

**From:** CPC.BalboaReservoir <CPC.BalboaReservoir@sfgov.org>  
**Sent:** Monday, November 18, 2019 11:58 AM  
**To:** Balboa Reservoir Compliance (ECN) <balboareservoircompliance.ecn@sfgov.org>  
**Subject:** FW: Balboa Reservoir AB900--SCH #2018102028

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**From:** aj <ajahjah@att.net>  
**Sent:** Sunday, November 17, 2019 3:48 PM  
**To:** state.clearinghouse@opr.ca.gov  
**Cc:** Hood, Donna (PUC) <DHood@sfgov.org>; CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BRCAC (ECN) <brcac@sfgov.org>; CPC.BalboaReservoir <CPC.BalboaReservoir@sfgov.org>  
**Subject:** Balboa Reservoir AB900--SCH #2018102028

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#### State Clearinghouse:

The SF Chronicle came out with a story on AB 900 entitled "SF housing developers' secret weapon? Little-known state law to speed challenges" on 11/15/2019. The article caused me to look into AB900.

AB 900 is enacted in PRC Div 13, Ch. 6.5 "Jobs and Economic Improvement Through Leadership Act of 2011", Sections 21178-21189 [https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=PRC&division=13.&title=&part=&chapter=6.5.&article=](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=13.&title=&part=&chapter=6.5.&article=)

The Reservoir Project's AB900 Application was submitted by Jeanie Poling of SF Planning to State Clearinghouse on 6/25/2019. There was a Public Review Period of about one month until 7/28/2019.

The public review period is long past. As far as I know, there had been no notification to the Balboa Reservoir CAC and to community stakeholders regarding the AB900 application at any time between 6/25 and 7/28/2019. This did not allow for any review until after the deadline.

Furthermore, in looking at looking at PRC 21178, it appears to me that the Reservoir Project does not fulfill the legislative intent of the Act.

The Act is targeted for projects that "would replace old and outmoded facilities." This would fit City College projects. However, the Reservoir Project is not replacing "old and outmoded facilities." The Reservoir Project is a new--not a replacement--project.

*21178 (c) There are large projects under consideration in various regions of the state that would replace old and outmoded facilities with new job-creating facilities to meet those regions' needs while also establishing new, cutting-edge environmental benefits to those regions.*

The Balboa Reservoir Project Application fails the legislative intent of AB 900 and should be disapproved for Environmental Leadership Development Project status.

Submitted by:

Alvin Ja,  
San Francisco

----- Forwarded Message -----

**From:** ajahjah <[ajahjah@att.net](mailto:ajahjah@att.net)>

**To:**

**Sent:** Saturday, November 16, 2019, 11:02:47 PM PST

**Subject:** Reservoir Project's AB 900 Environmental Leadership Development Project Application

PUC, Planning Commission, SFCTA, BOS:

## **RESERVOIR PROJECT'S AB 900 REDUCTION OF TRIP GENERATION:**

### **ELIMINATION OF CITY COLLEGE TRIPS**

The Balboa Reservoir Project is being fast-tracked via AB 900 which short-circuits normal CEQA legal challenges. From the 11/15/2019 SF Chron article: "... any lawsuit under the California Environmental Quality Act goes directly to an appeals court and must be resolved within 270 days. That compressed timeframe means AB900 can be a developer's best friend, said land-use attorney Tim Tosta."

As an AB 900 "Environmental Leadership Development Project", the Reservoir Project is required to fulfill the following provision of Public Resources Code 21180:

- "...achieves a 15-percent greater standard for transportation efficiency than for comparable projects."
- "Transportation efficiency" means the number of vehicle trips by employees, visitors, or customers of the residential, retail, commercial, sports, cultural, entertainment, or recreational use project divided by the total number of employees, visitors, and customers.

The Reservoir Project fulfills the 15% improved transportation efficiency requirement at the expense of City College stakeholders. The Reservoir Project shows no consideration for the impact of the elimination of existing parking on student enrollment and attendance.

The Reservoir Project's AB 900 Environmental Leadership Development Project Application presents the following:

*Specifically, trip reductions due to the removal of existing uses are associated with the infill nature of the site and would therefore be applicable to the Project and Project Variant only and would not be applicable to the comparable project.*

#### *Elimination of Existing Parking*

*The project site is currently occupied by a surface parking lot with 1,007 vehicle parking spaces. Both driveway counts and parking inventory and occupancy data were collected when City College was in session. The site was estimated to generate a total of 644 daily vehicle trips. Because the Proposed Project would replace 750 of the 1,007 public parking spaces (74%), the existing activity was reduced by 74% to account for the existing trips that would continue to access parking on the site. This level of activity (167 vehicle trips) represents a 5.1% reduction in daily vehicle trips when compared with the Proposed Project's comparable project. This existing activity (644 vehicle trips) represents an 11.4% reduction in daily vehicle trips when compared with the Project Variant's comparable project.*

#### **TRIP GENERATION COMPARISON SUMMARY**

*To compare the overall trip generation of the Project and the Project Variant to the comparable projects, the trip generation estimates for the Project and the Project Variant were adjusted to account for existing uses and the*



*TDM program. As shown in the following tables both the Project and the Project Variant would result in a decrease in vehicle trip generation compared to the respective comparable projects. Table 2, Project shows that the Project would generate 1,044 fewer daily vehicle trips. This equates to a 30.3 percent decrease in daily vehicle trips. The development of the Project would also decrease trips to the City College as a result of the decrease in vehicle trips. When taking into account this decrease in trips, the Project would decrease an additional 167 trips, for a total of 1,211 fewer daily trips.*

*The development of the Project Variant would also decrease trips to the City College as a result of the decrease in vehicle trips. When taking into account this decrease in trips, the Project Variant would decrease an additional 644 trips, for a total of 1,998 fewer daily trips.*

## **LESS IS MORE; UP IS DOWN**

Less for City College is More for the Reservoir Project. According to the Reservoir Project's AB 900 Application, City College currently generates 644 daily vehicle trips. The Reservoir Project projects itself to generate 2,397 daily vehicle trips for the 1,100-unit option. It projects itself to generate 3,107 trips for the 1,550-unit option.

Using the Reservoir Project's own figures:

- For the 1,100-unit option: From the existing 644 City College vehicle trips to 2,397 Reservoir Project trips is an increase of 1,753 (272%) vehicle trips.
- For the 1,550-unit option: From the existing 644 City College vehicle trips to 3,107 Reservoir trips is an increase of 2,463 (382%) vehicle trips.

The change of use from City College to the Reservoir Project projects net generation of 1,753 daily vehicle trips (for 1,100 unit option) and 2,463 trips (for 1,550 unit option). But in the topsy-turvy Red Queen world of the Reservoir Project, these **net increases** are interpreted instead as vehicle trip **decreases** of 1,044 (for 1100 unit option) and 1,354 (for 1,550 unit option)!

How is this possible?! How can an **increase of 1,753 trips** transform into a **decrease of 1,044 trips** (for 1,100 unit option)? How can an **increase of 2,463 trips** transform into a **decrease of 1,354**?

It's possible when the Red Queen makes the rules in Alice's Wonderland.

It's possible because the authorities are not comparing the Reservoir Project with the existing condition.

The "decrease" in vehicle trips is in comparison to an unsourced, unnamed "comparable development, which represents a baseline case."

The actual baseline condition of 644 daily vehicle trips by City College students IS NOT USED AS THE BASELINE.

The baseline "comparable development" used in the AB 900 Application appears to be nothing but a straw man development that allows the Reservoir Project to achieve the 15% transportation efficiency requirement of AB 900.

--aj 11/16/2019