

KATHRYN R. DEVINCENZI
22 IRIS AVENUE
SAN FRANCISCO, CALIFORNIA 94118-2727
Telephone: (415) 221-4700
E-mail: KRDevincenzi@gmail.com

BY HAND

January 8, 2019

San Francisco Planning Department
Attn: Kei Zushi, EIR Coordinator
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Draft EIR for 3333 California Street, San Francisco, CA 94118
Planning Department Case No: 2015-014028ENV
State Clearinghouse No: 2017092053

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1. The DEIR Fails to Adequately Analyze Whether the Proposed Project/Variant Would Cause Substantial Additional VMT and/or Substantially Induce Automobile Travel and/or Have a Cumulative Impact on VMT and/or Substantially Induce Automobile Travel in Combination with Other Reasonably Foreseeable Development and Projects.

The Draft EIR admits that the proposed project or project variant would cause substantial additional Vehicles Miles Traveled (VMT) and/or substantially induce automobile travel. DEIR p. 4.C.74. The DEIR fails to estimate the total amount of VMT that would result from this significant impact on VMT and claims that the amount of parking included in the proposed project or project variant would result in VMT that would be beyond the significance threshold for the non-residential use. *Ibid.* Similarly, the DEIR admits that the proposed project or project variant's incremental, cumulative effects on regional VMT would be significant, when viewed in combination with past, present and reasonably foreseeable future projects. DEIR p. 4.C. 102. The DEIR claims that both the project and cumulative impact on VMT would be reduced to a less than significant level by reducing retail parking provided by the proposed project/variant. DEIR pp. 4.C. 80 and 103.

In these comments, the term "project" shall include the proposed project and the proposed project variant, unless otherwise indicated.

The DEIR's traffic analysis is inadequate because it fails to state the total Vehicle Miles Traveled (VMT), understates the impact by discussing VMT per person in the AM and PM peak periods, fails to analyze VMT likely to result from special aspects of the project configuration and fails to support its conclusions with substantial evidence. In particular, the DEIR's central claims that the amount of parking included in the proposed project would result in VMT that would be beyond the significance threshold for non-residential use and that merely reducing some of the retail parking spaces would mitigate the impact to a less than significant level, are

unsubstantiated and not supported by substantial evidence.

A. The DEIR Is Inadequate Because It Lacks An Estimate and Discussion of Total Net New Travel Demand (Net New Person Trips) and Understates the Project Impacts by Providing Estimates and Discussion of Net New Person Trips during A.M and P.M. Peak Hours.

The San Francisco Planning Department *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002 (*San Francisco Guidelines*), provide that:

Travel demand analysis shall include textual information, supported by tables or figures detailing the project's trip generation, trip distribution, trip assignment and modal split characteristics.

Net new travel demand generated by the project is to be estimated, based on the difference between existing and proposed land uses. Person trip generation rates per unit of square footage for each land use, or other unit as shown in Appendix C, are to be used for estimating levels of activity for the proposed project...

To "net-out" existing land uses that will be replaced, the existing levels of trip activity should, in most cases, be based on actual observations rather than on estimates based on rates in these *Guidelines* or other sources.

Each analysis should apply the trip generation rates from the *Guidelines* individually to the proposed uses, compare the proposed trips to existing levels of trip activity, and show the differences ("net new") by land use and in aggregate.

The Travel Demand Analysis is to include the following, unless otherwise directed in the work scope (Note that different or additional analysis periods may be defined in the scope of work process):

- Trip Generation Information: Project trip generation information (total person trips) by land use for existing and proposed uses. The total unadjusted daily and P.M. peak hour trips by mode can be calculated. The number of daily and peak hour vehicles (autos) generated by the project should also be calculated by using the auto occupancy rates noted in the tables in Appendix E.
- Work and Non-Work Trip Generation Information: Since work and non-work trips have different characteristics in terms of distribution and the mode of travel, the number of work and non-work (visitor) trips should be calculated separately. Appendix C provides the methodology to compute the work and non-work

(visitor) trips for a specific land use.

- Trip Distribution, Assignment and Modal Split Information: Net new person trips distributed to various directions of travel and assigned to the appropriate modes of travel (auto, transit, walk, and other) should be calculated, presented in tables and a graphic diagram (for vehicle and transit trips), and discussed in the text. Modal assignments should also be calculated for daily and the P.M. Peak Hour.

The weekday P.M. Peak Period is generally 4:00-6:00, and traffic counts shall generally be conducted during this period, unless otherwise specified in the scope of work. The peak hour must be determined from the counts (normally recorded in 15 minute intervals) for the entire peak period, and should represent the single hour within the peak period with the highest counts. The Planning Department may also request data for other periods to reflect the peak period of trip generation by the land use. (Ex. A, *San Francisco Guidelines* pp. 9-10)

The DEIR failed to estimate the net new travel demand that would be generated by the project, as required by the *San Francisco Guidelines*, at pages 9-10. (Ex. A, pp. 9-10) EIR Table 4.C.11 at page 4. C.54 estimated the total new travel demand generated by the project (person-trip generation rates per unit of square footage for each land use, or other unit as shown in Appendix C) based on the proposed project land uses. However, the DEIR lacks an estimate of the total existing levels of trip activity at the project site, so that the “net-out” of existing land uses that will be replaced can be determined, as required by the *San Francisco Guidelines*. The DEIR failed to provide estimates of the total existing levels of vehicle trips that currently occur at the project site and merely provided estimates of existing vehicle-trips in the Weekday AM. Peak Hour and Weekday P.M. Peak Hour. DEIR p. 4.C.60. Instead of the total increase, the DEIR only discusses “the anticipated increase in weekday a.m. and p.m. peak hour vehicle trips resulting from the proposed project and project variant, as compared to existing conditions.” DEIR p. 4.C.60. The DEIR reports the total net-new external vehicle-trips “during the weekday a.m. peak hour” and the net-new external vehicle-trips “during the weekday p.m. peak hour” for the proposed project and project variant. DEIR p. 4.C.60. The estimated total increase in vehicle-trips is missing. The absence of this information is misleading to the decision maker and the public because the DEIR lacks estimation of the total increase in vehicle-trips that would be caused by the proposed project/variant.

In addition, the DEIR fails to “show the differences (‘net new’) by land use and in aggregate,” as specified in the *San Francisco Guidelines*, at p. 9. DEIR Table 4.C.15, at page 4.C.60 lacks information as to net-new vehicle-trips by land use or in the aggregate, and merely presents estimates of net-new external vehicle trips in the “Weekday A.M. Peak Hour” and “Weekday P.M. Peak Hour.” The DEIR’s focus on peak-hour net-new vehicle trips is more relevant to traffic level of service impacts than to the greenhouse gas emissions that could result from total net-new vehicle trips. However, the lack of the information renders the DEIR

inadequate because it lacks estimates of the net-new trips by each proposed land use, depriving decision makers of important information they would use to mitigate effects by tailoring land use.

In addition, the DEIR fails to provide the “total unadjusted daily and P.M. peak hour trips by mode,” which is generally required by the *San Francisco Guidelines* at page 9 unless otherwise directed in the work scope. DEIR Table 4.C.14 provides adjusted daily and A.M. and P.M. peak hour person-trip generation by mode; the estimates in that table had been reduced by the internal trip capture rates set forth in DEIR Table 4.C.12 at page 4.C.55. In that table, the total weekday A.M. peak hour person-trip generation was reduced by 409 alleged internal person-trips and the table reported the net external person-trips as 1,917. The adjusted 1,917 trips figure was carried over and reported as total A.M. Peak Hour person-trips per mode on Table 4.C.14 and those 1,917 person-trips were divided into 1,197 auto trips, 295 transit trips, 376 walk trips and 49 other trips (bicycle, motorcycle, transportation network companies, and other modes). Thus, the DEIR failed to provide unadjusted daily and P.M. peak hour trips by mode as specified in the *San Francisco Guidelines*.

The DEIR provides no explanation of the manner in which the walk trips in Table 4.C.14 were calculated or the manner in which the alleged internal trip rates set forth in Table 4.C.12 were calculated, and the general source reference to Kittleson & Associates 2018 and the *San Francisco Guidelines*, 2002 provide no reference to an explanation or calculations supporting those Tables. The total of the alleged external walk trips and internal trips indicates that the walk trips are inaccurately estimated or the calculations in the tables are inaccurate. Table 4.C.14 reports 376 A.M. Peak Hour walk trips for the proposed project, which is 19.6 percent of the total A.M. Peak Hour person-trips (376/1,917), and 398 P.M. Peak Hour walk trips for the proposed project, which is 19.07 percent of the P.M. Peak Hour total person-trips. (398/2,086). Table 4.C.12 reports 409 internal person-trips of the total 2,326 person-trips for the A.M. Peak Hour, which is 17.6 percent of the total A.M. peak hour internal trips, and 485 internal person-trips of the total 2,571 for the P.M. Peak Hour, which is 18.9 percent of the total P.M. Peak Hour internal trips. Adding the percentages of the alleged internal trips to the alleged walk trips reported on these two tables, 37.2 percent of the A.M. Peak Hour Trips would be performed by walking externally or by internal trips (376 plus 409) and 37.97 percent of the P.M. Peak Hour trips would be performed by walking externally or by internal trips (398 plus 485). Since it takes approximately one minute to walk across the site, it is likely that the internal trips consist of walk-trips rather than bicycle trips. The totals of the alleged walk trips and internal trips in peak periods, indicate that the DEIR overstated one or both of these trip rates, and the DEIR lacks substantial evidence that they were correctly stated.

The text at DEIR page 4.C.58 indicates that Table 4.C.14 reports “Overall” person-trips, and if this is the case, walk trips are being double-counted and the total person trips represented as external trips in Table 4.C.14 are inaccurate and were improperly reduced by alleged internal trips before person-trips were reported in Table 4.C.14. That DEIR text reports that “Overall, on

a daily basis, various types of land use would result in percentages of person-trips. Overall, residential use would generate 14% of walk trips, office use would generate 3%, general retail would generate 36%, restaurant uses would generate 40% and the day care center would account for 3-6% of trips for each model. These percentages add up to approximately 100 percent, so Table 4.C.14 likely reports total walk trips and total person-trips, rather than external trips only (as indicated by the heading “External Person-Trip Generation by Mode”), and it is likely that such table inaccurately double-counted walk trips, because walk-trips had been subtracted from total person-trips on Table 4.C.12 before the person-trip generation figures were carried over to Table 4.C.14.

The text at DEIR 4.C.57 also indicates that walk trips were double counted. The DEIR states there that “Based on Table 4.C.14, about 61 percent of daily person-trips generated by the proposed project would be auto person-trips, 14 percent would be transit trips, 21 percent would be walk trips, and 4 percent of trips would be taken by other modes, including bicycles, motorcycles, and for-hire vehicles.” DEIR p. 4.C.57. These mode shares add up to approximately 100 percent of trips and the 21 percent of walk trips is consistent with the 376 walk trips of the 1,917 total person-trips reported on Table 4.C.14. That DEIR text is not consistent with an additional 17-18 percent of trips being internal trips, as alleged in Table 4.C.12. Since the project site is easily traversed within approximately one minute or less, it is reasonable to assume that internal trips on this site would be walking trips. If there is any evidence contrary to this assumption, please present it.

The DEIR also lacks the actual site traffic counts for the P.M. peak period which the *San Francisco Guidelines* require:

The weekday P.M. Peak Period is generally 4:00-6:00, and traffic counts shall generally be conducted during this period, unless otherwise specified in the scope of work. The peak hour must be determined from the counts (normally recorded in 15 minute intervals) for the entire peak period, and should represent the single hour within the peak period with the highest counts. *San Francisco Guidelines*, 2002, p. 10.

Instead of actual P.M. peak period counts, the DEIR only collected vehicle counts at 13 intersections within the transportation study area, existing site driveways, and nearby sidewalks. DEIR p. 4.C.2.

In addition, the DEIR failed to estimate and state the total daily vehicles miles traveled (VMT) expected from the proposed project and proposed project variant, as required by the City’s scope of work:

KAI will utilize the San Francisco Transportation Information Map to obtain vehicle miles traveled data from the Planning Department data, which includes average daily VMT estimates for use for the region and the project’s traffic analysis zone (TAZ 709)...

Using the data collected in Task 2, KAI will document vehicle trafficwithin the study area, which includes the following:

Discussion of vehicle miles traveled for the uses proposed by the project for the region and the Project's traffic analysis zone (TAZ). DEIR Appendix D, pp. 4-5.

The DEIR admits that the proposed project or project variant would cause substantial additional VMT and/or substantially induce automobile travel but fails to estimate the amount of additional VMT that the project/variant would generate or compare that to a significance standard that states an amount of VMT that would be below the significance threshold. The lack of this information makes it impossible for the decision maker to understand the amount of additional VMT which the project/variant would cause that is above the significance standard.

Instead, at page 4.C.8 the DEIR compares regional average daily miles traveled for residential, office and retail uses with alleged average daily vehicle miles traveled in TAZ 709, which includes the project site, and with citywide average vehicle miles traveled per capita. Again, total vehicle miles traveled in TAZ 709 are not provided, depriving the decision maker of important information that would be easy to understand. Also, no explanation of the methodology used to achieve the data stated for TAZ 709 is provided, rendering the source of the data used in the DEIR unsupported by substantial evidence.

The DEIR also lacks substantial evidence to show that the significance standard of average regional VMT for residential, office or retail uses is a reasonable baseline against which potentially significant increases in VMT caused by the project should be measured, especially since the project is located in a central city which is targeted for significant population increase and since the proposed project would exceed the citywide average VMT for office and retail uses. The population of the City is projected to grow significantly as a result of ABAG proposals to concentrate population in central cities. (Ex. B) As a result, ABAG estimates that total VMT in the region will increase as a result of population growth even though VMT per capita will decrease. (Ex. B) Thus, use of a regional average VMT standard as the significance standard for the proposed project, omits VMT expected from population and employment growth in the City and fails to evaluate whether project GHG increases could impact communitywide GHG reduction targets. Also, the regional averages include VMT from many existing developments, but if VMT is to be reduced regionally, it is reasonable to expect new developments to produce much less VMT than the average reduction sought by the region of 15%. Thus, the DEIR lacks substantial evidence to support the adequacy of the significance standard used, especially in view of special aspects of the proposed project, including the five loading zones proposed for the perimeter of the site. Substantial evidence does not support the DEIR's conclusion as to the degree of effectiveness of reducing the retail parking spaces to the degree proposed in the DEIR.

Table 4.C. 3 at DEIR page 4.C.8 and 50 shows that TAZ 709 (and the project) would exceed the citywide average VMT by 14.7% for office use and 53.7% for retail uses, although the

tables do not compute or substantiate the percentage exceedance to make it easy to understand the information. This data indicates that the proposed retail component of the project/variant could cause substantial additional VMT, because the TAZ 709 VMT from retail uses is in conflict with the goal stated in 2010 of local reduction in “municipal and communitywide GHG reduction targets of 15 percent below then-current levels by 2020.” DEIR p. 4.C.50. The DEIR is inadequate because it fails to analyze this potentially significant impact as resulting from retail uses and claims, without substantiation, that “the amount of parking included in the proposed project or project variant would result in VMT that would be beyond the significance threshold for the non-residential use. The DEIR fails to explain this conclusion and there is no evidence in the DEIR or Appendix D that supports it.

The DEIR is also inadequate because its significance analysis fails to discuss the fact that the VMT from TAZ 709 retail uses exceeds the citywide average by 53.7%. DEIR pp. 4.C.74. It discusses only TAZ 709 and regional average daily VMT per capita. Thus, the DEIR is inadequate because its significance discussion failed to inform the decision makers that VMT from retail uses in TAZ 709 (in which the proposed project is located) exceed the citywide average by 53%. This information would be of importance to the decision maker and the public because it shows that reducing the square footage proposed for retail development in the proposed project would be a significant option to consider to reduce VMT.

2. The DEIR Lacks Substantial Evidence to Support Its Conclusion that Reducing the Project’s Retail Parking Supply Would Mitigate the Project’s Significant Impact on VMT to a Less Than Significant Level.

The DEIR contains no evidence that supports the conclusion that “the amount of parking included in the proposed project or project variant would result in VMT that would be beyond the significance threshold for non-residential use. DEIR p. 4.c.74. In fact, the only source that specifically addresses the issue treats the retail or office square footage as the cause of the net new vehicle travel demand generated by the project. Appendix C of the *San Francisco Guidelines 2002*, estimates travel demand based on square footage of land use, and states that these metrics are to be used to estimate net new travel demand generated by the project. Appendix C of the *San Francisco Guidelines 2002* contains trip generation rates for office, retail and other uses based on square footage of space or number of residential units. (Ex. A) These Guidelines indicate that the parking space alone is not the cause of the VMT generated. It is not reasonable to assume that the parking space alone would generate VMT because there would be no reason to travel to the site and park if there were no new retail or new office uses that are the driver’s intended destination. The parking space is not the driver’s destination. The retail, office, residential or other use would be the driver’s destination. Moreover, nothing in the DEIR substantiates the claim that the retail parking spaces are the cause of VMT, rather than the retail restaurants, retail goods and other retail services.

To the contrary, the DEIR inconsistently admits that numerous factors other than the

amount of parking included in the proposed project or project variant would influence VMT:

Factors affecting travel behavior include the presence of parking, development density, the diversity of land uses, design of the transportation network, access to regional destinations, distance to high-quality transit, development scale, demographics, and transportation demand management. The transportation authority's SF-CHAMP accounts for a variety of factors to estimate VMT throughout San Francisco, but SF-CHAMP is not sensitive to site-level characteristics such as project-specific TDM measures or the amount of parking provided on a site, which itself is considered a TDM measure. DEIR p. 4.C.74.

Thus, diversity of land uses and development density are factors that affect travel behavior. There is no evidence that would support the DEIR's inaccurate conclusion that the amount of parking provided in the project alone would result in significant VMT. DEIR p. 4.C.74.

The DEIR also points to the City's Transportation Demand Management Program (TDM) which seeks to reduce VMT by allowing property owners to select from TDM measures that are under the control of the property owner. The DEIR merely states the "[o]ne of the individual measures in the TDM menu that the City researched was parking supply, as described below." DEIR p. 4.C.75. The statement that parking is one of the individual TDM measures is vague and does not provide enough relevant information to support the conclusion that the project parking would cause the significant VMT.

Further, the DEIR states that the City's TDM program provides options that depend on the development of a project's parking supply compared to the neighborhood parking rate and that the "neighborhood parking rate is the number of existing parking spaces provided per dwelling unit or per 1,000 square feet of non-residential uses for each TAZ within San Francisco." DEIR p. 4.C.76. At page 33, the *Transportation Demand Management Technical Justification* states that if a Development Project is parked at or below the neighborhood parking rate, the Development project would receive points for this TDM measure. This discussion does not support the DEIR's conclusion that a reduction in retail parking spaces at the rate proposed in the DEIR would reduce the significant VMT impact to insignificance. (Ex. C)

The only evidence that addresses the effect of the amount of retail parking showed the opposite. Attachment 1 to the April 4, 2016 Wade Wietgreffe Memorandum shows that there is negligible increase in automobile trips per space if a retail establishment has at least 100 retail parking spaces, so reducing the retail spaces provided in excess of 100 spaces would have negligible effect upon VMT. (Ex. D) Given the proposed 54,117 square feet of retail uses, the proposed project parking rate of 3.66 spaces \times 54,117/1000 = 198 retail spaces. Given the proposed mitigation of not exceeding the alleged existing neighborhood parking rate of 1.55 spaces per 1000 gross square feet of retail uses by 38% (or providing 2.14 retail spaces per 1000 gross square footage of retail spaces ($38\% \times 1.55 = .589$ plus $1.55 = 2.139$), the retained retail

parking spaces would amount to 115.8 retail parking spaces ($2.14 \times 54,117/1000 = 115.756$ spaces) Thus, the project proposes to reduce retail parking spaces to 115.8 spaces as opposed to the 198 initially proposed retail spaces (the 198 retail parking spaces includes 60 community public parking spaces. DEIR p. 4.C.80. The DEIR counts the 60 commercial public parking spaces as part of the retail spaces that would be provided by the proposed Project/Variant, so the 60 community spaces could be used by retail users of the project. DEIR p. 4.C.77.

The DEIR inaccurately claims that various publications support its conclusions as to the effect of parking spaces on causing VMT.

The DEIR claims that the August 2010 report of California Air Pollution Control Officers Association, *Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures* (CAPCOA report) quantifies project-level land use, transportation, energy use, and other measures of effects on GHG emissions. DEIR p. 4.C.75. The DEIR claims that the CAPCOA report identifies a maximum 12.5 percent reduction in VMT related to parking supply (PDT-1), but does not provide a citation to a page in the report that would support this claim. The discussion PDT-1 in the CAPCOA report actually states at page 207 that the range of effectiveness of limiting parking supply is a 5 to 12.5 percent vehicle miles traveled (VMT) reduction and that measure PDT-1 would accomplish a change in parking requirements and types of supply within the project site in a **multi-faceted strategy** consisting of elimination (or reduction) of minimum parking requirements, creation of maximum parking requirements and provision of shared parking. (Ex. E)

The DEIR and proposed project/variant do not adopt such mitigation measures, and the project's proposal to provide 896 new parking spaces for various uses (970 for the project variant) is inconsistent with the PDT-1 strategies. DEIR S.49. More importantly, the CAPCOA report states at page 207 that the reduction can be counted only if spillover parking is controlled (via residential permits and on-street market rate parking (See PPT-5 and PPT-7). The CAPCOA report makes it clear at page 209 that:

Trip reduction should only be credited if measures are implemented to control for spillover parking in and around the project, such as residential parking permits, metered parking, or time-limited parking. (Ex. E)

The DEIR does not establish that such measures have been implemented, and there are substantial areas in the vicinity of the project (known based on personal information of Kathryn Devincenzi), where parking is not time-limited such as on Mayfair Drive, southern Euclid Avenue west of Collins Street, western Collins Street south of Euclid Avenue, and Heather Street near the project site. (Ex. F, photographs taken on 1-7-19 showing no time limits for parking on said portions of Euclid and Collins streets) Given the lack of controls for spillover parking in the area, the CAPCOA report does not support the DEIR's conclusion that reduction of retail parking

spaces on site would result in mitigation of the significant VMT impact to a less than significant level.

In addition, CAPCOA PDT-4 as to requiring residential area parking permits, specifies at page 217 that:

This project will require the purchase of residential parking permits (RPPs) for long-term use of on-street parking in residential areas. Permits reduce the impact of spillover parking in residential areas adjacent to commercial areas, transit stations, or other locations where parking may be limited and/or priced. Refer to Parking Supply Limitations (PPT-1), Unbundle Parking Costs from Property Cost (PPT-2), or market Rate Parking Pricing (PPT-3) strategies for the ranges of effectiveness in these categories. The benefits of Residential Area Parking Permits strategy should be combined with any or all of the above mentioned strategies, as providing RPPs are a key complementary strategy to other parking strategies.

Similarly, residential permit parking is required in each of the two combinations of parking strategies that could reduce VMT at page 61 of the CAPCOA report.

Since the proposed project would not implement the key parking control strategy of requiring residents or employees of the project site to purchase residential parking permits, the CAPCOA report does not support credit for trip reduction based on the proposed project's mere reduction in retail on-site parking supply, which the DEIR relies upon. The DEIR's inadequacy is obvious because the project would allow its residents, employees and visitors to park in the surrounding neighborhoods which have some parking spaces that are not time-limited and also to park for free for at least an hour and a half in the adjacent Laurel Village Shopping Center parking lot which has over two hundred fifty-two (252) above-ground parking spaces. (Conversation between Richard Frisbie and Ron Giampaoli, owner of Cal-Mart, December 18, 2018). The Spot Angels website also reports free parking spaces within walking distance of Laurel Village. (Ex. G)

Further the CAPCOA report at page 40 states that it "does not provide, or in any way alter, guidance on the level of detail required for the review or approval of any project. For the purposes of CEQA documents, the current CEQA guidelines address the information that is needed," and refers to footnote 2 which states: "See: California Natural Resources Agency: 2007 CEQA Guidelines - Title 14 California Code of Regulations, Sections 15125, 15126.2, 15144, and 15146."

In addition, as to limiting parking supply, the CAPCOA report provides that factors other than limiting parking supply must be considered and states at page 208:

Though not specifically documented in the literature, the degree of effectiveness of this

measure will vary based on the level of urbanization of the project and surrounding areas, level of existing transit service, level of existing pedestrian and bicycle networks and other factors which would complement the shift away from single-occupant vehicle travel.

As discussed herein, the proposed addition of five loading zones around the site would attract additional vehicle trips but the EIR failed to take into account the VMT that would result from these new trips and failed to provide substantial evidence to support its conclusion that reducing retail parking supply in the manner stated in the DEIR would mitigate project VMT to a less than significant level.

The DEIR is also inadequate in that it relies upon the generalization that recent research indicates that an area with more parking influences higher demand for more automobile use without taking into account the large number of parking spaces proposed for the project. The DEIR relies upon a study by Rachael Weinberger that is cited in footnote 73, but the cited pages are not provided in the DEIR or Appendix D. However, the study deals only with the effects of residential parking spaces at home and does not predict the effect of retail parking spaces. (Ex. H, abstracts of Weinberger study)

The DEIR also relies upon a study of *Residential Street Parking and Car Ownership* that is also not provided in the DEIR or Appendix D, but cited in footnote 74. Again, the DEIR merely claims that the Zhan study deals the “the number of cars per household” and does not claim that the study says anything about the effect of retail parking supply. DEIR p. 4.C.75. Similarly, the DEIR relies on a study of households in New Jersey cited in footnote 75 that is not contained in the DEIR or Appendix D. Again, the DEIR does not claim that this study considers retail parking supply.

The DEIR also relied on the generalization that a study of nine cities across the United States concluded that “parking provision in cities is a likely cause of increased driving among residents and employees in those places.” DEIR p. 4.C.76. Again, this study is not contained in the DEIR or Appendix D and says nothing about the effectiveness of reducing retail parking supply alone to the degree described in the DEIR, while still providing over 100 retail parking spaces and abundant parking for residential and office uses. The quoted portion of the study said nothing about the effectiveness of reducing the retail parking alone or the degree of increased driving associated with the provision of parking, so is too vague to support the conclusion set forth in the DEIR that reducing the retail parking to the degree proposed in the DEIR would mitigate the VMT impact to insignificance.

The DEIR also refers at page 4.C.76 to Fehr and Peers research that allegedly claims that reductions in off-street vehicular parking for office, residential and retail developments reduce the overall automobile mode share associated with those developments, relative to projects with the same land uses in similar contexts that provide more off-street vehicular parking. The

conclusion which the DEIR draws from this research indicates that it has no relation to retail parking spaces: “In other words, more off-street vehicular parking is linked to more driving, indicating that people without dedicated parking spaces are less likely to drive.” DEIR p. 4.C.76. In the context of the proposed mitigation for the proposed 3333 California Street project, which would reduce retail parking spaces from 198 to 116 (which would include 60 commercial parking spaces for the community), the generalization set forth in the Fehr and Peers research does not constitute substantial evidence that the reduction in retail parking to the degree proposed in the DEIR would reduce the significant VMT impact to insignificance. Again, the Fehr and Peers research cited in footnote 77 is not in the DEIR or Appendix D.

In addition, the DEIR is legally inadequate in failing to present information on the number of retail parking spaces that the mitigation measure M-TR-2 proposes to eliminate, and requires the reader to perform a calculation to arrive at number of retail parking spaces proposed to be eliminated. DEIR p. 4.C.80. This type of obtuse discussion in an EIR is unlawful under CEQA. CEQA requires that information be presented in manner that is understandable to the decision maker and the public, but the transportation analysis in this DEIR is characterized by a hide-the-ball approach, replete with unexplained conclusions and unsubstantiated allegations. Under CEQA, conclusions that require blind trust in the decision maker are inadequate. The calculations of the amount of retail parking proposed to be reduced stated in this comment letter were performed by the author of this comment statement and are not set forth in the DEIR. Demand is made that the DEIR state the number of retail parking spaces that Mitigation Measure M-TR-2 on page 4.C.80 of the DEIR proposes to eliminate to mitigate the significant VMT impact and set forth the manner of calculating the number of retail spaces to be eliminated. After this information is provided in a revised EIR, please circulate it for public comment.

3. The DEIR Lacks Any Substantiation or Explanation of the Alleged Neighborhood Parking Rate, and Substantial Evidence Does Not Support Its Conclusions as to the Accuracy of the Alleged Rate and TAZ 709 Data.

Importantly, the alleged neighborhood parking rate is not substantiated or supported by substantial evidence in the DEIR or Appendix D. The DEIR lacks a description of the methodology used to calculate, and times of collecting data related to, the alleged existing neighborhood parking rates for residential, retail or other non-residential uses set forth in Table 4.C.19 of the DEIR on page 4.C.77-79 or the daily existing VMT per capita for Households (Residential), Employment (Office) and Visitors (Retail) in TAZ 709 at page 4.C.50 of the DEIR. Table 4.C.10 at page 4.C.50 of the DEIR cites the San Francisco Planning Department Information Map, accessed May 25, 2018, as the source of the data as to the existing average daily vehicle miles traveled in TAZ Zone 709. However, that map provides only conclusions and the DEIR does not contain a summary of the data used to produce the alleged average daily vehicle miles traveled or explain the methodology used to collect or produce the data or the dates on which the data was collected or estimates made. Due to the lack of sufficient substantiation or description of a reputable methodology, substantial evidence does not support the allegations in

the DEIR that the data in Table 4.C.10 of the DEIR accurately represents the existing average daily vehicle miles traveled.

The data in the DEIR concerning the existing neighborhood parking rate is also unsubstantiated and fails to constitute substantial evidence that such data accurately represents the existing neighborhood parking rates for the uses claimed, including for residential, retail and other (office and daycare). The DEIR is inadequate because it fails to provide substantiation of the methodology for collecting data as to the alleged existing neighborhood parking rates or the times of collection of the data or the estimations made. As the Source of the data contained in Table 4.C.19 of the DEIR, the DEIR cites “Kittleson and Associates, Inc. 2018; San Francisco Planning Department, 2018.” These citations merely identify the alleged source of the conclusions and the date.

Footnote 80 of the DEIR states that Planning department staff reviewed assessor and planning department records and street view/serial photos to estimate off-street parking associated with retail uses along California and Sacramento streets near the project site to derive the appropriate neighborhood parking rate for this analysis. No summary or description of such information is provided in the DEIR or Appendix D. Although footnote 80 does not refer to any review related to office or childcare uses, the DEIR cites footnote 80 as support for the claim that the analysis splits non-residential into retail and other non-residential (office and daycare) uses and compares those to the neighborhood parking rate, which accounts for parking associated with retail and other non-residential uses along California Street and Sacramento Street near the project site. DEIR p. 4.D.77. The methodology used in such analysis is not discussed in the DEIR or Appendix D. There is no substantiation for the parking rates for office and childcare uses.

Also, the note to Table 4.C.19 states that the existing parking rate for residential uses reflects data for TAZ 709 and other nearby TAZs (within three-quarters of a mile based on walking distance). The DEIR lacks any explanation of the type of data for TAZ 709 that was used to estimate the existing parking rate for residential use in the area described or substantiate the reliability of the methodology used to arrive at the existing parking rate for residential uses set forth in the DEIR. It is unclear whether the residential parking rate was estimated in some manner based on VMT, surveys of vehicle ownership or some other means and whether the dates on which the base data was collected, if any, was representative of existing conditions in the project area. The DEIR is inadequate because it lacks substantial evidence indicating that the methodology for collecting or analyzing the data was reliable, a sufficient explanation of the nature of the data collected for the identified land uses and the times at which the data was collected, and explanation of why the data gathered was representative of conditions in the project area. Surely, there should be memoranda explaining or analyzing any data collected, but none are discussed or cited in the DEIR or Appendix D. In essence, the TAZ data and the existing neighborhood parking rate data stated in the DEIR are lacking in the factual support needed to constitute substantial evidence under CEQA. Unsupported conclusions do not