 1123 899 1207">32 buildings within the Kearny-Market-Mason-Sutter Conservation District (MR-26) assumed NRHP-eligible as individual historic properties:</p> <ul style="list-style-type: none"> <li>• 2 Geary Street, SF, CA</li> <li>• 37–45 Geary Street, SF, CA</li> <li>• 744 Market Street, SF, CA</li> <li>• 47–55 Geary Street, SF, CA</li> <li>• 1–31 Geary Street, SF, CA</li> <li>• 1 Grant Street, SF, CA</li> <li>• 120–150 Cyril Magnin Street, SF, CA</li> <li>• 17–25 Stockton Street, SF, CA</li> <li>• 18 Ellis Street, SF, CA</li> <li>• 750–780 Market Street, SF, CA</li> <li>• 790 Market Street, SF, CA</li> <li>• 800–830 Market Street, SF, CA</li> <li>• 41 Ellis Street, SF, CA</li> <li>• 840–842 Market Street, SF, CA</li> <li>• 844–846 Market Street, SF, CA</li> <li>• 856 Market Street, SF, CA</li> <li>• 870–898 Market Street, SF, CA</li> <li>• 119–139 Ellis Street, SF, CA</li> <li>• 1 Powell Street, SF, CA</li> </ul>	<b>Period of Significance:</b> 1906 to 1930 <b>Evaluation Criterion:</b> C

<b>APE Map ID</b>	<b>Name of Historic Property and Location</b>	<b>Period of Significance and Evaluation Criteria</b>
	<ul style="list-style-type: none"> <li>• 934–936 Market Street, SF, CA</li> <li>• 944–948 Market Street, SF, CA</li> <li>• 83 Eddy Street, SF, CA</li> <li>• 25 Cyril Magnin Street, SF, CA</li> <li>• 938–940 Market Street, SF, CA</li> <li>• 901 Market Street, SF, CA</li> <li>• 825–833 Market Street, SF, CA</li> <li>• 845 Market Street, SF, CA</li> <li>• 801 Market Street, SF, CA</li> <li>• 799 Market Street, SF, CA</li> <li>• 783–785 Market Street, SF, CA</li> <li>• 735 Market Street, SF, CA</li> <li>• 725–731 Market Street, SF, CA</li> </ul>	
MR-27	Samuels Clock, Market between Powell and Stockton, SF, CA	<b>Period of Significance:</b> 1915 <b>Evaluation Criterion:</b> C
MR-28	Golden Triangle light standards, bounded by Market and Sutter, SF, CA	<b>Period of Significance:</b> 1915 to 1918 <b>Evaluation Criteria:</b> A, B, and C
MR-30	Kamm Building, 715–719 Market Street, SF, CA	<b>Period of Significance:</b> 1906 to 1940 <b>Evaluation Criterion:</b> C
MR-31	Call Building, 701–703 Market Street, SF, CA	<b>Period of Significance:</b> 1896 to 1938 <b>Evaluation Criterion:</b> C
MR-33	Chronicle Building, 690 Market Street, SF, CA	<b>Period of Significance:</b> 1890 <b>Evaluation Criteria:</b> A, B, and C
MR-34	648–660 Market Street, SF, CA	<b>Period of Significance:</b> 1911 <b>Evaluation Criterion:</b> C
MR-37	Admission Day Monument, intersection of Market and Montgomery streets, SF, CA	<b>Period of Significance:</b> 1897 <b>Evaluation Criterion:</b> C
MR-38	44 and 2–8 Montgomery Street, SF, CA	<b>Period of Significance:</b> 1966 to 1967 <b>Evaluation Criterion:</b> C
MR-39	Hobart Building, 582–590 Market Street, SF, CA	<b>Period of Significance:</b> 1914 <b>Evaluation Criterion:</b> C
MR-40	Finance Building, 576–580 Market Street, SF, CA	<b>Period of Significance:</b> 1923 <b>Evaluation Criterion:</b> C
MR-41	Chancery Building, 562–566 Market Street, SF, CA	<b>Period of Significance:</b> 1923 <b>Evaluation Criterion:</b> C
MR-43	Flatiron Building, 540–548 Market Street, SF, CA	<b>Period of Significance:</b> 1913 <b>Evaluation Criterion:</b> C
MR-44	9 buildings within the New Montgomery-Mission-2nd Street Conservation District (MR-48) assumed NRHP-eligible as individual historic properties: <ul style="list-style-type: none"> <li>• 601–605 Market Street, SF, CA</li> <li>• 20–30 2nd Street, SF, CA</li> <li>• 609 Market Street, SF, CA</li> <li>• 36 2nd Street, SF, CA</li> </ul>	<b>Period of Significance:</b> 1906 to 1933 <b>Evaluation Criterion:</b> C



<b>APE Map ID</b>	<b>Name of Historic Property and Location</b>	<b>Period of Significance and Evaluation Criteria</b>
	<ul style="list-style-type: none"> <li>• 681–685 Market Street, SF, CA</li> <li>• 643–665 Market Street, SF, CA</li> <li>• 1–29 3rd Street, SF, CA</li> <li>• 625 Market Street, SF, CA</li> <li>• 615 Market Street, SF, CA</li> </ul>	
MR-46	Standard Oil Building/Chevron Towers, 555–575 Market Street, SF CA	<b>Period of Significance:</b> 1964 and 1975 <b>Evaluation Criterion:</b> C
MR-48	Postal Telegraph Building, 2–22 Battery Street, SF, CA	<b>Period of Significance:</b> 1908 <b>Evaluation Criterion:</b> C
MR-49	Mechanics Monument, intersection of Bush and Market streets, SF, CA	<b>Period of Significance:</b> 1901 <b>Evaluation Criterion:</b> C
MR-55	Hyatt Regency, 22 Drumm Street, SF, CA	<b>Period of Significance:</b> 1973 <b>Evaluation Criterion:</b> C
MR-56	Southern Pacific Building, 1 Market Street, SF, CA	<b>Period of Significance:</b> 1917 <b>Evaluation Criterion:</b> C

### Historic Property Use Assessments, No Section 4(f) Use

This section presents the preliminary use assessments for the Section 4(f) cultural resources that do not have a Section 4(f) use, as discussed in Table 4 (location shown on Figure 1).

The APE for archaeological resources does not include any archaeological resources that will be subject to Section 4(f) (see Section 2.1.2 for a discussion of archaeological resources). The APE for built environment resources includes cultural resources that are subject to Section 4(f) analysis but will not result in a Section 4(f) use (see Section 2.1.1).

No permanent use of the historic properties in the APE will occur because the proposed project will not include property acquisition. No temporary use would occur because these resources are not within the boundaries of the project corridor. A constructive use assessment is provided below.

Impacts and preliminary use assessments for resources that are not within the boundaries of the project corridor are discussed in Table 4. Note that construction and operational noise effects are not considered because the historic properties are in downtown San Francisco; a quiet setting is not considered to be a character-defining feature or an important aspect of integrity for these properties. Temporary increases in noise during construction will not affect features that qualify the resource for listing in the NRHP, and project operational noise will increase only slightly (below the limits of human perceptibility) in some areas. Traffic noise will increase by up to 2.4 dBA by 2040; streetcar noise will increase by up to 2.1 dBA. Therefore, noise impacts are not discussed further for historic properties.

**Table 4. Section 4(f) Historic Properties No Use Determination Summary**

Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
<b>NRHP-Listed Historic Districts</b>				
Uptown Tenderloin National Register Historic District, approximately 16 city blocks in central San Francisco, SF, CA (MR-15)	No	No	No	Approximately 0.4 acre of this district lies within the boundaries of the project corridor. However, project activities in the public right-of-way will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the district. Work proposed in the immediate vicinity of a single building that contributes to the historic district includes removing and replacing the public sidewalks, adding curb ramps, subsurface utility replacement, and replacement of the existing roadway pavement. There will be no adverse effect under Section 106.
Market Street Theatre and Loft National Register District, parcels along or near the Market Street corridor generally between 7th Street and Turk Street, SF, CA (MR-23)	No	No	No	Approximately 4.0 acres of this district lie within the boundaries of the project corridor. However, project activities in the public right-of-way will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the district. Work proposed in the immediate vicinity of the Market Street Theatre and Loft National Register District's contributing buildings includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, introducing furnishing zones within the sidewalk area, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing the Path of Gold light standards. Work proposed in the Market Street roadway adjacent to contributing buildings to the Market Street Theatre and Loft National Register District includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. In addition, tracks for the new F-loop will be installed within the public right-of-way on McAllister Street between Market Street and Charles J. Brenham Place, an area where no tracks are currently located. A curbside transit stop will also be constructed along McAllister Street west of Jones Street. Both this segment of the F-loop and the curbside



Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
transit stop will be placed within the boundary of the Market Street Theatre and Loft National Register District. There will be no adverse effect under Section 106.				
<b>NRHP-Listed Individual Historic Properties</b>				
San Francisco Cable Cars National Historic Landmark (NHL), Hyde, Powell, Jackson, Washington, Mason, Taylor, and California streets, SF CA (MR-22)	No	No	No	Intersects the boundaries of the project corridor at the tracks and below-grade cables at the center of California Street, which terminate east of Drumm Street, a linear length of 0.02 miles. These contributing elements will be protected in place, and project activities in the public right-of-way will occur outside the boundary of the historic property such that no contributing elements will be demolished or incompatibly altered. The public sidewalk surrounding the tracks along Drumm Street and Market Street will be resurfaced; other work proposed in the vicinity includes a new furnishing zone, reconstructed Path of Gold light standards, and new alignments for street trees along Market Street. There will be no adverse effect under Section 106.
Lotta's Fountain, intersection of Market, Geary, and Kearny streets, SF CA (MR-32)	No	No	No	Located within the project corridor. The property will be protected in place, and project activities in the public right-of-way will occur outside the boundary of the historic property such that no contributing elements will be demolished or incompatibly altered. Project activities proposed in the immediate vicinity of Lotta's Fountain include removing and replacing the public sidewalks, adjusting the Market Street curb location, adding curb ramps, and reconstructing the Path of Gold light standards. There will be no adverse effect under Section 106.
Pacific Gas & Electric General Office Building and Annex, 245 Market Street, SF, CA (MR-52)	No	No	No	Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Pacific Gas & Electric General Office Building and Annex's primary Market Street façade includes removing and replacing the public sidewalks, introducing a furnishing zone, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in the

Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
Matson Building and Annex, 215 Market Street, SF, CA (MR-53)	No	No	No	Market Street roadway in the vicinity of the Pacific Gas & Electric General Office Building and Annex includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.
<b>Assumed NRHP-Eligible Historic Districts</b>				
Market Street Masonry Landmark District (MR-6)	No	No	No	Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic district; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the assumed contributing elements of the property. Work proposed in the immediate vicinity of the Market Street Masonry Landmark District's contributing buildings includes removing and replacing public sidewalks, installing a sidewalk-level bikeway, introducing furnishing zones, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing the Path of Gold light standards. Work proposed in Market Street in the vicinity of contributing buildings to the Market Street Masonry Landmark District includes demolishing



Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
<p>the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.</p>				
<p><b>NRHP-Eligible and Assumed NRHP-Eligible Individual Historic Properties</b></p>				
Hotel Andree, 1661–1667 Market Street, SF, CA (MR-4)	No	No	No	<p>Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of Hotel Andree’s Market Street and Gough Street façades includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in the Market Street and Gough Street roadways in the vicinity of Hotel Andree includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.</p>
Wilson Brothers Company Building, 973–977 Market Street, SF, CA (MR-5)	No	No	No	<p>Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Wilson Brothers Company Building’s primary Market Street façade includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in the Market Street roadway in the vicinity of the Wilson Brothers Company Building includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.</p>

Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
<p>8 buildings within the Market Street Masonry Landmark District (MR-6) assumed NRHP-eligible as individual historic properties:</p> <ul style="list-style-type: none"> <li>• 20 Franklin Street, SF, CA</li> <li>• 1666–1668 Market Street, SF, CA</li> <li>• 1670–1680 Market Street, SF, CA</li> <li>• 64–78 Gough Street, SF, CA</li> <li>• 1649–1655 Market Street, SF, CA</li> <li>• 1693–1695 Market Street, SF, CA</li> <li>• 1687 Market Street, SF, CA</li> <li>• 1657 Market Street, SF, CA</li> </ul>	No	No	No	<p>Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundaries of the historic properties; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the properties. Work proposed in the immediate vicinity of the 8 assumed NRHP-eligible buildings within the Market Street Masonry Landmark District includes removing and replacing public sidewalks, installing a sidewalk-level bikeway, introducing furnishing zones, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing the Path of Gold light standards. Work proposed in Market Street in the vicinity of the 8 assumed NRHP-eligible buildings within the Market Street Masonry Landmark District includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.</p>
<p>Lesser Brothers Building, 1629–1637 Market Street, SF, CA (MR-7)</p>	No	No	No	<p>Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Lesser Brothers Building’s primary Market Street façade includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in the Market Street roadway in the vicinity of the Lesser Brothers Building includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.</p>

Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
Civic Center Hotel, 1605 Market Street, SF, CA (MR-8)	No	No	No	Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Civic Center Hotel's Market Street and 12 <sup>th</sup> Street façades includes removing and replacing the public sidewalks, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in the Market Street roadway in the vicinity of the Civic Center Hotel includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.
17 buildings within the Civic Center Landmark District (MR-11) assumed NRHP-eligible as individual historic properties: <ul style="list-style-type: none"> <li>• 2 Hyde Street, SF, CA</li> <li>• 79 McAllister Street, SF, CA</li> <li>• 35 Fulton Street, SF, CA</li> <li>• 40 Leavenworth Street, SF, CA</li> <li>• 1170 Market Street, SF, CA</li> <li>• 83–91 McAllister Street, SF, CA</li> <li>• 30 Grove Street, SF, CA</li> <li>• 11 Grove Street, SF, CA</li> <li>• 25–29 Grove Street, SF, CA</li> <li>• 37–39 Grove Street, SF, CA</li> <li>• 1240–1242 Market Street, SF, CA</li> <li>• 1244–1254 Market Street, SF, CA</li> <li>• 1256–1266 Market Street, SF, CA</li> <li>• 1272–1276 Market Street, SF, CA</li> <li>• 1278–1298 Market Street, SF, CA</li> <li>• 1200 Market Street, SF, CA</li> <li>• 99 Grove Street, SF, CA</li> </ul>	No	No	No	Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundaries of the historic properties; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the properties. Work proposed in the immediate vicinity of the 17 assumed NRHP-eligible buildings within the Civic Center Landmark District includes removing and replacing public sidewalks at Market Street and McAllister Street to create a sidewalk-level bikeway, introducing furnishing zones, adding curb ramps, removing existing street trees and planting new street trees in a new alignment along Market Street, and reconstructing the Path of Gold light standards. Work proposed in Market Street in the vicinity of the 17 assumed NRHP-eligible buildings within the Civic Center Landmark District includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.



Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
Western Furniture and Merchandise Mart, 1301–1363 Market Street, SF, CA (MR-13)	No	No	No	Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Western Furniture and Merchandise Mart’s primary Market Street façade includes removing and replacing the public sidewalks, installing a furnishing zone, introducing a sidewalk-level bikeway with buffer, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in the Market Street roadway in the vicinity of the Western Furniture and Merchandise Mart includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.
Whitcomb Hotel, 1215–1231 Market Street, SF, CA (MR-14)	No	No	No	Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Whitcomb Hotel’s primary Market Street façade includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, removing existing street trees and planting new street trees in a new alignment, introducing a furnishing zone, and reconstructing Path of Gold light standards. Work proposed in the Market Street roadway in the vicinity of the Whitcomb Hotel includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.

Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
<p>37 buildings within the LGBTQ Tenderloin Historic District (MR-17) assumed NRHP-eligible as individual historic properties:</p> <ul style="list-style-type: none"> <li>• 982–988 Market Street, SF, CA</li> <li>• 982–988 Market Street, SF, CA</li> <li>• 42 Golden Gate Avenue, SF, CA</li> <li>• 1 Jones Street, SF, CA</li> <li>• 1000–1108 Market Street, SF, CA</li> <li>• 1028–1056 Market Street, SF, CA</li> <li>• 1066 Market Street, SF, CA</li> <li>• 20 Jones Street, SF, CA</li> <li>• 1100–1112 Market Street, SF, CA</li> <li>• 6–26 7th Street, SF, CA</li> <li>• 6–12 6th Street, SF, CA</li> <li>• 1011 Market Street, SF, CA</li> <li>• 1035 Market Street, SF, CA</li> <li>• 25 7th Street, SF, CA</li> <li>• 1089 Market Street, SF, CA</li> <li>• 1083–1087 Market Street, SF, CA</li> <li>• 1073–1081 Market Street, SF, CA</li> <li>• 1067–1071 Market Street, SF, CA</li> <li>• 1063 Market Street, SF, CA</li> <li>• 1059–1061 Market Street, SF, CA</li> <li>• 1053–1055 Market Street, SF, CA</li> <li>• 1049–1051 Market Street, SF, CA</li> <li>• 1041–1045 Market Street, SF, CA</li> <li>• 1035 Market Street, SF, CA</li> <li>• 1023 Market Street, SF, CA</li> <li>• 1017–1019 Market Street, SF, CA</li> <li>• 1007 Market Street, SF, CA</li> </ul>	No	No	No	<p>Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundaries of the historic properties; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the properties. Work proposed in the immediate vicinity of the 37 assumed NRHP-eligible buildings within the LGBTQ Tenderloin Historic District includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, introducing furnishing zones, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in Market Street in the vicinity of the 37 assumed NRHP-eligible buildings within the LGBTQ Tenderloin Historic District includes demolishing the public right-of-way, as well as designing and constructing various transportation improvements and streetscape improvements. In addition, rail tracks for the new F-loop will be constructed within the roadway of McAllister Street between Market Street and Charles J. Brenham Place, where no street tracks are currently located. There will be no adverse effect under Section 106.</p>

Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
<ul style="list-style-type: none"> <li>• 1025–1029 Market Street, SF, CA</li> <li>• 993 Market Street, SF, CA</li> <li>• 979–989 Market Street, SF, CA</li> <li>• 973 Market Street, SF, CA</li> <li>• 1 6th Street, SF, CA</li> <li>• 101–127 Eddy Street, SF, CA</li> <li>• 2–16 Turk Street, SF, CA</li> <li>• 44 McAllister Street, SF, CA</li> <li>• 60 Leavenworth Street, SF, CA</li> <li>• 54–70 McAllister Street, SF, CA</li> </ul>	No	No	No	<p>Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Francesca Theater’s primary Market Street façade includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in the Market Street roadway in the vicinity of the Francesca Theater includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.</p>
925 Market Street, SF, CA (MR-24)	No	No	No	<p>Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of 925 Market Street’s primary Market Street façade includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, introducing a</p>



Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
				furnishing zone, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in the Market Street roadway in the vicinity of 925 Market Street includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.
<p>32 buildings within the Kearny-Market-Mason-Sutter Conservation District (MR-26) assumed NRHP-eligible as individual historic properties:</p> <ul style="list-style-type: none"> <li>• 2 Geary Street, SF, CA</li> <li>• 37–45 Geary Street, SF, CA</li> <li>• 744 Market Street, SF, CA</li> <li>• 47–55 Geary Street, SF, CA</li> <li>• 1–31 Geary Street, SF, CA</li> <li>• 1 Grant Street, SF, CA</li> <li>• 120–150 Cyril Magnin Street, SF, CA</li> <li>• 17–25 Stockton Street, SF, CA</li> <li>• 18 Ellis Street, SF, CA</li> <li>• 750–780 Market Street, SF, CA</li> <li>• 790 Market Street, SF, CA</li> <li>• 800–830 Market Street, SF, CA</li> <li>• 41 Ellis Street, SF, CA</li> <li>• 840–842 Market Street, SF, CA</li> <li>• 844–846 Market Street, SF, CA</li> <li>• 856 Market Street, SF, CA</li> <li>• 870–898 Market Street, SF, CA</li> <li>• 119–139 Ellis Street, SF, CA</li> <li>• 1 Powell Street, SF, CA</li> </ul>	No	No	No	<p>Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundaries of the historic properties; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the properties. Work proposed in the immediate vicinity of the 32 assumed NRHP-eligible buildings within the Kearny-Market-Mason-Sutter Conservation District includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, introducing furnishing zones, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in Market Street in the vicinity of the Kearny-Market-Mason-Sutter Conservation District includes demolishing the public right-of-way, as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.</p>

Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
<ul style="list-style-type: none"> <li>• 934–936 Market Street, SF, CA</li> <li>• 944–948 Market Street, SF, CA</li> <li>• 83 Eddy Street, SF, CA</li> <li>• 25 Cyril Magnin Street, SF, CA</li> <li>• 938–940 Market Street, SF, CA</li> <li>• 901 Market Street, SF, CA</li> <li>• 825–833 Market Street, SF, CA</li> <li>• 845 Market Street, SF, CA</li> <li>• 801 Market Street, SF, CA</li> <li>• 799 Market Street, SF, CA</li> <li>• 783–785 Market Street, SF, CA</li> <li>• 735 Market Street, SF, CA</li> <li>• 725–731 Market Street, SF, CA</li> </ul>	No	No	No	Located within the project corridor. The property will be protected in place, and project activities in the public right-of-way will occur outside the boundary of the historic property such that no contributing elements will be demolished or incompatibly altered. The existing setting of Samuels Clock will be permanently altered by new sidewalk and roadway materials, new street trees, and reconstructed Path of Gold light standards. There will be no adverse effect under Section 106.
Golden Triangle light standards, bounded by Market and Sutter, SF, CA (MR-28)	No	No	No	Intersects the project corridor boundary at 13 points. The property will be protected in place, and project activities in the public right-of-way will occur outside the boundary of the historic property such that no contributing elements will be demolished or incompatibly altered. The existing setting of the Golden Triangle light standards will be permanently altered by the construction of streetscape improvements. There will be no adverse effect under Section 106.
Kamm Building, 715–719 Market Street, SF, CA (MR-30)	No	No	No	Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Kamm

Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
Call Building, 701-703 Market Street, SF, CA (MR-31)	No	No	No	Building’s primary Market Street façade includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in the Market Street roadway in the vicinity of the Kamm Building includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.
Chronicle Building, 690 Market Street, SF, CA (MR-33)	No	No	No	Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Call Building’s primary Market Street façade includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in the Market Street roadway in the vicinity of the Call Building includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.
Chronicle Building, 690 Market Street, SF, CA (MR-33)	No	No	No	Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Chronicle Building’s primary Market Street façade includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, introducing a furnishing zone, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path



Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
648–660 Market Street, SF, CA (MR-34)	No	No	No	of Gold light standards. Work proposed in the Market Street roadway in the vicinity of the Chronicle Building includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.
648–660 Market Street, SF, CA (MR-34)	No	No	No	Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of 648–660 Market Street’s primary Market Street façade includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, introducing a furnishing zone, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in the Market Street roadway in the vicinity of 648–660 Market Street includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.
Admission Day Monument, intersection of Market and Montgomery streets, SF, CA (MR-37)	No	No	No	Within the boundary of the project corridor. The property will be protected in place, and project activities in the public right-of-way will occur outside the boundary of the historic property such that no contributing elements will be demolished or incompatibly altered. The existing setting of the Admission Day Monument will be permanently altered by new sidewalk and roadway materials, and reconstructed Path of Gold light standards. There will be no adverse effect under Section 106.
44 and 2–8 Montgomery Street, SF, CA (MR-38)	No	No	No	Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of 44 and 2–8

Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
Hobart Building, 582–590 Market Street, SF, CA (MR-39)	No	No	No	Montgomery Street’s primary Market Street façade includes removing and replacing the public sidewalks, including curb ramps, and reconstructing Path of Gold light standards. Work proposed in the Market Street roadway in the vicinity of 44 and 2–8 Montgomery Street includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.
Finance Building, 576–580 Market Street, SF, CA (MR-40)	No	No	No	Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Hobart Building’s primary Market Street façade includes removing and replacing the public sidewalks, introducing a furnishing zone, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in the Market Street roadway in the vicinity of the Hobart Building includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.

Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
Chancery Building, 562–566 Market Street, SF, CA (MR-41)	No	No	No	right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.
Flatiron Building, 540–548 Market Street, SF, CA (MR-43)	No	No	No	Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Chancery Building’s primary Market Street façade includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in the Market Street roadway in the vicinity of the Chancery Building includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.
Flatiron Building, 540–548 Market Street, SF, CA (MR-43)	No	No	No	Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Flatiron Building’s Market Street and Sutter Street façades includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, introducing a furnishing zone, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in the Market Street roadway in the vicinity of the Flatiron Building includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.



Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
<p>9 buildings within the New Montgomery-Mission-2nd Street Conservation District (MR-44) assumed NRHP-eligible as individual historic properties:</p> <ul style="list-style-type: none"> <li>• 601–605 Market Street, SF, CA</li> <li>• 20–30 2nd Street, SF, CA</li> <li>• 609 Market Street, SF, CA</li> <li>• 36 2nd Street, SF, CA</li> <li>• 681–685 Market Street, SF, CA</li> <li>• 643–665 Market Street, SF, CA</li> <li>• 1–29 3rd Street, SF, CA</li> <li>• 625 Market Street, SF, CA</li> <li>• 615 Market Street, SF, CA</li> </ul>	No	No	No	<p>Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundaries of the historic properties; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the properties. Work proposed in the immediate vicinity of the 9 assumed NRHP-eligible buildings within the New Montgomery-Mission-2nd Street Conservation District includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, introducing furnishing zones, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in Market Street in the vicinity of the 9 assumed NRHP-eligible buildings within the New Montgomery-Mission-2nd Street Conservation District includes demolishing the public right-of-way, as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.</p>
<p>Standard Oil Building/ Chevron Towers, 555–575 Market Street, SF, CA (MR-46)</p>	No	No	No	<p>Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Standard Oil Building/Chevron Towers along Market Street includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, introducing a furnishing zone, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in the Market Street roadway in the vicinity of the Standard Oil Building/Chevron Towers includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.</p>

Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
Postal Telegraph Building, 2–22 Battery Street, SF, CA (MR-48)	No	No	No	Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Postal Telegraph Building includes removing and replacing the public sidewalks. The existing Mechanics Monument Plaza, which is adjacent to the building’s front façade, will not be modified. Work proposed in and along Market Street and Bush Street in the vicinity of the Postal Telegraph Building includes removing existing street trees and planting new street trees in a new alignment, reconstructing Path of Gold light standards, demolishing the public right-of-way, and designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.
Mechanics Monument, intersection of Bush and Market streets, SF, CA (MR-49)	No	No	No	Within the boundary of the project corridor. The property will be protected in place, and project activities in the public right-of-way will occur outside the boundary of the historic property such that no contributing elements will be demolished or incompatibly altered. Project features proposed in the immediate vicinity of Mechanics Monument include removing and replacing the public sidewalks, installing a sidewalk-level bikeway, adding curb ramps, introducing a furnishing zone, removing existing street trees and planting new street trees in a new alignment, and reconstructing the Path of Gold light standards. There will be no adverse effect under Section 106.
Hyatt Regency, 22 Drumm Street, SF, CA (MR-55)	No	No	No	Approximately <0.1 acre of the parcel lies within the boundaries of the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property (consisting of the building footprint); will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Hyatt Regency’s primary Market Street façade includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway

Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
Southern Pacific Building, 1 Market Street, SF, CA (MR-56)	No	No	No	<p>transitioning to a street-level bikeway, introducing a furnishing zone within the sidewalk area, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing the Path of Gold light standards. There will be no adverse effect under Section 106.</p> <p>Located adjacent to the project corridor. Project activities in the public right-of-way will occur outside the boundary of the historic property; will not result in changes to individual buildings, structures, and objects located outside the public right-of-way; and will not include any activities that demolish or incompatibly alter the contributing elements of the property. Work proposed in the immediate vicinity of the Southern Pacific Building's primary Market Street façade includes removing and replacing the public sidewalks, installing a sidewalk-level bikeway, introducing a furnishing zone, adding curb ramps, removing existing street trees and planting new street trees in a new alignment, and reconstructing Path of Gold light standards. Work proposed in the Market Street roadway in the vicinity of the Southern Pacific Building includes demolishing the public right-of-way as well as designing and constructing various transportation improvements and streetscape improvements. There will be no adverse effect under Section 106.</p>



## 2.1.2 Archaeological Resources

The boundaries of nine archaeological resources are included in the archaeological APE. These resources include CA-SFR-28, CA-SFR-127H, CA-SFR-156H, CA-SFR-157H, Yerba Buena Cemetery (no trinomial), the Panama, the Byron, the Callao, the Autumn, the Galen, the California Street Wharf, the Market Street Wharf, the Main Street Wharf, and the Stuart Street Wharf (ICF 2020b). Five of the fourteen archaeological resources (the Yerba Buena Cemetery [no trinomial], the California Street Wharf, the Market Street Wharf, the Main Street Wharf, and the Stuart Street Wharf) are believed to exist within the vertical archaeological APE. The remaining nine archaeological resources CA-SFR-28, CA-SFR-127H, CA-SFR-156H, CA-SFR-157H, the Panama, the Byron, the Callao, the Autumn, the Galen are located outside of the vertical archaeological APE as they are either no longer extant or exist at depth beyond the maximum depth of project-related ground disturbance.

The locations of the California Street Wharf, the Market Street Wharf, the Main Street Wharf, and the Stuart Street Wharf are listed as possible and they have not been subject to archaeological investigation (San Francisco National Maritime Historical Park 2017). These resources may still be present within the horizontal extent of the archaeological APE at an unknown depth. However, previous disturbance along the archaeological APE in the vicinity of the Market Street Wharf included the cut and cover excavation associated with the Embarcadero BART Station. The construction of the station included excavation up to 80 feet (24 meters) below ground surface; construction extended along Market Street from Spear to First streets and included subsurface sidewalk easements. It is likely that portions or all of this resource, if it once existed within the archaeological APE, were removed during construction of BART. However, their presence within the archaeological APE is unknown. Additionally, the California Street Wharf, the Main Street Wharf, and the Stuart Street Wharf have not been subject to archaeological investigation and may exist within the archaeological APE at an unknown depth. Therefore, project-related ground disturbance has the potential to encounter these potential resources. Caltrans assumed that these resources are eligible for listing in the NRHP under Criterion D. SHPO concurred with this determination of eligibility on April 23, 2020.

The boundary of the Yerba Buena Cemetery intersects the archaeological APE in two locations: at United Nations Plaza and along the length of Charles J. Brenham Place. No intact portions of the Yerba Buena Cemetery are believed to exist within the archaeological APE at United Nations Plaza due to the 1970s construction of the Civic Center BART station, which excavated an 80- to 100-foot-deep by 61-foot-wide trench along Market Street and into United Nations Plaza. However, historic documentation indicates that intact deposits associated with Yerba Buena Cemetery could be present within the archaeological APE along Charles J. Brenham Place between 10 to 25 feet below ground surface. Artificial fill has been identified up to 8 feet below ground surface. Project-related excavation proposed within the resource boundary will extend to up to 15 feet below ground surface, which could extend beyond the previous level of disturbance. Thus, ground disturbance associated with the proposed utility rehabilitation/replacement along the proposed F-loop (on Charles J. Brenham Place) could encounter intact portions of Yerba Buena Cemetery. Caltrans assumes that this resource is eligible for listing in the NRHP under Criterion D. SHPO concurred with this determination of eligibility on April 23, 2020.

An archaeological resource that is eligible under only Criterion D is generally considered to be valuable, primarily for the data that can be recovered from it. It is generally assumed that there is minimal value to preserving such resources in place. In other words, Section 4(f) does not apply if a

site is important chiefly because of what can be learned from data recovery, with minimal value for preservation in place (Federal Highway Administration n.d.). Based on the above, no known archaeological resources in the archaeological APE qualify for protection under Section 4(f).

### 2.1.3 Conclusion for Historic Properties

One hundred and thirty-five of the historic properties discussed in this section are Section 4(f) properties, but no use will occur.

No known archaeological resources in the archaeological APE qualify for protection under Section 4(f). Therefore, the provisions of Section 4(f) do not apply.

## 2.2 Parks and Recreational Facilities

Data collection, to identify parks and recreational facilities that are potentially eligible for Section 4(f) protection, consisted of a review of facilities managed by the following agencies:

- San Francisco Recreation and Parks Department facilities (San Francisco Recreation and Parks Department 2019)
- San Francisco Public Works recreational facilities (San Francisco Public Works n.d.)
- Port of San Francisco recreational facilities (City and County of San Francisco n.d.b)
- Association of Bay Area Governments and Metropolitan Transportation Commission (San Francisco Bay Trail 2019)
- School yards available for public recreational use (City and County of San Francisco 2015; San Francisco Shared Schoolyard Project 2019)

Analysts evaluated the following resources for qualification but determined that they were not Section 4(f) resources, based on the applicability criteria, specifically, Section 4(f) does not apply in the following circumstances:

1. Land that is privately owned, even if it is designated in a formal plan including privately owned public spaces <sup>2</sup>
2. Public or private school recreational facilities where no joint use agreement for public use exists
3. Publicly owned facilities where park, recreational, or refuge activities will be incidental, secondary, occasional, or dispersed

The criteria that form the basis for why the following resources are not Section 4(f) resources appear in parentheses in the following:

- One Bush Plaza (1)
- McKesson Plaza (1)
- Crocker Plaza (1)
- Beale Street Plaza (1)
- Larkin Street Youth Services Academy, San Francisco (2)

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<sup>2</sup> Privately-owned public open spaces are publicly accessible spaces in forms of plazas, terraces, atriums, small parks, and snippets which are provided and maintained by private developers.

### 2.2.1 Description of Parks and Recreational Facilities

Table 5 lists the 23 parks and recreational facility resources in the study area that qualify for protection under Section 4(f) that will result in no use. Mark Twain Plaza, Mechanics Monument Plaza, Robert Frost Plaza, Embarcadero Plaza, and United Nations Plaza, which will result in *de minimis* impacts, are discussed in Section 1.2. Figure 2 shows the locations of all parks and recreational facility resources that qualify for protection under Section 4(f). The map ID number for each resource is illustrated in the figure, numbered from west to east, and is also provided in Tables 2 and 5.



**Table 5. Parks, Recreational Areas, and Class 1 Path Resources Evaluated for Potential Section 4(f) Use**

Map ID	Name	Description
1	Duboce Avenue Bike Path	<p><b>Distance from Project Corridor (mile):</b> 0.23</p> <p><b>Location:</b> Between Church and Market streets/Buchanan Street intersection, SF, CA 94117</p> <p><b>Size:</b> Total of 0.2 mile total; &lt; 0.1 mile within study area along Duboce Avenue</p> <p><b>Features:</b> Class 1 multi-use trail, mural of bicycles</p> <p><b>Agency with Jurisdiction:</b> San Francisco Municipal Transportation Agency</p> <p><b>Section 4(f) Applicability:</b> Publicly owned path</p>
2	Koshland Park	<p><b>Distance from Project Corridor (mile):</b> 0.17</p> <p><b>Location:</b> Page and Buchanan streets, SF, CA, 94102</p> <p><b>Size:</b> 0.8 acre, 0.8 acre within study area</p> <p><b>Features:</b> Play structures, sand pit, community learning garden, basketball half-court, dog park, benches</p> <p><b>Agency with Jurisdiction:</b> San Francisco Recreation and Parks Department</p> <p><b>Section 4(f) Applicability:</b> Publicly owned park</p>
3	Page and Laguna Mini Park	<p><b>Distance from Project Corridor (mile):</b> 0.12</p> <p><b>Location:</b> Page and Laguna streets, SF, CA, 94102</p> <p><b>Size:</b> 0.2 acre, 0.2 acre within study area</p> <p><b>Features:</b> Community gardens with ornamental beds and apple trees, winding path, benches</p> <p><b>Agency with Jurisdiction:</b> San Francisco Recreation and Parks Department</p> <p><b>Section 4(f) Applicability:</b> Publicly owned park</p>
4	SoMa West Dog Park	<p><b>Distance from Project Corridor (mile):</b> 0.06</p> <p><b>Location:</b> Between Valencia and Otis streets under Central Freeway, SF, CA 94103</p> <p><b>Size:</b> 0.6 acre, 0.6 acre within study area</p> <p><b>Features:</b> Dog play area with artificial lawn</p> <p><b>Agency with Jurisdiction:</b> San Francisco Public Works</p> <p><b>Section 4(f) Applicability:</b> Publicly owned park</p>
5	SoMa West Skate Park	<p><b>Distance from Project Corridor (mile):</b> 0.10</p> <p><b>Location:</b> Between Valencia and Otis streets under Central Freeway, SF, CA 94103</p> <p><b>Size:</b> 0.7 acre, 0.7 acre within study area</p> <p><b>Features:</b> Skate park with skateboarding structures</p> <p><b>Agency with Jurisdiction:</b> San Francisco Public Works</p> <p><b>Section 4(f) Applicability:</b> Publicly owned park</p>

Map ID	Name	Description
6	Patricia's Green in Hayes Valley	<p><b>Distance from Project Corridor (mile):</b> 0.21  <b>Location:</b> Octavia Boulevard and Hayes Street, SF, CA, 94102  <b>Size:</b> 0.4 acre, 0.4 acre within study area  <b>Features:</b> Playground, picnic tables, benches, lawn, walkways  <b>Agency with Jurisdiction:</b> San Francisco Recreation and Parks Department  <b>Section 4(f) Applicability:</b> Publicly owned park</p>
7	Joseph L. Alioto Performing Arts Piazza	<p><b>Distance from Project Corridor (mile):</b> 0.07  <b>Location:</b> Grove and Larkin streets, SF, CA, 94102  <b>Size:</b> 4.4 acres, 4.4 acres within study area  <b>Features:</b> Performing arts area, soccer fields, fountain  <b>Agency with Jurisdiction:</b> San Francisco Recreation and Parks Department  <b>Section 4(f) Applicability:</b> Publicly owned park</p>
8	Helen Diller Civic Center Playgrounds	<p><b>Distance from Project Corridor (mile):</b> 0.07  <b>Location:</b> 55 Larkin Street, SF, CA 94102  <b>Size:</b> 4.4 acres, 4.4 acres within study area  <b>Features:</b> Play structures, fountain, walkways  <b>Agency with Jurisdiction:</b> San Francisco Recreation and Parks Department  <b>Section 4(f) Applicability:</b> Publicly owned park</p>
9	Howard and Langton Mini Park	<p><b>Distance from Project Corridor (mile):</b> 0.22  <b>Location:</b> Howard and Langton streets, SF, CA, 94103  <b>Size:</b> 0.2 acre, 0.2 acre within study area  <b>Features:</b> Community garden with 40 plots for vegetables or ornamentals and walkways  <b>Agency with Jurisdiction:</b> San Francisco Recreation and Parks Department  <b>Section 4(f) Applicability:</b> Publicly owned park</p>
10	Turk and Hyde Mini Park	<p><b>Distance from Project Corridor (mile):</b> 0.16  <b>Location:</b> Turk and Hyde streets, SF, CA, 94102  <b>Size:</b> 0.1 acre, 0.1 acre within study area  <b>Features:</b> Play structures for young children, benches, picnic tables  <b>Agency with Jurisdiction:</b> San Francisco Recreation and Parks Department  <b>Section 4(f) Applicability:</b> Publicly owned park</p>

Map ID	Name	Description
11	Father Alfred E. Boeddeker Park	<p><b>Distance from Project Corridor (mile):</b> 0.12</p> <p><b>Location:</b> 246 Eddy Street, SF, CA, 94102</p> <p><b>Size:</b> 1.0 acre, 1.0 acre within study area</p> <p><b>Features:</b> Community clubhouse, a basketball half-court, swings, slide and play structures, adult exercise equipment, basketball hoop, picnic area</p> <p><b>Agency with Jurisdiction:</b> San Francisco Recreation and Parks Department</p> <p><b>Section 4(f) Applicability:</b> Publicly owned park</p>
12	Hallidie Plaza	<p><b>Distance from Project Corridor (mile):</b> adjacent to project corridor</p> <p><b>Location:</b> Market and 5<sup>th</sup> Street, SF, CA 94102</p> <p><b>Size:</b> 0.3 acres, 0 acre within study area</p> <p><b>Features:</b> sign with the names and distances to San Francisco's sister cities</p> <p><b>Agency with Jurisdiction:</b> San Francisco Public Works</p> <p><b>Section 4(f) Applicability:</b> Publicly owned park</p>
13	Union Square	<p><b>Distance from Project Corridor (mile):</b> 0.11</p> <p><b>Location:</b> Post and Stockton streets, SF, CA 94108</p> <p><b>Size:</b> 2.6 acres, 2.6 acres within study area</p> <p><b>Features:</b> Performance stage, seasonal ice skating, restaurant and café, picnic areas</p> <p><b>Agency with Jurisdiction:</b> San Francisco Recreation and Parks Department</p> <p><b>Section 4(f) Applicability:</b> Publicly owned park</p>
14	Yerba Buena Gardens	<p><b>Distance from Project Corridor (mile):</b> 0.12</p> <p><b>Location:</b> 750 Howard Street, SF, CA 94103</p> <p><b>Size:</b> 5.0 acres, 5.0 acres within study area</p> <p><b>Features:</b> Open space, performance facilities, public art, cafés</p> <p><b>Agency with Jurisdiction:</b> Office of Community Investment and Infrastructure</p> <p><b>Section 4(f) Applicability:</b> Publicly owned park</p>
15	Jessie Square	<p><b>Distance from Project Corridor (mile):</b> 0.1</p> <p><b>Location:</b> Mission Street between 3<sup>rd</sup> and 4<sup>th</sup> Streets, SF, CA ZIP</p> <p><b>Size:</b> 0.1 acres, 0 acre within study area</p> <p><b>Features:</b> event space, gathering space used for public dances</p> <p><b>Agency with Jurisdiction:</b> Office of Community Investment and Infrastructure</p> <p><b>Section 4(f) Applicability:</b> Publicly owned park</p>



Map ID	Name	Description
17	St. Mary's Square	<p><b>Distance from Project Corridor (mile):</b> 0.22  <b>Location:</b> California and Grant streets, SF, CA, 94108  <b>Size:</b> 1.4 acres, 0.7 acre within study area  <b>Features:</b> Play structures, picnic areas, outdoor movie space  <b>Agency with Jurisdiction:</b> San Francisco Recreation and Parks Department  <b>Section 4(f) Applicability:</b> Publicly owned park</p>
18	Transit Center Park	<p><b>Distance from Project Corridor (mile):</b> 0.08  <b>Location:</b> Mission Street from Second to Beale streets, SF, CA, 94105  <b>Size:</b> 5.0 acres, 5.0 acres within study area  <b>Features:</b> Open-air amphitheater, public space with active and quiet areas, children's play spaces, bike storage  <b>Agency with Jurisdiction:</b> Transbay Joint Powers Authority  <b>Section 4(f) Applicability:</b> Publicly owned park</p>
21	Maritime Plaza	<p><b>Distance from Project Corridor (mile):</b> 0.14  <b>Location:</b> 285 Washington Street, SF, CA, 94111  <b>Size:</b> 2.0 acres, 2.0 acres within study area  <b>Features:</b> Landscaped plaza, connected to Golden Gateway and Embarcadero Center by pedestrian bridges, walking trails  <b>Agency with Jurisdiction:</b> San Francisco Recreation and Parks Department  <b>Section 4(f) Applicability:</b> Publicly owned park</p>
22	Sue Bierman Park (formerly Ferry Park)	<p><b>Distance from Project Corridor (mile):</b> 0.07  <b>Location:</b> Clay Street and The Embarcadero, SF, CA, 94111  <b>Size:</b> 4.3 acres, 4.2 acres within study area  <b>Features:</b> Benches, walking trails, play structures  <b>Agency with Jurisdiction:</b> San Francisco Recreation and Parks Department  <b>Section 4(f) Applicability:</b> Publicly owned park</p>
24	Harry Bridges Plaza/Ferry Building Square	<p><b>Distance from Project Corridor (mile):</b> 0.04  <b>Location:</b> The Embarcadero, SF, CA 94111  <b>Size:</b> 1.85 acres, 1.85 acres within study area  <b>Features:</b> Public art, bicycle rentals, war memorial, open-air market  <b>Agency with Jurisdiction:</b> Port of San Francisco  <b>Section 4(f) Applicability:</b> Publicly owned park</p>

Map ID	Name	Description
25	Bay Trail	<p><b>Distance from Project Corridor (mile):</b> 0.06</p> <p><b>Location:</b> The Embarcadero, SF, CA</p> <p><b>Size:</b> Total of 500 miles planned to extend around San Francisco Bay; &gt; 350 miles currently built, and 0.7 mile built along The Embarcadero within the study area</p> <p><b>Features:</b> Class 1 multi-use trail</p> <p><b>Agency with Jurisdiction:</b> Association of Bay Area Governments, Metropolitan Transportation Commission</p> <p><b>Section 4(f) Applicability:</b> Publicly owned trail</p>
26	Rincon Park	<p><b>Distance from Project Corridor (mile):</b> 0.13</p> <p><b>Location:</b> Howard and Folsom streets, SF, CA 94105</p> <p><b>Size:</b> 1.5 acres, 0.7 acre within study area</p> <p><b>Features:</b> Bayfront promenade, walking paths, public art</p> <p><b>Agency with Jurisdiction:</b> Port of San Francisco</p> <p><b>Section 4(f) Applicability:</b> Publicly owned park</p>
27	Ferry Plaza	<p><b>Distance from Project Corridor (mile):</b> 0.10</p> <p><b>Location:</b> The Embarcadero and Market Street, SF, CA 94111</p> <p><b>Size:</b> 2.9 acres, 0 acre within study area</p> <p><b>Features:</b> Views of San Francisco Bay, event space, farmers' market</p> <p><b>Agency with Jurisdiction:</b> Port of San Francisco</p> <p><b>Section 4(f) Applicability:</b> Publicly owned park</p>

Sources: City and County of San Francisco 2015, 2016, 2019a, 2019b; Metropolitan Transportation Commission 2016; San Francisco Municipal Transportation Agency 2019; San Francisco Public Works n.d.; San Francisco Recreation and Parks Department 2019; Yerba Buena Gardens 2019a, 2019b; Transbay Joint Powers Authority n.d.a, n.d.b.

## 2.2.2 Parks and Recreational Facilities Use Assessments, No Section 4(f) Use

A constructive use assessment is provided in Table 6 for the Section 4(f) resources adjacent to the project corridor, the area where the most severe visual and noise impacts will be experienced. Note that the distance for analysis of proximity impacts is different from and larger than the study area identified in Section 2.1-2 of the EA. With distance, potential visual and noise impacts are exponentially reduced because of the structures and landscaping that occur between the source of the noise or visual impact and the resource.

Impacts and preliminary use assessments for Section 4(f) parks and recreational resources that are not directly adjacent to the project corridor and do not involve a Section 4(f) use are discussed only in Table 6.

Table 6 presents the resources, along with an explanation as to why no permanent use, temporary occupancy, or constructive use will occur at each resource. Figure 2 shows the locations of all parks and recreational resources that qualify for protection under Section 4(f).



**Table 6. Section 4(f) Parks and Recreational Facilities No Use Determination Summary**

Map ID	Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
1	Duboce Avenue Bike Path	No	No	No	Located 0.23 mile from project corridor; no potential for use.
2	Koshland Park	No	No	No	<p>Although the park is 0.17 mile from the project corridor, the closest views of the project will be obscured by mixed-use residential and commercial buildings between the park and project corridor. Depending on the location in the park, there could be intermittent and short-lived views of the project corridor from Page and Haight streets. Construction is anticipated to last approximately one year at this location, but the closest line-of-sight view is 0.3 mile away. Construction noise will be muffled by intervening commercial and residential buildings.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility.</p> <p>The proposed project will not interrupt or change access to the park.</p>
3	Page and Laguna Mini Park	No	No	No	<p>Although the mini park is 0.12 mile from the project corridor, the closest views of the project will be obscured by mixed-use residential and commercial buildings between the park and project corridor. Depending on the location in the park, there could be intermittent and short-lived views of the project corridor from Page and Haight streets. Construction is anticipated to last approximately one year at this location, but the closest line-of-sight view is 0.2 mile away. Construction noise will be muffled by intervening buildings. There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>

Map ID	Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
4	SoMa West Dog Park	No	No	No	<p>Although the park is 0.06 mile from the project corridor, the closest views of the project will be completely obscured by the elevated Central Freeway. Construction noise will be masked by freeway noise.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>
5	SoMa West Skate Park	No	No	No	<p>Although the park is 0.10 mile from the project corridor, the closest views of the project will be completely obscured by the elevated Central Freeway. Construction noise will be masked by freeway noise.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>
6	Patricia's Green in Hayes Valley	No	No	No	Located 0.21 mile from project corridor; no potential for use.
7	Joseph L. Alioto Performing Arts Piazza	No	No	No	<p>Although the resource is 0.07 mile from the project corridor, views in most parts of the park will be obscured by multi-story commercial buildings. Depending on the location in the park, there could be intermittent and short-lived views of the project corridor from park margins along Larkin Street, Grove Street, and McAllister Street. Construction is anticipated to last approximately one year at this location. In addition, it will be possible to view project construction from the middle of the park, along Fulton Street, through United Nations Plaza. However, views of construction will not interrupt enjoyment of the park. AMMs will minimize construction noise.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>

<b>Map ID</b>	<b>Name</b>	<b>Use?</b>	<b>Temporary Occupancy Resulting in Use?</b>	<b>Constructive Use?</b>	<b>Explanation</b>
8	Helen Diller Civic Center Playgrounds	No	No	No	<p>Although the resource is 0.07 mile from the project corridor, views in most parts of the park will be obscured by multi-story commercial buildings. Depending on the location in the park, there could be intermittent and short-lived views of the project corridor from park margins along Larkin Street, Grove Street, and McAllister Street. Construction is anticipated to last approximately one year at this location. In addition, it will be possible to view project construction from the middle of the park, along Fulton Street, through United Nations Plaza. However, views of construction will not interrupt enjoyment of the park. AMMs will minimize construction noise effects.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>
9	Howard and Langton Mini Park	No	No	No	Located 0.22 mile from project corridor; no potential for use.
10	Turk and Hyde Mini Park	No	No	No	<p>Although the park is 0.16 mile from the project corridor, the closest views of the project will be obscured by commercial buildings between the park and project corridor. Depending on the location in the park, there could be intermittent and short-lived views of the project corridor along Turk and Hyde streets. Construction is anticipated to last approximately one year at this location; the closest line-of-sight view is 0.3 mile away. Construction noise will be muffled by intervening buildings.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>



Map ID	Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
11	Father Alfred E. Boeddeker Park	No	No	No	<p>Because the resource is 0.12 mile from project construction, at the intersection of Mason and Eddy streets, intermittent and short-lived views of construction equipment are possible from the southwest margin of the park, along Jones Street. Construction is anticipated to last approximately one year at this location. However, views will be obscured by commercial buildings. Any such views will be short lived and will not interfere with use or enjoyment of the facilities. Construction noise will be muffled by intervening buildings.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>
12	Hallidie Plaza	No	No	No	<p>Because Hallidie Plaza is adjacent to the project corridor, there will be views of construction during the period of project construction. Construction is anticipated to last approximately one year at this location. However, views of construction will not interrupt enjoyment of the park. AMMs will minimize construction noise.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>
13	Union Square	No	No	No	<p>Although the park is within 0.11 mile of the project corridor, views will be obscured by commercial buildings. Depending on the location in the park, there could be intermittent and short-lived views of the project corridor along Post, Geary, Powell, and Stockton streets. Construction is anticipated to last approximately one year at this location, but the closest line-of-sight view is 0.1 mile away. Construction noise will be muffled by intervening multi-story commercial buildings.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>

Map ID	Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
14	Yerba Buena Gardens	No	No	No	<p>Although the park is within 0.12 mile of the project corridor, views will be obscured by intervening multi-story commercial buildings between the facility and the project corridor. Depending on the location in the park, there could be intermittent and short-lived views of the project corridor along Third and Fourth streets. Construction is anticipated to last approximately one year at this location; the closest line-of-sight view is 0.12 mile away. Construction noise will be muffled by intervening commercial buildings.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>
15	Jessie Square	No	No	No	<p>Although Jessie Square is within 0.1 mile of the project corridor, the closest views of the project will be obscured by commercial buildings between the park and project corridor. Construction is anticipated to last approximately one year at this location. Construction noise will be muffled by intervening commercial buildings.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>
17	St. Mary's Square	No	No	No	Located 0.22 mile from project corridor; no potential for use.
18	Transit Center Park	No	No	No	<p>Because the resource is 0.08 mile from the project corridor, along Fremont and First Streets, intermittent and short-lived views of construction equipment are possible from the park, depending on the location in the park. Construction is anticipated to last approximately one year at this location. However, generally, views will be obscured by intervening multi-story commercial buildings. Any such views will be short lived and will not interfere with use or enjoyment of the facilities. Construction noise will be muffled by intervening commercial buildings.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>

<b>Map ID</b>	<b>Name</b>	<b>Use?</b>	<b>Temporary Occupancy Resulting in Use?</b>	<b>Constructive Use?</b>	<b>Explanation</b>
21	Maritime Plaza	No	No	No	<p>Because the resource is 0.14 mile from the project corridor, at Drumm and Davis streets, intermittent and short-lived views of construction equipment are possible from the margins of the park along Davis and Drumm streets. Construction is anticipated to last approximately one year at this location. However, views will be obscured by intervening multi-story commercial buildings. Any such views will be short lived and will not interfere with use or enjoyment of the facilities. Construction noise will be muffled by intervening commercial buildings.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>
22	Sue Bierman Park (formerly Ferry Park)	No	No	No	<p>Because the resource is 0.07 mile from the project corridor at Drumm Street, intermittent and short-lived views of construction equipment are possible from the park. Construction is anticipated to last approximately one year at this location. Generally, views will be obscured by multi-story commercial buildings. However, views of the project corridor will be possible from the eastern portion of the park, across Embarcadero Plaza. Any such views will be short lived and will not interfere with use or enjoyment of the facilities. Construction noise will be muffled by intervening buildings.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>



Map ID	Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
24	Harry Bridges Plaza/Ferry Building Square	No	No	No	<p>Although Harry Bridges Plaza/Ferry Building Square is 0.04 mile from the project corridor and has a direct line of sight, Embarcadero Plaza and The Embarcadero lie between it and the project corridor. Therefore, potential views of construction activities and equipment will be intermittent and short lived. Construction is anticipated to last approximately one year at this location. In addition, noise from The Embarcadero, a four-lane facility, will diminish the effect of construction noise.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>
25	Bay Trail	No	No	No	<p>Although the Bay Trail is within 0.06 mile of the project corridor, Embarcadero Plaza, Harry Bridges Plaza/Ferry Building Square, and The Embarcadero lie between it and the project corridor. Therefore, potential views of construction activities and equipment will be intermittent and short lived. Construction is anticipated to last approximately one year at this location. In addition, noise from The Embarcadero, a four-lane facility, will diminish the effect of construction noise.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the Bay Trail.</p>

Map ID	Name	Use?	Temporary Occupancy Resulting in Use?	Constructive Use?	Explanation
26	Rincon Park	No	No	No	<p>Although Rincon Park is within 0.13 mile of the project corridor, the closest views of the project will be obscured by commercial buildings between the park and project corridor. Depending on the location in the park, there could be intermittent and short-lived views of the project corridor from the northern border of the park. Construction is anticipated to last approximately one year at this location; the closest line-of-sight view is 0.1 mile away. In addition, noise from The Embarcadero, a four-lane facility, will diminish the effect of construction noise.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>
27	Ferry Plaza	No	No	No	<p>Although Ferry Plaza is within 0.1 mile of the project corridor, the closest views of the project will be obscured by commercial buildings between the park and project corridor. Construction is anticipated to last approximately one year at this location. Noise from The Embarcadero, a four-lane facility, will diminish the effect of construction noise.</p> <p>There will be no impacts from operational noise because changes in noise levels will be below levels of human perceptibility. The proposed project will not interrupt or change access to the park.</p>

Sources: California Protected Areas Database 2019; City and County of San Francisco 2016; San Francisco Bay Trail 2019.

### 2.2.3 Conclusion for Parks and Recreational Facilities

The 23 parks and recreational facilities in the study area described in Table 6 are Section 4(f) properties, but no use will occur. Therefore, the provisions of Section 4(f) do not apply.

## 3 Measures to Minimize Harm

The following measures are proposed to minimize harm to the Section 4(f) properties along the project corridor.

- The temporary construction zone(s) will be fenced to ensure the exclusion and safety of recreational users and/or visitors.
- In the event that any inadvertent damage occurs to the park or recreational facilities in the project corridor, the property will be restored to the condition that existed prior to the construction activities or better.

To minimize construction noise along the project corridor, avoidance, minimization, and/or mitigation measures will be implemented.

- **AMM-NOI-1: Caltrans Standard Specifications Section 14-8.02:**

Standard Caltrans procedures include implementation of the following measures to minimize temporary noise effects from construction (California Department of Transportation 2018):

- Control and monitor noise resulting from work activities.
- Do not exceed 86 dBA at 50 feet from job site activities between 9:00 p.m. and 6:00 a.m.

## 4 Resources Evaluated Relative to the Requirements of Section 6(f) of the Land and Water Conservation Fund Act

The Land and Water Conservation Fund (LWCF) Act was established by Congress in 1964 to fulfill a bipartisan commitment to safeguard natural areas, water resources and cultural heritage, and to provide recreation opportunities to all Americans. The LWCF program provides matching grants to States and local governments for the acquisition and development of public outdoor recreation areas and facilities. Section 6(f) of this Act prohibits the conversion of property acquired or developed with these grants to a non-recreational purpose without the approval of the Department of Interior's National Park Service.

No Section 6(f) resources occur in the parks and recreation study area (California Department of Parks and Recreation 2019).

## 5 References

See Appendix A for the references associated with this document.





Appendix C  
**Title IV Policy Statement**

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**DEPARTMENT OF TRANSPORTATION**

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Making Conservation  
a California Way of Life.

November 2019

**NON-DISCRIMINATION  
POLICY STATEMENT**

The California Department of Transportation, under Title VI of the Civil Rights Act of 1964, ensures *"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."*

Related federal statutes, remedies, and state law further those protections to include sex, disability, religion, sexual orientation, and age.

For information or guidance on how to file a complaint, or obtain more information regarding Title VI, please contact the Title VI Branch Manager at (916) 324-8379 or visit the following web page:  
<https://dot.ca.gov/programs/business-and-economic-opportunity/title-vi>.

To obtain this information in an alternate format such as Braille or in a language other than English, please contact the California Department of Transportation, Office of Business and Economic Opportunity, at 1823 14<sup>th</sup> Street, MS-79, Sacramento, CA 95811; (916) 324-8379 (TTY 711); or at [Title.VI@dot.ca.gov](mailto:Title.VI@dot.ca.gov).

A handwritten signature in blue ink, appearing to read 'Toks Omishakin'.

Toks Omishakin  
Director



Appendix D

**Past, Present, and Reasonably Foreseeable Land Use  
Projects, Plans, and Transportation Projects in the  
Vicinity of the Project Corridor**

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## Past, Present, and Reasonably Foreseeable Land Use Projects, Plans, and Transportation Projects in the Vicinity of the Project Corridor

Project Name	Proposed Uses	Status
<b>Land Use Projects</b>		
706 Mission Street	The project will renovate the existing Aronson Building and construct a new 47-story, 550-foot-tall tower, including a mix of residential, museum, restaurant/retail, and possibly office uses.	Under Construction
1040/1036 Mission	The project will create a 100 percent affordable residential mid-rise building, consisting of 106 dwelling units with ground-floor retail.	Construction is complete
570 Jessie Street	Demolish existing 15,000 square feet of office/printing shop and construct 47 dwelling units and 24 parking spaces.	Construction is complete
2 New Montgomery Street	The project will convert 25 hotel rooms to residential use and construct a new 17-story addition (680 feet tall with 125 dwelling units).	On hold since October 2014
1390 Market Street (Assessor's Block 0813/006)	The project will demolish an existing two-story retail and office building and construct a new 120-foot-tall, 11-story building with up to 250 dwelling units and approximately 20,000 gross square feet of ground-floor retail use. There will be no change to the existing Fox Plaza mixed-use tower.	CEQA clearance issued in 2009
1401–1415 Mission Street	The project will allow construction of a 15-story, 150-foot-tall mixed-use development, including 190 units, 4,400 gross square feet of commercial/retail space, and approximately 38,000 gross square feet of mechanical/storage/circulation/service areas. The project received CEQA clearance in 2015.	Construction is complete
50 First Street	The project will include a new 61-story, 850-foot-tall building with 34 stories of office and a potential 5-story street-level urban room or atrium below 22 stories containing 124 dwelling units. The project received CEQA clearance in 2016.	Under Construction
1145 Mission Street	The project will include a new 6-story building with 25 dwelling units and ground-floor retail.	CEQA clearance issued in 2017

<b>Project Name</b>	<b>Proposed Uses</b>	<b>Status</b>
One Oak Street (formerly 1500–1540 Market Street) (Assessor’s Block 0836/002)	The project will demolish two buildings and construct a 40-story mixed-use residential building. The project will include 310 residential units with ground-floor commercial space, one off-street loading space, and a subsurface parking garage for residents.	CEQA clearance issued in 2017
925 Mission Street (5M)	The project will include substantial development of office, retail, residential, cultural, educational, and open space uses in the southwest quadrant of Fifth and Mission streets, including buildings of up to 470 feet in height.	CEQA clearance issued in 2017
1400 Mission Street (Assessor’s Block 3507/042)	The project will include an approximately 150-foot-tall, 10- to 15-story mixed-use building on an approximately 25,000-square-foot lot. It will provide approximately 242,000 gross square feet of space for approximately 190 affordable housing units over approximately 4,400 gross square feet of ground-floor retail space, with 42 off-street parking spaces.	Construction is complete
101 Polk Street (Assessor’s Block 0811/002 and 003)	The project will construct a 13-story, 162-dwelling unit residential building with 51 subgrade parking spaces on a site that currently contains a surface parking lot.	Construction is complete
19–25 Mason Street and 2–16 Turk Street	The project will include replacement of a parking lot with a 12-story, 120-foot-tall building with 155 dwelling units, ground-floor retail, and 68 off-street parking spaces.	CEQA clearance issued in 2015
351V Turk Street and 145 Leavenworth Street	The project will include the construction of two 8-story, 80-foot-tall, group housing buildings with 238 group housing rooms.	CEQA clearance issued in 2014
1100 Market Street (Assessor’s Block 0351/001)	The project will include exterior improvements to the existing building.	Construction is complete
1546–1564 Market Street (Assessor’s Block 0836/007)	The project will construct 110 dwelling units.	Construction is complete
Moscone Center Expansion	This project will include an increase in the size of Moscone Center from about 945,200 gross square feet to 1,156,300 gross square feet.	Construction is complete
350 Mission Street	The project will include a six-story addition to a 24-story, 375-foot-tall building, resulting in 420,000 square feet of office space plus retail and parking.	Construction is complete
1700 Market Street (Assessor’s Block 0855/016)	The project will demolish an existing two-story building and construct an eight-story mixed-use residential building (up to 48 dwelling units) with approximately 1,500 gross square feet of ground-floor retail.	Under Construction
1066 Market Street (Assessor’s Block 0350/003)	The project will construct up to 330 dwelling units.	Under Construction
1075 Market Street (Assessor’s Block 3703/062)	The project will construct 90 dwelling units.	Construction is complete



<b>Project Name</b>	<b>Proposed Uses</b>	<b>Status</b>
950–974 Market Street (Assessor's Block 0342/001)	The project will demolish the buildings and parking lot/structure and construct a 12-story mixed-use building with 242 dwelling units, a 232-room hotel, and approximately 16,600 gross square feet of commercial retail space. As part of the project, the sidewalk along the south side of Turk Street between Taylor and Mason streets will be reconstructed and widened (except at the pedestrian loading area) to remove conflicts and existing sidewalk elevators and accommodate new sidewalk transformer vaults at the western end of the Turk Street frontage.	Under Construction
72 Ellis Street (Assessor's Block 0327/011)	The project will demolish a surface parking lot and construct an 11-story, 125-foot-tall hotel, consisting of approximately 192 rooms, a lobby, accessory meeting rooms, and retail.	CEQA clearance issued in 2018
22–24 Franklin Street (Assessor's Block 0836/011-012)	The project will demolish the existing commercial building and construct an eight-story, 85-foot tall mixed-use building. The building will include 35 dwelling units and 2,100 gross square feet of retail space.	Under Construction
198 Valencia Street	This project will demolish existing one-story, 1,900 square foot oil change facility and a surface parking lot with seven off-street parking spaces and construct a five-story, 55 foot-tall, 33,795 gross square foot mixed-use building (6,269 gross square feet of ground-floor commercial space and a subterranean garage to accommodate 19 off-street parking spaces on, with 28 residential units (16 one-bedroom units and 12 two-bedroom units) on the first through fourth-floor levels.	CEQA clearance issued in 2016.
1125 Market Street (Assessor's Block 3702/047)	The project will construct a 160-room mixed-use hotel.	Environmental Review Stage
150 Van Ness Avenue	The project will construct a 13-story over-basement-level mixed-use residential building.	Construction is complete
1532 Howard Street	The project will construct a six-story single-room-occupancy building.	Construction is complete
1870 Market Street	The project will demolish a vacant single-story, 600-gross-square-foot commercial building and a four-vehicle surface parking lot and construct an approximately eight-story, 85-foot-tall (with an additional 16 feet for the mechanical and staircase penthouses) mixed-use development. The approximately 16,300-gross-square-foot building will be comprised of approximately 12,900 gross square feet of residential space and 400 gross square feet of ground-floor commercial space. The proposed project will provide approximately 10 dwelling units. No off-street parking is proposed.	Construction is complete

<b>Project Name</b>	<b>Proposed Uses</b>	<b>Status</b>
1228 Folsom Street	The project will merge three lots into one lot, demolish a 16,450-square-foot building, and construct a new 41,440-square-foot mixed-use building with 24 residential units and 1,110 square feet of ground floor commercial use. The building will be 65 feet tall (79 feet tall with elevator penthouse) and six stories on its Folsom Street frontage and 45 feet tall and four stories on its Clementina Street frontage.	CEQA clearance issued in 2016
1699 Market Street (Assessor's Block 3504/030)	The project will construct 160 dwelling units.	Under Construction
1740 Market Street (Assessor's Block 0855/010)	The project will demolish an existing 25,000-gross-square-foot commercial building and construct a nine-story, 85-foot-tall mixed-use building with 110 group housing units and approximately 7,600 gross square feet of ground-floor retail space.	CEQA clearance issued in 2016
1028 Market Street (Assessor's Block 0350/002)	The project will construct 186 dwelling units.	CEQA clearance issued in 2017
1053 Market Street (Assessor's Block 3703/066)	The project will construct a 155-room tourist hotel.	CEQA clearance issued in 2017
1095 Market Street (Assessor's Block 3703/059)	The project will construct a 202-room tourist hotel/motel with 3,992 gross square feet of retail space.	Construction is complete
1270 Mission Street	The project will replace a single-story commercial building and surface parking lot with 13-story, 120-foot-tall mixed-use building with 199 dwelling units.	CEQA clearance issued in 2016
1500 Mission Street (Assessor's Block 3506/006, 3506/007, 3506/008-011 [4 lots])	The project will construct 767,200 gross square feet of residential uses (including 560 dwelling units) and 567,300 gross square feet of City office uses.	Under Construction
1601 Mission Street (Assessor's Block 3514/043)	The project will demolish gas station facilities and construct a 120-foot-tall, 12-story mixed-use building with up to 220 dwelling units, 6,756 gross square feet of retail space, 145 bicycle parking space, and 102 below-grade vehicle parking spaces that will be accessed from South Van Ness Avenue. The building will include a publicly accessible mid-block alley and public realm improvements.	CEQA clearance issued in 2016
1 Franklin Street (Assessor's Block 0837/003)	The project will replace a 32-space surface parking lot with a mixed-use building, consisting of residential, retail, and parking spaces.	Construction is complete

<b>Project Name</b>	<b>Proposed Uses</b>	<b>Status</b>
Parcel M (300 Octavia Street) (Assessor's Block 0832/025) and Parcel N (350 Octavia Street) (Assessor's Block 0832/025)	The project site consists of two discontinuous vacant lots along the east side of Octavia Street, between Fell and Oak streets. Parcel M is an approximately 2,200-square-foot lot with frontages on Fell, Octavia, and Hickory streets; Parcel N is an approximately 2,300-square-foot lot with frontages on Oak, Octavia, and Hickory streets. The project includes construction of two 55-foot-tall (70 feet with elevator penthouse), five-story mixed-use buildings. No off-street parking is proposed. In total, the project will involve construction of 32 residential units, approximately 1,400 gross square feet of commercial uses, and 32 bicycle parking spaces.	CEQA clearance issued in 2016
Parcel R and Parcel S (Assessor's Block 0838/034, 035, 093-096)	The project will develop a vacant lot by constructing an approximately 34,504-gross-square-foot mixed-use development, consisting of two dwellings with approximately 19,492 gross square feet of affordable housing and approximately 4,925 gross square feet of neighborhood-serving retail.	On hold as of December 2016
Parcel T/188 Octavia (Assessor's Block 0853/033, 034, and 022)	The project will construct a five-story, 55-foot-tall (71 feet with elevator penthouse) mixed-use building with up to 27 dwelling units above ground-floor commercial space. No off-street parking is proposed.	Under Construction
10 South Van Ness Avenue (Assessor's Block 3506/004)	The project will demolish an existing two-story building and construct a mixed-use residential building with up to 984 residential units, retail space on the ground floor, and two below-grade levels for parking and loading activities (up to 518 vehicle parking spaces and seven freight loading spaces), which will be accessed from a single curb cut and driveway on 12 <sup>th</sup> Street. Two project design options are being considered: the "project," a two-tower design with two separate 41-story, 400-foot-tall towers (420 feet to the top of the elevator penthouses) on top of podiums, and the "single tower project variant," a single 55-story, 590-foot-tall tower (610 feet to the top of the elevator penthouses) on top of a podium. The project will include approximately 48,000 gross square feet of usable open space, including an approximately 3,000-square-foot mid-block alley that will provide a pedestrian connection between South Van Ness Avenue and 12 <sup>th</sup> Street; the single tower project variant will include approximately 47,000 square feet of open space and the mid-block pedestrian alley.	Environmental Review Stage
30 Otis Street (Assessor's Block 3505/016)	The project will demolish buildings and construct an approximately 27-story, 250-foot-tall mixed-use building. It will include up to 423 dwelling units and approximately 5,600 gross square feet of retail space. In addition, 17,000 gross square feet of arts activity space will be used by the City Ballet School, which currently operates onsite.	Under Construction



<b>Project Name</b>	<b>Proposed Uses</b>	<b>Status</b>
1629 Market Street (1601–1637 Market Street, 1125 Stevenson Street, 53 Colton Street [Plumbers Union site]) (Assessor’s Block 3505/001, 007, 008, 027, 028, 029, 031, 031A, 032, 032A, 033, 033A, 035), 1601–1937 Market Street/53 Colton Street (Assessor’s Block 3505/001)	The project will demolish the existing UA Local 38 building (1621 Market Street), demolish the majority of the Lesser Brothers Building (1629–1645 Market Street), rehabilitate the Civic Center Hotel (1601 Market Street), and demolish the 242-space surface parking lots. In total, the project will construct five new buildings (ranging from four to 10 stories, 58 to 85 feet tall). The project will include 477 market-rate residential units and 107 affordable supportive housing units. The project will also include construction of the 18,300-square-foot Brady Open Space at the northeast corner of Brady and Colton streets. Within the new buildings, there will be approximately 13,000 gross square feet of ground-floor retail/restaurant space. The project will construct 584 dwelling units.	CEQA clearance issued in 2017
111 Turk Street (57 Taylor Street) (Assessor’s Block 0343/001)	The project will demolish a portion of the existing structure (vacant retail space) and construct of a 12-story over-basement mixed-use residential group housing and retail building with 190 dwelling units.	Environmental Review Stage
996 Mission Street (Assessor’s Block 3704/025)	The project will demolish a two-story residential hotel building and construct of an eight-story hotel (two floors for residential hotel units and five floors for a tourist hotel) with ground-floor retail.	On Hold
200-214 Van Ness Avenue	The project will demolish two buildings, a three-story building with 27 dwelling units (200 Van Ness Avenue) and a two-story building, approximately 12,000 gross square feet. The project will merge the two parcels and construct a 12-story mixed-use building to provide housing and other facilities for the San Francisco Conservatory of Music. The proposed building will have approximately 113 units (420 beds), three faculty housing units, 27 housing units to replace the 27 existing units at 200 Van Ness Avenue, approximately 50,000 gross square feet of institutional uses, approximately 4,300 gross square feet of broadcast studio space, and 2,600 gross square feet of restaurant space.	Under Construction
30 Van Ness Avenue (Assessor’s Block 0835/004)	The project’s approximately 790,000 gross square feet will include 21,000 gross square feet for retail, 350,000 gross square feet for general office, and 520,000 gross square feet for residential uses (including 610 residential units).	Environmental Review Stage
33 Gough Street Project (Assessor’s Block 3504/029)	The project’s approximately 420,000 gross square feet will include a mix of approximately 304,000 gross square feet for market-rate and affordable residential uses (518 residential units), approximately 5,600 gross square feet for commercial uses (retail), and 8,400 gross square feet for common indoor spaces.	Environmental Review Stage

<b>Project Name</b>	<b>Proposed Uses</b>	<b>Status</b>
98 Franklin Street (Assessor's Block 0836/008, 009, and 013)	The project's approximately 469,100 gross square feet will include a mix of approximately 349,200 gross square feet of market-rate and affordable residential uses (354 total apartment units), approximately 3,100 gross square feet of commercial uses (retail), and approximately 75,000 gross square feet of school uses.	Environmental Review Stage
1245 Folsom Street (3756/041)	The project will demolish existing one story of Alt School and construct a seven-story at Folsom street and five-story at Ringold Street mixed-use building. The building will include 37 residential units above a two-story commercial space at the ground floor, with parking space at basement level.	CEQA clearance issued in 2018
1695 Folsom Street	The project will construct a building that includes five stories, one basement, and four dwelling units.	Environmental Review Stage
42 Otis Street (Assessor's Block 3505/020)	The project will replace the existing building with a 15,805-gross-square-foot, five-story, 55-foot-tall mixed-used building. The proposed building will include 24 single-occupancy residential units on the upper floors and 1,900 gross square feet of ground-floor commercial space fronting Otis Street. No off-street parking will be provided.	Environmental Review Stage
973 Mission Street (Assessor's Block 3725/078)	The project will build out a currently open (warm shell) space of approximately 16,000 gross square feet to configure it for use by Proof School.	Environmental Review Stage
5 Third Street (Hearst Building) (Assessor's Block 3707/057)	The project will include a change of use for the existing Hearst Building to include hotel, roof deck, office, and retail space.	Environmental Review Stage
1500-1528 15th Street	The project will demolish existing automotive sales office and smog check facility and parking area to construct an eight story, 62,100-gross-square-foot building with approximately 1,300 square feet of ground floor retail and 184 group housing units. No off-street parking is proposed.	Environmental Review Stage
301 Mission Street Project	The project will involve a structural update consisting of the installation of approximately 52, 24-inch diameter piles, which will be placed underneath a portion of the sidewalk areas surrounding 301 Mission Street on Fremont and Mission streets and connecting to the existing mat foundation of 301 Mission Street. These piles will be extended into bedrock, approximately 235 feet beneath the sidewalk, and the piles and mat foundation will be located approximately 15 feet beneath the sidewalk, with a vault located approximately 12 feet beneath the sidewalk.	Environmental Review Stage

<b>Project Name</b>	<b>Proposed Uses</b>	<b>Status</b>
<b>Plans</b>		
Eastern Neighborhoods Rezoning and Area Plans	The Eastern Neighborhoods Rezoning and Area Plans will involve the introduction of new use (zoning) districts, including districts that will permit at least some PDR uses in combination with commercial uses, districts mixing residential and commercial uses, residential and PDR uses, and new residential-only districts. The new districts will generally replace existing industrial, commercial, and residential single-use districts. In addition to zoning changes, the project will include revisions to the existing Central Waterfront and South of Market Area Plans within the San Francisco General Plan and the preparation and adoption of new area plans for East SoMa, the Mission, Showplace Square/Potrero Hill and the Central Waterfront.	CEQA clearance issued in 2008
Market and Octavia Area Plan	The Market and Octavia Area Plan proposes new and amended zoning and height and bulk districts throughout the area as well as transit preferential, bicycle and pedestrian-oriented street and public space improvements.	CEQA clearance issued in 2007
Western SoMa Community Plan	The Western SoMa Community Plan consists of three separate components: (1) adoption of the Western SoMa Community Plan; (2) the rezoning of 46 parcels, comprising 35 lots, two proximate to the draft plan boundary, to reconcile their use districts with those of the neighboring properties; and (3) a mixed-use project at 350 Eighth Street, within the Western SoMa Community Plan Area, consisting of approximately 444 dwelling units, approximately 34,000 gross square feet of commercial space, approximately 8,150 gross square feet of light industrial/artist space, and approximately 1,400 gross square feet of community space.	CEQA clearance issued in 2012
Central SoMa Plan	The Central SoMa Plan (formerly, Central Corridor Plan) is a comprehensive plan for the area surrounding much of the southern portion of the Central Subway transit route, a 1.7-mile extension of the Third Street light-rail line, which will link the Caltrain depot at Fourth and King streets to Chinatown and provide service within the SoMa area. The Central SoMa Plan area includes roughly 230 acres, comprising 17 city blocks, as well as the streets and thoroughfares that connect SoMa to its adjacent neighborhoods: Downtown, Mission Bay, Rincon Hill, and the Mission District. The Central SoMa Plan will rezone the area for a variety of land uses, including residential and retail, and increase height limits in some areas. The Central SoMa Plan will also propose improvements for streets and open spaces in the area.	CEQA clearance issued in 2018



<b>Project Name</b>	<b>Proposed Uses</b>	<b>Status</b>
Civic Center Public Realm Plan	The Civic Center Public Realm Plan will create a unified vision for medium- and long-term improvements to Civic Center’s plazas, streets, and other public spaces. The plan is an interagency effort managed by the planning department and part of the City’s larger Civic Center initiative to improve the area by creating both a neighborhood gathering space and a public commons for all San Franciscans.	Environmental Review Stage anticipated to start in 2019
The Hub Plan, 30 Van Ness Avenue Project, 98 Franklin Street Project, and Hub Housing Sustainability District (HSD)	The Hub Plan, which is an amendment to the 2008 Market and Octavia Area Plan, is a comprehensive plan for the easternmost portions of the Market and Octavia Area Plan as well as two individual development projects within the Hub Plan area at 30 Van Ness Avenue and 98 Franklin Street. The Hub HSD will be designated within all or portions of the Hub Plan area. The Hub Plan seeks to encourage housing, especially affordable housing; create safer and more walkable streets as well as welcoming and active public spaces; increase transit capacity and make transit services more reliable; and create a complete neighborhood with adequate services and amenities. The Hub Plan will pursue this vision through changes to current zoning controls in the area to meet plan objectives. This will include changes to building heights for select parcels to allow more housing, including more affordable housing. Modifications to zoning controls will also allow more flexibility for development of nonresidential uses, specifically, institutional uses, art uses, and public uses. The plan also calls for public realm improvements to streets and alleys within and adjacent to the Hub Plan area. Requirements for micro retail will ensure a mix of retail sizes and uses. Parking requirements will be lowered to decrease the number of vehicles parked within the Hub Plan area, a transit-rich location.	Environmental Review Stage

Project Name	Proposed Uses	Status
<b>Transportation Projects</b>		
Muni Forward	<p>Muni Forward (previously referred to as the Transit Effectiveness Project [TEP]) presents a thorough review of San Francisco's public transit system, initiated by SFMTA in collaboration with the City Controller's Office. Muni Forward is aimed at improving reliability, reducing travel times, providing more frequent service, and updating Muni bus routes and rail lines to match current travel patterns. Implementation of Muni Forward was initiated in 2015. Muni Forward recommendations include new routes and route realignments, increased service frequency and speed on busy routes, and elimination or consolidation of certain routes or route segments with low ridership. In addition, the TEP identified the need for "rapid," or "travel time reduction," networks, which are currently being planned or incorporated as a part of Muni Forward. For example, the 14 Mission Rapid Project (between the Daly City Bay Area Rapid Transit [BART] station and The Embarcadero) has been approved and implemented between 13<sup>th</sup> and Randall streets. It has reduced Muni collisions by 85 percent, improved reliability, and reduced travel time for 67,000 daily Muni riders.</p>	CEQA clearance issued in 2014
Polk Street Streetscape Project	<p>The SFMTA, Public Works, and San Francisco Public Utilities Commission are implementing streetscape and utility improvements on Polk Street between Beach and McAllister streets. The aim of the project is to create a thriving and active corridor, enhance the pedestrian experience, complement bicycle and transit mobility, and support commercial activities. Interim safety improvements, part of overall streetscape improvements, have been implemented and include leading pedestrian intervals, daylighting at signalized and stop-controlled intersections, loading zone improvements, new accessible parking spaces, new shared lane markings (sharrows), and a new right turn on northbound Polk Street at Broadway.</p>	Construction is complete

Project Name	Proposed Uses	Status
Van Ness BRT Project/Van Ness Improvement Project	<p>The Van Ness BRT Project is a program to improve Muni bus service (i.e., the 90 San Bruno Owl, 47 Van Ness, and 49 Van Ness/Mission bus routes, including the planned 49R Van Ness-Mission Rapid route) along Van Ness Avenue between Mission and North Point streets through the implementation of operational improvements and physical improvements. The project will construct transit-only lanes in each direction of Van Ness Avenue within a median right-of-way. Other physical improvements will include high-quality and well-lit bus stations to improve passenger safety and comfort and streetscape improvements and amenities to make the street safer and more comfortable for pedestrians and bicyclists who access the transit stations. Operational improvements will include adjusting traffic signals to give buses more green-light time at intersections and providing real-time bus arrival and departure information to passengers to allow them to manage their time more efficiently. Construction of the project within the Van Ness Avenue right-of-way is currently underway; the current travel lane configuration during construction (i.e., two mixed-flow travel lanes in each direction, reduced from three mixed-flow travel lanes in each direction pre-construction) is consistent with the final number of mixed-flow travel lanes. The project also includes eliminating all left turns on Van Ness Avenue, except for the northbound left turn at Lombard Street and the southbound left turn at Broadway. To date, all planned left-turn restrictions have been implemented. Following completion of construction in 2019, bus service will be relocated to the median transit-only lanes, and the existing curbside bus stops on Van Ness Avenue at Market Street will be discontinued. New BRT stations in the southbound and northbound directions of Van Ness Avenue will be located at Market Street.</p>	Under Construction
Geary Rapid Project/Geary Boulevard Improvement Project	<p>The Geary Rapid Project will provide transit and pedestrian infrastructure improvements along the corridor from Market Street to 34<sup>th</sup> Avenue, including improvements similar to those proposed under the Van Ness BRT Project. Phase 1 of Geary Rapid construction began in summer 2018, which will extend transit and pedestrian improvements from Market Street west to Stanyan Street, including enhanced bus stops, side-running bus-only lanes, and related streetscape improvements.</p>	Under Construction



Project Name	Proposed Uses	Status
Vision Zero	<p>The City adopted Vision Zero in 2014. Vision Zero is a road safety policy that focuses on eliminating traffic deaths in San Francisco by 2024. To commence, SFMTA, in collaboration with other City agencies, prioritized more than 24 street engineering projects, which are to be completed within the first two years of adopting the policy; pedestrian improvements at more than 170 locations (identified through the WalkFirst pedestrian safety planning process) along high-injury corridors; and bicycle-related safety improvement projects. The key Vision Zero projects applicable to the proposed project include signals at the following alleyway locations: Mission and Ecker streets, Mission and Mint streets, Sixth and Stevenson streets, and Sixth and Jessie streets.</p>	
Active Beale Street Project	<p>The project is part of the South Downtown Design + Activation (Soda) Plan. Along Beale Street, the project will convert a general travel lane to a Muni and Golden Gate Transit-only lane between Market and Natoma streets to improve operations of Muni buses accessing the new Transbay Transit Center. To improve the transition to this new Muni and Golden Gate Transit-only lane, the westernmost lane on Davis Street at the approach to Market Street will be right turn only, except for Muni and Golden Gate Transit buses. In addition, a new southbound right-turn pocket will be created on Beale Street at Mission Street by eliminating some freight and passenger loading spaces to minimize conflicts between transit buses and vehicles queuing to make a right turn. Furthermore, a protected bikeway (class IV) will be built along the eastern side of Beale Street between Market and Folsom streets. This will be accomplished by eliminating parking and loading along the east side of Beale Street between Mission and Folsom streets and by converting the left-turn lane between Market and Mission streets into a left-turn pocket. The sidewalk bulb-out on the east side of Beale Street south of Market Street will be extended by approximately 65 feet to provide additional width for pedestrians.</p>	Construction anticipated to start in 2020

Project Name	Proposed Uses	Status
Eleventh Street Improvement Project	The project will include the following near-term improvements: Mission Street to Market Street northbound protected bikeway, Division Street to Harrison Street northbound protected bikeway, and continental crosswalks across alleys and intersections. Specifically, the project will convert the existing bicycle lane (class II facility) on 11 <sup>th</sup> Street to a class IV separated bikeway. The project will include the following proposed long-term improvements: overhead wiring relocation and pole replacement, two travel lanes on 11 <sup>th</sup> Street (one in each direction) between Market Street and Division Street, new bike lane configuration between Mission Street and Harrison Street, maintaining the existing left- and right-turn lanes, and two new Ford GoBike bike share stations at the intersections of 11 <sup>th</sup> and Minna streets.	Construction anticipated to start in 2025
Central Subway Project	The Central Subway Project is the second phase of the Third Street light rail line (i.e., T Third), which opened in 2007. Construction is currently under way. The Central Subway will extend the T Third line northward from its current terminus at Fourth and King streets to a surface station south of Bryant Street, then go underground through a portal at I-80. From there, it will continue north to stations at Moscone Center (i.e., on the west side of Fourth Street between Folsom and Clementina streets); Union Square, providing passenger connections to Powell Street Station and BART; and Chinatown, with the line terminating at Stockton and Clay streets. Construction associated with utility relocation and tunneling has been completed. Work is under way to outfit the alignment with an overhead contact system, rails, telecommunications, signaling, and stations.	Construction of the Central Subway is scheduled to be complete in 2019
San Francisco Bicycle Plan	The San Francisco Bicycle Plan includes planned short-term improvements to Fifth Street, including class II bicycle lanes and class III bicycle routes in both directions between Market and Townsend streets. San Francisco Bicycle Plan improvements on Fifth Street will reduce the number of travel lanes and prohibit northbound and southbound left turns; other minor changes to lane geometry and on-street parking will be implemented.	Plan is currently being implemented
San Francisco Bicycle Strategy	The SFMTA 2013–2018 Bicycle Strategy sets new directions and policy targets to make bicycling a part of everyday life in San Francisco. The key actions are designed to meet the SFMTA 2013–2018 Strategic Plan’s mode share goal (i.e., 50 percent of all trips made using sustainable modes [walking, bicycle, public transit, vehicle sharing]).	

<b>Project Name</b>	<b>Proposed Uses</b>	<b>Status</b>
Ford GoBike	In May 2015, Ford GoBike announced an expansion of the existing pilot system in San Francisco. New bike share stations were rolled out in phases through 2017, throughout SoMa and north of Market Street. Further expansion is planned in several locations, including Upper and Lower Haight, Japantown, North Beach, Westwood Highlands, the Marina District, Excelsior and Outer Mission, and farther west.	
Upper Market Street Safety Project	The Upper Market Street Safety Project is a substantial, multi-phased effort to improve the safety and comfort of Market Street between Octavia Boulevard and Castro Street for all roadway users. The project is based on a data-driven approach to identifying collision hot spots and factors, and includes engineering recommendations for the corridor's complex 6-legged intersections, dedicated bike lane upgrades, and public realm improvements to enhance safety and comfort for people walking, driving, and bicycling. Project goals are to improve safety and comfort for all users by reducing the potential for conflict and by making travel along the corridor more predictable and intuitive.	Implementation of near-term improvements was initiated in 2015 and is anticipated to be complete by 2020.



Project Name	Proposed Uses	Status
SFMTA Mission Street/South Van Ness Avenue/Otis Street Intersection Improvements	<p>SFMTA Mission Street/South Van Ness Avenue/Otis Street Intersection Improvements<sup>b</sup> – The SFMTA is planning implementation of various improvements at the intersection of Mission/South Van Ness/Otis as well as along Otis and Mission Street in the vicinity of this intersection. This will be constructed by the Van Ness BRT Project. Key improvements will include:</p> <ul style="list-style-type: none"> <li>• Extending and/or creating a bulb out at the northeast corner of the intersection by up to 25 feet into the roadway to shorten the northern crosswalk, and potentially include landscaping/sidewalk furniture and bicycle racks and benches;</li> <li>• Conversion of the existing class III route (sharrows) along westbound (outbound) Mission Street to a class II bicycle route located adjacent to the planned right-turn only lane;</li> <li>• Redesign of the existing median on the east edge of the intersection of South Van Ness Avenue and Mission Street and relocate the median to the south to accommodate the westbound (outbound) right-turn only lane, the planned westbound (outbound) class II bicycle lane and allow for two-stage pedestrian crossing along the east crosswalk with a new pedestrian refuge island;</li> <li>• Extending the sidewalk (or bulb out) on the west side of the intersection between westbound (outbound) Otis Street and eastbound (inbound) Mission Street north into the roadway up to 12 feet to shorten the crossing distance between this sidewalk and the northwest corner of the intersection;</li> <li>• Widen the north sidewalk along westbound (outbound) Otis Street by five feet, from 10 feet to 15 feet wide. The sidewalk widening will extend from South Van Ness Avenue to Brady Street;</li> <li>• Installation of an eight-foot-wide transit island that will be five to six feet from the widened sidewalk on the north side of Otis Street and the transit island will be approximately 120 feet long; and</li> <li>• Relocating the existing parking on the north side of Otis Street from approximately 200 feet east of Brady Street to Gough Street from the curb to 9 to 12 feet south of the curb to allow for a parking-separated bikeway.</li> </ul>	
Transbay Terminal and Transit Center District Plan	The project will include road diets, transit facilities, and bike facilities consistent with the Transit Center District Plan.	The SF Transit Center was completed in 2018 and began service in August 2019.

<b>Project Name</b>	<b>Proposed Uses</b>	<b>Status</b>
Second Street Improvement Project	Second Street Improvement Project includes a road diet from two to one through lane with right-turn pockets in each direction, cycle tracks in each direction, and new protected right-turn phases on Second Street.	Under Construction
Sixth Street Road Diet Project	The Sixth Street Road Diet Project will reduce the number of vehicle lanes in each direction from two to one; it will also provide wider sidewalks, corner bulb-outs, new traffic signals, and new crosswalks at targeted intersections.	Construction is expected to begin in Spring 2020
BART Market Street Canopies and Escalators Modernization Project	The project will include the installation of canopy covers over 22 of the Downtown San Francisco BART/Muni station entrances/exits along Market Street leading to the underground Embarcadero, Montgomery Street, Powell Street, and Civic Center/UN Plaza station concourses, as well as replacement and refurbishment of existing street-level escalators.	Under Design Review
Safer Taylor Street	The project will identify streetscape improvements on the section of Taylor Street between Market and Sutter streets to improve transportation safety and livability for all users of this corridor. Preliminary design options have been developed for Taylor Street, which include sidewalk widening, travel lane reductions, traffic signal modifications, and improved loading zones.	Engineering and Design Phase
Turk Street Safety Project	The project identified transportation network improvements on the section of Turk Street between Market and Gough streets to provide a safer and more comfortable walking and bicycling environment as well as a more predictable and safer driving environment. As part of the project, the bicycle lane network on Turk Street was completed.	Implementation Phase
Powell Streetscape Project	The project will design and construct a new permanent streetscape layout for Powell Street between Geary and Ellis streets to enhance the quality and use of the public realm, improve safety for all street users, improve cable car safety and performance, and renew transportation infrastructure. Changes could include wider sidewalks, restrictions to vehicle access, and improved loading for businesses and hotels.	Engineering and Design Phase
The Embarcadero Enhancement Project	The project will develop and implement improvements along The Embarcadero between Townsend and North Point streets. The project will focus on providing a physically protected two-way waterside bikeway to reduce conflicts with other modes, including shorter, more accessible pedestrian crossings; more efficient traffic signals and intersections; improved loading zones; and enhancements to streetcar operations. The project is completing the planning and conceptual design phase, which will be followed by environmental review and preliminary engineering.	Near-term improvements implemented in December 2018.

<b>Project Name</b>	<b>Proposed Uses</b>	<b>Status</b>
27 Bryant Transit Reliability Project	The project will identify improvements to enhance the reliability of the 27 Bryant bus route, particularly north of Market Street, as well as improvements to the transportation network for people walking and bicycling.	Planning Phase
Bike Lane Pilot on Valencia Street from Market Street to 15 <sup>th</sup> Street	The project will include changes in parking and loading as well as other pedestrian safety improvements. The purpose of the project is to improve safety for cyclists and pedestrians. The project is a pilot program in that data will be collected as part of a study leading to the development of a long-term streetscape project along the corridor. Extensive evaluation of the pilot will help inform long-term streetscape changes. The project will include a parking-protected bike lane on Valencia from Market to 15 <sup>th</sup> streets. Left turns off Valencia Street to Duboce Avenue will be restricted to accommodate separated signal phasing for right turns and through bicycles; eastbound left turns off Clinton Park will be restricted during school hours. Concrete parking buffers/accessible paths for portions of the corridor with school loading will be included.	Under Construction

## Notes:

- a. Project summaries are based on the best available information as of August 2019.
- b. SFMTA – Mission Street/South Van Ness Avenue/Otis Street Certificate of Determination Exemption from Environmental Review. A copy of this report is available for review at the San Francisco Planning Department, 1650 Mission Street Suite 400, San Francisco as part of Case File No. 2014.002258ENV.

Source: San Francisco Planning Department 2019.





Appendix E  
**Correspondence**

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**Documentation from MTC following the September 27, 2018 AQTF meeting confirming the Better Market Street Project is not a POAQC.**

From: Fund Management System  
Sent: Thursday, September 27, 2018 11:06 AM  
To: Alonso, Rafael (DPW)  
Cc: Fund Management System <fms@cityofsanfrancisco.gov>; Harold Brink  
Subject: FMS PQACC Project TIP ID SF-130001 (SF- Better Market Street Transportation Elements) update: Project is a not a PQACC

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Project Sponsor:

Based on the recent interagency consultation with the Air Quality Conformity task force, Project TIP ID SF-130001 (FMS ID:5673.00) does not fit the definition of a project of air quality concern as defined by 40 CFR 91.125(b)(1) or 40 CFR 91.120 and therefore is not subject to PM2.5 project level conformity requirement. Please save this email as documentation confirming the project has undergone and completed the interagency consultation requirement for PM2.5 project level conformity. Note project sponsors are required to undergo a proactive public involvement process which provides opportunity for public review as outlined by 40 CFR 93.105(a). For projects that are not of air quality concern, a comment period is only required for project level conformity determinations if such a comment period would have been required under NEPA. For more information, please see FHWA PM2.5 Project Level Conformity Frequently Asked Questions (FAQ): [https://www.fhwa.dot.gov/air/airquality/conformity/faq\\_pm25\\_project\\_level\\_conformity.htm](https://www.fhwa.dot.gov/air/airquality/conformity/faq_pm25_project_level_conformity.htm)

If you have any questions, please direct them to Harold Brink

**From:** [Blackmore, Helen@DOT](mailto:Blackmore.Helen@DOT)  
**To:** [Boyce, Gretchen](mailto:Boyce, Gretchen)  
**Cc:** [Deunert, Boris \(DPW\)](mailto:Deunert, Boris (DPW))  
**Subject:** FW: Assumptions for Eligibility for Better Market Street - STPL-5934 (180)  
**Date:** Tuesday, November 26, 2019 8:39:09 AM

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Hi Gretchen,

Please find attached CSOs approval of the assumptions of eligibility for Better Market Street.

Let me know if you have any questions.

Thanks,

**Helen Blackmore**

Architectural History Branch Chief  
Office of Cultural Resource Studies  
510-286-6477

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**From:** Neeb, Alexandra@DOT  
**Sent:** Tuesday, October 15, 2019 12:58 PM  
**To:** Blackmore, Helen@DOT <[Helen.Blackmore@dot.ca.gov](mailto:Helen.Blackmore@dot.ca.gov)>  
**Subject:** RE: Assumptions for Eligibility for Better Market Street - STPL-5934 (180)

Hi Helen,

Thank you for the information. **CSO approves the assumption of eligibility** for the historic districts listed in Table B-1 with contributors listed in Table B-2, as well as individual properties listed in Table B-3, for purposes of the project due to limited potential to affect, pursuant to Stipulation VIII.C.4 of the 2014 PA. Please retain this email as confirmation for your files.

-----  
Alexandra Bevk Neeb  
Section 106 Coordinator  
(916) 654-3567

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**From:** Blackmore, Helen@DOT  
**Sent:** Friday, October 4, 2019 2:18 PM  
**To:** Neeb, Alexandra@DOT <[Alexandra.Neeb@dot.ca.gov](mailto:Alexandra.Neeb@dot.ca.gov)>  
**Subject:** Assumptions for Eligibility for Better Market Street - STPL-5934 (180)

Hi Alex,

As we discussed, Caltrans District 4, in coordination with the San Francisco Public Works Department, proposes to construct the Better Market Street Project, Federal Identification Number: STPL-5934 (180). The project consists of improvements to bicycle, pedestrian and transit rider's environment. All the work will be within the City of San Francisco Right-of-Way. There are six historic districts and 125 individual resources within the Area of Potential Effect that District 4 would like to



assume eligible for inclusion on the National Register of Historic Places (NRHP) for the purposes of the undertaking as outlined under Stipulation VIII.C.4 of the Section 106 PA. The attached pdf lists the resources, and within the zip files are the supporting documents for each resource, and finally the draft APE map showing the location of the resources.

Because of the large number of properties within the APE, the undertaking does not have the scope to evaluate them all, and the scope of work has limited potential to effect the buildings and districts along Market Street, Caltrans District 4 proposed to assume the 131 resource eligible for the NRHP for the purposes of the undertaking.

Please let me know if you have any questions.

Thanks,

**Helen Blackmore**

Architectural History Branch Chief  
Office of Cultural Resource Studies  
Caltrans District 4, Oakland  
510-286-6477

## Viramontes, Jessica

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**From:** Rivas, Dan@DOT <Dan.Rivas@dot.ca.gov>  
**Sent:** Wednesday, January 29, 2020 12:26 PM  
**To:** Deunert, Boris (DPW); Iberien, Oliver (DPW); Viramontes, Jessica; Carter, Aaron  
**Cc:** Holstein, Thomas@DOT  
**Subject:** FW: Assumption for Eligibility for Better Market Street - STPL-5934 (180) - Yerba Buena Cemetery

Hi everyone,

CSO has approved the assumption of eligibility for the Yerba Buena Cemetery (see below).

Regards,

Dan Rivas  
Associate Environmental Planner  
Caltrans Office of Local Assistance, District 4  
[dan.rivas@dot.ca.gov](mailto:dan.rivas@dot.ca.gov)  
510-286-5743

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**From:** Alahan, Kelli@DOT  
**Sent:** Wednesday, January 29, 2020 11:28 AM  
**To:** Rivas, Dan@DOT <Dan.Rivas@dot.ca.gov>  
**Subject:** FW: Assumption for Eligibility for Better Market Street - STPL-5934 (180) - Yerba Buena Cemetery

Hi Dan,

I received the approval on the assumption of eligibility from CSO due to large resource size and limited access. Regardless of the reasoning for assumption of eligibility (limited potential to effect, access, resource size) the documentation and effect discussion will need to be presented in the FOE; meaning: the assumption of eligibility under limited potential to effect does not carry any weight in the process.

Please see the forwarded email below and send along to the local agency. If you have any questions, please let me know.

Thank you,

KELLI ALAHAN, MA

Associate Archaeologist, PI Prehistoric Archaeology  
Office of Local Assistance  
Caltrans District 4, Oakland  
(510) 286-5530  
[Kelli.Alahan@DOT.CA.GOV](mailto:Kelli.Alahan@DOT.CA.GOV)

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**From:** Price, David@DOT  
**Sent:** Tuesday, January 28, 2020 4:42 PM  
**To:** Alahan, Kelli@DOT <[Kelli.Alahan@dot.ca.gov](mailto:Kelli.Alahan@dot.ca.gov)>  
**Subject:** RE: Assumption for Eligibility for Better Market Street - STPL-5934 (180) - Yerba Buena Cemetery

Hi Kelli,

Thank you for the information and for the extended discussion. **CSO approves the assumption of eligibility** for the Yerba Buena Cemetery under Criterion D for the purposes of this project only, due to large resource size and limited access, pursuant to Stipulation VIII.C.4 of the Section 106 PA. Please keep a copy of this email for your documentation.

Regards,

**David Price**

Section 106 Coordination Branch Chief  
Cultural Studies Office  
Caltrans Division of Environmental Analysis  
1120 N Street, MS 27, Sacramento, CA 95814  
(916) 653-0516

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**From:** Alahan, Kelli@DOT

**Sent:** Monday, January 13, 2020 10:57 AM

**To:** Price, David@DOT <[David.Price@dot.ca.gov](mailto:David.Price@dot.ca.gov)>

**Subject:** Assumption for Eligibility for Better Market Street - STPL-5934 (180) - Yerba Buena Cemetery

Hi David,

Caltrans District 4, in coordination with the San Francisco Public Works Department, proposes to construct the Better Market Street Project, Federal Identification Number: STPL-5934 (180). The project consists of improvements to bicycle, pedestrian and transit rider's environment. All work will be within the City of San Francisco Right-of-Way. The Yerba Buena Cemetery (no trinomial) is immediately adjacent to/lies within the Area of Potential Effects (see attached APE map). District 4 would like to assume eligible the Yerba Buena Cemetery for inclusion on the National Register of Historic Places (NRHP) for the purposes of the undertaking as outlined under Stipulation VIII.C.4 of the Section 106 PA for a limited potential to effect. The portions of the site that is within/adjacent to the APE has been previously disturbed through the construction of BART and MUNI infrastructure down to 80 feet. Although the Yerba Buena cemetery's formal boundary lies slightly within the APE boundary, due to the extreme degree of previous construction, there is a limited potential to effect the resource.

Archaeological testing conducted in 2018 as part of the Asian Art Museum Expansion and Improvements Project identified seven archaeological features within a deposit of dune sands that extended 3 to 10 feet (0.9 to 3meters) below the ground surface. These features consisted of five intact burials, isolated bone fragments, and a wooden board, all of which were discovered within a 3-to 4-foot-thick deposit of dune sands. Of the seven features, six were recorded and removed; one intact burial (Feature 6) was encased in concrete and preserved in-situ with an informational plaque to allow for future identification (Russell et al. 2018). Formal evaluation of the burials associated with the Yerba Buena Cemetery, which were recently discovered during work at the Asian Art Museum, is still in process. The Yerba Buena Cemetery can be assumed eligible under Criterion D for data potential.

If you have any questions or need further information, please let me know.



KELLI ALAHAN, MA

Associate Archaeologist, PI Prehistoric Archaeology

Office of Local Assistance

Caltrans District 4, Oakland

(510) 286-5530

[Kelli.Alahan@DOT.CA.GOV](mailto:Kelli.Alahan@DOT.CA.GOV)

## Viramontes, Jessica

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**From:** Rivas, Dan@DOT <Dan.Rivas@dot.ca.gov>  
**Sent:** Monday, February 24, 2020 3:16 PM  
**To:** Deunert, Boris (DPW); Iberien, Oliver (DPW); Viramontes, Jessica; Carter, Aaron  
**Cc:** Holstein, Thomas@DOT  
**Subject:** FW: Assumption for Eligibility for Better Market Street - STPL 5934(180)

Hi everyone,

CSO has approved the assumption of eligibility for the five shipwrecks and four wharves (see below).

Regards,

Dan Rivas  
Associate Environmental Planner  
Caltrans Office of Local Assistance, District 4  
[dan.rivas@dot.ca.gov](mailto:dan.rivas@dot.ca.gov)  
510-286-5743

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**From:** Alahan, Kelli@DOT  
**Sent:** Monday, February 24, 2020 2:46 PM  
**To:** Rivas, Dan@DOT <Dan.Rivas@dot.ca.gov>  
**Subject:** Fw: Assumption for Eligibility for Better Market Street - STPL 5934(180)

Hi Dan,

Please see below for the assumption for eligibility for BMS wharves and shipwrecks. Can you please forward it on to the Local Agency and consultants?

Thanks so much!

KELLI ALAHAN, MA

Associate Archaeologist, PI Prehistoric Archaeology

Office of Local Assistance

Caltrans District 4, Oakland

(510) 286-5530

[Kelli.Alahan@DOT.CA.GOV](mailto:Kelli.Alahan@DOT.CA.GOV)

**From:** Price, David@DOT <[David.Price@dot.ca.gov](mailto:David.Price@dot.ca.gov)>  
**Sent:** Monday, February 24, 2020 2:19 PM  
**To:** Alahan, Kelli@DOT <[Kelli.Alahan@dot.ca.gov](mailto:Kelli.Alahan@dot.ca.gov)>  
**Subject:** RE: Assumption for Eligibility for Better Market Street - STPL 5934(180)

The Galen Shipwreck is so assumed.

**David Price**

Section 106 Coordination Branch Chief  
Cultural Studies Office  
Caltrans Division of Environmental Analysis  
1120 N Street, MS 27, Sacramento, CA 95814  
(916) 653-0516

---

**From:** Alahan, Kelli@DOT  
**Sent:** Monday, February 24, 2020 11:39 AM  
**To:** Price, David@DOT <[David.Price@dot.ca.gov](mailto:David.Price@dot.ca.gov)>  
**Subject:** Re: Assumption for Eligibility for Better Market Street - STPL 5934(180)

Hi David,

Thank you for your email. We would also like to add on the Galen Shipwreck to the others assumed eligible under the same criterion and for the same reasons outlined in the original email.

If you have any questions or need more information, please let me know.

KELLI ALAHAN, MA

Associate Archaeologist, PI Prehistoric Archaeology

Office of Local Assistance

Caltrans District 4, Oakland

(510) 286-5530

[Kelli.Alahan@DOT.CA.GOV](mailto:Kelli.Alahan@DOT.CA.GOV)

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**From:** Price, David@DOT <[David.Price@dot.ca.gov](mailto:David.Price@dot.ca.gov)>  
**Sent:** Monday, February 24, 2020 9:21 AM  
**To:** Alahan, Kelli@DOT <[Kelli.Alahan@dot.ca.gov](mailto:Kelli.Alahan@dot.ca.gov)>  
**Subject:** RE: Assumption for Eligibility for Better Market Street - STPL 5934(180)

Hi Kelli,



Thank you for the detailed information. **CSO approves the assumptions of eligibility** for the Panama Shipwreck, Byron Shipwreck, Callao Shipwreck, and Autumn Shipwreck, as well as the Market Street Wharf, California Street Wharf, Stuart Street Wharf, and Main Street Wharf. These resources are being assumed eligible under Criterion D for the purposes of this project only because evaluation is not possible due to limited potential to effect and restricted access, pursuant to Stipulation VIII.C.4 of the Section 106 PA. Please retain a copy of this email for your records.

Thank you,

**David Price**

Section 106 Coordination Branch Chief  
Cultural Studies Office  
Caltrans Division of Environmental Analysis  
1120 N Street, MS 27, Sacramento, CA 95814  
(916) 653-0516

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**From:** Alahan, Kelli@DOT  
**Sent:** Friday, February 21, 2020 3:35 PM  
**To:** Price, David@DOT <[David.Price@dot.ca.gov](mailto:David.Price@dot.ca.gov)>  
**Subject:** Assumption for Eligibility for Better Market Street - STPL 5934(180)

Hi David,

Caltrans District 4, in coordination with the San Francisco Public Works Department, proposes to construct the Better Market Street Project, Federal Identification Number: STPL-5934 (180). The project consists of improvements to bicycle, pedestrian and transit rider's environment along the Market Street corridor from Castro Street to The Embarcadero. All work will be within the City of San Francisco Right-of-Way.

Four shipwrecks (the Panama Shipwreck, Byron Shipwreck, Callao Shipwreck, and Autumn Shipwreck) and four wharves (Market Street Wharf, California Street Wharf, Stuart Street Wharf, and Main Street Wharf) are located within the APE as shown on the SF Maritime National Historical Park Map (July 2017), see attached, with contributions by Dr. James Allan, Dr. James Delgado, Al Harmon, Karl Kortum, Dr. Allen Pastron, Rhonda Robichaud, and Harlan Soeten. District 4 would like to assume eligible the four shipwrecks and four wharves for inclusion on the National Register of Historic Places (NRHP) for the purposes of the undertaking as outlined under Stipulation VIII.C.4 of the Section 106 PA for a limited potential to effect and restricted access. The Panama Shipwreck, Byron Shipwreck, Callao Shipwreck, Autumn Shipwreck, Market Street Wharf, California Street Wharf, Stuart Street Wharf, and Main Street Wharf can be assumed eligible under Criterion D for data potential.

The shipwrecks and wharves are believed to be located approximately 30 feet below ground surface based on stratigraphic profiles from previous bore study locations throughout the project corridor in addition to known depths of other shipwrecks in the vicinity. Excavations in this area should reach a maximum of 15 feet; thus, the limited potential to effect. In addition, these resources lie beneath Market Street in San Francisco; therefore, their evaluation would not meet the scope of the project, thus having restricted access. We plan on outlining the ground disturbance and potential locations of the resource in the ASR and FOE documents. There will also be a treatment plan for the wharves, shipwrecks, Yerba Buena Cemetery, and potential prehistoric sensitivity, should any resources be encountered during construction.

If you have any questions or need further information, please let me know.

KELLI ALAHAN, MA

Associate Archaeologist, PI Prehistoric Archaeology  
Office of Local Assistance  
Caltrans District 4, Oakland  
(510) 286-5530  
[Kelli.Alahan@DOT.CA.GOV](mailto:Kelli.Alahan@DOT.CA.GOV)

**DEPARTMENT OF TRANSPORTATION**

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Making Conservation  
a California Way of Life.

March 9, 2020

Julianne Polanco  
State Historic Preservation Officer  
Office of Historic Preservation  
1725 23rd Street, Suite 100  
Sacramento, CA 95816

Subject: Determination of Eligibility for the Better Market Street Project, City & County of San Francisco. [Federal Project Number: STPL-5934(180)].

Dear Ms. Polanco:

The California Department of Transportation (Caltrans) is initiating consultation with the State Historic Preservation Officer (SHPO) regarding the proposed improvements in the City & County of San Francisco for the Better Market Street project (Undertaking). A full project description can be found beginning on Page 1-1 of the enclosed Historical Resource Evaluation Report (HRER).

Section 106 responsibilities for this Undertaking are being conducted in accordance with the January 2014 *First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California* (hereafter, the PA).

Enclosed you will find a Historic Property Survey Report (HPSR), Archaeological Survey Report (ASR), and HRER for the proposed Undertaking. In accordance with Stipulation VIII.C.6 of the PA, Caltrans is requesting SHPO's concurrence on the National Register of Historic Places (NRHP) eligibility determinations for the following built resources, which were recorded and evaluated in the attached HRER.

The following properties have been determined **not eligible** for inclusion in the NRHP:

- Valmar Apartments, 1745-1755 Market Street, San Francisco, Assessor's Parcel Number (APN) 3503/003;
- 1640-1658 Market Street, San Francisco, APN 0854/003;
- 1525 Market Street, San Francisco, APN 3506/001;
- Fox Plaza, 95 Hayes Street, San Francisco, APN 0813/007;
- National Hotel, 1133-1139 Market Street, San Francisco, APN 3702/045;



- William B. Wagon Building, 1115-1119 Market Street, San Francisco, APN 3702/048;
- Hallidie Plaza, San Francisco, multiple APNs;
- McKesson Building, 1 Post Street, San Francisco, APN 0311/015;
- 550 Market Street, San Francisco, APN 0291/002;
- San Francisco Municipal Railway Substation No. 77, San Francisco;
- Native Sons of the Golden West Shoreline Markers, San Francisco;
- 1 California Street, San Francisco, APN 0264/004;
- Market Street Traffic Control Boxes, San Francisco;
- Embarcadero Plaza, San Francisco, multiple APNs.

The following properties have been determined **eligible** for inclusion in the NRHP:

- Path of Gold Light Standards, San Francisco;
- United Nations Plaza, San Francisco, multiple APNs;
- Market Street Cultural Landscape District, San Francisco;
- San Francisco Auxiliary Water Supply System, San Francisco;
- Admission Day Monument, San Francisco;
- Crown Zellerbach Complex, 1 Bush Street, San Francisco, multiple APNs;
- Standard Oil Building/Chevron Towers, 555-575 Market Street, San Francisco, multiple APNs;
- Mechanics Monument, San Francisco;
- Hyatt Regency Hotel, 22 Drumm Street, San Francisco, APN 0234/017.

We would appreciate receiving the SHPO's concurrence on the determination of eligibility within 30 days of your receipt of this submittal. If you have any questions, please contact Architectural Historian Helen Blackmore at (510) 286-6477 or [Helen.Blackmore@dot.ca.gov](mailto:Helen.Blackmore@dot.ca.gov).

Thank you for your assistance with this undertaking.

Sincerely,



CHRISTOPHER CAPUTO  
Chief, Office of Cultural Resource Studies  
California Department of Transportation, District 4

Enclosures:

- Historic Property Survey Report for the Better Market Street project
- Historic Resources Evaluation Report for the Better Market Street project
- Archaeological Survey Report for the Better Market Street project

Cc: Section 106 Coordinator; OLA files.



**DEPARTMENT OF PARKS AND RECREATION  
OFFICE OF HISTORIC PRESERVATION**

Lisa Ann L. Mangat, Director

Julianne Polanco, State Historic Preservation Officer  
1725 23rd Street, Suite 100, Sacramento, CA 95816-7100  
Telephone: (916) 445-7000 FAX: (916) 445-7053  
calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

April 23, 2020

VIA EMAIL

In reply refer to: FHWA\_2020\_0312\_001

Mr. Christopher Caputo, Chief  
Office of Cultural Resources Studies  
Caltrans District 4  
PO Box 23660, MS 8-A  
Oakland, CA 94623-0660

Subject: Determinations of Eligibility for the Proposed Better Market Street Project, San Francisco, San Francisco County, CA

Dear Mr. Caputo:

Caltrans is initiating consultation regarding the above project in accordance with the January 1, 2014 *First Amended Programmatic Agreement Among the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California (PA)*. As part of your documentation, Caltrans submitted a Historic Property Survey Report (HPSR), a Historical Resources Evaluation Report (HRER) and an Archaeological Survey Report for the proposed project.

San Francisco Public Works (SFPW), in coordination with Citywide Planning Division of the San Francisco Planning Department, The San Francisco Municipal Transportation Agency, the San Francisco Public Utilities Commission, the San Francisco County Transportation Authority, and the Caltrans propose to redesign and provide various transportation and streetscape improvements to Market Street between Steuart Street and Octavia Boulevard in San Francisco, CA. The project includes changes to and replacement/modification of roadway configuration and private vehicle access, traffic signals, surface transit, bicycle facilities, pedestrian facilities, commercial and passenger loading, vehicular parking, and utilities. A more detailed description starts on Page 1-1 of the HRER.

Pursuant to Stipulation VIII.C.6 of the PA, Caltrans determined that the following properties, located in the City of San Francisco, are not eligible for the National Register of Historic Places (NRHP):

- Valmar Apartments, 1745-1755 Market Street
- 1640-1658 Market Street
- 1525 Market Street
- Fox Plaza, 95 Hayes Street
- National Hotel, 1133-1139 Market Street
- William B. Wagnon Building, 1115-1119 Market Street
- Hallidie Plaza
- McKesson Building, 1 Post Street
- 550 Market Street
- San Francisco Municipal Railway Substation
- Native Sons of the Golden West Shoreline Markers
- 1 California Street
- Market Street Traffic Control Boxes
- Embarcadero Plaza

Caltrans has also determined that the following properties are eligible for the (NRHP) for the following reasons:

- Path of Gold Light Standards – eligible under various Criteria and contexts depending on construction date
- United Nations Plaza (UN Plaza) – eligible under Criteria A and C and Criteria Consideration G. Under Criterion A the UN Plaza is eligible at the national level of significance for civic engagement activities related to the LGBTQ rights and the AIDS epidemic. The periods of significance are 1977-1978 for Gay Freedom Day Parades (Gay Pride) and creation of the rainbow flag as a LGBTQ symbol; and 1985-1995, corresponding to the first use of civil disobedience against the AIDS epidemic at the 10-year vigil in UN Plaza. Under Criterion C the UN Plaza is historically significant at the local level of significance as a designed landscape associated with master landscape architect Lawrence Halprin and one of the most emblematic post-modern landscapes in San Francisco. The period of significance is 1975.
- Market Street Cultural Landscape District (MSCLD) – eligible under Criteria A and C and Criteria Consideration G. Under Criterion A the MSCLD is eligible at the local level for its historic role as San Francisco's main circulation artery and facilitator of urban development based on its association with urban and economic growth in San Francisco. The period of significance is 1847-1968. It is also eligible under Criterion A at the national level for its historic role as venue for civic engagement based on association with public demonstrations associated with LGBTQ civil rights and on a local level for association with social history themes including labor rights and civil right movements, war protest and peace celebration, and women's suffrage. The period of significance is 1870-1979.

The MSCLD is also significant under Criterion C at the national level for its association with the work of master architects John Carl Warnecke and Mario J. Ciampi, and master landscape architect Lawrence Halprin. The period of significance is 1979, the date when a critical volume of the Market Street Redevelopment Plan components were present to physically express the design intent of the Market Street Joint Venture Architects for this project.

- San Francisco Auxiliary Water Supply (AWSS) – The AWSS is significant under Criterion A at the local level with a period of significance of 1908-1913. This is the period when city engineers drafted a preliminary plan for the AWSS and city voters overwhelmingly supported a bond measure funding its construction. The period of significance ends when the Board of Public Works and the Board of Fire Underwriters certified that construction of the system was complete. The AWSS is also significant under Criterion C as a unique example of an emergency water supply system adapted to the specific geographic and seismic conditions of San Francisco, which required innovative design and engineering to meet the specific needs of the city after the 1906 earthquake and fires. Contributors to the district are listed in the 2018 DPR 523 form for the property.
- Admission Day Monument – eligible under Criterion C and Criteria Consideration B and F. The monument is the work of two artists, Douglas Tilden and Willis Polk, who are now recognized as masters in their craft. The object exemplifies high artistic values of the Beaux-Arts during the period when the City Beautiful Movement was sweeping over San Francisco. The period of significance is 1897.
- Crown Zellerbach Complex, 1 Bush Street – eligible under Criterion C as an example of “Miesian” International and Corporate Modern styles, represents the work of several masters (Charles Bassett of SOM and Hertzka & Knowles, and possesses high artistic value. The period of significance is 1959.
- Standard Oil Building/Chevron Towers, 555-575 Market Street – eligible under Criterion C as a significant example of a Corporate Modern high-rise complex associated with master architects Wayne Solomon Hertzka and William Howard Knowles. The period of significance is 1964 for 555 Market Street and 1975 for 575 Market Street, their dates of construction respectively.
- Mechanics Monument – eligible under Criterion C and Criteria Consideration B and F at the local level of significance, as a product of master sculptor Douglas Tilden, and also for its high artistic value. The period of significance is 1901.
- Hyatt Regency Hotel, 22 Drumm Street – eligible under Criterion C at the local level of significance, for its association with noteworthy architect John C Portier, Jr., as a recognized example of his atrium-type hotel designs, and as an exceptional example of the Late Modern architectural style in San Francisco. The period of significance is 1973.



Based on review of the submitted documentation, I have the following comments:

- I concur the following properties are not eligible for the NRHP either individually or as contributors to a historic district:
  - 1640-1658 Market Street
  - San Francisco Municipal Railway Substation
  - Native Sons of the Golden West Shoreline Markers
  
- I concur the following properties are not eligible for the NRHP as individual properties:
  - Valmar Apartments, 1745-1755 Market Street
  - 1525 Market Street
  - Fox Plaza, 95 Hayes Street
  - National Hotel, 1133-1139 Market Street
  - William B. Wagnon Building, 1115-1119 Market Street
  - Hallidie Plaza
  - McKesson Building, 1 Post Street
  - 550 Market Street
  - 1 California Street
  - Market Street Traffic Control Boxes
  - Embarcadero Plaza
  
- I concur the following properties are eligible for the NRHP for the reasons stated above:
  - San Francisco Auxiliary Water Supply
  - Admission Day Monument
  - Crown Zellerbach Complex, 1 Bush Street
  - Standard Oil Building/Chevron Towers, 555-575 Market Street
  - Mechanics Monument
  - Hyatt Regency Hotel, 22 Drumm Street
  
- The SHPO is unable to concur on the eligibility of the Path of Gold Light Standards. As currently presented Caltrans has a historic district with more non-contributors than contributors. Based on the information presented it appears that there are two distinct set of resources with different construction dates and different contexts. The original lights appear to be an eligible historic district in their own rights but do not contribute to the Market Street Cultural Landscape District. The replica lights do not contribute to a Path of Gold Light Standards Historic District but do contribute to the MSCLD.

I recommend that Caltrans split these distinct resources into separate DPR 523s. The current DPR 523 is very confusing to follow and it would be very easy to misinterpret the distinctions between the resources. While putting together these DPR 523s it is vital that Caltrans detail what elements of these resources are important to the integrity of the

resources and date to their respective periods of significance. As Caltrans moves into assessing effects, these details will be critical.

- I concur that the UN Plaza is eligible for the NRHP for the reasons listed above. Please note that the UN Plaza is listed in the NRHP as a contributor to the San Francisco Civic Center Historic District. In order to be considered a non-contributor the NRHP nomination for this Historic District must be formally amended through the Keeper of the National Register.
- Before I can comment on the eligibility of the MSCLD I will require additional information.

Currently the period of significance under Criterion C is 1979. Please explain why 1979 was chosen versus a range of dates under which construction on the project was completed. It is currently unclear if properties need to be constructed in 1979, be extant in 1979, or be in construction in 1979. Please provide additional information on if a 1979 period of significance accurately represents all of the properties in the district that would contribute under this context.

Please provide specific information with regards to contributors and non-contributors and their association and levels of integrity to the periods of significance. The DPR 523 uses very general terms to describe contributors and non-contributors. As Caltrans moves into the effects phase of this consultation it will be critical that everyone reading these documents be able to understand what it is about the different contributing elements that make them important to the historic significance of the historic district. This is critically important for landscape elements that might be affected by the project.

- Caltrans submitted, "Archaeological Survey Report Better Market Street Project, March 2020, J.T. Elder, ICF, San Francisco, CA" (ICF Report), which provides information for a buried site sensitivity analysis. Based upon this analysis, pursuant to Stipulation VIII.C.4 of the Section 106 PA, Caltrans is assuming eligibility, under Criterion D, for previously documented sub-surface resources (historic archaeological sites) that are and may be within the area of potential effect (APE). They are the Yerba Buena Cemetery, five shipwrecks (Panama, Byron, Callao, Galen, and Autumn) and four wharf structures (Market Street, California Street, Stuart Street and Main Street). In addition, it is noted that, due to the presence of sub-surface dune and tidal marsh flat formations, there may also be a sensitivity for encountering buried prehistoric archaeological sites. While the ICF Report documents that there is the potential to encounter these sites, it also states that their presence is currently unknown and has not yet been defined in relation to the APE boundaries. However, their posited presence is based upon historical documentation and although there is the potential that they were either partially or fully destroyed during previous construction activity along Market Street, Caltrans has determined there is still the "potential to encounter" these sub-surface resources during the proposed Better Market Street Project construction activities.

The report notes several areas within the APE that have heightened sensitivity due to the potential for excavations to extend below previously disturbed areas or to be outside areas of previous disturbance. They are: 691 Market Street sub-sidewalk basement, where deep excavations (35 feet) have the potential to extend into intact dune sands; Charles J. Brenham Place (F-Loop), near the Asian Art Museum, where fill is about eight feet deep and the vertical APE is 15 feet at this location and documents indicate burials were previously discovered between 3 and 25 feet deep in this locale; and the APE area along Market Street, from Valencia Street to the southwest end of the project at Octavia Boulevard, lacks Geotech information and the stratigraphic profile indicates that the dune sands may deepen towards Octavia Boulevard (Figure 1- Stratigraphic Profile from the Embarcadero to Valencia Street).

Although Caltrans is assuming archaeological sites eligible for purposes of the project, it has not yet provided justification of why the project will not adversely affect these resources. Typically, this is because there is an Environmentally Sensitive Area (ESA) established (either horizontal or vertical) that ensures the project will not impact the resources. Particularly with the Yerba Buena Cemetery, burials were encountered recently during construction near the Asian Art Museum and historical documentation suggest the burials extend close to the APE at nearby Charles J. Brenham Place. Please provide information to explain why Caltrans is confident that burials will not be encountered. From the information submitted it appears that fill is about 8 feet and the vertical APE is 15 feet at this location and documents indicate burials were discovered between 3 and 25 feet deep. This information should be a critical component of any additional information Caltrans provides as part of any future finding of effect, treatment plan, or data recovery plan documents.

If you have questions, please do not hesitate to contact State Historian II Natalie Lindquist at (916) 445-7014 or at [natalie.lindquist@parks.ca.gov](mailto:natalie.lindquist@parks.ca.gov) or State Archaeologist Jeanette Schulz at (916) 445-7031 or at [jeanette.schulz@parks.ca.gov](mailto:jeanette.schulz@parks.ca.gov).

Sincerely,



Julianne Polanco  
State Historic Preservation Officer

**DEPARTMENT OF TRANSPORTATION**

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Making Conservation  
a California Way of Life.

May 6, 2020

Julianne Polanco  
State Historic Preservation Officer  
Office of Historic Preservation  
1725 23rd Street, Suite 100  
Sacramento, CA 95816

Subject: *Determinations of Eligibility for the Proposed Better Market Street Project, San Francisco, San Francisco County CA, FHWA\_2020\_0312\_001*

Dear Ms. Polanco:

The California Department of Transportation (Caltrans) is continuing consultation with the State Historic Preservation Officer (SHPO) regarding the proposed Better Market Street Project in the City and County of San Francisco (Undertaking).

Section 106 responsibilities for this Undertaking are in accordance with the January 2014 *First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California* (hereafter, the PA).

This letter is in response to your letter dated April 23, 2020. Your letter included concurrence that 14 resources in the Area of Potential Effect (APE) were not eligible for the National Register of Historic Place (NRHP), and that 7 resources within the APE were eligible for the NRHP. The letter stated that while the SHPO agreed with the determinations of the Market Street Cultural Landscape Historic District, and the Path of Gold, concurrence could not be given without revisions to the documentation of those two resources.

Attached please find revised Department of Parks and Recreation (DPR) 523 forms for the Market Street Cultural Landscape District (MSCLD), and the Path of Gold. The Path of Gold, per your letter, has been split into two resources. In accordance with Stipulation VIII.C.6 of the PA, Caltrans is requesting SHPO's concurrence on the NRHP eligibility determinations for the following built resources.

The Path of Gold light standards, Octavia Boulevard to The Embarcadero, constructed in 1979, has been determined **not eligible** for inclusion in the NRHP.



The properties below have been determined **eligible** for inclusion in the NRHP:

- Path of Gold light standards, Castro Street to Octavia Boulevard, 1908-1916.
- Market Street Cultural Landscape Historic District.

In response to the comment concerning the UN Plaza on page 5, we would like to clarify that the UN Plaza was not documented as a contributing feature in the 1978 NHRP district record or 1987 National Historic Landmark record (NHL) for the Civic Center Historic District. The UN Plaza was constructed in 1975 and falls outside the period of significance for both districts.

In regards to the MSCLD evaluation, the period of significance has been altered to 1968-1979, which spans the interval between the approval of the design to the completion of construction. All contributing features under the Criterion C significance statement were extant by 1979. Following your request for more specific information, the contributing features have been edited to include a level of integrity and details which contributing features are associated with each significance statement. In addition, a brief discussion of the large-scale contributing features has been added. This information is presented in the tables on pages 42 to 51 of the MSCLD evaluation. Information on the non-contributing features can be found on page 51 of the MSCLD evaluation.

In response to the comments concerning archaeological resources, Caltrans has made the determination that there may be an effect to archaeological resources within the APE. Future submittals for this undertaking will provide detailed information in support of an assessment of effects, which demonstrate the nature and extent of specific project impacts as they relate to the archaeological context within the APE.

We would appreciate receiving the SHPO's concurrence on the determination of eligibility as soon as possible in order to meet the project schedule. If you have any questions concerning the evaluations or information contained in this letter, please contact Helen Blackmore at [Helen.Blackmore@dot.ca.gov](mailto:Helen.Blackmore@dot.ca.gov).

Thank you for your assistance with this undertaking.

Sincerely,



CHRISTOPHER CAPUTO  
Chief, Office of Cultural Resource Studies  
California Department of Transportation, District 4

Enclosures:

- DPR, Market Street Cultural Landscape Historic District
- DPR, Path of Gold, Castro Street to Octavia Boulevard, 1908-1916
- DPR, Replica Path of Gold, Octavia Boulevard to The Embarcadero, 1979

Cc: David Price, Section 106 Coordinator; OCRS files.



**DEPARTMENT OF PARKS AND RECREATION  
OFFICE OF HISTORIC PRESERVATION**

Lisa Ann L. Mangat, Director

Julianne Polanco, State Historic Preservation Officer  
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May 22, 2020

VIA EMAIL

In reply refer to: FHWA\_2020\_0312\_001

Mr. Christopher Caputo, Chief  
Office of Cultural Resources Studies  
Caltrans District 4  
PO Box 23660, MS 8-A  
Oakland, CA 94623-0660

Subject: Determinations of Eligibility for the Proposed Better Market Street Project, San Francisco, San Francisco County, CA

Dear Mr. Caputo:

Caltrans is continuing consultation regarding the above project in accordance with the January 1, 2014 *First Amended Programmatic Agreement Among the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California (PA)*. As part of your supplemental documentation, Caltrans submitted a revised DPR 523 form for the Market Street Cultural Landscape District as well as DPR 523s for the original Path of Gold Light and a separate DPR 523 for the replica Path of Gold Light Standards.

Pursuant to Stipulation VIII.C.6 of the PA, Caltrans determined that the following properties, located in the City of San Francisco, are eligible for the National Register of Historic Places (NRHP):

- **Market Street Cultural Landscape District (MSCLD)** – eligible under Criteria A and C and Criteria Consideration G. Under Criterion A the MSCLD is eligible at the local level for its historic role as San Francisco's main circulation artery and facilitator of urban development based on its association with urban and economic growth in San Francisco. The period of significance is 1847-1968. It is also eligible under Criterion A at the national level for its historic role as venue for civic engagement based on association with public demonstrations associated with LGBTQ civil rights and on a local level for association with social history themes including labor rights and civil right movements, war protest and peace celebration, and women's suffrage. The period of significance is 1870-1979. The MSCLD is also significant under Criterion C at the national level for its association with the

work of master architects John Carl Warnecke and Mario J. Ciampi, and master landscape architect Lawrence Halprin. The period of significance is 1968-1979, these dates span the interval between the approval of the design to the completion of construction.

- **Path of Gold Light Standards, Castro Street to Octavia Boulevard** - The original Path of Gold light standards are significant under Criteria C/3 at the local level because they represent the work of multiple master designers and engineers and possess high artistic value. They also meet the requirements of Criteria Consideration B. Although the original Market Street light standards were reinstalled in their current locations on upper Market Street in the 1980s, their period of significance remains 1908–1925 because they meet the requirements of Criteria Consideration B. These light standards are significant as the work of multiple master designers and possess high artistic value, and their period of significance reflects the period they were designed, created, and first installed, rather than the year they were reinstalled in a new location.

Caltrans has also determined that the replica Path of Gold Light Standards, Octavia Boulevard to the Embarcadero, constructed in 1979, are not individually eligible for the NRHP.

In addition Caltrans, as indicated in an e-mail on May 21, 2020 from David Price, will consider United Nations Plaza as a contributor to the Civic Center Historic District, a historic district listed on the NRHP.

Finally, with regards to archaeology, Caltrans determined that there may be an effect to archaeological resources within the area of potential effect (APE). Future submittals for this undertaking will provide detailed information in support of an assessment of effects, which demonstrate the nature and extent of specific project impacts as they relate to the archaeological context within the APE.

Based on review of the submitted documentation, I concur with the above determinations.

If you have questions, please do not hesitate to contact State Historian II Natalie Lindquist at (916) 445-7014 or at [natalie.lindquist@parks.ca.gov](mailto:natalie.lindquist@parks.ca.gov) or State Archaeologist Jeanette Schulz at (916) 445-7031 or at [jeanette.schulz@parks.ca.gov](mailto:jeanette.schulz@parks.ca.gov).

Sincerely,



Julianne Polanco  
State Historic Preservation Officer

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*Making Conservation  
A California Way of Life*

June 25, 2020

Ms. Julianne Polanco  
State Historic Preservation Officer  
Office of Historic Preservation  
1725 23rd Street, Suite 100  
Sacramento, CA 95816

**Subject: Better Market Street Project, City and County of San Francisco; FHWA\_2020\_0312\_001;  
Federal ID STPL-5924 (180),**

Dear Ms. Polanco:

The California Department of Transportation (Caltrans) is continuing consultation with the State Historic Preservation Officer (SHPO) regarding the proposed improvements along Market Street in the City and County of San Francisco (Undertaking). A full project description can be found on Page 2-1 of the enclosed Finding of Effect Report (FOE). Section 106 responsibilities for this Undertaking are in accordance with the January 2014 *First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California* (Section 106 PA).

Caltrans has applied the criteria of adverse effect in accordance with 36 CFR § 800.5(a)(1) and Stipulation X.A of the Section 106 PA and found that the undertaking will have an adverse effect to the Market Street Cultural Landscape District and the Yerba Buena Cemetery, and may have an adverse effect to four wharves (California Street Wharf, Main Street Wharf, Stuart Street Wharf, and Market Street Wharf). One property, the Original Path of Gold, will not be affected by the project. The remaining 143 built environment properties and five archaeological properties will not be adversely affected by the project. The detailed analysis for these determinations can be found in the enclosed FOE. A summary of effects to each property is also enclosed as a separate attachment to this letter.



**Caltrans has determined that a Finding of Adverse Effect is appropriate for this Undertaking.** In accordance with Stipulation X.C.1 of the PA, Caltrans is requesting SHPO's concurrence on this finding. We would appreciate a response within 30 days of your receipt of this submittal, in accordance with Stipulation X.C.1.b of the Section 106 PA.

Caltrans would also like to inform you that we intend to make a Section 4(f) *de minimis* impact determination for each of the properties listed below, contingent upon your concurrence with the No Adverse Effect findings. Your response to the Market Street Cultural Landscape District will be incorporated within the individual 4(f) Evaluation for that property.

- San Francisco Auxiliary Water Supply System (AWSS)
- BART District
- Civic Center Landmark District
- Kearny-Market-Mason-Sutter Conservation District
- LGBTQ Tenderloin Historic District
- New Montgomery, Mission, Second Street Conservation District
- Crown Zellerbach Complex, One Bush Street
- United Nations Plaza
- Fillmore West, 10-12 South Van Ness Avenue

Finally, the City of San Francisco Public Works would like to extend an invitation to the Office of Historic Preservation to present the findings of the project in order to facilitate review of this large and complex project with impending project milestones. Please let me know if that is something you feel would benefit the project's review.

If you have any questions regarding this consultation, please do not hesitate to contact me or contact Architectural Historian Helen Blackmore at [Helen.Blackmore@dot.ca.gov](mailto:Helen.Blackmore@dot.ca.gov), or Archaeologist Kelli Alahan at [Kelli.Alahan@dot.ca.gov](mailto:Kelli.Alahan@dot.ca.gov).

Thank you for your assistance with this undertaking.

Sincerely,



DAVID PRICE  
Section 106 Coordinator  
California Department of Transportation

Attachment: (1) Finding of Adverse Effect for the Better Market Street Project  
(2) Summary of Effects Sheet for the Better Market Street Project



London N. Breed  
Mayor

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**Iqbal Dhapa**  
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July 14, 2020

Suzanne Suskind  
Acting Deputy Director and City Engineer  
San Francisco Public Works  
49 South Van Ness Avenue, Suite 1600  
San Francisco, CA 94103

## **Subject: Section 4(f) *de minimis* concurrence for Mark Twain Plaza**

Dear Acting Deputy Director Suskind:

San Francisco Public Works, in coordination with the Citywide Planning Division of the San Francisco Planning Department, the San Francisco Municipal Transportation Agency (SFMTA), the San Francisco Public Utilities Commission (SFPUC), and the San Francisco County Transportation Authority (SFCTA), proposes to redesign and provide various transportation and streetscape improvements to Market Street (the Better Market Street project or project). The principal purpose of the project is to make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians. Ancillary purposes of the project are to replace infrastructure in the corridor that is reaching the end of its operational design life, and to improve the accessibility of the corridor and quality of its streetscape environment.

The project would include construction in small portions of Mark Twain Plaza. Under Section 4(f) of the Department of Transportation Act of 1996, this park is considered a Section 4(f) resource. Therefore, a Section 4(f) analysis, a determination, and concurrence from the agency with jurisdiction over the resource are needed.

The California Department of Transportation (Caltrans) is the federal lead agency for National Environmental Policy Act (NEPA) and Section 4(f), pursuant to 23 USC 326 and 23 USC 327 and the Memorandum of Understanding dated December 23, 2016, and executed by the Federal Highway Administration (FHWA) and Caltrans. Responsibility for compliance with Section 4(f) has been assigned to Caltrans, including determinations and approval of Section 4(f) evaluations as well as coordination with those agencies that have jurisdiction over a Section 4(f) resource that may be affected by a project action. This letter is to inform you of Caltrans' intent to make a *de minimis* finding for impacts to Mark Twain Plaza upon your concurrence. The following pages provide detailed information related to Section 4(f) and Section 4(f) resources and project activities. Through this letter, Caltrans is seeking concurrence from the San Francisco Department of Public Works for activities on park land within Mark Twain Plaza.

## **Description of Section 4(f)**

Section 4(f) refers to the original section within the U.S. Department of Transportation Act of 1966 that established the requirement for consideration of park and recreation lands, wildlife

and waterfowl refuges, and historic sites during transportation project development. The law, now codified in 49 U.S.C. Section 303 and 23 U.S.C. Section 138, applies only to the U.S. Department of Transportation (U.S. DOT) and is implemented by the Federal Highway Administration (FHWA) through the regulation 23 Code of Federal Regulations (CFR) 774. Section 4(f) applies to projects that receive funding from or require approval by an agency of the U.S. DOT. Responsibility for compliance with Section 4(f) has been assigned to Caltrans pursuant to 23 USC 326 and 327, including *de minimis* impact determinations.

There are three types of “use” under Section 4(f):

1. Permanent Incorporation – when a Section 4(f) resource is acquired outright for a transportation project.
2. Temporary Occupancy – when there is temporary use of resource that is adverse in terms of Section 4(f)'s preservationist purpose. Temporary occupancy is not a Section 4(f) use if all of the following conditions exist:
  - a. The land use is of short duration (defined as less than the time needed for the construction of the project)
  - b. There is no change in ownership of the land
  - c. The scope of the work must be minor
  - d. There are no temporary or permanent adverse changes to the activities, features, or attributes of the resource
  - e. The land must be fully restored to a condition at least as good as prior to the project
  - f. There must be documented agreement from the official(s) with jurisdiction over the resource with the above conditions
3. Constructive Use – when the proximity impacts of a transportation project on a Section 4(f) resource, even without acquisition of the resource, are so great that the activities, features and attributes of the resource are substantially impaired.

Before approving a project that uses a Section 4(f) resource, a determination must be made that either:

1. There is no feasible and prudent alternative that avoids the resource, and that the project includes all possible planning to minimize harm to the resource, or
2. The project would have a *de minimis* impact on the resource.

A *de minimis* impact is one that would not adversely affect the activities, features, or attributes of the Section 4(f) resource, and, subsequently, would not require an analysis of feasible and prudent avoidance alternatives.

A determination of *de minimis* impact may be made when all three of the following criteria are satisfied:

1. The transportation use of the Section 4(f) resource, together with any impact avoidance, minimization, and mitigation or enhancement measures incorporated into the project, does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f);
2. The public has been afforded an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the Section 4(f) resource; and
3. The official(s) with jurisdiction over the resource are informed of Caltrans' intent to make the *de minimis* impact determination based on their written concurrence that the project would not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f).

## Project Description

The project includes changes to or replacement/modification of:

- Roadway configuration and private vehicle access
- Traffic signals
- Surface transit, including transit-only lanes, stop spacing, service, transit-stop location, transit-stop characteristics, and infrastructure
- Bicycle facilities
- Pedestrian facilities
- Commercial and passenger loading
- Vehicular parking
- Utilities
  - Sewer Line Replacement
  - Water Line Replacement
  - Traction Power System Improvement
  - PUC Power System Installation
  - DT Fiber Conduit Installation
  - Overhead Contact System Replacement
  - Track Replacement
  - F-loop Installation
  - Streetlight improvement
  - Irrigation System Improvement
  - Fire Hydrant Improvement
  - Curb Ramps and Accessibility Improvement
  - Streetscape Improvement

All of the various proposed project elements will be constructed within the public right-of-way; the majority of these elements will be implemented within the operational public right-of-way. The project will require a temporary encroachment permit for construction activities and a permanent encroachment permit (for modifications within the Van Ness Avenue and Central Freeway rights-of-way) from Caltrans. No permanent incorporation of park land is proposed, no temporary occupancy would occur, and no constructive use is anticipated.

## Description of the Section 4(f) Resource

Mark Twain Plaza, managed by San Francisco Department of Public Works, is located at the intersection of Annie and Market Streets (Figure 1). Amenities in the 0.1-acre plaza include landscaping and seating on planter walls. Access to the plaza is via Market Street and Annie Street.



## Use of Section 4(f) Resource

A small portion of the plaza, <0.01 acre, lies within the boundaries of the project corridor. In this area, the existing red brick paving will be removed and replaced with ADA-compliant paving materials consistent with San Francisco Public Works Order No. 200369 (City and County of San Francisco n.d.). If the existing trees need to be removed, they will be replaced. The work zone will be temporarily fenced for safety reasons and access to the plaza will be maintained around the construction zone. Construction activities to replace the sidewalk materials and to construct the portion of the project adjacent to this plaza are anticipated to last for a minimum of one year. However, the portion of the plaza which will not be affected will remain open to the public during construction activities with access maintained from Mission Street. Plaza users in the vicinity of the work zone will also experience temporary construction-related noise and visual impacts during sidewalk replacement as well as when construction on Market Street is underway. Plaza users will also have views of construction, including heavy equipment, staging areas, signage, and closures on Market Street.

Once construction of this segment of the project is complete, the plaza will reopen to the public and continue to function as it does currently. Replacing existing trees is a permanent change, even though there will be no permanent incorporation of the plaza into the transportation right-of-way on Market Street or change in ownership.

## Park Access

Access to the plaza from Annie Street and areas to the south will not change.

Access from Market Street to the plaza may be limited or narrowed by construction or work zones during some portion of the construction period, which is anticipated to last for a minimum of one year. However, at a minimum access to the plaza will be maintained from Market Street on the north side of the plaza.

## Avoidance and Minimization Measures

The following measures would be included as part of the Better Market Street project:

- The temporary construction zone(s) will be fenced to ensure the exclusion and safety of recreational users and/or visitors.
- In the event that any inadvertent damage occurs to the park or recreational facilities in the project corridor, the property will be restored to the condition that existed prior to the construction activities or better.

To minimize construction noise along the project corridor, avoidance, minimization, and/or mitigation measures will be implemented.

### **AMM-NOI-1: Caltrans Standard Specifications Section 14-8.02:**

Standard Caltrans procedures include implementation of the following measures to minimize temporary noise effects from construction (California Department of Transportation 2018):

- Control and monitor noise resulting from work activities.
- Do not exceed 86 dBA at 50 feet from job site activities between 9:00 p.m. and 6:00 a.m.

## ***De Minimis Finding***

There would be no permanent incorporation or temporary occupancy of park land and no constructive use associated with the proposed Better Market Street Project. The permanent changes, namely replacement of the existing brick paving of the sidewalk that extends through the plaza center with ADA-compliant paving materials and replacement of existing trees, will not adversely affect the protected activities, features, or attributes that qualify the plaza for protection under Section 4(f).

Considering the scope of the work proposed, and after considering avoidance, minimization, and enhancement/restoration measures, there would be no adverse effect to the activities, features, or attributes that qualify the park for protection under Section 4(f). Therefore, impacts during construction would constitute *de minimis* impacts under Section 4(f).

## **Public Input and Concurrence**

As part of the Section 4(f) process, the public was afforded the opportunity to comment on this evaluation and Caltrans' intent to make a *de minimis* finding for the proposed project activities within Mark Twain Plaza. The Draft Section 4(f) evaluation was circulated to the public as an attachment to the National Environmental Policy Act (NEPA) Environmental Assessment from May 29, 2020 through July 14, 2020. The public comments received are included in the attached Final Environmental Assessment for your review.

Please sign below to indicate San Francisco Public Works' concurrence with the recommendation of Caltrans that the use will qualify as *de minimis* and impacts associated with this project along with the identified avoidance, minimization, and mitigation and/or enhancement measures, will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f).

---

Suzanne Suskind, Acting Deputy Director, San Francisco Public Works

Date

Sincerely,

*Cristina C. Olea*

Cristina Olea, PE  
Better Market Street Project Manager

### **Attachments:**

Figure 1: Mark Twain Plaza

Attachment A: Public Comments

cc: Thomas Holstein, Caltrans  
Boris Deunert, San Francisco Public Works



**Better Market Street Project**  
 Federal Project Number: STPL-5934(180)



 Project Corridor  
 Featured Park\*

**Figure 1**  
**Mark Twain Plaza**

0 0.01 0.02 Miles

\*Labeled by Resource ID; refer to Tables 2 and 5 in the Section 4(f) De Minimis and No Use Determinations analysis





London N. Breed  
Mayor

Alaric Degrafinried  
Acting Director

**Iqbal Dhapa**  
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July 14, 2020

Suzanne Suskind  
Acting Deputy Director and City Engineer  
San Francisco Public Works  
49 South Van Ness Avenue, Suite 1600  
San Francisco, CA 94103

**Subject: Section 4(f) *de minimis* concurrence for Mechanics Monument Plaza**

Dear Acting Deputy Director Suskind:

San Francisco Public Works, in coordination with the Citywide Planning Division of the San Francisco Planning Department, the San Francisco Municipal Transportation Agency (SFMTA), the San Francisco Public Utilities Commission (SFPUC), and the San Francisco County Transportation Authority (SFCTA), proposes to redesign and provide various transportation and streetscape improvements to Market Street (the Better Market Street project or project). The principal purpose of the project is to make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians. Ancillary purposes of the project are to replace infrastructure in the corridor that is reaching the end of its operational design life, and to improve the accessibility of the corridor and quality of its streetscape environment.

The project would include construction in small portions of Mechanics Monument Plaza. Under Section 4(f) of the Department of Transportation Act of 1996, this park is considered a Section 4(f) resource. Therefore, a Section 4(f) analysis, a determination, and concurrence from the agency with jurisdiction over the resource are needed.

The California Department of Transportation (Caltrans) is the federal lead agency for National Environmental Policy Act (NEPA) and Section 4(f), pursuant to 23 USC 326 and 23 USC 327 and the Memorandum of Understanding dated December 23, 2016, and executed by the Federal Highway Administration (FHWA) and Caltrans. Responsibility for compliance with Section 4(f) has been assigned to Caltrans, including determinations and approval of Section 4(f) evaluations as well as coordination with those agencies that have jurisdiction over a Section 4(f) resource that may be affected by a project action. This letter is to inform you of Caltrans' intent to make a *de minimis* finding for impacts to Mechanics Monument Plaza upon your concurrence. The following pages provide detailed information related to Section 4(f) and Section 4(f) resources and project activities. Through this letter, Caltrans is seeking concurrence from the San Francisco Department of Public Works for activities on park land within Mechanics Monument Plaza.

## Description of Section 4(f)

Section 4(f) refers to the original section within the U.S. Department of Transportation Act of 1966 that established the requirement for consideration of park and recreation lands, wildlife and waterfowl refuges, and historic sites during transportation project development. The law, now codified in 49 U.S.C. Section 303 and 23 U.S.C. Section 138, applies only to the U.S. Department of Transportation (U.S. DOT) and is implemented by the Federal Highway Administration (FHWA) through the regulation 23 Code of Federal Regulations (CFR) 774. Section 4(f) applies to projects that receive funding from or require approval by an agency of the U.S. DOT. Responsibility for compliance with Section 4(f) has been assigned to Caltrans pursuant to 23 USC 326 and 327, including *de minimis* impact determinations.

There are three types of “use” under Section 4(f):

1. Permanent Incorporation – when a Section 4(f) resource is acquired outright for a transportation project.
2. Temporary Occupancy – when there is temporary use of resource that is adverse in terms of Section 4(f)'s preservationist purpose. Temporary occupancy is not a Section 4(f) use if all of the following conditions exist:
  - a. The land use is of short duration (defined as less than the time needed for the construction of the project)
  - b. There is no change in ownership of the land
  - c. The scope of the work must be minor
  - d. There are no temporary or permanent adverse changes to the activities, features, or attributes of the resource
  - e. The land must be fully restored to a condition at least as good as prior to the project
  - f. There must be documented agreement from the official(s) with jurisdiction over the resource with the above conditions
3. Constructive Use – when the proximity impacts of a transportation project on a Section 4(f) resource, even without acquisition of the resource, are so great that the activities, features and attributes of the resource are substantially impaired.

Before approving a project that uses a Section 4(f) resource, a determination must be made that either:

1. There is no feasible and prudent alternative that avoids the resource, and that the project includes all possible planning to minimize harm to the resource, or
2. The project would have a *de minimis* impact on the resource.

A *de minimis* impact is one that would not adversely affect the activities, features, or attributes of the Section 4(f) resource, and, subsequently, would not require an analysis of feasible and prudent avoidance alternatives.

A determination of *de minimis* impact may be made when all three of the following criteria are satisfied:

1. The transportation use of the Section 4(f) resource, together with any impact avoidance, minimization, and mitigation or enhancement measures incorporated into the project, does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f);
2. The public has been afforded an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the Section 4(f) resource; and

3. The official(s) with jurisdiction over the resource are informed of Caltrans' intent to make the *de minimis* impact determination based on their written concurrence that the project would not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f).

## Project Description

The project includes changes to or replacement/modification of:

- Roadway configuration and private vehicle access
- Traffic signals
- Surface transit, including transit-only lanes, stop spacing, service, transit-stop location, transit-stop characteristics, and infrastructure
- Bicycle facilities
- Pedestrian facilities
- Commercial and passenger loading
- Vehicular parking
- Utilities
  - Sewer Line Replacement
  - Water Line Replacement
  - Traction Power System Improvement
  - PUC Power System Installation
  - DT Fiber Conduit Installation
  - Overhead Contact System Replacement
  - Track Replacement
  - F-loop Installation
  - Streetlight improvement
  - Irrigation System Improvement
  - Fire Hydrant Improvement
  - Curb Ramps and Accessibility Improvement
  - Streetscape Improvement

All of the various proposed project elements will be constructed within the public right-of-way; the majority of these elements will be implemented within the operational public right-of-way. The project will require a temporary encroachment permit for construction activities and a permanent encroachment permit (for modifications within the Van Ness Avenue and Central Freeway rights-of-way) from Caltrans. No permanent incorporation of park land is proposed, no temporary occupancy would occur, and no constructive use is anticipated.

## Description of the Section 4(f) Resource

Mechanics Monument Plaza, managed by San Francisco Department of Public Works, is adjacent to the project corridor at Battery and Market streets, in San Francisco (Figure 1). It encompasses 0.1 acre. Mechanics Monument Plaza includes a monument by Douglas Tilden, benches, and landscaping. Access to the plaza is via Market Street, Battery Street, Bush Street, Fremont Street, and Front Street.

## Use of Section 4(f) Resource

A portion of the plaza lies within the boundaries of the project corridor. In this area, the existing red brick paving will be removed and replaced with ADA-compliant paving materials consistent with San Francisco Public Works Order No. 200369 (City and County of San Francisco n.d.), as shown on Figure 4 of the Environmental Assessment. The monument is outside the sidewalk area that will be replaced. If the existing trees and any lighting and furnishings in the project corridor will need to be removed, they will be replaced. The work zone will be temporarily fenced for safety reasons and access to the plaza will be maintained around the construction zone. Construction activities to replace the sidewalk materials and to construct the portion of the project adjacent to this plaza are anticipated to last for a minimum of one year. However, the portion of the plaza which will not be affected will remain open to the public during construction activities with access maintained from Bush, Battery, or Front streets. The monument will not be affected on a temporary or permanent basis. Plaza users in the vicinity of the work zone will also experience temporary construction-related noise and visual impacts during sidewalk replacement as well as when construction on Market Street is underway. Plaza users will also have views of construction, including heavy equipment, staging areas, signage, and closures on Market Street.

Once construction of this segment of the project is complete, the plaza will reopen to the public and continue to function as it does currently. Replacing existing trees, lighting, and furnishing along the corridor is a permanent change, even though there will be no permanent incorporation of the plaza into the transportation right-of-way on Market Street or change in ownership.

## Park Access

Access from Market Street, Battery Street, Bush Street, Fremont Street, and Front Street to the plaza may be limited or narrowed by construction or work zones during some portion of the construction period, which is anticipated to last for a minimum of one year. However, at a minimum access to the plaza will be maintained along the sidewalk on Market Street to the east of the plaza.

## Avoidance and Minimization Measures

The following measures would be included as part of the Better Market Street project:

- The temporary construction zone(s) will be fenced to ensure the exclusion and safety of recreational users and/or visitors.
- In the event that any inadvertent damage occurs to the park or recreational facilities in the project corridor, the property will be restored to the condition that existed prior to the construction activities or better.

To minimize construction noise along the project corridor, avoidance, minimization, and/or mitigation measures will be implemented.

**AMM-NOI-1: Caltrans Standard Specifications Section 14-8.02:**



Standard Caltrans procedures include implementation of the following measures to minimize temporary noise effects from construction (California Department of Transportation 2018):

- Control and monitor noise resulting from work activities.
- Do not exceed 86 dBA at 50 feet from job site activities between 9:00 p.m. and 6:00 a.m.

### ***De Minimis Finding***

There would be no permanent incorporation or temporary occupancy of park land and no constructive use associated with the proposed Better Market Street Project. The permanent changes, namely replacement of the existing trees and any lighting and furnishings in the project corridor, will not adversely affect the protected activities, features, or attributes that qualify the plaza for protection under Section 4(f).

Considering the scope of the work proposed, and after considering avoidance, minimization, and enhancement/restoration measures, there would be no adverse effect to the activities, features, or attributes that qualify the park for protection under Section 4(f). Therefore, impacts during construction would constitute *de minimis* impacts under Section 4(f).

### **Public Input and Concurrence**

As part of the Section 4(f) process, the public was afforded the opportunity to comment on this evaluation and Caltrans' intent to make a *de minimis* finding for the proposed project activities within Mechanics Monument Plaza. The Draft Section 4(f) evaluation was circulated to the public as an attachment to the National Environmental Policy Act (NEPA) Environmental Assessment from May 29, 2020 through July 14, 2020. The public comments received are included in the attached Final Environmental Assessment for your review.

Please sign below to indicate San Francisco Public Works' concurrence with the recommendation of Caltrans that the use will qualify as *de minimis* and impacts associated with this project along with the identified avoidance, minimization, and mitigation and/or enhancement measures, will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f).

---

Suzanne Suskind, Acting Deputy Director, San Francisco Public Works

Date

Sincerely,

*Cristina C. Olea*

Cristina Olea, PE  
Better Market Street Project Manager

**Attachments:**

Figure 1 Mechanics Monument Plaza

Attachment A: Public Comments

cc: Thomas Holstein, Caltrans

Boris Deunert, San Francisco Public Works



**Better Market Street Project**  
 Federal Project Number: STPL-5934(180)



- Project Corridor
- Featured Park\*

**Figure 1**  
**Mechanics Monument Plaza**

*\*Labeled by Resource ID; refer to Tables 2 and 5 in the Section 4(f) De Minimis and No Use Determinations analysis*



London N. Breed  
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July 14, 2020

Suzanne Suskind  
Acting Deputy Director and City Engineer  
San Francisco Public Works  
49 South Van Ness Avenue, Suite 1600  
San Francisco, CA 94103

## **Subject: Section 4(f) *de minimis* concurrence for Robert Frost Plaza**

Dear Acting Deputy Director Suskind:

San Francisco Public Works, in coordination with the Citywide Planning Division of the San Francisco Planning Department, the San Francisco Municipal Transportation Agency (SFMTA), the San Francisco Public Utilities Commission (SFPUC), and the San Francisco County Transportation Authority (SFCTA), proposes to redesign and provide various transportation and streetscape improvements to Market Street (the Better Market Street project or project). The principal purpose of the project is to make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians. Ancillary purposes of the project are to replace infrastructure in the corridor that is reaching the end of its operational design life, and to improve the accessibility of the corridor and quality of its streetscape environment.

The project would include construction in small portions of Robert Frost Plaza. Under Section 4(f) of the Department of Transportation Act of 1996, this park is considered a Section 4(f) resource. Therefore, a Section 4(f) analysis, a determination, and concurrence from the agency with jurisdiction over the resource are needed.

The California Department of Transportation (Caltrans) is the federal lead agency for National Environmental Policy Act (NEPA) and Section 4(f), pursuant to 23 USC 326 and 23 USC 327 and the Memorandum of Understanding dated December 23, 2016, and executed by the Federal Highway Administration (FHWA) and Caltrans. Responsibility for compliance with Section 4(f) has been assigned to Caltrans, including determinations and approval of Section 4(f) evaluations as well as coordination with those agencies that have jurisdiction over a Section 4(f) resource that may be affected by a project action. This letter is to inform you of Caltrans' intent to make a *de minimis* finding for impacts to Robert Frost Plaza upon your concurrence. The following pages provide detailed information related to Section 4(f) and Section 4(f) resources and project activities. Through this letter, Caltrans is seeking concurrence from the San Francisco Department of Public Works for activities on park land within Robert Frost Plaza.

## **Description of Section 4(f)**

Section 4(f) refers to the original section within the U.S. Department of Transportation Act of 1966 that established the requirement for consideration of park and recreation lands, wildlife



and waterfowl refuges, and historic sites during transportation project development. The law, now codified in 49 U.S.C. Section 303 and 23 U.S.C. Section 138, applies only to the U.S. Department of Transportation (U.S. DOT) and is implemented by the Federal Highway Administration (FHWA) through the regulation 23 Code of Federal Regulations (CFR) 774. Section 4(f) applies to projects that receive funding from or require approval by an agency of the U.S. DOT. Responsibility for compliance with Section 4(f) has been assigned to Caltrans pursuant to 23 USC 326 and 327, including *de minimis* impact determinations.

There are three types of “use” under Section 4(f):

1. Permanent Incorporation – when a Section 4(f) resource is acquired outright for a transportation project.
2. Temporary Occupancy – when there is temporary use of resource that is adverse in terms of Section 4(f)'s preservationist purpose. Temporary occupancy is not a Section 4(f) use if all of the following conditions exist:
  - a. The land use is of short duration (defined as less than the time needed for the construction of the project)
  - b. There is no change in ownership of the land
  - c. The scope of the work must be minor
  - d. There are no temporary or permanent adverse changes to the activities, features, or attributes of the resource
  - e. The land must be fully restored to a condition at least as good as prior to the project
  - f. There must be documented agreement from the official(s) with jurisdiction over the resource with the above conditions
3. Constructive Use – when the proximity impacts of a transportation project on a Section 4(f) resource, even without acquisition of the resource, are so great that the activities, features and attributes of the resource are substantially impaired.

Before approving a project that uses a Section 4(f) resource, a determination must be made that either:

1. There is no feasible and prudent alternative that avoids the resource, and that the project includes all possible planning to minimize harm to the resource, or
2. The project would have a *de minimis* impact on the resource.

A *de minimis* impact is one that would not adversely affect the activities, features, or attributes of the Section 4(f) resource, and, subsequently, would not require an analysis of feasible and prudent avoidance alternatives.

A determination of *de minimis* impact may be made when all three of the following criteria are satisfied:

1. The transportation use of the Section 4(f) resource, together with any impact avoidance, minimization, and mitigation or enhancement measures incorporated into the project, does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f);
2. The public has been afforded an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the Section 4(f) resource; and
3. The official(s) with jurisdiction over the resource are informed of Caltrans' intent to make the *de minimis* impact determination based on their written concurrence that the project would not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f).

## Project Description

The project includes changes to or replacement/modification of:

- Roadway configuration and private vehicle access
- Traffic signals
- Surface transit, including transit-only lanes, stop spacing, service, transit-stop location, transit-stop characteristics, and infrastructure
- Bicycle facilities
- Pedestrian facilities
- Commercial and passenger loading
- Vehicular parking
- Utilities
  - Sewer Line Replacement
  - Water Line Replacement
  - Traction Power System Improvement
  - PUC Power System Installation
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  - Track Replacement
  - F-loop Installation
  - Streetlight improvement
  - Irrigation System Improvement
  - Fire Hydrant Improvement
  - Curb Ramps and Accessibility Improvement
  - Streetscape Improvement

All of the various proposed project elements will be constructed within the public right-of-way; the majority of these elements will be implemented within the operational public right-of-way. The project will require a temporary encroachment permit for construction activities and a permanent encroachment permit (for modifications within the Van Ness Avenue and Central Freeway rights-of-way) from Caltrans. No permanent incorporation of park land is proposed, no temporary occupancy would occur, and no constructive use is anticipated.

## Description of the Section 4(f) Resource

Robert Frost Plaza, managed by San Francisco Department of Public Works, is adjacent to the project corridor at Drumm and Market Streets, in San Francisco. It encompasses 0.1 acre. Robert Frost Plaza includes a small plaque

dedicated to Robert Frost, a four-faced clock, and trees. Access to the plaza is via Market Street and Drumm Street.

## **Use of Section 4(f) Resource**

The majority of the plaza, slightly less than the 0.1 acre plaza size, lies within the boundaries of the project corridor. In this area, the existing red brick paving will be removed and replaced with ADA-compliant paving materials consistent with San Francisco Public Works Order No. 200369 (City and County of San Francisco n.d.), as shown on Figure 4 of the Environmental Assessment. The plaque and clock are outside the sidewalk area that will be replaced. If the existing trees need to be removed, they will be replaced. The work zone will be temporarily fenced for safety reasons and access to the plaza will be maintained around the construction zone. Construction activities to replace the sidewalk materials and to construct the portion of the project adjacent to this plaza are anticipated to last for a minimum of one year. However, the portion of the plaza which will not be affected will remain open to the public during construction activities with access maintained from Drumm Street. The plaque and clock will not be affected on a temporary or permanent basis. Plaza users in the vicinity of the work zone will also experience temporary construction-related noise and visual impacts during sidewalk replacement as well as when construction on Market Street is underway. Plaza users will also have views of construction, including heavy equipment, staging areas, signage, and closures on Market Street.

Once construction of this segment of the project is complete, the plaza will reopen to the public and continue to function as it does currently. Replacing existing trees is a permanent change, even though there will be no permanent incorporation of the plaza into the transportation right-of-way on Market Street or change in ownership.

## **Park Access**

Access from Market Street and Drumm Street to the plaza may be limited or narrowed by construction or work zones during some portion of the construction period, which is anticipated to last for a minimum of one year. However, at a minimum access to the plaza will be maintained along Market Street to the east of the plaza.

## **Avoidance and Minimization Measures**

The following measures would be included as part of the Better Market Street project:

- The temporary construction zone(s) will be fenced to ensure the exclusion and safety of recreational users and/or visitors.
- In the event that any inadvertent damage occurs to the park or recreational facilities in the project corridor, the property will be restored to the condition that existed prior to the construction activities or better.

To minimize construction noise along the project corridor, avoidance, minimization, and/or mitigation measures will be implemented.

### **AMM-NOI-1: Caltrans Standard Specifications Section 14-8.02:**

Standard Caltrans procedures include implementation of the following measures to minimize temporary noise effects from construction (California Department of Transportation 2018):

- Control and monitor noise resulting from work activities.
- Do not exceed 86 dBA at 50 feet from job site activities between 9:00 p.m. and 6:00 a.m.

## ***De Minimis Finding***

There would be no permanent incorporation or temporary occupancy of park land and no constructive use associated with the proposed Better Market Street Project. The permanent changes, namely replacement of existing trees, will not adversely affect the protected activities, features, or attributes that qualify the plaza for protection under Section 4(f).

Considering the scope of the work proposed, and after considering avoidance, minimization, and enhancement/restoration measures, there would be no adverse effect to the activities, features, or attributes that qualify the park for protection under Section 4(f). Therefore, impacts during construction would constitute *de minimis* impacts under Section 4(f).

## **Public Input and Concurrence**

As part of the Section 4(f) process, the public was afforded the opportunity to comment on this evaluation and Caltrans' intent to make a *de minimis* finding for the proposed project activities within Robert Frost Plaza. The Draft Section 4(f) evaluation was circulated to the public as an attachment to the National Environmental Policy Act (NEPA) Environmental Assessment from May 29, 2020 through July 14, 2020. The public comments received are included in the attached Final Environmental Assessment for your review.

Please sign below to indicate San Francisco Public Works' concurrence with the recommendation of Caltrans that the use will qualify as *de minimis* and impacts associated with this project along with the identified avoidance, minimization, and mitigation and/or enhancement measures, will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f).

---

Suzanne Suskind, Acting Deputy Director, San Francisco Public Works

Date

Sincerely,

*Cristina C. Olea*

Cristina Olea, PE  
Better Market Street Project Manager

### **Attachments:**

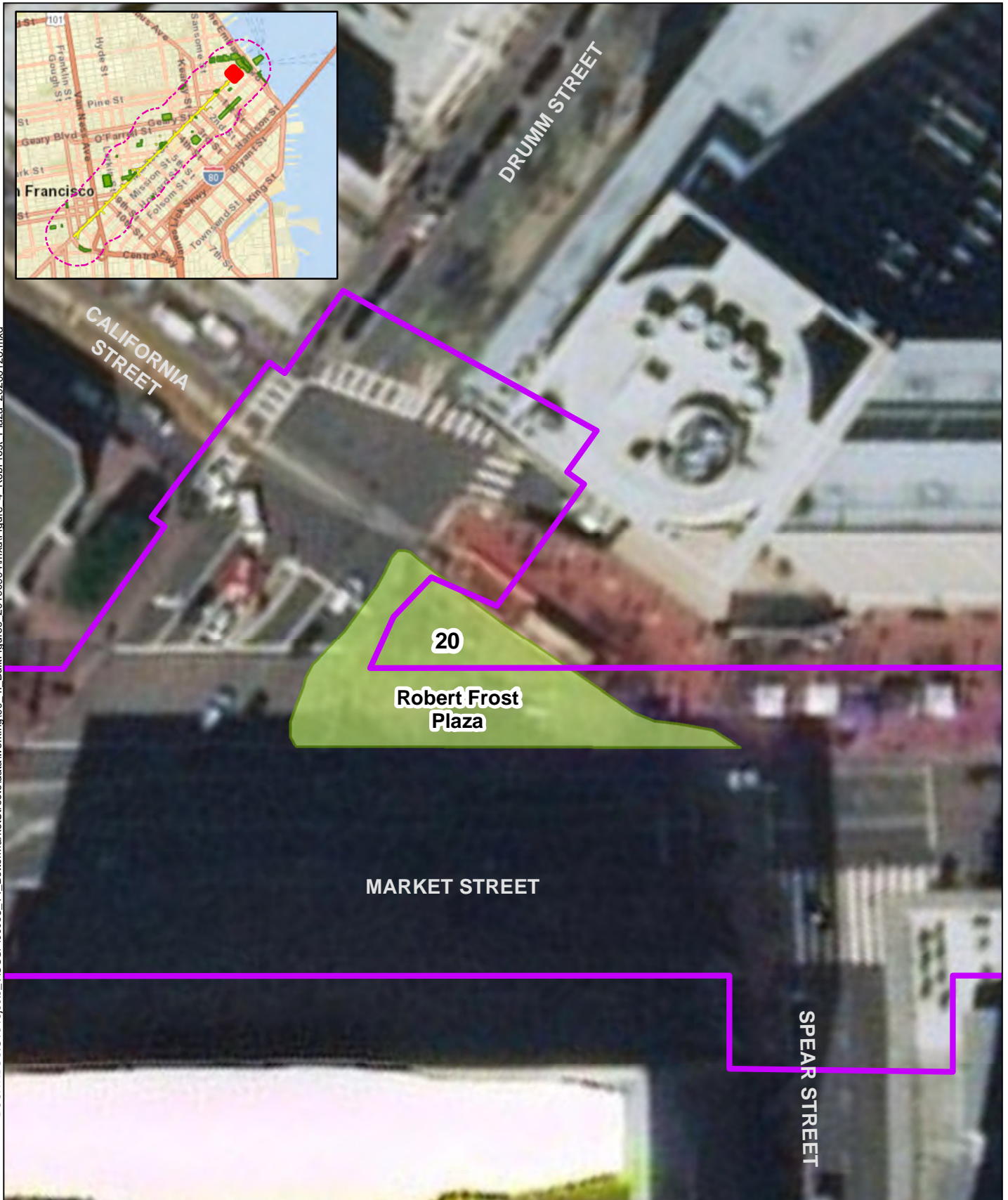
Figure 1: Robert Frost Plaza

Attachment A: Public Comments

cc: Thomas Holstein, Caltrans  
Boris Deunert, San Francisco Public Works



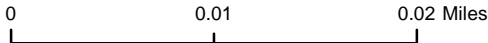
Path: \\PDCC\ITRDS\GIS\1\Projects\_1\CCSF\00056\_14\_BetterMarketStreets\data\working\90\_4f\_BuiltFigures\_20190904\mxd\Figure 4\_RobFrost Plaza\_20200128.mxd



**Better Market Street Project**  
 Federal Project Number: STPL-5934(180)



- Project Corridor
- Featured Park\*



**Figure 1**  
**Robert Frost Plaza**

*\*Labeled by Resource ID; refer to Tables 2 and 5 in the Section 4(f) De Minimis and No Use Determinations analysis*



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July 14, 2020

Suzanne Suskind  
Acting Deputy Director and City Engineer  
San Francisco Public Works  
49 South Van Ness Avenue, Suite 1600  
San Francisco, CA 94103

**Subject: Section 4(f) *de minimis* concurrence for United Nations Plaza**

Dear Acting Deputy Director Suskind:

San Francisco Public Works, in coordination with the Citywide Planning Division of the San Francisco Planning Department, the San Francisco Municipal Transportation Agency (SFMTA), the San Francisco Public Utilities Commission (SFPUC), and the San Francisco County Transportation Authority (SFCTA), proposes to redesign and provide various transportation and streetscape improvements to Market Street (the Better Market Street project or project). The principal purpose of the project is to make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians. Ancillary purposes of the project are to replace infrastructure in the corridor that is reaching the end of its operational design life, and to improve the accessibility of the corridor and quality of its streetscape environment.

The project would include construction in small portions of United Nations Plaza. Under Section 4(f) of the Department of Transportation Act of 1996, this park is considered a Section 4(f) resource. Therefore, a Section 4(f) analysis, a determination, and concurrence from the agency with jurisdiction over the resource are needed.

The California Department of Transportation (Caltrans) is the federal lead agency for National Environmental Policy Act (NEPA) and Section 4(f), pursuant to 23 USC 326 and 23 USC 327 and the Memorandum of Understanding dated December 23, 2016, and executed by the Federal Highway Administration (FHWA) and Caltrans. Responsibility for compliance with Section 4(f) has been assigned to Caltrans, including determinations and approval of Section 4(f) evaluations as well as coordination with those agencies that have jurisdiction over a Section 4(f) resource that may be affected by a project action. This letter is to inform you of Caltrans' intent to make a *de minimis* finding for impacts to United Nations Plaza upon your concurrence. The following pages provide detailed information related to Section 4(f) and Section 4(f) resources and project activities. Through this letter, Caltrans is seeking concurrence from the San Francisco Department of Public Works for activities on park land within United Nations Plaza.

## Description of Section 4(f)

Section 4(f) refers to the original section within the U.S. Department of Transportation Act of 1966 that established the requirement for consideration of park and recreation lands, wildlife and waterfowl refuges, and historic sites during transportation project development. The law, now codified in 49 U.S.C. Section 303 and 23 U.S.C. Section 138, applies only to the U.S. Department of Transportation (U.S. DOT) and is implemented by the Federal Highway Administration (FHWA) through the regulation 23 Code of Federal Regulations (CFR) 774. Section 4(f) applies to projects that receive funding from or require approval by an agency of the U.S. DOT. Responsibility for compliance with Section 4(f) has been assigned to Caltrans pursuant to 23 USC 326 and 327, including *de minimis* impact determinations.

There are three types of “use” under Section 4(f):

1. Permanent Incorporation – when a Section 4(f) resource is acquired outright for a transportation project.
2. Temporary Occupancy – when there is temporary use of resource that is adverse in terms of Section 4(f)'s preservationist purpose. Temporary occupancy is not a Section 4(f) use if all of the following conditions exist:
  - a. The land use is of short duration (defined as less than the time needed for the construction of the project)
  - b. There is no change in ownership of the land
  - c. The scope of the work must be minor
  - d. There are no temporary or permanent adverse changes to the activities, features, or attributes of the resource
  - e. The land must be fully restored to a condition at least as good as prior to the project
  - f. There must be documented agreement from the official(s) with jurisdiction over the resource with the above conditions
3. Constructive Use – when the proximity impacts of a transportation project on a Section 4(f) resource, even without acquisition of the resource, are so great that the activities, features and attributes of the resource are substantially impaired.

Before approving a project that uses a Section 4(f) resource, a determination must be made that either:

1. There is no feasible and prudent alternative that avoids the resource, and that the project includes all possible planning to minimize harm to the resource, or
2. The project would have a *de minimis* impact on the resource.

A *de minimis* impact is one that would not adversely affect the activities, features, or attributes of the Section 4(f) resource, and, subsequently, would not require an analysis of feasible and prudent avoidance alternatives.

A determination of *de minimis* impact may be made when all three of the following criteria are satisfied:

1. The transportation use of the Section 4(f) resource, together with any impact avoidance, minimization, and mitigation or enhancement measures incorporated into the project, does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f);
2. The public has been afforded an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the Section 4(f) resource; and

3. The official(s) with jurisdiction over the resource are informed of Caltrans' intent to make the *de minimis* impact determination based on their written concurrence that the project would not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f).

## Project Description

The project includes changes to or replacement/modification of:

- Roadway configuration and private vehicle access
- Traffic signals
- Surface transit, including transit-only lanes, stop spacing, service, transit-stop location, transit-stop characteristics, and infrastructure
- Bicycle facilities
- Pedestrian facilities
- Commercial and passenger loading
- Vehicular parking
- Utilities
  - Sewer Line Replacement
  - Water Line Replacement
  - Traction Power System Improvement
  - PUC Power System Installation
  - DT Fiber Conduit Installation
  - Overhead Contact System Replacement
  - Track Replacement
  - F-loop Installation
  - Streetlight improvement
  - Irrigation System Improvement
  - Fire Hydrant Improvement
  - Curb Ramps and Accessibility Improvement
  - Streetscape Improvement

All of the various proposed project elements will be constructed within the public right-of-way; the majority of these elements will be implemented within the operational public right-of-way. The project will require a temporary encroachment permit for construction activities and a permanent encroachment permit (for modifications within the Van Ness Avenue and Central Freeway rights-of-way) from Caltrans. No permanent incorporation of park land is proposed, no temporary occupancy would occur, and no constructive use is anticipated.



## Description of the Section 4(f) Resource

United Nations Plaza, managed by San Francisco Public Works, is located at the intersection of Hyde Street and Market Street (Figure 1). The 2.6-acre plaza includes elements with historic character (described above in Section 1.1.8, *United Nations Plaza*) that also have recreational purposes. Amenities include the United Nations Fountain, statues, grassy areas, and seating. Access to the plaza is via Market Street, Hyde Street, McAllister Street, Leavenworth Street, and 7<sup>th</sup> Street.

## Use of Section 4(f) Resource

As described above in Section 1.1.8, *United Nations Plaza*, a portion of the plaza, 0.7 acre, lies within the boundaries of the project corridor along Market Street between Hyde Street and 7<sup>th</sup> Street north of Market Street. The street-level plaza has grassy areas with scattered seating areas “display[ing] San Francisco history and culture.” The plaza is surrounded by the Asian Art Museum and the San Francisco Main Public Library, as well as its multiple historic statues, features, and fountain. The "Heart of the City Farmers Market" is a diverse and popular weekly attraction for locals (San Francisco Recreation and Park Department 2020). The plaza is popular for walkers and shoppers at the farmers markets. During construction, 0.7 acres will be temporarily fenced for safety reasons and unavailable to the plaza users for a minimum of one year. The fenced areas will include the relocated BART/Muni elevator, the F-loop ADA ramp, and areas where sidewalk removal and replacement will occur. The BART/Muni elevator at the Civic Center station on the north side of Market Street will be relocated to the current location of the staircase entrance to the Civic Center station in the plaza. As a result, access to portions of the sidewalks and plaza will be limited or narrowed but not completely restricted. The landscaped grassy and seating areas are outside the construction zone and given the size of the plaza, the weekly market or other activities will be relocated to other areas.

Once construction is finished, access and public use of the plaza will resume. None of the existing recreational amenities in the plaza will be affected by the project on a temporary or permanent basis. Plaza users in the vicinity of the work zone will also experience temporary construction-related noise and visual impacts but would not experience any loss of access or usage of recreational amenities. Permanent changes include replacement of sidewalk bricks, granite bands, and other features as well as potential relocation of an elevator; however, these permanent changes will not adversely affect the protected activities, features, or attributes that qualify the plaza for protection under Section 4(f).

## Park Access

Access to the plaza from Hyde Street, McAllister Street, and Leavenworth Street will not change.

Access from Market Street and 7<sup>th</sup> Street to the plaza may be limited or narrowed by construction or work zones during some portion of the construction period, which is anticipated to last for a minimum of one year. However, at a minimum access to the plaza will be maintained from the north side of the plaza and from Hyde Street to the northwest of the plaza.

## Avoidance and Minimization Measures

The following measures would be included as part of the Better Market Street project:

- The temporary construction zone(s) will be fenced to ensure the exclusion and safety of recreational users and/or visitors.

- In the event that any inadvertent damage occurs to the park or recreational facilities in the project corridor, the property will be restored to the condition that existed prior to the construction activities or better.

To minimize construction noise along the project corridor, avoidance, minimization, and/or mitigation measures will be implemented.

**AMM-NOI-1: Caltrans Standard Specifications Section 14-8.02:**

Standard Caltrans procedures include implementation of the following measures to minimize temporary noise effects from construction (California Department of Transportation 2018):

- Control and monitor noise resulting from work activities.
- Do not exceed 86 dBA at 50 feet from job site activities between 9:00 p.m. and 6:00 a.m.

***De Minimis Finding***

There would be no permanent incorporation or temporary occupancy of park land and no constructive use associated with the proposed Better Market Street Project. The permanent changes, namely replacement of existing trees, will not adversely affect the protected activities, features, or attributes that qualify the plaza for protection under Section 4(f).

Considering the scope of the work proposed, and after considering avoidance, minimization, and enhancement/restoration measures, there would be no adverse effect to the activities, features, or attributes that qualify the park for protection under Section 4(f). Therefore, impacts during construction would constitute *de minimis* impacts under Section 4(f).

**Public Input and Concurrence**

As part of the Section 4(f) process, the public was afforded the opportunity to comment on this evaluation and Caltrans' intent to make a *de minimis* finding for the proposed project activities within United Nations Plaza. The Draft Section 4(f) evaluation was circulated to the public as an attachment to the National Environmental Policy Act (NEPA) Environmental Assessment from May 29, 2020 through July 14, 2020. The public comments received are included in the attached Final Environmental Assessment for your review.

Please sign below to indicate San Francisco Public Works' concurrence with the recommendation of Caltrans that the use will qualify as *de minimis* and impacts associated with this project along with the identified avoidance, minimization, and mitigation and/or enhancement measures, will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f).

---

Suzanne Suskind, Acting Deputy Director, San Francisco Public Works

Date

Sincerely,

*Cristina C. Olea*

Cristina Olea, PE  
Better Market Street Project Manager

**Attachments:**

Figure 1: United Nations Plaza

Attachment A: Public Comments


cc: Thomas Holstein, Caltrans  
Boris Deunert, San Francisco Public Works





**Better Market Street Project**  
 Federal Project Number: STPL-5934(180)



 Project Corridor  
 Featured Park\*

**Figure 1**  
**United Nations Plaza**

0 0.02 0.04 0.08 Miles

\*Labeled by Resource ID; refer to Tables 2 and 5 in the Section 4(f) De Minimis and No Use Determinations analysis





# United States Department of the Interior

OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
2800 Cottage Way, Rm E-1712  
Sacramento, California, 95825

In Reply Refer To:  
20/0229

*Filed electronically*

July 17, 2020

Dan Rivas  
Caltrans District 4 Office of Local Assistance,  
Mail Station 10B,  
PO Box 23660,  
Oakland, CA, 94623-0660.

Subject: Review of Draft Section 4 (f) Evaluation for the STPL 5934 (180) Better Market Street, California

Dear Mr. Rivas:

As required under Section 4(f) of the Department of Transportation Act, the United States Department of the Interior, through the National Park Service, has reviewed a draft Section 4(f) Evaluation for the STPL 5934 (180) Better Market Street, California, known as the Better Market Street project. Our comments focus primarily on potential impacts to two National Historic Landmarks (NHLs): San Francisco Civic Center NHL and San Francisco Cable Cars NHL.

The Section 4(f) analysis identified "4(f) use" of only one property, the Market Street Cultural Landscape District. The NPS concurs that there is no feasible and prudent alternative that completely avoids the use of this Section 4(f) property and that the project includes all possible planning to minimize harm to this Section 4(f) property resulting from the transportation use; however, we do not at this time concur that all 4(f) properties have been included in the analysis, nor are we able to concur that the project includes all possible planning to minimize harm, because an analysis of the harm to the SF Civic Center NHL by the proposed elevator within the NHL district was not provided.

In both the Environmental Assessment (EA) and the 4(f) document there is reference to the locally designated Civic Center Landmark district as a property that is potentially eligible for listing on the National Register of Historic Places. The district is described as encompassing the San Francisco National Historic Landmark (NHL) District; however, the NHL district is not separately listed as a historic property. The San Francisco Civic Center National Historic Landmark district should be included in the list of historic properties separately and in addition

to the potentially eligible locally designated Civic Center Landmark district. The Civic Center National Historic Landmark is a discreet designated NHL district with 21 identified contributing resources that requires a higher level of preservation consideration under Section 110 (f) of the National Historic Preservation Act and in accordance with the 2012 Federal Highway 4(f) Policy Paper, which states, “. . . the importance and significance of the NHL should be considered in the FHWA’s Section 4(f) analysis of least overall harm pursuant to 23 CFR 774.3(c)(1)(iii).”

Additionally, United Nations Plaza is a contributor to the San Francisco Civic Center NHL district (NHLD); however, this fact appears to have been omitted in the EA and 4(f) analysis resulting in a lack of analysis of the impacts to UN Plaza as a contributor to the NHLD. Additional information is needed to evaluate the impact of the proposed relocation of the BART elevator to a location within UN Plaza as a contributor to the NHLD.

Analysis of the impacts to UN Plaza is limited to consideration of the resource as a contributor to the Market Street Cultural Landscape District (Cultural Landscape District). Proposed measures to minimize harm to the Cultural Landscape District include preparation of a Historic Preservation Treatment Plan for the plazas that are contributors to the Cultural Landscape District; this includes United Nations Plaza. As proposed, this preservation plan would focus on the plaza only as a contributor to the Market Street Cultural Landscape District and not as a contributor to the SF Civic Center National Historic Landmark District. These two districts have different areas and periods of significance and a preservation plan focused on only one of the districts could be potentially detrimental to the other. Considering that the SF Civic Center is a National Historic Landmark and UN Plaza is a contributor to the landmark, any treatment plan would need to take into consideration the characteristics that make it a contributor to the NHL to ensure that those characteristics are preserved.

We agree with the No Use determination for the San Francisco Cable Cars National Historic Landmark.

The justification provided for not including the Yerba Buena Cemetery as a 4(f) property does not seem adequate. The 2012 Federal Highway 4(f) Policy paper is cited in the justification as follows, “An archaeological resource that is eligible under only Criterion D is generally considered to be valuable, primarily for the data that can be recovered from it. It is generally assumed that there is minimal value to preserving such resources in place. In other words, Section 4(f) does not apply if a site is important chiefly because of what can be learned from data recovery, with minimal value for preservation in place (Federal Highway Administration n.d.)” However, there is no indication that this assessment was done in consultation with the State Historic Preservation Officer in accordance with the Federal Highway 4(f) Policy Paper. Furthermore, a different unrelated project at the Asian Art Museum encountered part of this site during excavation and while some material was recovered for data collection an intact burial was left in situ, which suggests that there is value in preservation in place at the site.<sup>1</sup> It would appear the Yerba Buena Cemetery may qualify as a 4(f) property.

---

<sup>1</sup> This information regarding the discovery during construction at the Asian Art Museum is from email correspondence between DOT and CalTrans that was included in the 4(f) document.

In a letter dated July 1, 2020, the City of San Francisco Public Works Department (Public Works) provided additional information about the Better Market Street project including a 4(f) finding specifically for the San Francisco Civic Center National Historic Landmark (NHL) district, which was not included in the draft 4(f) document. In the letter, Public Works requested National Park Service concurrence with a de minimis finding for the San Francisco Civic Center NHL district. Public Works also answered subsequent questions regarding the specific location and design for an elevator structure proposed for placement in United Nations Plaza, which is a contributor to the San Francisco Civic Center NHL district. They stated that the new elevator structure has not yet been designed, but they are assuming that it will be of similar size to the existing elevator and that the new elevator would be part of the existing BART/Muni entrance within UN Plaza.

The National Park Service concurs with the de minimis finding, provided that the size of the elevator does not increase and the location remains close to the existing BART/MUNI entrance and not immediately adjacent to or within the character-defining axis of the San Francisco Civic Center NHL district that aligns with the central axis of City Hall and Civic Center Plaza.

Please contact Elaine Jackson-Retondo, Ph.D., Preservation Partnerships & History Program Manager, at [elaine\\_jackson-retondo@nps.gov](mailto:elaine_jackson-retondo@nps.gov) or at (510) 410-2315 if you have questions and requests for further information about these comments. For all other questions please contact me at (415) 420-0524 or at [janet\\_whitlock@ios.doi.gov](mailto:janet_whitlock@ios.doi.gov)

Sincerely,

Janet Whitlock  
Regional Environmental Officer

cc:

Shawn Alam, DOI  
Boris Deunert, DPW  
Tom Holstein, CA DOT  
Elaine Jackson-Retondo, NPS  
Desiree Rodarte, DPW  
Nancy Werdel, NPS  
Danette Woo, NPS



London N. Breed  
Mayor

Alaric Degrafinried  
Acting Director

**Iqbal Dhapa**  
Acting Bureau Manager

Bureau of Engineering  
30 Van Ness Ave.  
San Francisco, CA 94102  
tel 415-557-4677

[sfpublicworks.org](http://sfpublicworks.org)  
[facebook.com/sfpublicworks](https://facebook.com/sfpublicworks)  
[twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)

July 1, 2020

Phil Ginsburg  
General Manager  
San Francisco Recreation and Parks Department  
McLaren Lodge-Golden Gate Park  
501 Stanyan Street  
San Francisco, CA 94117

**Subject: Section 4(f) *de minimis* concurrence for Embarcadero Plaza**

Dear Mr. Ginsburg:

San Francisco Public Works, in coordination with the Citywide Planning Division of the San Francisco Planning Department, the San Francisco Municipal Transportation Agency (SFMTA), the San Francisco Public Utilities Commission (SFPUC), and the San Francisco County Transportation Authority (SFCTA), proposes to redesign and provide various transportation and streetscape improvements to Market Street (the Better Market Street project or project). The principal purpose of the project is to make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians. Ancillary purposes of the project are to replace infrastructure in the corridor that is reaching the end of its operational design life, and to improve the accessibility of the corridor and quality of its streetscape environment.

The project would include construction in small portions of Embarcadero Plaza. Under Section 4(f) of the Department of Transportation Act of 1996, this park is considered a Section 4(f) resource. Therefore, a Section 4(f) analysis, a determination, and concurrence from the agency with jurisdiction over the resource are needed. The California Department of Transportation (Caltrans) is the federal lead agency for National Environmental Policy Act and Section 4(f), pursuant to 23 USC 326 and 23 USC 327 and the Memorandum of Understanding dated December 23, 2016 and executed by the Federal Highway Administration (FHWA) and Caltrans. Responsibility for compliance with Section 4(f) has been assigned to Caltrans, including determinations and approval of Section 4(f) evaluations as well as coordination with those agencies that have jurisdiction over a Section 4(f) resource that may be affected by a project action. This letter is to inform you of Caltrans' intent to make a *de minimis* finding for impacts to Embarcadero Plaza upon your concurrence. The following pages provide detailed information related to Section 4(f) and Section 4(f) resources and project activities. Through this letter, Caltrans is seeking concurrence from the San Francisco Recreation and Parks Department for activities on park land within Embarcadero Plaza.

**Description of Section 4(f)**

Section 4(f) refers to the original section within the U.S. Department of Transportation Act of 1966 that established the requirement for consideration of park and recreation lands, wildlife



and waterfowl refuges, and historic sites during transportation project development. The law, now codified in 49 U.S.C. Section 303 and 23 U.S.C. Section 138, applies only to the U.S. Department of Transportation (U.S. DOT) and is implemented by the Federal Highway Administration (FHWA) through the regulation 23 Code of Federal Regulations (CFR) 774. Section 4(f) applies to projects that receive funding from or require approval by an agency of the U.S. DOT. Responsibility for compliance with Section 4(f) has been assigned to Caltrans pursuant to 23 USC 326 and 327, including *de minimis* impact determinations.

There are three types of “use” under Section 4(f):

1. Permanent Incorporation – when a Section 4(f) resource is acquired outright for a transportation project.
2. Temporary Occupancy – when there is temporary use of resource that is adverse in terms of Section 4(f)'s preservationist purpose. Temporary occupancy is not a Section 4(f) use if all of the following conditions exist:
  - a. The land use is of short duration (defined as less than the time needed for the construction of the project)
  - b. There is no change in ownership of the land
  - c. The scope of the work must be minor
  - d. There are no temporary or permanent adverse changes to the activities, features, or attributes of the resource
  - e. The land must be fully restored to a condition at least as good as prior to the project
  - f. There must be documented agreement from the official(s) with jurisdiction over the resource with the above conditions
3. Constructive Use – when the proximity impacts of a transportation project on a Section 4(f) resource, even without acquisition of the resource, are so great that the activities, features and attributes of the resource are substantially impaired.

Before approving a project that uses a Section 4(f) resource, a determination must be made that either:

1. There is no feasible and prudent alternative that avoids the resource, and that the project includes all possible planning to minimize harm to the resource, or
2. The project would have a *de minimis* impact on the resource.

A *de minimis* impact is one that would not adversely affect the activities, features, or attributes of the Section 4(f) resource, and, subsequently, would not require an analysis of feasible and prudent avoidance alternatives.

A determination of *de minimis* impact may be made when all three of the following criteria are satisfied:

1. The transportation use of the Section 4(f) resource, together with any impact avoidance, minimization, and mitigation or enhancement measures incorporated into the project, does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f);
2. The public has been afforded an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the Section 4(f) resource; and
3. The official(s) with jurisdiction over the resource are informed of Caltrans' intent to make the *de minimis* impact determination based on their written concurrence that the project would not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f).

## Project Description

The project includes changes to or replacement/modification of:

- Roadway configuration and private vehicle access
- Traffic signals
- Surface transit, including transit-only lanes, stop spacing, service, transit-stop location, transit-stop characteristics, and infrastructure
- Bicycle facilities
- Pedestrian facilities
- Commercial and passenger loading
- Vehicular parking
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  - PUC Power System Installation
  - DT Fiber Conduit Installation
  - Overhead Contact System Replacement
  - Track Replacement
  - F-loop Installation
  - Streetlight improvement
  - Irrigation System Improvement
  - Fire Hydrant Improvement
  - Curb Ramps and Accessibility Improvement
  - Streetscape Improvement

All of the various proposed project elements will be constructed within the public right-of-way; the majority of these elements will be implemented within the operational public right-of-way. The project will require a temporary encroachment permit for construction activities and a permanent encroachment permit (for modifications within the Van Ness Avenue and Central Freeway rights-of-way) from Caltrans. No permanent incorporation of park land is proposed, no temporary occupancy would occur, and no constructive use is anticipated. Any work on property under the jurisdiction of Recreation and Park Commission requires a permit and no work shall start until that permit is signed by RPD and the project sponsor.

## Description of the Section 4(f) Resource

Embarcadero Plaza, managed by San Francisco Recreation and Parks Department, is adjacent to the project corridor at 1 Market Street, at the intersection with Steuart Street, in San Francisco. It encompasses 1.2 acres. Embarcadero Plaza is at the end of Market Street and The Embarcadero across from the Ferry Building on the San

Francisco Bay. Amenities include a picnic area, benches, a children's play area, bocce courts, the Vaillancourt Fountain, and seasonal lunchtime concerts, skating, and zip lining. In addition, weekly farmers markets are held on the sidewalk areas adjacent to the plaza. Access to the plaza is via Market Street and The Embarcadero.

## **Use of Section 4(f) Resource**

A portion of the plaza, 0.44 acre, lies within the boundaries of the project corridor between Steuart Street and The Embarcadero. In this area, the existing brick paving of the sidewalk that extends through the plaza center will be removed and replaced, as shown on Figure 5. The sidewalk consists of alternating inlaid granite bands that will be replaced with ADA-compliant paving materials consistent with San Francisco Public Works Order No. 200369 (City and County of San Francisco n.d.). The recreational amenities are located outside the sidewalk area that will be replaced, however the farmers market is currently held in an area that will experience some temporary closures while the sidewalk materials are being replaced and therefore will need to be relocated to another part of the plaza for the duration of construction. The parallel rows of palm trees on either side of the sidewalk will remain in place. The work zone will be temporarily fenced for safety reasons and access to the other recreational areas of the plaza will be maintained around the construction zone.

## **Park Access**

Access to the plaza from The Embarcadero, Sue Bierman Park, and areas to the south will not change.

Access from Market Street to the plaza may be limited or narrowed by construction or work zones during some portion of the construction period, which is anticipated to last for a minimum of one year. However, at a minimum access to the plaza will be maintained from the north side of the plaza and from The Embarcadero to the east of the plaza.

## **Avoidance and Minimization Measures**

The following measures would be included as part of the Better Market Street project:

- The temporary construction zone(s) will be fenced to ensure the exclusion and safety of recreational users and/or visitors.
- In the event that any inadvertent damage occurs to the park or recreational facilities in the project corridor, the property will be restored to the condition that existed prior to the construction activities or better.

To minimize construction noise along the project corridor, avoidance, minimization, and/or mitigation measures will be implemented.

### **AMM-NOI-1: Caltrans Standard Specifications Section 14-8.02:**

Standard Caltrans procedures include implementation of the following measures to minimize temporary noise effects from construction (California Department of Transportation 2018):

- Control and monitor noise resulting from work activities.
- Do not exceed 86 dBA at 50 feet from job site activities between 9:00 p.m. and 6:00 a.m.

## ***De Minimis Finding***

There would be no permanent incorporation or temporary occupancy of park land and no constructive use associated with the proposed Better Market Street Project. This permanent change, namely replacement of the

existing brick paving of the sidewalk that extends through the plaza center with ADA-compliant paving materials, will not adversely affect the protected activities, features, or attributes that qualify the plaza for protection under Section 4(f).

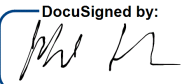
Considering the scope of the work proposed, and after considering avoidance, minimization, and enhancement/restoration measures, there would be no adverse effect to the activities, features, or attributes that qualify the park for protection under Section 4(f). Therefore, impacts during construction would constitute *de minimis* impacts under Section 4(f).

## Public Input and Concurrence

As part of the Section 4(f) process, the public was afforded the opportunity to comment on this evaluation and Caltrans' intent to make a *de minimis* finding for the proposed project activities within Embarcadero Plaza. The Draft Section 4(f) evaluation was circulated to the public as an attachment to the National Environmental Policy Act (NEPA) Environmental Assessment from May 29, 2020 through July 14, 2020. The public comments received are included in the attached Final Environmental Assessment for your review.

Thank you for your cooperation in this matter. If you have any questions, please feel free to contact me at (415) 423-4021 or by email at [boris.deunert@sfdpw.org](mailto:boris.deunert@sfdpw.org).

Please sign below to indicate San Francisco Recreation and Parks Departments' concurrence with the recommendation of Caltrans that the use will qualify as *de minimis* and impacts associated with this project along with the identified avoidance, minimization, and mitigation and/or enhancement measures, will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f).

DocuSigned by:  
  
AF27F6596709494...

7/20/2020

---

Phil Ginsburg, General Manager, San Francisco Recreation and Parks Department

Date

Sincerely,



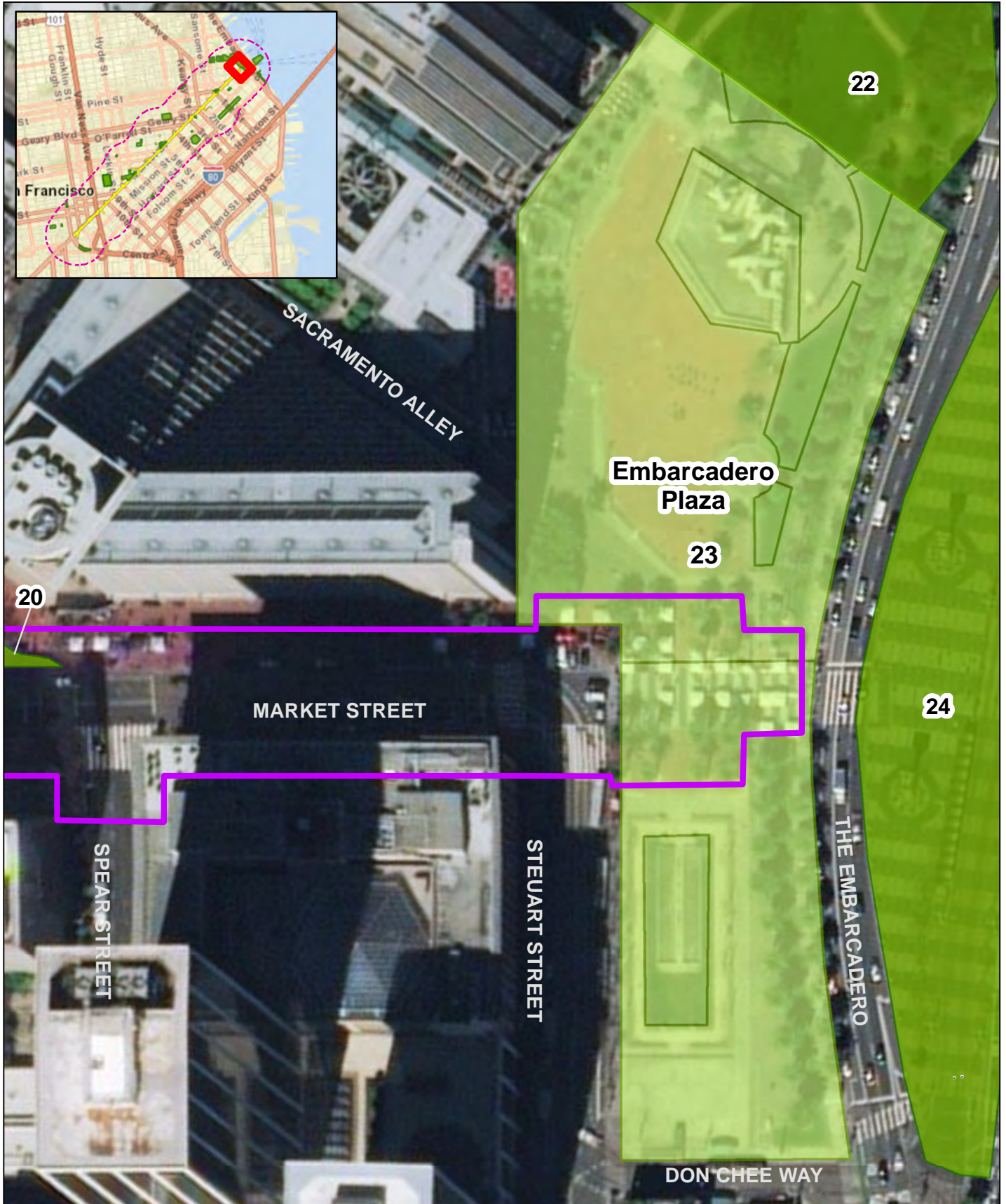
Boris Deunert, Ph.D.  
Manager of Regulatory Affairs

### Attachments:

Figure 1: Embarcadero Plaza  
Attachment A: Public Comments



cc: Thomas Holstein, Caltrans  
Cristina Olea, San Francisco Public Works



**Better Market Street Project**  
 Federal Project Number: STPL-5934(180)



- Project Corridor
- Featured Park\*
- Other Parks and Recreational Facilities\*

**Figure 1**  
**Embarcadero Plaza**

0                      0.02                      0.04 Miles

\*Labeled by Resource ID; refer to Tables 2 and 5 in the Section 4(f) De Minimis and No Use Determinations analysis



**DEPARTMENT OF PARKS AND RECREATION  
OFFICE OF HISTORIC PRESERVATION**

Lisa Ann L. Mangat, Director

Julianne Polanco, State Historic Preservation Officer  
1725 23rd Street, Suite 100, Sacramento, CA 95816-7100  
Telephone: (916) 445-7000 FAX: (916) 445-7053  
calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

July 20, 2020

VIA EMAIL

In reply refer to: FHWA\_2020\_0312\_001

Mr. David Price, Section 106 Coordinator  
Cultural Studies Office  
Caltrans Division of Environmental Analysis  
1120 N Street, PO Box 942873, MS-27  
Sacramento, CA 94273-0001

Subject: Finding of Adverse Effect for the Proposed Better Market Street Project, City and County of San Francisco, CA

Dear Mr. Price:

Caltrans is continuing consultation about the subject undertaking in accordance with the January 1, 2014 *First Amended Programmatic Agreement Among the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California (PA)*. As part of your documentation, Caltrans submitted a Finding of Effect (FOE) report for the proposed project.

Caltrans proposes to redesign as well as provide various transportation and streetscape improvements along Market Street. The project includes changes to roadway configuration as well as replacement of or modifications to traffic signals; surface transit, including transit-only lanes, stop spacing, service, transit-stop location, transit-stop characteristics, and infrastructure; bicycle facilities; pedestrian facilities; commercial and passenger loading; vehicular parking; and utilities. A full project description can be found beginning on Page 2-1 of the FOE.

Caltrans has applied the criteria of adverse effect in accordance with 36 CFR § 800.5(a)(1) and Stipulation X.A of the Section 106 PA and found that the undertaking will have an adverse effect to the Market Street Cultural Landscape District and the Yerba Buena Cemetery, and may have an adverse effect to four wharves (California Street Wharf, Main Street Wharf, Stuart Street Wharf, and Market Street Wharf). One property, the Original Path of Gold, will not be affected by the project. The remaining

143 built environment properties and five archaeological properties will not be adversely affected by the project.

Based on my review of the submitted documentation I have the following comments:

- I do not object to Caltrans' findings of effect as outlined above.
- An archaeological monitoring plan is recommended in certain areas where there may be sensitivity for archaeological resources
- Additional follow up should be made with tribes who expressed concerns regarding sensitivity for prehistoric resources, specifically Ann Marie Sayers, chairperson of the Indian Canyon Mutsun Band of Costanoan
- An outline or draft of the data recovery plan should be provided in order to better inform and expedite future consultation efforts

If you have any questions, please contact Natalie Lindquist at (916) 445-7014 with e-mail at [natalie.lindquist@parks.ca.gov](mailto:natalie.lindquist@parks.ca.gov) Jeanette Schulz at (916) 445-7031 with e-mail at [jeanette.schulz@parks.ca.gov](mailto:jeanette.schulz@parks.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Julianne Polanco', with a long horizontal flourish extending to the right.

Julianne Polanco  
State Historic Preservation Officer



**DEPARTMENT OF TRANSPORTATION**

DISTRICT 4

Office of Local Assistance

P.O. BOX 23660, MS-10B

OAKLAND, CA 94623-0660

PHONE (510) 286-5235

FAX (510) 286-5229

TTY 771

www.dot.ca.gov



*Making Conservation  
a California Way of Life.*

July 21, 2020

Ms. Tashia J. Clemons  
U.S. Department of Transportation  
Federal Highway Administration  
650 Capitol Mall, Suite 4-100  
Sacramento, CA 95814

Attention: Joseph Vaughn

Dear Ms. Tashia J. Clemons:

The California Department of Transportation (the Department) requests that the Federal Highway Administration issue a project-level conformity determination for the Better Market Street Project (CTIPS ID# STPL 5934 (180)). The project would make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians; bring infrastructure within the corridor to a state of good repair; and improve the accessibility of the corridor and quality of its streetscape environment. The project is located on 2.2 miles of Market Street between Octavia Boulevard and the Embarcadero in the City and County of San Francisco, spanning the Downtown/Civic Center, South of Market, and Financial District neighborhoods.

The project is in an area that is designated Nonattainment for Ozone and PM2.5. Details of the analysis are contained in the enclosed Air Quality Conformity Analysis report and related materials.

The project area is subject to regional conformity analysis requirements. The attached conformity analysis demonstrates that the project is listed in the conforming Regional Transportation Plan and Transportation Improvement Program, and therefore that it meets regional conformity requirements for a project-level conformity determination.

Ms. Tashia J. Clemons  
July 21, 2020  
Page 2

Interagency Consultation and public involvement requirements related to PM2.5 have been completed in accordance with the *Transportation Conformity Guidance for Quantitative Hot-spot Analyses in PM2.5 and PM10 Nonattainment and Maintenance Areas* (U.S. EPA, 2015). Interagency Consultation concluded on September 27, 2018. The Interagency Consultation partners concurred, as shown in the attached materials, that the project is not exempt from conformity analysis requirements, but that it is not a Project of Concern for PM2.5 as defined at 40 CFR 93.123(b)(1). As such, an explicit, detailed PM2.5 hot-spot analysis is not required.

Public involvement included advertising the availability of the conformity analysis for 45 days beginning on May 29, 2020. No public comments were received.

This project has been assigned to the Department under 23 USC 327 (NEPA Assignment) and the proposed approval date of the final NEPA document is expected on or about September 2020. We would appreciate your assistance with providing a conformity determination prior to that date.

If you have any questions regarding this conformity analysis, please contact Dan Rivas at [dan.rivas@dot.ca.gov](mailto:dan.rivas@dot.ca.gov).

Sincerely,



Haiyan Zhang  
Senior Environmental Planner  
Caltrans District 4  
Office of Local Assistance  
[haiyan.zhang@dot.ca.gov](mailto:haiyan.zhang@dot.ca.gov)

c: Boris Deunert, San Francisco Public Works; Aaron Carter, ICF  
Enclosures:

Ms. Tashia J. Clemons  
July 21, 2020  
Page 3

Air Quality Conformity Analysis; documentation of Interagency Consultation including email, meeting minutes, TIP/RTP listings; and documentation of public involvement.

**DEPARTMENT OF TRANSPORTATION**  
DIVISION OF ENVIRONMENTAL ANALYSIS,  
1120 N STREET, MS 27  
P. O. BOX 942874  
SACRAMENTO, CA 94274-0001  
PHONE (916) 654-3567  
FAX (916) 653-7757  
TTY (916) 653-4086



*Making Conservation  
A California Way of Life*

July 30, 2020

Ms. Julianne Polanco  
State Historic Preservation Officer  
Office of Historic Preservation  
1725 23rd Street, Suite 100  
Sacramento, CA 95816

**Subject: Better Market Street Project, City and County of San Francisco; FHWA\_2020\_0312\_001;  
Federal ID STPL-5924 (180),**

Dear Ms. Polanco:

The California Department of Transportation (Caltrans) is submitting to the State Historic Preservation Officer (SHPO) a revised Finding of Adverse Effect (FAE) regarding the proposed improvements along Market Street in the City and County of San Francisco (Undertaking).

Section 106 responsibilities for this Undertaking are in accordance with the January 2014 *First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California* (hereafter, the PA).

The revisions to the FAE are the result of consultation and recommendations made by the United States Department of the Interior and National Park Service. They are minor in scope and seek to better identify and discuss the effects to the Civic Center National Historic Landmark (NHL). As before, the effects analysis for the Civic Center NHL relies upon the analysis for the Civic Center Landmark District. Revisions were also completed in support of the Section 4(f) of the Department of Transportation Act of 1966, *de minimus* determination for the Civic Center NHL.



Julianne Polanco  
July 30, 2020  
Page 2 of 2

The following edits have been made in the revised FAE:

- Introduction (pages 1-1 and 1-2): Additional discussion of the Civic Center NHL.
- Description of Cultural Resources (page 4-4): Added the list of contributing features of the Civic Center NHL.
- Application of Criteria of Adverse Effect (pages 5-26 and 5-27): Added language specific to the Civic Center NHL contributing features.
- Conclusions (pages 7-2 and 7-7): Added Civic Center NHL.

This letter is to notify you of these edits and does not change the analysis completed for this project. No response is required from your office in regard to this submittal.

If you have any questions regarding this consultation, please contact Architectural Historian, Helen Blackmore at [Helen.Blackmore@dot.ca.gov](mailto:Helen.Blackmore@dot.ca.gov).

Thank you for your assistance with this undertaking.

Sincerely,



DAVID PRICE  
Section 106 Coordinator  
California Department of Transportation

Attachment: (1) Finding of Adverse Effect for the Better Market Street Project  
(2) Summary of Effects Sheet for the Better Market Street Project

## Viramontes, Jessica

---

**From:** Jackson-Retondo, Elaine <Elaine\_Jackson-Retondo@nps.gov>  
**Sent:** Tuesday, August 4, 2020 11:48 AM  
**To:** Zhang, Haiyan@DOT; elaine\_jackson\_retondo@nps.gov  
**Cc:** Rivas, Dan@DOT; Whitlock, Janet L; Alam, Shawn K; Louter, David B  
**Subject:** Re: [EXTERNAL] Request for Concurrence on 4f de Minimis Finding for the Civic Center National Historic Landmark - Better Market Street (San Francisco) Project

**EXTERNAL EMAIL.** Links/attachments may not be safe.

Hello Haiyan,

RE: The Better Market Street 4(f) *de minimis* finding for the San Francisco Civic Center National Historic Landmark described in your August 3, 2020 email.

NPS concurs with the 4(f) *de minimis* finding.

Regards,  
Elaine

*Elaine Jackson-Retondo, Ph.D.*  
*Preservation Partnerships & History Program Manager*

NATIONAL PARK SERVICE  
Interior Regions 8, 9, 10, & 12  
333 Bush Street, Suite 500  
San Francisco, California 94104-2828

415-623-2368 (office)  
510-410-2315 (mobile)

---

**From:** Zhang, Haiyan@DOT <haiyan.zhang@dot.ca.gov>  
**Sent:** Monday, August 3, 2020 4:44 PM  
**To:** elaine\_jackson\_retondo@nps.gov <elaine\_jackson\_retondo@nps.gov>; Jackson-Retondo, Elaine <Elaine\_Jackson-Retondo@nps.gov>  
**Cc:** Rivas, Dan@DOT <Dan.Rivas@dot.ca.gov>  
**Subject:** [EXTERNAL] Request for Concurrence on 4f de Minimis Finding for the Civic Center National Historic Landmark - Better Market Street (San Francisco) Project

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Hi Elaine,

Hope this email finds you well and healthy.

To complete the NEPA process, Caltrans must obtain concurrence from the National Park Service on the Section 4(f) *de minimis* finding for the Civic Center National Historic Landmark. A response to this email stating your concurrence is sufficient to meet this requirement.

Caltrans has determined that construction of the proposed project will result in a Section 4(f) *de minimis* use of the Civic Center National Historic Landmark because:

- Contributing elements of the existing setting of the Civic Center National Historic Landmark will be permanently altered by new sidewalk and roadway materials, new street trees, and reconstructed Path of Gold light standards.
- The *de minimis* use findings for the Civic Center National Historic Landmark are based on the new BART/Muni elevator being similar in scale to the existing elevator, and its proposed location is within the existing BART/Muni station portal. The proposed location is not within the Fulton Street alignment, such that it will not obstruct any visual/circulation relationships through United Nations Plaza from Market Street to Civic Center Plaza and City Hall that contribute to the significance of the Civic Center National Historic Landmark.
- The proposed project will not physically damage or alter contributing buildings that form the Civic Center National Historic Landmark.
- The proposed project will not introduce other visual, atmospheric, or audible elements that have potential to diminish the integrity of the elements that qualify the Civic Center National Historic Landmark for protection under Section 4(f).

The project sponsor has secured a federal BUILD grant to construct a portion of the project, however the obligation deadline for this grant is August 31<sup>st</sup>. This is the date by which the entire NEPA process must be complete. To complete the NEPA process by August 31<sup>st</sup>, Caltrans must obtain concurrence from the National Park Service on the Section 4(f) *de minimis* finding for the Civic Center National Historic Landmark, conduct a legal review of the entire Section 4(f) and least harm analysis, resolve any outstanding legal comments, then forward the document to Caltrans headquarters for signature. Typically this process takes several months and we have less than a month remaining for this funding deadline. Therefore, it is highly urgent that Caltrans obtain concurrence on the Section 4(f) *de minimis* use finding for the Civic Center National Historic Landmark to allow Caltrans to complete the NEPA process and minimize the risk of San Francisco Public Works losing the federal BUILD grant funding.

Thank you,

Haiyan Zhang  
510.286.5235 | 510.780.6617 (mobile)  
Environmental Policy & Training Coordinator  
Office of Environmental Compliance and Outreach  
Division of Local Assistance  
CA Department of Transportation

**Caltrans Mission:** Provide a safe, sustainable, integrated, and efficient transportation system to enhance California's economy and livability.

**Caltrans Vision:** A performance-driven, transparent, and accountable organization that values its people, resources and partners, and meets new challenges through leadership, innovation, and teamwork.



**DEPARTMENT OF PARKS AND RECREATION  
OFFICE OF HISTORIC PRESERVATION**

Lisa Ann L. Mangat, Director

Julianne Polanco, State Historic Preservation Officer  
1725 23rd Street, Suite 100, Sacramento, CA 95816-7100  
Telephone: (916) 445-7000 FAX: (916) 445-7053  
calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

August 14, 2020

VIA EMAIL

In reply refer to: FHWA\_2020\_0312\_001

Mr. David Price, Section 106 Coordinator  
Cultural Studies Office  
Caltrans Division of Environmental Analysis  
1120 N Street, PO Box 942873, MS-27  
Sacramento, CA 94273-0001

Subject: Draft Section 106 Memorandum of Agreement for the Better Market Street Project in San Francisco, CA

Dear Mr. Price:

Caltrans is continuing consultation about the subject undertaking in accordance with the January 1, 2014 *First Amended Programmatic Agreement Among the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California (PA)*. As part of this submittal Caltrans submitted a draft Memorandum of Agreement (MOA) as well as a draft Data Recovery Plan (DRP) with monitoring procedures and protocols as an attachment to the MOA.

Based on review of the submitted documentation I have the following comments on the MOA:

Due to an urban environment, Caltrans was unable to complete efforts to identify historic properties (archaeological) within the APE prior to construction. As such, Caltrans proposes a process that outlines a phased approach to complete identification and evaluation efforts during construction. Please note that deferring identification and evaluation because of constraints is more appropriately planned for in a project-level Programmatic Agreement (PA) rather than a MOA. According to guidance provided by the Advisory Council on Historic Preservation (ACHP), a project-level PA may be appropriate "...when, prior to approving the undertaking, the federal agency cannot fully determine how a particular undertaking may affect historic properties or the location of historic properties and their significance and character". As such, it appears that a project-level PA is more appropriate for this undertaking. For more ACHP guidance on Section 106 agreement documents please refer to



[https://www.achp.gov/do\\_you\\_need\\_a\\_Section\\_106\\_agreement](https://www.achp.gov/do_you_need_a_Section_106_agreement). It is also recommended that Caltrans refer to a recently executed project-level PA to be used as a reference and template.

Although specific comments have been provided in the attachments to this letter, in general the MOA and DRP do not provide a stream-lined process that adequately phases the identification and evaluation, the application of the criteria of adverse effects, and the resolution of adverse effects to historic properties (archaeological) during construction. Additionally, the role and responsibility of Caltrans as the lead federal agency and the State Historic Preservation Officer (SHPO) throughout this phased process is not clear. The phased process needs to include when and how these parties will be notified and consulted with, including notification and consultation time frames for each phased step.

Additionally, please provide information as to whether consulting Native American tribes, groups and individuals were notified of the five areas potentially sensitive for buried prehistoric archaeological deposits following the geoarchaeological study. Given the possibility of encountering Native American prehistoric resources during construction, it seems prudent that a more developed plan for including Native American monitors during construction of previously identified sensitive areas is warranted. A process for notifying and consulting with Native American tribes, organizations and individuals following a discovery that may be of religious or cultural significance to them should also be included; specifically, consultation with interested parties to determine whether a resource has significance under criteria other than D.

With regards to Stipulation II of the MOA, Caltrans needs to clearly identify the following for each of the proposed mitigation measures:

- Who is ultimately responsible for the deliverables being described?
- What is the deliverable and what can signatories expect to see produced?
  - Is there a review process involved as part of developing this deliverable? Is that review process clearly defined?
- Where will the final product ultimately reside?
- When will deliverables be completed and what is the reporting mechanism following completion?

More specific comments regarding the MOA and DRP are included in the attached documents.

Mr. Price  
August 14, 2020  
Page 3 of 3

FHWA\_2020\_0312\_001

If you have any questions, please contact Natalie Lindquist at [natalie.lindquist@parks.ca.gov](mailto:natalie.lindquist@parks.ca.gov) or Alicia Perez at [alicia.perez@parks.ca.gov](mailto:alicia.perez@parks.ca.gov).

Sincerely,



Julianne Polanco  
State Historic Preservation Officer

Attachments:

SHPO Comments Better Market Street Final Draft MOA\_2020-08-13  
SHPO Comments on DRP\_2020-08-13

Office of Historic Preservation Reviewer Comments  
Better Market Street Data Recover Plan

- Comment #1: Page 2-10 provides examples of potential resource types associated with the Yerba Buena Cemetery that may be encountered during the utility rehab/replacement along proposed F-Loop. Will all discoveries associated with the cemetery be treated as contributors to the assumed eligibility of the property as a whole? I advise planning in advance that there may be discoveries that do not contribute to the assumed eligibility of the property and therefore will not warrant data recovery. For instance, do wood fragments and nails have the same level of data potential as human remains and grave goods? Consider listing resource types that will be assumed contributors vs those that will not, and how they will be treated following their discovery. This will streamline archaeological field work during construction.
- Comment #2: Beginning on page 2-10 and continuing throughout the DRP there are sentences that relate to archaeological monitoring in locations of known assumed eligible properties. I recommend replacing the should in “should be monitored by a qualified archaeologist during all ground-disturbing activities” to “will be”.
- Comment #3: Similar to the comment made above in Comment #1, for discoveries associated with the Yerba Buena Cemetery, I advise listing archaeological resources associated with the four wharves that will be treated as contributors to the assumed eligibility of these properties vs resources that will not be considered contributors.
- Comment #4: On the bottom of page 2-16 it states that “five sensitivity areas depicted in Figure 3 should be monitored by a qualified archaeologist”. What about a Native American monitor?
- Comment #5: On page 3-1, I suggest changing “The following sections discusses their assumed or potential eligibility for listing in the NRHP, and relevant research themes ...” to “the following sections discusses their assumed eligibility for listing on the NRHP, and the research themes relevant to assessing whether archaeological discoveries contribute to their assumed eligibility”.
- Comment #6: General comments to Chapter 3 include the following:
  - There are two known archaeological property types, the cemetery and wharves (maritime resources) so I suggest organizing the research theme section according to specific property type. For instance, the research questions and data sets under the consumer behavior theme will differ between the cemetery and wharves.
  - Themes related to consumer, gender and family, and class and ethnicity are currently written very broadly and do not appear to specifically address the known property types (cemetery and maritime) within the APE.
  - Additionally, the archaeological data listed under these themes do not provide specific examples associated to these known property types. For instance, is there really a likelihood of uncovering “dense concentrations of mass-produced food beverages...” in the location of the cemetery or wharves?
- Comment #7: On page 3-19, modify the following sentence “the following resource types are commonly considered potentially eligible for listing in the NRHP” to “the following resource types are commonly determined eligible for listing in the NRHP”.
- Comment #8: On page 3-20, modify the following sentence “the following are resource types that are not commonly considered potentially eligible for listing in the NRHP” to “the following are resource types that are not commonly determined eligible for listing in the NRHP”.
- Comment #9: In general, there is no discussion as to how Native American consultation will occur to determine whether archaeological discoveries have significance under NRHP criteria other than D, archaeological data potential.

- Comment #10: On page 4-1 it states that “as a result, preconstruction archaeological testing and data recovery are infeasible”, why then is the report called a DRP? Should it be named something else, like a Cultural Resource Management Plan?
- Comment #11: On page 4-1, I suggest providing a more detailed process to be followed upon a discovery. For instance, the following information should be very clear: who will halt construction; buffer distance around find; roles and responsibilities; and notification time frames.
- Comment #12: On page 4-2 I suggest modifying the sentence “the following resource types are likely to be, or contribute to, significant archaeological resources” to “the following resource types are likely to be, or contribute to, the assumed eligibility of historic properties”.
- Comment #13: On page 4-2 for resources listed as only requiring minimal documentation or no documentation at all I suggest also specifying the level of consultation required, if any with Caltrans and/or the SHPO.
- Comment #14: On page 4-4 it needs to be clarified that for human remains determined by the Coroner to be Native American, the burial will not be excavated until the MLD has been assigned and given the appropriate amount of time to reply. This paragraph seems to be missing crucial steps in the consultation process that include the property owner and MLD.
- Comment #15: On page 4-4, the coroner will still need to be notified following the discovery of non-Native American remains. This is currently not clear. Has the coroner been notified in advance of the historic cemetery and that there is a likelihood of encountering historic-era human remains? Advanced planning with the coroner may be warranted to avoid future construction delays.
- Comment #16: Page 6-1, there should be specifics as to roles and responsibilities and time frames following an archaeological discovery.
- Comment #17: Specify notification time frame regarding human remains discovery on page 6-2.
- Comment #18: I suggest including notification and consultation time frames in Table 2.
- Comment #19: The public interpretation discussion is very vague. There should also be a discussion regarding confidentiality, consultation with Native Americans and other interested parties, and examples of what and how will be interpreted is recommended.
- Comment #20: What about consultation protocols to resolve adverse effects of historic properties found eligible under Criteria A, B and C other than data recovery?





U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**California Division**

August 18, 2020

650 Capitol Mall, Suite 4-100  
Sacramento, CA 95814  
(916) 498-5001  
(916) 498-5008 (FAX)

In Reply, Refer To:  
HDA-CA

Mr. Tony Tavares, District Director  
California Department of Transportation  
District 4  
P.O. Box 23660  
Oakland, CA 94623-0660

Attention: Haiyan Zhang

SUBJECT: Project Level Conformity Determination for the Better Market Street Project (MPO ID SF 130001)

Dear Mr. Tavares:

On July 21, 2020, the California Department of Transportation (Caltrans) submitted to the Federal Highway Administration (FHWA) a complete request for a project level conformity determination for the Better Market Street Project. The project is in an area that is designated Non-Attainment or Maintenance for Ozone, and Particulate Matter (PM 2.5).

The project level conformity analysis submitted by Caltrans indicates that the project-level transportation conformity requirements of 40 CFR Part 93 have been met. The project is included in the Metropolitan Transportation Commission's (MTC) current Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP), as amended. The design concept and scope of the preferred alternative have not changed significantly from those assumed in the regional emissions analysis. As required by 40 CFR 93.116 and 93.123, the localized PM<sub>2.5</sub> and PM<sub>10</sub> analyses are included in the documentation. The analyses demonstrate that the project will not create any new violations of the standards or increase the severity or number of existing violations.

Based on the information provided, FHWA finds that the Better Market Street Project conforms with the State Implementation Plan (SIP) in accordance with 40 CFR Part 93.

If you have any questions pertaining to this conformity finding, please contact Joseph Vaughn at (916) 498-5346 or by email at [Joseph.Vaughn@dot.gov](mailto:Joseph.Vaughn@dot.gov).

Sincerely,

Tashia J. Clemons  
Director, Planning and Environment



Appendix F  
**Environmental Commitments Record**

---







## Environmental Commitments Record (ECR)

**DIST-CO-RTE:** District 4-SF-Market Street

**PM/PM:**

**EA/Project ID.:** STPL-5934 (180)

**Project Description:** Public Works, in coordination with the Citywide Planning Division of the San Francisco Planning Department, the SFMTA, the San Francisco Public Utilities Commission (SFPUC), and the San Francisco County Transportation Authority (SFCTA), proposes to make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians. Replacement/ modification of roadway configuration, traffic signals, surface transit, bicycle and pedestrian facilities, commercial and passenger loading, vehicular parking, and utilities are included in the proposed project. The project corridor consists primarily of the 2.2 miles of Market Street between Octavia Boulevard and the Embarcadero in the city and county of San Francisco.

**Date (Last modification):**

**Environmental Planner:** Boris Deunert

**Phone No.:** (415) 423-4021

**Construction Liaison:**

**Phone No.:**

**Resident Engineer:** Hin Kung

**Phone No.:** (510) 622-5930

### PERMITS

Permit	Agency	Application Submitted	Permit Received	Permit Expiration	Permit Requirement Completed by:	Permit Requirement Completed on:	Comments
Approval of sidewalk legislation	San Francisco Board of Supervisors	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences
Approval of encroachment permit program to facilitate Streetlife Zone activity	San Francisco Board of Supervisors	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences
Approval of tree removal and replanting in public right-of-way	San Francisco Public Works	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences
Approval of construction-period encroachment permits	San Francisco Public Works	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences
Approval of nighttime construction work, as needed	San Francisco Public Works	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences
Approval of changes to each bus route/streetcar line and stop location	San Francisco Municipal Transportation Agency	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences
Approval of certain parking and traffic measures, in accordance with the San Francisco Transportation Code	San Francisco Municipal Transportation Agency	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences
Special traffic permit for instances where work will not comply with Blue Book regulations or traffic routing specifications in a City contract	San Francisco Municipal Transportation Agency	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences
Approval of general plan referral (required for any proposed changes to curb-to-curb width of public right-of-way. Review by Citywide Planning Division; ratification by Board of Supervisors)	San Francisco Planning Commission or Planning Department	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences
Approval of stormwater control plan	San Francisco Public Utilities Commission	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences
Approval of erosion and sediment control plan	San Francisco Public Utilities Commission	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences
Approval of construction site runoff control permit	San Francisco Public Utilities Commission	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences

Environmental Commitment Record for the Better Market Street Project

Batch discharge permit (required by SFPUC, per the 2009 Keep It On Site! guide) for the release of any construction wastewater, including groundwater, into the City's combined sewer system	San Francisco Public Utilities Commission	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences
Permit from the Wastewater Enterprise Collection System Division for discharges to the combined sewer system	San Francisco Public Utilities Commission	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences
National Pollutant Discharge Elimination System permit for construction activities, issued by SFPUC; this includes contractor's preparation of a stormwater pollution prevention plan	San Francisco Public Utilities Commission	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences
Approval of some funding sources	San Francisco County Transportation Authority	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated prior to selection of construction contractor
Approval of certificates of appropriateness regarding work involving planning code-designated districts or landmarks	San Francisco Historic Preservation Commission or Planning Department	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences
Approval of permit to enter for construction of temporary and permanent improvements over subway structures along Market Street.	Bay Area Rapid Transit	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences
Approval of encroachment permit	Caltrans	Enter date	Enter date	Enter date	Enter Name	Enter date	Approvals anticipated following selection of construction contractor but before construction commences

ENVIRONMENTAL COMMITMENTS

Environmental Commitment Record for the Better Market Street Project

**PRE-CONSTRUCTION**

Category	Task and Brief Description	Source	Included in PS&E package	Responsible Branch/Staff	Action to Comply	Due Date	Task Completed by	Task Completed on	Remarks	Mitigation for significant impacts under CEQA?
Community Impact Assessment	AMM-CI-2: A Construction Management Plan will be developed and implemented by the City and San Francisco Public Works (Public Works) to manage detours for vehicles, transit, bicyclists, and pedestrians. Temporary detours for bicyclists, pedestrians, and transit will be provided to maintain access to existing businesses for the duration of construction. Pedestrian access throughout the corridor will be preserved at all times. Periodic sidewalk, plaza, or crosswalk closures may occur during sidewalk reconstruction and utility work and detours will be provided. For all pedestrian facilities, the alternate path of travel will meet the minimum width required to maintain Americans with Disabilities Act compliance.	EA: 2.1.2-12	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Community Impact Assessment	AMM-CI-6: Nighttime Construction Vibration Control Measures will be implemented. Prior to issuance of a construction permit, a detailed pre-construction vibration assessment and monitoring plan shall be prepared for all construction activities conducted between the hours of 8 p.m. and 7 a.m. This plan will evaluate and select the smallest equipment feasible that can be used during this construction period and recommend a specific location for equipment within the construction area to maximize the distance between the vibration-generating sources and vibration-sensitive receptors. This plan will also require vibration levels at vibration-sensitive receptors along the project corridor not to exceed the strongly perceptible level of 0.10 PPV in/sec for continuous sources and 0.90 PPV in/sec for transient sources.	EA: 2.1.2-12	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Community Impact Assessment	AMM-CI-7: Advanced notice and coordination with emergency service providers and school officials will minimize potential temporary impacts from access changes, routing and scheduling.	EA: 2.1.2-13	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Community Impact Assessment	AMM-CI-8: Utility lines will be relocated by the utility companies, in coordination with the City. Potentially affected utility customers will be notified of potential service disruptions before relocation.	EA: 2.1.2-13	Yes	San Francisco Public Works; Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Community Impact Assessment	AMM-CI-9: Targeted outreach to businesses in the project corridor will take place to accommodate the loading/unloading needs of each business.	EA: 2.1.2-13	Yes	San Francisco Public Works	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Community Impact Assessment	AMM-CI-10: San Francisco Public Works will conduct targeted outreach to homeless persons along the project corridor to notify them at least three days in advance of construction activities.	EA: 2.1.2-13	Yes	San Francisco Public Works	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Community Impact Assessment	AMM-CI-11: San Francisco Public Works will work with local or nonprofit groups that assist the homeless, such as the Department of Homelessness and Supportive Housing – Homeless Outreach Team, to move homeless persons from construction zones to shelters, transitional housing, or supportive housing to the extent feasible.	EA: 2.1.2-13	Yes	San Francisco Public Works	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Other	AMM-UT-1: Utilities will be relocated by the utility companies, in coordination with the City. Potentially affected utility customers will be notified of potential service disruptions before relocation.	EA: 2.1.3-5	Yes	San Francisco Public Works; Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Other	AMM-ES-1: Advanced notice and coordination with emergency service providers and school officials will minimize potential temporary impacts from access, routing, and scheduling changes.	EA: 2.1.3-5	Yes	San Francisco Public Works; Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No

Environmental Commitment Record for the Better Market Street Project

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Other	AMM-ES-2: Streets will be reviewed by the Transportation Advisory Staff Committee, including review by the fire and police departments so that emergency-vehicle access is not impaired. Pursuant to the SFMTA Blue Book, Public Works or its contractor(s) will be required to work with the SFMTA to identify detour routes and locations where detour signs will be implemented and incorporate detour plans into the project's construction management plan.	EA: 2.1.3-5	Yes	San Francisco Public Works; SFMTA Transportation Advisory Staff Committee; Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Cultural Resources	<p>AMM-CUL-1: Archaeological Treatment and Data Recovery Plan</p> <p>A. Caltrans shall ensure that identification, evaluation, assessment of effects, and mitigation of any adverse effects of the Undertaking on the resources assumed-eligible are completed by implementing the 2020 Archaeological Treatment and Data Recovery Plan (ATDRP), Attachment C of the Project PA. Specifically, the ATDRP addresses the following:</p> <ol style="list-style-type: none"> <li>1. The ATDRP for the Better Market Street Project outlines protocols for ten (10) areas of heightened archaeological sensitivity, including: Yerba Buena Cemetery, the California Street Wharf, the Market Street Wharf, the Main Street Wharf, the Stuart Street Wharf, and five (5) areas of prehistoric sensitivity.</li> <li>2. Identification of sensitive areas that require monitoring during construction activities. Including an archaeological monitoring plan that provides background on the archaeological sensitivity of the APE and rationale for monitoring, Native American Monitor participation, and monitoring protocols.</li> <li>3. Procedures for archaeological evaluations of any newly identified deposits, including thresholds for determining eligibility and archaeological field procedures.</li> <li>4. Consultation protocols for resolution of adverse effects for eligible properties.</li> <li>5. Data Recovery Plan for archaeological properties, including archaeological field procedures.</li> <li>6. Native American participation and the treatment of identified human remains.</li> <li>7. Procedures for cataloguing and laboratory analysis of cultural materials recovered as part of the archaeological data recovery excavations.</li> <li>8. Curation management procedures, which may include identification of a curation facility where recovered materials and records may be curated in perpetuity in accordance with the Secretary of the Interior's Standards for Archaeological Documentation and the California Guidelines for the Curation of Archaeological Collections (1993), or as outlined in an agreement document pertaining to the undertaking covered by this Agreement. Native American human remains and associated items shall not be curated but addressed in consultation with the most likely descendent(s) designated by California's NAHC pursuant to California Public Resources Code section 5097.98. Sacred objects and objects of cultural patrimony, as defined by NAGPRA, shall not be curated but addressed in consultation with Indian tribe(s), consistent with 43 CFR § 10.3.</li> <li>9. Protocols for anticipated discoveries, including discoveries during archaeological monitoring and inadvertent damage to known or</li> </ol>	EA: 2.1.6-34	Yes	San Francisco Public Works	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No



Environmental Commitment Record for the Better Market Street Project

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	<p>unknown resources. The protocols will also detail the notification process for the Project PA parties and Consulting Tribes.</p> <p>10. Reporting procedures documenting the methods and results of all archaeological fieldwork (including monitoring) and laboratory analyses.</p> <p>11. In the event of encountering archaeological properties, Public Works in consultation with Caltrans, and Native American groups as appropriate, will incorporate the findings of the data recovery into the public outreach in Stipulations II.E.1, II.E.2 and II.E.3 of the Project PA (AMM-CUL-9 subsections 1, 2, and 3). As deemed appropriate, this would include the development of an interpretive exhibit open to the public, website and interpretive signage. The content of the material will be programmatic and general in nature and not include sensitive site-specific archaeological details. If through consultation with the Project PA Consulting Parties, Public Works and Caltrans determines that the data recovered through implementation of the ATDRP is appropriate for public dissemination, Public Works in consultation with Caltrans will incorporate that information in the exhibits. If, through consultation, it is determined that the data is not appropriate for public dissemination, the exhibits will portray information about the general history and archaeology of the property area.</p> <p>B. The ATDRP set forth hereunder may be amended through consultation among the PA parties without amending the PA proper. Consultation on ATDRP amendments will be no longer than thirty (30) business days in duration. Disputes regarding amendments proposed hereunder shall be addressed in accordance with Project PA Stipulation VII.C. If the dispute is resolved within the thirty (30) business days, the Project PA parties shall proceed in accordance with the terms of that resolution. If the dispute is not resolved within this time frame, Caltrans shall render a final decision regarding the dispute and the Project PA parties shall proceed in accordance with the terms of that decision.</p> <p>C. Caltrans and Public Works shall not authorize the execution of any activity that may adversely affect historic properties in the APE prior to the implementation and completion of the pre-construction fieldwork prescribed in the ATDRP.</p> <p>D. Reporting Requirements and Related Reviews</p> <p>1. If no significant archaeological resources are identified during the archaeological monitoring at each of the ten (10) locations identified in the ATDRP, Public Works will notify Caltrans that work at that location has been completed, and that monitoring effort will be documented in the Annual Report pursuant to Stipulation VII.F of the Project PA.</p> <p>2. If significant archaeological resources are identified at any of the ten (10) locations identified in the ATDRP, within twelve (12) months after District 4 has determined that all fieldwork at that location has been completed, Public Works will ensure preparation, and distribution to Caltrans, District 4 with subsequently Caltrans Division of Environmental Analysis, Cultural Studies Office (CSO) and any participating Native American Tribes consulting on the project for review and comment, a draft technical report that documents the results of implementing and completing the ATDRP. These parties will be afforded thirty (30) business days following receipt of the draft</p>									

Environmental Commitment Record for the Better Market Street Project

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	<p>technical report to submit any written comments to District 4. Failure to respond within the time frame shall not preclude District 4 from authorizing revisions to the draft technical report as District 4 may deem appropriate.</p> <p>3. Public Works will take all comments into account in revising the technical report and submit to Caltrans District 4 for review and submittal to CSO for approval. Upon approval, CSO will transmit the technical report to SHPO along with any comments from consulting Native American tribes that were not addressed in the report. The SHPO will have thirty (30) business days to comment on the report. If the SHPO does not respond within thirty (30) business days Caltrans may consider the submitted report as final. The SHPO may request a fifteen (15) business day extension if needed.</p> <p>4. Copies of the final technical report documenting the results of the ATDRP implementation will be distributed by District 4 to the other Project PA parties and to the Northwest Information Center of the California Historic Resources Information System.</p>									
Cultural Resources	<p>AMM-CUL-2: Native American Consultation</p> <p>Caltrans has consulted with the Muwekma Ohlone Indian Tribe of the San Francisco Bay Area, The Costanoan Rumsen Carmel Tribe, The Ohlone Indian Tribe, The Indian Canyon Mutsun Band of Costanoan, and the Amah Mutsun Tribal Band of Mission San Juan Bautista regarding the proposed Undertaking and its effects on historic properties. Caltrans will continue to consult with them, and afford them, should they so desire, the opportunity to participate in the implementation of the Project PA and the Undertaking. If other tribes or Native American groups who attach religious or cultural significance to historic properties that may be affected by this Undertaking are identified, Caltrans will invite them to participate as consulting parties as the Section 106 process moves forward.</p>	EA: 2.1.6-36	Yes	San Francisco Public Works; Caltrans	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Cultural Resources	<p>AMM-CUL-5: Secretary of the Interior's Standards for the Treatment of Historic Properties</p> <p>1. Prior to the start of work that could affect the San Francisco Civic Center NHL, Civic Center Landmark District, United Nations (UN) Plaza, Replica Path of Gold, or the San Francisco Auxiliary Water Supply System (AWSS), Public Works will:</p> <p>a. Submit to Caltrans for review and approval, the project plans to ensure the work meets the Secretary of the Interior's Standards for the Treatment of Historic Properties (SOIS).</p> <p>b. Public Works shall retain a professional who meets the Secretary of the Interior's Professional Qualifications Standards, who shall discuss the requirements of the project to meet the SOIS at the preconstruction meeting.</p> <p>c. Public Works will notify Caltrans three weeks in advance of the beginning of construction on the historic properties.</p> <p>d. Public Works' PQS Architectural Historian consultant, will complete spot monitoring during construction of activities affecting the historic properties to ensure that the project is being constructed according to the plans</p> <p>e. Public Works will inform Caltrans when the construction work is complete.</p>	EA: 2.1.6-38	Yes	San Francisco Public Works; Caltrans	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No

Environmental Commitment Record for the Better Market Street Project

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	f. Public Works will provide to Caltrans District 4 for review and approval, updated Department of Parks and Recreation (DPR) 523 forms documenting the changes to the Civic Center Landmark District, UN Plaza and the AWSS, which will be filed with the Northwest Information Center of the California Historic Resources Information System.									
Cultural Resources	<p>AMM-CUL-6: Historic Properties Treatment Plan</p> <p>Public Works shall retain a professional who meets the Secretary of the Interior's Professional Qualifications Standards (PQS) to prepare a Historic Properties Treatment Plan (HPTP) for the following contributing elements of the Market Street Cultural Landscape District: Embarcadero Plaza, Hallidie Plaza, and United Nations Plaza.</p> <p>1. The HPTP shall incorporate rehabilitation recommendations for maintaining and protecting the paving materials at the three plazas and shall include the following elements:</p> <p>a. The HPTP shall be prepared and implemented to aid in protecting the physical elements of the plazas that contribute to the character of the Market Street Cultural Landscape District, as identified and described in the State of California DPR district record appended to the Historic Resource Evaluation Report that was completed as part of the Section 106 review and technical documentation for this project. The HPTP shall focus on the district's association with the Market Street Redevelopment Plan design led by architects John Carl Warnecke and Mario Ciampi and landscape architect Lawrence Halprin with specific guidance on the treatment of historic materials, including the red brick herringbone paving present in all three locations.</p> <p>b. The HPTP shall also take into consideration United Nations Plaza as a contributor to the San Francisco Civic Center National Historic Landmark district.</p> <p>c. The HPTP shall provide a baseline conditions assessment of the contributing elements in each of three plazas, including documentation of areas that illustrate typical conditions and deteriorations that will be addressed through rehabilitation recommendations.</p> <p>d. The HPTP will also include best practice guidelines and rehabilitation recommendations to guide future projects associated with ongoing maintenance and repair of the red brick and other contributing elements of the plazas to ensure compliance with the Secretary of the Interior's Standards for Rehabilitation.</p> <p>e. If deemed necessary by PQS Architectural History in consultation with Caltrans District 4, upon assessment of the resources' condition, the plan shall include guidance for stabilization measures to be carried out before construction to prevent damage to the three plazas as a result of construction activities. Specifically, the protection measures shall incorporate construction specifications to be implemented by the construction contractor(s) to ensure all feasible means of avoiding damage to the resources.</p> <p>f. Public Works will submit the HPTP to Project PA Consulting Parties and invited signatories of the Project PA for review and comment, for a period of 30 calendar days.</p>	EA: 2.1.6-38	Yes	San Francisco Public Works	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No

Environmental Commitment Record for the Better Market Street Project

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	<p>g. Caltrans District 4 will submit the HPTP to all Signatories, Invited Signatories and Concurring Parties of the Project PA for review and comment, for a period of 30 calendar days.</p> <p>h. Public Works will not authorize the implementation of any aspect of the Undertaking that may affect historic properties until the HPTP has been approved by Caltrans, District 4.</p>									
Cultural Resources	<p>AMM-CUL-7: Historic American Landscape Survey Documentation</p> <ol style="list-style-type: none"> <li>1. Prior to the commencement of project construction, Public Works shall contact the regional Historic American Building Survey/Historic American Engineering Record/Historic American Landscape Survey(HABS/HAER/HALS) coordinator at the National Park Service Interior Regions 8, 9, 10, and 12 Regional Office (NPS) to request that NPS stipulate the level of and procedures for completing the documentation. Within ten (10) days of receiving the NPS stipulation letter, Public Works shall send a copy of the letter to Project PA Consulting Parties for their information.</li> <li>2. Public Works will ensure that all recordation documentation activities are performed or directly supervised by architects, historians, photographers, and/or other professionals meeting the qualification standards in the Secretary of Interior's Professional Qualification Standards (36 CFR 61, Appendix A).</li> <li>3. Upon receipt of the NPS written acceptance letter, Public Works will make archival, digital and bound library-quality copies of the documentation and provide them to the History Room of the San Francisco Public Library, Northwest Information Center, California Historical Society, Environmental Design Archives at the University of California, Berkeley, Architectural Archives at the University of Pennsylvania, and California State Library.</li> <li>4. Public Works shall notify SHPO that the documentation is complete and all copies distributed as outlined in Stipulation II.C (AMM-CUL-7) and include the completion of the documentation in the Project PA Annual Report. All field surveys shall be completed prior to the commencement of project construction.</li> </ol>	EA: 2.1.6-39	Yes	San Francisco Public Works	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Cultural Resources	<p>AMM-CUL-8: Print-on-Demand Booklet</p> <p>Following preparation of HALS photography, narrative report, and drawings sets, a print-on-demand softcover book shall be produced to include the HALS documentation and additional resources including historical documentation and photographs. The print-on-demand booklet shall be made available to the public for distribution prior to the expiration of the Project PA.</p> <ol style="list-style-type: none"> <li>1. Public Works shall submit a draft of the print-on-demand booklet to Caltrans, District 4 for review and approval prior to publication, pursuant to Stipulation II.F of the Project PA (AMM-CUL-2).</li> <li>2. Public Works shall contact the History Room of the San Francisco Public Library; Northwest Information Center of the California Historical Resources Information System; California Historical Society; Environmental Design Archives at the University of California, Berkeley, the San Francisco Planning Department; and the Architectural Archives at the University of Pennsylvania to inquire whether the research</li> </ol>	EA: 2.1.6-39	Yes	San Francisco Public Works	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No



Environmental Commitment Record for the Better Market Street Project

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	<p>repositories would like to receive a hard and/or digital copy of the final booklet.</p> <p>3. Public Works shall seek to identify interested groups that would receive digital copies of the booklet upon request.</p> <p>4. Public Works shall document the extent and result of that outreach and transmittal of digital and hard copies of the print-on-demand booklet and provide the documentation to Caltrans District 4, which will be included in the annual report pursuant to Stipulation VII.F of the Project PA.</p>									
Cultural Resources	<p>AMM-CUL-9: Interpretive Program</p> <p>1. Temporary Public Exhibition: Public Works shall craft a public exhibition about the history of the resources being adversely affected within the APE using, at a minimum, the HALS documentation.</p> <p>a. Public Works shall prepare an exhibition for public display in venues physically proximate to Market Street, such as the San Francisco Public Library; California Historical Society; San Francisco Bay Area Planning and Urban Research Association; American Institute of Architects, San Francisco; or a similar space within an educational or civic organization.</p> <p>b. In consultation with Caltrans, Public Works shall identify a minimum of one publicly accessible location for installation of the exhibition and work with the selected venue(s) to secure a commitment to house the display for an agreed upon length of time prior to the commencement of construction. If the required documentation shows that a good-faith effort was put forward by Public Works to locate an appropriate display location but no commitment could be procured, then Public Works shall consult with Caltrans discuss an alternative temporary installation of the exhibition at the project site where it shall be visible and accessible to the public and maintained for the duration of the construction process.</p> <p>c. Caltrans District 4, will review and approve the public displays pursuant to Stipulation II.F of the Project PA (AMM-CUL-10), and all efforts outlined in Stipulation II.E.1 of the Project PA (AMM-CUL-9 subsection 1) will be completed prior to the termination of the Project PA and included in the Project PA Annual Report as applicable, pursuant to Stipulation VII.F.</p> <p>2. Educational Website: Public Works shall prepare a Better Market Street educational website about the history of the resources being adversely affected in the APE using, at a minimum, the HALS documentation. The information will be added to the already existing Public Works website (<a href="http://www.sfpublicworks.org/projects">http://www.sfpublicworks.org/projects</a>) upon receipt of the written NPS letter accepting the final HALS documentation. Public Works shall house and maintain the webpage in perpetuity on Public Works website, with links to the HALS documentation and other interpretive materials outlined in Stipulation II.E.1, II.E.3, II.E.4 and II.E.5 (AMM-CUL-9 subsections 1, 3, 4, and 5).</p> <p>a. Public Works will update Caltrans District 4, on the development of the website, and notify Caltrans when information is added, which will be included in the Project PA Annual Report pursuant to Project PA Stipulation VII.F.</p> <p>3. Interpretive Signage: Public Works shall incorporate between six and 10 permanent interpretive markers or signs into the design of the proposed</p>	EA: 2.1.6-40	Yes	San Francisco Public Works; Caltrans	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No

Environmental Commitment Record for the Better Market Street Project

	<p>project that interpret the history of the resources being adverse affected in the APE. The markers shall be located within the project footprint (on Market Street between Steuart Street and Octavia Boulevard), and the content shall relate to the specific locations of the markers/signs within the corridor.</p> <ul style="list-style-type: none"> <li>a. Public Works shall prepare and present to Caltrans, District 4, for review and approval, an outline of the proposed permanent interpretive signage before the commencement of construction, pursuant to Stipulation II.F of the Project PA (AMM-CUL-10).</li> <li>b. Installation location and summary of content will be included in the Project PA Annual Report pursuant to Stipulation VII.F.</li> </ul> <p>4. Public educational event series: Public Works shall include three to five public programs to tell the story of development of the Market Street Redevelopment Plan. Programs may include panel discussions and lectures with scholars and designers; collaborative artistic performances, such as re-enactment of Lawrence and Anna Halprin’s RSVP cycles; walking tours; parades; and related activities on Market Street.</p> <ul style="list-style-type: none"> <li>a. Public Works will notify Caltrans District 4, with a preliminary schedule of the program series which will be completed before the content and participants are finalized and prior to commencement of construction.</li> <li>b. Public Works will oversee the development of the educational event series and notify Caltrans of milestones including: selection of program(s), dates of program(s), finalization of content, and completion of programs. As applicable this information will be included in the Annual Report, pursuant to Stipulation VII.F of the Project PA.</li> <li>c. All programs held as part of the program series shall be recorded by a professional videographer, and the recordings shall be made available on the educational website specified in Stipulation II.E.2 (AMM-CUL-9 subsection 2).</li> <li>d. As applicable Stipulation II.E.4.a-c (AMM-CUL-9 subsection 4 parts a through c) will be included in the Annual Report pursuant to Stipulation VII.F of the Project PA.</li> </ul> <p>5. Community Led Public Programs: Public Works will administer the selection of one community-led public programs to celebrate and commemorate the history of Market Street. Proposals will be solicited through a Request for Proposal (RFP) submission process and will be proposed, managed and implemented by California-based non-profit organizations with an interest in the history and/or cultural properties of the Market Street Cultural Landscape District.</p> <ul style="list-style-type: none"> <li>a. Public Works shall fund, one interpretive or commemorative program that will be awarded which may include temporary events such as dances, lectures, or walking tours, or they may take the form of permanent installations such as interpretive signage or an on-site exhibition. Organizations with a demonstrated interested in the history of Market Street may apply through the RFP process. Preference will be given to organizations located within the project APE. Program selection will be made by a committee that will include a minimum of five persons and include at least three members with professional experience in arts and cultural programming. The committee may include professionals from the following fields and organizations: a representative of Public Works; a representative of Caltrans District 4; professionals from the fields of history, historic preservation, performing arts, visual arts, or design. Organizations with representation on the committee will not be eligible to apply for award consideration.</li> </ul>							
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Environmental Commitment Record for the Better Market Street Project

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	<p>b. Where responses to the RFP include proposals for temporary programming, a plan for documentation or recordation of the program will be included. The documentation or recordation materials will be available to be hosted by the organizations so that the information included in the programs are made available to the public as part of the permanent historical record on the history of Market Street. Additionally, the programs, both temporary and permanent, must be accessible to the public through in-person or digital participation.</p> <p>c. Public Works will oversee the development of the public program(s) and notify Caltrans of milestones including: selection of program(s), dates of program(s), finalization of content, and completion of programs. Stipulation II.E.5 (AMM-CUL-9 subsection 5) will be completed prior to the expiration of the Project PA, and as applicable this information will be included in the Annual Report, pursuant to Stipulation VII.F of the Project PA.</p>									
Cultural Resources	<p>AMM-CUL-10: Reporting Requirements and Related Reviews</p> <ol style="list-style-type: none"> <li>For all measures in Stipulation II (AMM-CUL-5, AMM-CUL-6, AMM-CUL-7, AMM-CUL-8, and AMM-CUL-9), Public Works will submit draft documents to Caltrans District 4, for review and comment. Caltrans District 4 will have thirty (30) business days to provide comment on the documents. If Caltrans does not respond within thirty (30) business days Public Works may consider the submitted document as final. Caltrans may request a ten (10) business day extension if needed.</li> <li>Public Works will take all comments into account in revising the documents and submit a final version to Caltrans District 4 for approval. Caltrans has thirty (30) business days to approve or schedule a meeting to discuss comments on the documents. If a comment resolution meeting is required, Caltrans will have thirty (30) business days from the date of the meeting to provide any further comments.</li> </ol>	EA: 2.1.6-41	Yes	San Francisco Public Works	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Hazardous Waste	<p>AMM-HAZ-1: If excavation or earth-disturbing activity is planned along the project corridor as well as within areas near the PRECs and HRECs, additional soil and groundwater investigation will be conducted (based on depths of proposed excavation after the completion of the project's engineering conceptual design) to evaluate the following:</p> <ul style="list-style-type: none"> <li>Potential human and environmental risks from PRECs and HRECs.</li> <li>Potential waste classification for soil that will be excavated for disposal during the construction of the project. Waste disposal characterization analyses should include CAM17 metals, pesticides, polychlorinated biphenyls (PCBs), volatile organic compounds (VOCs), and semivolatile organic compounds (SVOCs).</li> <li>Potential for aerially deposited lead (ADL) and lead striping paint. Shallow soils anticipated to be excavated during the project will be sampled and analyzed for lead. Caltrans standard special provisions for removal of yellow paint will also be followed.</li> <li>If excavation is anticipated to extend below the groundwater table at any part of the project corridor, groundwater will be sampled in the vicinity prior to obtaining dewatering and discharge permits to San Francisco Public Utilities Commission's combined storm and sewer system.</li> </ul>	EA: 2.2.3-6	Yes	Project contractor; Qualified Engineer	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Hazardous Waste	<p>AMM-HAZ-2: Public Works will develop and implement the necessary plans and measures required federal and state regulations, including a health and safety plan, best management practices, and/or an injury and illness</p>	EA: 2.2.3-6	Yes	San Francisco Public Works	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No

Environmental Commitment Record for the Better Market Street Project

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	prevention plan. The plans will be prepared and implemented to address worker safety when working with potentially hazardous materials, including potential asbestos-containing materials, lead-containing paint lead or chromium in traffic stripes, ADL, and other construction-related materials within the right-of-way during any soil-disturbing activity.									
Noise	<p>AMM-NOI-2: Nighttime Construction Vibration Control Measures. Prior to issuance of a construction permit, a detailed pre-construction vibration assessment and monitoring plan shall be prepared for all construction activities conducted between the hours of 8 p.m. and 7 a.m. This plan shall evaluate and select the smallest equipment feasible that can be used during this construction period and recommend a specific location for equipment within the construction area to maximize the distance between the vibration-generating sources and vibration-sensitive receptors. This plan shall also require vibration levels at vibration-sensitive receptors along the project corridor not to exceed the strongly perceptible level of 0.10 PPV in/sec for continuous sources and 0.90 PPV in/sec for transient sources.</p> <p>The project contractor shall:</p> <ul style="list-style-type: none"> <li>Retain the services of a qualified professional to prepare a pre-construction assessment and vibration monitoring plan. This assessment and vibration monitoring plan shall identify all vibration-sensitive receptors adjacent to the project corridor that could be exposed to vibration from nighttime construction activities exceeding a vibration level of 0.10 PPV in/sec for continuous sources and 0.90 PPV in/sec for transient sources. The qualified professional shall submit the plan to Public Works for review and approval prior to issuance of a construction permit.</li> </ul> <p>Portions of this AMM will be implemented in the construction phase of the Project.</p>	EA: 2.2.5-23	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Biology	<p>AMM-BIO-1: To avoid effects from tree removal on migratory nesting birds, stump removal will be conducted after August 31 and before February 1, outside the nesting season. To avoid effects of all other construction activities on active bird nests, including special-status bird species, a qualified biologist will conduct a preconstruction survey for nesting birds prior to any construction activities scheduled during the nesting season (February 1 to August 31). The survey will occur no more than 7 days prior to the initiation of ground-disturbing activities, including clearing, grubbing, and staging. The survey area will include the disturbance footprint and a 50-foot area around the footprint (buffer) for songbirds protected by the Migratory Bird Treaty Act.</p>	EA: 2.3-3	Yes	Project contractor; Qualified biologist	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No

**CONSTRUCTION**

Category	Task and Brief Description	Source	Included in PS&E package	Responsible Branch/Staff	Action to Comply	Due Date	Task Completed by	Task Completed on	Remarks	Mitigation for significant impacts under CEQA?
Community Impact Assessment	AMM-CI-1: Loading areas within active construction zones will be relocated as close to the construction zone as practical. Temporary loading zones may be possible under some circumstances.	EA: 2.1.2-12	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Community Impact Assessment	AMM-CI-3: Caltrans Standard Specification Section 14 will be implemented. Caltrans' Standard Specification Section 14, Environmental Stewardship,	EA: 2.1.2-12	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No



Environmental Commitment Record for the Better Market Street Project

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	addresses the construction contractor's responsibility for many items of concern, such as air pollution; the protection of lakes, streams, reservoirs, and other water bodies; the use of pesticides; safety; sanitation; public convenience; and property damage or personal injury as a result of any construction operation. Section 14-9.02 includes specifications related to air pollution control for work performed under contract, including compliance with air pollution control rules, regulations, ordinances, and statutes provided in Government Code Section 11017 (Public Contract Code Section 10231). Section 14-9.03 is directed at controlling dust.									
Community Impact Assessment	AMM-CI-4: Additional Control Measures for Construction Emissions of Fugitive Dust will be implemented. Additional measures to control dust will be borrowed from BAAQMD's recommended list of dust control measures and implemented to the extent practicable when measures have not already been incorporated and do not conflict with the requirements of Caltrans' Standard Specifications and Special Provisions, a National Pollutant Discharge Elimination System permit, biological opinions, a Clean Water Act Section 404 permit, Clean Water Act Section 401 certification, or other permits issued for the proposed project.	EA: 2.1.2-12	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Community Impact Assessment	AMM-CI-5: Implement the following measures, per Caltrans Standard Specifications Section 14-8.02, to minimize temporary noise effects from construction (California Department of Transportation 2015): <ul style="list-style-type: none"> <li>Control and monitor noise resulting from work activities.</li> <li>Do not exceed 86 dBA at 50 feet from job site activities between 9:00 p.m. and 6:00 a.m.</li> </ul>	EA: 2.1.2-12	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Other	SM-TRA-1, Construction Management Plan: <ul style="list-style-type: none"> <li>Establish Temporary Transit-only Lanes and Extend Bus Zones on Mission Street during Detours– When detours are implemented, the SFMTA shall implement additional transit priority features, such as all-day transit-only lanes and extended bus zones on Mission Street, to accommodate the increased level of bus service on streets adjacent and parallel to Market Street during construction. Full or partial temporary restrictions may be implemented on Mission Street between 11th and Steuart streets. The temporary restrictions will permit only public transit vehicles, taxis, and commercial vehicles on Mission Street in the eastbound and/or westbound directions. The temporary restrictions could be implemented under the following conditions: (1) At least one travel lane is closed on Mission Street between 11th and Steuart streets and that travel-lane closure results in only one open lane, either in the eastbound or westbound direction, or (2) there is construction activity on Market Street in the project corridor that will restrict transit operations. If implemented because of condition #1, the temporary restrictions may apply to the block(s) on Mission Street where the travel-lane closure is occurring and up to two blocks adjacent to the affected block(s) in the eastbound and westbound directions. If implemented because of condition #2, the temporary restrictions may apply to the block(s) on Mission Street to which Muni routes will be diverted with the full lane closure on Market Street. If implemented, the temporary restrictions shall be in place only during the abovementioned conditions. When such conditions no longer exist, the temporary restrictions shall be removed</li> <li>Active Monitoring of Detours – When detours for transit, other vehicles, and/or bicyclists and pedestrians are implemented, the SFMTA shall require police officers or parking control officers to monitor critical</li> </ul>	EA: 1-48	Yes	SFMTA; San Francisco Public Works; Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No

Environmental Commitment Record for the Better Market Street Project

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	<p>locations along the detour to promote unobstructed travel for transit as well as other vehicles and/or bicyclists and pedestrians.</p> <ul style="list-style-type: none"> <li>Coordinated Construction Management Plan – If construction of the proposed project will overlap with any nearby project(s) involving temporary travel-lane closures or temporary sidewalk closures and/or using the same truck access routes in the project vicinity, the SFMTA shall require the construction contractor(s) to consult with various City departments, as deemed necessary by the SFMTA, Public Works, and the San Francisco Planning Department, to develop a coordinated construction management plan and minimize the severity of any disruptions regarding access to land uses and transportation facilities.</li> <li>Emergency Access Response Plan – The SFMTA shall require the contractor(s) to submit a segment-specific emergency access response plan as part of compliance with bid specifications. This plan shall include fire department and emergency service access to construction areas and maintaining emergency services, such as fire hydrants.</li> <li>Carpooling, Bicycling, Walking, and Transit Access for Construction Workers – The construction contractor(s) shall include methods that encourage construction workers to consider carpooling, bicycling, walking, or riding transit to the project corridor (e.g., providing secure bicycle parking spaces, participating in a free-to-employee or an employer ride-matching program from <a href="http://www.511.org">www.511.org</a>, participating in an emergency ride-home program through the City [<a href="http://www.sferh.org">www.sferh.org</a>], providing transit information to construction workers).</li> <li>Construction Coordination with Adjacent Businesses – During construction of the proposed project, access to all abutting businesses shall be maintained, either through the existing sidewalk or a reduced sidewalk area or temporary access ramp. Signs shall be installed, indicating that the businesses are “open during construction.” All temporary access ramps shall be in compliance with the ADA.</li> <li>Project Construction Updates for Adjacent Businesses and Residents – To minimize construction impacts on access, the project sponsor shall provide adjacent and nearby businesses and residents with regularly updated information regarding project construction, including construction activities, peak construction vehicle activities, travel-lane closures, and other lane closures. At regular intervals, to be defined in the construction management plan, a regular email notice shall be distributed by the project sponsor that provides current construction information of interest to neighbors as well as contact information for specific construction inquiries or concerns.</li> </ul>									
Other	SM-TRA-2: All projects will implement traffic control measures sufficient to maintain traffic and pedestrian circulation on streets affected by construction of the project. The measures will also, at a minimum, be consistent with the requirements of San Francisco Municipal Transportation Agency (SFMTA)'s Blue Book. Traffic control measures may include, but not be limited to, flaggers and/or construction warning signage of work ahead; scheduling truck trips during non-peak hours to the extent feasible; maintaining access to driveways, private roads, and off-street commercial loading facilities by using steel trench plates or other such method; and coordination with local emergency responders to maintain emergency access. Any temporary rerouting of transit vehicles or relocation of transit facilities would be coordinated with SFMTA Muni Operations.	EA: 1-50	Yes	Project contractor; SFMTA	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No

Environmental Commitment Record for the Better Market Street Project

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Visual Resources	SM-AES-1: All project sites will be maintained in a clean and orderly state. Construction staging areas will be sited away from public view, and on currently paved or previously disturbed areas, where possible. Nighttime lighting will be directed away from residential areas and have shields to prevent light spillover effects. Upon project completion, project sites on City-owned lands will be returned to their general pre-project condition, including re-grading of the site and re-vegetation or re-paving of disturbed areas to the extent this is consistent with Public Works Bureau of Urban Forestry policy and San Francisco Code. Project sites on non-City land will be restored to their general pre-project condition so that the owner may return them to their prior use, unless otherwise arranged with the property owner.	EA: 1-50	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Water Quality	SM-WQ-1: All projects will implement erosion and sedimentation controls to be tailored to the project site, such as fiber rolls and/or gravel bags around storm drain inlets, installation of silt fences, and other such measures sufficient-to prevent discharges of sediment and other pollutants to storm drains and all surface waterways, such as San Francisco Bay, the Pacific Ocean, water supply reservoirs, wetlands, swales, and streams. As required based on project location and size, a Stormwater Control Plan (in most areas of San Francisco) or a Stormwater Pollution Prevention Plan (SWPPP) (in certain areas of San Francisco) will be prepared. If uncontaminated groundwater is encountered during excavation activities, it will be discharged in compliance with applicable water quality standards and discharge permit requirements. Groundwater contamination is addressed in item 6 (see Public Works Standard Construction Measures for Public Works Projects dated June 26, 2017).	EA: 1-50	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Other	SM-GEO-1: The project manager will ensure that projects that project activities that could be affected by existing soil, slope, and/or geologic conditions will be screened for liquefaction, subsidence, landslide, fault displacement, and other geological hazards along the project corridor are engineered and designed as necessary to minimize risks related to safety and reliability due to such hazards. As necessary, geotechnical investigations will be performed.	EA: 1-50	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Air Quality	SM-AQ-1: All projects will comply with the Construction Dust Control Ordinance. Major construction projects that are estimated to require 20 or more days of cumulative days of work within the Air Pollutant Exposure Zone must comply with the additional clean construction requirements of the Clean Construction Ordinance (see Attachment B of Public Works Standard Construction Measures for Public Works Projects dated June 26, 2017).	EA: 1-50	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Noise	SM-NOI-1: All projects will comply with local noise ordinances regulating construction noise. Public Works shall undertake measures to minimize noise disruption to nearby neighbors and sensitive receptors during construction. These efforts could include using best available noise control technologies on equipment (i.e., mufflers, ducts, and acoustically attenuating shields), locating stationary noise sources (i.e., pumps and generators) away from sensitive receptors, erecting temporary noise barriers, and other such measures.  During nighttime construction, the following shall apply: impact tools and vibratory pile drivers shall have intake exhaust mufflers and/or acoustically attenuating shields or shrouds recommended by the manufacturers and approved by the Director of Public Works, the construction contractor shall avoid the use of water blasters, the use of vehicles that are legally required	EA: 1-50	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No

Environmental Commitment Record for the Better Market Street Project

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	to be equipped with backup warning alarms will be reduced to the extent feasible, and administrative controls, as defined in the California Code of Regulations, Title 8, Section 1592, will be used for worker protection during backing movements by other vehicles. Hours of vibration-intensive activities, such as vibratory pile driving, shall be restricted to 7:00 a.m. to 8:00 p.m.									
Noise	<p>SM-NOI-2: Construction Vibration Control Procedures</p> <ol style="list-style-type: none"> <li>1. Where the project includes or is directly adjacent to a resource susceptible to vibration, as shown on project plans, the Contractor shall institute a vibration-monitoring program to protect such properties from excess vibration during demolition and construction activities associated with the project.</li> <li>2. The Contractor shall submit a Vibration Control Plan to San Francisco Public Works for review and approval, to be fully implemented upon approval. <ol style="list-style-type: none"> <li>1. For purposes of this subsection, "limiting value" shall be: <ol style="list-style-type: none"> <li>a. For Vibration Control Plans for historic buildings or historic structures, 0.12 inch per second peak particle velocity for sustained vibration (e.g. impact pile drivers, vibratory equipment) in any direction, unless a greater value is approved in writing by San Francisco Public Works.</li> <li>b. For Vibration Control Plans for all other resources, 0.2 inch per second peak particle velocity for sustained vibration (e.g. impact pile drivers, vibratory equipment) in any direction, unless a greater value is approved in writing by San Francisco Public Works.</li> </ol> </li> <li>2. The Contractor's vibration-monitoring personnel shall include a Qualified Vibration Instrumentation Engineer approved by San Francisco Public Works. The Qualified Vibration Instrumentation Engineer shall: <ol style="list-style-type: none"> <li>a. Be on site and supervise the initial installation of each vibration-monitoring instrument.</li> <li>b. Supervise interpretations of vibration-monitoring data.</li> </ol> </li> <li>3. Contractor shall collect seismograph data prior to any vibration-producing demolition or construction activities to document background vibrations at each monitoring location. The background monitoring shall be performed for a minimum of two non-consecutive workdays, spanning the hours during which demolition and construction activities will take place. Monitoring shall consist of a continuous recording of the maximum single-component peak particle velocities for one-minute intervals, which shall be printed on a strip chart.</li> <li>4. Contractor shall have seismographs in place and functioning at least 24 hours prior to any such activity within 200 feet of the monitoring locations. No significant vibration-producing activity shall occur within this zone unless the monitoring equipment is functioning properly, as determined by San Francisco Public Works.</li> <li>5. Contractor shall monitor vibration during demolition and other significant vibration-producing construction activities as determined by San Francisco Public Works. This monitoring shall consist of a continuous recording of the maximum single-component peak particle velocities for one-minute intervals, which shall be printed on a strip chart. During the monitoring, Contractor shall document all</li> </ol> </li> </ol>	EA: 1-51	Yes	Project contractor; Qualified Historic Architect	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No



Environmental Commitment Record for the Better Market Street Project

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	<p>events that are responsible for the measured vibration levels, and submit the documentation to San Francisco Public Works with the data.</p> <p>6. All vibration monitoring data shall be recorded contemporaneously and plotted continuously on a graph by the data acquisition equipment. Each graph shall show time-domain wave traces (particle velocity versus time) for each transducer with the same vertical and horizontal axes scale.</p> <p>7. The Contractor shall interpret the data collected, including making correlations between seismograph data and specific construction activities. The data shall be evaluated to determine whether the measured vibrations can be reasonably attributed to construction activities.</p> <p>8. The equipment shall be set up in a manner such that an immediate warning is given when the peak particle velocity in any direction exceeds the Threshold Value in the previously submitted Vibration Monitoring Plan. The warning emitted by the vibration-monitoring equipment shall be instantaneously transmitted to the responsible person designated by Contractor by means of warning lights, audible sounds or electronic transmission.</p> <p>9. If a Limiting Value is reached, the Contractor shall:</p> <ul style="list-style-type: none"> <li>a. Immediately notify San Francisco Public Works and suspend activities in the affected area, with the exception of those actions necessary to avoid exceeding the Limiting Value.</li> <li>b. Meet with San Francisco Public Works to discuss the need for response action(s).</li> <li>c. If directed by San Francisco Public Works during the above meeting that a response action is needed, submit within 24 hours a detailed specific plan of action based as appropriate on the generalized plan of action submitted previously as part of the vibration-monitoring plan.</li> <li>d. If directed by San Francisco Public Works, implement response action(s) within 24 hours of submitting a detailed specific plan of action, so that the Limiting Value is not exceeded.</li> </ul> <p>10. Where the subject of the Vibration Monitoring Plan is a historic building or structure, Contractor shall engage a Qualified Historic Architect or Historic Preservation Professional to document and photograph the properties that are the subject of the Vibration Monitoring Plan to ensure structural damage does not result from construction activities that could cause ground vibration.</p> <ul style="list-style-type: none"> <li>a. The post-construction survey and monitoring results will be evaluated to determine whether the new structural and/or architectural damage was caused by vibration due to Contractor's performance of this Work.</li> <li>b. If, following completion of construction, changes in the architectural or structural conditions the properties that are the subject of the Vibration Monitoring Plan have occurred, Contractor shall restore the buildings to pre- construction conditions, and to the satisfaction of Public Works.</li> </ul>									
Biology	SM-BIO-1: Public Works will comply with all local, State, and federal requirements for surveys, analysis, and protection of biological resources (e.g., Migratory Bird Treaty Act, Federal and State Endangered Species Acts, etc.). All project sites and the immediately surrounding area will be screened to determine whether biological resources may be affected by	EA: 1-53	Yes	San Francisco Public Works	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No

Environmental Commitment Record for the Better Market Street Project

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	construction. If biological resources are present, a qualified biologist will carry out a survey of the project site to note the presence of general biological resources and to identify whether habitat for special-status species and/or migratory birds is present. If necessary, measures will be implemented to protect biological resources, such as installing wildlife exclusion fencing, establishing work buffer zones, installing bird deterrents, monitoring by a qualified biologist and other such measures. If tree removal is required, Public Works will comply with any applicable tree protection ordinance.									
Cultural Resources	<p>AMM-CUL-3: Treatment of Human Remains</p> <p>As legally mandated, human remains and related items discovered during implementation of the terms of this Agreement and the Undertaking will be treated in accordance with the requirements of Health and Safety Code Section 7050.5(b). If pursuant to Health and Safety Code § 7050.5(c), the coroner determines that the human remains are or may be those of a Native American, then the discovery shall be treated in accordance with the provisions of Public Resources Code § 5097.98 (a)(d). The County Coroner shall be contacted if human remains are discovered. The County Coroner shall have two working days to inspect the remains after receiving notification. During this time, all remains, and associated soils, and artifacts shall remain in situ and/or onsite and shall be protected from public viewing. This may include restricting access to the discovery site and the need to provide 24-hour security of the site.</p> <p>The County Coroner has twenty-four (24) hours to notify the California Native American Heritage Commission (NAHC). The NAHC shall then notify a Most Likely Descendant (MLD), who has forty-eight (48) hours to make recommendations to Caltrans. Caltrans, as the landowner of a portion of the APE, shall contact the California SHPO and the Most Likely Descendent(s) within forty-eight (48) hours of the County Coroner's determination that the remains are Native American in origin. Caltrans shall ensure, to the extent permitted by applicable law and regulation, that the views of the Most Likely Descendent(s), as determined by the NAHC, is taken into consideration when decisions are made about the disposition of Native American human remains and associated objects. Information concerning the discovery shall not be disclosed to the public pursuant to the specific exemption set forth in California Government Code 6254.5(e). If it is determined by the coroner that the human remains are those of non-Native American origin and relate to the Yerba Buena Cemetery, then the discovery shall be treated in accordance with the procedures and methods outlined in the ATDRP.</p>	EA: 2.1.6-36	Yes	San Francisco Public Works	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Cultural Resources	<p>AMM-CUL-4 Discoveries and Unanticipated Effects</p> <p>A. If Caltrans determines, during implementation of the terms of the Project PA, and after construction of the Undertaking has commenced, that the Undertaking will affect a previously unidentified property that may be eligible for the National Register, or affect a known historic property in an unanticipated manner, Caltrans will address the discovery or unanticipated effect in accordance with the ATDRP and per Stipulations VI.B through VII.F of the Project PA. Caltrans at its discretion may hereunder assume any discovered property to be eligible for the National Register in accordance with 36 CFR §800.13(c).</p> <p>B. Caltrans will notify SHPO and the Project PA Consulting Parties within 48 hours of the discovery and Caltrans' proposed determination of</p>	EA: 2.1.6-37	Yes	Project contractor; San Francisco Public Works	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No

Environmental Commitment Record for the Better Market Street Project

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	<p>eligibility, assessment of effects and those actions that it proposes to avoid, minimize, or otherwise treat adverse effects. SHPO and Project PA Consulting Parties will have forty-eight (48) hours to provide their comments on the proposed actions to Caltrans. Caltrans will ensure that all recommendations are taken into account prior to granting approval of the measures that Public Works will implement to resolve adverse effects. Caltrans will provide SHPO and the Project PA Consulting Parties notification of the measures to be implemented. Public Works will carry out the approved measures prior to resuming construction activities in the location of the discovery.</p> <p>C. Caltrans will notify SHPO and other Project PA Consulting Parties within forty-eight (48) hours if human remains of Native American origin are identified in the APE.</p> <p>D. Any human remains and related items discovered during the implementation of the terms of the Project PA and of the Undertaking will be treated in accordance with the requirements of Section 7050.5(b) of the California Health and Safety Code. If, pursuant to Section 7050.5(b) of the California Health and Safety Code, the county coroner/medical examiner determines that the human remains are or may be of Native American origin, then the discovery will be treated in accordance with the provisions of Section 5097.98(a)-(d) of the California Public Resources Code. Caltrans, in coordination with Public Works, will ensure that the remains are not damaged or disturbed further until all Stipulations in Section 7050.5 and Section 5097.98 have been met.</p> <p>E. Caltrans will consult with Native American Consulting Parties and take their recommendations into consideration when making decisions regarding the disposition of other Native American archaeological materials and records.</p> <p>F. Caltrans and Public Works will coordinate with the applicable property owner regarding the archaeological resources or disposition of human remains discovered in the APE.</p>																	
Water Quality	<p>AMM-WQ-1: The project will implement the temporary BMPs included in Table 2.2.1-1.</p> <p><b>Table 2.2.1-1: Suggested Minimum Temporary Control BMPs</b></p> <table border="1"> <thead> <tr> <th>Temporary BMPs</th> <th>Purpose</th> </tr> </thead> <tbody> <tr> <td>Scheduling</td> <td>Provide a plan that details the sequence of construction activities and implementation of BMPs, based on local climate, to reduce the amount and duration of exposed soil.</td> </tr> <tr> <td>Preservation of Existing Vegetation</td> <td>Preserve existing vegetation to protect soil from erosion.</td> </tr> <tr> <td>Geotextiles and Mats</td> <td>Cover soil surfaces to reduce erosion from rainfall impact, hold soil in place, and absorb and hold moisture near soil surfaces.</td> </tr> </tbody> </table>	Temporary BMPs	Purpose	Scheduling	Provide a plan that details the sequence of construction activities and implementation of BMPs, based on local climate, to reduce the amount and duration of exposed soil.	Preservation of Existing Vegetation	Preserve existing vegetation to protect soil from erosion.	Geotextiles and Mats	Cover soil surfaces to reduce erosion from rainfall impact, hold soil in place, and absorb and hold moisture near soil surfaces.	EA: 2.2.1-8	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Temporary BMPs	Purpose																	
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	<p>Inlet and Catch Basin Protection Use runoff detention devices at storm drain inlets that allow ponding to remove sediment in stormwater.</p> <p>Street Cleaning Remove tracked sediment or other debris on public streets to prevent it from entering a storm drain.</p> <p>Dust Control Reduce dust generated by surface activities with an application of water/commercial stabilizers.</p> <p>Temporary Concrete Washout Facilities Specify vehicle wash areas to contain concrete waste materials.</p> <p>Job Site Management Develop procedures and criteria to train employees and subcontractors regarding the proper selection, deployment, inspection, maintenance, and repair of temporary BMPs.</p> <p>Non-stormwater and Waste/Material Management Develop procedures and criteria pertaining to water conservation, concrete management, paving and grinding operations, material delivery and storage, stockpile management, sanitary waste, hazardous waste, solid waste, liquid waste, spill prevention and control, contaminated soil, paint and stucco, illicit connections/ discharges, and dewatering operations.</p> <p>Sources: SFPUC, 2013; CASQA, 2011.</p>									
Hazardous Waste	AMM-HAZ-3: Soils in the project limits identified as having hazardous levels of ADL will be disposed of or reused according to federal and state regulations. Soils within the right-of-way that contain hazardous waste concentrations of ADL may be reused under the authority of variances issued by California Department of Toxic Substances Control. These variances include stockpiling, transporting, and reusing soils with concentrations of lead below maximum allowable levels in the project right-of-way. Stockpiling, transporting, and reusing of soil will also be conducted following Caltrans' standard special provisions.	EA: 2.2.3-6	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Hazardous Waste	AMM-HAZ-4: As required by Caltrans' standard special provisions, the construction contractor will sample and test yellow and white traffic striping scheduled for removal to determine whether lead or chromium is present. All aspects of the project associated with removal, storage, transportation, and disposal will be in strict accordance with appropriate regulations of the California Health and Safety Code. The stripes will be disposed of at a Class 1 disposal facility. The responsibility of implementing this measure will be outlined in the contract between the project proponent and the construction contractor. Implementing this measure will minimize potential effects from these hazardous materials.	EA: 2.2.3-6	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No



Environmental Commitment Record for the Better Market Street Project

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Biology	AMM-BIO-2: If active nests are found during the survey, the biologist will establish exclusion zones around each nest. No work will be allowed in exclusion zones until the biologist has determined that the young have fledged or the nest is no longer active. The size of the exclusion zones will be based on the species' sensitivity to disturbance and planned work activities in the vicinity. The buffer size may be reduced if the biologist, after monitoring the nest and nearby construction activities, determines that no disturbance that would result in nest abandonment or premature fledging (e.g., young being startled by construction noise or visual disturbance and jumping out of the nest before they are able to fly) is likely to occur.	EA: 2.3-3	Yes	Project contractor; qualified biologist	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Biology	AMM-BIO-3: If a lapse in project-related activities of 10 days or more occurs, another preconstruction survey will be conducted.	EA: 2.3.3	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Biology	AMM-BIO-4: One survey will be required prior to the initiation of construction in each segment of the project if construction within the segment is initiated during the nesting bird season (February 1 to August 31). In addition, one nesting bird survey will be required between April and May (at the discretion of the qualified biologist, depending on construction activities) of each year.	EA: 2.3.3	Yes	Project contractor; qualified biologist	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Noise	<p>AMM-NOI-2: Nighttime Construction Vibration Control Measures. Prior to issuance of a construction permit, a detailed pre-construction vibration assessment and monitoring plan shall be prepared for all construction activities conducted between the hours of 8 p.m. and 7 a.m. This plan shall evaluate and select the smallest equipment feasible that can be used during this construction period and recommend a specific location for equipment within the construction area to maximize the distance between the vibration-generating sources and vibration-sensitive receptors. This plan shall also require vibration levels at vibration-sensitive receptors along the project corridor not to exceed the strongly perceptible level of 0.10 PPV in/sec for continuous sources and 0.90 PPV in/sec for transient sources.</p> <p>The project contractor shall:</p> <ul style="list-style-type: none"> <li>• Inform vibration-sensitive receptors of upcoming construction activities that may generate high levels of vibration a minimum of one week in advance of such construction activities. Methods of notification shall include mailed notices as well as notifications hand-posted on doorways. The notification shall include the name and contact information for a person that can be reached during nighttime construction hours.</li> <li>• Perform real-time vibration monitoring during all construction activities conducted between the hours of 8 p.m. and 7 a.m. at a location representative of the nearest vibration-sensitive receptor. If vibration levels exceed a vibration level of 0.10 PPV in/sec for continuous sources and 0.90 PPV in/sec for transient sources, the vibration monitor shall immediately alert the construction manager, who shall immediately cease construction activity. Construction activity shall resume only after the vibration-generating equipment is adjusted or relocated such that the vibration level no longer exceeds 0.10 PPV in/sec for continuous sources and 0.90 PPV in/sec for transient sources or such activity is otherwise conducted between the hours of 7 a.m. and 8 p.m.</li> </ul> <p>Portions of this AMM would be implemented in the pre-construction phase of this Project.</p>	EA: 2.2.5-23	Yes	San Francisco Public Works; Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No

Environmental Commitment Record for the Better Market Street Project

Category	Task and Brief Description	Source	Included in PS&E package	Responsible Branch/Staff	Action to Comply	Due Date	Task Completed by	Task Completed on	Remarks	Mitigation for significant impacts under CEQA?
Air Quality	AMM-AQ-1: Implement Caltrans Standard Specification Section 14. Caltrans' Standard Specification Section 14, Environmental Stewardship, addresses the construction contractor's responsibility for many items of concern, such as air pollution; the protection of lakes, streams, reservoirs, and other water bodies; the use of pesticides; safety; sanitation; public convenience; and property damage or personal injury as a result of any construction operation. Section 14-9.02 includes specifications related to air pollution control for work performed under contract, including compliance with air pollution control rules, regulations, ordinances, and statutes provided in Government Code Section 11017 (Public Contract Code Section 10231). Section 14-9.03 is directed at controlling dust.	EA: 2.2.4-20	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Air Quality	AMM-AQ-2: Implement Additional Control Measures for Construction Emissions of Fugitive Dust. Additional measures to control dust will be borrowed from BAAQMD's recommended list of dust control measures and implemented to the extent practicable when measures have not already been incorporated and do not conflict with the requirements of a National Pollutant Discharge Elimination System permit, a Clean Water Act Section 404 permit, Clean Water Act Section 401 certification, or other permits issued for the proposed project.  The following measures are taken from BAAQMD's 2017 California Environmental Quality Act Air Quality Guidelines: <ul style="list-style-type: none"> <li>• Reduce the amount of disturbed area where possible.</li> <li>• Use water trucks or sprinkler systems to apply sufficient quantities of water and prevent airborne dust from leaving the site. An adequate water source must be identified. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.</li> <li>• All dirt stockpile areas should be sprayed daily, as needed, then covered, or a district-approved alternative method should be used.</li> <li>• Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil-disturbing activities.</li> <li>• Exposed ground areas that will be reworked more than 1 month after initial grading should be sown with a fast-germinating non-invasive grass seed and watered until vegetation is established.</li> <li>• All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the district.</li> <li>• All roadways, driveways, sidewalks, etc., to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading, unless seeding or soil binders are used.</li> <li>• Speeds for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.</li> <li>• All trucks hauling dirt, sand, soil, or other loose materials should be covered or should maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer), in accordance with San Francisco County regulations.</li> </ul>	EA: 2.2.4-20	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No

Environmental Commitment Record for the Better Market Street Project

Category	Task and Brief Description	Source	Included in PS&E package	Responsible Branch/Staff	Action to Comply	Due Date	Task Completed by	Task Completed on	Remarks	Mitigation for significant impacts under CEQA?
	<ul style="list-style-type: none"> <li>Wheel washers should be installed where vehicles exit from unpaved roads onto streets or trucks and equipment leaving the site should be washed.</li> <li>Streets should be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.</li> <li>A sign should be posted in a prominent location that is visible to the public and include the telephone numbers of the contractor and San Francisco Public Works for questions or concerns about dust from the project.</li> </ul>									
Noise	<p>AMM-NOI-1: Caltrans Standard Specifications Section 14-8.02. Standard Caltrans procedures include implementation of the following measures to minimize temporary noise effects from construction (California Department of Transportation 2018):</p> <ul style="list-style-type: none"> <li>Control and monitor noise resulting from work activities.</li> <li>Do not exceed 86 dBA at 50 feet from job site activities between 9:00 p.m. and 6:00 a.m.</li> </ul>	EA: 2.2.5-23	Yes	Project contractor	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No

**POST-CONSTRUCTION**

Category	Task and Brief Description	Source	Included in PS&E package	Responsible Branch/Staff	Action to Comply	Due Date	Task Completed by	Task Completed on	Remarks	Mitigation for significant impacts under CEQA?						
Select a category	<p>AMM-CUL-6: Historic Properties Treatment Plan</p> <p>Public Works shall retain a professional who meets the Secretary of the Interior's Professional Qualifications Standards to prepare a Historic Properties Treatment Plan (HPTP) for the following contributing elements of the Market Street Cultural Landscape District: Embarcadero Plaza, Hallidie Plaza, and United Nations Plaza.</p> <p>1. The HPTP shall incorporate rehabilitation recommendations for maintaining and protecting the paving materials at the three plazas and shall include the following elements:</p> <p>d. The HPTP will also include best practice guidelines and rehabilitation recommendations to guide future projects associated with ongoing maintenance and repair of the red brick and other contributing elements of the plazas to ensure compliance with the Secretary of the Interior's Standards for Rehabilitation.</p> <p>Note: A portion of this AMM would be implemented in the pre-construction phase of the Project.</p>	EA: 2.1.6-37	Yes	San Francisco Public Works	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No						
Water Quality	<p>AMM-WQ-2: The project will implement the operational source control BMPs included in Table 2.2.1-2.</p> <p><b>Table 2.2.1-2: Summary of Pollutant Source Areas and Associated Structural and Operational Source Control Measures</b></p> <table border="1"> <thead> <tr> <th>Pollutant Source Area</th> <th>Structural Source Control Measure</th> <th>Operational Source Control Measure</th> </tr> </thead> <tbody> <tr> <td>Accidental Spills or Leaks</td> <td> <ul style="list-style-type: none"> <li>Provide post-emergency hotline telephone numbers in appropriate locations</li> </ul> </td> <td> <ul style="list-style-type: none"> <li>Keep appropriate spill control kits and cleanup equipment readily available</li> </ul> </td> </tr> </tbody> </table>	Pollutant Source Area	Structural Source Control Measure	Operational Source Control Measure	Accidental Spills or Leaks	<ul style="list-style-type: none"> <li>Provide post-emergency hotline telephone numbers in appropriate locations</li> </ul>	<ul style="list-style-type: none"> <li>Keep appropriate spill control kits and cleanup equipment readily available</li> </ul>	EA: 2.2.1-8	Yes	San Francisco Public Works	Enter action	Enter date	Enter Name	Enter date	Enter remarks	No
Pollutant Source Area	Structural Source Control Measure	Operational Source Control Measure														
Accidental Spills or Leaks	<ul style="list-style-type: none"> <li>Provide post-emergency hotline telephone numbers in appropriate locations</li> </ul>	<ul style="list-style-type: none"> <li>Keep appropriate spill control kits and cleanup equipment readily available</li> </ul>														

Environmental Commitment Record for the Better Market Street Project

Category	Task and Brief Description	Source	Included in PS&E package	Responsible Branch/Staff	Action to Comply	Due Date	Task Completed by	Task Completed on	Remarks	Mitigation for significant impacts under CEQA?
	<p>in case of accidental spills</p> <ul style="list-style-type: none"> <li>• Ensure double containment of hazardous chemicals</li> </ul> <hr/> <p>Parking/Storage Areas and Maintenance (short term)</p> <ul style="list-style-type: none"> <li>• None applicable</li> </ul> <hr/> <p>Landscape/Outdoor Pesticide Use</p> <ul style="list-style-type: none"> <li>• Design landscaping to minimize water use, runoff, and the use of fertilizers and pesticides</li> <li>• Design for surface infiltration where appropriate</li> <li>• Design grading and drainage systems (drain inlets) that can be located outside lawn areas, if possible, or include non-turf buffers around inlets</li> <li>• To the maximum extent possible, retain existing native trees, shrubs, and ground cover and incorporate in the landscape plan</li> <li>• Select pest-resistant plant species, if practicable</li> <li>• Select plant species that meet site characteristics to ensure successful establishment</li> </ul> <hr/> <p>Source: SFPUC, 2016.</p>									



Appendix G  
**List of Technical Studies**

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# List of Technical Studies

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Many technical studies were used to analyze the impacts of the proposed project (including the design option) and the No-Build Alternative. These studies include:

- Air Quality Report, December 2019
- Air Quality Conformity Analysis, July 2020
- Archaeological Survey Report, March 2020
- Biological Resources Technical Memorandum, November 2019
- Community Impact Assessment Technical Memorandum, March 2020
- Finding of Adverse Effect, July 2020
- Hazardous Material Initial Site Assessment, October 2019
- Historic Property Survey Report, March 2020
- Historical Resources Evaluation Report, February 2020
- Location Hydraulic Study and Floodplain Report Summary Forms, September 2019
- Programmatic Agreement Between the California Department of Transportation and the California State Historic Preservation Officer Regarding the Better Market Street Project in San Francisco, California, September 2020
- Moderate Visual Impact Assessment, December 2019
- Noise Technical Memorandum, February 2020
- Final Section 4(f) Evaluation, September 2020
- Final Section 4(f) De Minimis Determinations and Resources Evaluated Relative to the Requirements of Section 4(f): No-Use Determinations, September 2020
- Staging Technical Memorandum, November 2019
- Transportation Report, March 2020
- Water Quality Technical Memorandum, October 2019





Appendix H  
**List of Acronyms**

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## Acronyms and Abbreviations

µg/m <sup>3</sup>	micrograms per cubic meter
ACHP	Advisory Council on Historic Preservation
ADA	Americans with Disabilities Act
ADL	aerially deposited lead
APE	Area of Potential Effects
ARB	California Air Resources Board
ARDTP	Archaeological Research Design and Treatment Plan
ARPA	Archaeological Resources Protection Act
ASA	Archaeological Sensitivity Study
ASR	Archaeological Survey Report
ASTs	aboveground storage tanks
AWSS	Auxiliary Water Supply System
BART	Bay Area Rapid Transit
Bay	San Francisco Bay
Caltrans	California Department of Transportation
CASQA's	California Stormwater Quality Association's
CCAA	California Clean Air Act
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CERFA	Community Environmental Response Facilitation Act
CFR	Code of Federal Regulations
CHRIS	California Historical Resources Information System
City	City and County of San Francisco
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CO,	carbon monoxide
CTs	Census tracts
CWA	Clean Water Act
dB	decibels
DPFs	diesel particular filters
DPR	Department of Parks and Recreation
DRP	Data Recovery Plan
EA	Environmental Assessment
EDR	Environmental Data Resources, Inc.
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EO	Executive Order
EPA	U.S. Environmental Protection Agency

FAE	Finding of Adverse Effect
FCAA	Federal Clean Air Act
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FIRMS	Flood Insurance Rate Maps
FOE	Finding of Effect
FONSI	Finding of No Significant Impact
FTIPs	Federal Transportation Improvement Programs
H <sub>2</sub> S	hydrogen sulfide
HABS	Historic American Building Survey
HALS	Historic American Landscape Survey
HPSR	Historic Property Survey Report
HRE	Historic Resource Evaluation
HRECs	historical recognized environmental conditions
Hz	Hertz
I-280	Interstate 280
ISA	Initial Site Assessment
kHz	kilohertz
L <sub>dn</sub>	Day-Night Level
LED	light-emitting-diode
LEDPA	least environmentally damaging practicable alternative
L <sub>eq</sub>	Equivalent Sound Level
LID	low-impact development
L <sub>max</sub>	Maximum Sound Level
L <sub>xx</sub>	Percentile-Exceeded Sound Level
MOU	Memorandum of Understanding
mPa	micro-Pascals
MPO	Metropolitan Planning Organization
MS4s	Municipal Separate Storm Sewer Systems
Muni	San Francisco Municipal Railway
NAAQS	National Ambient Air Quality Standards
NAC	noise abatement criteria
NAHC	Native American Heritage Commission
NEPA	National Environmental Policy Act
NEPA Assignment MOU	Memorandum of Understanding pursuant to 23 USC 327
NHPA	National Historic Preservation Act
NO <sub>2</sub>	nitrogen dioxide
NRHP	National Register of Historic Places



NWIC	Northwest Information Center
O <sub>3</sub>	ozone
OCS	overhead contact system
OSHA	Occupational Safety and Health Act
OWSs	oil/water separators
PA	Programmatic Agreement
PAC	Preliminary Archaeological Checklist
PCBs	polychlorinated biphenyls
POAQC	project of air quality concern
POP	Proof of Payment
PPV	peak particle velocity
PQS	Professionally Qualified Staff
PRECs	potential recognized environmental conditions
Public Works	San Francisco Public Works
RCRA	Resource Conservation and Recovery Act
RECs	recognized environmental conditions
ROGs	reactive organic gases
RSA	Resource Study Area
RTPs	Regional Transportation Plans
RWQCBs	Regional Water Quality Control Boards
SFFD	San Francisco Fire Department
SFMTA	San Francisco Municipal Transportation Agency
SFPD	San Francisco Police Department
SFPUC	San Francisco Public Utilities Commission
SHPO	State Historic Preservation Officer
SHS	State Highway System
SLF	Sacred Land File
SO <sub>2</sub>	sulfur dioxide
SOX	sulfur oxides
SPL	sound pressure level
SVOCs	semivolatile organic compounds
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TMDLs	Total Maximum Daily Loads
TSCA	Toxic Substances Control Act
U.S. EPA	U.S. Environmental Protection Agency
US 101	U.S. Highway 101
USACE	U.S. Army Corps of Engineers
USC	United States Code

USDOT	United States Department of Transportation
VAUs	visual assessment units
VIA	Visual Impact Assessment
VMT	vehicle miles traveled
VOCs	volatile organic compounds
WDRs	Waste Discharge Requirements
WPCP	Water Pollution Control Program

**Comment Letters and Responses to Public Comments**

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## Comment Letters and Responses to Public Comments

### I.1 Organization of Public Comments

The California Department of Transportation (Caltrans) circulated the Draft Environmental Assessment (Draft EA) and Draft Section 4(f) Evaluation for the Better Market Street Project (project) for public review from May 29, 2020, to July 14, 2020. Oral comments on the Draft EA and the Draft Section 4(f) Evaluation received at a public hearing and written comments from individuals, organizations, and public agencies received during the circulation period are included in this appendix. The entities and individuals below provided comments.

**Table I-1. List of Public Comments on the Draft EA and Draft Section 4(f) Evaluation**

Comment Letter	Commenter	Date Comment Received
A-1	San Francisco Water	July 8, 2020
A-2	San Francisco Water	July 10, 2020
A-3	United States Department of the Interior	July 17, 2020
I-1	John Lisovsky	May 29, 2020
I-2	Mary Miles	May 29, 2020
I-3	Mary Miles	June 16, 2020
I-4	Leslie Karren	June 17, 2020
I-5	Dan Nunes	June 30, 2020
I-6	Avishai Halev	June 30, 2020
I-7	Howard Wong	July 4, 2020
I-8	Ken Maley	July 12, 2020
I-9	Tim Hickey	July 13, 2020
I-10	Mary Miles	July 14, 2020
O-1	Mid Market Community Benefit District	June 17, 2020
O-2	Market Street Railway	July 14, 2020
O-3	San Francisco Transit Riders	July 14, 2020
T-1	San Francisco Public Works Public Hearing	June 17, 2020

### I.2 Responses to Comments

Caltrans thanks all commenters for participating and providing input during the environmental review process. Comment letters listed below and the transcript from the public hearing are included in the Final EA and will be considered during completion of the environmental phase of the project. Section I.2.1 provides responses to all public comments received.

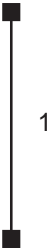
## I.2.1 Responses to Public Comments

On the following pages are copies of the comment letters and responses to each comment. The comment letters are included in the order shown in Table I-1. Each written comment has one or more numbers inserted in the margin. These numbers correspond to written responses that follow each comment. In some cases, responses to comments refer the reader to a different comment's response or to a section of the Draft EA and Draft Section 4(f) Evaluation.

---

**From:** Lashanlo, Akbar <[ALashanlo@sfgwater.org](mailto:ALashanlo@sfgwater.org)>  
**Sent:** Wednesday, July 8, 2020, 9:59 AM  
**To:** Deunert, Boris (DPW)  
**Cc:** Ho, Matthew (PUC); Abueg, Ramon (PUC); Hale, Barbara (PUC)  
**Subject:** Better Market Street Draft Environmental Assessment

Hello Mr. Deunert,  
Thank you for giving us the opportunity to review and comment on the Better Market Street Draft Environmental Assessment plan. The EA posted online calls for modifications to the City’s Path of Gold streetlights, at this time, there are no modifications planned to the these poles. The luminaries mounted on the OCS poles will be converted to LED independent of this project after completion of the BMS project. The Streetlight group of PUC does not have any additional comment on the EA. Please let me know if you need any further feedback or information.



Thanks,

Akbar Lashanlo, PE

## **Letter A-1, San Francisco Water, July 8, 2020**

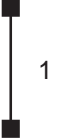
### **Response to Comment A-1.1**

Caltrans acknowledges that the San Francisco Public Utilities Commission (SFPUC) will not modify any Path of Gold light standards, but will convert luminaries on overhead contact system (OCS) poles to light-emitting diode (LED) regardless of implementation of the proposed project. As part of the proposed project, the 236 Path of Gold light standards within the project corridor will be partially restored (the tridents), reconstructed (base and poles), and realigned, as discussed on page 1-40 in Chapter 1 of the Draft EA. Specifically, the existing poles will be replaced with larger poles, the tridents will be salvaged and reinstalled, and the clamshell bases will be recast and modified to accommodate the larger poles. In addition, the project will replace almost all components of the F-line streetcar, including the OCS and OCS support poles, as discussed on page I-42.



**From:** Wong, Manfred <[MWong@sfgwater.org](mailto:MWong@sfgwater.org)>  
**Sent:** Friday, July 10, 2020 11:13:32 AM  
**To:** Olea, Cristina (DPW) <[Cristina.C.Olea@sfdpw.org](mailto:Cristina.C.Olea@sfdpw.org)>; Deunert, Boris (DPW) <[boris.deunert@sfdpw.org](mailto:boris.deunert@sfdpw.org)>  
**Cc:** Law, Flora (DPW) <[flora.law@sfdpw.org](mailto:flora.law@sfdpw.org)>; Gabancho, Peter (MTA) <[Peter.Gabancho@sfmta.com](mailto:Peter.Gabancho@sfmta.com)>; de la Torre, Godfrey (PUC) <[GDeLaTorre@sfgwater.org](mailto:GDeLaTorre@sfgwater.org)>; Ramirez, Manuel (PUC) <[MRamirez@sfgwater.org](mailto:MRamirez@sfgwater.org)>; Freeborn, Ryan (PUC) <[RFreeborn@sfgwater.org](mailto:RFreeborn@sfgwater.org)>  
**Subject:** Better Market Street Draft Environmental Assessment - Comments on Transmission Power Scope

Cristina/Boris: Please note below comments from Power Enterprise pertaining to the transmission power scope. As I have previous notified the project team, without a continuous joint trench for the entire corridor, Power Enterprise will withdraw the transmission power scope.



Thanks and Have a Wonderful Weekend,  
 Manfred

**From:** de la Torre, Godfrey <[GDeLaTorre@sfgwater.org](mailto:GDeLaTorre@sfgwater.org)>  
**Sent:** Friday, July 10, 2020 10:53 AM  
**To:** Wong, Manfred <[MWong@sfgwater.org](mailto:MWong@sfgwater.org)>  
**Cc:** Ramirez, Manuel <[MRamirez@sfgwater.org](mailto:MRamirez@sfgwater.org)>; Larano, Samuel <[slarano@sfgwater.org](mailto:slarano@sfgwater.org)>; Mosuela, Raul R <[rmosuela@sfgwater.org](mailto:rmosuela@sfgwater.org)>  
**Subject:** Better Market Street Draft Environmental Assessment comments

Good morning Manfred,

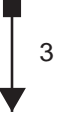
Regarding the BMS draft environmental assessment report below, it mentions on page 1-43 that traction power system replacement will occur:

“Existing traction-power duct banks consist of continuous runs of electrical conduits that have been encased in cast concrete, forming a rectangular block in cross section that extends the length of Market Street in the project area, generally outside the curbs on the south side and in the public right-of-way under Second Street and Stevenson Street at depths of 6 to 25 feet below the surface. Existing duct banks will be excavated and removed or abandoned in place. Two new duct banks will be constructed through the project corridor in the same alignment so as not to conflict with other project elements. These duct banks will consist of a minimum of four 6-inch polyvinyl chloride conduits plus two 6-inch spare conduits for future electric distribution through backbone feeders at a medium voltage level. Power duct banks will split north and south along Market Street. Duct banks will be capped on both ends of the project corridor. The project’s upgrades at the Civic Center and Downtown traction-power substations that feed the duct will consist of replacement of internal traction-power equipment to be in compliance with current codes.”



Is this still part of the BMS scope?

Furthermore, it mentions on the same page (1-43) that “The project will relocate or rehabilitate wastewater lines, water lines, AWSS lines, SFPUC power lines, and fiber optic conduits to maintain a state of good repair. Some rehabilitated utility lines will



occupy a new joint trench for a number of the “dry” utilities. All “wet” utilities will be the same size as the existing lines; no additional capacity will be provided.”

Is this still part of the BMS scope? I ask only because it was my understanding that SFPUC Redevelopment was no longer involved with BMS if traction power was removed from the scope.

Please advise.

Sincerely,

Godfrey de la Torre, P.E.  
San Francisco Public Utilities Commission  
Power Enterprise, Redevelopment  
525 Golden Gate Avenue, 7<sup>th</sup> Floor  
San Francisco, CA 94102

3  
cont'd

**From:** San Francisco Public Works <[bettermarketstreet@sfdpw.org](mailto:bettermarketstreet@sfdpw.org)>  
**Sent:** Tuesday, June 30, 2020 11:53 AM  
**To:** Hale, Barbara <[BHale@sfgwater.org](mailto:BHale@sfgwater.org)>  
**Subject:** Reminder: Better Market Street Draft Environmental Assessment is available for review and public comments!

**CAUTION:** This email originated from **outside** of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



**Reminder: There are two weeks left to review the Better Market Street Draft Environmental Assessment!**

The Draft EA for the Better Market Street Project is available to download at [www.bettermarketstreetsf.org/EA](http://www.bettermarketstreetsf.org/EA).

**Public comments** will be accepted from May 29, 2020 until **5:00 p.m. on July 14, 2020**, and may be submitted, in writing, to:

Boris Deunert  
San Francisco Public Works, 30 Van Ness Avenue, 5th Floor  
San Francisco, CA 94102  
Email: [Boris.Deunert@sfdpw.org](mailto:Boris.Deunert@sfdpw.org)

If you have questions about the design or implementation of the Better Market Street project, please contact Coma Te at [Coma.Te@sfdpw.org](mailto:Coma.Te@sfdpw.org).

**Availability of Draft Environmental Review**

San Francisco Public Works and the California Department of Transportation (Caltrans) have released the Draft Environmental Assessment (Draft EA) for the Better Market Street Project that complies with the National Environmental Policy Act (NEPA). You are invited to review the Draft EA and provide comment.

**CEQA Clearance**

California Environmental Quality Act (CEQA) clearance occurred through a separate process with the San Francisco Planning Department as the CEQA lead agency. The Environmental Impact Report was certified by the San Francisco Planning Commission on October 10, 2019.



The **Notice of Availability** is available below in English | Español | 中文 | Tagalog. (Click on an image to access the full notice in that language.)



(Español)

(中文)

(Tagalog)

Questions? Send us an email: [bettermarketstreet@sfdpw.org](mailto:bettermarketstreet@sfdpw.org)



San Francisco Public Works | City Hall , 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

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## **Letter A-2, San Francisco Water, July 10, 2020**

### **Response to Comment A-2.1**

Caltrans acknowledges the commenter's clarification that if a joint trench for the entire corridor is not used, San Francisco Public Utilities Commission (SFPUC) will not propose transmission power upgrades as part of the project. Once final design plans for the proposed project are completed, certain details about the scope of the project (e.g., the use of a joint trench) will be determined. To provide a conservative approach for the analysis, the Draft EA considers the most impactful scope of the proposed project. Please see responses to comments A-2.2 and A-2.3 for details regarding the proposed traction-power system upgrades.

### **Response to Comment A-2.2**

The project includes replacement of the traction-power system, as described on page 1-43 in Chapter 1 of the Draft EA.

### **Response to Comment A-2.3**

The project includes the relocation or rehabilitation of wastewater lines, water lines, Auxiliary Water Supply System lines, San Francisco Public Utilities Commission (SFPUC) power lines, and fiber optic conduits to maintain a state of good repair, as described on page 1-43 in Chapter 1 of the Draft EA.

In addition, the commenter provided an additional comment on July 20, 2020, after the end of the public review period. The commenter clarified that SFPUC does not propose any improvements as part of the project for the first segment of the project that will be constructed (Market Street between Fifth and Eighth streets). Caltrans acknowledges the commenter's clarification.



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
2800 Cottage Way, Rm E-1712  
Sacramento, California, 95825

In Reply Refer To:  
20/0229

*Filed electronically*

July 17, 2020

Dan Rivas  
Caltrans District 4 Office of Local Assistance,  
Mail Station 10B,  
PO Box 23660,  
Oakland, CA, 94623-0660.

Subject: Review of Draft Section 4 (f) Evaluation for the STPL 5934 (180) Better Market Street, California

Dear Mr. Rivas:

As required under Section 4(f) of the Department of Transportation Act, the United States Department of the Interior, through the National Park Service, has reviewed a draft Section 4(f) Evaluation for the STPL 5934 (180) Better Market Street, California, known as the Better Market Street project. Our comments focus primarily on potential impacts to two National Historic Landmarks (NHLs): San Francisco Civic Center NHL and San Francisco Cable Cars NHL.

The Section 4(f) analysis identified "4(f) use" of only one property, the Market Street Cultural Landscape District. The NPS concurs that there is no feasible and prudent alternative that completely avoids the use of this Section 4(f) property and that the project includes all possible planning to minimize harm to this Section 4(f) property resulting from the transportation use; however, we do not at this time concur that all 4(f) properties have been included in the analysis, nor are we able to concur that the project includes all possible planning to minimize harm, because an analysis of the harm to the SF Civic Center NHL by the proposed elevator within the NHL district was not provided.

In both the Environmental Assessment (EA) and the 4(f) document there is reference to the locally designated Civic Center Landmark district as a property that is potentially eligible for listing on the National Register of Historic Places. The district is described as encompassing the San Francisco National Historic Landmark (NHL) District; however, the NHL district is not separately listed as a historic property. The San Francisco Civic Center National Historic Landmark district should be included in the list of historic properties separately and in addition



to the potentially eligible locally designated Civic Center Landmark district. The Civic Center National Historic Landmark is a discreet designated NHL district with 21 identified contributing resources that requires a higher level of preservation consideration under Section 110 (f) of the National Historic Preservation Act and in accordance with the 2012 Federal Highway 4(f) Policy Paper, which states, “. . . the importance and significance of the NHL should be considered in the FHWA’s Section 4(f) analysis of least overall harm pursuant to 23 CFR 774.3(c)(1)(iii).”

2  
cont'd

Additionally, United Nations Plaza is a contributor to the San Francisco Civic Center NHL district (NHLD); however, this fact appears to have been omitted in the EA and 4(f) analysis resulting in a lack of analysis of the impacts to UN Plaza as a contributor to the NHLD. Additional information is needed to evaluate the impact of the proposed relocation of the BART elevator to a location within UN Plaza as a contributor to the NHLD.

Analysis of the impacts to UN Plaza is limited to consideration of the resource as a contributor to the Market Street Cultural Landscape District (Cultural Landscape District). Proposed measures to minimize harm to the Cultural Landscape District include preparation of a Historic Preservation Treatment Plan for the plazas that are contributors to the Cultural Landscape District; this includes United Nations Plaza. As proposed, this preservation plan would focus on the plaza only as a contributor to the Market Street Cultural Landscape District and not as a contributor to the SF Civic Center National Historic Landmark District. These two districts have different areas and periods of significance and a preservation plan focused on only one of the districts could be potentially detrimental to the other. Considering that the SF Civic Center is a National Historic Landmark and UN Plaza is a contributor to the landmark, any treatment plan would need to take into consideration the characteristics that make it a contributor to the NHL to ensure that those characteristics are preserved.

3

We agree with the No Use determination for the San Francisco Cable Cars National Historic Landmark.

4

The justification provided for not including the Yerba Buena Cemetery as a 4(f) property does not seem adequate. The 2012 Federal Highway 4(f) Policy paper is cited in the justification as follows, “An archaeological resource that is eligible under only Criterion D is generally considered to be valuable, primarily for the data that can be recovered from it. It is generally assumed that there is minimal value to preserving such resources in place. In other words, Section 4(f) does not apply if a site is important chiefly because of what can be learned from data recovery, with minimal value for preservation in place (Federal Highway Administration n.d.)” However, there is no indication that this assessment was done in consultation with the State Historic Preservation Officer in accordance with the Federal Highway 4(f) Policy Paper. Furthermore, a different unrelated project at the Asian Art Museum encountered part of this site during excavation and while some material was recovered for data collection an intact burial was left in situ, which suggests that there is value in preservation in place at the site.<sup>1</sup> It would appear the Yerba Buena Cemetery may qualify as a 4(f) property.

5

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<sup>1</sup> This information regarding the discovery during construction at the Asian Art Museum is from email correspondence between DOT and CalTrans that was included in the 4(f) document.

In a letter dated July 1, 2020, the City of San Francisco Public Works Department (Public Works) provided additional information about the Better Market Street project including a 4(f) finding specifically for the San Francisco Civic Center National Historic Landmark (NHL) district, which was not included in the draft 4(f) document. In the letter, Public Works requested National Park Service concurrence with a de minimis finding for the San Francisco Civic Center NHL district. Public Works also answered subsequent questions regarding the specific location and design for an elevator structure proposed for placement in United Nations Plaza, which is a contributor to the San Francisco Civic Center NHL district. They stated that the new elevator structure has not yet been designed, but they are assuming that it will be of similar size to the existing elevator and that the new elevator would be part of the existing BART/Muni entrance within UN Plaza.

The National Park Service concurs with the de minimis finding, provided that the size of the elevator does not increase and the location remains close to the existing BART/MUNI entrance and not immediately adjacent to or within the character-defining axis of the San Francisco Civic Center NHL district that aligns with the central axis of City Hall and Civic Center Plaza.

Please contact Elaine Jackson-Retondo, Ph.D., Preservation Partnerships & History Program Manager, at [elaine\\_jackson-retondo@nps.gov](mailto:elaine_jackson-retondo@nps.gov) or at (510) 410-2315 if you have questions and requests for further information about these comments. For all other questions please contact me at (415) 420-0524 or at [janet\\_whitlock@ios.doi.gov](mailto:janet_whitlock@ios.doi.gov)

Sincerely,

**JANET  
WHITLOCK** Digitally signed by  
JANET WHITLOCK  
Date: 2020.07.17  
17:19:12 -07'00'

Janet Whitlock  
Regional Environmental Officer

cc:

Shawn Alam, DOI  
Boris Deunert, DPW  
Tom Holstein, CA DOT  
Elaine Jackson-Retondo, NPS  
Desiree Rodarte, DPW  
Nancy Werdel, NPS  
Danette Woo, NPS



## Letter A-3, United States Department of the Interior, July 17, 2020

### Response to Comment A-3.1

Caltrans acknowledges that the National Park Service concurred with the Section 4(f) use of the Market Street Cultural Landscape District, that there is no feasible and prudent alternative that completely avoids the use of this Section 4(f) resource, and that the project includes all possible planning to minimize harm to this Section 4(f) property resulting from the transportation use.

Caltrans acknowledges that the United States Department of the Interior's comments in response to their review of the draft Section 4(f) evaluation focus primarily on potential impacts to two National Historic Landmarks: San Francisco Civic Center National Historic Landmark District and San Francisco Cable Cars National Historic Landmark.

Caltrans acknowledges that the United States Department of the Interior did not concur that the analysis included all Section 4(f) properties or that the project includes all possible planning to minimize harm. The United States Department of the Interior stated that the analysis failed to include an analysis of the harm to the San Francisco Civic Center National Historic Landmark District as a result of proposed changes to the elevator within that district.

Please see response to comment A-3.2 for a discussion of the presumed omission of a Section 4(f) property identified by the United States Department of the Interior. To address any potential harm to San Francisco Civic Center National Historic Landmark District, Table 10, Least Harm Analysis, on page A-109 in the Better Market Street Section 4(f) Evaluation (Final EA Appendix A) was revised to evaluate potential harm to the National Historic Landmarks. Specifically, Caltrans added a row labeled National Historic Landmarks to address all National Historic Landmarks in the area of potential effects (APE) for each of the criteria listed below for minimizing harm. In addition, Caltrans added scoring for these resources and adjusted overall scoring for each alternative under each criterion as shown below in the numbered list as well as total scoring for each alternative (page A-113).

- i. Ability to mitigate adverse effects on each Section 4(f) property (including any measures that result in benefits to the property) (page A-109). National Historic Landmarks scored the same for all alternatives on this criterion, with 4 points out of 5 to account for *de minimis* impacts to the San Francisco Civic Center National Historic Landmark district.
- ii. Relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or features that qualify each Section 4(f) property for protection (page A-109). National Historic Landmarks scored the same for all alternatives on this criterion, with 4 points out of 5 to account for *de minimis* impacts to the San Francisco Civic Center National Historic Landmark district.
- iii. Relative significance of each Section 4(f) property (page A-109). National Historic Landmarks scored the same for all alternatives on this criterion, with 3 points out of 6 to account for the national level significance of the San Francisco Civic Center National Historic Landmark district. No points were allotted for state level and local level significance.

### Response to Comment A-3.2

Caltrans acknowledges the United States Department of the Interior's concern that the Draft EA and Draft Section 4(f) Evaluation did not specifically address impacts to the Civic Center National Historic Landmark District, but rather analyzed potential impacts to the National Historic Landmark

District together with an analysis of the Civic Center Landmark District, a locally designated historic district that Caltrans assumed eligible for NRHP listing and that entirely encompasses the National Historic Landmark District. The Draft EA and Draft Section 4(f) Evaluation were revised in this Final EA and Section 4(f) Evaluation to list the Civic Center National Historic Landmark District as a separate historic property from the Civic Center Landmark District. This Final EA and Section 4(f) Evaluation also includes a revised Appendix B to present an assessment of potential impacts to the Civic Center National Historic Landmark District, supporting a *de minimis* use finding separate from the *de minimis* use finding for the Civic Center Landmark District (page B-25). Caltrans notes that Appendix A to the Draft EA contains analysis of the single historic property sustaining an adverse effect under Section 106 and greater-than-*de minimis* use under Section 4(f), the Market Street Cultural Landscape District. As such, Caltrans did not add analysis of the Civic Center National Historic Landmark District to Appendix A of the Final EA, as consistent with the level of detail included for other properties that have the same Section 4(f) use finding.

Caltrans acknowledges the United States Department of the Interior's statement that Section 110(f) (36 CFR 800.10) of the National Historic Preservation Act requires federal agencies to enact a higher level of preservation consideration for National Historic Landmarks. Caltrans notes that, pursuant to Section 110(f), the responsible federal agency must attempt to minimize harm to National Historic Landmarks prior to approving any undertaking that may directly and adversely affect National Historic Landmarks. Caltrans furthermore notes that the proposed project will have no adverse effect under Section 106 and a *de minimis* use under Section 4(f) regarding the Civic Center National Historic Landmark. Caltrans acknowledges the United States Department of the Interior's comment that the 2012 FHWA 4(f) Policy Paper states the FHWA's analysis of least harm in support of Section 4(f) findings should take into consideration the significance of National Historic Landmarks. As described in the response to Comment A-3.1, above, Caltrans has revised Table 10, Least Harm Analysis, on page A-109 in Appendix A of the Final EA, to evaluate potential harm to the National Historic Landmarks within the APE.

### **Response to Comment A-3.3**

Caltrans acknowledges the United States Department of the Interior's assertion that the Draft Section 4(f) Evaluation does not clearly state that United Nations Plaza is a contributor to the Civic Center National Historic Landmark District, and that insufficient analysis is provided regarding potential impacts to the National Historic Landmark District by the proposed relocation of a BART/Muni station elevator. Caltrans has revised Appendix B in the Final EA to clarify the contributing status of United Nations Plaza in both the Civic Center National Historic Landmark District and Civic Center Landmark District. For each of these historic properties, the analysis on page B-17 of Appendix B to the Final EA has been revised to explain clearly the new BART/Muni station elevator will be similar in scale to the existing elevator, and its proposed location will be within the existing BART/Muni station portal. The relocated BART/Muni station elevator will furthermore not be located in the Fulton Street alignment, such that it will not obstruct any visual or circulation relationships through United Nations Plaza from Market Street to Civic Center Plaza and City Hall that contribute to the significance of the Civic Center National Historic Landmark District and Civic Center Landmark District. These additional details support a Section 4(f) *de minimis* use finding for both the Civic Center National Historic Landmark District and Civic Center Landmark District.

Caltrans acknowledges the United States Department of the Interior's comment that the Historic Preservation Treatment Plan, as required under the Avoidance, Minimization, and/or Mitigation Measures in the Final EA, does not require consideration of United Nations Plaza's status as a

contributor to the Civic Center National Historic Landmark District. Caltrans has added a stipulation under AMM-CUL-4 in Section 2.1.6.5, Avoidance, Minimization, and/or Mitigation Measures, on page 2.1.6-37 that requires the HPTP to take into account United Nations Plaza's contribution to the significant characteristics of the Civic Center National Historic Landmark District when recommending acceptable future treatments for United Nations Plaza.

#### **Response to Comment A-3.4**

Caltrans acknowledges that the United States Department of the Interior agrees with the no use determination for the San Francisco Cable Cars National Historic Landmark.

#### **Response to Comment A-3.5**

Caltrans acknowledges the United States Department of the Interior's concern that the Yerba Buena Cemetery was not included as a 4(f) property. Yerba Buena Cemetery was reviewed for its eligibility for listing to the National Register of Historic Places (NRHP) of the National Historic Preservation Act (NHPA). During this review it was decided that Yerba Buena Cemetery was likely not eligible for Criteria A, B, or C due to the resource being completely covered by modern development and therefore lacking the required integrity needed to be considered eligible under the first three criteria. Yerba Buena Cemetery was assumed eligible under Criterion D for its potential to provide data that could answer questions important to local, state, or national history. Despite previous data recovery efforts preserving material in place, Caltrans determined that Yerba Buena Cemetery is eligible solely for its potential to provide archaeological material collected through data recovery. The State Historic Preservation Officer (SHPO) concurred with this finding on April 23, 2020. Therefore, because Yerba Buena Cemetery is assumed eligible under Criterion D and has minimal value for preserving associated archaeological material in place, it does not qualify as a Section 4(f) property as described in the 2012 Federal Highway 4(f) Policy Paper<sup>1</sup>. A Data Recovery Plan will be put in place to guide and inform future data recovery efforts.

#### **Response to Comment A-3.6**

Caltrans acknowledges that the United States Department of the Interior requested additional information about the proposed project, including a Section 4(f) finding for the San Francisco Civic Center National Historic Landmark District and location and design details regarding the relocated BART/Muni elevator at United Nations Plaza, a contributor to the San Francisco Civic Center National Historic Landmark District. San Francisco Public Works anticipates that the relocated elevator will be of a similar size to the existing elevator and, as stated on page 1-40 in Chapter 1 of the Draft EA, will be relocated to the current location of a staircase entrance to the Civic Center station within United Nations Plaza. Alternatively, the BART/Muni elevator may remain in its current location.

Caltrans acknowledges the United States Department of the Interior's concurrence with the *de minimis* finding for the San Francisco Civic Center National Historic Landmark District, provided that the new elevator is not larger than the existing elevator and that its location remains close to the existing BART/Muni entrance and is not moved to a location immediately adjacent to or within the character-defining axis of the San Francisco Civic Center National Historic Landmark District that aligns with the central axis of City Hall and Civic Center Plaza.

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<sup>1</sup> Federal Highway Administration. 2012. Section 4(f) Policy Paper. July 20. Available: <https://www.environment.fhwa.dot.gov/legislation/section4f/4fpolicy.pdf>. Accessed: October 8, 2019.

**John Lisovsky**

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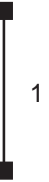
**From:** John Lisovsky <[lisovsky@icloud.com](mailto:lisovsky@icloud.com)>  
**Sent:** Friday, May 29, 2020 4:54:11 PM  
**To:** Deunert, Boris (DPW) <[boris.deunert@sfdpw.org](mailto:boris.deunert@sfdpw.org)>  
**Subject:** I Support Better Market Street

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Boris Deunert:

As a daily cyclist who uses Market Street to get my job teaching middle schoolers at Francisco Middle School, I can't express how awesome BMS is. It makes me safer on a daily basis. It makes Market Street (relatively) still and peaceful. I strongly support it and hope there are no issues getting it through environmental review.

Best wishes,  
John Lisovsky  
(MTA CAC)





**Letter I-1, John Lisovsky, May 29, 2020**

**Response to Comment I-1.1**

The commenter's support for the proposed project is noted.

**Mary Miles**

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**From:** Mary Miles <[page364@earthlink.net](mailto:page364@earthlink.net)>  
**Sent:** Friday, May 29, 2020 8:40:21 PM  
**To:** Deunert, Boris (DPW) <[boris.deunert@sfdpw.org](mailto:boris.deunert@sfdpw.org)>  
**Subject:** IMMEDIATE DISCLOSURE REQUEST

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

FROM:  
Mary Miles  
Attorney at Law  
364 Page St., #36  
San Francisco, CA 94102

TO:  
Boris Deunert  
San Francisco Public Works  
30 Van Ness Avenue, 5th Floor  
San Francisco, CA 94102  
[Boris.Deunert@sfdpw.org](mailto:Boris.Deunert@sfdpw.org)

## **IMMEDIATE DISCLOSURE REQUEST**

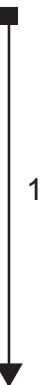
RE: REQUEST FOR Better Market Street NEPA documents

DATE: May 29, 2020

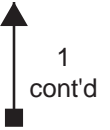
Dear Mr. Deunert:

I request a hard copy of the Draft Environmental Assessment and the Draft Environmental Assessment: Appendices on the Better Market Street Project. The links to pdf documents are too large to download. Please also provide either a flash drive or disc containing electronic versions of these documents. Please mail these documents to my above return address.

I also request notice of all proceedings on the Better Market Street Project and its environmental review. I object to Zoom meetings, because they exclude the members of the public who do not have computers or other capability to participate in “zoom” proceedings.



Finally, I request the full contact information of the Federal Agency that is conducting the federal (NEPA and other) environmental review of the Better Market Street Project.



Thank you.

Mary Miles

## Letter I-2, Mary Miles, May 29, 2020

### Response to Comment I-2.1

San Francisco Public Works has appropriately engaged and informed the public of the proceedings of Better Market Street throughout the environmental process. The Draft EA was made available in an electronic format, free of charge, consistent with the Council on Environmental Quality's (CEQ) regulations for implementing the National Environmental Policy Act (40 CFR § 1506.6[f]). The commenter's request to obtain a hard copy and flash drive of the document was responded to in a timely manner. The Draft EA is not considered a document routinely produced in multiple copies for distribution (e.g., copies of an agenda reproduced for a meeting) per San Francisco Administrative Code § 67.28(b), but instead falls under the category of a document assembled and copied to the order of the requestor per San Francisco Administrative Code § 67.28(c). San Francisco Public Works made a good faith effort at providing a reasonable accommodate to the commenter by offering a hard copy of the Draft EA to the commenter at a cost of 10 cents per page plus postage, as allowed for under San Francisco Administrative Code § 67.28(c). In addition, San Francisco Public Works offered a flash drive of the Draft EA to the commenter at a cost of \$8.60. The San Francisco Public Works public records request process is structured in accordance with the San Francisco Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) and the California Public Records Act (California Govt. Code § 6250 et seq). Per California Govt. Code § 6253(b), an agency "shall make the records promptly available to any person upon payment of fees covering direct costs of duplication..." The commenter refused to provide payment for either the hard copy or the flash drive and, thus, neither a hard copy nor a flash drive has been provided to the commenter.

The commenter is already on the distribution list for the proposed project. An electronic Notice of Availability of the Draft EA for the proposed project was sent to the commenter on May 29, 2020. The Notice of Availability included a link to the downloadable Draft EA files as well as details regarding the public review period, public hearing, and prior California Environmental Quality Act clearance. The commenter will continue to receive future notifications related to the proposed project.

The commenter's objection to Zoom meetings, the method by which the public hearing was conducted, is noted. The use of a virtual meeting platform to conduct the public hearing was essential due to the public health concerns of COVID-19. San Francisco Public Works took every reasonable action to make the meeting accessible to members of the public who do not have a readily available computer by providing a toll-free phone number to access the meeting.

The environmental review, consultation, and any other actions required by applicable Federal environmental laws for the proposed project are being carried out by Caltrans pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 23, 2016, and executed by the Federal Highway Administration and Caltrans. The Caltrans project reference number is STPL-5934(180). The Caltrans project reference number is also the assigned federal-aid project number. A copy of the aforementioned Memorandum of Understanding is available at: <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/ser/327-mou-201612-final-a11y.pdf>. Essentially, this means all National Environmental Policy Act (NEPA) federal level correspondence on this project comes through Caltrans rather than any other federal agency. Please contact Haiyan Zhang (haiyan.zhang@dot.ca.gov) and Dan Rivas (dan.rivas@dot.ca.gov) at Caltrans for more information regarding the proposed project. Project consultation is being carried out by San Francisco Public Works.

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**From:** Mary Miles <[page364@earthlink.net](mailto:page364@earthlink.net)>  
**Sent:** Tuesday, June 16, 2020 9:27 AM  
**To:** Holstein, Thomas@DOT <[tom.holstein@dot.ca.gov](mailto:tom.holstein@dot.ca.gov)>  
**Subject:** REQUEST FOR TIME EXTENSION FOR PUBLIC COMMENT AND REQUEST FOR HARD COPIES OF EA ON BETTER MARKET STREET PROJECT

**EXTERNAL EMAIL.** Links/attachments may not be safe.

FROM:  
 Mary Miles (SB #230395)  
 Attorney at Law  
 364 Page St., #36  
 San Francisco, CA 94102  
 E-mail: [page364@earthlink.net](mailto:page364@earthlink.net)

TO:  
 Tom Holstein  
 Senior Environmental Planner  
 Caltrans D4 Local Assistance  
 111 Grand Ave, Oakland, CA 94612  
[tom.holstein@dot.ca.gov](mailto:tom.holstein@dot.ca.gov)

DATE: June 16, 2020


RE: EA on the “Better Market Street” Project of San Francisco Municipal Transportation Agency (“SFMTA”) and San Francisco Department of Public Works (“DPW”)

**REQUEST FOR TIME EXTENSION FOR PUBLIC COMMENT**

Dear Mr. Holstein:


According to Mr. Deunert of SFDPW, you are the federal agency official to contact on the “Better Market Street” Project noted above. The San Francisco agencies are requesting significant federal funding for this Project, the cost of which has been stated at six hundred million dollars, and will likely approach more than a billion dollars, mostly federal money. SFDPW has refused to provide the contact name(s) and address(es) for the federal agency officials handling the FEDERAL ENVIRONMENTAL ASSESSMENT (“EA”). If you have that information, please provide it immediately.

1



If Caltrans is tasked with officiating federal review of the above Project under NEPA and historical statute protections, please provide the records of any MOU and/or statutory or regulatory citation(s) delegating that task to Caltrans and/or any other state or local agency. Please provide all reference numbers used by any agency for this Project. Please also place my name on all notice lists pertaining to this Project.

2





On June 1, 2020, I requested that SFPDW provide me with a hard copy of the EA and Appendices, which, under the San Francisco Sunshine Ordinance, San Francisco Administrative Code, secs. 67 *et seq.*, 67.28(a), (b), must be provided at one cent per page. SFPDW instead illegally demands payment of ten cents per page for what is a “routinely produced” record under the Sunshine Ordinance. (SF Admin. Code sec. 67.28(b). I intend to submit public comment on this Project. I need to be able to see the hard copies and coherent copies of these documents to submit informed public comment. I am not required to pay large sums for their reproduction under the Sunshine Ordinance.

3

Right now, **I respectfully request that the due date for public comment on this Project be extended by at least 30 days, or until such time as those documents are provided to me or made publicly available**, because those documents are necessary for informed public comment, and the alleged facilities where a hard copy may be publicly viewed, such as public and/or law libraries and public agencies, are closed due to the Covid-19 epidemic. Please advise me that the time has been extended, and if available, please provide me with hard copies of these public records.

Thank you.

Mary Miles

## Letter I-3, Mary Miles, June 16, 2020

### Response to Comment I-3.1

This email was received by and responded to by Tom Holstein at Caltrans the same day that it was received, June 16, 2020. The response by Tom Holstein clarified that the environmental review responsibilities are being carried out by Caltrans, and that project consultation is being carried out by San Francisco Public Works.

### Response to Comment I-3.2

The environmental review, consultation, and any other actions required by applicable Federal environmental laws for the Better Market Street project are being carried out by Caltrans pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 23, 2016, and executed by the Federal Highways Administration and Caltrans. Our project reference number is STPL-5934(180). The Caltrans project reference number is also the assigned federal-aid project number. A copy of the aforementioned Memorandum of Understanding is available through the following link: <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/ser/327-mou-201612-final-a11y.pdf>. Caltrans internal reference number for this project is STPL-5934(180). The commenter is already on the distribution list for the proposed project.

### Response to Comment I-3.3

The Draft EA was made available in an electronic format, free of charge, consistent with the Council on Environmental Quality's (CEQ) regulations for implementing the National Environmental Policy Act (40 CFR § 1506.6[f]). The commenter's request to obtain a hard copy and flash drive of the document was responded to in a timely manner. The Draft EA is not considered a document routinely produced in multiple copies for distribution (e.g., copies of an agenda reproduced for a meeting) per San Francisco Administrative Code § 67.28(b), but instead falls under the category of a document assembled and copied to the order of the requestor per San Francisco Administrative Code § 67.28(c). San Francisco Public Works made a good faith effort at providing a reasonable accommodate to the commenter by offering a hard copy of the Draft EA to the commenter at a cost of 10 cents per page plus postage, as allowed for under San Francisco Administrative Code § 67.28(c). In addition, San Francisco Public Works offered a flash drive of the Draft EA to the commenter at a cost of \$8.60. The San Francisco Public Works public records request process is structured in accordance with the San Francisco Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) and the California Public Records Act (California Govt. Code § 6250 et seq). Per California Govt. Code § 6253(b), an agency "shall make the records promptly available to any person upon payment of fees covering direct costs of duplication..." The commenter refused to provide payment for either the hard copy or the flash drive and, thus, neither a hard copy nor a flash drive has been provided to the commenter.

In addition, Caltrans' standard policy for Draft EA consultation is a 30-day comment period. However, this was extended to 45 days because of a requirement to consult the Department of Interior and the State Historic Preservation Officer under 23 Code of Federal Regulations 774.5. As of the date of this comment (June 16, 2020), there was sufficient time remaining in the comment period (ending on July 14, 2020) to prepare informed public comments. In addition, the commenter was afforded the same opportunity to review and comment on the Draft EA as all other members of the public.

**From:** Leslie Karren <[karrenco@aol.com](mailto:karrenco@aol.com)>  
**Sent:** Wednesday, June 17, 2020 8:31:20 PM  
**To:** Deunert, Boris (DPW) <[boris.deunert@sfdpw.org](mailto:boris.deunert@sfdpw.org)>  
**Subject:** Re: Better Market Street Draft Environmental Assessment Now Available for Public Review

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi:

I want to say I am in favor of making Market Street to look nicer.

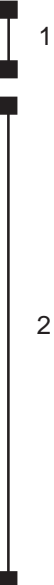
However, I would like to make another appeal to re-open the Battery Street bridge. There is a way to design it so cars and bikes can safely use it. Making it another plaza doesn't make sense as it does not get much sun.

That bridge was used by those of us that park in the garages between Pine & Bush and make the same right turn onto Market that those leaving the One Bush Garage use to then go up Sutter Street to get home.

In being forced to go down First to Mission Street you are adding around 1/2 mile to our commute home and depending on the day it could be 1/2 hour to our commute. More cars idling in traffic is not good for the environment. Today, as things are starting to open up, it took me 20 minutes just to get to Market Street from the 1 Front Garage where I parked.

Regards,  
Leslie

-----Original Message-----  
From: San Francisco Public Works <[bettermarketstreet@sfdpw.org](mailto:bettermarketstreet@sfdpw.org)>  
To: [karrenco@aol.com](mailto:karrenco@aol.com)  
Sent: Fri, May 29, 2020 9:02 am  
Subject: Better Market Street Draft Environmental Assessment Now Available for Public Review





## Notice of Availability of Draft Environmental Assessment for the Better Market Street Project



**May 29, 2020**

San Francisco Public Works and the California Department of Transportation (Caltrans) have released the Draft Environmental Assessment (Draft EA) for the Better Market Street Project that complies with the National Environmental Policy Act (NEPA). You are invited to review the Draft EA and provide comment.

The Draft EA for the Better Market Street Project is available to download at [www.bettermarketstreetsf.org/EA](http://www.bettermarketstreetsf.org/EA).

**Public comments** will be accepted from May 29, 2020 until 5:00 p.m. on July 14, 2020, and may be submitted, in writing, to:

Boris Deunert  
San Francisco Public Works, 30 Van Ness Avenue, 5th Floor  
San Francisco, CA 94102  
Email: [Boris.Deunert@sfdpw.org](mailto:Boris.Deunert@sfdpw.org)

## Public Hearing

A virtual public hearing, consisting of a video and audio presentation conducted via Zoom, will be held on **Wednesday June 17, 2020** from 4:00-6:00 p.m. to provide an overview of the Draft EA and receive public comments. Further details for the public hearing will be available on the project website: [www.bettermarketstreetsf.org/EA](http://www.bettermarketstreetsf.org/EA).

If you have questions about the design or implementation of the Better Market Street project, please contact Coma Te at [Coma.Te@sfdpw.org](mailto:Coma.Te@sfdpw.org).

## CEQA Clearance

California Environmental Quality Act (CEQA) clearance occurred through a separate process with the San Francisco Planning Department as the CEQA lead agency. The Environmental Impact Report was certified by the San Francisco Planning Commission on October 10, 2019.

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(Español)



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(中文)





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(Tagalog)



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Questions? Send us an email: [bettermarketstreet@sfdpw.org](mailto:bettermarketstreet@sfdpw.org)



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**Letter I-4, Leslie Karren, June 17, 2020****Response to Comment I-4.1**

The commenter's support for improving the visual and aesthetic quality of the Market Street corridor is noted.

**Response to Comment I-4.2**

The commenter's concerns regarding the Battery Street bridge are noted. As stated on page 1-8 in Chapter 1 of the Draft EA, private vehicles are not currently permitted on Market Street eastbound (inbound) between 10th and Main streets and westbound (outbound) between Steuart Street and Van Ness Avenue. No additional private vehicle restrictions will be implemented with the proposed project, as stated on page 1-27. Thus, the proposed project would not change existing conditions at the One Bush garage regarding vehicle egress.

**From:** Daniel Nunes <[dan1964@me.com](mailto:dan1964@me.com)>

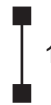
**Sent:** Tuesday, June 30, 2020 11:56 AM

**To:** DPW, BetterMarketStreet, (DPW) <[bettermarketstreet@sfdpw.org](mailto:bettermarketstreet@sfdpw.org)>

**Subject:** Re: Reminder: Better Market Street Draft Environmental Assessment is available for review and public comments!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

You might want to address to homeless issue... until that's solved it won't matter what you do.



DAN NUNES

Ocean Beach

San Francisco, California

On Jun 30, 2020, at 2:52 PM, San Francisco Public Works <[bettermarketstreet@sfdpw.org](mailto:bettermarketstreet@sfdpw.org)> wrote:



# Better Market Street Draft Environmental Assessment



June 30, 2020

**Reminder: There are two weeks left to review the Better Market Street Draft Environmental Assessment!**

The Draft EA for the Better Market Street Project is available to download at [www.bettermarketstreetsf.org/EA](http://www.bettermarketstreetsf.org/EA).

**Public comments** will be accepted from May 29, 2020 until **5:00 p.m. on July 14, 2020**, and may be submitted, in writing, to:

Boris Deunert  
San Francisco Public Works, 30 Van Ness Avenue, 5th Floor  
San Francisco, CA 94102  
Email: [Boris.Deunert@sfdpw.org](mailto:Boris.Deunert@sfdpw.org)

If you have questions about the design or implementation of the Better Market Street project, please contact Coma Te at [Coma.Te@sfdpw.org](mailto:Coma.Te@sfdpw.org).

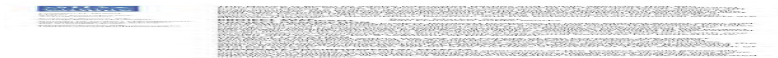
## Availability of Draft Environmental Review

San Francisco Public Works and the California Department of Transportation (Caltrans) have released the Draft Environmental Assessment (Draft EA) for the Better Market Street Project that complies with the National Environmental Policy Act (NEPA). You are invited to review the Draft EA and provide comment.

## CEQA Clearance

California Environmental Quality Act (CEQA) clearance occurred through a separate process with the San Francisco Planning Department as the CEQA lead agency. The Environmental Impact Report was certified by the San Francisco Planning Commission on October 10, 2019.

The **Notice of Availability** is available below in English | Español | 中文 | Tagalog. (Click on an image to access the full notice in that language.)



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Questions? Send us an email: [bettermarketstreet@sfdpw.org](mailto:bettermarketstreet@sfdpw.org)



San Francisco Public Works | City Hall , 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

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**Letter I-5, Dan Nunes, June 30, 2020****Response to Comment I-5.1**

Caltrans acknowledges the commenter's concerns regarding homelessness. The comment does not raise a specific issue on the substance of the Draft EA.

In terms of the potential for the project to affect homeless populations along the project corridor, as discussed on page 2.1.2-10 in Section 2.1.2 of the Draft EA, construction activities associated with the proposed project have the potential to affect homeless persons who may be present within the corridor. The start of construction in any given location along the corridor will require homeless persons to move from that area to a different location in the city, which could increase the homeless population in other areas of the city. In accordance with AMM-CI-10 on page 2.1.2-53, San Francisco Public Works will conduct targeted outreach to homeless persons along the project corridor to notify them at least three days in advance of construction activities. In addition, in accordance with AMM-CI-11, San Francisco Public Works will work with local or nonprofit groups that assist the homeless, such as the Department of Homelessness and Supportive Housing – Homeless Outreach Team, to move homeless persons from construction zones to shelters, transitional housing, or supportive housing to the extent feasible.

---

**From:** Avishai Halev <[avishaihalev@gmail.com](mailto:avishaihalev@gmail.com)>  
**Sent:** Tuesday, June 30, 2020 3:17 PM  
**To:** DPW, BetterMarketStreet, (DPW) <[bettermarketstreet@sfdpw.org](mailto:bettermarketstreet@sfdpw.org)>  
**Subject:** Environmental Assessment Comment

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Better Market Street Team,

The Better Market Street project is a fantastic prioritization of transit, pedestrians and cyclists in San Francisco. I would urge the team in the strongest terms to adopt the design option to prioritize transit and bicycles between Octavia and Hayes streets.

The extent of street space in this vicinity that is devoted to transit and bicycles pales in comparison to the street space that is devoted to cars, and in a city with a "Transit First" policy it is imperative to promote those modes that are sustainable both for the community and the environment. The design option reflects this, and gives a clear signal that San Francisco's principal thoroughfare is a sustainable one for the future.

Sincerely,  
Avishai Halev  
District 8

1

## **Letter I-6, Avishai Halev, June 30, 2020**

### **Response to Comment I-6.1**

The commenter's support for the proposed project is noted. In addition, the commenter's support for adopting the design option is noted.

From: Howard <[wongaia@aol.com](mailto:wongaia@aol.com)>  
Sent: Saturday, July 4, 2020 6:53:09 AM  
To: Deunert, Boris (DPW) <[boris.deunert@sfdpw.org](mailto:boris.deunert@sfdpw.org)>  
Subject: COMMENTS: BETTER MARKET STREET ENVIRONMENTAL ASSESSMENT

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## BETTER MARKET STREET PLAN : COMMENTS

### ZONING FOR STREET LIFE: COMBINING STREET-LEVEL HOUSING & COMMERCIAL/ RETAIL

Zoning is very related to better streets, especially with the desolation caused by Coronavirus. As seen throughout history, zoning can create smaller affordable spaces for homes and stores. In cities like Hong Kong and Paris, people live in small dwellings, with “living rooms” in the public realm and streets. When resources are scarce, dwellings and businesses are combined, pushing tables/ chairs/ racks outside the “home” and combining two leases into one. An artist’s studio can double as a gallery/ home. Whether a pie stand on the front porch or a noodle café on the sidewalk, human ingenuity spurs street activation.



**SYDNEY MORNING HERALD:** Laneway culture is the beating heart of Melbourne. But it wasn't always like this <http://www.smh.com.au/comment/out-of-the-way-industrial-a-little-shabby-how-very-melbourne-20170330-gv9z8f.html> We take it for granted now that Melbourne is a thriving 24-hour city, with bustling laneways full of bars, clubs, restaurants and ever-so-photogenic street art. We take it for granted that it's a place humming with a resident population and economic activity, with cyclists, pedestrians and trams jostling for position on a car-free Swanston Street. We take it for granted that Melbourne is alive. But it wasn't always like this. The emergence of this thriving city of tiny public spaces didn't happen completely by chance. Changes to our licensing laws (making it permissible to have a drink without ordering a meal), the boom in CBD residents (from a few hundred in 1990 to 37,000 in 2016, [two-thirds of them under the age of 35](#)), and a deliberate strategy to focus on education, hospitality, culture and design have all shaped Melbourne's modern identity.

**ABUNDANT ARTIST:** Artist Housing Projects <https://theabundantartist.com/artist-housing-projects/> There is a boom in artist housing communities going on in the USA. As artists are priced out of the New York's and the LA's, and as





## Letter I-7, Howard Wong, July 4, 2020

### Response to Comment I-7.1

Caltrans acknowledges the commenter's suggestions regarding streetscape standards. The comment does not raise a specific issue on the substance of the Draft EA. As discussed on page 1-32 in Chapter 1 of the Draft EA, the project proposes "Streetlife Zones" to maximize the reuse of underutilized street space to encourage the activation of public spaces. Streetlife Zones will be extra-wide furnishing zones adjacent and complementary to the pedestrian through zone and the sidewalk-level bikeway. These Streetlife Zones will allow the installation of features such as street furniture, benches, moveable tables and chairs, small retail stands (e.g., flower sellers, food carts), public restrooms, wayfinding signs, real-time transit information, and newsstands.

### Response to Comment I-7.2

Caltrans acknowledges the commenter's suggestions regarding pavers. As stated on page 1-27 in Chapter 1 of the Draft EA, all existing sidewalks within the project footprint will be removed from the property line to the curb and replaced. Existing brick sidewalk surfaces will be replaced with paving materials, consistent with local implementation of federal accessibility requirements.<sup>2</sup> Replacement sidewalk surfaces will meet current standards for traction (a minimum coefficient of friction of 0.65 for a relatively flat sidewalk and 0.80 for sloped surfaces greater than 1:20) and be consistent with the requirements of the San Francisco Planning Department's 1995 *Downtown Streetscape Plan* for special sidewalk surfaces, which are applicable elsewhere in the downtown area. The new surface will consequently comply with the U.S. Access Board's Public Rights-of-Way Access Advisory Committee Final Report, part III, section X02.1.6, and its minimum requirements for public sidewalks, which call for pedestrian routes on new sidewalk surfaces to be as free of jointed surfaces and visually uniform as possible. All new sidewalks will comply with federal accessibility requirements regarding minimum widths and allowable materials for an accessible pedestrian access route.

The proposed replacement of all existing paving materials within the public right-of-way along the project corridor will improve the aesthetics and accessibility of the corridor to all users; the project does not include replacement of existing paving materials within large plazas adjacent to Market Street. The project will widen the sidewalk area and completely replace existing surface pavement and curbing. Existing red brick paving in herringbone patterns will be replaced with unit pavers, according to the City's standard paving material palette and consistent with ADA standards and the San Francisco *Downtown Streetscape Plan*. Although the new pavement will differentiate the pedestrian sidewalk area from the vehicular space, paver sizes, materials, and finishes may differ in various locations within the sidewalk area. For example, a paver used in the pedestrian through zone may be different from what is used in the furnishing zone/Streetlife Zone. Sidewalk use zones will be delineated using variations in paving materials and the scale, proportion, and color of those materials. The paving pattern will follow the unique intersections of Market Street within the project corridor.

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<sup>2</sup> Public Works Order 200369 sets forth numerous regulations regarding allowable paving materials, shapes, and dimensions; it also describes the installation requirements.

**Response to Comment I-7.3**

Caltrans acknowledges the commenter's suggestions regarding street closures. As stated on page 1-8 in Chapter 1 of the Draft EA, private vehicles are not currently permitted on Market Street eastbound (inbound) between 10th and Main streets and westbound (outbound) between Steuart Street and Van Ness Avenue. No additional private vehicle restrictions will be implemented with the proposed project, as stated on page 1-27. The project will facilitate access to businesses along the project corridor by improving the accessibility of the corridor and quality of its streetscape environment, benefitting the hundreds of thousands of pedestrians, transit riders, and bicyclists that currently use the corridor each day.<sup>3</sup>

In addition, the commenter has been added to the distribution list for the proposed project. The commenter will receive future notifications related to the proposed project.

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<sup>3</sup> Caltrans acknowledges that use of the corridor as of the time this document was published is less than historical conditions due to COVID-19; however, past experience demonstrates that increases in economic activity, and corresponding increases in pedestrian activity and transit volumes, follow economic downturns.

**From:** Ken Maley <[mediacons1@aol.com](mailto:mediacons1@aol.com)>  
**Sent:** Sunday, July 12, 2020 2:28:35 PM  
**To:** Deunert, Boris (DPW) <[boris.deunert@sfdpw.org](mailto:boris.deunert@sfdpw.org)>  
**Cc:** Olea, Cristina (DPW) <[Cristina.C.Olea@sfdpw.org](mailto:Cristina.C.Olea@sfdpw.org)>; Te, Coma (DPW) <[coma.te@sfdpw.org](mailto:coma.te@sfdpw.org)>  
**Subject:** Re: BMS Alternative details

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Boris--I have read through as much as I can find on the Western Alternative, that is expected to affect our portion of Market Street from Van Ness to Octavia. It does not seem there will be major changes in this area for some time yet. I have shared a brief report to our neighbors.

I am grateful to learn businesses in this area will be notified as the project approaches prior to impact. Could my comments reflect this and ask how far in advance of impact will we be notified? And will there be opportunities to check on the progress as the project moves westward or changes in traffic or design? I am assuming of the 7 specific sites, 3 will move westward.

The PW and MTA staff working on the project have been very helpful informing our neighborhood projected various impacts and elements of BMS.

All greatly appreciate the staff's time and outreach.

Thanks for your responses.

Ken Maley  
 Media Consultants International  
 415 956 1069

-----Original Message-----  
**From:** Deunert, Boris (DPW) <[boris.deunert@sfdpw.org](mailto:boris.deunert@sfdpw.org)>  
**To:** [mediacons1@aol.com](mailto:mediacons1@aol.com) <[mediacons1@aol.com](mailto:mediacons1@aol.com)>  
**Cc:** Olea, Cristina (DPW) <[Cristina.C.Olea@sfdpw.org](mailto:Cristina.C.Olea@sfdpw.org)>; Te, Coma (DPW) <[coma.te@sfdpw.org](mailto:coma.te@sfdpw.org)>  
**Sent:** Thu, Jul 2, 2020 4:09 pm  
**Subject:** Re: BMS Alternative details

Dear Ken Maley,  
 we appreciate your comments. You can find the description of the design option on pages 1-11 and 1-12, with plans shown on Figure 1-3 and a cross section on Figure 1-4. A description of the changes to vehicular traffic are described on pages 2.1.4-12 and 2.1.4-13. A description of changes to pedestrian facilities is on page 2.1.4-14, and on bicycle facilities is on page 2.1.4-16.

Best,  
 Boris

Boris Deunert Ph.D.  
 San Francisco Public Works

1

Manager of Regulatory Affairs  
Cell 415 423-4021

Ms Te--I have been following the BMS project for some time and have been especially tracking the Alternate Plan for Octavia to Hayes St..mostly for the merchants between Van Ness and Octavia. Some of the traffic pattern changes will severely affect these small businesses from bookstore to event space to hotel/motel and restaurants.

Fortunately MTA an PW staff assigned to the BMS project have been very attentive to our concerns, which are greatly appreciated.

But it would be helpful to us if I could be guided to the specific section of current daft EV report focusing on the Alternate plans that may indicate any further refinements or details of the Alternate portions.

Advising on the EV impacts to this narrow portion of the project will assist us in evaluating the impacts and formulating any public comment we may submit, if any.

Ken Maley  
Media Consultants International  
415 956 1069





## Letter I-8, Ken Maley, July 12, 2020

### Response to Comment I-8.1

Caltrans acknowledges the commenter's concerns regarding potential impacts on businesses along the project corridor. The project contains a number of standardized measures that are used on most, if not all, San Francisco Public Works projects and were not developed in response to any specific environmental impact resulting from the proposed project. San Francisco Public Works requires all construction contracts to include San Francisco Public Works' standard construction measures (SMs) in bid packages for the purposes of protecting human health and safety as well as environmental resources. As discussed on page I-48 in Chapter 1 of the Draft EA, the project would be required to comply with SM-TRA-1, Construction Management Plan. Specifically, SM-TRA-1 would require construction coordination with adjacent businesses. During construction of the proposed project, access to all abutting businesses shall be maintained, either through the existing sidewalk or a reduced sidewalk area or temporary access ramp. Signs shall be installed, indicating that the businesses are "open during construction." All temporary access ramps shall be in compliance with the ADA. In addition, SM-TRA-1 would require project Construction updates for adjacent businesses and residents. To minimize construction impacts on access, the project sponsor shall provide adjacent and nearby businesses and residents with regularly updated information regarding project construction, including construction activities, peak construction vehicle activities, travel-lane closures, and other lane closures. At regular intervals, to be defined in the construction management plan, a regular email notice shall be distributed by the project sponsor that provides current construction information of interest to neighbors as well as contact information for specific construction inquiries or concerns.

Regarding the commenter's concern regarding checking on project progress, the Better Market Street Project website is available at the following URL: <http://www.bettermarketstreetsf.org>. The website offers updated information and design on the project, ongoing studies, emerging issues, and schedule. Information on upcoming Better Market Street Project events, such as community information meetings, Community Working Group meetings, or public hearings, is also posted to the website. Members of the community may also use the website to contact the Better Market Street Project team at any time with issues or concerns about the proposed project. San Francisco Public Works continues to send out project information emails, conduct regular stakeholder engagement meetings, and provide regular updates to various City agencies and commissions.

### Response to Comment I-8.2

Caltrans acknowledges the commenter's concerns regarding potential impacts on businesses along the project corridor, including the area that will be affected by the design option. A description of the design option is provided on pages 1-11 and 1-12 in Chapter 1 of the Draft EA. The design option reflects differences in emphasis with respect to prioritizing different modes of transportation, principally transit and bicycles, and refers to the approximately 0.6-mile portion of Market Street between Octavia Boulevard and a point approximately 300 feet east of the intersection of Hayes and Market streets. This design option also includes a portion of 11<sup>th</sup> Street south of Market Street. Figures 1-3 and 1-4 in the Draft EA show the differences between the Build Alternative and the design option.

As discussed on page 1-27 of the Draft EA, the design option will modify the design of the Build Alternative to include additional private vehicle restrictions beyond those currently in effect. These

modifications will extend private vehicle access restrictions for all westbound (outbound) private vehicles from Van Ness Avenue to 12<sup>th</sup> Street. The design option will also require a right turn for eastbound (inbound) Market Street vehicles at 12<sup>th</sup> Street. The design option will require that northbound 12<sup>th</sup> Street traffic only be allowed to turn left onto westbound Market Street. Commercial vehicles will not be permitted to travel westbound on Market Street between Ninth and 12<sup>th</sup> streets and eastbound between 12<sup>th</sup> and Ninth streets (with the exception of the general purpose curb lane between 11<sup>th</sup> and 10<sup>th</sup> streets). In addition, a description of the changes to vehicular traffic under the proposed project and the design option are discussed on pages 2.1.4-12 and 2.1.4-13 of the Draft EA. A description of changes to pedestrian facilities is on pages 2.1.4-13 through 2.1.4-15, and on bicycle facilities is on pages 2.1.4-15 and 2.1.4-16.

-----Original Message-----

From: Tim Hickey <[tahickey@gmail.com](mailto:tahickey@gmail.com)>

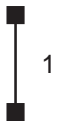
Sent: Monday, July 13, 2020 7:53 PM

To: DPW, BetterMarketStreet, (DPW) <[bettermarketstreet@sfdpw.org](mailto:bettermarketstreet@sfdpw.org)>

Subject: Better Market Street

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Hi,  
I fully support the Quick Build and longer term plans for making Market Street safer for cyclists and pedestrians and making Muni run faster.  
Thanks,  
Tim Hickey  
Sent from my iPad



## **Letter I-9, Tim Hickey, July 13, 2020**

### **Response to Comment I-9.1**

The commenter's support for the Vision Zero Quick Build improvements and for the proposed project is noted.

FROM:

Mary Miles, Attorney at Law (SB #230395)  
for Coalition for Adequate Review  
364 Page St., #36  
San Francisco, CA 94102  
(415) 863-2310

TO:

San Francisco Department of Public Works  
Attn: Boris Deunert, Manager of Regulatory Affairs  
30 Van Ness Avenue, 5th Floor  
San Francisco, CA 94102

**BY E-MAIL TO:** Boris.Deunert@sfdpw.org

DOT Reference No.: Federal Project Number: STPL 5934 (180)

DATE: July 14, 2020

**PUBLIC COMMENT ON DRAFT ENVIRONMENTAL ASSESSMENT AND DRAFT SECTION 4(f) EVALUATION OF BETTER MARKET STREET PROJECT**

**1. Introductory Comments**

This is public comment on the Draft Environmental Assessment ("EA") on the Better Market Street Project ("Project"). This Comment is incomplete due to the lack of adequate time and the withholding of the EA itself from public view. There is no reason to rush proceedings on this Project while the Covid pandemic has closed government offices and libraries, preventing public research. Further, San Francisco Department of Public Works ("DPW") refused to provide a copy of the EA itself, cutting weeks off the comment period. (40 CFR 1506.6(f).) The EA is factually and legally inadequate. An Environmental Impact Statement ("EIS") is required to provide accurate information on the Project's impacts to the public and decisionmakers.

The Project is a major federal project, because it will cost **more than one billion dollars** and requires significant federal funding, which should *not* be approved, since the Project's environmental review violates NEPA, CEQA, NHPA, and other statutes protecting the environment. (See <https://www.sfmta.com/projects/better-market-street-project>, viewed 7/12/20 [stating the Project will be built in five phases, with *each* phase estimated to cost \$150-200M.].)<sup>1</sup> The EA notably lacks any detailed accounting of the Project's actual costs, the amount and purpose of federal funding, or state and local funding.

The Project is about changing the purpose of a major public street in San Francisco by excluding travelers in cars. That reality is totally missing from the EA, even though making Market Street "car-free" was its basic purpose under the Project's CEQA review. Indeed, to accomplish that purpose, on January 29, 2020, the San Francisco Municipal Transportation Agency ("MTA") and

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<sup>1</sup> The Section 4(f) Evaluation at Appendix A of the EA states that the proposed Project "will cost approximately \$603.7 million." (EA, p. A-9.) The EA fails to provide detail or source material for that figure or the amounts of proposed federal and other funding.





DPW erected barriers blocking access to motor vehicle travel to and from Market Street on Page Street and every cross-street between 10th Street and Steuart Street. (<https://www.sfmta.com/projects/better-market-street-project>, viewed 7/12/20.)

Caltrans, which claims authority to conduct NEPA review on the Project, now apparently claims that illegally piecemealed implementation of the Project somehow eliminates the need to review it under NEPA. Instead, the EA introduces a *different* Project to be reviewed under NEPA, a Project where the impacts of prohibiting vehicles on Market Street have magically disappeared. (EA, p. S-1.) That assumption is factually and legally erroneous. The whole Project must be reviewed under both statutes, even though it began a piecemealed implementation on January 29, 2020 without the required NEPA review.

The Project's "purpose and need" are unsupported, and the proposed public expenditure of more than \$1 billion, including several hundred million in federal funding, to reconstruct Market Street to create raised sidewalks exclusively for bicyclists in San Francisco during a severe economic downturn and local budget crisis is an unjustifiable waste of declining revenue.

The "project proponent," the EA author, and the decisionmaking agency are the one and same San Francisco Department of Public Works (EA, p. S-1), whose triple roles are an egregious example of non-objective analysis and decisionmaking. Not surprisingly, the document is corrupted by the Project proponent's omissions, self-interest, and bias, and it should be rejected for that reason alone.

The EA proceeds on inaccurate and false assumptions, including a false Project Description and false existing ("baseline") conditions that skew its impacts analysis. The EA's data is outdated both by the Covid pandemic's changes to commuting and travel and by MTA's measures to eliminate traffic lanes and parking on surrounding streets, causing further congestion, which will worsen the impacts of excluding cars on Market Street that the EA completely ignores.

## **2. The Project's "Purpose and Need" Are False, Improper, Outdated, And Exclusionary**

The EA states: "The principal purpose of the project is to make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians. Ancillary purposes of the project are to replace infrastructure in the corridor that is reaching the end of its operational design life, and to improve the accessibility of the corridor and quality of its streetscape environment." (EA, p.S-2, repeated at A-3.)

The "principal purpose" and "need" are false because the EA's analysis does not include "all modes of transportation," since the mode chosen by most travelers is completely excluded, *i.e.*, cars.<sup>2</sup> The EA's "Statement of Purpose and Need" then recites outdated and unsupported bicycle

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<sup>2</sup> See, MTA 1-28-20\_workshop MODE SHARE INCREASE SINCE 2017, p. 12, showing decline in bicycling mode share to 2%; see also, Fehr & Peers: 2013-2017 Travel Decision Survey Data Analysis and Comparison Report, prepared for MTA, July 2017, p.15, showing decline in bicycle mode share in San Francisco from 3.4% in 2014 to 2% in 2017 ([https://www.sfmta.com/sites/default/files/reports/2017/Travel\\_Decision\\_Survey\\_Comparison\\_Report\\_2017.pdf](https://www.sfmta.com/sites/default/files/reports/2017/Travel_Decision_Survey_Comparison_Report_2017.pdf).)



propaganda claiming that Market Street "is located on a high-injury network, with 166 reported pedestrian collisions along the project corridor, consisting of 137 collisions between vehicles and pedestrians, and 29 collisions between pedestrians and bicyclists between January 2012 and December 2016." (EA, p. S-2.) The EA does not explain who was responsible for those accidents. Since cars and other motor vehicles are now banned from Market Street, that safety "need" presumably no longer exists.

The EA's failure to support its alleged purpose and need with evidence and to consider contrary opinion violates NEPA. See, e.g., *Sierra Club v. Bosworth*, 199 F.Supp.2d 971, 980-981 (9th Cir. 2002).

The "ancillary purposes" to "replace infrastructure that is reaching the end of its operational *design* life, and to improve the accessibility of the corridor and quality of its streetscape environment," (EA, p.S-2, emphasis added) are false, unsupported, and those "purposes" are not eligible for hundreds of millions in Federal transportation funding.

That existing "streetscape design," which is a recognized historic landmark, the Market Street Cultural Landscape District (EA, A-55-63; Appendix E, Letter, May 22, 2020 from SHPO) would be demolished: the Project would remove all existing sidewalks and everything on them, including the historic Path of Gold streetlamps, 767 London plane trees and other historic infrastructure, to construct wider sidewalks (up to 45.5 feet wide), which would have 8-foot-wide bikeways on the sidewalks on both sides of Market Street, and a 5- to 10-foot wide "furnishing zone" with bicycle racks, street "furniture," "signage" and "other vertical obstructions" to separate the bikeway from pedestrian use of the sidewalks. The Project also includes new bicycle facilities on Valencia, 2nd, 7th, 8th, 11th, McAllister, Page, Valencia, and Sansome Streets. (EA, pp. 1-27-28, 35-38; Figures 1-3- 1-4; A-23.)

The billion-dollar-plus Project claims it is "necessary" to remove the hundreds of graceful London plane trees (that have been neglected by the City), to remove the historic "Path of Gold" streetlamps that line Market Street and replace them with distorted-large-scale replicas, and to clutter the rest of the sidewalks with cheesy, overdesigned, incompatible street "furniture." (EA, p. 1-40-41; A-59-63.) Those "needs" are not due to existing "roadway deficiencies" but to the Project's purpose of creating a billion-dollar "car-free" bicycle path that excludes all other modes of travel.

The EA notes that there were (pre-Covid) "250,000 transit boardings per day," and "467 bicycles," which is *less than one percent*. (EA, p. S-2.) Yet even though the alleged bicycle "collisions" with vehicles can no longer happen, DPW claims it needs more than a billion dollars to avert bicycle "collisions" with transit vehicles, taxis and pedestrians. That is not a legitimate "need" relevant to Federal highway funding.

Other "Roadway Deficiencies" (EA, p. S-3) similarly focus on bicyclists' problems with streetcar rails and BART ventilation grates, "lack of intersection waiting space for bicyclists," and other problems. Why should the needs of hundreds of thousands of daily transit users and other travelers be subordinated to a mode share of less than two percent?

The proposed sewer and water line replacements are not transportation projects and are not justified by the EA's claimed "purpose and need."



The Project has no valid or supported purpose and need as required by NEPA, and *no Federal funding should be provided for this unnecessary bicycle Project.*

16

### **3. The Project's Purpose And Need, Existing Conditions, And Impacts Analyses Must Be Re-Evaluated With Updated Data In The COVID And Post-COVID Environment**

The EA's assumptions are invalid since the COVID pandemic was acknowledged by the City in March, 2020. COVID has resulted to drastic changes in travel and commuting in San Francisco. Many industries and City employment hubs have allowed work at home, and many others have laid off commuting workers.

17

According to MTA, transit use has declined by 90 percent since March, 2020. (See, *e.g.*, MTA Fiscal Year 2021-2022 Budget & Fiscal Update, June 30, 2020, p. 12.)

All of these factors must now be analyzed to determine whether this Project is necessary, what the actual existing conditions are in the Project Area, and whether the public should federally fund this unnecessary bicycle Project during mass unemployment, homelessness, and shifting demographics.

### **4. The EA's Assumptions Are Outdated And Invalid**

Traffic circulation and volumes have drastically changed since the ongoing Covid pandemic. The NEPA analysis must take into account the "new normal" post-Covid.

The EA also omits MTA's campaign to close and obstruct traffic on surrounding streets, including Mission, 7th, 8th, Page, and Fell Streets, and also with its Slow Streets and TETL projects, which remove *more* traffic lanes and parking, along with still more lane and parking removal on 16th, 17th, Bryant, Folsom, Townsend, and Second, 4th, 5th, 7th, and 8th, 12th, and Polk Streets, and Van Ness Avenue. MTA has stated its intention to make its alleged "emergency" and Slow Streets projects permanent. (See, *e.g.*, MTA Board Agenda, June 30, 2020, Item 10, packet, page 5, and Categorical Exemption 2020-005472ENV "TETL" Project, MTA.)

18

The traffic congestion exacerbated by the Better Market Street Project will be further congested by all of those projects, facts not analyzed in the EA.

### **5. The EA's Existing Conditions (Baseline) Is Inaccurate, Outdated, And Omits Existing Vehicle Travel On Market And Other Streets**

The EA falsely claims that DPW's and MTA's January 29, 2020 implementation of the Project's ban on cars is now "existing conditions," (EA, pp. 2.1.4-2; 2.1.4-25), and thus there will be no vehicular traffic impacts from the Project, which it apparently claims is now only about of how to spend hundreds of millions of federal funding on permanent structural barriers, bicycle "improvements," replacing century-old historic streetlamps, removing all of the graceful London plane trees on Market Street, and other changes to facilitate the planned billion-dollar bicycle Project. The Project's impacts on existing conditions cannot be accurately analyzed without an accurate, supported statement of existing conditions.

19

An EIS must be prepared that provides accurate information on existing conditions in the entire Project area.

## **6. The EA's Project Description Is Inaccurate And Omits MTA's Ban On Vehicles. The Analysis Must Include The Whole Project, Not Just Part Of It**

The EA omits analyzing the direct, indirect, and cumulative impacts of the Project's exclusion of vehicles on Market Street, and altering traffic on adjoining and parallel streets.

The Project Description must include the whole Project, which is essentially a billion-dollar bicycle project that excludes vehicles from Market Street, a major public street in San Francisco, and dedicates public sidewalk and street space to improper exclusionary purposes.

The Project was illegally implemented by DPW *without NEPA review* on January 29, 2020. (EA, p. 2.1.4-2.) Variouslly described in the CEQA documents as a "temporary pilot" project, Market, Page, and surrounding streets were barricaded so that cars could no longer enter Market Street east of Octavia Boulevard. Turns were also blocked on other cross-streets.

The EA's Project description is false, inaccurate, and marred by that major omission and other inaccuracies.

## **7. The EA's Transportation Impacts Analysis Is Unsupported, Outdated, And Inaccurate**

As noted, due to lack of time provided for public comment and the failure of DPW to provide "supporting" studies, this Comment is necessarily incomplete.

The EA falsely claims it covers the larger "Affected Environment (EA, p. 2.1.4-1), though it fails to provide any supported analysis of the Project's impacts on nearby and cross streets and freeway access, instead only referring to "Construction Impacts." (EA, pp. 2.1.4-9 - 12.) With no support, the EA claims "operational impacts" will be "negligible compared with surrounding roadway volumes." (EA, pp. 1.2.4-12 - 13.) Comparing "roadway volumes" with the Project's impacts is not a valid standard for analyzing those impacts.

Since the Project will clearly cause more congestion on cross and parallel streets, those impacts must be analyzed and mitigated both as direct and cumulative impacts. The EA provides only one example: the Project's "southbound right-turn restriction on Van Ness Avenue at Market Street will result in approximately 300 p.m. peak hour vehicles shifting from Van Ness Avenue to Gough Street." (EA, p. 2.1.4-12.) That is hardly "negligible," with existing peak hour gridlock on Gough and every other street near the Civic Center employment hub.

As noted, MTA has now reduced traffic capacity and parking to provide more bicycle-bus facilities on the closest street to Market, Mission Street, which must be included in the direct and cumulative impacts analyses. (See MTA Board Agenda, June 30, 2020, Item 10, packet, page 5, and Categorical Exemption 2020-005472ENV "TETL" Project, MTA letter, June 10, 2020.)

Further, MTA has reduced traffic capacity and parking on all parallel and several cross streets, also ignored by the EA.

The EA glibly concludes, "No avoidance, minimization, and/or mitigation measures are required." (EA p. 2.1.4-26.)

This "analysis" is ludicrous and does not comply with NEPA. An EIS must be prepared to provide a valid transportation analysis that includes *every* transportation mode on every surrounding street and freeway in the Project area, and the Project's direct, indirect, and cumulative impacts on transportation.

20

21

## 8. The EA's Other Impacts Analyses Are Also Flawed

Due to DPW's failure to provide necessary studies and adequate time for public comment, this Comment cannot include other impacts analyses, such as direct and cumulative impacts on cultural resources, air quality, aesthetics, tree removal, noise, and other "environmental consequences" of the Project.

The section 4(f) analysis admits the Project has impacts on historic resources, including the 327 original Path of Gold streetlamps and other historic landmarks in the Project area, "The Section 106 consultation process is ongoing, and a Finding of Effects document is currently being prepared for consultation with SHPO. It is predicted that this process will conclude that the project has an adverse effect on cultural resources. Mitigation measures to resolve effects will be agreed upon in the MOA. Table 2.16.6-1 summarizes the proposed Section 106 findings on historic properties that support this conclusion." (EA, p.2.1.6-31.) The agency may not defer analysis and mitigation of the Project's impacts. Further, the foregone conclusion that those impacts will be mitigated with some later agreement is entirely improper.

Air quality and GHG impacts from worsening traffic congestion on surrounding streets are not analyzed.

The impact of removing the 767 London plane trees that line Market Street and are part of its character are ignored, except to note that their removal will be timed to destroy bird's nests during non-breeding seasons, at which time the homeless birds will presumably leave town. (EA, p. F-7; A-61)

## 9. The EA's Cumulative Impacts Analyses Are Inaccurate And Omit Other Projects And Conditions Affecting The Project Area

As noted above, the EA fails to analyze impacts from current Projects that cumulatively affect the Project area, including MTA's and SFCTA's Van Ness BRT, San Francisco Planning's "Hub" Project, and MTA's many bicycle projects, including its recent "Slow Streets," "TETL," and Fell Street bicycle projects. Although some large development projects are listed in EA, Appendix D, the document fails to analyze their impacts on transportation throughout the Project Area. The failure to accurately analyze and propose mitigation measures and alternatives to the Project to mitigate those impacts violates NEPA. An EIS is required to provide an accurate up-to-date analysis.

## 10. The EA Presents *NO* Alternatives

The EA fails to present alternatives to mitigate the Project's impacts, and instead proposes only a "Build" or "No-Build" do-or-die scenario, which does not comply with NEPA.

## 11. The 4(f) Appendix Admits That The Project Will Have Significant Impacts On Historic Resources

As noted, this Comment is necessarily incomplete due to lack of adequate time for public comment and unavailability of documents necessary for meaningful comment.

The document admits that the Project will cause significant impacts on the Path of Gold street lamps, recognized as eligible for the National Register of Historic Places," because they represent the work of multiple master designers and engineers and possess high artistic value,"





and also because "their period of significance reflects the period they were designed, created, and first installed." (Appendix E, Letter, May 22, 2020, from Julianne Polanco, State Historic Preservation Officer ("SHPO Letter").)

That letter further states that *replicas* of the Path of Gold light standards constructed in 1979 are *not* eligible for the National Register. Therefore, the Project's removal of the original lampposts will result in a significant and irremediable loss of historic landmarks, and San Francisco, the state, and the country will lose these irreplaceable historic artifacts.

SHPO also notes that the Market Street Cultural Landscape District is also eligible for the National Register of Historic Places "for its historic role as San Francisco's main circulation artery and facilitator of Urban development." (SHPO Letter.) The historic district includes the entire Project area, including the "vehicular roadway, adjacent pedestrian sidewalks, and associated elements, which include trees, transit infrastructure, street furniture, and other small-scale features that support Market Street's function" as an historic transportation corridor. (EA, p. A-38.)

The SHPO Letter states that the Market Street Cultural Landscape District is eligible at the national level "for its historic role as venue for civic engagement," including historic demonstrations on labor rights, women's suffrage, civil rights, and war protest, and is also significant "for its association with the work of master architects John Carl Warnecke and Mario J. Ciampi, and master landscape architect Lawrence Halprin." (SHPO Letter.) Altering that Cultural Landscape District is a significant impact.

## 12. Public Comment Has Been Obstructed By Unavailability Of The EA And Supporting Studies

Although this commenter received an e-mailed notice of its release on May 29, 2020, the document was not delivered until June 17, 2020, after several time-consuming communications with DPW in an effort to simply get a copy of the EA and any studies supporting it. No studies or background documents were provided, and the nineteen (19) days of delay has made it impossible to submit a more complete comment. (40 CFR 1506.6(f).)

Moreover, the EA refers to a number of "studies" that are neither provided with the document nor publicly available without more time-consuming Sunshine and Public Records Act requests.

Public agency offices and libraries are closed due to Covid, making it impossible to view additional documents on this Project.

The Public Comment period should therefore be extended until those documents are publicly available. In any event, an EIS is required.

## CONCLUSION

For the above reasons, the EA does not satisfy the requirements of NEPA, CEQA, NHPA, and other statutory requirements. Caltrans must require an EIS supported by accurate, up-to-date data, and must publicly circulate and make available copies of all documents, and provide adequate notice and opportunity for public comment.

DATED: July 14, 2020

SIGNED: \_\_\_\_\_

  
Mary Miles

## Letter I-10, Mary Miles, July 14, 2020

### Response to Comment I-10.1

San Francisco Public Works has appropriately engaged and informed the public of the proceedings of Better Market Street throughout the environmental process. The Draft EA was made available in an electronic format, free of charge, consistent with the Council on Environmental Quality's (CEQ) regulations for implementing the National Environmental Policy Act (40 CFR § 1506.6[f]). The commenter's request to obtain a hard copy and a flash drive of the document was responded to in a timely manner. The Draft EA is not considered a document routinely produced in multiple copies for distribution (e.g., copies of an agenda reproduced for a meeting) per San Francisco Administrative Code § 67.28(b), but instead falls under the category of a document assembled and copied to the order of the requestor per San Francisco Administrative Code § 67.28(c). San Francisco Public Works made a good faith effort at providing a reasonable accommodation to the commenter by offering a hard copy of the Draft EA to the commenter at a cost of 10 cents per page plus postage, as allowed for under San Francisco Administrative Code § 67.28(c). In addition, San Francisco Public Works offered a flash drive of the Draft EA to the commenter at a cost of \$8.60. The San Francisco Public Works public records request process is structured in accordance with the San Francisco Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) and the California Public Records Act (California Govt. Code § 6250 et seq). Per California Govt. Code § 6253(b), an agency "shall make the records promptly available to any person upon payment of fees covering direct costs of duplication..." The commenter refused to provide payment for either the hard copy or the flash drive and, thus, neither a hard copy nor a flash drive has been provided to the commenter.

### Response to Comment I-10.2

The commenter claims that the EA is factually and legally inadequate without providing any evidence to support the claim. Under CEQ implementing regulations, an agency may prepare an EA to determine whether the environmental impact of the proposed action is significant enough to warrant an EIS (40 CFR § 1508.9). If an EA establishes that the agency's action "may have a significant effect upon the environment, an EIS must be prepared." If the proposed action is found to have no significant effect, the agency must issue a finding to that effect (a "FONSI"), "accompanied by a convincing statement of reasons to explain why a project's impacts are insignificant." Caltrans conducted an initial evaluation of the project in 2018<sup>4</sup> which concluded that the appropriate class of action for the project was an Environmental Assessment (Class III), pursuant to 23 CFR § 771.115, because it did not meet the requirements of 23 CFR § 771.115(a) for preparation of an Environmental Impact Study (EIS). The Draft EA establishes that Better Market Street would have no significant effect on the human environment, and the commenter does not provide facts to demonstrate otherwise; therefore, an EIS is not required.

### Response to Comment I-10.3

As stated in page S-1 of the Draft EA, while this project is subject to the requirements of both NEPA and California Environmental Quality Act (CEQA), separate environmental documents have been prepared, one that complies with NEPA and another that complies with CEQA. The analysis in the Draft EA was prepared per the requirements of NEPA, as described on page S-1 of the Draft EA, and

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<sup>4</sup> STPL-5934(180): Better Market Street Preliminary Environmental Study, dated June 27, 2018.

Section 106 of the National Historic Preservation Act, as described on page 2.1.6-1 of the Draft EA. CEQA review of the project was completed with certification of an Environmental Impact Report by the San Francisco Planning Commission on October 10, 2019; no further CEQA review of the project is anticipated to be needed at this time.

The commenter claims that Better Market Street is a major federal project based on a cost estimate which the commenter has developed based on an extrapolation from a statement provided on a SFMTA website. The commenter also makes an unsubstantiated claim that significant federal funding will be required, and that there is no detailed accounting of the project's actual cost, amount and purpose of the federal funding, or state and local funding.

Construction of the project is anticipated to cost \$603.7 million, as stated on page 1-12 of the Draft EA. This cost estimate is based on the preliminary design for the proposed project and a comparison to capital cost estimates from comparable streetscape and utility infrastructure projects around San Francisco. San Francisco Public Works intends to pursue a range of funding sources at the federal, state, and regional level, in addition to local funds, however the exact mix of such funding sources is not yet known.

The CEQ defines a major federal action as an agency action that significantly affects the quality of the human environment. The anticipated project construction cost, at \$603.7 million, does not in itself indicate that the project would significantly affect the quality of the human environment. Evidence that the project would not significantly affect the quality of the human environment is provided in Chapter 2 of the Draft EA.

#### **Response to Comment I-10.4**

As described in Section 1.3.1, Purpose, on page 1-5 of the Draft EA, the principal purpose of the project is to make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians. This principal purpose encompasses the future components of Better Market Street that are subject to a potential federal action. Actions are considered federal in nature if a federal agency partly financed, assisted, conducted, regulated, or approved an action. The private vehicle restrictions implemented in January 2020 by SFMTA and San Francisco Public Works were implemented entirely by local agencies and did not require funding, assistance, regulation, or approval by any federal agency, and therefore do not meet the criteria of a federal action.

#### **Response to Comment I-10.5**

The commenter appears to claim that Better Market Street as it was evaluated in the 2019 Draft Environmental Impact Report (Draft EIR)<sup>5</sup> is a different project than what is presented in the Draft EA because the 2019 Draft EIR included private vehicle restrictions on Market Street as a component of Better Market Street, whereas this is not a component of Better Market Street as presented in the Draft EA. As described in the response to comment I-10.4, private vehicle restrictions implemented in January 2020 do not constitute a federal action and thus are not subject to review under NEPA.

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<sup>5</sup> The 2019 Better Market Street Draft Environmental Impact Report was prepared by the City of San Francisco Planning Department pursuant to the California Quality Act (CEQA).

While the January 2020 private vehicle restrictions have reduced the number of motor vehicles encroaching into crosswalks and conflicts between right-turning vehicles and pedestrians crossing Market Street or cross-streets, these restrictions have not eliminated such hazards, and the majority of conflicts between different transportation modes remain. The most common observed operational conflicts after the implementation of the January 2020 private vehicle restrictions, but before the COVID-19 travel restrictions took effect, included taxis or commercial vehicles blocking bus stops or situations where buses were unable to proceed because of vehicles that were blocking an intersection. These issues routinely occur on Market Street and other roadways within the transportation study area (shown in Figure 2.1.4-1 in the Draft EA) during the p.m. peak period and contribute to transit system delays as well as hazards for bicyclists and pedestrians on Market Street. Better Market Street has been designed to avoid and minimize such conflicts to the maximum extent feasible.

#### **Response to Comment I-10.6**

Better Market Street does not solely or even primarily benefit bicyclists; it has been in development in collaboration with stakeholders from around the City of San Francisco for more than a decade, and it will reduce conflicts between all modes of transportation on Market Street. See responses to comments I-10.9 and I-10.10 regarding the project purpose and need.

As stated in the response to comment I-10.3, construction of the project is anticipated to cost \$603.7 million. San Francisco Public Works intends to pursue a range of funding sources at the federal, state, and regional level, in addition to local funds, however the exact mix of such funding sources is not yet known. San Francisco Public Works acknowledges the severe fiscal constraints facing the City of San Francisco. Better Market Street will help to fulfill key priorities for San Francisco, including the elimination of traffic fatalities, and San Francisco Public Works intends to implement this project as funding is secured for construction.

#### **Response to Comment I-10.7**

The project proponent is San Francisco Public Works. San Francisco Public Works retained an independent consulting firm to prepare the Draft EA under the guidance, review, and approval of Caltrans. Caltrans, in its role as an independent federal lead agency for the project, has acted objectively in the preparation and review of the Draft EA, and will continue to do so as the environmental process continues.

#### **Response to Comment I-10.8**

The City has been engaged in more than a decade-long effort to consult with numerous stakeholders throughout the City to develop a vision for the future of Market Street, and the need on which the purpose for the project is based represents the “baseline” condition for the transportation system in the City of San Francisco. The commenter is correct that the No-Build Alternative, to which impacts of the project were compared, does not account for COVID-19-related changes to travel and commute patterns and the emergency actions that the City has put in place in response to the crisis. However, that fact does not render the analysis in the Draft EA invalid. The term “environmental impact” in NEPA section 102(2)(C) includes a requirement of a reasonably close causal relationship between a change in the physical environment and the effect at issue. NEPA does not require an agency to assess every impact of its proposed action, but only the impact of its actions on the physical environment. The COVID-19 impact is not an effect on the physical environment, it is a near-term stress on the health and well-being of the residents of San Francisco, which in turn has influenced near-term modal choice, however NEPA doesn't require an evaluation of the effects of such a change.

The analysis in the Draft EA relies on transportation modeling looking forward. Developing phased, multi-year transportation projects comes with the assumption that they will be developed during fluctuating economic cycles. Those cycles may affect the precise schedule for implementing Better Market Street, but the future with project scenario remains valid as long as it is consistent with regional transportation planning efforts. As a recent example of a disruption in the economic cycle and the corresponding rebound, the demands on the transportation system have grown since the 2008 recession, spurring demands for improvements on Market Street to address the conflicts between different modes of travel. Better Market Street seeks to resolve those issues over the long-term.

Furthermore, despite the interim emergency modifications enacted by the San Francisco Municipal Transportation Agency (SFMTA) in response to the COVID-19 crisis, the foundational planning assumptions underlying the project's purpose and need remain. San Francisco's transit-first policy, SFMTA's MuniForward transit system redesign, the City's Vision Zero policies, and the capital facilities revitalization needs in the Market Street corridor remain.

#### **Response to Comment I-10.9**

The commenter is incorrect that the elimination of private vehicles from Market Street (in a separate action taken in January 2020) renders the factual collision and injury data supporting the primary purpose invalid. Transit, taxis, and commercial vehicles constituted a significant portion of overall vehicle volumes on the portion of Market Street within the project corridor prior to the private vehicle restrictions that were enacted in January 2020. Thus, while the elimination of private vehicles from Market Street within the project corridor did reduce, to some extent, the potential for modal conflicts of motorized traffic with bicyclists and pedestrians, the private vehicle restrictions that were enacted in January 2020 have not eliminated such conflicts.

#### **Response to Comment I-10.10**

The commenter is incorrect that the ancillary purposes of the project are unsupported, and in any case the ancillary purposes have not, by themselves, been used as a basis for eliminating alternatives from further study. As it pertains to the replacement of infrastructure that is reaching the end of its operational *design* (emphasis added by commenter) life, Better Market Street proposes to address "State of Good Repair"<sup>6</sup> needs, including replacement of the F-line streetcar track, overhead contact system, and traction-power system, the entire Market Street roadway within the project corridor, and multiple subsurface utilities as described on Draft EA pages 1-42 to 1-44. As it pertains to the "accessibility of the corridor," the Draft EA provides ample evidence of the existing deficiencies of the existing sidewalk on Draft EA pages 1-6, 1-7, 1-9, and 1-29 to 1-32. Evidence of the need for improvement to the quality of the Market Street streetscape, in particular a discussion of the health of existing street trees, is provided on Draft EA page 1-9.

The commenter's statement that these ancillary purposes are "eligible for hundreds of millions in Federal transportation funding" is both an unsubstantiated claim and irrelevant, as the federal action evaluated in the Draft EA consists of those components of Better Market Street which are considered a part of the federal action. Actions are considered federal in nature if a federal agency

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<sup>6</sup> "State of Good Repair" is the condition in which an asset is able to operate at a full level of performance; specifically it must be able to perform its designed function, must not pose a known unacceptable safety risk, and its lifecycle investments must have been met or recovered.



partly financed, assisted, conducted, regulated, or approved an action. To this point, Better Market Street, as it is evaluated in the Draft EA, is anticipated to be eligible for multiple types of federal grants, which may include “State of Good Repair” and grants to address Americans with Disability Act accessibility issues. These two types of federal grants, if awarded, could partially fund improvements proposed as part of Better Market Street to address transit infrastructure and sidewalk and curb deficiencies.

**Response to Comment I-10.11**

The commenter identifies some of the components of the project, including replacement of the existing sidewalk, Path of Gold light standards, and street trees, in effect demolishing most elements of the Market Street Cultural Landscape District that contribute to its eligibility under Criterion C of the National Register of Historic Places (NRHP). This comment does not address the accuracy of the data, analysis, or conclusions of the Draft EA.

**Response to Comment I-10.12**

The commenter again incorrectly represents the overall cost of the project; please see response to comment I-10.3. Replacement of the existing street trees is necessary to address the greater than 50 percent of existing street trees which have been found to be “declining or dead” (Draft EA page 1-9). Furthermore, replacement of other existing street trees may be necessary to accommodate a realignment in the curb or to address other conflicts with the design, including that of the sidewalk-level bicycle lane or curbside transit stops. Please see response to comment I-10.9 for a discussion regarding the need for the project.

**Response to Comment I-10.13**

Please see response to comment I-10.9 for a discussion regarding the need for the project, and response to comment I-10.8 for evidence that COVID-19 does not render the need for the project invalid.

**Response to Comment I-10.14**

The improvements cited in the comment, including replacement of existing rail tracks and BART ventilation grates, and a lack of intersection waiting space for bicyclists, address safety issues that result in injuries and fatalities, and which are necessary to achieve the City’s Vision Zero goal of eliminating traffic deaths in San Francisco by 2024. Replacement of existing rail tracks and BART ventilation grates are also necessary to bring infrastructure on the project corridor to a “State of Good Repair.”

**Response to Comment I-10.15**

The commenter’s statement that the proposed sewer and water line replacements are not transportation projects is irrelevant, as the federal action evaluated in the Draft EA consists of those components of Better Market Street which are considered a part of the federal action. Actions are considered federal in nature if a federal agency partly financed, assisted, conducted, regulated, or approved an action. To this point, Better Market Street, as it is evaluated in the Draft EA, is anticipated to be eligible for multiple types of federal grants, which may include “State of Good Repair” grants to address existing infrastructure deficiencies in the project corridor. This type of federal grant, if awarded, could partially fund improvements proposed as part of Better Market Street to address existing infrastructure deficiencies.

**Response to Comment I-10.16**

Please see responses to comments I-10.8 through I-10.15.

**Response to Comment I-10.17**

Please see response to comment I-10.8 regarding impacts of COVID-19 on the analysis of the project in the Draft EA.

**Response to Comment I-10.18**

Please see response to comment I-10.8 regarding impacts of COVID-19 on the analysis of the project in the Draft EA.

As discussed on pages 2.1.4-13 and 2.1.4-14 of the Draft EA, the traffic circulation changes associated with the project would be minor and localized in nature and would not change traffic volumes; this would also pertain to streets on which interim emergency modifications implemented in response to COVID-19. Therefore, the project would not exacerbate traffic conditions as stated by the commenter.

**Response to Comment I-10.19**

Please see response to comment I-10.8 regarding the implementation of private vehicle restrictions. In addition, please see response to comment I-10.2 regarding the need to prepare an EIS.

**Response to Comment I-10.20**

Please see response to comment I-10.4 describing that the January 2020 private vehicle restrictions do not meet the criteria for a federal action, and thus need not be evaluated under NEPA.

The commenter's claim that the project description in the Draft EA is false, inaccurate, and marred by that major omission and other inaccuracies is unsupported by fact.

**Response to Comment I-10.21**

The commenter was afforded the same opportunity to review and comment on the Draft EA as all other members of the public.

The project would not result in increased congestion as described in the comment. Private vehicles are not permitted on Market Street eastbound (inbound) between 10th and Main streets and westbound (outbound) between Steuart Street and Van Ness Avenue. As described on pages 2.1.4-13 and 2.1.4-14 of the Draft EA, locations where the project would change traffic circulation patterns include the following streets that would be converted from one-way to two-way operations: Spear Street between Market and Mission streets, Turk Street between Taylor and Market streets, and Mason Street between Market and Eddy streets. These changes provide local access to the adjacent properties and would cause up to 100 vehicles, or one to two cars per minute, to shift their route during the p.m. peak hour. This change in traffic patterns would not substantially change traffic volumes or congestion in the study area or on the streets described in the comment.

The design option will further alter the transportation network in the western segment of the project corridor, between Octavia Boulevard and a point 300 feet east of the intersection of Ninth/Larkin/Hayes/Market streets, which will cause some vehicular travel pattern changes west of the intersection of Market and Ninth streets. The turn restrictions proposed by the design option

will affect local trips within this area but will not affect regional trips or Caltrans facilities. Most vehicles on the affected segments of Market Street will travel only a few blocks to reach north-south routes or have parallel options available without a substantial detour. The southbound right-turn restriction on Van Ness Avenue at Market Street will result in approximately 300 p.m. peak hour vehicles shifting from Van Ness Avenue to Gough Street, while causing traffic volumes to decrease on Van Ness Avenue, Fell Avenue, 10th Street, 9th Street, and Hayes Street as people driving shift to new routes. The project would not induce demand for new vehicles and the redistribution of traffic from one street to another within the study area would not substantially change overall vehicle delay or congestion, nor create adverse effects, such as new or worsened hazardous conditions or additional delay to public transit vehicles. As such, there are no required avoidance, minimization, or mitigation measures related to vehicular delay.

Please see response to comment I-10.2 regarding the need to prepare an EIS.

#### **Response to Comment I-10.22**

The commenter was afforded the same opportunity to review and comment on the Draft EA as all other members of the public.

#### **Response to Comment I-10.23**

Caltrans environmental procedures allow for circulation of a draft NEPA environmental document that includes a draft effects analysis prior to concurrence with the State Historic Preservation Officer (SHPO) and other consulting parties regarding the effects analysis and on measures to resolve any adverse effects that may have been identified, provided that the final NEPA environmental document demonstrates that all requirements of the NHPA Section 106 consultation process have been met (Caltrans Standard Environmental Reference Volume 2: Cultural Resources, section 2.5.4, Relationship of Section 106 to the Environmental Document). As such, Section 106 consultation between Caltrans and SHPO regarding the effects of the project on the Market Street Cultural Landscape District and measures to resolve adverse effects was ongoing at the time the Draft EA was made available for review. The text of the measures included in the Draft EA represented the best available understanding of the measures that would be required to address adverse effects to the Market Street Cultural Landscape District. Caltrans, SHPO, San Francisco Public Works, and other Section 106 consulting parties have since concluded the Section 106 consultation process and agreed upon a Programmatic Agreement (PA) which stipulates the final measures to resolve effects to the Market Street Cultural Landscape District. The measures agreed upon and included in the PA are presented in this Final EA.

#### **Response to Comment I-10.24**

Please see response to comment I-10.21 for a discussion of why the transportation impacts analysis provided in the Draft EA is complete and appropriate. A discussion of the potential effects of changes on the transportation system to result in air quality impacts is provided on page 2.2.4-18 of the Draft EA. That analysis concludes that the project is not a capacity-increasing project and will not result in a significant number of new trips or vehicle miles traveled (VMT) relative to the No-Build Alternative. Furthermore, the project is expected to increase transit and taxi speeds and, potentially, slightly decrease private vehicle speeds on some cross streets. Although average vehicle speeds may change as a result of the project, the impact on overall criteria pollutant emissions in the project area is expected to be minor given that implementation of the project will not significantly change the vehicle mix or affect VMT. Furthermore, the project will overall encourage pedestrian, bicycle,

and transit use through improvements to transit operations and bicycle and pedestrian facilities thereby increasing the potential for mode-shift away from transportation sources with higher emissions (i.e., private vehicles and taxis).

A project-level air quality conformity analysis (AQCA) was completed for the project to further assess potential air quality impacts. The project was included and analyzed in the regional emissions analysis conducted by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments for the conforming 2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). This analysis found that the RTP/SCS, which takes into account regionally significant projects, will conform to the state implementation plan(s) (SIP(s)) for attaining and maintaining the National Ambient Air Quality Standards. The project is also included in the MTC 2019 Federal Transportation Improvement Program (TIP) and determined to be consistent with the MTC's regional conformity analysis. The project was also considered for a hot-spot analysis and was found to not be warranted given that the project's location in a designated carbon monoxide attainment area and that the project is not a project of air quality concern as it would not substantially change traffic conditions (e.g., level of service and traffic volumes from diesel vehicles) in the project area.

The potential effect of the project on greenhouse gas emissions is addressed on page 2.2.4-23 of the Draft EA. That discussion states that there would not be a noticeable mode shift from private vehicles to transit, however the project would result in slightly improved transit travel times along the project corridor which could encourage the use of public transit over the use of private vehicles, which in turn would support local and Statewide efforts at reducing emissions of greenhouse gases.

#### **Response to Comment I-10.25**

The removal and replacement of the Market Street street trees are addressed in the Draft EA on pages 2.1.5-1, 2.1.5-3, 2.1.5-4, and 2.1.5-11 to 2.1.5-13. As described on page 2.1.5-13 of the Draft EA, removing the existing street trees and planting new street trees in a new alignment will create a short-term visual change during the period between removal of the existing trees and when the replacement trees grow to maturity. Overall, replacing aging, unhealthy, and visually disjointed features and creating a corridor with uniform design elements with healthier landscaping and improved accessibility will result in the moderate resource change. The discussion on the pages listed above constitutes the extent to which such visual and aesthetic impacts are applicable to the project evaluated in the Draft EA.

#### **Response to Comment I-10.26**

Section 2.4, Cumulative Effects, of the Draft EA provides an adequate and appropriate analysis of potential cumulative effects in the context of the scope and scale of the project. The commenter is incorrect that the Van Ness BRT, San Francisco Planning's "Hub" Project, and SFMTA's many bicycle projects have not been analyzed in the Draft EA. Appendix D to the Draft EA identifies the Van Ness BRT on page D-11 and the Hub Plan on page D-9. SFMTA bicycle projects are identified on pages D-10, D-13, D-15 to D-17; other bicycle improvement projects have been completed as part of Vision Zero, discussed on page D-10. The Page Street Bikeway Improvements Pilot includes temporary changes to traffic circulation changes that were implemented in March 2020. These changes are outside of the transportation study area (shown in Figure 2.1.4-1 in the Draft EA), starting at Octavia Boulevard and extending to Webster Street. The City of San Francisco is evaluating this temporary

project based on the goals to improve safety conditions along Page Street and the changes to travel patterns on parallel routes, such as Oak Street and Haight Street.<sup>7</sup> The Page Street Bikeway Improvements Pilot would not affect transportation conditions within the transportation study area. The analyses in the Draft EA took into account all the projects listed in D of the Draft EA that would affect transportation conditions within the transportation study area.

The commenter also cites SFMTA's "Slow Streets" and "TETL" projects, both of which are emergency measures enacted to respond to the near-term conditions induced by COVID-19. These emergency measures include the Fell Street Bicycle Project noted in the comment, which is also known as the Panhandle Social Distancing and Safety Project.<sup>8</sup> These are not projects that must be considered in the cumulative impacts analysis. Response to comment I-10.8 describes the requirements of NEPA to evaluate physical environmental changes, which do not include the COVID-19 impact, and it describes that the underlying basis for the forward-looking transportation modeling remains unchanged by the near-term conditions that have resulted.

Please see response to comment I-10.2 regarding the need to prepare an EIS.

#### **Response to Comment I-10.27**

NEPA does not require the consideration of multiple alternatives, nor does it require the consideration of alternatives that are not significantly different from those considered or which have similar consequences. Furthermore, CEQ guidance states that a reasonable range of alternatives depends on the nature of the action and the facts in each case. The Draft EA appropriately considers the full range of prior alternatives considered throughout the extensive history of the project on pages 1-53 to 1-63, and concludes that the only reasonable build alternative that meets the project purpose and need is the Build Alternative.

#### **Response to Comment I-10.28**

The commenter was afforded the same opportunity to review and comment on the Draft EA as all other members of the public.

#### **Response to Comment I-10.29**

The commenter misrepresents impacts on the Path of Gold light standards. The Path of Gold light standards within the project corridor are replica standards and were installed in the 1970s. The Path of Gold light standards within the project corridor are not originals and were installed after the period of significance that has been determined for Market Street as an urban thoroughfare under Criterion A of the NRHP. Specifically, as discussed on page A-62 in Appendix A to the Draft EA, the 236 replica Path of Gold light standards, which will experience change as a result of the project, are contributing elements to the Market Street Cultural Landscape District. However, these replica light standards are geographically separate from the 92 original Path of Gold light standards, which are eligible for listing in the NRHP but are not contributing elements to the district because they were installed in their current locations following the district's period of significance. The project does not propose to alter the individually NRHP-eligible original Path of Gold light standards, which are located outside the project area of potential effects (APE).

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<sup>7</sup> Source: <https://www.sfmta.com/projects/page-street-bikeway-improvements-pilot>

<sup>8</sup> Source: <https://www.sfmta.com/projects/panhandle-social-distancing-and-safety-project>



The findings in the Draft EA recognize the adverse effects to the district that will result from the project. Adverse effects on the Market Street Cultural Landscape District have been resolved through continued Section 106 consultation between Caltrans, SHPO, San Francisco Public Works, and other consulting parties and their agreement on the Project-level Programmatic Agreement (Project PA) dated September 11, 2020. Avoidance, minimization, and/or mitigation measures have been updated in section 2.1.6.5 of the Final EA to reflect the measures included in the signed Project PA. Because the adverse effects on this resource have been resolved through the Section 106 process, there would be no significant effect on the environment.

**Response to Comment I-10.30**

The Draft EA was available for 45 days for review and comment, and the commenter was afforded the same opportunity to review and comment on the Draft EA as all other members of the public. San Francisco Public Works responded promptly to the commenter requests and offered hard copies of the materials at a cost that was less than actual production costs, complying with 40 CFR 1506.6(f).

The commenter claims that other studies were not available, rendering it impossible to submit a more complete comment, however all information relevant to, and supporting the analysis within, the Draft EA has been provided in the Draft EA or its appendices.

Please see response to comment I-10.2 regarding the need to prepare an EIS.

**Response to Comment I-10.31**

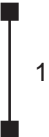
The Draft EA meets all the requirements of NEPA, NHPA, and other applicable federal statutory requirements. CEQA review of the project was completed with certification of an Environmental Impact Report by the San Francisco Planning Commission on October 10, 2019; no further CEQA review of the project is anticipated to be needed at this time. Please see response to comment I-10.2 regarding the need to prepare an EIS.

**From:** Marlo Sandler <[msandler@midmarketcbd.org](mailto:msandler@midmarketcbd.org)>  
**Sent:** Wednesday, June 17, 2020 5:01:41 PM  
**To:** Deunert, Boris (DPW) <[boris.deunert@sfdpw.org](mailto:boris.deunert@sfdpw.org)>; Olea, Cristina (DPW) <[Cristina.C.Olea@sfdpw.org](mailto:Cristina.C.Olea@sfdpw.org)>  
**Subject:** BMS Environmental Assessment virtual public hearing

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Hi Boris and Cristina,

I was just listening in to this hearing but had to drop off early due to a scheduling conflict. I am still hoping for information re: the timeline to discuss potential mitigation projects as part of the Section 106 mitigation impact project work?



Do you have any updates on this?

Best,  
Marlo

--



mid market community benefit district

**Marlo Sandler**

Program Manager  
Mid Market Community Benefit District

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**Letter O-1, Mid Market Community Benefit District, June 17, 2020****Response to Comment O-1.1**

Adverse effects on the Market Street Cultural Landscape District have been resolved through continued Section 106 consultation between Caltrans, SHPO, San Francisco Public Works, and other consulting parties and their agreement on the Project-level Programmatic Agreement (Project PA) dated September 11, 2020. Avoidance, minimization, and/or mitigation measures have been updated in section 2.1.6.5 of the Final EA to reflect the measures agreed upon in the Project PA. The timing of implementation of these measures will depend upon the specific measure in question, but generally will occur prior to, or during, construction.

**From:** Rick Laubscher <[marketstreerailway1976@gmail.com](mailto:marketstreerailway1976@gmail.com)>  
**Sent:** Tuesday, July 14, 2020 4:50:32 PM  
**To:** Deunert, Boris (DPW) <[boris.deunert@sfdpw.org](mailto:boris.deunert@sfdpw.org)>  
**Cc:** Carmen Clark <[ccconsult@sbcglobal.net](mailto:ccconsult@sbcglobal.net)>; Darcy Brown <[darcy@sfbeautiful.org](mailto:darcy@sfbeautiful.org)>; [karin@unionsquarebid.com](mailto:karin@unionsquarebid.com) <[karin@unionsquarebid.com](mailto:karin@unionsquarebid.com)>  
**Subject:** Better Market Street Draft Environmental Impact Report Comments

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Hello,

I am writing both as the President and CEO of the nonprofit Market Street Railway, which advocates for Muni’s cable cars and historic streetcars, and as a member of the Better Market Street Community Working Group. Here are my comments regarding the Draft Environmental Impact Report (DEIR) for the Better Market Street Project.

GENERAL COMMENT

While we appreciate the exceptional amount of detailed work that went into preparation of this DEIR, we believe that all the findings related to traffic/ridership levels and flow have been invalidated by the Covid-19 pandemic and no longer form the basis for informed decision-making, let alone the prospective investment of upwards of \$500 million in public money. Covid-19 has completely disrupted patterns of work, residency, and shopping, the three major functions of this corridor. It is utterly unclear what transit or bicycle demand will be along this corridors when such major employers as Twitter have informed most employees that they will be allowed “to work from home forever”. Retail along the corridor was already suffering; currently it is moribund. Many restaurants have closed permanently, and though other establishments will replace some of them eventually, it is unclear how much dining out people will resume when the pandemic finally passes. SFMTA itself has made clear that the transit network that emerges will be considerably different than the one that existed before the pandemic. So it seems unwise to us to try to use these now-outdated data to make decisions of this magnitude, when it comes to street configuration, location and number of transit stops, width and extent of bicycle facilities, and really all other transportation-related aspects of this proposed project.

Of perhaps even greater importance, our city faces what will likely be a long and very painful economic recovery. Merchants along this corridor, including many locally-owned small businesses, are hanging by a financial thread. As it currently stands, despite the optimistic statement in the DEIR of some construction starting in 2020, it is clear to us that no meaningful construction on this project is actually likely to begin until late 2021-mid-2022. Depending on the alternative finally adopted, construction times apparently range from a minimum of six years to a maximum of 14 (!) years. These are the current official estimates. If official estimates from previous large City and County-sponsored public works projects had proven even close to accurate, we would be enjoying the Central Subway and Van Ness Bus Rapid Transit projects right now.

Additionally, the DEIR states (page 2-72) that construction “would occur primarily during normal daytime hours”. Since our nonprofit enjoys the support of merchants and housing developments the length of Market Street, we cannot endorse a scope of work for this project that would subject businesses to years of disruption, especially during their normal business hours, immediately following a pandemic that has posed an existential threat to their businesses.



Therefore, we will only support a greatly scaled-down project that respects existing historic resources and does not impose expensive infrastructure changes that might very well be irrelevant or even harmful to the circulation patterns that emerge from this pandemic, patterns that simply cannot be known at this time. It is essential to these businesses, and the City’s economy, that people continue to be drawn TOWARD Market Street in coming years, not driven away by construction.

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SPECIFIC COMMENTS

PATH OF GOLD LIGHT STANDARDS/MUNI OVERHEAD CONTACT SYSTEM (OCS)

These are related because the Path of Gold Standards were originally designed and still function to hold up the overhead wires that power Muni’s streetcars and electric trolley coaches.

In our view, there is no justification, especially given the cost, for relocating and replacing more than 230 Path of Gold Light Standards, a City Landmark. We oppose this action. We believe that there is in fact room to accommodate a sidewalk-level cycle track without this incredibly expensive and disruptive action. Moving any of these standards requires a specific individual investigation into sub-basement and utility conditions beneath the street, which will almost surely end up with “adjustments” that further reduce the storied and historic alignment the Path of Gold standards have kept since their original installation more than a century ago. Already, just during the preparation of this document, planners have increased the number of Path of Gold standards to be removed without replacement from one to six. What will happen as property owners balk at invasion of their sub-basements, or expensive unanticipated utility relocations are required? It will either cost more, take longer, or both, unless that particular standard is simply excised from the project. The same factors will likely increase the number of Path of Gold Standards installed out of visual alignment with each other, which will negatively impact the historic and famous view of Market Street from above, including from Twin Peaks. The Draft EIR calls the impacts to these vistas “not significant”, a finding which we strongly dispute from a historical point of view, especially when the DEIR states “no more than 25 percent (or 58) of the 236 standards would be located out of alignment with other standards”. That is one in every four standards. That in our view is highly significant.

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We also question the need to raise the height of these historic standards. When the originals were installed in 1915, they were sized to hold up overhead wires for four streetcar tracks, which they did successfully for 30 years, and then successfully held up six wires (two for streetcars, four for trolley coaches) for another 25 years. The current poles, of the same height, have successfully held up eight wires (double wires in all four lanes) for almost 50 years now. The justification for the higher poles centers on relocation farther from the roadway and on the perceived need to hold up four sets of double wires, plus special work (wire switches and crossings) at a higher elevation than currently used, even though the existing arrangement is completely functional. But as mentioned before, everything about Muni operations on Market is subject to dramatic change. As long as the F-line streetcars run on Market, a single overhead wire will be required above their track. But that wire does not necessarily have to be the current double wire (which also accommodates trolley coaches in the track lane but which adds extra weight and tension to the OCS. Indeed, from 1949 until the mid-1970s, Market Street transit functioned perfectly well with single wire in the track lane and double wire in the outside lane, despite more routes and more Muni vehicles per hour along Market.

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Muni might note that the center (track) lane has to accommodate the 5-Fulton services, some (but not all) of which are operated by trolley coach. But the criteria for selecting which Muni routes would share the track lane with the F-line were based on the proposed lesser number of stops for vehicles using the track lane and the distance each route runs across town. The other route selected to share the track lane with the F is the 9-San Bruno, a motor coach. One could make a strong case that the 7-Haight-Noriega, another motor coach, would be an equally good choice for the track lane, putting the 5 under the double wires in the curb lane with all other trolley coach lines currently on Market. This simple switch would obviate the need to string double wire over the track lane, which in turn would lessen the need to raise and relocate the Path of Gold Standards.

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It should also be noted that many industry experts, both inside and outside SFMTA, note that the improvements in electric-battery buses means that trolley coaches as a technology are on their way out. Muni has recently replaced its trolley coach fleet, and we have heard several planners express their belief that this is the last generation of trolley coaches Muni will ever own. Beyond that, Muni has already successfully demonstrated that its new trolley coaches can successfully operate on battery power for extended distances, as shown on the 30 and 45 lines along Stockton Street from Union Square to the Caltrain Depot during Central Subway construction. There is, additionally, the uncertainty of which trolley coach lines on Market will return following the pandemic. For example, the 6, 21, and 31, all trolley coach lines slated to run in the curb lanes of Market, have not yet been restored to service. These lines have closely paralleled busier transit lines for between 90 and 135 years, dating to the time when there were several competing transit companies. They have survived through the Muni era largely because of community advocacy along their routes, but SFMTA leadership is on record as saying that up to half of its pre-pandemic routes may disappear forever due to ongoing economic pressures. As these three trolley coach lines haven't been restored as yet, they would seem to have a dubious future at best. This argues in favor of having only the curb lane with double overhead wire for trolley coaches.

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As an additional and potentially important benefit, having only a single wire over the track lane would make it possible for Muni to operate its LRVs in that lane. This in turn, would enable them to have J-Church LRVs proceed downtown from Church Street on the surface of Market to the Ferry Loop, rather than forcing all passengers to transfer at Market and Church to the subway or to F-line surface streetcars. The F and J can share the track lane; as the major support group for the F-line, we have no objection to this. Muni leaders have long talked of taking the J-line out of the subway permanently to improve subway operations; this would allow a single-seat ride downtown for J-line riders, and would arguably be as fast or faster for them than transferring, at least as far east as Powell or Montgomery stations. (An additional option is assigning some of the F-line streetcars to operate on the J-line, providing the same no-transfer service.)

In fact, projected transit demand and travel patterns are so uncertain right now that talk is arising of putting all Muni lines into one lane on Market, to make more room for bicycles. This would be a stunning and historic change in street use, and while this option isn't covered in the DEIR, it is now a conceivable option for the first time. That is another reason not to go to the disruption and expense of moving and raising the Path of Gold Standards.

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These circumstances are directly relevant to the question of whether to relocate/replicate the Path of Gold Standards. In our view, there is ample technological room and operational room to modify Muni's overhead contact system (OCS-the wires the streetcars and trolley buses use to get power) instead. Reducing the number of overhead wires on Market and eliminating OCS switches that aren't used by buses on passenger routes would lighten the load on the Path of Gold Standards considerably as well as reducing the visual clutter above Market Street.

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As to the justification that raising the light fixtures by five feet atop longer poles would make them more visible among the street trees, there is a simple solution to that as well: keep the trees properly pruned so that the Path of Gold Standards are visible at their current height. Selection of the appropriate tree species could also be helpful, while also reducing the obfuscation of the second-and third-floor facades of dozens of historic buildings along Market.

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For all these reasons, we oppose any alternative that requires relocation and replacement of the Path of Gold Standards.

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#### F-LINE LOOP via McALLISTER and CHARLES BRENHAM STS.

We note that no alternative is put forward that leaves the existing Path of Gold Standards in place while including the F-Short Line loop to be installed on McAllister and Charles Brenham. This makes no sense. The framers of this DEIR seem to be saying independently worthy upgrades to Market Street are only available if you agree to scrap the current arrangement of Path of Gold Standards. The Path of Gold Standards do not have to be modified to accommodate the modest amount of work needed to install the OCS for the F-line loop; indeed on McAllister, the supplemental support poles are already in place, currently holding up the OCS for the 5-Fulton trolley bus line.

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As has been amply documented by SFMTA, the F-line short loop gives far greater operational flexibility and resiliency to what has been, since its extension to Fisherman’s Wharf in 2000, the most popular traditional streetcar line in North America. While it is impossible to predict future demand for travel along the length of the F-line route in coming years, it is clear that if San Francisco wishes to retain/regain its status — and the economic benefits — of being one of the world’s great visitor destinations, it is imperative to have adequate capacity between Civic Center, Powell Street/Union Square, the Ferry Building, and the attractions along The Embarcadero, culminating at Fisherman’s Wharf. We wish to register a strong request that the ultimately-adopted alternative include both preservation of the existing Path of Gold Standards, and the F-line loop.

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### PARTIAL PRESERVATION ALTERNATIVES

We believe that the defining historic aspects of Market Street as a great urban thoroughfare covered by this DEIR are two: the Path of Gold Standards, and the presence of rail transit. Architecture is another obvious contributor, as are the presence in various periods of famed businesses, but those are beyond the DEIR’s scope. Both the Path of Gold Standards and transit rails define Market as unique, and, importantly, linear. It is the strong spine of San Francisco, and has been since the first rail transit in 1860, and the installation of the first Path of Gold Standards in 1915. Other aspects of Market Street, such as the cantilevered traffic lights and the brick sidewalks, have made later appearances, though few San Franciscans clearly consider these immutable.

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But when surface rail transit on Market was threatened with the opening of Muni Metro in 1980, public opinion — and ridership during the summertime demonstration Trolley Festivals starting in 1982 — made it clear that San Franciscans wanted streetcars to stay. And when tracks were restored west of Octavia as part of the F-line project, the residents and businesses of Upper Market/Castro similarly made it clear that they wanted the Path of Gold Standards extended to and through their neighborhood, ending decades as a “second-class” stretch of Market when it came to amenities. Our support will go to an alternative that respects these past expressions of support for core elements of Market Street, while also ensuring that Market Street retains a consistent look along its entire length, from Steuart to Castro. That is why we oppose any “Partial Preservation” alternative that allows brick sidewalks to remain on some blocks, while being replaced on others, for example. If (and only if) adequate funding is available, we support restoring Market Street’s sidewalks to the gray concrete paving they had between about 1907 and 1970, perhaps with modern pavers for ease of maintenance. Historic research shows that political considerations as much as design ones drove the high-installation-cost, high-maintenance-cost choice of bricks during the rebuilding of the 1970s. We agree that ADA and other considerations militate toward their replacement.

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### SUMMARY

- We support preservation of the existing Path of Gold Standards in their current locations, modifying the “furnishing zone” and if necessary the roadway in places to accommodate the sidewalk-level bicycle lanes and modifying the OCS if needed to avoid raising the standard height; we believe replacing and moving them is technically unnecessary, unaffordably expensive in the current and projected economic environment, and excessively disruptive to businesses along the street.
- We are disappointed that the preparers of this DEIR have chosen to group alternatives in a way that suggests the only way to receive other benefits (such as sidewalk replacement, the F-line loop, the sidewalk-level bikeway) is to agree to what might end up being the most expensive and disruptive, yet unnecessary aspect of the project, relocation of the Path of Gold Standards.
- We support the F-line loop at McAllister and Charles Brenham, and do not believe it is or should be contingent on implementing relocation/replacement of the Path of Gold Standards.
- We believe changes in the alignment of the streetcar tracks on Market Street should be held to an absolute minimum because of the historic linearity that they bring to the street.
- We oppose “partial preservation” alternatives that would replace bricks with pavers on some blocks but not others. Consistency is essentially to creating a great boulevard.

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- We oppose proposed work schedules that carry out construction mostly in daylight hours, negatively affecting businesses already suffering under the burden of COVID-19.
- Given current and projected economic circumstances, we support a very careful reassessment of all aspects of this project, focusing on delivering maximum value to the public and stakeholders along the corridor for the money and time spent. This comes under the general category of “if it ain’t broke, don’t fix it”.



We look forward to following this project closely, and being a prominent public voice to ensure it truly adds adequate value to San Francisco and San Franciscans for the costs and time involved. Thank you for your consideration of our views.

Sincerely,

**Rick Laubscher**

President

**Market Street Railway**

870 Market Street, Suite 803

San Francisco, CA 94102

415-305-5242 (direct)

## **Letter O-2, Market Street Railway, July 14, 2020**

### **Response to Comment O-2.1**

Caltrans would like to clarify that the current environmental process is being conducted to comply with NEPA, and this document is responding to comments provided on the Draft EA that was circulated for public review on May 29, 2020. The comment letter provided appears to be responding to the Draft Environmental Impact Report, which was prepared by the San Francisco Planning Department to comply with the California Environmental Quality Act (CEQA) and circulated for public review in 2019. CEQA clearance occurred through a separate process. CEQA review of the project was completed with certification of an Environmental Impact Report by the San Francisco Planning Commission on October 10, 2019; no further CEQA review of the project is anticipated to be needed at this time. To the extent the commenter's comments are applicable to the Draft EA, responses are provided in response to comments O-2.3 through O-2.21.

The City has been engaged in more than a decade-long effort to consult with numerous stakeholders throughout the City to develop a vision for the future of Market Street, and the need on which the purpose for the project is based represents the "baseline" condition for the transportation system in the City of San Francisco. The commenter is correct that the No-Build Alternative, to which impacts of the project were compared, does not account for COVID-19-related changes to travel and commute patterns and the emergency actions that the City has put in place in response to the crisis. However, that fact does not render the analysis in the Draft EA invalid. The analysis in the Draft EA relies on transportation modeling looking forward. Developing phased, multi-year transportation projects comes with the assumption that they will be developed during fluctuating economic cycles. Those cycles may affect the precise schedule for implementing Better Market Street, but the future with project scenario remains valid as long as it is consistent with regional transportation planning efforts. As a recent example of a disruption in the economic cycle and the corresponding rebound, the demands on the transportation system have grown since the 2008 recession, spurring demands for improvements on Market Street to address the conflicts between different modes of travel. Better Market Street seeks to resolve those issues over the long-term.

Furthermore, despite the interim emergency modifications enacted by the San Francisco Municipal Transportation Agency (SFMTA) in response to the COVID-19 crisis, the foundational planning assumptions underlying the project's purpose and need remain. San Francisco's transit-first policy, SFMTA's MuniForward transit system redesign, the City's Vision Zero policies, and the capital facilities revitalization needs in the Market Street corridor remain.

### **Response to Comment O-2.2**

Please see response to comment O-2.1 regarding COVID-19-related changes to travel and commute patterns and the City's long-term planning process.

As discussed on page 1-44 in Chapter 1 of the Draft EA, construction is anticipated to begin in 2020, with work divided between up to seven separate multiple-block segments of Market Street. Work will continue for at least a six-year period (and, potentially, up to 14 years), including inactive periods. Active construction at any given point is anticipated to last a minimum of one year per segment, however any given business will not be exposed to the full six to 14 year duration of construction because construction activities will move on to the next segment as soon as they are completed. Construction of the proposed project will start with the segment of Market

Street between Fifth and Eighth streets, with subsequent phases extending east to Fremont Street and west to 10<sup>th</sup> Street as soon as possible. The timing of the next segment is not known at this time.

### **Response to Comment O-2.3**

As discussed on page 1-44 in Chapter 1 in the Draft EA, construction will typically be restricted to 7:00 a.m. to 5:00 p.m., seven days a week. In consultation with stakeholders, the City may agree to waivers, thereby extending work hours to expedite the construction schedule in areas where land uses are primarily commercial. Nighttime or weekend construction will not occur every night or weekend. Work hours and days will be adjusted to accommodate transit operations, bike movements, pedestrian needs, and local businesses along the corridor during different stages of construction. Further study of each block and side streets will be performed during detailed design work to finalize the hours. Some night work and weekend work may be required in areas where land uses are primarily commercial.

Caltrans acknowledges the commenter's concerns regarding potential impacts on businesses along the project corridor during construction of the proposed project. The project contains a number of standardized measures that are used on most, if not all, San Francisco Public Works projects and were not developed in response to any specific environmental impact resulting from the proposed project. San Francisco Public Works requires all construction contracts to include San Francisco Public Works' standard construction measures (SMs) in bid packages for the purposes of protecting human health and safety as well as environmental resources. As discussed on page I-48 in Chapter 1 of the Draft EA, the project would be required to comply with SM-TRA-1, Construction Management Plan. Specifically, SM-TRA-1 would require construction coordination with adjacent businesses. During construction of the proposed project, access to all abutting businesses shall be maintained, either through the existing sidewalk or a reduced sidewalk area or temporary access ramp. Signs shall be installed, indicating that the businesses are "open during construction." All temporary access ramps shall be in compliance with the ADA. In addition, SM-TRA-1 would require project Construction updates for adjacent businesses and residents. To minimize construction impacts on access, the project sponsor shall provide adjacent and nearby businesses and residents with regularly updated information regarding project construction, including construction activities, peak construction vehicle activities, travel-lane closures, and other lane closures. At regular intervals, to be defined in the construction management plan, a regular email notice shall be distributed by the project sponsor that provides current construction information of interest to neighbors as well as contact information for specific construction inquiries or concerns. In addition, the project will facilitate access to businesses along the project corridor by improving the accessibility of the corridor and quality of its streetscape environment, benefitting the hundreds of thousands of pedestrians, transit riders, and bicyclists that currently use the corridor each day.

### **Response to Comment O-2.4**

The commenter states that there is no justification for the proposed changes to the Path of Gold light standards within the project corridor. The commenter also states that there is room to accommodate a sidewalk-level cycle track without relocating or replacing Path of Gold light standards without providing any evidence to support the claim. As stated on page 1-40 in Chapter 1 of the Draft EA, the 236 Path of Gold light standards within the project corridor will be partially restored (the tridents), reconstructed (base and poles), and realigned. The standards will be reinstalled in a consistent alignment to create a visible linear edge to the pedestrian zone. Some



individual standards may need to be located out of alignment with adjacent standards or removed to accommodate conflicts in the furnishing zone or sub-sidewalk basements. San Francisco Public Works has conducted sub-sidewalk investigations and utility studies along the project corridor to improve understanding of sub-surface conditions as part of the design process. In addition, the proposed relocation of the Path of Gold light standards is needed to provide room for the proposed sidewalk-level bikeway. With the Path of Gold light standards moving farther apart (away from the curbline), the overhead contact system (OCS) will need to be redesigned to take on the additional load.

### **Response to Comment O-2.5**

The commenter claims that the proposed changes to the Path of Gold light standards would result in a highly significant impacts on vistas without providing any evidence to support the claim. Under CEQ implementing regulations, an agency may prepare an EA to determine whether the environmental impact of the proposed action is significant enough to warrant an EIS (40 CFR § 1508.9). If an EA establishes that the agency's action "may have a significant effect upon the environment, an EIS must be prepared." If the proposed action is found to have no significant effect, the agency must issue a finding to that effect (a "FONSI"), "accompanied by a convincing statement of reasons to explain why a project's impacts are insignificant." The Draft EA establishes that Better Market Street would have no significant effect (as discussed below), and the commenter does not provide facts to demonstrate otherwise.

As discussed on page 2.1.5-13 in Section 2.1.5 of the Draft EA, although some individual standards may need to be located out of alignment with adjacent standards or removed to accommodate conflicts in the furnishing zone or sub-sidewalk basements, no more than 24.6 percent of the 236 standards will be removed or located out of alignment with other standards. This percentage translates to an estimated 58 of the 236 light standards in the project corridor, less than 18 percent of the total number of standards (327) within the entire article 10 landmark. This change will not be perceptible at either the street level or landscape level. From the viewpoints of Twin Peaks (approximately 10,500 feet west of the project corridor) and Corona Heights Park (approximately 6,500 feet to the west), the shifting of several adjacent standards north or south of their current locations or the removal of any individual light standard will not be perceptible. In addition, from a landscape perspective, the Build Alternative will result in the light standards being placed in a more consistent alignment, enhancing the "brilliant linear pathway" more effectively. Therefore, from a landscape perspective, the Build Alternative will not degrade the visual quality of the Path of Gold light standards.

Within the context of Section 106 and NEPA review, the re-evaluation of the Path of Gold light standards deduced that the light standards located within the project area are replicas that were installed in the 1970s and do not individually constitute a resource. The Path of Gold replica standards do contribute to the Market Street Cultural Landscape District, however, and the proposed project will result in significant impacts/adverse effects to the district due to aggregate loss and alteration of contributing elements. The treatment of the Path of Gold replica standards will be reviewed and approved by the Historic Preservation Commission and also by cultural resources staff within the sponsor and federal agencies who are signatories to Memorandum of Agreement. One of the stipulations of the PA and the revised Avoidance, Minimization, and Mitigation measures (AMMs) in the EA state that the treatment of the Path of Gold replica standards must meet the Secretary of the Interior's Standards for Rehabilitation. Thus, their contributions to the Market Street Cultural Landscape District, including their alignment, will be retained.

In addition, there is some distinction between impacts determined under Criterion A and Criterion C. Adverse effects were not found under Criterion A even given the treatment of the Path of Gold replica standards. Most of the character-defining features that define the district as a central urban corridor and as a venue for civic engagement will be retained and only a few will be altered, so there is no aggregate loss. Regardless, the treatment stipulations provided in the Project PA dated September 11, 2020 and the AMMs in the Final EA will apply to the whole project.

### **Response to Comment O-2.6**

The commenter questions the justification for raising the height of the Path of Gold light standards. As stated on page 1-41 in Chapter 1 of the Draft EA, the existing support poles for the Path of Gold light standards will be replaced with larger poles that will be better for supporting the overhead contact system (OCS) wires (i.e., wider spans for the OCS will require the poles to resist more weight and tension). The Path of Gold light standards need to be higher to support the new OCS wires required for new maneuvers that would occur after implementation of the proposed project. In addition, the existing OCS poles were constructed using a segmented method that is no longer considered standard construction. The proposed OCS poles are the shortest poles available to SFMTA that will be able to accommodate the highest tensions along the project corridor. The new OCS poles will also achieve a consistent size for the Path of Gold light standards within the project corridor. The relocated OCS wires will need to follow current clearance requirements, which are available at: [https://www.cpuc.ca.gov/gos/G095/go\\_95\\_startup\\_page.html](https://www.cpuc.ca.gov/gos/G095/go_95_startup_page.html). As stated on page 1-41, the existing tridents will be salvaged and retrofitted with upgraded electrical units, then reinstalled atop the new poles. As stated on page 1-42, the project will replace all feeder/equalizer/tangent spans along Market Street from Octavia Street to Steuart Street, including approximately 100,000 feet of streetcar/trolleybus wire, with new 2/0 or 4/0 streetcar wires. Streetcar/trolleybus wire will be replaced largely in its existing alignment. Additional OCS wires between 10<sup>th</sup> and Eighth streets will be included to accommodate curb-lane trolleybus operations.

### **Response to Comment O-2.7**

The commenter questions the justification for which Muni lines will provide service from the center track lane. As discussed on page 1-38 in Chapter 1 of the Draft EA, service will be provided in the center track lane for some rapid lines (i.e., 5, 5R, 9, 9R, 7X as well as the F-line) as well as the curb lanes for local bus routes (i.e., 2, 6, 7, 19, 21, 31, 38, 38R, L Owl, N Owl). Bus route 7 does not have a rapid route (unlike the 5 and the 9 bus routes) and, therefore, it will run in the curb lanes. Bus routes 38 and 38R will run in the curb lanes because they only run along Market Street for a short distance before turning off. In addition, SFMTA is evaluating a transit service concept as part of the project that will have outbound bus route 5 and outbound bus route 9 stop at the curbside transit stop between O'Farrell and Stockton streets, which will require the proposed curbside transit stop to be lengthened by approximately 40 feet. In addition, bus routes 14, 14R, and 14X will continue to have drop-off-only stops at Market and Steuart streets; bus routes 81X, 30X and 10 and 12 will continue to run on Market Street but will not stop.

### **Response to Comment O-2.8**

The commenter suggests that SFMTA use battery-powered motor coaches within the project corridor. While SFMTA has been running some battery-powered motor coaches for short distances, evaluation of these lines have shown that the amount of time needed to re-pole, or to go from off-wire back to the OCS, would not be feasible for Market Street given the number of Muni routes along Market Street.

The commenter also suggests that the J Church, a Muni light-rail line, operate on the surface rather than within the subway along Market Street. Due to the need to have local and rapid bus services in the same corridor share the center lane and the fact that SFMTA currently has no plans to discontinue trolley operation or the 5/5R bus routes, it is not feasible for the J Church to operate on the surface of Market Street. In addition, if the J Church were to operate on the surface, it would need to operate very slowly given the complex and unpredictable conditions on Market Street.

Please see response to comment O-2.1 regarding COVID-19-related changes to travel and commute patterns and the City's long-term planning process.

**Response to Comment O-2.9**

Please see response to comment O-2.1 regarding COVID-19-related changes to travel and commute patterns and the City's long-term planning process.

**Response to Comment O-2.10**

Please see responses to comment O-2.1 through O-2.9 regarding the proposed changes to the Path of Gold light standards.

**Response to Comment O-2.11**

The commenter incorrectly represents making the Path of Gold light standards more visible above the street trees as one of the justifications for the proposed increase in height for the standards. Please see response to comment O-2.6 regarding the need to increase the height of the Path of Gold light standards. Contrary to the commenter's claim, making the fixtures more visible above the street trees is not one of the City's justifications for raising the height of the Path of Gold light standards.

The commenter also recommends the selection of appropriate tree species. As discussed on page 1-40 in Chapter 1 of the Draft EA, San Francisco Public Works, in coordination with a tree-selection working group, composed entirely of local arboriculture experts, has prepared a provisional tree species list, made up of seven different genera, to increase diversity and help avoid disease, which has affected the current monoculture of London plane trees. Table 1-7 in the Draft EA indicates the tree genera under consideration to meet the criteria, which include sidewalk suitability, wind tolerance, salt/fog tolerance, shade tolerance, drought tolerance, maintenance, and scale/size. Street tree maintenance is currently the responsibility of Public Works, and Public Works will continue to maintain street trees following the completion of construction activities.

**Response to Comment O-2.12**

The commenter's opposition to the proposed changes to the Path of Gold light standards is noted.

**Response to Comment O-2.13**

Alternatives to the project were considered to the extent that they could meet the project purpose and need, and a number of alternatives were considered but eliminated from further consideration as described in section 1.7.4 of the Draft EA. The principal purpose and need is to make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians. The commenter's suggestion to leave the existing Path of Gold light standards in place while constructing the F-Line F-loop would

not achieve the primary project purpose because it would not reduce conflicts between the different modes of transportation on Market Street. To effectively achieve the primary project purpose requires reconfiguring the roadway to construct a bikeway, modifying transit stops and transit signal timing, and modifying pedestrian crossing facilities, amongst other infrastructure improvements to improve the transit system on Market Street. In particular, the design of a dedicated bikeway conflicts with numerous existing Path of Gold light standards, requiring relocation, or in some cases, removal. Furthermore, the Path of Gold light standards need to be modified to accommodate a new OCS system. See responses to comments O-2.4 to O-2.6 for further information regarding the need to restore, rehabilitate, and re-align the Path of Gold light standards.

**Response to Comment O-2.14**

The Path of Gold standards within the project corridor are the replica standards and they were installed in the 1970s. The Path of Gold original standards are located between Octavia Boulevard and Castro Street and will not be removed or altered as part of this project. The Path of Gold light standards within the project corridor are not originals and were installed after the period of significance that has been determined for the Market Street Cultural Landscape District as an urban thoroughfare under Criterion A of the National Register of Historic Places (NRHP).

Landmark buildings and transit (including rail) contribute to the Market Street Cultural Landscape District as an urban thoroughfare which has a period of significance of 1847-1968. The project will not alter any landmark buildings and while the rails will be replaced, the approach to alterations outlined in Chapter 1 of the Draft EA is consistent with Market Street's historic use and the evolution of Market Street's rail features during the 1847-1968 period of significance.

**Response to Comment O-2.15**

The commenter's objections to the "Partial Preservation" alternatives and preference for gray concrete paving are noted.

**Response to Comment O-2.16**

The commenter's support for preserving the existing Path of Gold light standards in their current locations, while modifying other elements of the project is noted. Please see responses to comments O-2.1 to O-2.8 for further information regarding the need for modifications to the Path of Gold light standards.

**Response to Comment O-2.17**

Please see responses to comments O-2.1 to O-2.8 for further information regarding the need for modifications to the Path of Gold light standards. Please also see the response to comment O-2.13 regarding the commenter's suggested alternative to retain the Path of Gold light standards while constructing the F-Line F-loop.

**Response to Comment O-2.18**

The commenter's support for minimizing changes to the streetcar track alignment is noted.

**Response to Comment O-2.19**

The commenter's objections to the "Partial Preservation" alternative is noted.

**Response to Comment O-2.20**

Please see response to comment O-2.3 regarding the potential effects of project construction on businesses.

**Response to Comment O-2.21**

Please see response to comment O-2.1 regarding COVID-19-related changes to travel and commute patterns and the City's long-term planning process.





July 14, 2020

O-3

Boris Deunert  
San Francisco Public Works  
30 Van Ness Avenue, 5th Floor  
San Francisco, CA 94102  
Boris.Deunert@sfdpw.org

Re: Draft Environmental Assessment for Better Market Street

Dear Mr. Deunert,

Thank you for your work on the Draft Environmental Assessment for Better Market Street. San Francisco Transit Riders (SFTR) is the city's independent, non-profit advocate for the rider's voice, working for efficient, affordable, and accessible public transit.

On March 29, 2020, San Francisco Transit Riders submitted the attached comments on the Better Market Street (BMS) Draft Environmental Impact Report (DEIR), which are hereby incorporated as part of our comments on the Environmental Assessment (EA).

We are extremely supportive of the traffic changes that are part of the BMS project, specifically those that have already been implemented. Market Street is a far more efficient, pleasant, safer, and more accessible street since the removal of private car access - nothing contained herein should be construed as criticism of those changes.

However, we are concerned with plans for transit service changes which will, we believe, negatively impact riders and the accessibility of transit along the Market St. corridor. With increases in service such as the Central Subway and other planned rail access increases to downtown, and with decreases in accessibility for private vehicles, we anticipate Market St. will be an even more important corridor for transit access, with increasing numbers of daily riders using service along the corridor.

1. Alternatives Considered but Eliminated From Consideration

The proposed design includes only 5 stops for center lane transit vehicles between Beale Street and Van Ness Avenue, resulting in stop spacing up to more than one-half mile (2867 feet) between stops. In our DEIR comments we supported an alternative design with more frequent center-lane stops developed during the BMS study period called the "Enhanced Local Transit" option, which was subsequently dropped by staff. The discussion in the EA of "Alternatives Considered but Eliminated From Consideration" (p. 1-53 ff) never discusses the "Enhanced" Concept, and neither the EA nor the DEIR Comments and Responses explains why this option was dropped from consideration.

The notion that the center-lane stop spacing is acceptable because "the Build Alternative will maintain local stop spacing and provide more routes with frequent



service in the mixed-flow travel lane” is hardly a satisfactory response to riders of center-lane routes F, 5 and 9, particularly those with mobility challenges.

4  
cont'd

## 2. Transit Operations

EA Page 2.1.4-19 (and 2.1.4-24) alleges that “most routes operating on Market Street will experience decreased weekday p.m. peak hour travel times under the Build Alternative.” This may be true for vehicles, but it is not true for riders. When additional walking times to and from the more distant center-lane stops are factored in, most transit riders will not experience decreased travel times. Many people will in fact experience increased travel times.

5

The logic of lengthened stop spacing works in a subway where trains operate at 30 to 50 MPH between stops; the logic fails with surface operations with average speeds that remain under 10 MPH between stops under the Build Alternative. Furthermore, the density of destinations on and near the Market St. corridor and the high transit ridership means closer stop spacing makes sense for accessibility and vehicle crowding. Skip-stop service and longer stop spacing make more sense in less dense areas where fewer people need a stop every block.

The discussion also acknowledges that for “some routes” transit travel times will actually increase by up to four minutes, which it declares “not significant.” This is hardly insignificant from the standpoint of transit riders.

6

Other than as a result of traffic changes, the EA does not demonstrate improvements in travel times for most transit riders under the Build Alternative—because they do not exist. SFTR would like to see the BMS project include tangible benefits for riders, especially increased accessibility and ease of use.

## 3. Accessibility and Safety

SFTR supports the creation of a separated bicycle lane to increase safety for all users and to reduce conflicts. However, the location of curb transit stops across the cycle track from the pedestrian path in the Build Alternative will increase the conflicts between moving cyclists and transit passengers. Currently, all access to transit occurs on the curb without conflict or at intersections where traffic signals bring cyclists to a full stop. By contrast, the Build Alternative brings curb passenger access to mid-block unsignalized locations where cyclists are not brought to a stop at transit access points. This is inherently more hazardous to transit passengers than a design with all transit stops located at intersections as they will be crossing cyclists to get to and from the transit access points. This is not addressed in the EA (e.g. p 2.1.4-20).

7

Staff is also now suggesting that future bicycle volumes on Market Street have been underestimated. Increased bicycle volumes will only further increase the conflicts between cyclists and transit riders at mid-block bus stops. We encourage increased bicycle facilities on wide parallel streets as a way to provide regular cyclists with downtown destinations a more direct, dedicated route.

8

Additionally, the proposed spacing of center lane transit stops will increase pedestrian volumes on Market Street and further increase pedestrian exposure to conflict with bicycle riders, as well as with buses and remaining traffic on Market Street.

9

4. Stockton & Fourth Street: Connection to Central Subway

Another major concern is the transfer between Market St. service and the Central Subway below. These are two major flagship transit projects that cross each other - they should intersect to the extent possible with easy transfer points. Unfortunately, compromises in design due to the finite width of Market St. have meant that the center lane Market St. transit stops are proposed to be fairly far from the Central Subway platforms below.

The EA acknowledges (p.1-38) that "SFMTA is evaluating a transit service concept . . . that will have outbound bus route 5 and outbound bus route 9 stop at the curbside transit stop between O'Farrell and Stockton streets." While this attempts to bring the center-running routes closer to the Central Subway entrance, it is a peculiar and confusing approach that conflicts with the design concept for Market Street. Bringing the center-running routes to the curb for one stop in fact underscores the deficiencies of the basic proposal. (It will not even be possible when the 5-line operates as a trolley coach.)

10

Thank you for your attention to our concerns about making Better Market Street even better, with improved transit access, fewer conflicts between users, and a safer more pleasant experience for all users.

Sincerely,



Cat Carter  
Interim Executive Director  
San Francisco Transit Riders



Peter Straus  
Board Director  
San Francisco Transit Riders

Attachment: March 29, 2020, SFTR comments on Better Market Street DEIR

cc: Jeffrey Tumlin, Director of Transportation, SFMTA  
Tilly Chang, Executive Director, SFCTA  
SFMTA Board of Directors



29 Mar 2019

Chris Thomas  
San Francisco Planning Department  
1650 Mission Street  
San Francisco, CA 94103

Re: Better Market Street Draft Environmental Impact Report

Dear Mr. Thomas,

San Francisco Transit Riders is a grassroots advocate for efficient, affordable and growing public transit. We have closely followed the Better Market Street project and have participated in regular meetings with staff, as well as public forums and the BMS Community Working Group.

We offer the following comments on the Draft Environmental Impact Report.

**Segregated Bike lane and general traffic changes:**

We are strongly in support of the concept of establishing segregated bike lanes along Market Street to reduce impacts of bike riders on Market Street transit operations, assuming they can be created without denigrating transit operations. We are similarly in support of restrictions proposed on general traffic movements to reduce delays due to the volume of general traffic on Market.

**Transit impacts:**

The DEIR evaluates transit impacts solely on the basis of the following single criterion:

Impact TR-4. The proposed project variant would not result in a substantial increase in delays or operating costs such that significant adverse impacts on local or regional transit would occur. (Less than Significant)

Using such a statement as the sole criterion of transit impacts is agency-focused and disrespectful of riders' needs.

There are significant impacts on Market Street transit riders resulting from proposed changes in stop locations and related traffic signal changes not captured by such a metric. We find such impacts of the staff recommended project significant and adverse, inadequately presented in the environmental documentation, and requiring analysis and mitigation.

Table 1: Existing and Proposed Transit Stop Locations and Spacing.

Existing											
Inbound						Outbound					
Curb			Center			Center			Curb		
Streets	Position	Distance	Streets	Position	Distance	Streets	Position	Distance	Streets	Position	Distance
8th/7th	mid	-	Gough	near	-	Drumm *	near	-	Drumm *	near	--
7th/6th	mid	675	Van Ness	near	1025	Battery	near	1450	Front	near	1100
6th/5th	mid	925	9th	near	1250	Sans./Mtgy.	mid	925	Sans./Mtgy.	mid	1275
5th/4th	mid	650	8th	near	625	Kearny	near	800	Montgomery	far	450
4th/3rd	mid	800	7th	near	925	Stockton	near	1025	Grant	far	1100
3rd	far	825	6th	near	850	Cyril Magnin	near	875	Powell	near	875
2nd/1st	mid	1225	5th	near	975	Taylor	near	925	Mason/Taylor	mid	950
Beale	far	1100	4th	near	800	7th St N	near	900	7th N	near	1075
	AVG	890	3rd	near	1050	Hyde	near	925	7th N/Hyde	mid	875
	MAX	1225	New Mtgy	near	625	Larkin	near	600		AVG	960
	#	8	1st	near	1150	Van Ness	near	1175		MAX	1275
			Main	near	1100	Gough	near	1125		#	9
				AVG	940		AVG	980			
				MAX	1250		MAX	1450			
				#	12		#	11/12**			

Proposed											
Inbound						Outbound					
Curb			Center			Center			Curb		
Streets	Position	Distance	Streets	Position	Distance	Streets	Position	Distance	Streets	Position	Distance
Gough***	near	-	Gough	near	-	Drumm *	near	-	Drumm *	near	--
Van Ness***	near	841	Van Ness	near	1133	2nd	near	2117	Front	near	832
9th	far	1514	8th/7th	mid	2259	5th N	near	2702	Sans./Mtgy.	mid	688
8th/7th	mid	1024	5th	far	2867	7th N/Hyde	mid	2397	Mtgy./Kearny	mid	1133
6th	near	936	3rd	near	1286	Van Ness	near	2073	Grant	far	1046
5th	near	912	1st	far	1741	Gough	near	1101	5th N	near	1411
4th/3rd	mid	1475	Main	near	1082		AVG	2080	Taylor	far	976
3rd/NMtgy.	mid	960		AVG	1730		MAX	2702	7th N/Hyde	mid	1108
1st	near	1036		MAX	2867		#	5/6**	Larkin	far	1208
Main***	near	1360		#	7				Van Ness***	near	861
	AVG	1120							Gough***	near	1101
	MAX	1514								AVG	1036
	#	10								MAX	1411
										#	11

\* Curb stop also used by center-lane services, sidewalk widened to provide only one outbound lane  
 \*\* Smaller figure for use in counting total stops; larger figure is number of stops made by center-lane services  
 \*\*\* Island stop with local service

Last updated 10-23-17



## 1. TRANSIT STOP SPACING

Current center lane transit vehicles stop at eleven inbound and ten outbound boarding islands between Drumm Street and Van Ness Avenue, located at the nearside of almost every block. The distance between stops ranges from 600 to 1450 feet between stops, generally conforming to SFMTA standards.

As shown in Table 1, the recommended plan for Market Street reduces the number of recommended boarding islands to six inbound and four outbound, with the distances between islands ranging from 1082 to an unacceptable 2867 feet, over half a mile. Six of the ten gaps between stops exceed 2000 feet, as indicated in yellow on our table.

This constitutes an excessive and adverse impact on transit riders, and one that is not adequately discussed in the DEIR.

In 2013, when this proposed stop spacing was first suggested (“Rapid” stop spacing), it was proposed in conjunction with an awkward set of line assignments that separated paired Rapid from Local lines. (See Figure 1, from DEIR Appendix 11.) We concurred with staff when this set of line assignments was abandoned in favor of the more legible and convenient assignments associated with the so-called “Enhanced” stop spacings. However, staff did not then revert to those “Enhanced” stop spacings (Concept 1) that had been associated with the paired line assignments.

Were the Enhanced island stop spacings to be adopted, that would mitigate the adverse impacts of the stop spacings of the recommended plan that we are here calling out.

In simple terms, the “Enhanced Concept” would preserve reasonable stop spacing, thus mitigating this particular impact, while still reducing the number of stops from what currently exists.

That said, any dilution of stop frequency from the current spacing at essentially every block imposes impacts on riders that warrant evaluation in the DEIR.

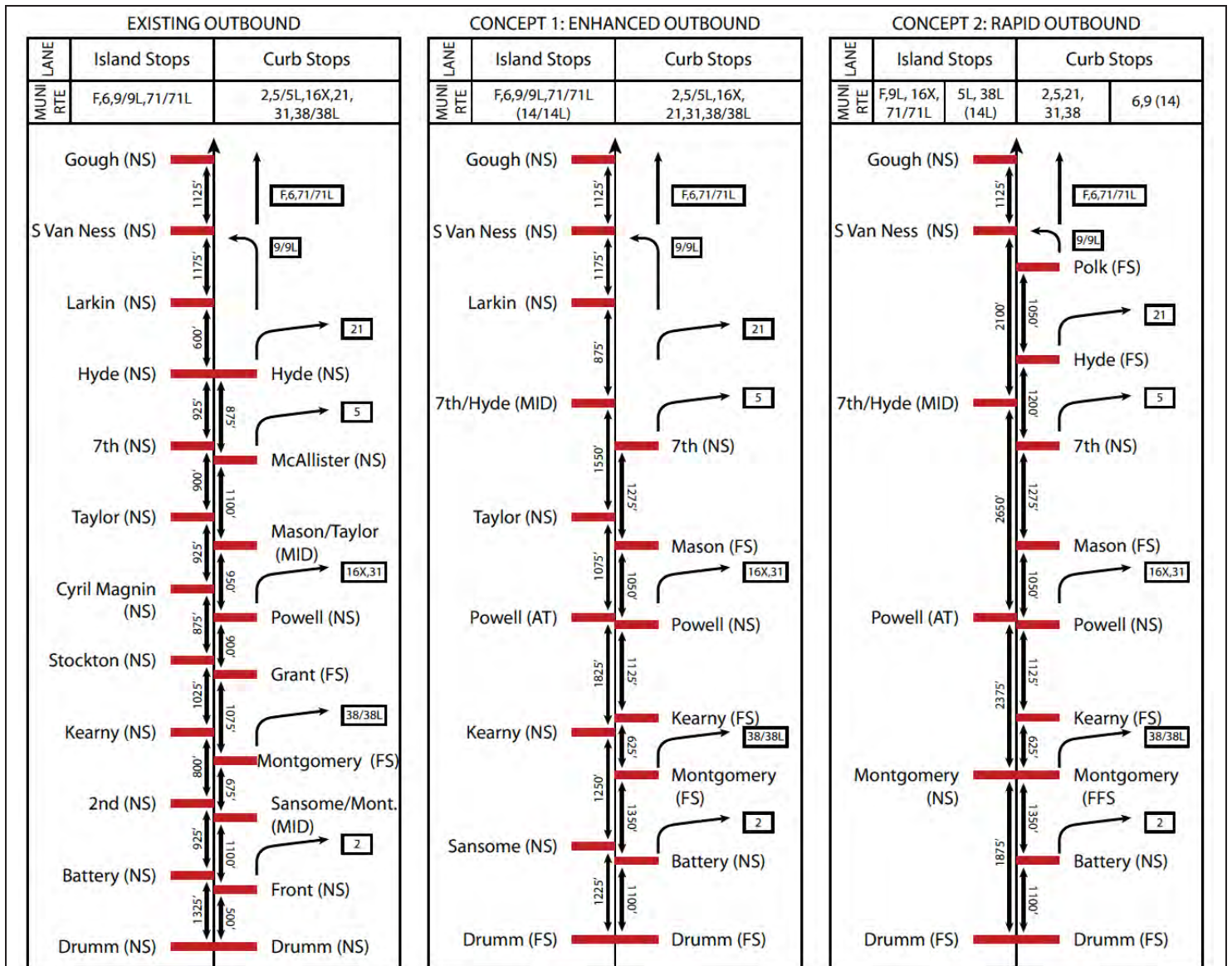
## 2. FOURTH STREET AND THE CENTRAL SUBWAY

The above discussion of the “Enhanced” stop locations notwithstanding, we are concerned that the proposal as recommended fails to include island stops at Fourth Street, the point of intersection with the new Central Subway, due to open late this year. This is contrary to good transit practice, and makes a long access path to and from the Central Subway’s platform even longer. A stop for all transit lines at Fourth Street should be provided.

We note that Third and Kearny, where Market Street lines intersect the northbound 8, 8AX, 8BX, 30 and 45 lines, is one of, if not the, heaviest transfer point on the Muni system, even more so if adding in the southbound connections at Fourth Street, and a significant degree of this activity will shift from the surface buses to the underground T-Third line in the Central Subway facility.

A close examination of the staff proposals show that Muni is squeezed at Fourth Street between BART entry structures and the proposed surface bikeways in a manner that appears to give lowest priority to providing an island Muni stop at this and possibly other locations. This raises questions as to the design of

Figure 1: Transit stop comparison. (Source: DEIR App. 11—*Better Market Street Final Report*, 2013; pp 18-19.)



- Enhanced Local Transit operations: with minor stop optimization changes, Enhanced Local Transit operations would result in nine island stops and seven curbside stops in the inbound direction and nine island stops and six curbside stops in the outbound direction. Transit operations would continue to assign lines on a destination basis, i.e., inbound buses headed to the Ferry Building travel in the center lane and inbound buses en route to the Transbay Transit Center (TTC) travel in the curbside lane. Outbound buses headed to the Castro would stay in the center lane, while buses turning onto the North-of-Market grid would travel in the curbside lane. This lane assignment would allow passenger to board both limited and local bus service at the same stops, thereby preserving system legibility.
- Rapid Transit operations: with significant stop optimization changes, Rapid Transit operations would result in six island stops and nine curbside stops in the inbound direction and six island stops and eight curbside stops in the outbound direction. Limited-stop transit lines would be assigned the center lanes, while local lines would use the curbside lanes. The limited lines in the center lane should benefit greatly from the greater stop spacing (averaging about 2000 feet). However, route legibility for customers may be jeopardized for customers, as they would no longer be able to catch limited and local buses at the same stop. The Rapid Transit lane assignment scheme would also require inbound limited buses headed to the Transbay Transit Center to change lanes before turning right at 1st Street. Similarly, outbound limited buses headed to the NOMA grid would need to transition to the curbside lane before taking a right turn, which is a maneuver not currently needed with the existing lane assignments.

the BART entries themselves, which consume an inordinate amount of street width, more than street subway entries in other cities.

Figure 2 illustrates that even in the early twentieth century, New York realized that staggering entry facilities rather than providing all stairs and (today) escalators parallel to one another in a single wide structure consumes excessive street width.

The designs evaluated for this and possibly other locations along Market Street failed to consider redesign of BART entries as one solution to providing space to allow Muni island stops at the most desirable locations.

Whether by modifying BART entries or other means, the impacts of not providing Muni stops at the most desirable locations, such as Fourth Street, and possible mitigations, have not been addressed in the environmental documentation.

Figure 2: Staggered subway kiosks in early twentieth century New York.





### 3. TRANSIT TRAVEL TIMES

The goal of the San Francisco Transit Riders is to ensure that Market Street transit operations present passengers with the fastest and most reliable transit service that can be achieved in a safe and effective manner.

Rather than representing “surface subway” travel times, even the vehicle speeds presented by the recommended proposal remain close to 7 MPH or less, hardly a “rapid” experience. If the added walking times to the reduced stops are factored in, for many riders the equivalent speeds drop to 6.6 MPH or less for lines using the center islands. Curb bus riders fare even worse, with afternoon peak buses remaining at 5.4 MPH. These are almost all significantly slower than 1985-1990 “transit green wave” times. We would consider that an adverse project impact on transit riders.

It is our conclusion that the DEIR does not demonstrate that optimally improved travel times can be best accomplished by the recommended alternative, and that the recommended alternative is inaccurately portrayed by comparisons to a dysfunctional and inappropriate “existing” base case.

The most appropriate “base case” for environmental comparisons would be an optimized and updated version of the 1985 passive priority (transit green wave) system, with stops at every block currently served.

Furthermore, the travel times offered by the recommended alternative at best are an insufficient improvement over even current times.

More specifically, the DEIR fails to establish that the recommended project provides transit travel times to the rider that are superior to those that would be afforded by an alternative incorporating the historic “transit green wave” concept, without the adverse impacts of the recommended project as discussed earlier in these comments.

Whether by optimizing an alternative in concert with a transit green wave—which the city has not done— or by additional traffic restrictions, or by other means, the city owes transit riders a preferred alternative that provides benefits in excess to the recommended treatment.

The remainder of this section will elaborate on these conclusions.

Page 17 of *DEIR App. 11—Better Market Street Final Report, 2013*, describes the Market Street transit operating plan as follows:

The existing design of Market Street consists of a near-side transit stop at every intersection with a numbered street, except for at 2<sup>nd</sup> Street (stop at New Montgomery Street). Curbside stops were placed midblock to prevent both travel lanes from being blocked by transit vehicles at the intersection. The legacy signal timing for the Market Street corridor was designed to have every transit vehicle board and alight at the intersection’s stop (red) phase, with buses ready to depart at the next green signal phase. However, this signal timing scheme no longer works due to changes in the traffic modal distribution (e.g., the addition of the historic F-Line streetcar and the dramatic increase in bicycle traffic), changes to the freeway network after the Loma Prieta earthquake, and the temporary traffic/transit rerouting due to Central Subway construction.

The goal of the two transit concepts [“Enhanced” and “Rapid”] summarized [above] is to create a more resilient scheme for improved transit operations. The basic premise for improving transit operations is through stop location and distance optimization. Rather than providing a transit island and curb stop every block (about every 900 feet, on average), the proposals attempt to provide stops every one and one-half blocks (about every 1,400 to 1,500 feet, on average) or farther. [Note: this is a description of the “Enhanced” concept—not the “Rapid” concept now recommended.] The Enhanced Local Transit concept would preserve the existing route-based travel lane assignments, while the Rapid Transit concept would assign all limited service buses to the center lane and the local buses to the curb lane.

Another goal for the transit stop design is to move the island stops from near-side to far-side or midblock locations to reduce instances where near-side island stops prevent vehicles in the curbside lane from moving into the center lane to get around vehicle queues near the intersections. This is a common occurrence at high pedestrian traffic intersections where right-turning vehicles frequently queue at the crosswalk.

We must take issue with some of the statements quoted above as to why the transit green wave design for Market Street “no longer works.” First, most of the streetcars in use on the F-line are of the “PCC” design and have acceleration rates and speed characteristics not dissimilar from buses. There are issues related to longer dwell times primarily resulting from large numbers of visitors and slow fare collection, but these are issues that SFMTA must address directly. As to both the Loma Prieta freeway issues (after the Central Freeway was closed and before Octavia Boulevard opened) and Central Subway issues, these are temporary not permanent effects. Other occurrences in the intervening years, such as the introduction of all-door boarding, should have facilitated the effectiveness of the transit green wave concept.

But SFMTA has never sought to optimize the transit green wave system in recent years, instead abandoning its precepts before the “existing” system was documented as a base case. And the interrelationship between the traffic signal system design and the physical design of Market Street is too important for the environmental analysis to discount the importance of both elements. The physical layout of stops cannot be accurately evaluated independently of the signal regimen in place for Market Street, and both constitute components of the proposed project.

Even viewed conservatively, there is no evidence that the transit green wave design is incapable of roughly matching the performance of the recommended “Rapid Transit” design—but do so with more transit stops and accordingly shorter walks to them.

Table 2 summarizes the available travel time data for Market Street alternatives.

Only four scenarios were evaluated using the VISSIM traffic simulation tool: the inbound and outbound PM peak scenarios for both curb and center island transit operations.

Of those four scenarios, there is no clear pattern indicating the recommended alternative performs better than observations when the transit green wave was functional (including island stops at every block) in the 1985-1990 period.

(Continued on page 10.)



Table 2: Summary of Running Time Estimates and Data. (See also notes on next page.)

Lane		Direction	Scenario	Segment	Route	Time	Bus Speed	Net Speed	
Center	AM Peak	IB	Sep 1985	7 <sup>th</sup> -Fremont	8	7:30	8.8	Avg. 7.9	
			Sep 1990	8 <sup>th</sup> -Steuart		12:18	7.5		
		OB	Sep 1985	Front-7th	8	7:54	8.4		
			Sep 1990				--		
	Mid-Day	IB	Sep 1985	7th-Fremont	8	8:39	7.6		
			Sep 1990	8th-Steuart		9:57	5.9		
			Existing	11th-Beale	9	15:45	6.3		
			TTRP Project	11th-Beale	9	10:45	9.2		
		OB	Sep 1985	Front-7th	8	9:59	6.6		
			Sep 1990	Steuart-8 <sup>th</sup>		13:24	6.9		
			Existing	Drumm-11th	9	17:15	6.0		
			TTRP Project	Drumm-11th	9	12:36	8.2		
	PM Peak	IB	Sep 1985	7 <sup>th</sup> -Fremont	8	10:19	6.4		
			Sep 1990	8 <sup>th</sup> -Steuart		10:38	8.7		
			Sep 1990	8 <sup>th</sup> -Steuart		12:57	7.1		
			Existing	11 <sup>th</sup> -Beale	9	19:39	5.0		
			Model No-Project	10 <sup>th</sup> -Spear	9R	18:00	5.6		
			Model Project	10 <sup>th</sup> -Spear	9R	14:00	7.2		to 6.6
		OB	TTRP Project	11 <sup>th</sup> -Beale	9	14:39	6.8		to 6.1
			Sep 1985	Front-7th	8	10:24	6.3		
			Sep 1990	Steuart-8 <sup>th</sup>		13:12	7.0		
			Existing	Drumm-11th	9	19:24	5.3		
			Model No-Project	Main-10th	9R	15:30	6.3		
			Model Project	Main-10 <sup>th</sup>	9R	13:30	7.2		to 6.3
TTRP Project	Drumm-11th	9	14:46	7.0	to 6.2				
Curb	AM Peak	IB	Sep 1985	8th-1st	5	9:55	7.3		
			Sep 1990						
		OB	Sep 1985	Front-7th	5	9:33	6.9		
			Sep 1990	Steu/Mkt-Grant?		6:27			
	Mid-Day	IB	Sep 1985	8 <sup>th</sup> -1st	5	11:27	6.3		
			Sep 1990	8 <sup>th</sup> -1 <sup>st</sup> /Mission		9:28	8.4		
			Existing	S Van Ness-1 <sup>st</sup>	7	15:05	6.2		
			TTRP Project	S Van Ness-1 <sup>st</sup>	7	12:51	7.2		
		OB	Sep 1985	Front-7th	5	11:24	5.8		
			Sep 1990	Mis/Fre-Gy/Mkt	38	5:30	5.2		
			Sep 1990	Stk/Ell-Mkt/McA	5	4:50	5.5		
			Existing	Drumm-Larkin	21	17:23	5.3		
	TTRP Project	Drumm-Larkin	21	15:19	6.0				
	PM Peak	IB	Sep 1985	8 <sup>th</sup> -1st	5	11:16	6.4		
			Sep 1990						
			Existing	S Van Ness-1 <sup>st</sup>	7	16:46	5.5		
			Model No-Project	10 <sup>th</sup> -Spear	7/21	17:00	5.9		
			Model Project	10 <sup>th</sup> -Spear	7/21	15:00	6.7		
			TTRP Project	S Van Ness-1 <sup>st</sup>	7	14:32	6.4		
		OB	Sep 1985	Front-7th	5	12:10	5.4		
			Sep 1990	Steuart-8 <sup>th</sup>		14:58	6.2		
			Existing	Drumm-Larkin	21	20:49	4.4		
			Model No-Project	Steuart-9 <sup>th</sup>	21	22:30	4.4		
			Model Project	Steuart-9 <sup>th</sup>	21	18:30	5.4		
TTRP Project			Drumm-Larkin	21	18:45	4.9			

Table 2: Summary of Running Time Estimates and Data (continued).

Notes for table on previous page:

Speed:

The second from the right column gives the transit vehicle speeds on Market Street. However, for the recommended project, riders must walk farther to and from island stops. The “Net Speed” column tries to adjust for this. The average distance between stops currently is 940 feet inbound and 980 feet outbound. Under the proposed scenarios, this increases to 1730 feet inbound and 2080 feet outbound. To reach the nearest stop, transit riders will have to walk up to (on average) half these distances further to and from stops, or 395 feet more inbound and 550 feet more outbound. At an average walking speed of 4.5 feet per second, this will add up to 88 seconds to inbound trips and up to 122 seconds to outbound trips. The “Net Speed” column gives approximate equivalent speeds including the extra walks for the “Rapid” stops spacing scenarios. Walks to and from the Central Subway at Fourth Street would be at these outer limits. For slower walkers (3 feet per second is now used for signal timing), these equivalent speeds would be further reduced.

Scenarios:

- **Sep 1985:** This is the scenario identified as “Historic” by city staff. Data were extracted by city staff from a report prepared by the San Francisco Department of Public Works’ Traffic Engineering Division in December 1985, and consistently identified as taken from an “After travel time study . . . conducted during September 1985.” Curiously however, Muni records indicate line reassignments did not all go into effect until October 2, 1985, so this may have compromised DPW’s analyses. Note also that when data were collected in 1985, Muni had not yet readjusted schedules, so it was not uncommon for operators to intentionally delay for extra time, to avoid risking discipline for running ahead of schedule, called “running sharp.” Communications between Muni and the traffic engineers was not always great. DPW in 1985 was generally hostile to the project itself, as is reflected in their report’s concerns about impacts on automobile traffic.
- **Sep 1990:** These data, added to city staff’s table and highlighted in yellow, are taken from a videotape taken onboard buses for 11 trips up and down Market Street. Some trip times, most notably PM peak center island bus travel times, achieved higher speeds than in Sep 1985. Had conditions changed from 1985 to 1990? One cannot draw definitive conclusions, but more islands were in full operation, and the Market Street Thoroughfare Project, that rebuilt everything from Fremont to 11<sup>th</sup> Street, was completed in 1988 and 1989. And adversely affecting operations, after the 1989 Loma Prieta earthquake, signals were retimed at 9th Street to favor freeway traffic, the reason the Sep 1990 tapes only recorded operations east of 8<sup>th</sup> Street.
- **Model No-Project and Model Project:** These are the only four scenarios evaluated using the VISSIM traffic simulation tool.
- **TTRP:** The initials refer to SFMTA’s Travel Time Reduction Project. This effort developed a set of shortcut estimates of trip time savings associated with various treatments, some of which, in our opinion, are not appropriate to Market Street. We believe, however, that SFMTA staff would agree that these are order-of-magnitude estimates, and should not be considered accurate predictions.

If net riders speeds are considered by introducing even a conservative walk-time penalty (4.5 fps), it becomes even clearer that the recommended alternative, even with fewer stops, does not outperform 1985-1990 conditions. For example, PM peak outbound speeds for center island lines were 6.3 MPH as measured in 1985 and 7.0 MPH on the 1990 video. Net speeds experienced by riders of the recommended project would range from 7.2 MPH to as little as 6.3 MPH—with less convenient stops. (Even this is a simplified comparison: mathematically, the shorter the Market Street trip, the lower a rider's net speed would actually be!) If a conservative walk speed were introduced (3.0 fps), these differences would be greater.

A last note concerns traffic signal cycle times.

Generally, shorter cycle times favor faster transit travel times, while longer cycle lengths favor higher volume general traffic (not transit traffic) throughput. While we understand that 75-second cycles have been imposed on Market Street to accommodate minimum pedestrian crossing times based on 3 fps, no transit-oriented justification has been provided for the 90-second cycles presently employed during peak periods. They should be returned to shorter cycle times, 75 seconds, if not 60 seconds, as part of the proposed project. Again, physical changes along Market Street cannot be properly evaluated independently of associated traffic signal strategies.

If 90-second cycle times were imposed to accommodate excessive right-turning traffic movements, then, if necessary, additional traffic restrictions should be imposed as necessary to reduce such movements so as to allow shorter cycle times to function efficiently.

#### 4. F MARKET AND WHARVES FREQUENCIES

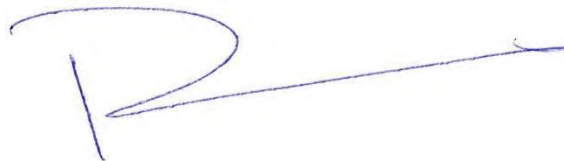
Page 4.B-62 includes the statement that “. . . the combination of the existing F-Market & Wharves streetcar line and the new F-Short streetcar line between the F-loop and Fisherman's Wharf would provide streetcar service as often as every 5 minutes.

This implies that service frequencies to 17<sup>th</sup> and Castro will not change. Please provide documentation of proposed F-Market & Wharves streetcar service both today and post-project west of the F-loop as far as Castro Street. Diminution of such service could constitute an additional significant impact on riders.

Sincerely,



Rachel Hyden  
Executive Director



Peter Straus  
Member, Board of Directors

cc: Ed Reiskin  
SFMTA Board of Directors  
Ron Miguel, Chair, Community Working Group

## Letter O-3, San Francisco Transit Riders, July 14, 2020

### Response to Comment O-3.1

The commenter's support for the proposed project is noted. Comments provided on the Draft Environmental Impact Report were addressed in the document titled Responses to Comments on the Draft Environmental Impact Report, published by the San Francisco Planning Department in September 2019, and therefore responses to those comments are not duplicated here.

### Response to Comment O-3.2

Long-term projections for transit ridership show continued growth of daily ridership along the project corridor. Better Market Street will support this growth by reducing conflicts between different transportation modes through reconfiguration of the roadway and bicycle facilities, modifying transit stop spacing, implementing signal timing changes, and implementing other infrastructure improvements to enhance existing transit service.

### Response to Comment O-3.3

The commenter refers to the "enhanced" transit operation concepts from the Better Market Street Final Report that was published in 2013 and prepared as part of development of initial operations and design concepts for Market Street (included as Draft EIR Appendix 11). The 2013 *Better Market Street Final Report* presented three options, two of which included an "enhanced" transit operations concept, presented as concept 1. Subsequent to the 2013 report, additional design development was conducted by SFMTA and San Francisco Public Works, which led to the three alternatives for the project, as documented on p. 3 of the 2016 initial study prepared as part of the California Environmental Quality process. The alternatives in the 2016 initial study included only the "rapid" transit operations concept (i.e., instead of the "enhanced" transit operations concept). Following publication of the 2016 initial study, SFMTA reviewed the routing plans and concluded that the rapid and local routes should be at the same stop to facilitate transfers between rapid and local routes, similar to the "enhanced" transit operations concept from the 2013 *Better Market Street Final Report*. The initial options and design concepts from the 2013 *Better Market Street Final Report* and the three alternatives included in the 2016 initial study are discussed on pages 1-53 through 1-60 in Chapter 1 in the Draft EA. As discussed therein, these concepts were rejected because they inadequately addressed the project purpose and need, particularly inclusion of a fully protected bicycle facility.

The proposed project would increase the transit stop spacing and walking distance for transit riders on routes operating in the center Muni-only lane (5 Fulton, 5R Fulton Rapid, 7X Noriega Express [inbound only], 9 San Bruno, 9R San Bruno Rapid, and the F Market & Wharves). The proposed project would reduce the number of center Muni-only lane transit stops from 23 (12 inbound, 11 outbound) to 11 (six inbound, five outbound) to provide this rapid service stop spacing.

Passengers, including the elderly and disabled, may have differing concerns with respect to transit stop location. Some may prioritize quicker travel time (as provided by Muni rapid routes), while others prefer more frequent stops to minimize walking distances (as provided by Muni local routes). Although the increased stop spacing for rapid routes operating in the center Muni-only lane may increase the physical effort required to reach a particular transit stop location, riders could choose local routes with stops on Market Street within their preferred walking distance and transfer to rapid routes that serve center boarding island stops at shared or adjacent stops. The proposed project would maintain the current local stop spacing and include more routes compared to existing conditions in the

mixed-flow curb travel lane (i.e., 2 Clement, 6 Haight/Parnassus, 7 Haight/Noriega, 7 Noriega Express [outbound only], 19 Polk, 21 Hayes, 31 Balboa, 38 Geary, 38R Geary Rapid, L Taraval Owl, and N Judah Owl). The curb lane stop spacing would be consistent with SFMTA's local stop spacing standards,<sup>9</sup> while the center lane stop spacing would be consistent with rapid stop spacing elsewhere in the Muni system (e.g., 5R Fulton Rapid, 9R San Bruno Rapid, 14R Mission Rapid).<sup>10</sup>

#### **Response to Comment O-3.4**

<Response Text>Please see response to comment O-3.3 regarding the proposed transit stop spacing.

#### **Response to Comment O-3.5**

<Response Text>The City of San Francisco's threshold for acceptable transit operations is set to ensure projects do not increase existing transit travel times on individual routes such that additional transit vehicles would be required to maintain the frequency of service. This threshold is based on the adopted City Charter section 8A.103 which established an 85 percent on-time performance service standard for Muni, which considers vehicles arriving more than four minutes beyond a published schedule time late, and the potential secondary impacts on the physical environment associated with riders who switch to automobile based modes when transit becomes less convenient. As noted on pages 2.1.3-19 and 2.1.4-24 in Chapter 2 of the Draft EA, the project would not increase travel times by greater than or equal to four minutes or half of the existing headway for Muni service.

The increased transit stop spacing in the center lane is intended provided to improve transit travel times; the improvements proposed as part of the project would improve transit travel times and operating speeds by up to 25 percent for routes operating in the center lane.<sup>11</sup>

#### **Response to Comment O-3.6**

<Response Text>As discussed on pages 2.1.3-19 and 2.1.4-24 in Chapter 2 of the Draft EA, five routes could see a slight increase in travel time (in one direction) under build conditions compared to the No Build Alternative due to the shift from the faster center Muni-only lane to the slower curb mixed-flow lane. Other routes that shift from the curb lane to the center lane would experience reduced travel times. The increased transit travel times for those five routes would be less than a minute under Construction Year (2020) conditions. Under Cumulative Year (2040) conditions, the combination of increased transit service along Market Street proposed by Muni Forward and the project would increase transit travel times for these routes compared to 2020 baseline conditions by up to just over three minutes for these routes. Therefore, as the Draft EA discloses, the shift from

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<sup>9</sup> For informational purposes, SFMTA has not recently experienced a decrease in transit ridership due to increased stop spacing for other projects (e.g., implementation of the Muni Forward 14R Mission Rapid Project on Mission Street south of Duboce Avenue). A decrease in transit ridership could indicate that people switched to another travel mode that could lead to physical environmental impacts, but that did not occur for these other projects. SFMTA Short Range Transit Plan, Fiscal Year 2017 – Fiscal Year 2030, June 2017, page 40. Available online at <https://www.sfmta.com/reports/short-range-transit-plan-fy-2017-fy-2030>.

<sup>10</sup> Rhodes, Michael. San Francisco Municipal Transportation Agency. July 10, 2019—personal communication with Jenny Delumo (Planning Department) regarding average daily ridership on the 14 Mission before and after stop removals.

<sup>11</sup> *Better Market Street NEPA Transportation Report*, March 2020.



the center to the mixed-flow lane would not increase transit travel times for routes traveling on Market Street beyond the City's threshold for acceptable transit operational performance.

### **Response to Comment O-3.7**

<Response Text>As stated on page 2.1.4-20 in Section 2.1.4 of the Draft EA, the new roadway elements of the project were designed in accordance with applicable local, state, and national standards to ensure that the design does not introduce hazardous conditions. This includes design standards relating to the accommodation of transit passengers at curbside transit stops with separated bikeways, such as FHWA's Separated Bike Lane Planning and Design Guide.<sup>12</sup> Boarding and alighting transit customers would be separated from the bikeway with a raised railing-like feature and provided a designated place to cross the bikeway with measures consistent with the applicable design standards. On the sidewalk between the bikeway and the pedestrian through zone, there would be the 3-foot buffer zone provided except at the aforementioned designated crossing places where there would be crosswalk markings and other features. The buffer zone will include a 1- to 3-foot-wide ADA-compliant feature for separating the pedestrian through zone from the bikeway and ensuring that people with limited vision will not accidentally cross into the bikeway. Additionally, recent studies in the City noted that these designs on roadways within San Francisco have not introduced hazardous conditions for people walking, biking, and riding transit.<sup>13</sup>

### **Response to Comment O-3.8**

<Response Text>Future bicycle volumes were estimated using the San Francisco County Transportation Authority (SFCTA) SF-CHAMP travel-demand model. SFCTA developed and validated this model using household travel survey information to represent current and future transportation conditions in San Francisco. The SF-CHAMP model predicts future person travel by mode for auto, transit, walking, and bicycling based on the planned land use and transportation network changes. The bicycle volumes presented in the Draft EA represent the best information available about future travel patterns along Market Street.

### **Response to Comment O-3.9**

<Response Text>The project is not anticipated to change the total pedestrian volumes on Market Street. The center lane transit stops would include signalized crossings to allow pedestrians to cross the vehicle and bicycle lanes so the spacing of the transit stops would not increase pedestrian exposure to conflicts with bicycle riders.

### **Response to Comment O-3.10**

As noted on page 1-38 of the Draft EA, SFMTA is currently analyzing a closer connection to the Central Subway light rail line that would have the westbound (outbound) 5 Fulton and the 9 San Bruno routes stop at the curbside stop between O'Farrell and Stockton streets. This option would require the proposed curbside stop on the north side of Market Street between O'Farrell and Stockton streets (which is approximately 250 feet east of the intersection of Fourth and Market streets) to be lengthened by approximately 40 feet. An on-street loading zone is not proposed on

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<sup>12</sup> [https://nacto.org/wp-content/uploads/2016/05/2-4\\_FHWA-Separated-Bike-Lane-Guide-ch-5\\_2014.pdf](https://nacto.org/wp-content/uploads/2016/05/2-4_FHWA-Separated-Bike-Lane-Guide-ch-5_2014.pdf)

<sup>13</sup> [https://www.sfmta.com/sites/default/files/reports-and-documents/2018/03/7th\\_8th\\_fact\\_sheet.pdf](https://www.sfmta.com/sites/default/files/reports-and-documents/2018/03/7th_8th_fact_sheet.pdf)

this segment of Market Street, and therefore this lengthening of the proposed stop would not affect commercial loading conditions.

With this additional westbound stop, the 5 Fulton and 9 San Bruno routes would leave the center Muni-only lane and maneuver to the curb stop, and then return to the center travel lane as these routes continue to the west. The additional stop and the weaving movement between the center and curb lanes for these two routes would add transit travel time to the 5 Fulton and the 9 San Bruno routes, however, the increase would minimally affect the travel time savings for these routes. In other words, even with implementation of the proposed project with the additional stop for the 5 Fulton and 9 San Bruno, transit travel times for these routes would decrease compared to existing conditions. Therefore, with inclusion of this additional westbound stop for the 5 Fulton and 9 San Bruno as part of the proposed project, transit impacts would remain less than significant. All other transportation impacts would remain the same as for the proposed project with inclusion of the additional stop for the 5 Fulton and 9 San Bruno.

To evaluate the demand of the aforementioned stop on Market Street at Fourth Street requested by the commenter, the SFMTA intends to collect data on passenger transfer volumes between the new Central Subway station at Union Square/Market Street and the existing outbound (westbound) stops on Market Street at Fourth Street once the Central Subway is operational. Construction of this segment of the proposed project at Fourth Street would not commence until after Central Subway service is initiated. If passenger transfer volumes between the Central Subway station and the existing bus stops warrant a shorter connection to the Central Subway, SFMTA will consider future changes to the bus stops and service at this location.

SFMTA will work with stakeholders, including the San Francisco Transit Riders, to further evaluate this proposed stop on Market Street at Fourth Street after Central Subway service is initiated. Notably, the walking connection between the Central Subway and the proposed project's nearest outbound stop for the 5 Fulton, 5R Fulton Rapid, 9 San Bruno, 9R San Bruno Rapid routes and the F Market & Wharves historic streetcar line would be similar to the connection for passengers transferring between the Central Subway and other Muni Metro lines at Market Street and Fourth Street. In addition, buses serving routes 6 Haight/Parnassus, 7 Haight/Noriega, 21 Hayes, and 31 Balboa in the curb lane on Market Street would directly serve Fourth Street under the proposed project, providing a shorter-distance transfer opportunity for people who prefer not to walk longer distances. However, SFMTA will continue to evaluate this additional requested stop in conjunction with community stakeholders once the Central Subway is in service.

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SAN FRANCISCO PUBLIC WORKS  
CALTRANS  
BETTER MARKET STREET PROJECT  
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PUBLIC HEARING  
Via video and teleconferencing  
Comments on the Draft EA and Draft Section 4(f)  
Wednesday, June 17, 2020  
4:00 P.M.

Reported by:  
Connie J. Parchman, RPR, CRR, CSR 6137

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JAN BROWN & ASSOCIATES  
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1 PRESENT FROM PUBLIC WORKS:

2 Cristina C. Olea, Project Manager  
3 Flora Law, Deputy Project Manager  
4 Boris Deunert, Director of Regulatory Affairs  
5 Oliver Iberien, Regulatory Affairs  
6 Coma Te, Public Affairs  
7 Patrick Rivera, Bureau Manager

8 PRESENT FROM SAN FRANCISCO MUNICIPAL TRANSPORTATION  
9 AGENCY:

10 Mariana Maguire, Public Relations Officer  
11 Michael Tamin, Sustainable Streets Division  
12 Britt Tanner, Sustainable Streets Division  
13 Peter Gabancho, Project Manager

14 PRESENT FROM CALTRANS DISTRICT 4:

15 Tom Holstein, Senior Environmental Planner

16 PRESENT FROM ICF INTERNATIONAL:

17 Aaron Carter  
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JUNE 17, 2020, WEDNESDAY 4:00 P.M.

P R O C E E D I N G S

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MR. CARTER: Good afternoon, everybody. It's about 4:00 o'clock right now. This is the public hearing for the Better Market Street Project. We're going to give folks just another few minutes to join, so please sit tight and we will be starting in about five minutes.

Thank you all for your patience. We'll be getting started in just another minute.

(Brief pause.)

MR. CARTER: Okay. Good afternoon. Please note that this public hearing is being recorded. My name is Aaron Carter with ICF. ICF is supporting San Francisco Public Works with the environmental process for Better Market Street.

Here with us today is Cristina Olea, project manager for Better Market Street at Public Works. Cristina will be giving the project presentation.

Cristina, please introduce yourself and your team.

Sorry, Cristina, you were on mute.

MS. OLEA: Sorry about that. As Aaron said, my name is Cristina Olea, I'm with San Francisco Public



1 Works. I'm the Better Market Street, Project Manager.

2 This afternoon we have a few people from Public  
3 Works that are part of the call.

4 Flora Law, the Deputy Project Manager. If you  
5 could just say hello so that people can hear your voice.

6 MS. LAW: Hi, I'm Flora.

7 MS. OLEA: Thank you.

8 And then Boris Deunert, who is the Director of  
9 Regulatory Affairs for Public Works. He's been leading  
10 the environmental review for our department.

11 MR. DEUNERT: Yeah, hi, this is Boris Deunert.

12 MS. OLEA: And then Boris, I see an "Oliver" on  
13 the call. Is that Oliver from your team?

14 MR. DEUNERT: That is correct.

15 MS. OLEA: Oliver, would you like to say hello?

16 MR. IBERIEN: Hello, this is Oliver.

17 MS. OLEA: Oliver Iberien, also from  
18 San Francisco Public Works.

19 Then we have Coma Te, who is our Public Affairs  
20 Lead for San Francisco Public Works.

21 Coma, would you like to say hello?

22 MR. TE: Good afternoon, everyone.

23 MS. OLEA: Aaron, would you like me to do MTA  
24 as well?

25 MR. CARTER: Yes, that would be great, thank

1       you.

2                   MS. OLEA:   Okay.  I see a couple of people from  
3       MTA that have joined us.  Mariana Maguire, who is also  
4       part of the outreach team.

5                   MS. MAGUIRE:  Hi.  Nice to be here with  
6       everyone.

7                   MS. OLEA:  Thanks, Mariana.

8                   And then Michael Tamin, who is part of the  
9       design team with San Francisco Municipal Transportation  
10      Agency.

11                  MR. TAMIN:  Hi, everyone.

12                  MS. OLEA:  Thank you.  Did I miss anyone  
13      from the City?

14                  Oh, Britt.  Britt Tanner joined us.  She is  
15      the -- one of the project managers from the SFMTA working  
16      on Better Market Street

17                  MS. TANNER:  Hi, good afternoon.

18                  MR. CARTER:  You also have Coma Te.

19                  MS. OLEA:  I did introduce him already.

20                  MR. CARTER:  Okay.

21                  We also have in attendance today  
22      representatives from Caltrans District 4.

23                  Tom, would you mind introducing yourself?

24                  MR. HOLSTEIN:  Yes, my name is Tom Holstein  
25      from Caltrans District 4, I'm the Senior Environmental

1 planner on this project.

2 MR. CARTER: Excellent. Thank you for joining  
3 us, Tom.

4 The purpose of the meeting -- of this hearing  
5 today is to provide an opportunity for members of the  
6 public to provide comments on the Environmental  
7 Assessment. Our hearing will consist of a presentation  
8 of the project and the environmental process followed by  
9 a period for members of the public to provide verbal  
10 comment.

11 We may repeat the presentation again at 5:00  
12 o'clock to be followed by another opportunity for public  
13 comment.

14 Cristina, with that I will turn it over to you.

15 MS. OLEA: Okay. Thank you.

16 I'm going to go ahead and turn off my video  
17 during the presentation, but I will come back afterwards.

18 So today we're going to be talking about the  
19 Better Market Street Project. It is a joint project  
20 involving five city departments.

21 Public works is the lead. The San Francisco  
22 Municipal Transportation Agency is one of our key  
23 partners. We also have the San Francisco Public  
24 Utilities Commission or SFP C; the Planning Department,  
25 the San Francisco County Transportation Authority. I

1 think that's all five.

2 And then we're also working with the Mayor's  
3 Office on Disability, the Office of Economic and  
4 Workforce Development, and other city departments  
5 throughout the city.

6 We started about ten years ago, actually, in  
7 2010. Market Street needed to be repaved and it gave us  
8 the opportunity to address a lot of the other challenges  
9 along the corridor.

10 Specifically, there were safety challenges for  
11 people walking, biking and taking transit. There was a  
12 discontinuous bicycle facility, no bike lane east of  
13 8th Street. Our infrastructure is reaching the end of  
14 its design life, everything from our traffic signals, our  
15 streetlights and lot of our underground utilities as  
16 well.

17 Our transit stops, as you can see in the photo,  
18 are narrow, they don't meet ADA standards and need to be  
19 replaced.

20 We also wanted to improvement transit  
21 reliability and travel time throughout the corridor.

22 This is a portion of the Muni map. You can see  
23 all of the routes that travel along Market Street. Any  
24 improvements that we make to travel time and reliability  
25 along Market Street will improve transit throughout the

1 city. These routes touch every single supervisorial  
2 district in the city.

3 The city has a vision zero policy, which is to  
4 get to zero traffic fatalities and severe injuries by  
5 2024. And Market Street is on our high injury network.  
6 It's key to meeting our vision zero goals.

7 We know that every year there are about 100  
8 collisions, injury collisions, along Market Street within  
9 the project corridor, which is Steuart Street to Octavia  
10 Boulevard.

11 The next slide shows that 75 percent of injury  
12 collisions involve peopling walking or biking. So there  
13 there's a strong need to improve safety along the  
14 corridor.

15 I mentioned the infrastructure that needs --  
16 that's reaching the end of its design life. The picture  
17 on the slide shows the condition of the asphalt in the  
18 trackway that's failing, it's cracked, it needs to be  
19 replaced.

20 But a lot of the infrastructure throughout the  
21 corridor needs improvement, including the sidewalks, all  
22 the curb ramps. I mentioned the streetlights, our  
23 traffic signals. The rail needs to be replaced within  
24 the next 10 to 15 years, along with the overhead lines,  
25 the traction power that supports Muni's system. The



1 sewer and water lines, and also our communication system.

2 From the very beginning, we worked with our  
3 project partners and stakeholders within the community  
4 and developed three project goals:

5 To improve place;

6 To improvement mobility, including safety and  
7 accessibility;

8 And to support the economic development  
9 happening throughout the corridor.

10 We want to design a street that will reduce the  
11 number of traffic collisions and injuries. We want to  
12 improve the performance and reliability of the public  
13 transportation system. We want to provide an accessible  
14 sidewalk that still identifies Market Street as the  
15 city's preeminent ceremonial street and at the same time,  
16 upgrade our infrastructure.

17 Since the beginning, we've had five rounds of  
18 community workshops and open houses. These meetings have  
19 helped guide the design of the project and have helped us  
20 determine what elements to prioritize throughout the  
21 project.

22 We've held hundreds of stakeholder meetings,  
23 including the Chamber of Commerce. We've gone to the  
24 Hotel Council, other CBDs, and even businesses that are  
25 along the corridor or just off the corridor.

1           We have a community working group with over 20  
2 representatives. Not just residents or businesses, but  
3 also the Community Business Districts, Hotel Council and  
4 other community organizations along the corridor. And up  
5 until shelter in place, we were meeting every other month  
6 to review the project and the schedule of the project, as  
7 well as the proposed improvements.

8           We have a pretty robust website:  
9 BetterMarketStreetsSF.org. On that website you can find a  
10 turn-by-turn map that shows how your route changes based  
11 on the turn restrictions. And then also you can view the  
12 plan -- proposed plan for the project.

13           We've conducted surveys, sent out mailings,  
14 we've put posters along the corridor and along transit  
15 stops. All of our outreach has been multilingual. We've  
16 also done tabling and we even had a pop up at the Strand  
17 Theater.

18           So now we'll move into the proposed build  
19 alternative, which is described in the Draft  
20 Environmental Assessment.

21           Now you can see that we would be replacing all  
22 of the brick sidewalks. Right now it's a small brick,  
23 with -- in a herringbone pattern. So the proposal is to  
24 remove the brick and put in a standard paver that meets  
25 our accessibility guidelines.

1           So what we're showing here is a larger paver,  
2 two-foot-by-eight-inches in the pedestrian throughway.  
3 And then within the furnishing zone and frontage zone, we  
4 would still use a larger paver than the brick, but it's  
5 one foot by four inches. Providing bicycle facility  
6 throughout, but leaving two lanes in each direction.

7           The next slide is a full cross-section of the  
8 roadway, actually from building face to building face.

9           So here you can see clearly that there's still  
10 two lanes in each direction. There would be a -- center  
11 boarding islands at the BART and Muni stations.

12           The outside lanes are shared, but the two  
13 inside lanes are Muni only. And that actually went into  
14 effect in January.

15           We show the bikeway, a clearly defined  
16 streetlife zone, which includes all of the trees and the  
17 streetlights and then the pedestrian throughway and  
18 frontage zone.

19           In the Draft Environmental Assessment, we also  
20 describe a design option. This option extends between  
21 the intersection of 9th, Hayes, Larkin and Market and  
22 goes all way to Gough and Market.

23           In this area, known as The Hub, we're expecting  
24 huge growth. There are several tall residential towers  
25 that are planned at the intersection of Market and

1 Van Ness. And as part of The Hub Area Plan, we heard a  
2 lot of requests for additional improvements that provided  
3 more space for people walking and biking.

4 So in this area, this cross-section is shown  
5 between 12th Street and Van Ness, but what you see here  
6 are just one lane in each direction, which is Muni only.  
7 Commercial vehicles would be routed off of Market Street  
8 at 9th, Hayes and Larkin or would be routed onto Hayes  
9 and Larkin in the westbound direction and then -- so only  
10 Muni would go through here.

11 We have the F-Line, the 9-San Bruno, and the 6  
12 and the 7 that go to Haight Street. And then we have --  
13 we're showing two large boarding islands that extend to  
14 the Muni-only lanes, the bikeway and then the remaining  
15 space for the pedestrian throughway.

16 Here's more detail on the sidewalk paving  
17 design. I mentioned the pavers in two sizes, 2 feet by 8  
18 inches, or 24 inches by 8 inches, and then 12 inches by 4  
19 inches in the frontage zone and the streetlife zone.

20 We also propose highlighting the unique  
21 geometry of Market Street. You can see the diagonal band  
22 in different pavers in the curb returns to highlight what  
23 we call the nexus intersections. This example is Taylor,  
24 Golden Gate and 6th.

25 It's because the northern streets come in at an

1 angle, we wanted to sort of play with that within the  
2 sidewalk zones and highlight the geometry.

3 The predominant tree along Market Street today  
4 is the Platanus or the London Planetree. Our project  
5 description proposes keeping the London Planetree as the  
6 signature tree along the corridor. But to help promote a  
7 healthy and thriving urban forest, we're also proposing  
8 adding in a few new trees into the mix, some cork or --  
9 sorry, oak or Elm trees and the Brisbane Box, primarily  
10 at the intersections. But leaving the London Planetree  
11 throughout. We will also be replacing the trees along  
12 the corridor, existing trees that are in poor health or  
13 poor condition, we'll be replacing most of those with the  
14 London Planetree.

15 As I mentioned, we really want Market Street to  
16 stand out as our kind of iconic street or preeminent  
17 street in San Francisco. There's 500,000 people a day  
18 walking along the corridor. So we really want to have a  
19 unified streetscape design and revitalize the entire  
20 corridor.

21 Some of the key features to the streetscape  
22 design are the transit shelters. We would still use the  
23 seismic waive, but possibly change the roofs to a clear  
24 or translucent roof instead of the yellow that's there  
25 now. We've been working with BART -- or worked with



1 BART -- on the design of the canopies. So these canopies  
2 will be going in at all the Muni and BART entrances.

3 This one is one of the pilot locations near 7th  
4 and Market, but all the entrances will have this type of  
5 a canopy.

6 We also have leaning rails for bicycles. We're  
7 proposing new seating. We're also working with JCDecaux,  
8 who is replacing all of the public toilets and kiosks and  
9 ad panels along the corridor.

10 This is a graphic to show the proposed Muni  
11 service. As I mentioned, in the center lane we have the  
12 F-line and Rapid Stop spacing. In the curb lane we have  
13 some of the local stops and we're looking at how to best  
14 accommodate transit along Market Street.

15 The center lane, as I mentioned has Rapid Stop  
16 spacing so the center boarding islands are proposed at  
17 the BART and Muni stations.

18 There is one portion of -- or actually two  
19 short blocks that include new rail, and that is to create  
20 this F-line loop along McAllister and Charles J. Brenham.

21 The highest ridership along the F-line is from  
22 Fisherman's Wharf down the Embarcadero and along Market  
23 Street all the way to Powell. But ridership really drops  
24 off after Powell. So he wanted to find a way that we  
25 could turn back some of the F-line trains and provide

1 more service to the waterfront without reducing service  
2 to the Castro.

3 So what we're looking at is, you know, building  
4 these two blocks of new track. And during peak hours,  
5 about every other F-line train would loop around and get  
6 back to the Embarcadero and Fisherman's Wharf. And the  
7 headways would be closer to five minutes where right now  
8 it is ten minutes to the -- every ten minutes to get to  
9 the Castro. This is the only section or area where we're  
10 installing new rail.

11 This graphic shows all of the turn restrictions  
12 and Muni-only lanes that are proposed on Market Street  
13 between Steuart and Gough streets.

14 In January, as part of Quick Build, we did  
15 implement the turn restrictions from Steuart to Van Ness  
16 in the westbound direction or from Main to Van Ness in  
17 the westbound direction and from 10th Street to Main in  
18 the eastbound direction. Those turn restrictions are  
19 planned to extend all the way to 12th Street and Franklin  
20 as part of the full project.

21 We also needed to make a few circulation  
22 changes in order to facilitate the turn restrictions.  
23 There are a couple of blocks that will allow private  
24 vehicles on Market Street. Those two exceptions are  
25 eastbound Market from Spear to Steuart. You can see a

1 green arrow that wraps around there. And then from 11th  
2 Street to 10th Street, also on the south side of Market.  
3 And those are to facilitate or allow circulation where we  
4 don't have an alleyway where we can detour traffic.

5 The goal is, again, of these turn restrictions  
6 is to improve safety for people walking, biking and  
7 taking transit by reducing conflicts with turning  
8 vehicles. It also improves transit travel time and  
9 reduces congestion.

10 It's important to note that taxis are still  
11 allowed to use Market Street because they are considered  
12 part of our transit network.

13 Aaron, would you like to take over from here?

14 MR. CARTER: Yes, I would be happy to. Thank  
15 you.

16 Better Market Street is subject to the  
17 requirements of the California Environmental Quality Act,  
18 or CEQA and the National Environmental Policy Act or  
19 NEPA.

20 Separate environmental documents have been  
21 prepared, one each for CEQA and NEPA. And shown on the  
22 screen is the overview of the timeline for this CEQA and  
23 NEPA processes. And as you can see we most recently  
24 published the Environmental Assessment on -- the Draft  
25 Environmental Assessment on May 29th.

1           The San Francisco Planning Department was the  
2 CEQA lead agency for Better Market Street. The  
3 environmental planning prepared and EIR to comply with  
4 CEQA requirements. And as shown on the prior slide, the  
5 Draft EIR was circulated for public review in February of  
6 2019 followed by circulation of a response to comments  
7 document in September. And the final EIR was certified  
8 by the San Francisco Planning Commission in October of  
9 2019 with approval by Public Works and MTA later that  
10 month. The CEQA process is considered complete with  
11 those approvals.

12           Better Market Street is also subject to NEPA  
13 due to the proposed use of FHWA funds for project  
14 construction.

15           Caltrans is the lead NEPA agency under  
16 delegation authority from Federal Highway Administration.  
17 And a NEPA EA was circulated on May 29th and public  
18 comment on the EA is being accepted through July 14th.

19           Caltrans will consider whether to adopt a  
20 finding of no significant impact, or FONSI, after  
21 considering public comment on the EA.

22           The Environmental Assessment itself includes a  
23 summary of the environmental impact analysis, statement  
24 of project purpose and need, the description of  
25 alternatives considered, the environmental impact

1 analysis for each alternative, proposed avoidance,  
2 minimization and/or mitigation measures, and a listing of  
3 agencies and persons consulted.

4 Thirteen topics were evaluated in detail. And  
5 of those resources, ten were found to have minimal  
6 impacts during construction and operation. Those  
7 include:

8 Utilities and emergency services;  
9 Community impacts;  
10 Traffic and transportation, including  
11 pedestrian and bicycle facilities;  
12 Visual resources and aesthetics;  
13 Water quality, storm water runoff;  
14 Geology, soils, seismicity, topography;  
15 Hazardous wastes and materials;  
16 Air quality;  
17 And noise and vibration.

18 Three topics were found to have minimal impacts  
19 during construction with no impacts during operation.

20 Those include:

21 Parks and recreational facilities;  
22 Cultural resources;  
23 And the biological environment.

24 The project was also found to not result in  
25 disproportionately high or adverse effect on minorities



1 and low-income populations in the study.

2 Avoidance, minimization and/or mitigation  
3 measures are proposed for nine topic areas, including:

4 Community impacts;

5 Environmental justice;

6 Utilities and emergency services;

7 Cultural resources;

8 Water quality and storm water runoff;

9 Hazardous waste and materials;

10 Air quality;

11 Noise and vibration;

12 And the biological environment.

13 Contact information is provided on the screen  
14 where written comments on the Environmental Assessment  
15 may be sent.

16 Now we're going to open the floor for public  
17 comment. The purpose of this hearing is to receive  
18 comment from the public. Any questions provided during  
19 this time will be responded to in the Final Environmental  
20 Assessment to be released later this year.

21 If you would like to provide a verbal comment,  
22 please use the raise hand feature to let the host know  
23 that you would like to speak.

24 To raise your hand using the Zoom desktop  
25 session, please click on the raised hand on the bottom --

1 the lower left of your screen.

2 And if you're calling in by phone, please press  
3 star nine.

4 When you're called upon, please clearly  
5 announce your name and provide your comment.

6 And now we're opening it up.

7 Mario Hall, would you please provide your  
8 comment.

9 MR. HALL: My name is Mario Hall. I just  
10 wanted to stay thank you for this report and as a biker  
11 and walker Market Street, this is going to be great. So  
12 I'm really excited about this and I hope that we can move  
13 forward fast.

14 MR. CARTER: Thank you for your comment.

15 (Pause.)

16 MR. CARTER: As a reminder, if you would like  
17 to provide a comment, please use the raise hand feature.  
18 If you are using the desktop app, move the cursor to the  
19 bottom of the screen and click raise hand.

20 On the smart phone application, click the raise  
21 hand in the lower left of the screen.

22 And if you're calling in by phone, please press  
23 star nine on the dial pad.

24 Chuck Burwell, please provide your comment.

25 MR. BURWELL: I would also like to thank you

2  
cont'd

1 for making this presentation. It does all look great and  
2 I did not expect to see the turnaround that you have  
3 proposed for the F-line, so that looks like it would be a  
4 great idea as well.

5 I do have a question. Assuming that the CEQA  
6 process goes smoothly, what is the earliest you might  
7 expect to start implementing the plan?

8 MS. OLEA: This is Cristina Olea from the  
9 San Francisco Public Works. I'm the project manager for  
10 Better Market Street.

11 Our schedule is to advertise the first phase of  
12 construction in early 2021. And so our usual -- we  
13 advertise the construction contract, we get bids from  
14 construction contractors. That usually takes four to six  
15 months.

16 So we hope to be in construction or starting  
17 construction mid 2021. I would say either summer or fall  
18 of 2021. The first phase of construction is Market  
19 Street between 5th and 8th streets.

20 MR. BURWELL: Excellent. I look forward to it.  
21 Thank you.

22 MS. OLEA: Thank you.

23 MR. CARTER: Elizabeth, you have the floor.

3

24 MS. MACEDO: Hi, yeah my question is: Do you  
25 have timeframes for the second phase?

1 MS. OLEA: It's not as certain. Right now our  
2 focus is on 5th to 8th streets. But we would like to  
3 extend east to Fremont and west to 10th as soon as we can  
4 after this first phase of construction.

5 So we'll -- you know, we'll need to secure some  
6 additional funding and work with our project partners to  
7 complete the design. But for the purposes of our NEPA  
8 Environmental Assessment, we are clearing the full  
9 project from Steuart to Octavia, which is 2.2 miles. So  
10 we will have the environmental clearance that will allow  
11 us to implement the project in phases for the next few  
12 years.

13 MS. MACEDO: Thank you.

14 MR. CARTER: Megan, you have the floor. You  
15 may speak.

16 MS. REINING: Hi, my name is Megan Reining and  
17 I'm just looking at the environmental review that you  
18 have online, that draft environment assessment.

19 And it -- looking at the drawings, I think I'm  
20 on page -- Figure 1, the section of, you know, that 5th  
21 to Market Street here, these kind of pink and -- part of  
22 illiteracy when it comes to reading these things, these  
23 are the areas that you would be working on; is that  
24 correct?

25 Like the ones that are within this kind of

4  
cont'd

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purple section? I think this is page 112.

MS. OLEA: Aaron, do you have the draft EA handy? I don't actually have the draft EA with me at this moment.

But what we're clearing is a full reconstruction from building face to building face. Market Street is 120 feet wide and so the environmental documents describe full reconstruction, replacing the sidewalk as well as the roadway.

4  
cont'd

MS. REINING: What about the areas underneath the sidewalk in front of the buildings? Those kind of basement areas? Are those going to be impacted at all?

MS. OLEA: The sub sidewalk basements?

MS. REINING: Yes, ma'am.

MS. OLEA: Yes, so there are tree wells and pole foundations in the sub sidewalk basements today. They're existing.

As we replace some of the infrastructure, you know, if there's an existing pole foundation or tree in a sub sidewalk basement, we may need to replace it. We may need to access the sub sidewalk basement to -- you know, during construction.

But we have been conducting, as part of our environmental review and design, we have been conducting site visits of the sub sidewalk basements so that we have



1 a good idea of where they are and how large they are.  
2 But we are trying to minimize doing any construction in  
3 those sub sidewalk basements.

4 MS. REINING: Great. Thank you so much.

5 MR. CARTER: Okay. Robert, you have the floor.

6 MR. FRUCHTMAN: Hi, I just want to say I live  
7 in San Francisco. And I think you should move forward  
8 with this project, having watched the presentation and  
9 looked through the Draft Environmental Assessment.

10 Thank you.

11 MS. OLEA: Thank you.

12 MR. CARTER: As a reminder, if you would like  
13 to speak, please use the feature on Zoom to raise your  
14 hand. You can do this by moving the cursor to the bottom  
15 of your screen in the Zoom desktop application and  
16 clicking the raise hand application.

17 On a smart phone application, please click the  
18 raise hand button on the lower left of the screen.

19 And if you are calling in by phone, please  
20 press star 9.

21 (Pause.)

22 MR. CARTER: Good afternoon. If you would like  
23 to provide a comment, please use the raise hand feature  
24 on Zoom. You can do this on the desktop application by  
25 moving the cursor to the bottom of the screen, using the

1 raise hand button.

2 If you are using the smart phone application,  
3 please click the raise hand button in the lower left of  
4 the screen.

5 If you are calling in by phone, please press  
6 star 9.

7 We're going to be repeating the presentation  
8 again at 5:00 o'clock.

9 (Pause.)

10 MR. CARTER: Good afternoon. If you would like  
11 to provide a comment on the Environmental Assessment,  
12 please use the raise hand feature in Zoom. You can find  
13 this on the Zoom desktop application at the bottom of  
14 your screen. Move your cursor down to the bottom of the  
15 screen and click raise hand.

16 On the smart phone application, the raise hand  
17 button is in the lower left.

18 And if you're calling in by phone, please press  
19 star 9 on your dial pad.

20 We will be repeating the presentation again at  
21 5:00.

22 (Pause.)

23 MR. CARTER: Good afternoon. If you would like  
24 to provide a verbal comment, please use the raise hand  
25 feature to let the host know that you would like to

1 speak. To raise your hand using the Zoom desktop  
2 application, move the cursor to the bottom of your screen  
3 and click the raise hand button.

4 To raise your hand using the smart phone  
5 application, just click on the raise hand button on the  
6 lower left of the screen.

7 And if you're calling in by phone, please use  
8 star 9 on the dial pad.

9 We will be repeating the presentation again at  
10 5:00.

11 (Pause.)

12 MR. CARTER: Good afternoon, please note this  
13 public hearing is being recorded.

14 My name is Aaron Carter with ICF. And ICF is  
15 supporting San Francisco Public Works for the  
16 environmental process for Better Market Street.

17 Here with us today is Cristina Olea, Project  
18 Manager for Better Market Street at Public Works.  
19 Cristina will be giving the project presentation.

20 Cristina, would you please introduce yourself  
21 and your team?

22 MS. OLEA: Hello. My name is Cristina Olea.  
23 I'm with San Francisco Public Works and I'm the project  
24 manager for Better Market Street.

25 With us today from San Francisco Public Works,

1 we have Boris Deunert who is the lead -- or the Director  
2 of Regulatory Affairs for San Francisco Public Works and  
3 he has been leading our environmental review for Better  
4 Market Street.

5 Boris, would you like to say hello?

6 MR. DEUNERT: I'm sorry, I had technical  
7 difficulties. This is Boris Deunert. Hello, everyone.

8 MS. OLEA: And then also from Boris's team, we  
9 have Oliver Iberien. Actually, I think Oliver may have  
10 dropped off.

11 We also have Flora Law, who is the Deputy  
12 Project Manager.

13 MS. LAW: Hi everyone, this is Flora.

14 MS. OLEA: And then we have Patrick Rivera, who  
15 is the Bureau Manager for Project Management at Public  
16 Works.

17 Patrick, would you like to say hello?

18 I think he's muted.

19 MR. RIVERA: Hello, sorry. Good evening,  
20 everyone.

21 MS. OLEA: Thank you, Patrick.

22 We also have staff from the San Francisco  
23 Municipal Transportation Agency with us. So I will  
24 introduce them.

25 We have Britt Tanner, who is one of MTAs

1 project managers on Better Market Street.

2 Would you like to say hello?

3 MS. TANNER: I'm Britt Tanner with the  
4 Sustainable Streets Division at MTA.

5 MS. OLEA: Peter Gabancho, who is the other  
6 project manager from MTA.

7 MR. GABANCHO: There. Hello, everybody.

8 MS. OLEA: Thanks, Peter.

9 Then we have Michael Tamin, who is part of  
10 Sustainable Streets and part of the design team.

11 MR. TAMIN: Hi, everyone.

12 MS. OLEA: And then we also have Mariana  
13 Maguire from the SFMTA. She's part of the outreach team.

14 MS. MAGUIRE: Hi, everyone. Happy to be here.

15 MS. OLEA: Thanks, Mariana.

16 I forgot to mention Coma Te, who is also with  
17 San Francisco Public Works and he's leading the outreach  
18 from our public affairs division.

19 MR. CARTER: Okay. And last but not least, we  
20 also have in attendance representatives from Caltrans  
21 District 4.

22 Tom, would you like to announce yourself?

23 MR. HOLSTEIN: Yeah, hello, my name is Tom  
24 Holstein, I'm a Senior Environmental Planner within  
25 Caltrans District 4, Office of General Local Assistance.



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MR. CARTER: Thank you.

The purpose of the meeting today is provide an opportunity for members of the public to provide comment on the Environmental Assessment that was published on May 29th. Our hearing will consist of a presentation on the project and the environmental process, followed by a period for members of the public to provide verbal comments.

And Cristina, I will turn it over to you.

MS. OLEA: Thank you.

So Better Market Street is a joint effort among five city departments. San Francisco Public Works is the lead. We have the San Francisco Municipal Transportation Agency, the Planning Department, San Francisco Public Utilities Commission and San Francisco County Transportation Authority.

The project started in 2010. Market Street needed to be repaved and it gave us the opportunity to address a lot of the other needs along the corridor.

Specifically, there were a lot of safety concerns for people walking, biking and taking transit along the corridor.

There was a discontinuous bicycle facility.

There's no bike lane east of Eighth Street.

A lot of our infrastructure is aging and

1 reaching the end of its design life, including our street  
2 lights, our rail, traffic signals and a lot of the  
3 underground utilities as well.

4 Our transit stops are narrow and do not provide  
5 enough space for all the passengers waiting to get on.

6 Our curb ramps and our brick sidewalks also do  
7 not meet our current accessibility standards.

8 At the same time we wanted to improve travel  
9 time and reliability for all of the transit that uses  
10 Market Street. The map shows all of the transit routes,  
11 all the Muni routes that use Market Street. You can see  
12 that those bus routes reach every supervisorial district  
13 in the city so improvements along Market Street will  
14 improve the entire Muni network throughout the city.

15 The city has a vision zero policy to get to  
16 zero traffic fatalities and severe injuries by 2024.  
17 Each year on Market Street there are an average of 100  
18 collisions, injury collisions, between Steuart and  
19 Octavia, which is the project corridor. These collisions  
20 mean that Market Street is on the high injury network and  
21 has several intersections that are on the top ten list.  
22 I think it's five out of the top ten our highest number  
23 of collisions, intersections with the highest number of  
24 collisions in the city.

25 And we know that each year there's an average

1 of 100 collisions; 75 percent of those collisions involve  
2 people walking and biking. So, you know, it's clear that  
3 the safety needs to be improved along the corridor.

4 I mentioned the infrastructure that also needs  
5 to be updated or replaced, includes the pavement, our  
6 sidewalks, all of the curb ramps at the corners or the  
7 crossings, our streetlights, traffic signals, rail,  
8 overhead lines, as well as the traction power that feeds  
9 the Muni system, our sewer and water lines, as well as  
10 communication that run throughout the corridor.

11 From the very beginning, we set three project  
12 goals:

13 First to improve place;

14 Second for improving mobility, which includes  
15 both safety and accessibility;

16 And then also to support and facilitate  
17 economic development along the corridor.

18 Some of the benefits that we hope the project  
19 will bring include:

20 A street that is designed to reduce traffic  
21 collisions and really to improve safe;

22 Also to improve the performance and reliability  
23 of the public transportation system;

24 Designing an accessible sidewalk that still  
25 identifies Market Street as the cities preeminent

1 ceremonial street;

2 And upgrading and replacing our infrastructure.

3 Since the project began in 2010, we've had five  
4 rounds of public workshops or open houses. And there's a  
5 picture of one on the bottom right there last summer.

6 We've held hundreds of stakeholder meetings,  
7 throughout the corridor and throughout the community, not  
8 just at the Chamber of Commerce or community business  
9 districts, but the Hotel Council and some of the  
10 businesses along the corridor as well.

11 We have a community working group that meets  
12 every other month that also has over 20 representatives  
13 that live or work along the corridor.

14 Our Website is SF -- sorry --  
15 BetterMarketStreetsSF.org. The Website has all of our  
16 outreach materials. It also includes a Web map where you  
17 can see how your travel would change based on the turn  
18 restrictions that Better Market Street has implemented or  
19 will implement. And there's also a way to view the plans  
20 for the project.

21 We've conducted several surveys, including a  
22 loading survey. We've sent mailings. We've put posters  
23 up and along the corridor and on transit vehicles. All  
24 of our outreach has been multilingual and we've also done  
25 tabling at community events. And last year we held a

1 pop-up at the Strand Theater at ACT.

2 All of this outreach has provided valuable  
3 input to the project team.

4 The next slide shows the proposed build  
5 alternative in the Draft Environmental Assessment. This  
6 is a close-up of the proposed sidewalk. You see that  
7 there's an area next to the buildings that allows space  
8 for tables and chairs, followed by a pedestrian walkway,  
9 a furnishing zone that includes all of the trees,  
10 streetlights. It's also our streetlife zone where we can  
11 have other activities that are for the community along  
12 the corridor. There's a buffer area, the bikeway, and  
13 then two lanes in each direction still in the roadway.

14 The next slide shows a cross-section from  
15 building face to building face. So again, two lanes in  
16 each direction. The center lanes are proposed to be Muni  
17 only. There are still center boarding islands, but they  
18 would be wider and meet our accessibility standards.  
19 Those boarding islands, center boarding islands, would  
20 be -- would be spaced according to the city's Rapid Stop  
21 spacing, which means there would be boarding islands at  
22 each of the Muni or BART stations.

23 The curb lane is shared with transit, delivery  
24 vehicles and taxis. Taxis are allowed on Market Street  
25 because they're considered part of the transit network.



1 And we have the bikeway, the streetlife zone and again  
2 the pedestrian walkway and frontage zones.

3 The Draft Environmental Assessment includes a  
4 design option. This option extends from the intersection  
5 of 9th, Hayes, Larkin and Market, all the way to Gough  
6 and Market.

7 This cross-section shows the proposed  
8 cross-section on Market Street between 12th and Van Ness.  
9 This area is also known as The Hub. And this is an area  
10 that was -- a design option was developed in response to  
11 comments we received from the community through our  
12 outreach and through The Hub Area Plan.

13 We know that hundreds -- well, thousands of new  
14 people will be moving into the area because there are  
15 several new highrise residential buildings planned or  
16 under construction near Market and Van Ness. So there  
17 was a strong desire to provide even more benefits or more  
18 space for people walking and biking in this area.

19 So you can see we have wider bike lanes, we  
20 also provide much more area for people walking. The  
21 gray-shaded area is all pedestrian walkway.

22 This particular cross-section shows two center  
23 boarding islands, one on each side of the street where  
24 the F-line could pick up passengers or drop people off.

25 This shows the proposed sidewalk paving design.

1 One of the concerns with the brick is that it doesn't  
2 meet our current accessibility standards. The bricks are  
3 too small, the joints are too closely spaced and they're  
4 in a herringbone pattern. So as part of the build  
5 alternative, we're proposing replacing the bricks with  
6 larger pavers. The pedestrian walkway would have pavers  
7 that are 24 inches by 8 inches. The frontage zone and  
8 streetlife zones would have pavers that are 12 inches by  
9 4 inches.

10 They would also be in a linear pattern, which  
11 is easier to travel along if you're in a wheelchair or  
12 any sort of a mobility device.

13 We're also highlighting the unique geometry of  
14 Market Street with this band that you can see along the  
15 sidewalk in a different color of pavers in the curb  
16 return. And you can see in the nexus intersection, or  
17 the intersection drawing, how the streets -- it's sort of  
18 the extension of the streets are highlighted in the  
19 paving.

20 The next slide shows our proposed trees for the  
21 corridor. The signature tree along Market Street, I  
22 think one of the things that stands out is that it has  
23 one tree, the Platanus tree or London Planetree.

24 There are many trees that are in poor health  
25 and in -- you know, are structurally unhealthy and need

1 to be replaced.

2 We are also proposing adding a few different  
3 varieties to the trees along Market Street: Oak, Elm and  
4 the Brisbane box, primarily at the corners. This is to  
5 provide a little bit of diversity along the corridor but  
6 really to promote a healthy urban forest throughout the  
7 corridor.

8 It is also important for us as a city to  
9 provide a streetscape, a unified streetscape design  
10 throughout Market Street. So some of the key design  
11 elements that we have been working on are the transit  
12 shelters. This is still using the MTAs standard transit  
13 shelter but we're proposing replacing the roofs with a  
14 clear or transparent roof.

15 We have worked with BART on the canopies to  
16 make sure the design also fits in with the aesthetic for  
17 Market Street. All of the BART and Muni entrances will  
18 have this canopy. This is one of the pilot locations  
19 near 7th and Market. There's one other one near 4th and  
20 Market that has been built.

21 But every entrance will have this new canopy.  
22 It's a separate project, but we've been working closely  
23 with BART on the design as well as the construction of  
24 the canopies.

25 We're also proposing leaning rails for

1 bicyclists when they reach the intersection. At a red  
2 light they could stop and lean along the rails.

3 We're also proposing new seating along the  
4 corridor and we've been working with JCDecaux, who will  
5 be replacing all of the public toilets, kiosks and  
6 advertising shelters along the corridor.

7 This is a graphic that shows proposed Muni  
8 service. We talked about the center lane having Rapid  
9 spacing to accommodate the Rapid routes.

10 There's also the ability to have transit in the  
11 curb lane.

12 The bottom diagrams show what the center  
13 boarding island stop would look like. As I mentioned, it  
14 would be a wider boarding island. It's also longer to  
15 accommodate more transit vehicles. And would provide the  
16 mini high or the accessible ramp at all of the stops for  
17 access to the F-line.

18 There's one section of the corridor where we're  
19 adding new rail and that's part of the F-line loop.  
20 There would be new rail installed along McAllister as  
21 well as Charles J. Brenham. We know that the highest  
22 ridership along the F-line is from Fisherman's Wharf to  
23 the Embarcadero and then along Market Street all the way  
24 to Powell. We wanted to provide additional service along  
25 this area of the F-line without reducing service to

1 Castro.

2 So this shows two short blocks of new rail  
3 along McAllister and Charles J. Brenham which means that  
4 the F-line -- about every other F-line vehicle during  
5 peak hours could use the loop to turn around and go back  
6 and service the Embarcadero and Fisherman's Wharf while  
7 the other trains would still continue all the way to  
8 Castro. This would mean that headways to Castro would  
9 remain at ten minutes -- every ten minutes, while  
10 Embarcadero and Fisherman's Wharf would have service  
11 every five minutes. This really improves transit  
12 flexibility and reliability for the F-line.

13 This diagram shows the proposed turn  
14 restrictions. Many of these were implemented in January  
15 as part of Quick Build. You've probably heard or noticed  
16 that in the westbound direction from Main to Van Ness,  
17 and in the eastbound direction from 10th to Main, no  
18 private vehicles were allowed. This went into effect  
19 in -- at the end of January of 2020.

20 There are additional turn restrictions that are  
21 part of the Draft Environmental Assessment to get us all  
22 the way to Steuart on the east and to Van Ness or even  
23 Gough on the west.

24 Taxis are still allowed to use Market Street  
25 because they are in the Transit First Policy listed as



1 part of the transit network.

2 This -- these turn restrictions help improve  
3 safety for people walking and biking by reducing  
4 conflicts with private vehicles, especially those that  
5 are turning on and off the corridor. And it also  
6 improves transit travel time and reduces congestion  
7 throughout the corridor.

8 With that, I will hand it off to Aaron for the  
9 presentation.

10 MR. CARTER: Thank you, Cristina.

11 Better Market Street is subject to the  
12 requirements of the California Environmental Quality Act  
13 or CEQA and the National Environment Policy Act or NEPA.

14 Separate environmental documents have been  
15 prepared, one each for CEQA and NEPA. And shown on the  
16 screen is an overview of the timeline for the CEQA and  
17 NEPA processes.

18 The San Francisco Planning Department was the  
19 CEQA lead agency for Better Market Street. Environmental  
20 Planning prepared an EIR to comply with CEQA and as  
21 showed on the prior slide the draft EIR was circulated  
22 for public review in February of 2019 followed by  
23 circulation of a Response to Comments Document in  
24 September.

25 The Final EIR was certified by the

1 San Francisco Planning Commission in October of 2019 with  
2 approval by Public Works and MTA later that month. The  
3 CEQA process is considered complete with those approvals.

4 Better Market Street is also subject to NEPA,  
5 due to the proposed use of federal highway Funds for  
6 project construction. Caltrans is the NEPA lead agency  
7 under delegation authority from FHWA. A NEPA  
8 Environmental Assessment was circulated on May 29th and  
9 public comment on the EA is being accepted through  
10 July 14th.

11 Caltrans will consider whether to adopt a  
12 finding of no significant impacts, or FONSI, after  
13 considering public comment on the EA.

14 The Environmental Assessment itself includes:  
15 A summary of the environmental impact analysis;  
16 The statement of project purpose and need;  
17 A description of alternatives considered;  
18 Environmental impact analysis for each  
19 alternative;

20 Proposed avoidance, minimization and mitigation  
21 measures;

22 And a listing of agencies and persons  
23 consulted.

24 Thirteen topics were evaluated in detail in the  
25 Environmental Assessment. And of those resources, ten

1 were found to have minimal impacts during construction  
2 and operation. Those include:

- 3 Utilities and emergency services;
- 4 Community impacts;
- 5 Traffic and transportation, including
- 6 pedestrian and bicycle facilities;
- 7 Visual resources and aesthetics;
- 8 Water quality and storm water runoff;
- 9 Geology, soils, seismicity, and topography;
- 10 Hazardous waste materials;
- 11 Air quality;
- 12 And noise and vibration.

13 The three topics were found to have minimal  
14 impacts during construction with no impacts during  
15 operation. These include:

- 16 Parks and recreational facilities;
- 17 Cultural resources;
- 18 And the biological environment.

19 The project was also found to not result in  
20 disproportionately high or adverse effects on minority  
21 and low-income populations in the study area.

22 Avoidance, minimization and mitigation measures  
23 are proposed for nine topic areas. And those include:

- 24 Community impacts;
- 25 Environmental justice;

1 Utilities and emergency services;  
2 Cultural resources;  
3 Water quality and storm water runoff;  
4 Hazardous waste and materials;  
5 Air quality;  
6 Noise and vibration;  
7 And the biological environment.

8 Contact information is provided on the screen  
9 where written comments on the Environmental Assessment  
10 may be sent.

11 We will open up the floor for the public  
12 comment on the Environmental Assessment next. I would  
13 like to reiterate that the purpose of this hearing is to  
14 receive input on the Environmental Assessment. Any  
15 questions provided during this time will be responded to  
16 in the Final Environmental Assessment to be released  
17 later this year.

18 If you would like to provide a verbal comment  
19 during the session, please use the raise hand feature to  
20 let the host know you would like to speak.

21 To raise your hand using the Zoom desktop  
22 application, please move cursor to the bottom of the  
23 screen and click raise hand.

24 To raise your hand using the smart phone  
25 application, please click raise hand in the lower left of

1 the screen.

2 And if you're calling in by phone, please press  
3 star 9 on the dial pad to raise your hand.

4 When you're called upon, please clearly  
5 announce your name and provide your comment.

6 I see that we have one person.

7 Sarah, I will turn it over to you.

8 (No audible response.)

9 MR. CARTER: Sarah, go ahead.

10 (No audible response.)

11 MR. CARTER: Sarah, the floor is yours if you  
12 would like to speak.

13 (No audible response.)

14 MS. OLEA: Someone asked if we lost audio. I  
15 wanted to double check that you could still hear me and  
16 that we are still connected.

17 MR. CARTER: I can hear you, yes.

18 MS. OLEA: I can hear you, so we are still  
19 connected.

20 MR. CARTER: Yep.

21 MS. OLEA: Okay. Thank you.

22 (Pause.)

23 MR. CARTER: Those that may have joined in the  
24 past few minutes, this is the public hearing for the  
25 Better Market Street for the Environmental Assessment.



1 We are accepting public comments. If you would like to  
2 provide a comment, please use the raise hand feature in  
3 Zoom.

4 To raise your hand using the desktop  
5 application, please click the button, the raise hand  
6 button, on the lower bottom of your screen.

7 On the smart phone application, the raise hand  
8 button is in the lower left.

9 And if you're calling in by phone, please press  
10 star 9 on the dial pad.

11 When you're called upon, please clearly  
12 announce your name and provide your comment.

13 (Pause.)

14 MR. CARTER: Good afternoon. This is the  
15 public hearing for the Better Market Street Project and  
16 Environmental Assessment. This is an opportunity for the  
17 public to provide comment. If you would like to provide  
18 a verbal comment, please use the raise hand feature.

19 To raise your hand using the Zoom desktop  
20 application, please move your cursor to the bottom of the  
21 screen and click the raise hand button.

22 On the smart phone, please click the raise in  
23 the lower left of the screen.

24 If you're calling in by phone, please press  
25 star 9 on the dial pad.

1           When you're called upon, please clearly  
2 announce your name and provide your comment.

3           (Pause.)

4           MR. CARTER: Good afternoon. This is the  
5 public hearing for the Better Market Street Environmental  
6 Assessment. If you would like to provide a verbal  
7 comment on the Environmental Assessment, please use the  
8 raise hand feature in Zoom.

9           To raise your hand using the Zoom desktop  
10 application, please click on the raise hand button in the  
11 lower bottom center of the screen.

12           On the smart phone application, please click  
13 the raise hand button in the lower left of the screen.

14           And if you're calling in by phone, please press  
15 star 9 on your dial pad.

16           (Pause.)

17           MR. CARTER: Good afternoon, this is the public  
18 hearing for the Better Market Street Environmental  
19 Assessment. If you would like to provide a verbal  
20 comment, please use the raise hand feature in Zoom.

21           To raise your hand in Zoom on the desktop  
22 application, please click on the raise hand button in the  
23 bottom of your screen.

24           Using the smart phone application, please click  
25 on the raise hand button in the lower left.

1           And if you're calling in by phone, please press  
2           star 9 on your dial pad.

3           MS. OLEA: I will just add that we will do a  
4           closing a few minutes before 6:00. But if any of the  
5           project team members need to go, that's fine.

6           Boris, Aaron and I will stay on until 6:00.

7           Thank you everyone, for participating.

8           (Pause.)

9           MR. CARTER: Good afternoon. This is the  
10          public hearing for the Better Market Street Environmental  
11          Assessment. If you would like to provide a verbal  
12          comment, please use the raise hand feature.

13          In the Zoom desktop application, the raise hand  
14          button is in the bottom center of the screen.

15          In the smart phone application, the raise hand  
16          button is in the lower left.

17          And if you're calling in by phone, please press  
18          star 9 on your dial pad.

19          (Pause.)

20          MS. OLEA: We are going to wrap up our public  
21          hearing for Better Market Street at 6:00 o'clock. I just  
22          wanted to provide one last opportunity for anyone from  
23          the public to speak or provide comments on the Draft  
24          Environmental Assessment. If anyone would like to do  
25          that, you can go ahead and speak now.

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(Pause.)

MS. OLEA: I see that it is 6:00 o'clock now so we'll go ahead and end the public hearing.

The last screen or last slide on the screen shows how you can submit written comments. You can provide written comments to Boris Deunert, San Francisco Public Works, addressed to 30 Van Ness, Fifth Floor, San Francisco, California, 94102.

Or to Boris' e-mail, Boris.Deunert@SFDPW.org.

Public comments will be accepted until 5:00 P.M. on Tuesday, July 14th.

Thank you everyone for participating. We appreciate your interest in Better Market Street.

With that, we'll go ahead and conclude. Thank you.

MR. CARTER: Thank you, Cristina.

MS. OLEA: Thanks, Aaron.

MR. DEUNERT: Thank you.

(Proceedings concluded at 6:01 P.M.)

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REPORTER'S CERTIFICATE

I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken before via video conference technology;

That a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction;

Further, that the foregoing is an accurate transcription thereof.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney or any of the parties.

IN WITNESS WHEREOF, I have this 29th day, of June, 2020 subscribed my name.

 \_\_\_\_\_

Connie J. Parchman

CSR No.6137



## **Letter T-1, San Francisco Public Works Hearing, June 17, 2020**

### **Response to Comment T-1.1**

The commenter's support for the proposed project is noted.

### **Response to Comment T-1.2**

The commenter's support for the proposed project and specifically for the proposed F Market & Wharves Historic Streetcar (F-line) loop (F-loop) on McAllister Street is noted.

Caltrans would like to clarify that the current environmental process is being conducted to comply with NEPA. California Environmental Quality Act (CEQA) clearance occurred through a separate process. CEQA review of the project was completed with certification of an Environmental Impact Report by the San Francisco Planning Commission on October 10, 2019; no further CEQA review of the project is anticipated to be needed at this time.

As discussed on page 1-44 in Chapter 1 of the Draft EA, construction is anticipated to begin in 2020, with work divided between up to seven separate multiple-block segments of Market Street. Work will continue for at least a six-year period (and, potentially, up to 14 years), including inactive periods. Construction of the proposed project will start with the segment of Market Street between Fifth and Eighth streets, with subsequent phases extending east to Fremont Street and west to 10<sup>th</sup> Street as soon as possible. The timing of the next segment is not known at this time.

### **Response to Comment T-1.3**

Please see response to comment T-1.2 regarding the construction schedule for the proposed project.

### **Response to Comment T-1.4**

Figure 1-2, Sheets 1 through 10, pages 1-13 through 1-22 in Chapter 1 of the Draft EA, show the Build Alternative's proposed improvements. The dashed black line shown in Figure 1-2 reflects the boundaries of the project corridor (the area of ground disturbance). All proposed project elements will be constructed entirely within public right-of-way areas; the majority of project elements will be constructed within the operational public right-of-way (the travel lanes on Market Street).

Regarding the commenter's concern related to sub-sidewalk basements, structural reinforcement of some sub-sidewalk basements will be required to accommodate project improvements, as discussed on page 1-39 in Chapter 1 of the Draft EA.

### **Response to Comment T-1.5**

The commenter's support for the proposed project is noted.

Appendix J  
**Species Records Lists**

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# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Sacramento Fish And Wildlife Office  
Federal Building  
2800 Cottage Way, Room W-2605  
Sacramento, CA 95825-1846  
Phone: (916) 414-6600 Fax: (916) 414-6713

In Reply Refer To:

July 29, 2020

Consultation Code: 08ESMF00-2020-SLI-2484

Event Code: 08ESMF00-2020-E-07656

Project Name: Better Market Street

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

[http://www.nwr.noaa.gov/protected\\_species/species\\_list/species\\_lists.html](http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html)

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

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Attachment(s):

- Official Species List

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

### **Sacramento Fish And Wildlife Office**

Federal Building  
2800 Cottage Way, Room W-2605  
Sacramento, CA 95825-1846  
(916) 414-6600

This project's location is within the jurisdiction of multiple offices. Expect additional species list documents from the following office, and expect that the species and critical habitats in each document reflect only those that fall in the office's jurisdiction:

### **San Francisco Bay-Delta Fish And Wildlife**

650 Capitol Mall  
Suite 8-300  
Sacramento, CA 95814  
(916) 930-5603

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## Project Summary

Consultation Code: 08ESMF00-2020-SLI-2484

Event Code: 08ESMF00-2020-E-07656

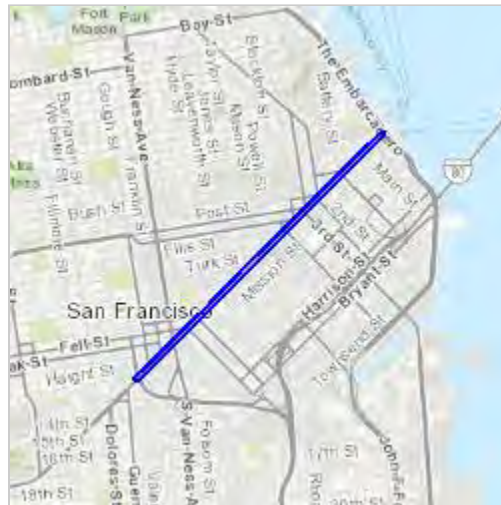
Project Name: Better Market Street

Project Type: TRANSPORTATION

Project Description: San Francisco Public Works, in coordination with the Citywide Planning Division of the San Francisco Planning Department, the SFMTA, the SFPUC, and the SFCTA, proposes to make Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists, and pedestrians. The project includes changes to, or replacement/modification of: roadway configuration; traffic signals; surface transit; bicycle and pedestrian facilities; commercial and passenger loading; vehicular parking; and utilities.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/37.783346944384434N122.40898962687304W>



Counties: San Francisco, CA

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## Endangered Species Act Species

There is a total of 20 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

NAME	STATUS
Salt Marsh Harvest Mouse <i>Reithrodontomys raviventris</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/613">https://ecos.fws.gov/ecp/species/613</a>	Endangered
Southern Sea Otter <i>Enhydra lutris nereis</i> No critical habitat has been designated for this species. <b><i>This species is also protected by the Marine Mammal Protection Act, and may have additional consultation requirements.</i></b> Species profile: <a href="https://ecos.fws.gov/ecp/species/8560">https://ecos.fws.gov/ecp/species/8560</a>	Threatened

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## Birds

NAME	STATUS
California Least Tern <i>Sterna antillarum browni</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/8104">https://ecos.fws.gov/ecp/species/8104</a>	Endangered
Short-tailed Albatross <i>Phoebastria (=Diomedea) albatrus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/433">https://ecos.fws.gov/ecp/species/433</a>	Endangered
Western Snowy Plover <i>Charadrius nivosus nivosus</i> Population: Pacific Coast population DPS-U.S.A. (CA, OR, WA), Mexico (within 50 miles of Pacific coast) There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/8035">https://ecos.fws.gov/ecp/species/8035</a>	Threatened

## Reptiles

NAME	STATUS
Green Sea Turtle <i>Chelonia mydas</i> Population: East Pacific DPS No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6199">https://ecos.fws.gov/ecp/species/6199</a>	Threatened

## Amphibians

NAME	STATUS
California Red-legged Frog <i>Rana draytonii</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/2891">https://ecos.fws.gov/ecp/species/2891</a> Species survey guidelines: <a href="https://ecos.fws.gov/ipac/guideline/survey/population/205/office/11420.pdf">https://ecos.fws.gov/ipac/guideline/survey/population/205/office/11420.pdf</a>	Threatened

## Fishes

NAME	STATUS
Delta Smelt <i>Hypomesus transpacificus</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/321">https://ecos.fws.gov/ecp/species/321</a>	Threatened
Tidewater Goby <i>Eucyclogobius newberryi</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/57">https://ecos.fws.gov/ecp/species/57</a>	Endangered



## Insects

NAME	STATUS
<p>Bay Checkerspot Butterfly <i>Euphydryas editha bayensis</i>            There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.            Species profile: <a href="https://ecos.fws.gov/ecp/species/2320">https://ecos.fws.gov/ecp/species/2320</a></p>	Threatened
<p>Callippe Silverspot Butterfly <i>Speyeria callippe callippe</i>            There is <b>proposed</b> critical habitat for this species. The location of the critical habitat is not available.            Species profile: <a href="https://ecos.fws.gov/ecp/species/3779">https://ecos.fws.gov/ecp/species/3779</a></p>	Endangered
<p>Mission Blue Butterfly <i>Icaricia icarioides missionensis</i>            There is <b>proposed</b> critical habitat for this species. The location of the critical habitat is not available.            Species profile: <a href="https://ecos.fws.gov/ecp/species/6928">https://ecos.fws.gov/ecp/species/6928</a></p>	Endangered
<p>San Bruno Elfin Butterfly <i>Callophrys mossii bayensis</i>            There is <b>proposed</b> critical habitat for this species. The location of the critical habitat is not available.            Species profile: <a href="https://ecos.fws.gov/ecp/species/3394">https://ecos.fws.gov/ecp/species/3394</a></p>	Endangered

## Flowering Plants

NAME	STATUS
Franciscan Manzanita <i>Arctostaphylos franciscana</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/5350">https://ecos.fws.gov/ecp/species/5350</a>	Endangered
Marin Dwarf-flax <i>Hesperolinon congestum</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/5363">https://ecos.fws.gov/ecp/species/5363</a>	Threatened
Marsh Sandwort <i>Arenaria paludicola</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/2229">https://ecos.fws.gov/ecp/species/2229</a>	Endangered
Presidio Clarkia <i>Clarkia franciscana</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/3890">https://ecos.fws.gov/ecp/species/3890</a>	Endangered
Presidio Manzanita <i>Arctostaphylos hookeri</i> var. <i>ravenii</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/7216">https://ecos.fws.gov/ecp/species/7216</a>	Endangered
San Francisco Lessingia <i>Lessingia germanorum</i> (=L.g. var. <i>germanorum</i> ) No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/8174">https://ecos.fws.gov/ecp/species/8174</a>	Endangered
White-rayed Pentachaeta <i>Pentachaeta bellidiflora</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/7782">https://ecos.fws.gov/ecp/species/7782</a>	Endangered

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

**Rivas, Dan@DOT**

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**From:** NMFSWCRCA Specieslist - NOAA Service Account  
<nmfswcrca.specieslist+canned.response@noaa.gov>  
**Sent:** Wednesday, July 29, 2020 1:03 PM  
**To:** Rivas, Dan@DOT  
**Subject:** Re: Federal Highway Administration - City and County of San Francisco Better Market Street Project, STPL-5934(180)

**EXTERNAL EMAIL. Links/attachments may not be safe.**

Receipt of this message confirms that NMFS has received your email to [nmfswcrca.specieslist@noaa.gov](mailto:nmfswcrca.specieslist@noaa.gov). If you are a federal agency (or representative) and have followed the steps outlined on the California Species List Tools web page ([http://www.westcoast.fisheries.noaa.gov/maps\\_data/california\\_species\\_list\\_tools.html](http://www.westcoast.fisheries.noaa.gov/maps_data/california_species_list_tools.html)), you have generated an official Endangered Species Act species list.

Messages sent to this email address are not responded to directly. For project specific questions, please contact your local NMFS office.

Northern California/Klamath (Arcata) 707-822-7201

North-Central Coast (Santa Rosa) 707-387-0737

Southern California (Long Beach) 562-980-4000

California Central Valley (Sacramento) 916-930-3600

**From:** Rivas, Dan@DOT  
**Sent:** Wednesday, July 29, 2020 1:03 PM  
**To:** nmfswcrca.specieslist@noaa.gov  
**Subject:** Federal Highway Administration - City and County of San Francisco Better Market Street Project, STPL-5934(180)

Federal agency: Federal Highway Administration - California Division  
Federal agency address: 650 Capitol Mall, Suite 4-100, Sacramento, CA 95814-4708  
Non-federal agency representative (if any): California Department of Transportation  
Non-federal agency representative (if any) address: 111 Grand Avenue, Oakland, CA 94612  
Project title: City and County of San Francisco Better Market Street Project, STPL-5934(180) [Local Assistance Project]  
Point-of-Contact: Dan Rivas, [dan.rivas@dot.ca.gov](mailto:dan.rivas@dot.ca.gov), 510-286-5743

Quad Name **San Francisco North**

Quad Number **37122-G4**

### **ESA Anadromous Fish**

SONCC Coho ESU (T) -  
CCC Coho ESU (E) - **X**  
CC Chinook Salmon ESU (T) -  
CVSR Chinook Salmon ESU (T) - **X**  
SRWR Chinook Salmon ESU (E) - **X**  
NC Steelhead DPS (T) -  
CCC Steelhead DPS (T) - **X**  
SCCC Steelhead DPS (T) -  
SC Steelhead DPS (E) -  
CCV Steelhead DPS (T) - **X**  
Eulachon (T) -  
sDPS Green Sturgeon (T) - **X**

### **ESA Anadromous Fish Critical Habitat**

SONCC Coho Critical Habitat -  
CCC Coho Critical Habitat - **X**  
CC Chinook Salmon Critical Habitat -  
CVSR Chinook Salmon Critical Habitat -  
SRWR Chinook Salmon Critical Habitat - **X**  
NC Steelhead Critical Habitat -  
CCC Steelhead Critical Habitat - **X**  
SCCC Steelhead Critical Habitat -

SC Steelhead Critical Habitat -  
CCV Steelhead Critical Habitat -  
Eulachon Critical Habitat -  
sDPS Green Sturgeon Critical Habitat - **X**

### **ESA Marine Invertebrates**

Range Black Abalone (E) - **X**  
Range White Abalone (E) -

### **ESA Marine Invertebrates Critical Habitat**

Black Abalone Critical Habitat -

### **ESA Sea Turtles**

East Pacific Green Sea Turtle (T) - **X**  
Olive Ridley Sea Turtle (T/E) - **X**  
Leatherback Sea Turtle (E) - **X**  
North Pacific Loggerhead Sea Turtle (E) - **X**

### **ESA Whales**

Blue Whale (E) - **X**  
Fin Whale (E) - **X**  
Humpback Whale (E) - **X**  
Southern Resident Killer Whale (E) - **X**  
North Pacific Right Whale (E) - **X**  
Sei Whale (E) - **X**  
Sperm Whale (E) - **X**

### **ESA Pinnipeds**

Guadalupe Fur Seal (T) - **X**  
Steller Sea Lion Critical Habitat -

### **Essential Fish Habitat**

Coho EFH - **X**  
Chinook Salmon EFH - **X**  
Groundfish EFH - **X**  
Coastal Pelagics EFH - **X**



Highly Migratory Species EFH -

**MMPA Species (See list at left)**

**ESA and MMPA Cetaceans/Pinnipeds**

**See list at left and consult the NMFS Long Beach office  
562-980-4000**

MMPA Cetaceans - **X**

MMPA Pinnipeds - **X**



Appendix K

**Programmatic Agreement Between the California  
Department of Transportation and the California State  
Historic Preservation Officer Regarding the Better  
Market Street Project in San Francisco, California**

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**PROGRAMMATIC AGREEMENT  
BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND  
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER  
REGARDING THE BETTER MARKET STREET PROJECT  
IN SAN FRANCISCO, CALIFORNIA**

**WHEREAS**, pursuant to §23 U.S.C. the Federal Highway Administration (FHWA), has assigned and California Department of Transportation (Caltrans, including all subordinate divisions defined below) has assumed FHWA responsibility for environmental review, consultation, and coordination under the provisions of the *Memorandum of Understanding (MOU) between the Federal Highway Administration and the California Department of Transportation Concerning the State of California's Participation in the Project Delivery Program Pursuant to 23 U.S.C. 327*, which became effective on December 23, 2016, and applies to this undertaking; and,

**WHEREAS**, pursuant to the January 2014 *First Amended Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California* (Section 106 PA), Caltrans is deemed to be a federal agency for all highway-aid projects it has assumed, and in that capacity Caltrans has assigned the role of “agency official” to the Caltrans Division of Environmental Analysis (DEA) Chief for the purpose of compliance with 36 CFR § 800. The responsibility for oversight, day-to-day responsibilities, and coordination of the Section 106 process are further delegated to the DEA Cultural Studies Office (CSO) Chief; and,

**WHEREAS**, Caltrans and San Francisco Public Works (SFPW) proposes to implement the federally funded Better Market Street project (Undertaking) along a 2.2-mile segment of Market Street between Octavia Boulevard and The Embarcadero in the City and County of San Francisco, spanning the Downtown/Civic Center, South of Market, and Financial District neighborhoods, with the purpose of making Market Street safer and more efficient for all modes of transportation by reducing conflicts between transit, paratransit, taxis, commercial vehicles, cyclists and pedestrians, as described in Attachment A; and

**WHEREAS**, the Undertaking's Area of Potential Effects (APE) in Attachment B includes all areas where work is proposed and the known or reasonably anticipated boundaries of any built environment or archaeological resources, which may experience direct or indirect effects as a result of the Undertaking; and

**WHEREAS**, Caltrans has determined that the Undertaking will avoid having adverse effects on the Path of Gold, a contributing feature of the Market Street Cultural Landscape District under Criteria A and C of the National Register; the Civic Center Landmark District, assumed eligible for inclusion in the National Register under Criteria A and C; the San Francisco Civic Center National Historic Landmark (NHL) district; the Auxiliary Water Supply System, eligible for inclusion in the National Register under Criteria A and C; the United Nations Plaza, eligible for inclusion in the National Register under Criterion C; and therefore, are historic properties as defined at 36 CFR § 800.16(1)(1), because activities that will modify the resource will conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties; and,



**WHEREAS**, Caltrans has determined that the Undertaking will have an adverse effect on the Market Street Cultural Landscape District, a property determined to be eligible for inclusion in the National Register of Historic Places (National Register) under Criterion A for its role as San Francisco's main circulation artery and facilitator of urban development and for its role as a venue for civic engagement in San Francisco; and under Criterion C, as the work of master architects John Carl Warnecke and Mario J. Ciampi, and master landscape architect Lawrence Halprin, the Market Street Redevelopment Plan was an early example of collaborative design between the fields of architecture and landscape architecture in urban planning; and therefore, is a historic property as defined at 36 CFR § 800.16(1)(1); and

**WHEREAS**, Caltrans anticipates that the Undertaking will have an adverse effect on the Yerba Buena Cemetery, a property that abuts the Undertaking's Area of Direct Impact and may extend within. However, because the highly developed, paved, and actively trafficked nature of the project area precludes Caltrans' ability to conduct subsurface identification, evaluation, and assessment of effects on potential archaeological deposits within the ADI, Caltrans assumed the property to be eligible for inclusion in the National Register under Criterion D for the purposes of the undertaking only; and

**WHEREAS**, Caltrans has determined that the Undertaking may have an adverse effect on the California Street Wharf, the Market Street Wharf, the Main Street Wharf, the Stuart Street Wharf. However, because the highly developed, paved, and actively trafficked nature of the project area precludes Caltrans' ability to conduct subsurface identification, evaluation, and assessment of effects on potential archaeological deposits within the ADI, Caltrans assumed the properties to be eligible for inclusion in the National Register under Criterion D for the purposes of the undertaking only; and,

**WHEREAS**, unidentified prehistoric archaeological resources may be present at five locations where ground disturbance may extend into sensitive dune sands. However, the highly developed, paved, and actively trafficked nature of the project area precludes Caltrans' ability to complete its responsibilities to conduct subsurface identification, evaluation, and assessment of effects on potential archaeological deposits within these sensitive areas; and,

**WHEREAS**, Caltrans has thoroughly considered alternatives to the Undertaking and has determined, in consultation with the California State Historic Preservation Officer (SHPO), that the statutory and regulatory requirements on the design of the Undertaking preclude the possibility of avoiding adverse effects to the Market Street Cultural Landscape District and Yerba Buena Cemetery; or the potential to adversely affect the California Street Wharf, Market Street Wharf, Main Street Wharf, and Stuart Street Wharf during the Undertaking's implementation, and has further determined that the execution and implementation of this PA will take into account the adverse effects of the Undertaking; and

**WHEREAS**, Caltrans has consulted with the SHPO pursuant to Stipulations X.C, and XI of the Section 106 PA, and where the Section 106 PA so directs, in accordance with 36 CFR § 800, the regulation that implements Section 106 of the National Historic Preservation Act of the 1966 (16 U.S.C. 470f), as amended, regarding the Undertaking's effects on historic properties and will file

a copy of this PA with the ACHP in accordance with Stipulation X.C.3.b of the Section 106 PA; and,

**WHEREAS**, Caltrans has consulted with the National Parks Service, Interior Regions 8, 9, 10 and 12 (hereafter NPS), to address the requirements per 36 CFR § 800.10(c) for potential effects to the San Francisco Civic Center NHL district, and the NPS is a consulting party to this PA; and

**WHEREAS**, in accordance with 36 CFR § 800.10(c), Caltrans has notified the NPS due to the San Francisco Civic Center NHL being located within the APE, and the NPS of the Department of the Interior is the official representative of the Secretary of the Interior for this consultation; and

**WHEREAS**, Caltrans has consulted with the NPS; the Gay, Lesbian, Bisexual, and Transgender (GLBT) Historical Society Museum; the Civic Center Community Benefit District; the Mid-Market Community Benefit District; the Northern California Chapter of Documentation and Conservation of Buildings, Sites and Neighborhoods of the Modern Movement (DOCOMOMO); the San Francisco African American Historical Cultural Society; and the Native Daughters of the Golden West, regarding the Undertaking and its effects on historic properties and have invited them to participate in the development and implementation of Stipulation II of this PA; and

**WHEREAS**, Caltrans has consulted with the Muwekma Ohlone Indian Tribe of the San Francisco Bay Area, The Costanoan Rumsen Carmel Tribe, The Ohlone Indian Tribe, The Indian Canyon Mutsun Band of Costanoan, and the Amah Mutsun Tribal Band of Mission San Juan Bautista regarding the effects of the Undertaking and none of the groups or individuals requested to be a consulting party; Caltrans will continue to consult with them and will afford them, should they so desire, further opportunity to more directly and actively participate in the implementation of the Undertaking itself and this PA; and,

**WHEREAS**, Caltrans District 4 and SFPW have participated in the consultation, have a responsibility to fulfill the terms of this PA, and are participating as invited signatories; and,

**NOW, THEREFORE**, Caltrans and the SHPO agree that if the Undertaking proceeds, the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the Undertaking on historic properties, and further agrees that these stipulations shall govern the Undertaking and all of its parts until this PA expires or is terminated.

## **STIPULATIONS**

Caltrans shall ensure that the following stipulations are carried out prior to expiration of the PA:

### **I. AREA OF POTENTIAL EFFECTS**

- A. The Undertaking's APE was established in accordance with Stipulation VIII.A of the Section 106 PA and is depicted in Attachment B of this PA. The APE was delineated to

include all areas where work is proposed, including the known or reasonably anticipated boundaries of archaeological and cultural properties and any locations where construction activities will take place.

- B. If Caltrans determines that additional APE revisions are necessary, Caltrans shall inform the parties of the PA of the revisions and consult no more than fifteen (15) days to reach agreement on the proposed revisions. If Caltrans, the SHPO, and other appropriate signatories cannot reach such an agreement, then the parties to this PA shall resolve the dispute in accordance with Stipulation VII.C below. If all parties reach mutual agreement on the proposed revisions, Caltrans will submit a new APE map reflecting the revisions, consistent with Stipulation VIII.A and Attachment 3 of the Section 106 PA, no later than 30 days following such agreement. Any further investigation or document necessitated by the revised APE will follow the procedures for the identification and evaluation of potential historic properties as specified in Stipulation VIII of the Section 106 PA and in accordance with 36 §CFR 800.4(a)(2-4) and 88.4(b). The amendment of the APE will not require amendment to the PA. The revised APE and supporting documentation shall be incorporated into Attachment B to this PA.

## **II. TREATMENT OF HISTORIC PROPERTIES**

Caltrans shall ensure that SFPW has satisfactorily completed the following mitigation measures.

### **A. Secretary of the Interior's Standards for the Treatment of Historic Properties**

1. Prior to the start of work that could affect the following historic properties; San Francisco Civic Center NHL, Civic Center Landmark District, United Nations (UN) Plaza, Replica Path of Gold, or the San Francisco Auxiliary Water Supply System (AWSS), SFPW will:
  - a. Submit to Caltrans for review and approval, the project plans to ensure that the Secretary of the Interior's Standards for the Treatment of Historic Properties (SOIS) are included and clearly described and illustrated.
  - b. SFPW shall retain a professional who meets the Secretary of the Interior's Professional Qualifications Standards (PQS) for Architectural History, who shall discuss the requirements of the project to meet the SOIS at the preconstruction meeting.
  - c. SFPW will notify Caltrans three weeks in advance of the beginning of construction on the historic properties.
  - d. SFPW's PQS Architectural Historian consultant, will complete spot monitoring during construction of activities affecting the historic properties to ensure that the project is being constructed according to the plans.
  - e. SFPW will inform Caltrans, when the construction work is complete.
  - f. SFPW will provide to Caltrans District 4 for review and approval, updated Department of Parks and Recreation (DPR) 523 forms documenting the changes to the Civic Center Landmark District, UN Plaza and the AWSS, which will be filed with the Northwest Information Center of the California Historic Resources Information System.

## **B. Historic Properties Treatment Plan**

1. SFPW shall retain a professional who meets the Secretary of the Interior's PQS, Architectural History, to prepare a Historic Properties Treatment Plan (HPTP) for the following contributing elements of the Market Street Cultural Landscape District: Embarcadero Plaza, Hallidie Plaza, and United Nations Plaza. The HPTP shall incorporate rehabilitation recommendations for maintaining and protecting the paving materials at the three plazas and shall include the following elements:
  - a. The HPTP shall be prepared and implemented to aid in protecting the physical elements of the plazas that contribute to the character of the Market Street Cultural Landscape District, as identified and described in the State of California DPR district record appended to the Historic Resource Evaluation Report that was completed as part of the Section 106 review and technical documentation for this project. The HPTP shall focus on the district's association with the Market Street Redevelopment Plan design led by architects John Carl Warnecke and Mario Ciampi and landscape architect Lawrence Halprin with specific guidance on the treatment of historic materials, including the red brick herringbone paving present in all three locations.
  - b. The HPTP shall also take into consideration United Nations Plaza as a contributor to the San Francisco Civic Center National Historic Landmark district.
  - c. The HPTP shall provide a baseline conditions assessment of the contributing elements in each of three plazas, including documentation of areas that illustrate typical conditions and deteriorations that will be addressed through rehabilitation recommendations.
  - d. The HPTP will also include best practice guidelines and rehabilitation recommendations to guide future projects associated with ongoing maintenance and repair of the red brick and other contributing elements of the plazas to ensure compliance with the Secretary of the Interior's Standards for Rehabilitation.
  - e. If deemed necessary by PQS Architectural History in consultation with Caltrans District 4, upon assessment of the resources' condition, the plan shall include guidance for stabilization measures to be carried out before construction to prevent damage to the three plazas as a result of construction activities. Specifically, the protection measures shall incorporate construction specifications to be implemented by the construction contractor(s) to ensure all feasible means of avoiding damage to the resources.
  - f. SFPW will submit the HPTP to Caltrans District 4 for review and approval pursuant to Stipulation II.F of this PA.
  - g. Caltrans District 4 will submit the HPTP to all Signatories, Invited Signatories and Concurring Parties of this PA for review and comment, for a period of 30 calendar days.
  - h. SFPW will not authorize the implementation of any aspect of the Undertaking that may affect historic properties until the HPTP has been approved by Caltrans District 4.

### **C. Historic American Landscape Survey Documentation**

1. Prior to the commencement of project construction, SFPW, shall contact the regional Historic American Building Survey/Historic American Engineering Record/Historic American Landscape Survey(HABS/HAER/HALS) coordinator at the National Park Service Interior Regions 8, 9, 10, and 12 Regional Office (NPS) to request that NPS stipulate the level of and procedures for completing the documentation. Within ten (10) days of receiving the NPS stipulation letter, the SFPW shall send a copy of the letter to all consulting parties for their information.
2. The SFPW will ensure that all recordation documentation activities are performed or directly supervised by architects, historians, photographers, and/or other professionals meeting the qualification standards in the Secretary of Interior's Professional Qualification Standards (36 CFR 61, Appendix A).
3. Upon receipt of the NPS written acceptance letter, the SFPW will make archival, digital and bound library-quality copies of the documentation and provide them to the History Room of the San Francisco Public Library, Northwest Information Center, California Historical Society, Environmental Design Archives at the University of California, Berkeley, Architectural Archives at the University of Pennsylvania, and California State Library.
4. The documentation will be completed prior to the expiration of the PA. Caltrans shall notify SHPO that the documentation is complete and all copies distributed as outlined in Stipulation II.C and include the completion of the documentation in the annual report. All field surveys shall be completed prior to the commencement of project construction.

### **D. Print-on-Demand Booklet**

Following preparation of HALS photography, narrative report, and drawings sets, SFPW will produce a print-on-demand booklet to include the HALS documentation and additional resources including historical documentation and photographs. The print-on-demand booklet shall be made available to the public for distribution prior to the expiration of this PA.

1. SFPW shall submit a draft of the print-on-demand booklet to Caltrans, District 4 for review and approval prior to publication, pursuant to Stipulation II.F of this PA.
2. SFPW shall contact the History Room of the San Francisco Public Library; Northwest Information Center of the California Historical Resources Information System; California Historical Society; Environmental Design Archives at the University of California, Berkeley, the San Francisco Planning Department; and the Architectural Archives at the University of Pennsylvania to inquire whether the research repositories would like to receive a hard and/or digital copy of the final booklet.



3. SFPW shall seek to identify interested groups that would receive digital copies of the booklet upon request.
4. SFPW shall document the extent and result of outreach and transmittal of digital and hard copies of the print-on-demand booklet and provide the documentation to Caltrans District 4, which will be included in the annual report pursuant to Stipulation VII.F of this PA.

## **E. Interpretive Program**

1. Temporary Public Exhibition: SFPW shall craft a public exhibition about the history of the resources being adversely affected within the APE using, at a minimum, the HALS documentation.
  - a. SFPW shall prepare an exhibition for public display in venues physically proximate to Market Street, such as the San Francisco Public Library; California Historical Society; San Francisco Bay Area Planning and Urban Research Association; American Institute of Architects, San Francisco; or a similar space within an educational or civic organization.
  - b. In consultation with Caltrans, SFPW shall identify a minimum of one publicly accessible location for installation of the exhibition and work with the selected venue(s) to secure a commitment to house the display for an agreed upon length of time prior to the commencement of construction. If the required documentation shows that a good-faith effort was put forward by SFPW to locate an appropriate display location but no commitment could be procured, then SFPW shall consult with Caltrans discuss an alternative temporary installation of the exhibition at the project site where it shall be visible and accessible to the public and maintained for the duration of the construction process.
  - c. Caltrans District 4, will review and approve the public displays pursuant to Stipulation II.F of this PA, and all efforts outlined in Stipulation II.E.1 will be completed prior to the termination of this PA and included in the Annual Report as applicable, pursuant to Stipulation VII.F.
2. Educational Website: SFPW shall prepare a Better Market Street educational website about the history of the resources being adversely affected in the APE using, at a minimum, the HALS documentation. The information will be added to the already existing SFPW website (<http://www.sfpublicworks.org/projects>) upon receipt of the written NPS letter accepting the final HALS documentation. SFPW shall house and maintain the webpage in perpetuity on SFPW website, with links to the HALS documentation and other interpretive materials outlined in Stipulation II.E.1, II.E.3, II.E.4 and II.E.5.

- a. SFPW will update Caltrans District 4, on the development of the website, and notify Caltrans when information is added, which will be included in the Annual Report pursuant to Stipulation VII.F.
3. Interpretive Signage: SFPW shall incorporate between six and 10 permanent interpretive markers or signs into the design of the proposed project that interpret the history of the resources being adverse affected in the APE. The markers shall be located within the project footprint (on Market Street between Steuart Street and Octavia Boulevard), and the content shall relate to the specific locations of the markers/signs within the corridor.
  - a. SFPW shall prepare and present to Caltrans, District 4, for review and approval, an outline of the proposed permanent interpretive signage before the commencement of construction, pursuant to Stipulation II.F of this PA.
  - b. Installation location and summary of content will be included in the Annual Report pursuant to Stipulation VII.F of this PA.
4. Public educational event series: SFPW shall include three to five public programs to tell the story of development of the Market Street Redevelopment Plan. Programs may include panel discussions and lectures with scholars and designers; collaborative artistic performances, such as re-enactment of Lawrence and Anna Halprin's RSVP cycles; walking tours; parades; and related activities on Market Street.
  - a. SFPW will notify Caltrans District 4, with a preliminary schedule of the program series which will be completed before the content and participants are finalized and prior to commencement of construction.
  - b. SFPW will oversee the development of the educational event series and notify Caltrans of milestones including: selection of program(s), dates of program(s), finalization of content, and completion of programs. As applicable this information will be included in the Annual Report, pursuant to Stipulation VII.F of this PA.
  - c. All programs held as part of the program series shall be recorded by a professional videographer, and the recordings shall be made available on the educational website specified in Stipulation II.E.2.
  - d. As applicable Stipulation II.E.4.a-c will be included in the Annual Report pursuant to Stipulation VII.F of this PA.
5. Community Led Public Programs: SFPW will administer the selection of one community-led public programs to celebrate and commemorate the history of Market Street. Proposals will be solicited through a Request for Proposal (RFP) submission process and will be proposed, managed and implemented by California-

based non-profit organizations with an interest in the history and/or cultural properties of the Market Street Cultural Landscape District.

- a. SFPW shall fund one interpretive or commemorative program that will be awarded which may include temporary events such as dances, lectures, or walking tours, or they may take the form of permanent installations such as interpretive signage or an on-site exhibition. Organizations with a demonstrated interest in the history of Market Street may apply through the RFP process. Preference will be given to organizations located within the project APE. Program selection will be made by a committee that will include a minimum of five persons, and include at least three members with professional experience in arts and cultural programming. The committee may include professionals from the following fields and organizations: a representative of SFPW; a representative of Caltrans District 4; professionals from the fields of history, historic preservation, performing arts, visual arts, or design. Organizations with representation on the committee will not be eligible to apply for award consideration.
- b. Where responses to the RFP include proposals for temporary programming, a plan for documentation or recordation of the program will be included. The documentation or recordation materials will be available to be hosted by the organizations so that the information included in the programs are made available to the public as part of the permanent historical record on the history of Market Street. Additionally, the programs, both temporary and permanent, must be accessible to the public through in-person or digital participation.
- c. SFPW will oversee the development of the public program(s) and notify Caltrans of milestones including: selection of program(s), dates of program(s), finalization of content, and completion of programs. Stipulation II.E.5 will be completed prior to the expiration of this PA, and as applicable this information will be included in the Annual Report, pursuant to Stipulation VII.F of this PA.

## **F. Reporting Requirements and Related Reviews**

1. For all measures as applicable in Stipulation II, SFPW will submit draft documents to Caltrans District 4, for review and comment. Caltrans District 4 will have thirty (30) business days to provide comment on the documents. If Caltrans does not respond within thirty (30) business days SFPW may consider the submitted document as final. Caltrans may request a ten (10) business day extension if needed.
2. SFPW will take all comments into account in revising the documents and submit a final version to Caltrans District 4 for approval. Caltrans has thirty (30) business days to approve or schedule a meeting to discuss comments on the documents. If a comment resolution meeting is required, Caltrans will have thirty (30) business days from the date of the meeting to provide any further comments.

### III. TREATMENT OF ARCHAEOLOGICAL PROPERTIES

The Yerba Buena Cemetery, the California Street Wharf, the Market Street Wharf, the Main Street Wharf and the Stuart Street Wharf were assumed eligible for the National Register of Historic Places, pursuant to Stipulation VIII.C.4 of the Section 106 PA. The Undertaking's Area of Direct Impact (ADI) may adversely affect historic era archaeological resources pursuant to Stipulation X.C of the Section 106 PA. The State Historic Preservation Office concurred with this determination on July 20, 2020. The project also has the potential to encounter archaeologically sensitive dune sands at five locations within the APE. All measures outlined in Stipulation III shall be completed as access is gained for each construction phase or stage.

**A. Archaeological Treatment and Data Recovery Plan:** Caltrans shall ensure that identification, evaluation, assessment of effects, and mitigation of any adverse effects of the Undertaking on the resources assumed-eligible are completed by implementing the 2020 Archaeological Treatment and Data Recovery Plan (ATDRP), Attachment C of this PA. Specifically, the ATDRP addresses the following:

1. The ATDRP for the Better Market Street Project outlines protocols for ten (10) areas of heightened archaeological sensitivity, including: Yerba Buena Cemetery, the California Street Wharf, the Market Street Wharf, the Main Street Wharf, the Stuart Street Wharf, and five (5) areas of prehistoric sensitivity.
2. Identification of sensitive areas that require monitoring during construction activities. Including an archaeological monitoring plan that provides background on the archaeological sensitivity of the APE and rationale for monitoring, Native American Monitor participation, and monitoring protocols.
3. Procedures for archaeological evaluations of any newly identified deposits, including thresholds for determining eligibility and archaeological field procedures.
4. Consultation protocols for resolution of adverse effects for eligible properties.
5. Data Recovery Plan for archaeological properties, including archaeological field procedures.
6. Native American participation and the treatment of identified human remains.
7. Procedures for cataloguing and laboratory analysis of cultural materials recovered as part of the archaeological data recovery excavations.
8. Curation management procedures, which may include identification of a curation facility where recovered materials and records may be curated in perpetuity in accordance with the Secretary of the Interior's Standards for Archaeological Documentation and the California Guidelines for the Curation of Archaeological Collections (1993), or as outlined in an agreement document pertaining to the undertaking covered by this Agreement. Native American human remains and associated items shall not be curated but addressed in consultation with the most likely descendent(s) designated by California's NAHC pursuant to California Public Resources Code section 5097.98. Sacred objects and objects of cultural patrimony, as defined by NAGPRA, shall not be curated but addressed in consultation with Indian tribe(s), consistent with 43 CFR § 10.3.
9. Protocols for anticipated discoveries, including discoveries during archaeological

monitoring and inadvertent damage to known or unknown resources. The protocols will also detail the notification process for the PA parties and Consulting Tribes.

10. Reporting procedures documenting the methods and results of all archaeological fieldwork (including monitoring) and laboratory analyses.
11. In the event of encountering archaeological properties, SFPW in consultation with Caltrans, and Native American groups as appropriate, will incorporate the findings of the data recovery into the public outreach in Stipulations II.E.1, II.E.2 and II.E.3 of this PA. As deemed appropriate, this would include the development of an interpretive exhibit open to the public, website and interpretive signage. The content of the material will be programmatic and general in nature and not include sensitive site-specific archaeological details. If through consultation with the Consulting Parties, SFPW and Caltrans determines that the data recovered through implementation of the ATDRP is appropriate for public dissemination, SFPW in consultation with Caltrans will incorporate that information in the exhibits. If, through consultation, it is determined that the data is not appropriate for public dissemination, the exhibits will portray information about the general history and archaeology of the property area.

- B.** The ATDRP set forth hereunder may be amended through consultation among the PA parties without amending the PA proper. Consultation on ATDRP amendments will be no longer than thirty (30) business days in duration. Disputes regarding amendments proposed hereunder shall be addressed in accordance with Stipulation VII.C of this PA. If the dispute is resolved within the thirty (30) business days, the PA parties shall proceed in accordance with the terms of that resolution. If the dispute is not resolved within this time frame, Caltrans shall render a final decision regarding the dispute and the PA parties shall proceed in accordance with the terms of that decision.
- C.** Caltrans and SFPW shall not authorize the execution of any activity that may adversely affect historic properties in the APE prior to the implementation and completion of the pre-construction fieldwork prescribed in the ATDRP.

#### **D. Reporting Requirements and Related Reviews**

1. If no significant archaeological resources are identified during the archaeological monitoring at each of the ten (10) locations identified in the ATDRP, SFPW will notify Caltrans that work at that location has been completed, and that monitoring effort will be documented in the Annual Report pursuant to Stipulation VII.F of this PA.
2. If significant archaeological resources are identified at any of the ten (10) locations identified in the ATDRP, within twelve (12) months after District 4 has determined that all fieldwork at that location has been completed, SFPW will ensure preparation, and distribution to Caltrans, District 4 with subsequently Caltrans Division of Environmental Analysis, Cultural Studies Office (CSO) and any participating Native American Tribes consulting on the project for review and comment, a draft technical report that documents the results of implementing and completing the ATDRP. These parties will be afforded thirty (30) business days following receipt of the draft technical report to submit any written comments to



District 4. Failure to respond within the time frame shall not preclude District 4 from authorizing revisions to the draft technical report as District 4 may deem appropriate.

3. SFPW will take all comments into account in revising the technical report and submit to Caltrans District 4 for review and submittal to CSO for approval. Upon approval, CSO will transmit the technical report to SHPO along with any comments from consulting Native American tribes that were not addressed in the report. The SHPO will have thirty (30) business days to comment on the report. If the SHPO does not respond within thirty (30) business days Caltrans may consider the submitted report as final. The SHPO may request a fifteen (15) business day extension if needed.
4. Copies of the final technical report documenting the results of the ATDRP implementation will be distributed by District 4 to the other PA parties and to the Northwest Information Center of the California Historic Resources Information System.

#### **IV. NATIVE AMERICAN CONSULTATION**

Caltrans has consulted with the Muwekma Ohlone Indian Tribe of the San Francisco Bay Area, The Costanoan Rumsen Carmel Tribe, The Ohlone Indian Tribe, The Indian Canyon Mutsun Band of Costanoan, and the Amah Mutsun Tribal Band of Mission San Juan Bautista regarding the proposed Undertaking and its effects on historic properties. Caltrans will continue to consult with them, and afford them, should they so desire, the opportunity to participate in the implementation of this PA and the Undertaking. If other tribes or Native American groups who attach religious or cultural significance to historic properties that may be affected by this Undertaking are identified, Caltrans will invite them to participate as consulting parties as the Section 106 process moves forward.

#### **V. TREATMENT OF HUMAN REMAINS**

As legally mandated, human remains and related items discovered during implementation of the terms of this Agreement and the Undertaking will be treated in accordance with the requirements of Health and Safety Code Section 7050.5(b). If pursuant to Health and Safety Code § 7050.5(c), the coroner determines that the human remains are or may be those of a Native American, then the discovery shall be treated in accordance with the provisions of Public Resources Code § 5097.98 (a)(d). The County Coroner shall be contacted if human remains are discovered. The County Coroner shall have two working days to inspect the remains after receiving notification. During this time, all remains, and associated soils, and artifacts shall remain in situ and/or onsite and shall be protected from public viewing. This may include restricting access to the discovery site and the need to provide 24-hour security of the site.

The County Coroner has twenty-four (24) hours to notify the California Native American Heritage Commission (NAHC). The NAHC shall then notify a Most Likely Descendant (MLD), who has forty-eight (48) hours to make recommendations to Caltrans. Caltrans, as the landowner of a portion of the APE, shall contact the California SHPO and the Most Likely Descendent(s) within forty-eight (48) hours of the County Coroner's

determination that the remains are Native American in origin. Caltrans shall ensure, to the extent permitted by applicable law and regulation, that the views of the Most Likely Descendent(s), as determined by the NAHC, is taken into consideration when decisions are made about the disposition of Native American human remains and associated objects. Information concerning the discovery shall not be disclosed to the public pursuant to the specific exemption set forth in California Government Code 6254.5(e). If it is determined by the coroner that the human remains are those of non-Native American origin and relate to the Yerba Buena Cemetery, then the discovery shall be treated in accordance with the procedures and methods outlined in the ATDRP.

## **VI. DISCOVERIES AND UNANTICIPATED EFFECTS**

- A.** If Caltrans determines, during implementation of the terms of this PA, and after construction of the Undertaking has commenced, that the Undertaking will affect a previously unidentified property that may be eligible for the National Register, or affect a known historic property in an unanticipated manner, Caltrans will address the discovery or unanticipated effect in accordance with the ATDRP and per Stipulations VI.B through VII.F of this PA. Caltrans at its discretion may hereunder assume any discovered property to be eligible for the National Register in accordance with 36 CFR §800.13(c).
- B.** Caltrans will notify SHPO and all Consulting Parties to this Agreement within 48 hours of the discovery and Caltrans' proposed determination of eligibility, assessment of effects and those actions that it proposes to avoid, minimize, or otherwise treat adverse effects. SHPO and Consulting Parties will have forty-eight (48) hours to provide their comments on the proposed actions to Caltrans. Caltrans will ensure that all recommendations are taken into account prior to granting approval of the measures that SFPW will implement to resolve adverse effects. Caltrans will provide SHPO and the Consulting Parties to this Agreement notification of the measures to be implemented. SFPW will carry out the approved measures prior to resuming construction activities in the location of the discovery.
- C.** Caltrans will notify SHPO and other Consulting Parties to this Agreement within forty-eight (48) hours if human remains of Native American origin are identified in the APE.
- D.** Any human remains and related items discovered during the implementation of the terms of this Agreement and of the Undertaking will be treated in accordance with the requirements of Section 7050.5(b) of the California Health and Safety Code. If, pursuant to Section 7050.5(b) of the California Health and Safety Code, the county coroner/medical examiner determines that the human remains are or may be of Native American origin, then the discovery will be treated in accordance with the provisions of Section 5097.98(a)-(d) of the California Public Resources Code. Caltrans, in coordination with SFPW, will ensure that the remains are not damaged or disturbed further until all Stipulations in Section 7050.5 and Section 5097.98 have been met.

- E. Caltrans will consult with Native American Consulting Parties and take their recommendations into consideration when making decisions regarding the disposition of other Native American archaeological materials and records.
- F. Caltrans and SFPW will coordinate with the applicable property owner regarding the archaeological resources or disposition of human remains discovered in the APE.

## VII. ADMINSTRATIVE PROVISIONS

### A. Standards

1. **Definitions.** The definitions provided at 36 CFR § 800.16 are applicable throughout this PA.
2. Parties to this agreement are defined as follows:
  - a. Signatory parties have the sole authority to execute, amend, or terminate the PA.
  - b. Invited Signatories have the authority to amend or terminate the PA.
  - c. Concurring parties, signing the PA do so to acknowledge their agreement or concurrence with the PA, but have no legal authority under the PA to terminate or amend this PA. Concurring with the terms of this PA does not constitute their agreement with the Undertaking.
3. **Professional Qualifications.** Caltrans will ensure that only individuals meeting the *Secretary of the Interior's Professional Qualification Standards* (48 FR 44738-39) as defined in Attachment 1 of the Section 106 PA, in the relevant field of study carry out or review appropriateness and quality of the actions and products required by Stipulations I, II, III, IV, V, and VI in this PA. However, nothing in this stipulation may be interpreted to preclude Caltrans or any agent or contractor thereof from using the properly supervised services of persons who do not meet the Professional Qualification Standards.
4. **Documentation Standards.** All documentation of activities prescribed by Stipulations I, II, III, IV, V, and VI of this PA shall conform to *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation* (48 FR 44716-44740) as well as to applicable standards and guidelines established by the SHPO.
5. **Curation and Curation Standards.** If legal owner(s) of materials resulting from the activities presented by this PA choose to curate those materials, Caltrans shall ensure that, to the extent permitted under § 5097.98 and § 5097.991 of the California Public Resources Code and the Native American Graves Protection and Repatriation Act (NAGPRA) [25 USC 3001-3013] and its implementing regulations (43 CFR Part 10), the materials and records resulting from the activities

prescribed by this PA are curated in accordance with 36 CFR part 79. Caltrans shall ensure that the views of the consulting parties are taken into consideration prior to decisions about the final disposition of archaeological materials resulting from activities prescribed by this PA.

## **B. Confidentiality**

The parties acknowledge that the historic properties covered by this PA are subject to the provisions of § 304 of the NHPA and § 6254.10 of the California Government Code (Public Records Act), relating to the disclosure of archaeological site information and, having so acknowledged, will ensure that all actions and documentation prescribed by this PA are consistent with said sections.

## **C. Resolving Objections**

1. Should any party to this PA object at any time in writing to the manner in which the terms of this PA are implemented, to any action carried out or proposed with respect to implementation of the PA (other than the Undertaking itself), or to any documentation prepared in accordance with and subject to the terms of this PA, Caltrans shall immediately notify the other PA parties of the objection, request their comments on the objection within 15 days following receipt of Caltrans' notification, and proceed to consult with the objecting party for no more than 30 days to resolve the objection. Caltrans will honor the request of the other parties to participate in the consultation and will take any comments provided by those parties into account.
2. If the objection is resolved during the 30-day consultation period, Caltrans may proceed with the disputed action in accordance with the terms of such resolution.
3. If at the end of the 30-day consultation period, Caltrans determines that the objection cannot be resolved through such consultation, then Caltrans shall forward all documentation relevant to the objection to the ACHP, including Caltrans' proposed response to the objection, with the expectation that the ACHP will, within thirty (30) days after receipt of such documentation:
  - a. Advise Caltrans that the ACHP concurs in Caltrans' proposed response to the objection, whereupon Caltrans will respond to the objection accordingly. The objection shall thereby be resolved; or
  - b. Provide Caltrans with recommendations, which Caltrans will take into account in reaching a final decision regarding its response to the objection. The objection shall thereby be resolved; or
  - c. Notify Caltrans that the objection will be referred for comment pursuant to 36 CFR § 800.7(c) and proceed to refer the objection and comment. Caltrans shall take the resulting comments into account in accordance with 36 CFR

§ 800.7(c)(4) and Section 110(1) of the NHPA. The objection shall thereby be resolved.

4. Should the ACHP not exercise one of the above options within 30 days after receipt of all pertinent documentation, Caltrans may proceed to implement its proposed response. The objection shall thereby be resolved.
5. Caltrans shall take into account any of the ACHP's recommendations or comments provided in accordance with this stipulation with reference only to the subject of the objection. Caltrans' responsibility to carry out all actions under this PA that are not the subjects of the objection shall remain unchanged.
6. At any time during implementation of the measures stipulated in this PA, should a member of the public raise an objection in writing pertaining to such implementation to any signatory party to this PA, that signatory party shall immediately notify Caltrans. Caltrans shall immediately notify the other signatory parties in writing of the objection. Any signatory party may choose to comment in writing on the objection to Caltrans. Caltrans shall establish a reasonable time frame for this comment period. Caltrans shall consider the objection, and in reaching its decision, Caltrans will take all comments from the other signatory parties into account. Within 15 days following closure of the comment period, Caltrans will render a decision regarding the objection and respond to the objecting party. Caltrans will promptly notify the other signatory parties of its decision in writing, including a copy of the response to the objecting party. Caltrans' decision regarding resolution of the objection will be final. Following issuance of its final decision, Caltrans may authorize the action subject to dispute hereunder to proceed in accordance with the terms of that decision.
7. Caltrans shall provide all parties to this PA, and the ACHP, if the ACHP has commented, and any parties that have objected pursuant to this stipulation, with a copy of its final written decision regarding any objection addressed pursuant to this stipulation.
8. Caltrans may authorize any action subject to objection under this stipulation to proceed after the objection has been resolved in accordance with the terms of this stipulation.

#### **D. AMENDMENTS**

1. Any Signatory or Invited Signatory to this PA may propose that this PA be amended, whereupon the parties shall consult for no more than thirty (30) days to consider such amendment. The amendment will be effective on the date a copy signed by all of the Signatories and Invited Signatories is filed with the ACHP. If the parties cannot agree to appropriate terms to amend the PA, any Signatory or Invited Signatory may terminate the agreement in accordance with Section E of Stipulation IV, below.



2. Attachments to this PA may be amended through consultation as prescribed in Section C of Stipulation I, as appropriate, without amending the PA proper.

#### **E. TERMINATION**

1. If this PA is not amended as provided for in section D of this stipulation, or if a Signatory or Invited Signatory proposes termination of this PA for other reasons, the party proposing termination shall, in writing, notify the other PA parties, explain the reasons for proposing termination, and consult with the other parties for at least 30 days to seek alternatives to termination. Such consultation shall not be required if Caltrans proposes termination because the Undertaking no longer meets the definition set forth in 36 CFR § 800.16(y).
2. Should such consultation result in an agreement on an alternative to termination, the signatory parties shall proceed in accordance with the terms of that agreement.
3. Should such consultation fail, the signatory party proposing termination may terminate this PA by promptly notifying the other PA parties in writing. Termination hereunder shall render this PA without further force or effect.
4. If this PA is terminated hereunder, and if Caltrans determines that the Undertaking will nonetheless proceed, then Caltrans shall comply with the requirements of the Section 106 PA, 36 CFR 800.3-800.6, or request the comments of the ACHP pursuant to 36 CFR Part 800.

#### **F. ANNUAL REPORTING**

1. Caltrans shall prepare an Annual Report documenting actions carried out pursuant to this PA. The reporting period shall commence one year from the date of execution. The Annual Report shall be distributed to all consulting parties to this PA.
2. The Annual Report shall address the following: any scheduling changes proposed, historic property surveys and results, status of treatment and mitigation activities, ongoing and completed public education activities, any uses that are affecting or may affect the ability of the federal agency to continue to meet the terms of this PA, any disputes and objections received, and how they were resolved, and any additional parties who have become signatory or concurring parties to this PA in the past year.
3. Caltrans shall coordinate a meeting of the Signatories and Consulting Parties to be scheduled within ninety (90) business days of distribution of the Annual Report, or another mutually agreed upon date, to discuss activities carried out pursuant to this PA during the preceding year and activities scheduled for the upcoming year. This meeting, should it be deemed unnecessary, may be cancelled by mutual consent of the Signatory Parties.

## **G. DURATION**

1. The terms of this PA shall be satisfactorily fulfilled within five (5) years following the date of execution by the signatory parties. If Caltrans determines that this requirement cannot be met, the PA parties will consult to reconsider its terms. Reconsideration may include continuation of the PA as originally executed, amendment of the PA, or termination. In the event of termination, Caltrans will comply with Section E of this Stipulation if it determines that the Undertaking will proceed notwithstanding termination of this PA.

## **H. EFFECTIVE DATE**

This PA will take effect on the date that it has been executed by Caltrans and the SHPO.

**EXECUTION of this PA by Caltrans and the SHPO, its filing with the ACHP in accordance with 36 CFR §800.6(b)(1)(iv), and subsequent implementation of its terms, shall evidence, pursuant to 36CFR§800.6(c), that this PA is an agreement with the ACHP for purposes of Section 110(l) of the NHPA, and shall further evidence that Caltrans has afforded the ACHP an opportunity to comment on the Undertaking and its effects on historic properties, and that Caltrans has taken into account the effects of the Undertaking on historic properties.**

**PROGRAMMATIC AGREEMENT  
BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND  
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER  
REGARDING THE BETTER MARKET STREET PROJECT  
IN SAN FRANCISCO, CALIFORNIA**

**SIGNATORY:**

**CALIFORNIA DEPARTMENT OF TRANSPORTATION**

By *Philip Stolarski* 9-10-20 Date  
Philip J. Stolarski, Division Chief  
California Division of Environmental Analysis

**PROGRAMMATIC AGREEMENT  
BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND  
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IN SAN FRANCISCO, CALIFORNIA**

**SIGNATORY:**

**CALIFORNIA STATE HISTORIC PRESERVATION OFFICER**



By

Julianne Polanco  
State Historic Preservation Officer

\_\_\_\_\_ Date 11 September 2020

**PROGRAMMATIC AGREEMENT  
BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND  
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IN SAN FRANCISCO, CALIFORNIA**

**INVITED SIGNATORIES:**

CALIFORNIA DEPARTMENT OF TRANSPORTATION DISTRICT 4

By \_\_\_\_\_ Date  
Tony Tavares  
District Director

SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS

By \_\_\_\_\_ Date  
Alaric Degrafinried  
Acting Director



**PROGRAMMATIC AGREEMENT  
BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND  
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REGARDING THE BETTER MARKET STREET PROJECT  
IN SAN FRANCISCO, CALIFORNIA**

**CONCURRING PARTIES:**

NATIONAL PARK SERVICE

By \_\_\_\_\_ Date

Woody Smeck

Acting Regional Director, Interior Regions 8, 9, 10 and 12