

operations due to the existing number of appointed judges and substantial increases in caseloads.

Not only are the courts currently operating at a deficit of approximately 25,000 occupiable square feet, additional square footage will be required to satisfy the projected courts' expansion. This increased need is attributed to the appointment of additional judges and continued burgeoning case loads. The courts growth will also increase the need for administrative support spaces and space for court related agencies such as the U.S. Attorney, U.S. Trustee, and U.S. Marshal. The courts are expected to need approximately 185,000 additional occupiable square feet by 1997, and approximately 260,000 additional occupiable square feet by 2005.

### I. Alternatives Considered

In accordance with the NEPA, GSA has considered a range of alternatives to the proposed action that could satisfy the basic objectives of the planned project. The three other alternatives: construction at another location, leasing, and no action have been analyzed within the EIS and are representative of a reasonable range of alternatives. Although the leasing alternative is environmentally preferable, other considerations, which will be discussed later in this document, have led to our selection of the proposed construction alternative.

#### A. Proposed Alternative

The proposed alternative site, which has been donated by the City of Santa Ana to the Government, encompasses approximately four acres. The site is bounded by 5th Street to the north, 4th Street to the south, Ross Street to the west and Broadway to the east, within the Central Business Area (CBA) and adjacent to the Civic Center of the city of Santa Ana. The site is large enough to provide the space required to meet both current and projected court facility needs through the year 2021.

The proposed site is also located within the boundaries of the Santa Ana's Downtown Redevelopment Area. This alternative is consistent with the City's redevelopment plans and will provide a catalyst for downtown revitalization. The site's proximity to the Orange County Transit terminal will promote use of transportation means that are environmentally superior to single occupancy vehicles. Its close proximity to the existing Federal Building and other County and City facilities in the Civic Center area accentuates the architectural expression of "civic" area as originally planned by

the City and presents the potential for operational efficiencies.

Proximity of the proposed location to the Civic Center serves two functions. First, its proximity to the City Library, Law Library, the City Hall, and other "civic" and business activities offers citizens convenient access to government services. Secondly, proximity of the courthouse to the Men's and Women's jail, County Courthouse, and Police Headquarters will result in more effective and safe prisoners' transportation. The site is also located close to retail and business amenities which add to the attraction of the proposed alternative.

Additionally, the selection of the proposed location complies with Executive Order 12072 which mandates that federal facilities and federal use of space in urban areas shall encourage the development and redevelopment of cities. Procedures for meeting space needs in urban areas shall give first consideration to the central business area. Consistent with Executive Order 12072, the location of the proposed project is compatible with local development and redevelopment objectives. It will have a positive impact on economic development and employment opportunities in the City. Adequate public transportation and parking make it accessible to the public.

#### B. The Lease Alternative

Under this alternative, the federal government would lease, on a long-term basis, approximately 333,000 square feet of occupiable building space within the City of Santa Ana's CBA. According to real estate and property management sources in the City, the amount of space required to fulfill the project need is currently unavailable within the CBA. However, the Main Street Concourse project, located at the northeast corner of Main Street and Owens Drive, which is currently under construction was chosen for specific analysis as the lease alternative because it would be completed prior to the expiration of the court's current lease on the modular facility in 1997. Although this alternative is the environmentally preferred alternative, it was found to be practically infeasible for several reasons.

First, it does not have the capacity to accommodate long-term growth of the federal courts and related agencies beyond the projections for the year 2005. Any expansion would have to be housed in separate leased locations, which would only repeat the existing problems in the court's current locations. Second, the Main Street Concourse project includes a mix of commercial and residential land uses to

be developed in two or more phases. Court use and residential use are not compatible. The security requirements for the courts are very strict and unsuited for a relaxed residential setting. Noise generated by everyday massive public use of the Federal Courthouse would be disturbing to adjacent residences. The heavy vehicular and pedestrian traffic demand of a courthouse would be annoying to the residential neighborhood. Third, although located at the fringe of the CBA, the lease alternative does not have the same convenient access to the City's Civic Center, public transportation, federal, County, and City's facilities.

Finally, Public Buildings Act of 1959, as amended (Pub. L. 100-678, 40 U.S.C. 601) discourages GSA from leasing space to accommodate permanent courtrooms, judicial chambers or administrative offices for any United States Court where the average rental cost exceeds \$1,500,000. Clearly, this Act reflects strong congressional interest to house the courts in permanent, rather than leased, space. The average annual rental for the lease alternative in Santa Ana exceeds greatly the \$1,500,000 threshold. Thus, GSA is prohibited from adopting this alternative.

#### C. The Alternative Site Location

The alternative site is currently owned by the federal government. It encompasses approximately 1.5 acres and is bound by Santa Ana Boulevard to the north, Parton Avenue to the east, 3rd Street to the south, and Flower Street to the west. Currently, this site is undeveloped and is used as a paved parking area for the Federal Building in Santa Ana. Because of the limited size of the site, the proposed structure on this site would require architecturally a single tower without adequate set backs necessary to mitigate the mass of such structure. The building of a courthouse structure would also eliminate the existing 164 at-grade parking spaces on the site necessary for the existing Federal Building.

Additional underground parking would be required to provide both for the existing Federal Building and the new courthouse. The substantial excavation necessary to accommodate the required underground parking would be quite costly. In addition the future growth of the courts would have to be accommodated at another location off-site. The project goal of consolidating the space requirements of the courts and their related agencies would not be satisfied.