
From: Poling, Jeanie (CPC)
Sent: Thursday, September 12, 2019 7:46 PM
To: Balboa Reservoir Compliance (ECN)
Subject: FW: Inadequacy of Initial Study/PEIR
Attachments: 2017-10-5 ROAD TO RESERVOIR PROJECT--THE BALBOA PARK STATION AREA PLAN IN RELATION TO THE RESERVOIR 2017 update.pdf

From: aj <ajahjah@att.net>
Sent: Friday, August 30, 2019 11:32 AM
To: Poling, Jeanie (CPC) <jeanie.poling@sfgov.org>; CPC.BalboaReservoir <CPC.BalboaReservoir@sfgov.org>
Subject: Inadequacy of Initial Study/PEIR

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Comment on Initial Study:

The Initial Study discounts almost all environmental factors as needing assessment except for Transportation, Air Quality, and Noise.

The Initial Study erroneously carries over the program-level determinations of the Balboa Park Station FEIR/PEIR to the project-level Balboa Reservoir SEIR.

I had already written about this several years ago in "The Road to the Balboa Reservoir Project: The Balboa Park Station Area Plan in Relation to the Reservoir Project".

"The Road to the Balboa Reservoir Project: The Balboa Park Station Area Plan in Relation to the Reservoir Project" has been submitted at multiple stages throughout the Project's "public engagement process." It has been submitted to the Reservoir CAC, the Reservoir City Team (Planning, OEWD, PUC), Reservoir Community Partners, Environmental Planning Scoping.

Here it is again (also attached as pdf):

THE ROAD TO THE BALBOA RESERVOIR PROJECT:
THE BALBOA PARK STATION AREA PLAN IN RELATION TO THE RESERVOIR
(updated 10/5/2017)

The Balboa Park Station Area Plan is one of the foundational justifications for the Balboa Reservoir Project.

The City Team commissioned AECOM to do a 2014 preliminary study for the Balboa Reservoir Project. The AECOM study for the Reservoir used the Balboa Park Station Area Plan in making their findings. Yet there are substantial shortcomings contained in the Balboa Park Station Area Plan as it relates to the Reservoir.

In addition to the shortcomings, AECOM further complicates the matter by misinterpreting the contents of the Balboa Park Station Area Plan.

LAND USE: BEST USE OF THE RESERVOIR

The First Element of the Balboa Park Station Area Plan contains:

OBJECTIVE 1.4 DEVELOP THE RESERVOIRS IN A MANNER THAT WILL BEST BENEFIT THE NEIGHBORHOOD, THE CITY, AND THE REGION AS A WHOLE.

Despite this “best benefit” objective, no discussion or analysis has been made regarding what constitutes the best use of the western Reservoir.

Then drilling down further:

POLICY 1.3.2 [sic--This should more correctly read Policy 1.4.2—aj] Develop the west basin of the reservoir [for] the greatest benefit of the city as a whole as well as for the surrounding neighborhoods. If the PUC should decide that the west basin is not needed for water storage, it should consider facilitating the development of a mixed-use residential neighborhood on part of the site to address the city-wide demand for housing.

Policy 1.3.2 [sic] suggests that PUC “consider” developing the site for housing. There is no documentation or evidence presented in the 2004 BPS Initial Study or in the Balboa Park Station Area Plan itself to arrive at a conclusion that 425-500 housing units would be the best use of the property.

The Fourth Element of the BPS Area Plan contains:

OBJECTIVE 4.4 CONSIDER HOUSING AS A PRIMARY COMPONENT TO ANY DEVELOPMENT ON THE RESERVOIR.

The Balboa Reservoir represents one of the largest remaining undeveloped sites in San Francisco and currently forms an unpleasant void in the neighborhood. Developing housing on this site would help fill this void in two ways. First, housing here would add more people to the area; enlivening the commercial district and increasing ridership levels on the nearby public transportation services.

Objective 4.4, just like Policy 1.3.2 [sic] asks PUC to “consider” using the Reservoir for housing. It does not mandate that it do so. Despite this, the City has made Reservoir housing appear to be a mandate.

Furthermore the arguments used in support for housing at the Reservoir are weak:

- *“currently forms an unpleasant void in the neighborhood”*

This characterization is totally subjective. In reality it serves an important public purpose of providing student parking that enables community access to education. It also keeps students away from parking in the neighborhoods, blocking residential driveways. It is also objectively open space that allows for vistas of the Pacific Ocean to the Farallones from the CCSF Science Building.

- “increasing ridership levels on the nearby public transportation services”

Both MUNI and BART have problems with capacity. They have more riders than they can handle. Regular riders of the 43 and 29 will be able to recount stories of crowded conditions and being passed up by buses. New Reservoir residents will only aggravate unreliable service on public transit.

PUC RESERVOIR AS OPEN SPACE IS ALSO PROPOSED IN THE BPS AREA PLAN; HOUSING WAS NOT THE SOLE PROPOSAL

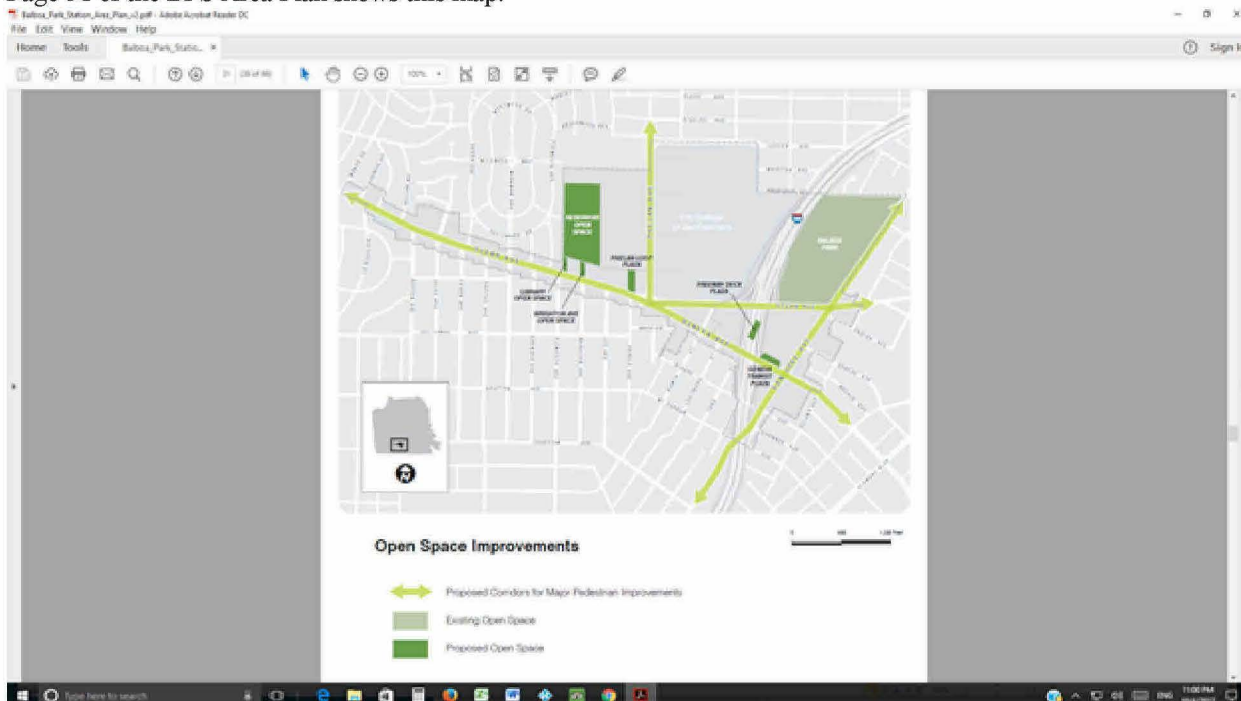
The Balboa Reservoir Project is frequently misrepresented as being called for by Balboa Park Station Area Plan. In reality, the BPS Area Plan actually calls for housing to “be considered” as a use for the PUC Reservoir. This is contained in the Housing Element of the Area Plan.

In addition to the Housing Element, the BPS Area Plan also contains a Streets and Open Space Element.

The Streets and Open Space Element contains this:

*A number of open spaces are proposed in the plan area, including the Phelan Loop Plaza, the Geneva Plaza, open space associated with the proposed freeway deck, Brighton Avenue, the Library playground, and the **proposed Balboa Reservoir open space**.* (page 30)

Page 31 of the BPS Area Plan shows this map:



What this shows is that housing was not the sole possibility offered by the BPS Area Plan for the use of the Reservoir. This BPS Area Plan map shows the entire PUC Reservoir as open space.

THE AECOM STUDY'S MISINTERPRETATION OF BPS AREA PLAN

The Balboa Reservoir Project is a project-level sub-section of the Balboa Park Station Area Plan's program-level Final EIR.

Analysis of a Balboa Reservoir project is minimal within the Balboa Park Station Area Plan. The Reservoir is relegated to Tier 2 (long-term, up to year 2025) development and lacks detail.

The program-level EIR allows for early consideration of possible area-wide impacts. This would minimize reinventing the wheel for every project within the BPS Area.

The Balboa Park Station Area plan, as a program-level plan, is unable to address the specifics and particularities of impacts on the project-level, except in the most general sense.

The fatal flaw of the current Balboa Reservoir Project is that it relies on the foundation of a very general determination contained in the BPS Final EIR.

ROOT OF THE PROBLEM: "EFFECT ON PUBLIC SERVICES LESS THAN SIGNIFICANT"

The Final BPS EIR determined that the Area Plan's effect on public services would be insignificant or less-than-significant:

"An Initial Study, published in July 2006, determined that implementation of the proposed Area Plan and its associated public improvements and development projects may result in potentially significant environmental impacts; therefore, preparation of an EIR was required. The Initial Study determined that the following effects of the Area Plan would either be insignificant or would be reduced to a less-than-significant level by mitigation measures included in the Area

Plan and, thus, required no further analysis: land use; visual quality; climate (wind); utilities/public services (except hydrology and water quality); biology; geology/topography; water; energy/natural resources; and hazards (see Appendix A for a copy of the Initial Study).

"With the exception of land use, which is included in the EIR for informational purposes and to orient the reader to the Project Area, the EIR does not discuss the environmental topics listed above."

Here is the section in Appendix A of the FEIR which discusses public schools. No reference whatsoever is made to CCSF. The Initial Study and FEIR is not specific enough to deal with impacts of the project-level scale of the Balboa Reservoir Public Lands for Housing Project:

AECOM BALBOA RESERVOIR INITIAL STUDY STANDS ON THE SHAKY FOUNDATION OF THE BPS FEIR

The AECOM Study's sections on Existing Conditions and Surrounding Development takes note of the many educational institutions near the Reservoir. Yet the AECOM Initial Study fails to assess the impact of the BR Project on the Bay area-wide public service that CCSF and other schools provide.

The AECOM Study's failure to assess the impact of the BR Project on the public service provided by CCSF and other schools is based on an incorrect interpretation of the BPS FEIR.

The AECOM Study states:

"The [BPS FEIR] finds that speculative development of 500 residential units on Balboa Reservoir would not result in significant land use impacts...Although any future proposed projects would require individual environmental review, development on Balboa Reservoir has received programmatic environmental clearance through the Balboa Park Plan FEIR."

This AECOM interpretation is wrong. Contrary to the quoted AECOM passage, the BPS FEIR did not refer specifically to Balboa Reservoir. The "less-than-significant" determination was for the program-level BPS Area Plan and for the specific project-level Kragen (Mercy housing) and Phelan Loop Projects.

There was insufficient detail contained in the FEIR for the Tier 2 Reservoir project to merit extension of the "less-than-significant" determination for the program-level FEIR to the project-level Balboa Reservoir.

CALL FOR RESET

The fundamental assumptions for the BR Project rests on the shaky foundation of a generalized program-level determination of non-significance for the category of "Public Service" contained in the BPS FEIR.

OEWD/Planning's Principles & Parameters similarly rests on a shaky foundation because of its failure to address the fundamental environmental review concept of assessing "immediate and long-range specific and cumulative impacts of a proposed project on its surrounding physical environment."

So instead of continuing to call for CCSF and the neighborhood to accommodate the BR Project, OEWD/Planning needs to reset its MO to adhere to its own Initial Study Checklist guidelines to include "Public Services."

OEWD/Planning needs to adhere to its own 3/17/2011 Environmental Review Process Summary document instead of pushing on with its inversion of environmental review principles.

Submitted by:

Alvin Ja

Ratepayer