



Campus Planning

Lori Yamauchi
Associate Vice Chancellor

654 Minnesota Street
2nd Floor, Box 0286
San Francisco, CA 94143-0286

Tel: (415) 476-2911
Fax: (415) 476-9478

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Tiffany Bohee, Executive Director
Office of Community Investment & Infrastructure
One South Van Ness Avenue, 5th Floor
San Francisco, CA 94103

**RE: Comments on Warriors' San Francisco Event Center Draft Subsequent
Environmental Impact Report "DEIR"
OCII Case No. ER 2014-919-97**

Dear Ms. Bohee:

Thank you for the opportunity to review and comment on the Draft Subsequent Environmental Impact Report ("DEIR") for the proposed Golden State Warriors' ("GSW") Event Center and Mixed-Use Development project (the "Event Center" or the "Project") located at Mission Bay Blocks 29-32. UCSF appreciates the City's and the GSW's commitment to creating an Event Center project that is successful for the Mission Bay neighborhood, as well as all of San Francisco. We also appreciate the City's and GSW's commitment to identify and mitigate negative impacts that could result from the Project. After a careful review of the DEIR, UCSF continues to be concerned about the Project's potential impacts on UCSF's Mission Bay campus and Medical Center, the greater Mission Bay area and its environs.

UCSF acknowledges and appreciates the efforts made by the City and GSW to date to address concerns that UCSF has expressed about the impacts of the proposed Event Center on UCSF patients, patient visitors, patient care givers, and emergency vehicles. In the spirit of cooperation that has marked those conversations between UCSF, the City and GSW, UCSF offers the following comments on the DEIR, with the understanding that the City will continue to work with UCSF, GSW, and neighbors to develop more detailed plans to address and mitigate the negative impacts of the Project. We understand that these more detailed plans will be included in the Final EIR and incorporated into the Event Center's conditions of project approval, which will result in a project that will fit well in the neighborhood, be supported by UCSF, and be an asset for the City.

A. Transportation Impacts

Driven by its commitment to patient care and public safety, UCSF's primary goal is to ensure that patients, patient visitors and patient care workers, as well as emergency vehicles, have 24/7 unimpeded access to its Mission Bay hospitals. This goal may be impeded by traffic congestion and parking impacts of the proposed Event Center, especially when there are dual and/or overlapping large events at the Event Center and AT&T Park. The DEIR indicates that there would be an average of nine dual and/or overlapping large events at the Event Center per year, comprised of two basketball games and seven concerts with an average attendance of 12,500 or more (DEIR p. 5.2-171). As such, large dual and/or overlapping events at AT&T Park and the Events Center should be managed judiciously. In addition, the impacts of such events—particularly on traffic flow—should be monitored and the City should have the ability to employ additional mitigation measures to ensure traffic can be maintained at acceptable levels and access to the Mission Bay hospitals is assured. Should the City's efforts to maintain acceptable traffic levels fail and access to the hospitals be impeded, UCSF supports a trigger mechanism giving the City the ability to manage the scheduling of dual and/or overlapping large events until such time that traffic can operate during such events at acceptable levels. Further, UCSF encourages City efforts to ensure funding is secured to manage these impacts and to ensure a robust monitoring program.

Page 5.2-32, Table 5.2-8, and page 5.2-237, Table 5.2-68 of the DEIR assumes that four UCSF lots and garages, totaling 2,590 parking spaces, will be available to event attendees. UCSF has informed the City that it should not include any of UCSF's parking spaces in the baseline parking supply in the DEIR because UCSF's current use and projected demand demonstrate that UCSF needs its parking spaces for its staff, patients and visitors. UCSF's future parking demand is expected to increase over existing demand. We appreciate that the parking supply/demand analysis in the DEIR does include tables showing the parking surplus/shortfall when UCSF's garages are not included in the parking supply.

We support the City's efforts to optimize public transit service to and from the Event Center. Toward that end, we offer the following comments:

Page 5.2-51, funding of incremental event-only Mission Bay shuttles is left to the discretion of GSW. Please consider making it a requirement that GSW fund additional shuttles if the Mission Bay TMA requests such service.

Page 5.2-52, Table 5.2-14, we suggest Mission Bay TMA shuttle hours be expanded to cover post-game as well as pre-game (6-8 pm) hours.

Page 5.2-53, it is unclear whether GSW or the City will pay for the four additional light rail vehicles. The Final EIR should specify.

Page 5.2-56, we would appreciate the City/GSW consulting UCSF when the number and location of PCOs are refined after Year 1.

Page 5.2-57 through 58, the text indicates that the listed transportation management strategies would apply to concerts with more than 12,500 attendees, but Table 5.2-16 (footnote b) says more than 14,000 attendees. UCSF believes that the lower number should be used.

Page 5.2-64 through 68, it is unclear who will decide which TDM measures will be implemented. We recommend that this not be solely at the discretion of GSW. Please describe which City agency will have the authority to order specific additional TDM measures.

Page 5.2-67 through 68, UCSF appreciates the performance standards set forth in the TMP. Please describe how the City would enforce these measures. In addition, we would appreciate receiving copies of the monitoring reports upon their submittal to OCII.

Page 5.2-68, third bullet, in addition to event traffic not blocking access to the UCSF emergency room entrance, please consider deploying PCOs to ensure vehicle queuing does not block access to the UCSF hospital and hospital garage for medical staff, patients and visitors.

Page 5.2-80, the TSP should apply to all large events (+12,500).

Page 5.2-130, we request that marquee events, such as National Hockey League regular season games, not be allowed to be regularly scheduled as overlapping events given the significant traffic impacts posed by such overlapping events and the unknown transportation mode profile of those attending such events.

Page 5.2-146 through 147 and 5.2-185, given the relatively high auto mode share by South Bay and North Bay event attendees, can funding be secured for additional South Bay and North Bay transit service needs? Mitigation Measures M- TR-5a and b require GSW to "work with the Ballpark/Mission Bay Transportation Coordinating Committee to coordinate" with Caltrain, Golden Gate Transit and WETA to provide additional service; how can this mitigation measure be strengthened?

Page 5.2-167 and page 5.2-181, Table 5.2-50, the fact that the I-280 northbound off-ramp at Mariposa is projected at LOS F during the evening peak hour during overlapping events is significant. This off ramp is an important access path to the UCSF hospitals and to neighboring land uses, and cannot be in a failing condition on a regular basis. We request a mitigation measure requiring the City to investigate the reconfiguration of the I-280 Mariposa Street northbound off-ramp lanes to better segregate Event Center traffic from UCSF and other non-Event Center traffic.

Page 5.2.169, Improvement Measure 1-TR-10b, we request that the traffic engineering study for Mariposa Street be completed prior to, not after, certification of the Final EIR and that it be implemented and included as a condition of project approval, if determined feasible.

Page 5.2-180, Mitigation Measure M-TR-11c, UCSF encourages efforts to avoid scheduling non-Warriors events at the Event Center of 12,500 or more attendees that start within 60 minutes of the start of events at AT&T Park, as stated in this mitigation measure. We suggest that the mitigation measure be modified to limit large overlapping non-GSW events to what was analyzed in the DEIR -- no more than seven large Arena concerts per year. In 2014, the City imposed a numeric limit on large concerts at the Masonic Auditorium, providing a precedent for this type of condition.

Page 5.2-249, we request that the City commit to the additional parking lots south of the Event Center in order to minimize traffic and parking impacts of overlapping events. The total projected shortfall of about 2,000 spaces in the cumulative condition during overlapping events is substantial.

Comments on May 2015 TMP

Section 10.2.8, UCSF surveys need not be limited to only emergency access, but also could include surveys of general patient and staff access to the UCSF campus and Medical Center.

Section 10.4.4, we request that this performance standard be expanded to require that event traffic not block patient, staff and visitor access to the UCSF hospitals, not just emergency room access.

B. Impacts on UCSF Helipad Operations Have Not Been Adequately Addressed

After a review of the DEIR, UCSF remains concerned about the projected impact on UCSF's medical helipad, and about the DEIR's analysis of this matter. UCSF's helipad provides access to critical emergency care for children and pregnant women in distress. UCSF undertook an extensive community process and received helipad and access route approval by various regulatory agencies, including the Federal Aviation Administration, the California Department of Transportation's Aeronautics Division, and the San Francisco Board of Supervisors. Any activities proposed by GSW that would render UCSF's flight paths unusable or that would compromise the safety of air medical access are unacceptable to UCSF.

UCSF understands and appreciates that the City and GSW continue to work on addressing the impacts. Nonetheless, the DEIR identifies the following:

- There would be 5 construction cranes at the Event Center construction site (see DEIR Figure 5.2-28), which would extend over all streets surrounding the project site, Third Street, 16th Street, Terry Francois Boulevard, and South Street.
- One crane would penetrate the airspace of UCSF's primary flight path --the flight path over 16th Street that is most frequently used, which arrives from and departs to the east. The DEIR concluded that this constitutes a potentially significant impact.
- Other cranes could penetrate the airspace of one or more of UCSF's secondary flight paths.

We understand that GSW may have a revised plan that relocates the construction cranes so that no penetration of the UCSF flight path airspace would occur, and we appreciate GSW's efforts on this matter. However, there is no commitment to avoid penetration of the flight path airspace at this time. We would appreciate GSW working toward a commitment to avoid penetration of the UCSF flight path, which we want included in the Final EIR. Also, we have the following concerns about the DEIR analysis:

- Page 5.2-265, the mitigation measure calls for the development of a Crane Safety Plan. The DEIR provides that the safety plan would identify appropriate measures "to reduce, and where possible, avoid, potential conflicts", by, among other things, seeking to "minimize penetrations" or "the duration of penetrations" into helicopter flight airspace. As currently written, the mitigation measure would allow for construction cranes to penetrate the flight path's airspace, which potentially compromises the ability of the helipad to operate 24/7. Accordingly, UCSF does not concur that Mitigation Measure M-TR-9a reduces this impact to less than significant levels. Rather, UCSF requests that the mitigation measure be revised with the objective to ensure safe, 24/7 operation of the UCSF medical helipad by requiring GSW to locate their constructions cranes so that no penetrations of airspace occur during the construction of the Project.
- Page 5.2-263, the discussion of impacts on the alternative flight path over South Street is unclear. The text states that the working radii of the two construction cranes over South Street are not located under any part of UCSF's alternative arrival/departure flight path. However, the text also identifies the minimum amount of vertical clearance anticipated between the cranes and the approach and transitional surfaces of the flight path. It is extremely important that the analysis of impacts be clear.
- Page 5.2-270 through 272, while the DEIR does require GSW to develop an exterior lighting plan, it does not discuss the impact of laser pointers and drones which could present a real danger to helicopter pilots and passengers. Both UCSF's helipad consultant and pilots whom we have consulted agree that this is a real safety issue.

Although incidents are rare, it seems that in an event/crowd atmosphere, especially if there were an outdoor activity at the Third Street Plaza, the likelihood would be increased that an incident could occur. UCSF requests that mitigation measures be identified to reduce or eliminate this potential. Mitigation Measure M-TR-9d does not go far enough. It promises to develop an exterior lighting plan that incorporates measures to ensure specialized exterior lighting systems “would not have an undue impact on helipad operations.” Any impact to a helicopter pilot transporting a critically-ill patient should be considered an undue and unacceptable impact, and further mitigation should be imposed.

C. Noise Impacts Have Not Been Adequately Addressed

When UCSF planned and developed a large student housing complex along Third Street in 2002, it relied on the zoning districts in the South Plan, which called for commercial/industrial uses on adjacent blocks such as Blocks 29-32. Those uses would be primarily daytime uses, not uses that would disgorge up to 18,000 people after 10:00 p.m. on more than 100 days per year.

Page 5.3-26, Improvement Measure I-N0-3. UCSF requests that this measure be modified to expand the distance for notification of owners and occupants to include all occupants of the UCSF Medical Center at Mission Bay and the student housing on Third Street.

Pages 5.3-37 through 5.3-38, the DEIR indicates that the excessive noise would occur at the northbound Muni line platform adjacent to the UCSF student housing building on up to 105 evenings following basketball games, concerts and other major event. To address this impact, the DEIR indicates that the project sponsor will urge patrons to respect the quiet of the neighborhood as they leave the area and provide to all interested neighbors a contact agency and phone number that would be prepared to respond to complaints. We respectfully request that GSW and the City devise more effective mitigation measures to address this significant impact.

The land uses most affected are the UCSF Mission Bay Housing units on Block 20 that front onto Third Street and onto Gene Friend Way. These buildings have no air conditioning and rely on a passive ducting system for ventilation when windows are closed for noise control. At the time these structures were built, it was anticipated that adjacent development would consist of biotechnology or office uses. It was not anticipated that an arena and event center with over 200 events per year would be proposed directly across the street, of which up to 150 large events would generate crowd noise that, according to the DEIR, would be significant and unavoidable due to “the increase in noise levels from crowds gathering at the Muni T-line platform during quieter nighttime periods”. The significant and unavoidable impact of crowd noise on the UCSF Mission Bay Housing complex would most acutely affect those units in Hearst Tower which contain bedrooms that face Third Street or Gene Friend Way (83 units), those units in the

South Building which contain bedrooms that face Gene Friend Way (63 units), and those units in the North Building which contain bedrooms that face Third Street (18 units). For these reasons, UCSF requests that the following mitigation measure be included in the Final EIR:

To minimize the effect of crowd noise on nearby sensitive receptors at the UCSF Mission Bay Housing complex, the project sponsor will evaluate and implement feasible noise control measures to limit the significant increase in noise affecting the existing UCSF Mission Bay Housing complex on Block 20. The noise control measures will be submitted to the City for review and approval, and following City approval, will be implemented to reduce the significant and unavoidable noise impacts affecting UCSF Mission Bay Housing on Block 20.

Page 5.3-41, the DEIR provides that construction-related vehicles and equipment will be required to use designated truck routes to travel to and from the project site, as determined in consultation with the SFMTA. UCSF requests that truck routes be designated in consultation and coordination with UCSF and other nearby developers.

Tables 5.3-2 and 5.3-4, the distance from the "project site" to the UCSF Medical Center at Mission Bay is listed as 560 feet, without any explanation of measuring points. Elsewhere in the DEIR it is listed as 300 feet. This distance needs to be confirmed because at page 5.3-14, summarizing Article 1, Section 47.2 of the San Francisco Police Code, the DEIR states that "except as permitted by the Entertainment Commission, [amplified] sound shall not be issued within 450 feet of hospitals." As GSW proposes noise sources and noise generating events in the outdoor plaza areas as well as within the Event Center, the Final EIR should be specific and consistent about the locations from which distances were measured and what those distances are.

D. Inadequate Mitigation Measures

"An EIR shall describe feasible mitigation measures which could minimize significant adverse impacts..." CEQA Guidelines section 15126.4(a)(1). "Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments." CEQA Guidelines sections 15126.4(a)(2).

Many of the Mitigation Measures contained in the DEIR, as summarized in Table 1-2, are conditioned upon language such as "if feasible."

In addition, some Mitigation Measures lack implementation or enforcement mechanisms or performance standards include TR - 2 ("if feasible", "if available", "working in good faith", "make good faith efforts"), TR - 4, TR - 5, TR -9a, TR -11 ("make good faith efforts", "if feasible", "shall exercise commercially reasonable efforts"), NO-4, and WS -1.

We suggest that the significance determination for each of these impacts be reassessed assuming a worst-case scenario in which the proposed mitigation measures are not feasible. Also, the Final EIR should identify whom at OCII or other City agencies will be responsible for determining "feasibility," "availability," "good faith," and "commercially reasonable efforts." We respectfully submit that GSW should not be allowed to make these determinations.

The adoption of an effective mechanism to fully fund the City's operating costs to manage impacts as described above for the life of the Event Center would help to eliminate funding as a criteria for determining the feasibility of the measures that are the responsibility of the City.

E. Utilities and Service Systems

Page 5.7-2, the DEIR indicates that the Mission Bay FSEIR determined that the projected increases in wastewater generation and storm water flows could be accommodated by the planned infrastructure at Mission Bay, and that the Mission Bay Plan's effects on wastewater and stormwater collection and treatment facilities would be less than significant. The DEIR now states that wastewater capacity will be inadequate when Project flows are added to existing and planned flows. But the DEIR presents no evidence other than a letter to SFPUC from its consultant, Hydroconsultant Engineers, as to current demands on the wastewater and stormwater collection and treatment facilities at Mission Bay and concerning what happened to make the 1998 prediction untrue. The DEIR discussion suggests that UCSF development at Mission Bay is the reason why peak flows would exceed the capacity of the dry weather pump stations, but this contention is contradicted by the analysis recently conducted by UCSF's consultants, as described below. In response to the UCSF's review of the supporting studies listed in the DEIR on page 5.7-7 (SF-DPW / SF-PUC memos "Mariposa Pump Station (MPS) Dry Weather Flow Hydraulic Analysis" dated February 3, 2015, and "Hydraulic Assessment of Mission Bay Sanitary Pump Station" dated February 25, 2015), UCSF undertook sanitary sewer flow monitoring to address questions in those analyses of the actual sewage flow contributions UCSF has to the respective pump stations. This information was provided to the City, however the relevant information from this study does not seem to be incorporated into the DEIR.

Page 5.7-7, the DEIR indicates that the SFPUC is performing interim improvements at the Mariposa Pump Station to accommodate planned and approved peak wastewater flow rates from UCSF that would exceed the Mariposa Pump Station's dry weather capacity. Also, at page 5.7-12, a similar statement is made that the peak flows from UCSF are contributing to peak dry weather flows from the Mariposa subbasin that now exceed the Mariposa Pump Stations dry weather capacity and therefore interim improvements are being made. The interim improvements described in the DEIR include connecting the existing 10-inch dry weather force to the 20-inch wet weather force main as well as upsizing the influent sewer to the pump station.

The February 2015 SF DPW memo did describe the same force main improvements, but the increases in dry weather flows were not attributed to UCSF. UCSF's consultants, Freyer & Laureta, Inc., prepared a May 15, 2015, memorandum presenting results of flow monitoring from Blocks 24a/b, 25a, and Phase I of the UCSF Medical Center. The memorandum concluded that the cumulative measured average and peak sanitary sewer flow rates from these UCSF facilities was generally less than both the Mission Bay Master Plan and 2014 LRDP estimated sanitary sewer flow rates.

Page 5.7-13 through 17, the discussion related to Impact C-UT-2 indicates that the projected peak flow rates from the UCSF planned development of Block 25b, Block 33/34, Block 40, and Phase 2 of the MCMB is 1.2 mgd. However, the 1.2 mgd projected peak flow rate includes both Phase 1 and Phase 2 of the Hospital construction. The correct projected peak wastewater flow rate from Block 25b, Block 33/34, Block 40, and Phase 2 of the Hospital should be 0.95 mgd based on the LRDP.

Page 5. 7-16, the statement that UCSF flows to the Mission Bay Pump Station would be 6.63 mgd with full LRDP development is not accurate. See 2014 LRDP Draft EIR at page 7-99 (indicating that the estimated peak flow increase to the Mission Bay Block P15 pump station from UCSF's proposed growth under the 2014 LRDP would be 0.23 mgd, resulting in a need for P15 pump station capacity of 6.63 mgd.).

Page 5.7-13 through 5.7-17, it is not clear why Impact C-UT-2 does not require mitigation involving a fair share contribution by the project sponsor; rather it states that no mitigation is currently available.

Page 5.7-19, the DEIR indicates again that existing and planned UCSF development at Mission Bay would result in a major contribution to cumulative wastewater flows in the subbasin. (See responses above)

F. Other Issues

1. Project Description

Page 3-36 through 37, UCSF appreciates the City and GSW's commitment to the improvements listed. UCSF requests the DEIR include documentation to confirm these improvements are fully funded.

Page 3-49, as discussed in greater detail in Section B, above, contractor compliance with all codes, rules and regulations is not enough to ensure that tower cranes do not interfere with helicopter flight path.

Again, thank you for the opportunity to comment on the DEIR. We acknowledge the City's and GSW's efforts to address our concerns about the potential impacts of the proposed project. UCSF is supportive of a successful Event Center project, and looks forward to changes to the Project's EIR mitigation measures that will bring about meaningful improvements in projected conditions in the area.

Should you have any questions about these comments, please contact me at (415) 476-8312.

Sincerely,



Lori Yamauchi
Associate Vice Chancellor