TRANSBAY PROGRAM | The Portal

Real Estate Acquisition Management Plan

August 2025

REVISION RECORD

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0	Updated to conform to the FTA's Project Management Oversight Procedures, Real Estate Acquisition & Management Plan Review (OP23)	Final	August 29, 2023
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San Francisco County Transportation Authority

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1. INTRODUCTION

Under California law, the Transbay Joint Powers Authority (TJPA), a joint powers authority created under California Government Code §6500 et seq., has responsibility for implementing the Transbay Program, including Phase 2, The Portal, previously known as the Downtown Rail Extension (DTX). This Real Estate Acquisition Management Plan (RAMP), prepared as part of the Program Management Plan for The Portal in accordance with 49 CFR §633.25 and as a companion to the relocation impact study prepared in accordance with 49 CFR §24.205, guides the TJPA's acquisition and management of real estate for The Portal. The relocation impact study will be completed concurrently with this RAMP.

The TJPA is developing The Portal with the cooperation and financial assistance of federal, regional, state, and local agencies. As required by its funders and California law, in acquiring real estate for The Portal, the TJPA will treat property owners and tenants fairly and respectfully in conformance with all applicable law and will make every effort to acquire right-of-way (ROW) by negotiated purchase. This RAMP:

- Provides an overview of the acquisition process
- Establishes a schedule for timely completion of all right-of-way activities
- Analyzes potential impacts on schedule and budget
- Outlines the appraisal and acquisition process, including appraisal, appraisal review, acquisition, and relocation assistance
- Identifies property rights proposed for acquisition
- Helps coordinate acquisitions with federal procedural requirements imposed as conditions of federal and state grants
- Presents preliminary budget estimates and the basis of cost estimates
- Defines the roles of the TJPA's property acquisition team and plans their coordination with other agencies, staff, and consultants
- Describes reports to monitor the progress of the acquisitions

The TJPA's RAMP for Phase 1 of the Transbay Program was the foundation for a highly successful ROW acquisition program. Under the Phase 1 RAMP, the TJPA acquired 26 private properties: 13 by purchase and 13 by eminent domain. The acquisitions complied with the critical path timeline for acquisitions in the RAMP, resulting in no delay in construction of Phase 1 because of ROW acquisitions. The total price paid for the 26 properties acquired for Phase 1 was only 6 percent above the TJPA's appraisals. Twelve of the 13 eminent domain actions settled before trial. Accordingly, 25 of 26 acquisitions were by negotiated purchase. Also in Phase 1, the TJPA provided relocation advisory services and benefits to several businesses and residents of ROW acquired for that phase of the Program. The TJPA expects the same positive results from this RAMP for The Portal.

1.1 Project Description

The Portal is an approximately 2.2-mile extension of Caltrain's existing regional rail system that will connect Caltrain and the California High-Speed Rail Authority's future statewide system to the Salesforce Transit Center in downtown San Francisco. The Portal is part of a set of regional rail projects to integrate rail networks in the Bay Area and the Northern California Megaregion. Environmentally cleared elements of The Portal are shown in Figure 1-1 and described as follows:

- Salesforce Transit Center train box extension, an extension of the existing below-grade train box eastward from the east side of Beale Street to the TJPA's property line
- Salesforce Transit Center fit-out, the fit-out of the two-level below-grade rail station at the Salesforce Transit Center
- Tunnel: cut-and cover structures along Second Street, Townsend Street, and in portions of the 4th and King railyards and a mined tunnel along portions of Second and Townsend streets
- Fourth and Townsend Street Station: a new underground station serving Caltrain passengers
- Ventilation and emergency egress shafts and structures at either end of each station and at two locations along the tunnel alignment, one at Third and Townsend streets and one at Second and Harrison streets
- Trackwork: mainline track through the tunnel and stations and at-grade maintenance-of-way and turnback track within the Caltrain right-of-way

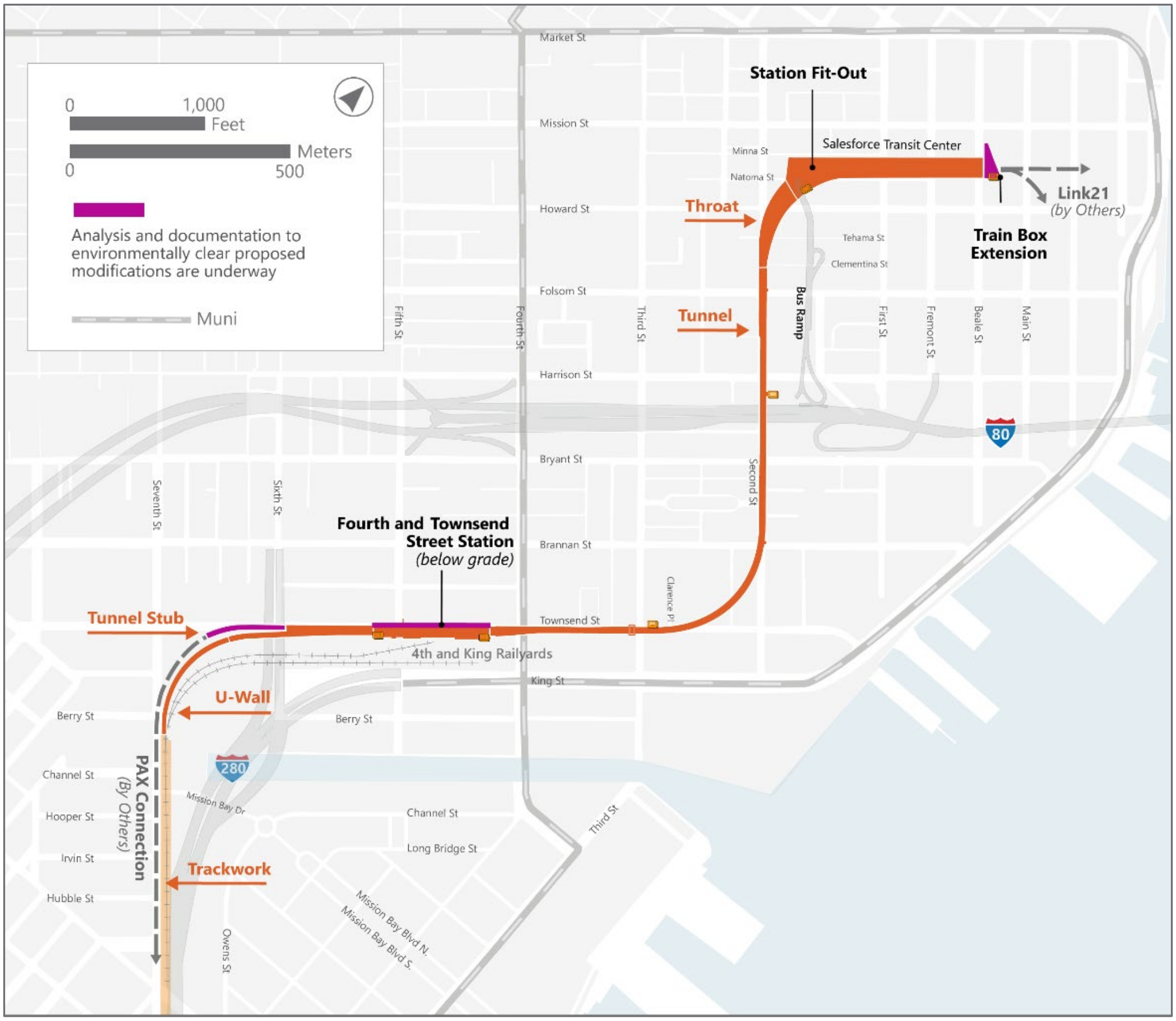

Figure 1-1: The Portal

A detailed description of The Portal and maps and diagrams of its components can be found in the Supplemental Environmental Impact Statement/Environmental Impact Report for the Program. See the Program Management Plan for information on the project's environmental clearance and for further refinements to the project description.

1.2 Funding

The TJPA anticipates funding ROW acquisitions for The Portal with Regional Measure 3 bridge tolls. If needed, other sources may include the following:

- Bond proceeds, property tax proceeds, and impact fees from Transit Center Community Facilities District reimbursements
- Funding identified in the expenditure plan approved by the voters for the half-cent sales tax for transportation in San Francisco (Prop L)

1.3 Identification of Property Interests Proposed to be Acquired

The interests in real property proposed to be acquired for The Portal are identified in the map in Appendix A. Appendix B lists the details of each parcel to be acquired. Appendix A and Appendix B are planning documents only. They list properties proposed for acquisition and do not constitute a formal announcement of an intent to condemn property. The TJPA is authorized to acquire property for The Portal only if the TJPA Board of Directors and the San Francisco Board of Supervisors adopt legislation approving the acquisition (with certain exceptions).

1.4 Types of Property Interests to be Acquired

In addition to acquiring fee simple and permanent easement interests in property necessary for the alignment of The Portal, the TJPA may be required to obtain temporary and permanent easements for utility relocation on private property. Appendix B provides the characteristics of each parcel to be acquired. The relocation of utilities may require the TJPA to provide alternative easements to utilities for the displaced facilities. The TJPA will cooperate with affected utilities to identify the easements that the TJPA will acquire and expects to make such determinations jointly with affected utilities.

TCEs (temporary construction easements) are rights to use property during construction, which rights are terminated after construction is completed. The TJPA must pay just compensation for TCEs, equivalent to the fair rental value of the property required. The TJPA will commission appraisals and appraisal reviews for TCEs required for The Portal. Federal Transit Administration (FTA) approval of the TJPA's acquisition of TCEs will likely not be required.

2. ORGANIZATION

A capital improvement project of the complexity of The Portal will require the cooperation and coordination of numerous public and private entities. The TJPA has adopted an integrated team approach for project management and delivery. The TJPA's property acquisition team, consisting of the TJPA Executive Director, TJPA staff (whose duties are more fully described in Section 2.1), and consultants (whose duties are more fully described in Section 2.3) are responsible for the activities shown in Table 1. See Appendix C for organization charts and resumes for TJPA and consultant staff.

Table 1: Property Acquisition Activities and Staff Responsibility

R **Responsible** = Person responsible for doing the work A **Accountable** = Person accountable for the work S **Supporting** = Person supporting the person doing the work C **Consulted** = Person consulted before and during the work I **Informed** = Person informed of work progress before and at completion	TJPA Executive Director	TJPA Project Director	TJPA Deputy Project Director	TJPA Project Controls Manager	TJPA Chief Financial Officer	TJPA Procurement & Contract Compliance Manager	ROW Program Manager	Contract Legal Counsel	Associated Right of Way Services	Chicago Title Company
Identifying ROW acquisitions and updating the list of acquisitions	I	I	A				R		S	
Developing and updating a critical path schedule for acquisition of ROW	I	I	A	R			S		S	
Developing and updating estimates of ROW acquisition costs and identifying funding sources for acquisitions	I	I	I		R, A		S			
Coordinating, monitoring, and overseeing TJPA staff, the consulting team, and agency partners to acquire ROW	A	A	R				S			
Overseeing and monitoring contracts	A	I	S		S	R	S			
Selecting qualified appraisers using the guidelines set forth in the Uniform Act[1]	A	I	S		S	R	S	S		
Obtaining title reports; surveys; and appraisal reports for real and personal property; furniture, fixtures, and equipment; and goodwill appraisals[2]	A	I	S	S	S		R	S	S	S

[1] See Section 3.1, Legal Framework.
[2] Through specific prequalified contractors in each discipline noted.

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Extending offers to purchase[3]	R, A	I	S		S		S	S	S	
Conducting negotiations to acquire ROW	I	I	I		I		S, A	S	R	
Drafting purchase and sale agreements	A	I	I		S		S	R	S	
Facilitating escrow closures	I	I	I		S		R, A	S	S	S
Issuing ROW certifications as required by the FTA to certify control of all property rights necessary to effect the project	R, A	I	I				S	S	S	
Planning for and coordinating relocations of displaced persons and businesses and ensuring that displaced persons and businesses receive the relocation benefits to which they are entitled	I	I	I		S		S, A	S	R	
Developing and updating the ROW acquisition schedule and identifying risks that may affect schedule and budget	I	I	I	A	S		R	S	S	
Coordinating the ROW budget and tracking budget-to-actuals	I	A	I	R	S		S		S	
Conducting ROW acquisition/coordination meetings	I	I	A	I	I		R	S	S	
Coordinating eminent domain and inverse condemnation litigation[4]	A	I, S	I	I	S		S	R	S	

[3] See Section 3.5.6, Establishment of Offer of Just Compensation; Offers to Purchase.
[4] As authorized by the TJPA Board and City and County of San Francisco Board of Supervisors, through the TJPA Executive Director; see Section 3.5.9, Eminent Domain.

2.1 TJPA Board and Key Staff

TJPA Board of Directors. The Joint Powers Agreement forming the TJPA authorizes the TJPA to, among other things, acquire, hold, construct, manage, maintain, sell or otherwise dispose of real and personal property by appropriate means; receive contributions and donations of property, funds, services, and other forms of assistance from any source; and carry out other duties as required to accomplish other responsibilities as set forth in the Joint Powers Agreement. The TJPA Bylaws provide that the TJPA's policies, business, and affairs are managed, and all powers are exercised, by or under the direction of the TJPA Board of Directors.

Under TJPA Board Policy 013 – Authorities Relating to Administration of Real Property, the TJPA Board delegated to the TJPA Executive Director authority to take administrative actions to acquire, lease, or sell ROW. Under TJPA Board Policy 001 – Procurement, the TJPA Board established policies for the retention of independent contractors to provide professional services related to acquisition of ROW.

TJPA Executive Director. The TJPA Bylaws provide that, subject to such supervisory powers as may be given by the Board to the Chair of the Board, and (i) except to the extent the Board expressly delegates certain tasks or activities to, or requests to receive direct recommendations from, other persons or entities, and (ii) except as the Board may designate a person or entity to oversee all aspects of construction of the Transbay Program, the Executive Director generally supervises, directs, and controls the business and the employees of the TJPA and has such other powers and duties as may be prescribed by the TJPA Board or the Bylaws. The Executive Director is responsible for managing the Project Director and other TJPA staff and consultants and ensuring that adequate resources are available to construct The Portal in accordance with the budget and timelines, as directed by the TJPA Board. Under Board Policy 013, the TJPA Executive Director is authorized to accept deeds, enter short-term leases, pay certain relocation assistance claims, establish the amount of just compensation for the acquisition of ROW, make offers to acquire ROW, and certify ROW and related matters for the purposes of advertising and awarding construction contracts for the Transbay Program.

TJPA Chief of Staff. Responsible for day-to-day operations of the TJPA.

TJPA Chief Financial Officer. Responsible for all finances, budgets, and accounting and managing accounting and financing staff. The Chief Financial Officer also serves as the Procurement Director and Risk Manager for the TJPA. The Chief Financial Officer is responsible for preparing a budget for The Portal, including sources of revenue and projections of ROW acquisition and relocation costs, and monitoring budget-to-actuals.

TJPA Procurement and Contract Compliance Manager. Responsible for planning, organizing, directing, coordinating, and implementing procurement and contracting functions for the Transbay Program. The Procurement and Contract Compliance Manager develops and administers agency-wide procurement and contracting-related goals, objectives, policies, procedures, and controls and ensures that the TJPA's procurement and contracting activities adhere to federal, state, and local requirements.

TJPA Chief Security Officer. Responsible for ensuring that the Salesforce Transit Center and other TJPA property is safe and secure for employees, visitors, patrons, and occupants. The Chief Security Officer is responsible for the TJPA's compliance with all Department of Transportation guidelines and requirements related to security.

TJPA Facility Director. Responsible for the daily operations and lease of space in the Salesforce Transit Center.

TJPA Communications and Legislative Affairs Director. Leads development and execution of the TJPA's communications and legislative efforts and is responsible for liaising with the TJPA Citizens Advisory Committee and the community at large, media relations, and intergovernmental relations.

TJPA Project Director. Responsible for day-to-day leadership of The Portal and reporting to the TJPA Executive Director. The Project Director directs the TJPA project staff and consultants and coordinates with the Integrated Program Management Team.

TJPA Deputy Project Director – Engineering. Responsible for day-to-day leadership of the engineering and ROW consultant team and reporting to the TJPA Project Director. The Deputy Project Director directs the TJPA's project staff and consultants and coordinates major stakeholders with assistance from the Project Coordination Manager.

TJPA Project Coordination Manager. Responsible for the major stakeholder relationships with agencies having jurisdiction, as well as coordination of major processes (permitting, approvals, engagement) involving those stakeholders and contractors/consultants, and reporting to the TJPA Deputy Project Director – Engineering.

TJPA Project Controls Manager. Responsible for managing and administering project controls for capital improvement design and construction of The Portal. The Project Controls Manager develops and administers the project scope, budget, schedule, performance characteristics, financial plans, cash flows, reporting requirements, specifications requirements, and changes.

See the organization chart and resumes in Appendix C for staff names and responsibility for managing consultants. See the Program Management Plan for additional information on TJPA staff and management of the Transbay Program.

2.2 Executive Working Group and Integrated Program Management Team

The Executive Working Group is a non-public advisory body comprising senior officials from each of the signatory parties to The Portal Implementation Memorandum of Understanding (MOU). The EWG's role is to advise the TJPA Executive Director and Board of Directors regarding matters identified in the MOU. The EWG is supported by the Integrated Program Management Team (IPMT), which consists of agency partner representatives with relevant experience in large complex projects from each of the signatory parties to the MOU. Refer to the Program Management Plan for details on the EWG and IPMT.

2.3 Consultants

The TJPA may require services from consultants to assist in the acquisition of ROW for The Portal. The TJPA has entered into, or will enter into, consultant contracts in accordance with the guidelines set by the TJPA Board and applicable state and federal law. TJPA staff will prepare scopes of work and advertise requests for qualifications/proposals; evaluate, score, and recommend selections to the TJPA Board (or Executive Director); and contract with consultants adhering to applicable TJPA and federal procurement guidelines and procedures. TJPA staff will direct the activities of consultants, monitor consultant progress and payments, and coordinate consultants' work. The contracts with consultants will be structured to expedite the ROW acquisition process without compromising quality.

Legal Counsel. The TJPA General Counsel is responsible for assisting the TJPA with regard to acquisition of ROW. Selected through a competitive selection process, the law firm of Shute Mihaly & Weinberger, LLP, provides these professional legal services, particularly partner Deborah Miller as TJPA General Counsel and partner Andrew Schwartz as TJPA Real Estate Counsel. The firm provides legal services associated with the following TJPA activities:

- Risk management
- Contracts with consultants
- Agreements with public agency partners
- Agreements with utilities
- Agreements with funding agencies
- ROW acquisition, management, and disposition, including appraisals, consultant reports, eminent domain, and inverse condemnation litigation
- Relocation assistance
- Public Records Act and Brown Act disclosure of information and records
- Advice to the TJPA Board at public meetings
- Obtaining McEnerney judgments, as needed, after the TJPA's acquisition of ROW

The law firm Meyers Nave, also selected through a competitive procurement, provides construction legal counsel to the TJPA regarding The Portal. Other special consultant legal counsel (like employment legal counsel and bond counsel) also selected through a competitive selection process are available to the TJPA; firms are engaged as needed to provide the range of subject-matter expertise to the TJPA.

In Phase 1, the City and County of San Francisco (City) was the nominal plaintiff in eminent domain actions under an MOU with the TJPA. Shute, Mihaly & Weinberger was the lead counsel in the eminent domain actions. The San Francisco City Attorney supported the lead counsel, approved settlements, and participated in other significant policy decisions in the litigation. The TJPA will seek a similar agreement with the City for ROW acquisitions for The Portal.

After the TJPA acquired ROW for Phase 1, as a condition of title insurance, Shute, Mihaly & Weinberger filed several McEnerney actions to confirm the TJPA's title to property for which the title records had been destroyed in the 1906 San Francisco fire, including quieting title in the TJPA to gaps in metes and bounds descriptions of property acquired for ROW. The TJPA anticipates filing a limited number of McEnerney actions for The Portal.

ROW Program Manager. The TJPA has secured a subconsultant, JRU Enterprises, LLC, to serve as overall ROW Program Manager during the course of the acquisition and relocation program.

Appraisers. The TJPA has secured appraisal and appraisal review services required for ROW acquisition through a competitive procurement process. Contracts with J. Kaeuper & Company and CBRE, Inc., Valuation and Advisory Services require that they deliver appraisals on a schedule that will facilitate acquisition of ROW in time to avoid delays in the construction schedule for The Portal.

Real Estate Appraisers. In accordance with 49 CFR Part 24.103, the TJPA's real estate appraisers must be Certified General Real Estate Appraisers licensed by the State of California and must hold the MAI designation from the Appraisal Institute. The TJPA's appraisals must comply with the Uniform Act and its implementing regulations (see Section 3), FTA policies and guidance, state standards for acquisition of property by eminent domain, and the Uniform Standards of Professional Appraisal Practice (USPAP). Under FTA regulations, the TJPA must obtain an appraisal for each real estate acquisition. The TJPA will require two appraisals for property

- that is complicated or controversial.
- where there is a serious question as to highest and best use.
- where market data is scarce or the property is unique and there is no relevant market.
- that contains substantial improvements that are not compatible with the highest and best use of the land.
- where there is a substantial question regarding severance damages or benefits.

Review Appraisers. In accordance with 49 CFR Part 24.104, all appraisal reports for property valued at more than $10,000 will be reviewed by a review appraiser. The TJPA's review appraisers must be Certified General Real Estate Appraisers licensed by the State of California, hold the MAI designation from the Appraisal Institute, and have at least two years' experience in performing review appraisals. The review appraiser must be familiar with the property appraised and the market for the property. The review appraiser will not appraise the property, but rather will perform a technical analysis of the appraisal to determine that the appraisal is sound and conforms with the Uniform Act and its implementing regulations, FTA policies and guidance, state standards for acquisition of property by eminent domain, and USPAP. The review appraiser's report will be in narrative format. Where only one appraisal is prepared, the review appraiser must either accept the appraisal as sound and compliant with applicable regulations and standards and recommend the appraisal for the TJPA's approval, require that the appraiser correct or modify the appraisal, or require a new appraisal that is acceptable to the review appraiser. Where two appraisals are prepared, the review appraiser must either accept each appraisal as sound and compliant with applicable regulations and standards, require that an appraiser correct or modify an appraisal, or require a new appraisal. The review appraiser will select one of the two appraisals as the most reasonable for recommendation for approval by the TJPA.

Furniture, Fixtures & Equipment (FF&E) Appraisers. FF&E that are not improvements pertaining to the realty as defined in California Code of Civil Procedure section 1263.205 are compensable independently from the underlying real estate. The TJPA's FF&E appraisers, selected via a competitive selection process, hold the MAI, ASA (Accredited Senior Appraiser) , or CEIV (Certified in Entity or Intangible Valuations) designation. The selected bench of appraisal firms are:

- Hodges, Lacey & Associates
- Desmond, Marcella & Amster, LLC

Only one FF&E appraisal will be required for ROW acquisitions containing compensable FF&E on site. An FF&E appraisal will be reviewed by a qualified review appraiser and approved by the TJPA Executive Director. FF&E appraisals are not subject to FTA approval. The TJPA will offer the full amount of the appraisal to the property owner.

All real estate and FF&E appraisals will apply the definition of fair market value in California Code of Civil Procedure section 1263.320.

Goodwill Appraisers. Under the California Eminent Domain Law, the TJPA is required to compensate business owners for loss of goodwill if the business is either dislocated from real estate or continues to operate the business on the remainder in case of the TJPA's acquisition of only a part of a property. The TJPA's goodwill appraisers must have at least ten years' experience appraising business goodwill. The TJPA will retain goodwill appraisers with expertise in the type of business claiming lost goodwill. Only one goodwill appraisal will be required for any business experiencing loss of business goodwill. A goodwill appraisal will be reviewed by a qualified review appraiser and approved by the TJPA Executive Director. Goodwill appraisals are not subject to FTA approval. The TJPA will offer the full amount of the appraisal to the business. *Payments for lost* *goodwill are not eligible for reimbursement by the FTA*. Of the selected FF&E appraisal firms, one firm (Desmond, Marcello & Amster, LLC) also have the qualifications and experience to appraise lost goodwill.

Escrow Services and Title Insurance. The TJPA has retained Chicago Title Company to provide escrow and title services through a competitive selection process. The TJPA will use escrows if it acquires property by purchase agreement. The TJPA will obtain a policy of title insurance for ROW acquired by both purchase agreement and eminent domain.

Environmental Services. The TJPA has retained three environmental engineering firms through a competitive selection process to provide environmental site assessments (ESA) to determine whether remediation of soil or groundwater contamination of ROW acquired for The Portal is required. These firms are:

- Millennium Consulting Associates
- ACC Environmental Consultants, Inc.

The TJPA will require a Phase I ESA for all properties proposed for acquisition in fee. Phase I ESAs include (a) an inspection of documents in the public record and in possession of the owner or occupant of the property to determine a property's use and history, (b) a visual inspection of the property in accordance with (i) the American Society of Testing Materials (ASTM), Standard Practice for ESA; Phase I ESA Process Designation 1527-05 and (ii) newly adopted federal regulations under 40 CFR Park Part 312 – Standards and Practices for all Appropriate Inquiries to verify and supplement information obtained through document review, and (c) interviews with the owner and persons knowledgeable about the property and any potential contamination with hazardous materials or other contaminants. At the completion of the Phase I ESA, the environmental consultant will recommend a Phase II ESA where warranted and recommend Phase II ESA sampling areas.

For acquisitions of easements, including TCEs, the TJPA will determine on a case-by-case basis whether to conduct a Phase I ESA depending on the nature of the easement and the potential for soil or groundwater contamination.

A Phase II ESA will be conducted in compliance with ASTM E1903-97, Standard Guide for Environmental Site Assessments, and will determine if contamination of the site requires monitoring or remediation. If the site is contaminated, the TJPA may be required to develop a remediation plan under local, state, and federal law.

Because the TJPA must consider the costs required to remediate hazardous materials in its offers to purchase property, the TJPA will complete Phase I and II ESAs early in the acquisition process to identify the presence of hazardous materials that may have a significant impact on the value of the property.

Surveyor. The TJPA has retained surveyor services through a competitive selection process, and selected contractor Cal Vada. The surveyor must be licensed in the State of California and qualified to sign and seal legal descriptions and plat maps. The surveyor will survey selected properties proposed for acquisition to assist the TJPA in developing plat maps that will identify the location and boundaries of and encumbrances and encroachments on property to be acquired for The Portal. If the TJPA determines that ALTA (American Land Title Association) title insurance coverage is necessary, the property must be surveyed.

Relocation Consultant. The TJPA has retained relocation assistance advisory services through a competitive selection process, and has selected Associated Right of Way Services, Inc. (ARWS). ARWS has considerable experience relocating persons, businesses, and other displacees displaced by large public infrastructure projects in the San Francisco Bay Area and other jurisdictions in California.

Acquisition Consultant. The TJPA has retained Associated Right of Way Services, Inc., through a competitive selection process to provide acquisition consulting services, based on ARWS's experience consulting on ROW acquisitions on numerous federally funded projects throughout California. Because ARWS will provide both relocation advisory services and acquisition services, the TJPA anticipates that services to displacees and sellers of ROW will be seamless and efficient.

Program Management/Construction Management Consultants (PMCM). PMCM staff supports the work of the TJPA's legal counsel, staff, and consultants and public agencies such as the City Office of Community Investment and Infrastructure and Caltrans and maintains continuity of property-related issues with key Program staff. PMCM staff works with the TJPA to monitor the master schedule for ROW acquisition, expedite reviews and coordination requirements for right-of-way acquisition, produce survey and mapping documents, and ensure compliance of all right-of-way acquisition activities with governing regulations and agencies.

3. PROCESS AND PROCEDURES

3.1 Legal Framework

The TJPA will administer the ROW acquisition process consistent with all federal, state, and local regulations, including:

- The Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs, 42 USC sections 4601 et seq. (Uniform Act) and the regulations implementing the Uniform Act at 49 CFR Part 24 (49 CFR Part 24 was updated effective June 2, 2024)
- The California Relocation Assistance Act, Government Code sections 7260, et seq. and implementing regulations
- FTA Circular C 5010.1F, effective November 1, 2024, Grants Management Requirements Chapter IV, pertaining to Real Estate Project Management, as may be updated, and other policies and guidance
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 USC sections 9601-9675
- Title VI of the Civil Rights Act of 1964
- National Environmental Policy Act (NEPA), 42 U.S.C. §4321 et seq.
- California Environmental Quality Act (CEQA), California Public Resources Code §21000 et seq., and their implementing regulations
- California Eminent Domain Law, California Code of Civil Procedure 1230.010 et seq.

These regulations are available for review in the TJPA's offices at 425 Mission Street, Suite 250, San Francisco, CA 94105. If any provision of the RAMP is inconsistent with local, state, or federal law, the provisions of local, state, or federal law must prevail.

The TJPA will rely on the Caltrans Right of Way Manual's policies and procedures as guidance, as appropriate, for the TJPA's appraisals, acquisitions, property management, demolition/clearance, utility relocation, and ROW certification. The Caltrans Right of Way Manual is available in the TJPA's offices and on the Caltrans website at http://www.dot.ca.gov/hq/row/rowman/manual.

3.2 Document Retention

Under 49 CFR 24.9 and Chapter III, §7.c(1) of FTA Circular 5010.1E, the TJPA's files will be stored for a period of not less than three years after (a) each owner of a property acquired for ROW and each person displaced from the property receives the final payment to which he or she is entitled, or (b) the date the TJPA submits to the FTA the final financial status report upon project completion under FTA Circular 5010.1E Chapter II, §3.a, or, if waived, the date it would have been due, whichever of (a) and (b) is later. The stored files will include the following documents:

- Preliminary title reports
- Notice of Decision to Appraise
- Appraisal reports
- Appraisal review (if applicable)
- Offer to purchase
- Diary of owner and tenant contacts
- Correspondence
- Purchase and Sale Agreement
- Resolution of Necessity
- Summons and complaint
- Judgement and Final Order of Condemnation
- Relocation documentation
- Closing statement
- Settlement and obligation summary

3.3 Property Management

The TJPA will maintain and manage all properties acquired for The Portal in accordance with 49 CFR, which may entail managing interim uses of the properties prior to construction of The Portal. The TJPA anticipates securing a contractor to manage assets acquired for The Portal through a competitive selection process prior to acquisition of properties. Property management tasks would include accounting and building services required to protect the asset for eventual use by The Portal. The property management contractor will report to the TJPA Deputy Project Director – Engineering. Although the TJPA does not anticipate interim uses of the properties acquired for The Portal, if such interim uses are warranted, the TJPA may rent the properties to the existing occupants/tenants on a month-to-month basis at fair market rent during the period between taking possession and clearance for construction. For property received or rented by the TJPA after taking possession, the TJPA will arrange for the sale or demolition of any improvements on the property before construction.

For continued occupancies, the TJPA's appraiser will determine fair market rent, which will be derived from the appraisal of the property. Fair market rent is typically a percentage of the fee simple value of property per year as determined by market data. Decisions regarding extension of occupancy by existing tenants or offering leases at fair market rents to others as interim uses would be made by the TJPA Executive Director based on input from the consultant team and the TJPA Facility Director, with direction from the TJPA Board as necessary.

The TJPA will use property acquired with federal funds for The Portal as long as needed for that purpose. The TJPA will not dispose of, modify the use of, or encumber its title or other interests in federally assisted property without prior FTA written approval. The TJPA will use federally assisted property continuously and appropriately throughout the useful life of the property.

The TJPA's selected property management contractor will appropriately maintain all properties it has acquired. The contractor will prepare a facility inventory that describes the improvements, expansions, retrofits, and maintenance of all ROW acquired for The Portal, including real property in which the federal government retains an interest.

The TJPA must conform with federal regulations relating to any proposed incidental use, joint development, or shared use. After completion of the project, surplus land or air rights may be sold or held for joint development projects. Seven properties have been identified for demolition. Demolition will be performed by a contractor or contractors selected through a competitive process. The TJPA and PMCM staff anticipate delivering a scope of services for that demolition contract in 2026, with demolition scheduled to commence shortly thereafter.

Clearance and property management functions and surplus land management procedures will comply with local and state laws, the Uniform Act, and FTA guidelines.

3.4 Property Disposition

The TJPA will comply with FTA Circular 5010.1F in the disposition of any property acquired with federal assistance. The TJPA will not dispose of, modify the use of, or encumber its title or other interests in ROW or facilities acquired with federal assistance without prior FTA written approval. The TJPA will use property acquired with federal assistance continuously and appropriately throughout the useful life of the property. At least once per year or at the FTA's request, the TJPA will submit a written report on the status of real property in which the federal government retains an interest.

The TJPA will prepare and keep up to date a real property inventory for all property that is no longer needed to carry out any transit purpose. The inventory will include the property location, a summary of any conditions on the title, the original acquisition cost, the federal participation ratio, the federal award identification number, the appraised value and date, a brief description of improvements, the current use of the property, and the anticipated disposition or action proposed.

The TJPA will notify the FTA when property is removed from the service originally intended at the time an award is made and if property is put to additional or substitute uses. The plan will identify and explain the reason for the excess property.

All files will be retained in hard copy original form by the TJPA at its offices at 425 Mission Street, Suite 250, San Francisco, CA. Electronic files will also be maintained on a secure shared drive managed and controlled by the TJPA. TJPA staff and consultants will use the sample spreadsheet in Appendix A, as a checklist for each property file to ensure that all necessary tasks regarding ROW acquisition and relocation were completed.

3.4.1 Certification of ROW

Under 23 CFR 235.309, awarding construction contracts for any component of The Portal, the TJPA will certify to the FTA and other funding agencies that the TJPA has secured possession of the ROW required to build the component of The Portal in question. The TJPA Executive Director will obtain confirmation from the TJPA Project Director that all properties and property rights, including TCEs, required for the construction contract have been obtained before issuing any certification.

3.4.2 Reporting

The TJPA Executive Director will prepare periodic reports (likely monthly when ROW related activities are occuring), the TJPA Board, and the TJPA Citizens Advisory Committee. If federal funds will be used for The Portal, the Executive Director will submit monthly ROW acquisition status reports to the FTA.

3.5 Acquisition Process

The TJPA's ROW acquisition process will conform to the Uniform Act and its implementing regulations. The sequence of steps in the acquisition process are generally described in Appendix E. A sample tracking spreadsheet of representative parcels to be acquired is depicted in Appendix F. The TJPA will complete a spreadsheet of proposed acquisitions after it secures all owner and tenant information. The TJPA will use the spreadsheet to guide its ROW acquisition activities and report its acquisition activities to regional partners and the FTA.

3.5.1 Mitigation of Impacts on Adjoining Owners

The TJPA is evaluating the effect of cut-and-cover tunnel construction on the properties located within the Second Street and Townsend Street corridors. Construction may disrupt vehicle and pedestrian access and parking for the more than 50 commercial and residential properties in these two corridors, which may require mitigation measures such as the provision of modified access and temporary parking facilities in other locations. If the TJPA is required to relocate utilities servicing these properties, it may be required to provide alternate utility services, which could require the TJPA to obtain permits, licenses, or TCEs. The TJPA will determine final requirements for these corridors when the detailed design for The Portal is complete and construction drawings are available, and at such time, TJPA will determine the appropriate party to address any required mitigations.

3.5.2 Ownership and Title Information; Preliminary Title Reports

The title company retained by the TJPA, Chicago Title Company, has provided preliminary title reports, underlying vesting and encumbrance documents, and chain of title for ROW identified for acquisition for The Portal, and as additional impacted properties are identified, will continue to do so in order for construction of The Portal to proceed on schedule. Under direction of the TJPA Executive Director, the TJPA's surveyor and legal counsel will assist staff to review title information for accuracy and completeness.

3.5.3 Maps and Legal Descriptions

Before commencing acquisitions, PMCM staff or other surveyor and title and escrow consultants will prepare plat maps, appraisal maps, and metes and bounds legal descriptions (as necessary) of all ROW interests to be acquired for The Portal. The maps and descriptions will be based on preliminary title reports, subdivision maps, deeds, and other recorded documents or items noted in the field. The maps will show County Assessor information, the screened topographic background, bearings, boundaries, coordinates, parcel historical recordings, existing and proposed easements, and the remainder parcel for partial acquisitions. The TJPA's surveyor will sign and seal the ROW properties' legal descriptions and plat maps. Design engineers either on the PMCM team or for the civil and tunnel progressive design-build contractor will review the plat and appraisal maps and legal descriptions prior to forwarding the maps and legal descriptions to the appraisers to ensure that the maps and legal descriptions are accurate and complete.

3.5.4 Initiation of Acquisitions

The TJPA will strive to acquire ROW through negotiated agreements on mutually acceptable terms, avoiding litigation to the greatest extent possible.

The TJPA Executive Director, with the concurrence of the EWG, will direct staff to commence acquisition of ROW for The Portal. The TJPA will send Notices of Decision to Appraise to affected property owners informing them that the TJPA plans to acquire the ROW for The Portal, the TJPA's appraiser will appraise the property, and the owner will be afforded the opportunity to accompany the appraiser during a site inspection. The appraisal will be a narrative appraisal that meets the requirements of USPAP. The TJPA's goal is to complete each appraisal within 90 days after the Notices of Decision to Appraise. Prior to the completion of an appraisal, the TJPA may require access to the property to conduct surveys, environmental or geotechnical investigations, or other studies of the physical condition of the property to provide information to the appraiser and to determine whether the TJPA will acquire the property. The TJPA will attempt to obtain the consent of the owner to enter the property. If the owner does not consent, the TJPA may request that a court order the owner to permit the TJPA's entry for the survey, investigation, or study.

Communications with property owners will be led by the TJPA's ROW Program Manager and acquisition and relocation consultant ARWS, along with the TJPA' s legal counsel when appropriate, to ensure that property owners are provided consistent information regarding the TJPA's ROW acquisition process. TJPA staff, ROW Program Manager, ARWS, and attorneys, when appropriate, will document all contacts with property owners of ROW planned for acquisition. Documentation of contacts with owners will be retained in a separate file for each property. Files will be made available to FTA upon request. Notes of contacts with owners will be retained for use in potential litigation.

Table 2 shows a typical timeline for acquisition of ROW for a public project using FTA funds. The actual time required for the acquisition process depends on the circumstances of each case and could be longer or shorter.

Table 2: Typical ROW Acquisition Timeline for FTA-funded Projects

Month	Activity
1	Finish selection of appraisers, title co., surveyors, and relocation consultants
2	Completion of preliminary title reports and required survey documents
4	Send Notice of Decision to Appraise to owner
2-4	Survey and ESA I and II of ROW (may require owner's permission or court order for entry)
6	Complete appraisal(s)
7	Complete appraisal review
8	TJPA approval of appraisal(s) and review and forward to FTA

Month	Activity
10	FTA concurrence with appraisal(s)
11	TJPA offers to purchase
11-14	Negotiations with owners
15	Hearing on Resolution of Necessity
16	File eminent domain action
20	TJPA takes immediate possession of property
25+	Trial/negotiated settlement

3.5.5 Appraisals and Appraisal Review; FTA Concurrence

The TJPA has retained qualified appraisers to perform appraisals and to review appraisals for conformance with the Uniform Act and its implementing regulations, FTA policies and guidance, state standards for acquisition of property by eminent domain, and USPAP.

The TJPA Executive Director must approve all appraisals and appraisal reviews. Under Section 2.a of Chapter IV of FTA Circular 5010.1F, for acquisitions appraised at more the $1,000,000, the TJPA must forward the approved recommended appraisals and appraisal reviews to the FTA for concurrence. The FTA must concur with the recommended appraisals and appraisal reviews before the TJPA offers to purchase the property.

3.5.6 Establishment of Offer of Just Compensation; Offers to Purchase

If the FTA concurs with the appraisal and review, consistent with TJPA Board Policy 013, the TJPA Executive Director must establish the offer of just compensation. Under no circumstances will the establishment of the just compensation amount be delegated to a consultant. The TJPA Chief Financial Officer must determine whether funds are available to acquire the ROW. If funds are available, consistent with TJPA Board Policy 013, the TJPA Executive Director, through the ROW Program Manager, ARWS, and TJPA's legal counsel, will make an offer to purchase the property for the full amount established as just compensation, which will not be less than the full amount of the approved appraisal for the property.

All offers to purchase will be accompanied by the following:

- Amount of the offer
- Appraisal Summary Statement, generally in the form of Exhibit 8-EX-15A in the Caltrans Right of Way Manual, that summarizes the basis of the appraisal, including the valuation techniques used, the highest and best use of the property, market data relied on, any income and replacement cost analysis, and the conclusion of value (but not the appraisal(s) or review)
- Preliminary title report for the property
- Brochure explaining the process for public acquisition of private property for a public project
- Brochure explaining relocation assistance benefits

- Proposed Purchase and Sale Agreement (PSA) in a form prepared by the TJPA's legal counsel and approved by the TJPA Executive Director
- Offer to reimburse the owner for up to $5,000 for the owner's appraisal (Under California law, not subject to federal reimbursement)

At the time the TJPA makes an offer to purchase property, it will make all reasonable efforts to contact each property owner or its representative to explain the project and the ROW acquisition process. The TJPA will give the owner a reasonable timeframe in which to respond to the offer, typically 45 days. The information recorded for each contact should include the date, type, and place of contact; parties contacted; offers made; reasons settlement could not be reached; counter-offers; and any other pertinent data. The report will be signed and dated by the negotiator and retained in the property file.

3.5.7 Purchase and Sale Agreement; Negotiations; Due Diligence

The TJPA Executive Director and staff, assisted by the ROW Program Manager and the TJPA's legal counsel, will coordinate negotiations with the property owner by ARWS. Negotiations will be conducted on an informal, ad hoc basis. During negotiations, to encourage willing sales of ROW without need for litigation, TJPA staff and consultants will attempt to provide maximum transparency as to the TJPA's appraisals and available market data and will provide ample opportunities for property owners to provide market information to TJPA staff and appraisers. In accordance with California Government Code section 7267.2(a) and (b), the TJPA will provide owners with a summary of the basis of the appraisal and an informational pamphlet detailing the process of eminent domain and the property owner's rights under the Eminent Domain Law. The TJPA will not provide narrative appraisals to a property owner, unless the property is owner-occupied residential property and contains no more than four residential units, as required by California Government Code section 7267.2(c). Under California Code of Civil Procedure section 1263.025(a), the TJPA will reimburse property owners up to $5,000 for their own appraisal, provided the owner submits an invoice from the owner's appraiser to the TJPA. This appraisal expense is not eligible for reimbursement by the FTA.

Where the project's schedule allows, the TJPA will attempt to continue negotiations and avoid litigation as long as circumstances indicate that there is a reasonable chance that the parties can reach an agreement. If TJPA staff and a property owner agree on a purchase price and other terms of sale, the owner will sign a PSA. The procedures related to settlement are described in Section 6.11. As provided in TJPA Board Policy 013, any acquisition of property based on an offer to acquire is subject to approval by the TJPA Board, in its sole discretion. After a property owner has signed a PSA, TJPA staff will promptly present the PSA to the TJPA Board for its consideration.

The PSA will provide for a due diligence period (typically 30 days) and a close of escrow (generally within 75 days after all parties execute the PSA), plus the right of the TJPA to extend the closing for 30 days to await funding for the acquisition, as necessary. If the TJPA Board approves the PSA, staff may conduct further investigation of title and the physical conditions of the property during the due diligence period. If the TJPA Executive Director determines that title and the conditions of the property are acceptable, based on and as limited by any direction from the TJPA Board, staff will notify the property owner that the due diligence contingency has been removed and that the parties should submit escrow instructions to the escrow officer/title company and proceed to close escrow. If the TJPA Executive Director determines that either the condition of the property or title is not acceptable, based on and as limited by any direction from the TJPA Board, the TJPA may require an extension of the due diligence period and close of escrow for the period necessary to cure the defect in the title or condition of the property or to adjust the purchase price to reflect the conditions.

The TJPA will pay escrow fees, title insurance premiums, and other costs of closing. The TJPA will typically take possession of the property at close of escrow. In certain cases, however, the TJPA will require entry into the property to perform an ESA I and II or other investigations before making an offer to purchase. Entry would be obtained by agreement with the owner or court order. The title company will issue an ALTA policy of title insurance to the TJPA at the closing. The TJPA will include a covenant in the title of the real property acquired with federal funds that assures non-discrimination during the useful life of the property.

3.5.8 Closing/Escrows

The TJPA's consultant escrow officer at Chicago Title Co. will process escrows. At the time the TJPA closes escrow on the purchase of ROW or obtains a Final Order of Condemnation, Chicago Title Co. will issue an ALTA policy of title insurance for the property based on an ALTA survey prepared by the TJPA's surveyor.

3.5.9 Eminent Domain

If the TJPA is unable to acquire ROW by purchase agreement and possession of the property is necessary to maintain the project schedule, the TJPA Executive Director may request that the TJPA Board request that the San Francisco Board of Supervisors exercise eminent domain to acquire the property. FTA approval of condemnation is required for the acquisition of property valued at more than $1,000,000. If the San Francisco Board of Supervisors considers a Resolution of Necessity to condemn the property, the City must give 15 days' notice to the property owner of a hearing on the Resolution of Necessity. If the Resolution of Necessity is adopted by a two-thirds vote of all members of the Board of Supervisors, the TJPA's legal counsel will file a complaint in eminent domain on behalf of the City in the Superior Court for the City and County of San Francisco, record a lis pendens in the official records of San Francisco giving constructive notice of the eminent domain action, and serve a summons and the complaint on the property owner and all other parties with an interest in the property named in the complaint.

3.5.10 Immediate Possession

At the time the TJPA files the complaint in eminent domain, the TJPA will move for an order granting immediate possession to the TJPA. Accompanying the motion for immediate possession, the TJPA will file with the court a statement of the amount of the TJPA's appraisal and deposit the full amount of the appraisal with the California State Treasurer as the probable compensation for the property. If the property is occupied, the hearing on the motion will occur 90 days after filing the motion. If the property is unoccupied, the motion will be heard 60 days after the filing of the motion. If the court grants the motion, the order of immediate possession will be effective 30 days after issuance by the court. The property owner may apply to withdraw the deposit of probable compensation at any time, although withdrawal does not limit the owner's compensation. The TJPA will continue to attempt a settlement of the amount of compensation after filing the eminent domain action and obtaining an order of immediate possession.

3.5.11 Administrative Settlements/Legal Settlements

The TJPA Executive Director, based on and as limited by any direction from the TJPA Board, may consider an administrative settlement at a purchase price for ROW that exceeds the amount offered as just compensation. Under 49 CFR Part 24.102(i), the TJPA Executive Director must conclude that the arrangement is reasonable, prudent, and in the public interest in light of the risks of trial.

Administrative settlements, either in the course of negotiating a purchase and sale agreement or before a verdict, in excess of $50,000 or 15 percent over the current fair market appraised amount require FTA concurrence. The TJPA will document that reasonable efforts to purchase the property at the appraised amount have failed and prepare a written justification explaining why the settlement is reasonable, prudent, and in the public interest. If the proposed settlement would be significantly more than $50,000 over the appraised value and trial risks are a key factor in the justification of the settlement, the TJPA's eminent domain attorney will, if appropriate, provide a signed letter stating that the settlement is reasonable in light of the risks of proceeding to a verdict in court.

3.5.12 Trial

If the parties do not settle the amount of compensation before the deadline set by law to exchange appraisals, the parties will disclose their trial appraisal information (the TJPA's appraisal for the pre-litigation offer to the owner will ordinarily be the appraisal the TJPA presents at trial). The parties will depose the appraiser of the opposing side and other experts witnesses, if any. The court will then hold a mandatory settlement conference. If the parties cannot agree on a purchase price at the mandatory settlement conference, the case will be tried, typically before a jury. The only issue to be decided at the trial is the fair market value of the property. Although the TJPA will attempt to bring the case to trial within one year, the date of trial will ultimately be determined by the San Francisco Superior Court.

3.5.13 Judgement and Final Order of Condemnation

Following a verdict at the trial, the court will enter a judgment requiring the TJPA to pay the verdict, less the amount of the TJPA's deposit of probable if the owner has withdrawn the deposit, plus interest on the difference between the deposit and the verdict, if any. The TJPA must pay the judgment within 30 days. After the TJPA pays the judgment, the court will file a Final Order of Condemnation. The TJPA's recording of the Final Order of Condemnation ends the case and transfers title to the TJPA's ROW acquisition schedule.

A preliminary high-level schedule for delivery of ROW for The Portal is in Appendix D. TJPA staff under the supervision of the TJPA Executive Director will coordinate acquisitions of ROW to ensure that the TJPA 's contractors have timely possession of ROW to meet the construction schedule. Staff will schedule ROW acquisitions to obtain possession of ROW to allow prospective bidders for construction contracts to enter and investigate the physical condition of the property prior to submitting their bids. The TJPA may require environmental assessments and remediation of ROW before delivery of possession to the TJPA's contractors. The TJPA will relocate utilities in compliance with Chapter 13 of the Caltrans Right of Way Manual. Because utility relocation can be time consuming and require the cooperation of multiple public utilities, the TJPA will prioritize acquisitions of utility ROW. The TJPA will cooperate with utility companies to identify replacement locations for utilities. The final schedule for acquisition of ROW and construction of The Portal will be subject to the availability of funding. See Table 2 for a timeline for a typical ROW acquisition.

TJPA staff will regularly track and update the ROW acquisition schedule to account for negotiations with property owners and the need for eminent domain to obtain possession of ROW. The construction schedule and the ROW acquisition schedule may also be revised to coordinate with other public and private development projects. Appendix E contains a ROW acquisition flowchart.

3.6 Acquisition Schedule

Parcel acquisitions for The Portal have been grouped into four tranches. A preliminary schedule for delivery of each tranche is shown as Appendix D. TJPA staff under the supervision of the TJPA Executive Director will coordinate acquisitions of ROW to ensure that the TJPA 's contractors have timely possession of ROW to meet the construction schedule. Staff will schedule ROW acquisitions to obtain possession of ROW to allow prospective bidders for construction contracts to enter and investigate the physical condition of the property prior to submitting their bids. The TJPA may require environmental assessments and remediation of ROW before delivery of possession to the TJPA's contractors. The TJPA will relocate utilities in compliance with Chapter 13 of the Caltrans Right of Way Manual. Because utility relocation can be time consuming and require the cooperation of multiple public utilities, the TJPA will prioritize acquisitions of utility ROW. The TJPA will cooperate with utility companies to identify replacement locations for utilities. The final schedule for acquisition of ROW and construction of The Portal will be subject to the availability of funding. Section 3.6 sets forth a timeline for a typical ROW acquisition.

TJPA staff will regularly track and update the ROW acquisition schedule to account for negotiations with property owners and the need for eminent domain to obtain possession of ROW. The Portal's construction schedule and the ROW acquisition schedule may also be revised to coordinate with other public and private development projects. See Table 2.

3.7 Acquisition Cost Estimate

The TJPA's estimates of costs to acquire ROW for The Portal are listed in Appendix G. The costs are based on a 2017 bulk appraisal, with consideration for appropriate escalation/de-escalation over time and with consideration of current market conditions. The COVID-19 health emergency has caused real estate values in downtown San Francisco to decline from 2019 levels. Given the limited number of recorded real estate sale transactions, it is difficult to quantify the decline in values. The TJPA's Chief Financial Officer is responsible for preparing a budget for The Portal, including sources of revenue and projections of ROW acquisition and relocation costs, and monitoring budget-to-actuals. As it acquires ROW by purchase agreement, settlement of eminent domain, or eminent domain verdict, the TJPA will evaluate the efficacy of litigation, taking into account the likely purchase price and all litigation costs.

3.8 Third Party Agreements

As necessary, the TJPA will enter into third-party agreements with other governmental agencies, transit agencies, and utilities to facilitate delivery of The Portal. These agreements will address the following (consistent with the Third-Party Agreement Plan):

Utility relocations

It is anticipated that the TJPA will create a joint utility trench along a segment of The Portal from approximately Townsend and Second streets to Berry and Seventh streets. Utilities displaced from existing City rights-of-way by The Portal will have the option to be relocated into this joint utility trench. Because the tunnel will be significantly deeper than utilities in rights-of-way along Second Street, these utilities will not be affected by The Portal.

Coordination with City agencies

The TJPA and the City have approved and entered into an Interagency Cooperation Agreement relating to The Portal. The ICA outlines responsibilities, obligations, and rules of engagement between the parties for street vacations, permitting, transit impacts, public works impacts, and other areas of mutual interest.

Construction Coordination

The TJPA anticipates entering into various third-party agreements with private and public agencies that address project construction impacts as well as schedule coordination issues.

3.9 Relocation Assistance

The TJPA will comply with the Uniform Act and its implementing regulations and the California Relocation Assistance Act and its implementing regulations, requiring the provision of relocation assistance. Under the supervision of the TJPA Executive Director, ARWS has prepared a relocation impact study. The study identifies occupants of real property who will be dislocated by The Portal and the availability of potential replacement sites, explain the TJPA's relocation assistance program, and project the relocation benefits and costs of relocation benefits to be provided to displaced persons and businesses. The Relocation Plan, which contains the relocation impact study, was approved by the TJPA Board of Directors during a public hearing in December 2023.

[placeholder for web address hotlink to updated relocation impact study when ready]

At the earliest opportunity, but no later than the TJPA's Notices of Decision to Appraise, ARWS will notify owners and tenants of real property planned for acquisition by the TJPA that the TJPA plans to acquire the property and to displace the occupants. ARWS will provide the owner and tenants with a brochure containing information on relocation benefits, eligibility criteria, services provided by the TJPA, the process for claiming relocation benefits, and the TJPA's procedures for the processing of claims and appeal of its decisions regarding relocation assistance. The consultants will also meet in person with owners and tenants to ascertain their relocation needs, explain the relocation assistance offered, and explain the process for claiming relocation benefits.

ARWS and TJPA staff with support from legal counsel will arrange to provide the following relocation assistance to displaced persons and businesses:

- Payments for actual and reasonable moving and moving-related expenses or fixed payments for moving expenses
- Payments to replace owned housing that include down-payment, increased interest cost, and increased debt-service cost assistance
- Incidental expenses
- Rental assistance payments
- Reestablishment costs for business, including payments for the cost to renovate new space and connect equipment
- Assistance in searching for replacement property

The TJPA is required to give 90 days' notice to vacate to any displaced occupant of real property to be acquired by the TJPA. The TJPA will give the 90-day notice no later than the offer to purchase the property. The TJPA will also give 30-day notice before taking possession of the property, which notice cannot be less than 30 days before the expiration of the 90-day notice.

ARWS will process claims for relocation assistance and make recommendations to the TJPA for action on the claims. Under the TJPA Board Policy 013, the TJPA Executive Director is authorized to pay relocation assistance claims of up to $200,000 aggregate per occupant without further TJPA Board action. The TJPA Board (or Executive Director, as appropriate) will review and approve claims if supported by sufficient evidence and a finding that the claim complies with federal, state, and local law.

All displaced persons and businesses will have the right to appeal any decision by the TJPA as to eligibility for, or the amount of, relocation payments or any other relocation benefit by filing a written appeal with the San Francisco Relocation Appeals Board. The appellant will be given a prompt and full opportunity to be heard by the Relocation Appeals Board. The appellant has the right to be represented by legal counsel or another representative in connection with any appeal (but solely at the appellant's expense). The Relocation Appeals Board will consider all pertinent and available justifications and materials needed to ensure a fair review of the appeal. The Relocation Appeals Board will provide the appellant with a written decision with an explanation of the basis for its decision. If still dissatisfied, the appellant may seek judicial review of the Relocation

Appeals Board decision. The above-noted process will include the changes under the final rule, which was implemented by the Federal Highway Administration effective June 3, 2024. These changes under the Uniform Act can be found here:

http://www.federalregister.gov/documents/2025/05/03/2024-08736/uniform-relocation-assistance-and-real-property-acquisition-for-federal-and-federally-assisted

APPENDIXES

Appendix A: Planned Parcel Acquisitions Map

Appendix B: Planned Parcel Acquisitions for The Portal

Appendix C: Organization Charts and Resumes

Appendix D: Preliminary Schedule for Right-of-Way Acquisition and Relocation

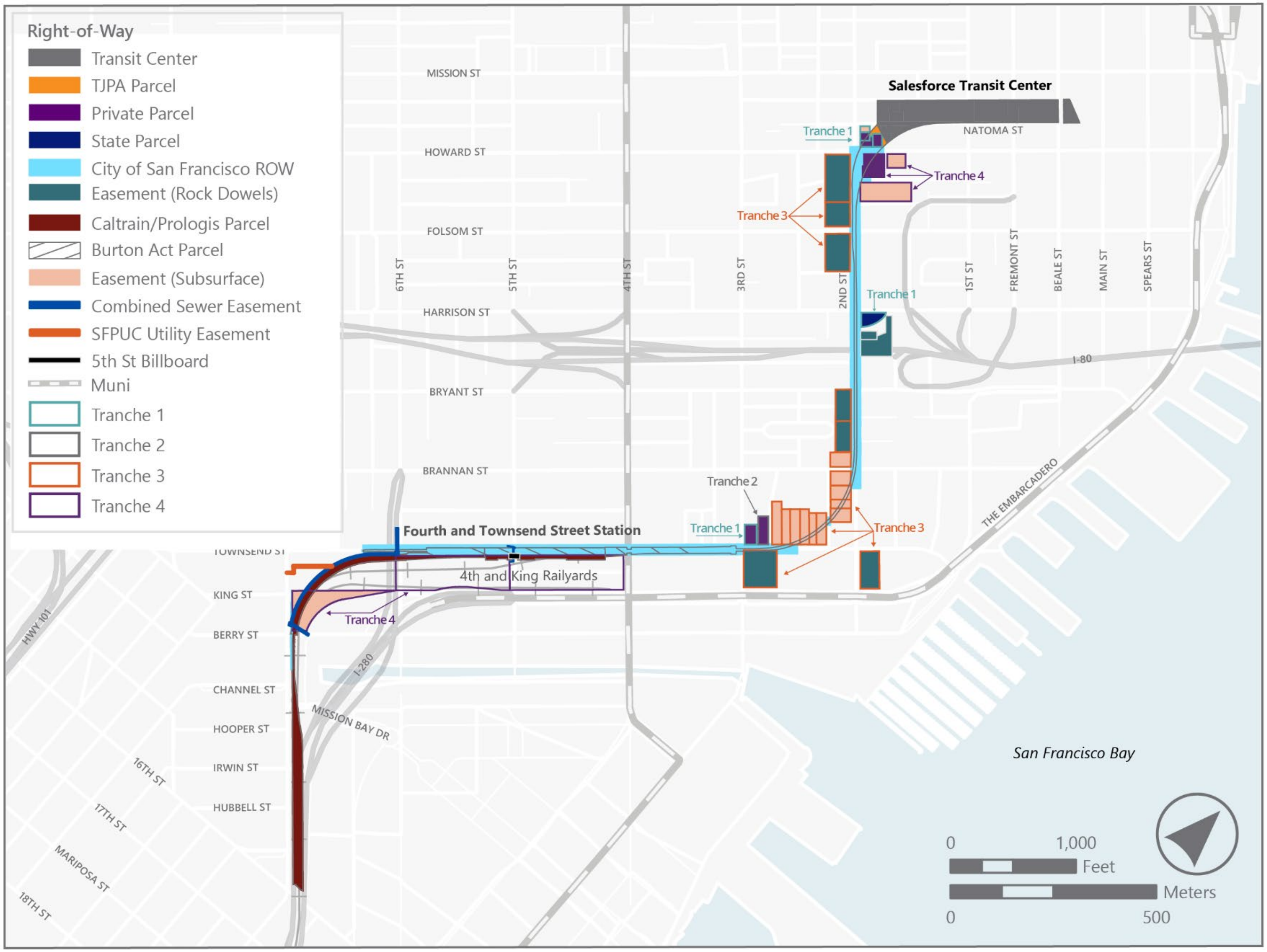
Appendix E: Right-of-Way Acquisition Process

Appendix F: Sample Right-of-Way Tracking Spreadsheet

Appendix G: Estimated Costs to Acquire Right-of-Way

APPENDIX A

Map of Planned Parcel Acquisitions for The Portal



APPENDIX B

Planned Parcel Acquisitions for The Portal

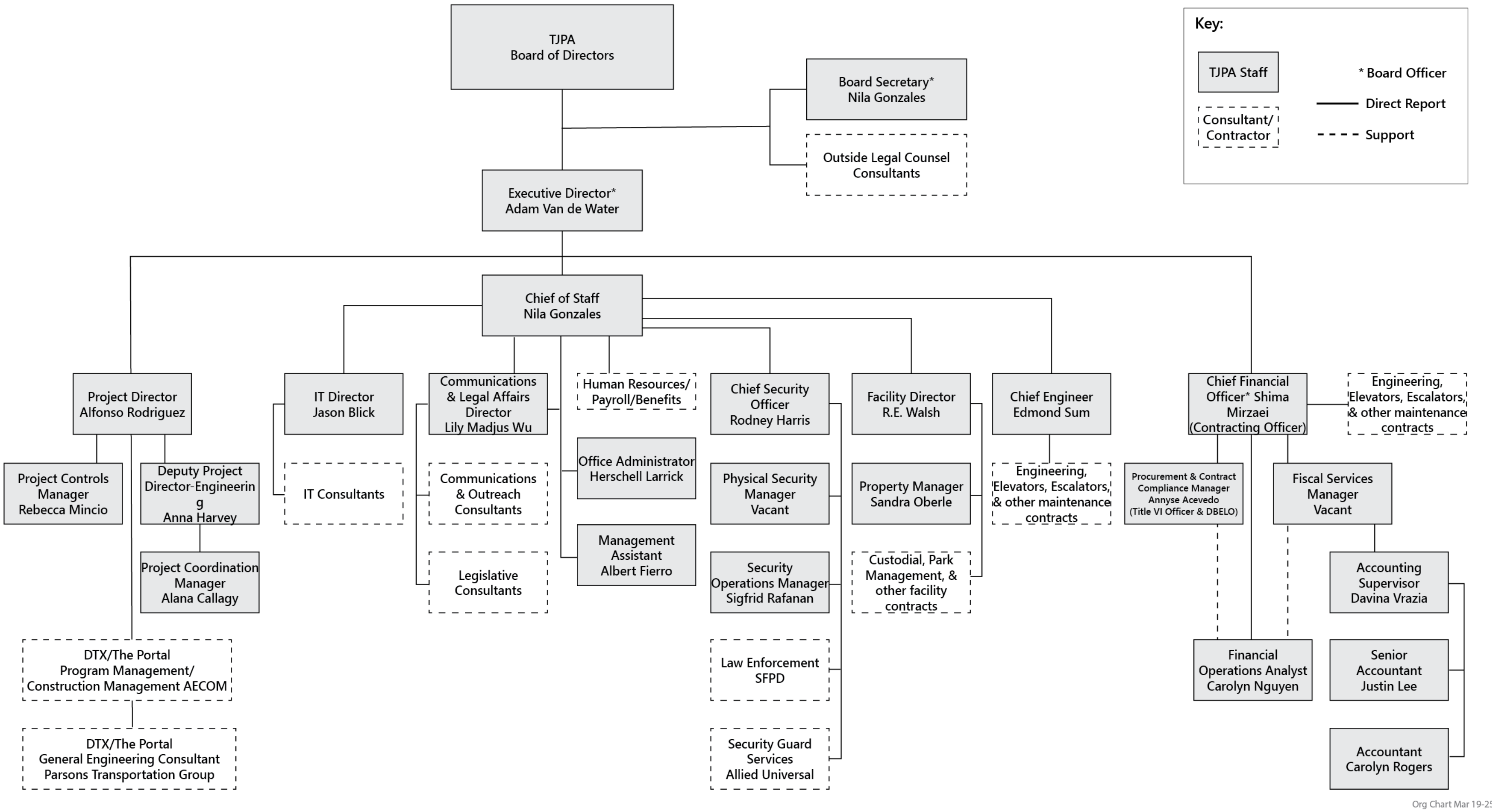
Tranche Number	Address	APN	Bldg. Description	Land Area (in S.F.)	Bldg Area (in S.F.)	Nature of Proposed Purchase
1	191 2nd St	3721-022	4 story office	6,024	28,000	Full acquisition
1	181 2nd St	3721-023	2 story commercial	4,948	19,840	Full acquisition
1	580 Howard St	3721-092 to 105	4 story live/work condominiums	7,845	24,249	Full acquisition
1	689-699 3rd St	3788-014	Single story + mezzanine retail	6,000	6,252	Full acquisition
1	165-171 2nd St	3721-025	5 story office above restaurant	3,525	25,120	Full acquisition
1	580-598 2nd St/ 300 Brannan St	3775-008	6 story office/lab/retail	12,300	68,634	Subsurface easement for rock dowel penetrations only
1	574 Howard St		Caltrans Parcel Q-parking lot	13,750	13,750	Full acquisition
2	180 Townsend St	3788-013	3 story office	10,000	38,777	Full acquisition
3	246 2nd St	3735-065 to 159	17 story, 94 condominiums above parking and retail			Subsurface easement for rock dowel penetrations only
3	282 2nd St / 600 Folsom St	3735-008	4 story office	8,075	28,720	Subsurface easement for rock dowel penetrations only
3	235 2nd St	3736-123	6 story office	40,625	266,828	Subsurface easement and TCE
3	601-611 Folsom St	3750-087 to 088	9 story office and switch station for AT&T			Subsurface easement for rock dowel penetrations only
3	1 South Park	3775-181 to 216	4 story, 35 loft condominiums above retail and underground parking		52,164	Subsurface easement for rock dowel penetrations only
3	301 Brannan St	3788-037	6 story office	17,000	72,000	Subsurface easement
3	634 2nd St	3788-038	3 story office	16,000	46,752	Subsurface easement
3	640 2nd St	3788-002	3 story office	8,790	24,096	Subsurface easement
3	650 2nd St	3788-049 to 073	Residential condominium	10,236	38,391	Subsurface easement
3	670-680 2nd St	3788-043 & 044	5 story office	20,000	61,500	Subsurface easement
3	130 Townsend St	3788-008	Single story restaurant and	22,000	9,600	Subsurface easement

Tranche Number	Address	APN	Bldg. Description	Land Area (in S.F.)	Bldg Area (in S.F.)	Nature of Proposed Purchase
			parking lot			
3	136 Townsend St	3788-009	Single story industrial	18,948	9,980	Subsurface easement
3	144-146 Townsend St	3788-009A	3 story office	16,500	42,510	Subsurface easement
3	148 Townsend St	3788-010	2 story office	23,675	45,580	Subsurface easement
3	164 Townsend St	3788-074 to 085	3 story live/work units	16,500	23,761	Subsurface easement
3	166-178 Townsend St	3788-012	94 apartments, restaurant and garage	22,000	80,081	Subsurface easement
3	701 3rd St	3794-006	12 story, 230 room hotel	13,750	103,105	Subsurface easement for rock dowel penetrations only
3	170 King St	3794-077 to 278	11 story, 198 condominiums			Subsurface easement for rock dowel penetrations only
3	City rights-of-way	N/A	Various locations throughout project			Vacation and conveyance of necessary surface and subsurface rights for project
4		8701-003	4th and King Railyards			Partial acquisition of transportation and utility infrastructure rights
4		8701-004	4th and King Railyards			Partial acquisition of transportation and utility infrastructure rights
4		8703-005	4th and King Railyards			Partial acquisition of transportation and utility infrastructure rights
4	201 2nd St	3736-097	Surface parking	4,887	N/A	Full acquisition
4	205-215 2nd St	3736-096	3 story office	4,250	14,362	Full acquisition
4	217 2nd St	3736-095	4 story office	4,887	27,438	Full acquisition
4	589-591 Howard St	3736-098	5 story industrial/lab	2,550	15,600	Subsurface easement and TCE or potential full acquisition

APPENDIX C

Organization Charts and Resumes

a. TJPA staff and legal counsel



Resumes

- TJPA Executive Director, Adam Van de Water (attached)
- TJPA Project Director, Alfonso Rodriguez (attached)
- TJPA Deputy Project Director – Engineering, Anna Harvey (attached)
- TJPA Chief Financial Officer, Shima Mirzaei (attached)
- TJPA Procurement and Contract Compliance Manager, Annyse Acevedo (attached)
- TJPA Project Controls Manager, Rebecca Mincio (attached)
- TJPA Project Coordination Manager, Alana Callagy (attached)
- TJPA General Counsel, Deborah Miller, Esq:

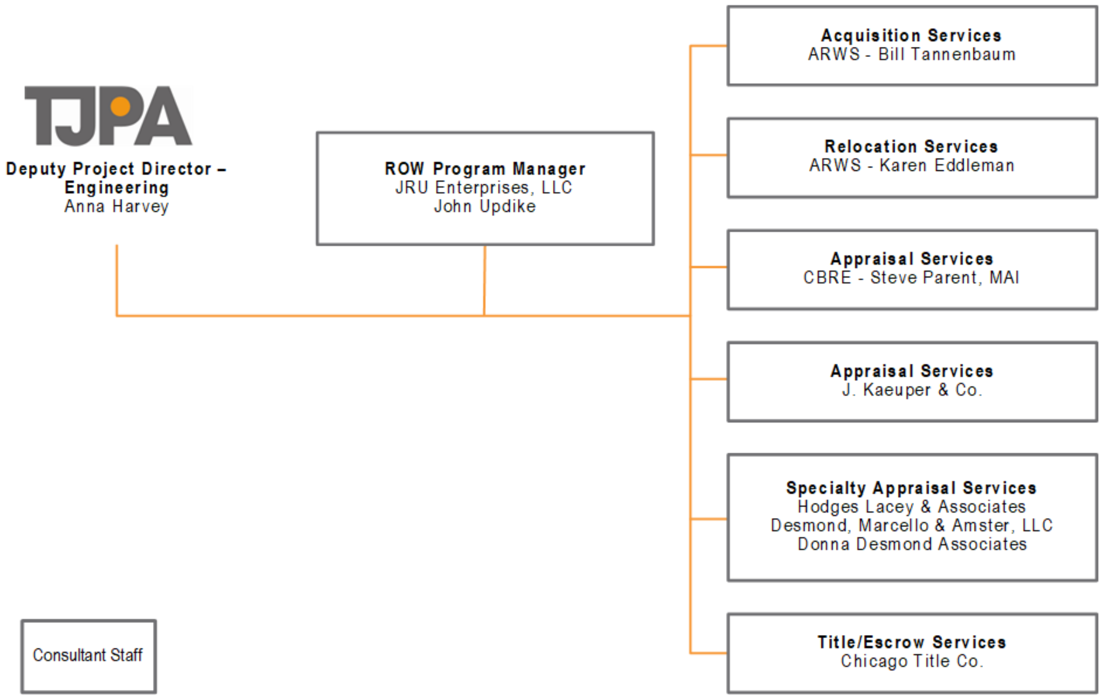
  https://www.smwlaw.com/team/deborah_miller/#:~:text=Deborah%20Miller,University%2C%20BS%2C%202001

- TJPA Real Estate Counsel, Andrew Schwartz, Esq:

  https://www.smwlaw.com/team/andrew_w_schwartz/#:~:text=Andrew%20W.%20Schwartz,Stanford%2C%20BA%2C%201976

b. Right-of-way contractor organization chart and resumes

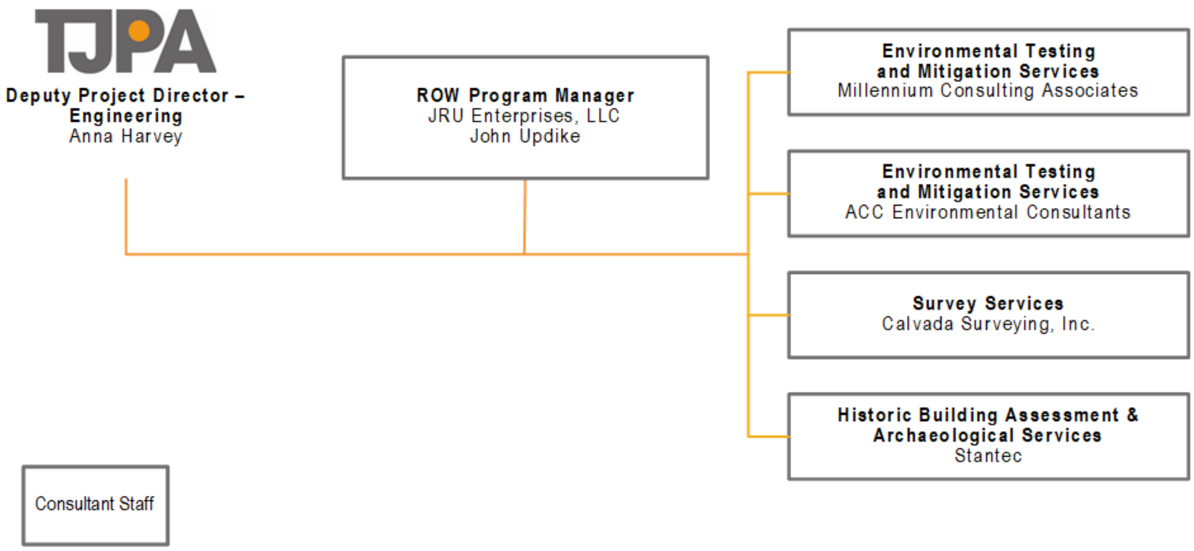
Acquisition, relocation, title, and appraisal services:



Resumes

- John Updike (attached)
- Bill Tannenbaum, ARWS (attached)
- Karen Eddleman, ARWS (attached)
- Steve Parent, CBRE: https://www.cbre.com/people/steve-parent
- John Kaeuper, J. Kaeuper & Co.: http://jkcompany.net/styled-17/styled-13/index.html
- Kevin Blair, Desmond, Marcello & Amster, LLC: https://www.dmavalue.com/team/kevin-blair
- Donna Desmond, Donna Desmond Associates: https://www.donnadesmond.com/donna_desmond_biography.shtml
- Richard Hodges, Hodges, Lacey & Associates: https://hlappraisal.com/rh-bio#3dcf0b79-75fe-4d35-837c-f41a830779b3
- Tyson Miklebost, Chicago Title Company: https://californiancs.ctic.com/Tyson-Miklebost

Environmental assessment, hazardous material abatement, survey, historic building analysis, and archaeological services:

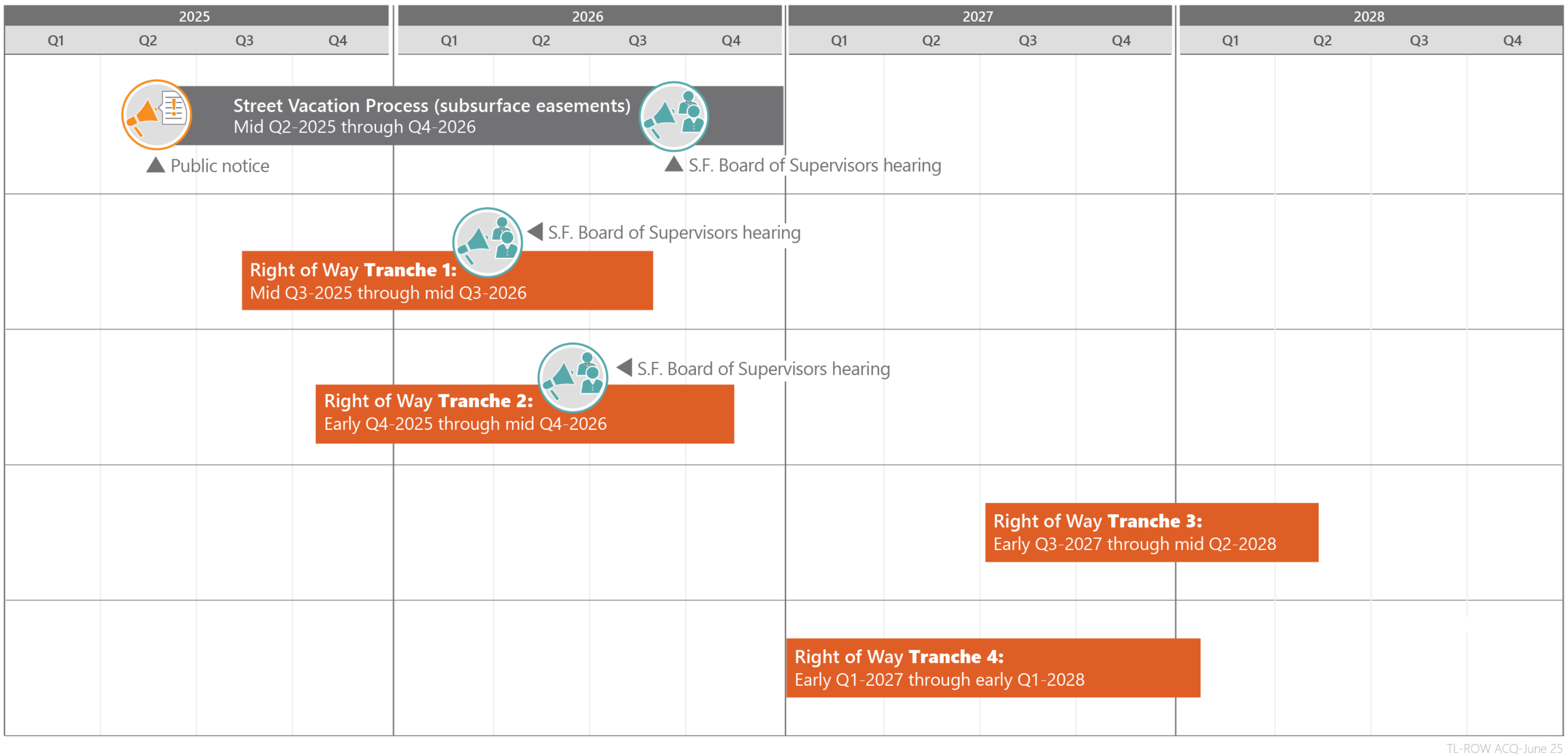


Resumes

- Jack McCubbin, President, Millennium Consulting Associates: https://mecaenviro.com/people/jack-mccubbin
- Mark Sanchez, Vice-President, ACC Environmental Consultants: https://www.accenv.com/wp-content/uploads/2021/12/ACCEnvironmental.pdf
- Calvada Surveying, Inc.: https://www.calvada.com/san-francisco-land-surveyor.html
- Alisa Reynolds, Senior Principal, Environmental Services – Stantec (attached)

APPENDIX D

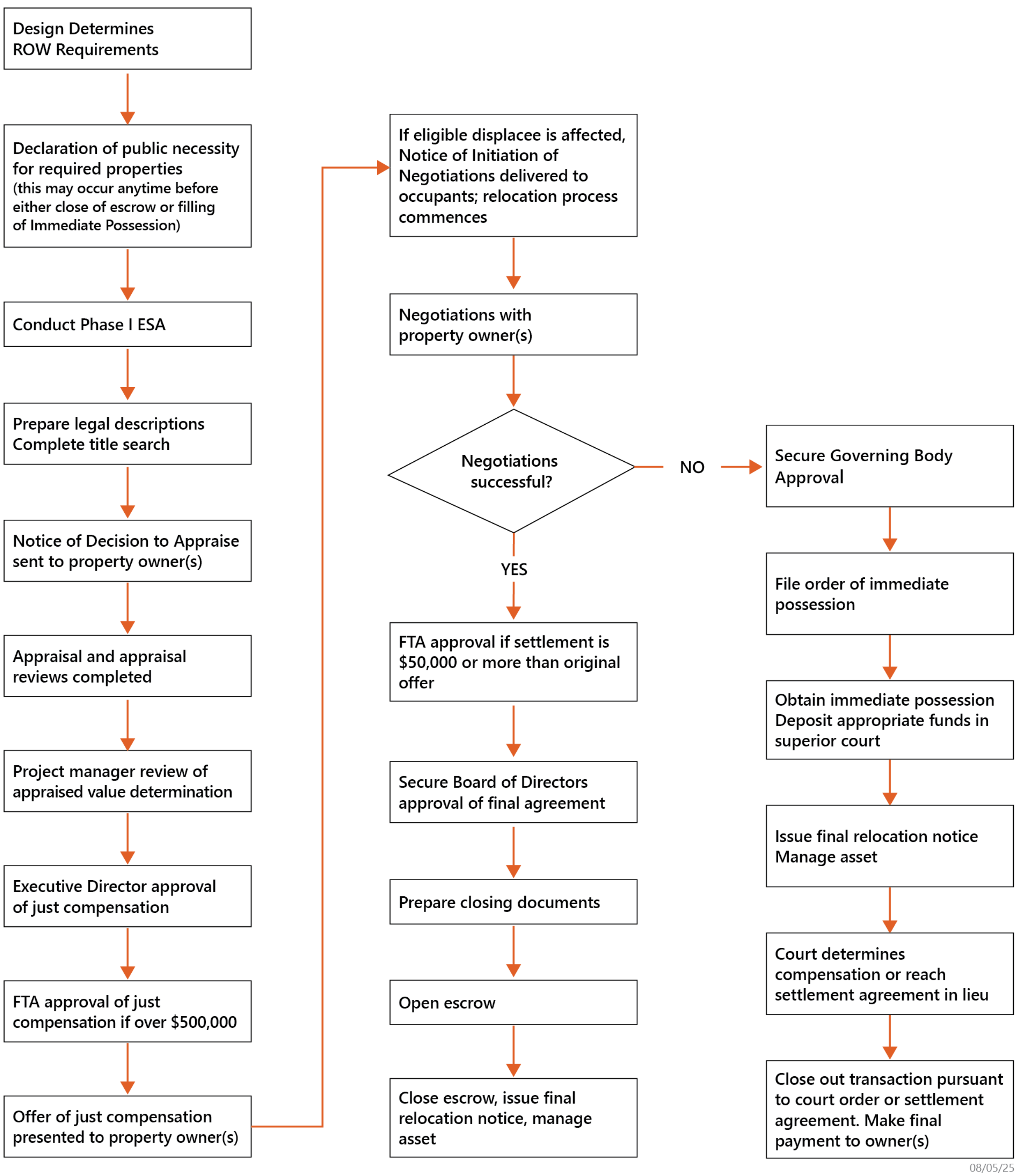
Preliminary Schedule for Right-of-Way Acquisition and Relocation



APPENDIX E

Right-of-Way Acquisition Process

Acquisition Flow Chart



APPENDIX F

Sample Right-of-Way Tracking Spreadsheet

Tenant Contact Info			Relocation Notices								Acquisition		Relocation Claims							
Relocation Status	APN	Affected Address	G.I.N. sent	Date Interview	Relocation Plan Distribution Letter	Signed Legal Residency	F.W.O.	N.O.E.	Sent 90 Day Notice to Vacate	Sent 30 Day Notice to Vacate	FF&E	Goodwill	# of Claims Submitted	Moving Payments PAID	Reestablishment Payments PAID	In-Lieu Payment PAID	TOTAL PAID	Date Vacated Property	Deadline to Submit Claims	Comments
Full Relocation	3721 -025	171 2nd Street San Francisco, CA 94105	10/24/2022	11/17/2022																
	3721-025	171 2nd Street San Francisco, CA 94105	3/24/2023	5/24/2023																
	3721-025	171 2nd Street, Suite 600 San Francisco, CA 94105	3/24/2023	4/6/2023																
	3721-025	171 2nd Street, Suite 500 San Francisco, CA 94105	3/24/2023	4/10/2023																
	3721-025	171 2nd Street, Suite 400 San Francisco, CA 94105	3/24/2023																	
	3721-025	171 2nd Street, Suite 300 San Francisco, CA 94105	3/24/2023																	
	3721-025	171 2nd Street, Suite 200 San Francisco, CA 94105	3/24/2023																	
Full Relocation	3788 -013	180 Townsend Street San Francisco, CA 94107	10/24/2022	11/8/2022																
	3788 -013	180 Townsend Street San Francisco, CA 94107	3/24/2023																	
Full Relocation	3721 -023	181 2nd Street San Francisco, CA 94105	10/24/2022	pending 12/7/2022																
	3721 -023	181 2nd Street San Francisco, CA 94105	3/24/2023																	
	3721 -023	181 2nd Street San Francisco, CA 94105	3/24/2023																	
	3721 -023	181 2nd Street San Francisco, CA 94105	3/24/2023	4/3/2023																
Full Relocation	3721 -022	191 2nd Street San Francisco, CA 94105	10/24/2022	pending 12/7/2022																
	3721-022	San Francisco, CA 94105	3/24/2023																	
	3721-022	594 Howard Street San Francisco, CA 94105	3/24/2023																	
	3721-022	594 Howard Street San Francisco, CA 94105	3/24/2023																	
	3721-022	594 Howard Street San Francisco, CA 94105	3/24/2023																	
Full Relocation	3736 -097	201 2nd Street San Francisco, CA 94105	10/24/2022																	
	3736-097	201 2nd Street San Francisco, CA 94105	3/24/2023	3/30/2023																
Full Relocation	3736 -096	205-215 2nd Street San Francisco, CA 94105	10/24/2022																	
	3736-096	205 2nd Street San Francisco, CA 94105	3/24/2023																	
	3736-096	205 2nd Street San Francisco, CA 94105	3/24/2023																	
	3736-096	215 2nd Street San Francisco, CA 94105	3/24/2023																	
	3736-096	215 2nd Street, Suite 2 San Francisco, CA 94105	3/24/2023																	
	3736-096	215 2nd Street, Suite 3 San Francisco, CA 94105	3/24/2023																	
Full Relocation	3736 -095	217 2nd Street San Francisco, CA 94105	10/24/2022																	
	3736 -095	217 2nd Street San Francisco, CA 94105	3/24/2023																	
Possible Relocation (likely basement businesses)	3736 -123	235 2nd Street San Francisco, CA 94105	10/24/2022																	
		235 2nd Street San Francisco, CA 94105	3/24/2023																	
Full Relocation	3721 -092	580 Howard Street San Francisco, CA 94105	10/24/2022	11/15/2022																
	3721 -092	n/a	n/a																	

Tenant Contact Info			Relocation Notices								Acquisition		Relocation Claims							
Relocation Status	APN	Affected Address	G.I.N. sent	Date Interview	Relocation Plan Distribution Letter	Signed Legal Residency	F.W.O.	N.O.E.	Sent 90 Day Notice to Vacate	Sent 30 Day Notice to Vacate	FF&E	Goodwill	# of Claims Submitted	Moving Payments PAID	Reestablishment Payments PAID	In-Lieu Payment PAID	TOTAL PAID	Date Vacated Property	Deadline to Submit Claims	Comments
	3721 -092	580 Howard Street, Unit 102 San Francisco, CA 94105	3/24/2023	4/3/2023																
	3721 -092	580 Howard Street, Unit 201 San Francisco, CA 94105	3/24/2023																	
	3721 -092	580 Howard Street, Unit 202 San Francisco, CA 94105	3/24/2023																	
	3721 -092	580 Howard Street, Unit 203 San Francisco, CA 94105	3/24/2023																	
	3721 -092	580 Howard Street, Unit 204 San Francisco, CA 94105	3/24/2023																	
	3721 -092	580 Howard Street, Unit 301 San Francisco, CA 94105	3/24/2023																	
	3721 -092	580 Howard Street, Unit 302 San Francisco, CA 94105	3/24/2023																	
	3721 -092	580 Howard Street, Unit 303 San Francisco, CA 94105	3/24/2023																	
	3721 -092	580 Howard Street, Unit 304 San Francisco, CA 94105	3/24/2023																	
	3721 -092	580 Howard Street, Unit 401 San Francisco, CA 94105	3/24/2023																	
	3721 -092	580 Howard Street, Unit 402 San Francisco, CA 94105	3/24/2023																	
	3721 -092	580 Howard Street, Unit 403 San Francisco, CA 94105	3/24/2023																	
	3721 -092	580 Howard Street, Unit 404 San Francisco, CA 94105	3/24/2023																	
	3721 -092	580 Howard Street, Unit 500 San Francisco, CA 94105	n/a																	
	3736-098	589-591 Howard Street San Francisco, CA 94111	11/28/2022																	
		589 Howard Street, Suite 100 San Francisco, CA 94105	3/24/2023																	
		589 Howard Street, Second Floor San Francisco, CA 94105	3/24/2023																	
		589 Howard Street, Suite 300 San Francisco, CA 94105	3/24/2023																	
		589 Howard Street, Suite 400 San Francisco, CA 94105	3/24/2023	3/29/2023																
Full Relocation	3786 -014	689-699 3rd Street San Francisco, CA 94107	10/24/2022																	
	3786 -014	689-699 3rd Street San Francisco, CA 94107																		
	3786 -014	699 3rd Street San Francisco, CA 94107	3/24/2023																	
	3786 -014	689 3rd Street San Francisco, CA 94107	3/24/2023																	
	3786 -014	689 3rd Street San Francisco, CA 94107	3/24/2023																	
	3786 -014	695 3rd Street San Francisco, CA 94107	n/a																	
	8701-003, 8701-004, and 8703-005		3/24/2023																	
	8701-003, 8701-004, and 8703-005		3/24/2023																	

APPENDIX G

Estimated Costs to Acquire Right-of-Way

Type of Cost	Approximate Estimated Amount
Acquisition	$197,000,000
Relocation	$20,000,000
Professional Services	$1,400,000
Total	**$218,400,00**

TJPA | THE PORTAL

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SAN FRANCISCO, CA 94105