Attachment B
Summary of Comments and Responses to Comments
Subsequent to the Draft Environmental Impact Statement (Draft EIS)

Comments Received following the Draft EIS

The Draft EIS was available for public review and comment for 49 days, ending on December 23, 2011. The comments and responses to comments received on the Draft EIS are included in Appendix I and J of the Final EIS. The project team conducted presentations on the staff-recommended LPA at more than 15 public and stakeholder meetings. In 2012, after consideration of the environmental analysis and public feedback, the San Francisco County Transportation Authority (SFCTA) and San Francisco Municipal Transportation Agency (SFMTA) Boards unanimously approved the inclusion of the staff-recommended Locally Preferred Alternative (LPA) for the Van Ness Avenue Bus Rapid Transit Project (Project) in the Final EIS.

Coordination with agencies continued during the preparation of the Final EIS. Attachment C of this Record of Decision includes copies of the letters received from agencies after the close of the availability period of the Draft EIS. Five agencies submitted letters supporting the Project. In June 2013, the San Francisco Department of Public Works, the San Francisco Planning Department, the San Francisco Department of Public Health, and the Golden Gate Bridge Highway and Transportation District sent letters in support of the Project and urging the SFCTA Board to certify the environmental document and approve the LPA. On July 8, 2013, the San Francisco Commission on the Environment passed a resolution in support of the Project. The resolution also requested that the Project team incorporate renewable energy, wherever feasible (including installation of solar on the bus rapid transit (BRT) shelters), and work with the San Francisco Public Utilities Commission to maximize the Project's ability to collect and treat stormwater runoff to minimize the City's combined sewage discharges. The SFMTA will incorporate these requests as part of the final design process wherever feasible.

Agency Comments Received on the Final EIS and FTA Responses

The Notice of Availability of the Final EIS was published in the Federal Register on July 12, 2013. The review period to receive public and agency comments concluded on August 27, 2013. The review period was extended for 15 days to August 27, 2013, for one individual in response to their request for additional review time.

FTA did not receive any agency comments during the availability period of the Final EIS. Twelve (12) comment letters or emails from eight (8) different commenters were received from public individuals or groups. Most comments were similar to comments submitted on the Draft EIS. Nevertheless, FTA considered the comments on the Draft and Final EIS before making the decision presented in the Record of Decision (ROD). One commenter indicated lack of support of the Project and one letter was in support of the Project. The remaining letters commented on different aspects of the Project or the EIS without taking a position in support or not in support of the Project.

The following section lists the general topics of the comments received on the Final EIS and discusses the SFCTA's response to those comments.

- Notice, opportunity for public comment, availability of documents

- Purpose and need
- Identification of the Locally Preferred Alternative (LPA)
- Analysis of impacts of the LPA and relationship to alternatives analyzed in Draft EIS
- Suggestion to make BRT design speed at least 40 miles per hour
- Suggestion to not replace existing bus shelters before the implementation of BRT
- Clarification question regarding the location of the Chestnut Street stop
- Inclusion of transit priority streets (TPS) features
- Traffic and transportation analysis
- Parking
- Loading Zones
- Aesthetics/visual impacts analysis
- Transit crowding and cross-transit delay analysis
- Air quality impact analysis
- Noise impact analysis
- Emergency and community services impacts
- Stop spacing
- Revisions to the Draft EIS
- Regional and State support for the Project
- Pedestrian and bicycle improvements on parallel streets near the Project corridor

Notice, opportunity for public comment, availability of documents: The SFCTA received comments from one individual related to the amount of notice given on the Final EIS, the opportunity and length of time for public comment, and availability of documents. The commenter stated that the time periods were not adequate in length and that the documents were not sufficiently available.

Chapter 8 of the Final EIS provides details on coordination and public participation during the environmental review process. In compliance with NEPA, the Final EIS was made available for public review for 30 days, beginning on July 12, 2013, when the Notice of the Availability of the Final EIS was issued in the *Federal Register* (Volume 78, Number 134, pg. 41927). A Notice of Availability was also published in local English, Spanish, and Chinese newspapers. SFCTA sent an email announcement to more than 700 addresses, including all individuals who commented on the Draft EIS for which the SFCTA had email addresses. Also, the SFCTA sent a radius mailer announcing the availability of the Final EIS and the certification hearing date to more than 17,000 addresses, including all buildings fronting Van Ness Avenue, Franklin and Gough Streets between Mission and Lombard Streets as well as any addresses within 500 feet of Van Ness Avenue between Mission and Lombard Streets.

The SFCTA made available an electronic version of the Final EIS and copies of all technical documents prepared in support of the Final EIS on the Project website http://www.sfcta.org/van-ness-avenue-bus-rapid-transit-environmental-review. Hard copies were made available at the SFCTA, SFMTA, and San Francisco Planning Department offices in addition to the main branch of the San Francisco Public Library. CD versions of the document and the technical documents were provided free of charge upon request at the SFCTA's offices.

The SFCTA distributed CD copies of the Final EIS to commenters on the Draft EIS who included their mailing addresses.

FTA extended the review period of the Final EIS by 15 days, ending on August 27, 2013, for one individual in response to the individual's request for additional review time.

Purpose and need: One commenter questioned the purpose and need of the Project and the performance of the alternatives in meeting purpose and need. The commenter characterized the purpose and need as increasing bus speeds by slowing other modes of traffic.

The process for identifying the purpose and need is explained in Chapter 1 of the Final EIS. Numerous adopted local and regional studies and plans, including the voter-approved Proposition K Expenditure Plan, which calls for BRT on Van Ness Avenue, contributed to the creation of the purpose and need statement. As noted in Chapter 1 of the Final EIS, "People currently use Van Ness Avenue to drive, walk, bike, and ride transit. Van Ness Avenue improvements are intended to improve multimodal circulation and the overall transportation effectiveness of the corridor." Maintaining person-throughput across all modes, including traffic, is one of the goals of the BRT project to address the need of multimodal circulation, as noted in Chapter 1 of the Final EIS.

Chapter 10 of the Final EIS describes the process for selecting the LPA and describes its performance in meeting the Purpose and Need. The LPA performs similarly to the center running alternatives (Alternatives 3 and 4 with Design Option B) while reducing vehicle cost as compared with Build Alternative 4 by allowing right-side loading, and reducing the environmental impacts associated with median removal as compared with Build Alternative 3.

Identification of the LPA: One commenter asserted that the Draft EIS must identify the agency's preferred alternative. Consistent with applicable Federal regulations and FTA procedures for implementing NEPA, after circulation of the Draft EIS and consideration of comments received, SFCTA prepared the Final EIS, which identified the preferred alternative. Chapter 10 of the Final EIS discusses the environmental consequences of the LPA to help inform decision making. An opportunity for public review and comment on the Final EIS was provided during the availability period. FTA considered the comments on the Draft and Final EIS before making the decision presented in the ROD. Similarly, SFCTA considered the comments on the Draft EIS before recommending the LPA for inclusion in the Final EIS, and all comments, including those on the Final EIS, before the approving the Project.

Analysis of impacts of the LPA and relationship to alternatives analyzed in Draft EIS: One commenter stated that the LPA represented a new alternative that differed substantially from the build alternatives in the Draft EIS and would result in new significant impacts, particularly parking impacts. The commenter also stated that there was no stable project definition due to multiple alternatives analyzed. The commenter urged recirculation of the Draft EIS.

Chapter 2 of the Final EIS as well as the LPA Report which was unanimously approved by the SFCTA Board on June 26, 2012, contain a thorough description of the Project and each alternative analyzed. Chapter 10 of the Final EIS contains a summary of the alternatives analysis, performance of the alternatives in meeting purpose and need, and the process for identifying an LPA.

The Final EIS shows that the LPA is substantially similar to and within the scope of the alternatives considered in the Draft EIS.

The environmental impact analysis of the LPA, described in Chapters 3, 4 and 10 of the Final EIS, indicate that the LPA would not introduce any new or more severe significant environmental impacts, or lead to the identification of feasible project alternatives or mitigation measures substantially different from those identified in the Draft EIS. The impacts of the LPA are consistent with the findings for Build Alternatives 3 and 4 with Design Option B. The LPA would result in more on-street parking removed than other alternatives analyzed in the Draft EIS. However, the LPA would not result in a significant impact related to parking. (See the discussion on parking impacts below). The mitigation measures for the LPA are the same as proposed for Alternative 3 and 4 in the Draft EIS. Therefore, the recirculation of the Draft EIS is not necessary.

Suggestion to make BRT design speed at least 40mph: One commenter suggested that the design speed of the Project be at least forty (40) miles per hour in order to ensure a significant decrease in transit travel time. This comment will be taken into consideration during the preliminary engineering and final design phases of the Project.

Suggestion to not replace existing bus shelters before the implementation of BRT: One commenter suggested that the existing bus stops not be replaced before construction begins on the BRT to reduce duplicative construction along the corridor. The project team, working with Clear Channel Communications, the company that replaces shelters along the corridor, will prioritize shelters in places other than Van Ness Avenue for replacement so that the existing stops would be replaced by BRT shelters once construction begins.

Clarification question regarding the location of the Chestnut Street stop: One commenter asked why the Project was removing the Chestnut Street stop. The Project BRT features, other than the OCS support poles/streetlights, end at Lombard Street in the north. The existing Chestnut Street bus stop, which is farther north, will remain in place and will continue to be used by the Muni 47/49 routes.

Inclusion of transit priority streets (TPS) features: One commenter suggested an alternative that included some of the features related to BRT (e.g., enhanced bus stops with real-time information, pedestrian improvements, new vehicles, increased stop spacing, etc.) but would avoid the significant impacts the commenter believed were associated with the LPA and the other build alternatives. This comment is similar to comments on the Draft EIS, and is addressed in Master Responses #2 and #4 of Appendix I in the Final EIS. Chapter 2 of the EIS also explains the process for selection of the alternatives analyzed in the Draft EIS. Master Responses #2 and #4 as well as Chapter 2 include a discussion of alternatives considered and withdrawn, including TPS treatments, which was not analyzed in the EIS due to low performance, as demonstrated in the Alternatives Screening Report (SFCTA, 2008).

Chapter 2 of the Final EIS also describes the features of the No Build Alternative, which include most of the features described by the commenter desiring analysis of a TPS alternative, including: high quality bus vehicles with low-floor boarding, proof-of-payment, real-time arrival information, pedestrian countdown signals, and other features. See Table 2-2 of the Final EIS for a summary of the similarities and differences between the No Build Alternative and the build alternatives, including the LPA.

Traffic and transportation analysis: A number of commenters questioned and requested clarification on the methodology for the traffic analysis, the data (such as traffic counts, cross traffic, and vehicle types), model assumptions related to mode shifts and potential diversions of vehicles.

These comments are similar to comments received on the Draft EIS and are responded to in Master Responses #8 and #9 and I-40d-10 in Appendix I of the Final EIS. Additional details on the traffic methodology and analysis may be found in the Vehicular Traffic Analysis Technical Memorandum (CHS, 2013). Traffic counts are included in Appendix 8 of the technical memorandum. The cumulative impact analysis uses the summary of projections method outlined under California Environmental Quality Act (CEQA) Guidelines Section 15130(b)(1)(B)). The ABAG 2007 projections were used as the basis for the Project projections, consistent with the Regional Transportation Plan, Transportation 2035.

Comments related to mode shift were also similar to those received on the Draft EIS and are discussed in responses to comments I-38-10 and I-40d-6 in Appendix I of the Final EIS. Mode shift assumptions are derived from SF-CHAMP, which is a validated, regionally consistent model whose assumptions have been reviewed and accepted by the regional Metropolitan Transportation Commission (see Appendix 2 of the Vehicular Traffic Analysis Technical Memorandum). SF-CHAMP also uses local household travel surveys to inform the vehicle mix throughout the traffic study area, including the average number of occupants in private vehicles. Information regarding the development of the SF-CHAMP model can be found on the SFCTA website (http://www.sfcta.org/modeling-and-travel-forecasting).

Parking Impact Analysis: One commenter stated that the loss of parking associated with the LPA was a new significant impact not identified in the Draft EIS. The commenter also stated that the EIS did not properly analyze potential parking impacts, particularly impacts related to bulbouts. Another comment stated that the Project would remove parking on cross streets. The comment also asserted that the approach to impact identification did not consider parking to be part of the physical environment for CEQA purposes.

Section 3.5 and Appendix B of Final EIS provides a detailed analysis of how parking will be affected, including baseline conditions, and the amount and location of parking that would be removed with implementation of the Project. This analysis includes the effect of bulbouts on the parking supply. The LPA parking analysis resulted in the removal of 37 more parking spaces than identified in the Draft EIS for Build Alternative 3. As discussed in Section 3.5.2.2 of the Final EIS, a sensitivity analysis was performed to examine whether Alternative 3, with the application of the same refined design parameters as the LPA, would have a comparable loss of parking spaces. The analysis indicated Alternative 3 would result in up to 32 more spaces removed than was presented in Table 3.5-3 of the Draft EIS. Therefore, the loss of 37 parking spaces under the LPA would be similar to the 32 parking spaces lost under Build Alternative 3.

However, the LPA would not result in a significant impact related to parking. As shown in Table 3.5-2 in the Final EIS, during the mid-day period, approximately 65% of general metered and non-metered as well as green spaces were occupied. The LPA would result in an estimated decrease of 23% of parking spaces. After implementation of the LPA, parking supply would still exceed the parking demand. Also, a number of public parking garages exist in within close proximity to the study area. Therefore, implementation of the LPA would not result in a shortage of parking.

Furthermore, the Van Ness Avenue corridor is served by non-auto modes such as transit and nearby bicycle facilities (i.e., Polk Street), and the Project would improve transit and pedestrian conditions. Most parking removed as part of the Project would be on blocks where BRT

stations are located. Thus, the Project would provide a benefit by reducing the demand for parking because it enhances transit and improves access to those locations.

The Project does not impact parking on side streets. The parking analysis for the LPA identified no shortage of available parking spaces. Since the Project maintains a supply of parking that would meet current demand, and since the Project would not increase (and likely reduce) demand for parking, the LPA would not result in a significant impact related to parking.

Loss of Loading Zones: A number of commenters expressed concerns regarding the removal of loading zones related to their businesses. SFCTA sent letters to affected businesses before the release of the Final EIS to advise them of the LPA effect on individual loading zones. Loss of colored parking spaces is considered in Section 3.5 as well as part of the community impacts analysis in Chapter 4.2 of the Final EIS. Wherever possible, the LPA retains colored parking on the same block face as the existing loading zone, and highest priority is given to blue accessible parking spaces to prioritize access for the disabled. Mitigation Measure M-CI-IM-1 requires the SFMTA to coordinate with all businesses that would be affected by removal of colored parking spaces, including short-term parking, to confirm the need for truck and/or passenger loading spaces and to identify appropriate replacement parking locations to minimize the impacts to these businesses (see Chapter 4.2 and the Appendix J: Mitigation, Monitoring, and Reporting Program of the EIS). The SFMTA and the SFCTA have met with concerned businesses along the corridor and will continue to coordinate with these businesses regarding their parking needs.

Aesthetics/visual impacts analysis: Two commenters have expressed concern about the removal of median trees associated with the Project and the LPA. These comments are similar to those received on the Draft EIS, and are addressed in Master Response #7 as well as response to comment I-40d-27 in Appendix I of the Final EIS. Analysis of tree removals and replanting opportunities can be found in Chapters 4.4.2.5 and 4.4.3.4 of the Final EIS as well as the Tree Removal Evaluation and Planting Opportunity Analysis technical memorandum (BMS, 2013).

One commenter expressed concern with the change in the visual/aesthetics of the corridor with implementation of BRT. Analysis of visual impacts of stations and design of the BRT and the associated mitigation measures can be found in Chapter 4.4 of the Final EIS. The Mitigation Monitoring and Reporting Program in Attachment A of the ROD also includes the mitigation measures for aesthetic or visual impacts.

Cultural resources impacts analysis: One commenter stated that the OCS support poles/streetlights were historic, and that an alternative should have been considered that restored them. Chapter 4.5 of the Final EIS, supported by the Historic Property Survey (HPS) (Parsons, 2010a) and Historic Resources Inventory and Evaluation Report – HRIER (Bunse and Allen, 2009), looked at the OCS support poles/streetlights within the Area of Potential Effect, consistent with the Section 106 process. The OCS support poles/streetlights are not eligible for the National Register of Historic Places as an individual historic resource or as a contributor to a historic district due to their loss of integrity to convey historic significance. The project team consulted with local historic preservation staff at the San Francisco Planning Department and Caltrans on this finding. The California State Historic Preservation Officer has issued a letter of concurrence with the eligibility determination, as found in Appendix C of the Final EIS.

As discussed in Section 4.4.3 of the Final EIS, regardless of the historic status of the OCS support poles/streetlights, they represent a streetscape element and visual resource in the Van Ness Avenue corridor and the Civic Center Historic District. Mitigation measure M-AE-2 ensures that the proposed replacement pole/lighting network will mimic the architectural style, character, and color of the existing poles along Van Ness Avenue. Within the Civic Center Historic District, design of the OCS support pole/streetlight network will comply with the Secretary of the Interior's Standards for Treatment of Historic Properties and be compatible with the character of the historic district as described in the Civic Center Historic District designating ordinance as called for by the San Francisco Planning Code. The design of the poles will be approved by the San Francisco Arts Commission's Civic Design Review Committee and a Certificate of Appropriateness will be approved by the San Francisco Historic Preservation Commission for the poles within the Civic Center Historic District.

Transit crowding and cross-transit delay analyses: One commenter stated that transit crowding and cross transit delay impact analyses were not undertaken. These comments are similar to those received on the Draft EIS, and are addressed in responses to comment I-40d-20, I-40d-21, and I-40d-22 in Appendix I of the Final EIS. Chapter 3.2 of the Final EIS discusses the analyses and impacts in these areas.

Funding and Commitment to the Project: One commenter expressed concern related to the approval of funding which commits SFCTA to the Project.

The SFCTA prepared the Final EIS in coordination with FTA, with consultation, review and assistance of other agencies (SFMTA, Department of Public Works, Caltrans, Golden Gate Bridge and Highway Transit District, etc.) in compliance with NEPA regulations. No commitment of funding has been made by the SFCTA or the FTA for phases beyond design and environmental review. No decision by the FTA will be made to proceed with funding the construction of the Project until after the issuance of the Record of Decision for the Project. The Project approval process is described in Section 2.8 of the Final EIS.

One commenter also described the CEQA decisionmakers (i.e., the SFCTA Board) as unelected. These comments are similar to those received on the Draft EIS and are discussed in response to comment I-40d-35 in Appendix I of the Final EIS.

Air quality impact analysis: One commenter stated that the EIS did not identify mitigations for air quality impacts. Chapter 4.10 of the Final EIS discusses air quality impacts and explains that there are no unmitigated air quality impacts and Appendix J (MMRP) includes mitigation measures to minimize and mitigate any air quality impacts.

Noise impact analysis: One commenter stated that the EIS did not identify mitigation measures for noise and vibration impacts. As described in Chapter 4.11 of the EIS the Project is not expected to have adverse noise and vibration effects during the operation of the Project. Chapter 4.15 of the EIS describes the temporary construction related noise and vibration impacts due to the use of heavy equipment. Appendix J (MMRP) of the Final EIS includes a mitigation measure to mitigate construction impacts (provision of contact information of the Project Manager, Resident Engineer, and Contractor as part of the Traffic Management Program) as well as improvement measures to minimize construction noise impacts (e.g., best practices for equipment noise, noise monitoring, and compliance with City noise ordinances).

Emergency and community services impacts: One commenter expressed concerns that emergency and community services impacts did not consider a reduction in access to Civic

Center cultural events. These comments were similar to those received on the Draft EIS and are discussed in responses to comments I-29-2 and I-40d-31. The Project would provide enhanced transit access to cultural events.

Stop spacing: One commenter expressed concerns about stop spacing. These comments were similar to those received on the Draft EIS, and are discussed in Master Response #5 in Appendix I of the Final EIS. The Universal Design analysis in Chapter 3.4 of the Final EIS analyzes the effects of increased stop spacing on all users, including seniors and the disabled.

Revisions to the Draft EIS: One commenter stated that there had been extensive revisions from the Draft EIS to the Final EIS. Changes between the Draft EIS and the Final EIS primarily reflect documentation of the LPA, as well as responses to comments received on the Draft EIS and staff-initiated changes to correct minor errors or improve/update presentation of information. (See also discussions above on the identification of the LPA and the analysis of impacts of the LPA and relationship to alternatives analyzed in Draft EIS).

Approvals for the Project: One commenter stated that the Final EIS did not include the proposed approval actions. Chapter 2 of the Final EIS contains a list of permits and approvals required for implementation of the Project (see Table 2-10).

One commenter also stated that a project that has significant unavoidable impacts cannot be approved under CEQA. However, CEQA Section 21081and CEQA Guidelines Sections 15091 through 15093 provides a process for considering the significant effects of a project and adopting a statement of overriding considerations in the event there are no feasible mitigation or alternatives to avoid the significant effects. The Final EIS describes mitigations for significant impacts caused by the Project. On September 10, 2013, the SFCTA Board of Commissioners unanimously approved the Findings of Fact, which included the adoption of feasible mitigation measures and a mitigation monitoring and reporting program for such measures, and the adopted a Statement of Overriding Considerations, all in accordance with CEQA requirements.

Regional and state support for the Project: One commenter states that Caltrans and the Metropolitan Transportation Commission (MTC) oppose the Project. However, FTA and SFCTA have received no letters in opposition to the project from Caltrans or MTC. Caltrans is a responsible agency, as described in Chapter 2 of the Final EIS. MTC has identified the Project as a regional priority for federal Small Starts funding through MTC Resolution 3434, as described in Chapter 1 of the EIS.

Pedestrian and Bicycle Improvements on Parallel Streets Near the Corridor: One letter proposed pedestrian and bicycle improvements to mitigate traffic impacts caused by the Project. These comments are similar to those received on the Draft EIS, and are discussed in response to comments O-2-8 through O-2-10. Though not included as part of the Van Ness Avenue BRT Project, the project team will coordinate with future City efforts that may include some of the improvements described in the comment letter.