

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 12-087

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) intends to construct the Central Subway Project (Project) to provide rail service to the South of Market and Chinatown neighborhoods; and,

WHEREAS, The Project is the second phase of the SFMTA's Third Street Light Rail Project and the Project will add 1.67 miles of light rail track north from the northern end of the new Third Street Light Rail at Fourth and King Streets to a terminal in Chinatown, serve regional destinations, including Chinatown (the most densely populated area of the country that is not currently served by modern rail transportation), Union Square, Moscone Convention Center, Yerba Buena, SoMa and AT&T Park, connect BART and Caltrain (the Bay Area's two largest regional commuter rail services), serve a low auto ownership population of transit customers, increase transit use and reduce travel time, reduce air and noise pollution, and provide congestion relief; and,

WHEREAS, The public interest and necessity require the construction and operation of the Project to achieve such benefits; and,

WHEREAS, The Project will include four subway stations and connecting subsurface tunnels to provide direct rail service to the South of Market and Chinatown neighborhoods, and the Project has been planned and located in a manner that will be most compatible with the greatest public good and the least private injury; and,

WHEREAS, The Final Supplemental Environmental Impact Statement / Supplemental Environmental Impact Report (SEIS/SEIR) for the Project was certified by the San Francisco Planning Commission on August 7, 2008 and a Record of Decision was issued by the Federal Transit Administration on November 26, 2008; and,

WHEREAS, There have been no substantial changes proposed for the Project which will require major revisions to the SEIS/SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; no substantial changes have occurred with respect to the circumstances under which the Project is being undertaken which will require major revisions in the SEIS/SEIR; and no new information of substantial importance has become available which was not known and could not have been known at the time the SEIS/SEIR was certified as complete and that would result in either significant environmental effects not discussed in the SEIS/SEIR, a substantial increase in the severity of previously identified significant effects, or feasible mitigation measures or alternatives that would substantially reduce one of the significant effects but which have not been adopted; and,

WHEREAS, The Project will assist the SFMTA in meeting the objectives of Goal No. 1 of the Strategic Plan (to provide safe, accessible, clean, environmentally sustainable service and encourage the use of auto-alternative modes through the Transit First policy), of Goal No. 2 (to improve transit reliability), of Goal No. 3 (to improve economic vitality through improved regional transportation), and of Goal No. 4 (to ensure the efficient and effective use of resources); and,

WHEREAS, To construct the Project's tunnels, the SFMTA needs to acquire Tunnel Temporary Construction Licenses to install subsurface horizontal grout pipes at approximately 30 to 40 feet below the ground surface and the installation of settlement monitoring equipment at: 1455 Stockton Street, Assessor's Block 130, Lot 001; 1435 Stockton Street, Assessor's Block 130, Lot 002; 801 Market Street, Assessor's Block 3705, Lot 048; and 2 Stockton/790 Market Street, Assessor's Block 328, Lot 002; and,

WHEREAS, To construct the Project's Union Square/Market Street (UMS) Station, the SFMTA needs to acquire UMS Station Temporary Construction Licenses to install subsurface horizontal grout pipes at approximately 30 to 40 feet below the ground surface and the installation of settlement monitoring equipment at: 212 Stockton Street, Assessor's Block 309, Lot 011; 216 Stockton Street, Assessor's Block 309, Lot 013; 218 - 222 Stockton Street, Assessor's Block 309, Lot 014; 234 - 240 Stockton Street, Assessor's Block 309, Lot 020; 120 Stockton Street, Assessor's Block 313, Lot 017; 150 Stockton Street, Assessor's Block 313, Lot 018; 233 Geary Street, Assessor's Block 314, Lot 001; 101 Stockton Street, Assessor's Block 314, Lot 002; 55 Stockton Street, Assessor's Block 327, Lots 001-003, 020; 39 Stockton Street, Assessor's Block 327, Lot 004; 19 Stockton Street, Assessor's Block 327, Lot 005; 1 Stockton Street, Assessor's Block 327, Lot 025; 2 Stockton/790 Market Street, Assessor's Block 328, Lot 002; and 48 Stockton Street, Assessor's Block 328, Lots 003-004; and,

WHEREAS, To construct the Project's Chinatown Station, the SFMTA needs to acquire Chinatown Station Temporary Construction Licenses to install subsurface horizontal grout pipes at approximately 30 to 40 feet below the ground surface and the installation of settlement monitoring equipment at: 1019-1027 Stockton Street, Assessor's Block 192, Lot 002; 1013-1015 Stockton Street, Assessor's Block 192, Lot 003; 1009-1011 Stockton Street, Assessor's Block 192, Lot 004; 1000-1032 Stockton Street, Assessor's Block 193, 019; 950 Stockton Street, Assessor's Block 210A, Lot 002-103; 930 Stockton Street, Assessor's Block 210A, Lot 047; 925 Stockton Street, Assessor's Block 211, Lot 002; 913 - 917 Stockton Street, Assessor's Block 211, Lot 003; 901 - 907 Stockton Street, Assessor's Block 211, Lot 004; 910 - 914 Clay Street, Assessor's Block 211, Lot 005; 916 - 920 Clay Street, Assessor's Block 211, Lot 006; and,

WHEREAS, To construct the Project's Moscone (MOS) Station, the SFMTA needs to acquire MOS Station Temporary Construction Licenses to install subsurface horizontal grout pipes at approximately 30 to 40 feet below the ground surface and the installation of settlement monitoring equipment at: 250 4th Street, Assessor's Block 3733, Lot 008; and 801 - 805 Howard Street, Assessor's Block 3733; and,

WHEREAS, The Tunnel Temporary Construction Licenses, UMS Station Temporary Construction Licenses, Chinatown Station Temporary Construction Licenses, and MOS Station

Temporary Construction Licenses are collectively referred to as the Temporary Construction Licenses; and

WHEREAS, The acquisition and use of these Temporary Construction Licenses are necessary to construct the Project's tunnel, Chinatown Station, UMS Station and MOS Station; and,

WHEREAS, The Project has been planned and located in a manner that will be most compatible with the surrounding area, the greatest public good and interest, and the least private injury; and,

WHEREAS, The SFMTA has limited any potential private injury by seeking to acquire the Temporary Construction Licenses; and,

WHEREAS, The SFMTA mailed a offers to the affected property owners (Owners), subject to the negotiation of a license agreement, and the SFMTA is in discussions with the Owners to negotiate the terms of the Temporary Construction Licenses; and,

WHEREAS, If the SFMTA and Owners do not agree to the acquisition of the Temporary Construction Licenses within the next two months, it would delay the construction of the Project and cause Project delays; and,

WHEREAS, Funding for the Temporary Construction Licenses, either by negotiation or by eminent domain, will be furnished from federal, state and local sources; now, therefore, be it

RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to request the Board of Supervisors to consider adoption of Resolutions of Necessity for the acquisition of the Temporary Construction Licenses required for the Central Subway Project along the tunnel alignment and adjacent to the Chinatown, Union Square/Market Street and Moscone stations for their fair market value; and if the Board of Supervisors adopts such Resolutions of Necessity, further authorizes the Director of Transportation to take such actions that are consistent with the City's Charter and all applicable law, to proceed to acquire the Temporary Construction Licenses.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of June 19, 2012.

R. Boman

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency