

Date: June 1, 2009

To: Mr. David Grubb, Chairman, Presidio Trust Board of Directors
Presidio Trust Board of Directors
Mr. Craig Middleton, Executive Director, Presidio Trust
Mr. John Pelka, NEPA Compliance Manager, Presidio Trust

From: The Presidio Neighborhood Representative Work Group

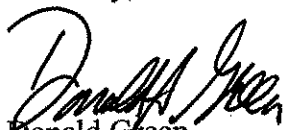
Re: **Comments on Presidio Trust Management Plan, Revised Draft Main Post Update (February 2009), and Supplement to a Draft Supplemental Environmental Impact Statement (February 2009)**

The Presidio Neighborhood Representative Work Group (PNRWG) finds that the Trust Preferred Alternative to build a large contemporary art museum, a lodge and a multiplex on the Presidio Main Post is inconsistent with the Presidio Trust Act, the National Environmental Policy Act (NEPA), and the National Historic Preservation Act (NHPA).

The PNRWG rejects the notion that the Trust needs to update the Presidio Trust Management Plan of 2002 (PTMP 2002) with a massive development that directly conflicts with the PTMP 2002 and the fundamental value of the Presidio as a national park and national historic treasure. The claimed "need to update" is predicated on incomplete and misleading documents. The Preferred Alternative invokes a wholesale re-writing of PTMP 2002 and is not a mere update. Please find our detailed comments attached.

Work performed by the PNRWG was under the capable leadership and inspiration of our chairman and friend, Redmond Kernan. This document reflects his serious concern for the future of the Park. Thank you in advance for your attention to the report. If you have any questions regarding our comments, please feel free to contact me.

Sincerely,



Donald Green
Chairman, PNRWG

cc:
Speaker Nancy Pelosi
Senator Dianne Feinstein
Senator Barbara Boxer
Mayor Gavin Newsom
San Francisco Board of Supervisors
Frank Dean, Interim Superintendent, GGNRA
Jon Jarvis, Regional Director, National Park Service
John Fowler and Katharine Kerr, Advisory Council on Historic Preservation
Wayne Donaldson, California Office of Historic Preservation

Presidio Neighborhood Representative Work Group

**Comments
on the**

**Revised Draft Main Post Update to the Presidio Trust Management Plan
(February, 2009)**

**Supplement to a Draft Supplemental Environmental Impact Statement
(February, 2009)**

and Associated Documents

June 1, 2009

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A. INTRODUCTION

The proposal to build a contemporary art museum (Fisher Museum) was announced in the San Francisco Chronicle on August 7, 2007. On June 3, 2008 the San Francisco Board of Supervisors passed a resolution re-establishing the Presidio Neighborhood Representative Work Group (PNRWG) to comment on impacts of the Presidio Trust Main Post Update (Update) on the Presidio Trust Management Plan (PTMP) and the Draft Supplemental Environmental Impact Statement (DSEIS). On June 9, 2008 the Presidio Trust released its Update and DSEIS. On July 1, 2008 the PNRWG met for the first time and convened on a weekly basis through October 2008 to discuss the impacts of the Presidio Trust's Preferred Alternative. After submitting comments on the DSEIS and Update, the PNRWG reconvened in March, 2009 to provide additional comment on the Revised Draft Main Post Update (February 2009) (RDMPU) and the Supplement to a Draft Supplemental Environmental Impact Report (February 2009) (SDSEIS). The following report presents the findings and recommendations of the group regarding the Presidio Trust's Preferred Alternative.

The PNRWG analyzed the SDSEIS and DSEIS alternatives to develop specific findings and conclusions. The PNRWG evaluated the Preferred Alternative and alternatives against the following eight (8) criteria when considering its comments, that is, whether the Preferred Alternative or other alternatives:

1. Protects the integrity of the Presidio National Historic Landmark District (NHLD).
2. Reuses historic buildings where feasible, rather than constructing major new development projects.
3. Complies with the Presidio Trust's enabling legislation, the Presidio Trust Act, NEPA and NHPA.
4. Celebrates the Presidio's history, heritage and archaeology.
5. Minimizes traffic and parking problems.
6. Preserves recreational facilities, or specifies how they will be replaced.
7. Amends the Presidio Trust Management Plan (PTMP) only as proven necessary.
8. Accurately and completely analyzes impacts, based on appropriate assumptions.

From the comparative analysis provided in Table 1 below, it is clear that the core components of the Preferred Alternative involve inappropriate uses and development of the Main Post. The Preferred Alternative (and Alternatives 2 and 2A in the DSEIS) creates adverse impacts that cannot be mitigated. None of these alternatives is consistent with NEPA and NHPA and the spirit of the Presidio as a NHLD. The RDMPU and SDSEIS *processes* violate NEPA and the National Historic Preservation Act (NHPA). There has not been adequate development and presentation of alternative proposals to allow for informed public input.

Table 1 - PNRWG Analysis of Alternatives

The following table summarizes our analysis regarding whether the Preferred Alternative meets these criteria. Alternatives 1, 2, 2A, 3 and 4 are as described in the draft DSEIS. Alternative 5 is the Presidio Neighborhood Representative Work Group's Alternative presented in Section G. The table can be read as follows:

Y = Yes N = No ? = Not Clear

<u>Criteria</u>	<u>Alternatives</u>							<u>Comments</u>
	<u>The Preferred Alternative:</u>	<u>Discussed in DSEIS</u>						
	<u>Pfd. Alt.</u>	<u>1</u>	<u>2</u>	<u>2A</u>	<u>3</u>	<u>4</u>	<u>5</u>	
1. Protects the integrity of the Presidio National Historic Landmark District	N	Y	N	N	N	Y	Y	By violating the Presidio Trust's federal mandate, the PTMP and the Secretary's Standards and Guidelines, the Preferred Alternative creates adverse effects on the NHLD, impacts the integrity of the NHLD and risks the loss of the Presidio's status as a NHLD.
2. Reuses historic buildings over constructing major new development projects.	N	N	N	N	N	Y	Y	FISHER MUSEUM is a huge and incompatible development built in a place where no comparable structure had previously existed. The proposed massive lodge is a completely new structure.
3. Complies with the Presidio Trust enabling legislation	N	Y	N	N	N	Y	Y	The Fisher Museum design, location and massing violates the Presidio Trust Act.
4. Celebrates history, heritage and archaeology	N	?	N	N	N	Y	Y	Fisher Museum suffocates and overwhelms the history, heritage and archaeology of the Main Post.
5. Minimizes traffic and parking problems	N	N	N	N	N	Y	Y	Analysis for traffic and parking impacts is incomplete.
6. Preserves recreational facilities or specifies how they will be replaced	N	Y	N	N	?	Y	Y	The Trust's Preferred Alternative to demolish existing sports and recreation facilities, enjoyed by thousands of people, does not provide a clear means to replace them.
7. Amends PTMP only as proven necessary.	N	Y	N	N	N	Y	Y	The PTMP RDMPU undermines the important balance between development and protection of natural and cultural resources. The PTMP was presented to the public as a firm commitment by the Trust, but the current proposals would represent a serious breach of that commitment.
8. Alternative is completely analyzed, is accurate and makes appropriate assumptions.	N	N	N	N	N	Y	Y	The Preferred Alternative, Alternatives 1, 2, 2A and 3 are deficient in their analysis of impacts, their accuracy and their assumptions.

B. SUMMARY

The following section summarizes the findings and recommendations of the PNRWG regarding the Presidio Trust's Preferred Alternative, as described in the RDMPU and SDSEIS.

FINDINGS

1. The Museum Project Does Not Belong on the Main Post

The proposed museum building is incongruous with the Main Post's unique architectural character, would derogate the Main Post's historic setting, and would jeopardize the integrity of the Presidio NHLD with its dominating, sprawling presence.

2. The Lodge Should Not Be Built As Described

Despite the lodge concept modifications in the RDMPU, the proposed facility's height, bulk, location and potential impact on known and unknown archaeological resources would result in adverse effects on NHLD resources. Its scale is out of place and would form a barrier, as opposed to a connection, between the Main and the Old Parade Grounds.

3. Preferred Alternative Violates the Presidio Trust Act

The proposed new construction violates Presidio Trust Act Section 104 (c) (3), which limits new construction to "replacement of existing structures of similar size in existing areas of development." The museum and lodge proposals will not "preserve and protect the cultural and historic integrity of the Presidio for public use, or recognize its significant role in the history of the United States" violating Presidio Trust Act Section 101 (3). The Preferred Alternative does not "protect the Presidio from development and uses which would destroy the scenic beauty and historic and natural character of the area and cultural and recreational resources" as required by Presidio Trust Act Section 101 (5).

4. The Main Post Planning Process Has Been Seriously Compromised

The National Environmental Policy Act (NEPA) process has been used to promote a single proposal *already* received rather than seriously evaluate a wide range of reasonable alternatives for revitalizing the Main Post. The intent of the NEPA process is not being met.

5. The Trust Is Obligated To Work With Other Government Agencies

Under NEPA, the Trust may not take actions that are entirely in opposition to local/federal government policies. It is the policy of San Francisco to disapprove those major developments that create undue demands for new transit services. NPS policy is to discourage vehicle use in national parks.

6. The Trust Has Not Coordinated the NEPA and NHPA Processes

The Trust's revised Draft Finding of Effect (RDFOE) dated February 2009, does not analyze effects of various proposals equally because the projects are not equally developed (RDFOE, p. 60). The NHPA Section 213 report finds that the proposed undertaking will have a significant irreversible adverse effect on the Presidio NHLD.

The Trust RDFOE finds no direct adverse effect to the NHLD. The Trust and NPS documents are in direct conflict.

7. Economics Were Considered, But Not Included For Public Review

Economic considerations were clearly a major factor driving the selection of the Preferred Alternative, but the Trust has failed to respond to numerous questions about the anticipated economic effect of the proposal, and has not made this information available to the public.

8. The SDSEIS-DSEIS Documents Are Inadequate In Many Respects

The PNRWG has found numerous deficiencies, inaccuracies, unsubstantiated assumptions and inappropriate methodologies throughout the SDSEIS and DSEIS. These are discussed in detail in Section E of this report. If the Trust decides to proceed with the NEPA process, it is essential that every comment, question and request for further information and analysis made here be given a thorough response.

9. The Fisher Museum Proposal Has No Relation to the Presidio's History

As a military base under the flag of several nations, units stationed at the Presidio have responded to continuing national and local priorities. The Presidio Trust does have plans to protect the Presidio's underlying historic resources, and in cooperation with the National Park Service, to provide related interpretation and education programs for the visiting public. However, building a major new museum with contents that have no relation to the Presidio's history does not contribute to the public appreciation or understanding of the national park and historic landmark district.

RECOMMENDATIONS

1. The Trust should amend the PTMP only as proven necessary and only with public support.
2. The Trust should follow the spirit and intent of the law that defines its purpose and mandate and vet new proposals through the Secretary of the Interior for appropriateness.
3. The Trust should restart a planning process that honors the Main Post's centrally important role as a National Park and the NHLD, and focuses on the Presidio's history, heritage and archaeology.
4. The Trust should promote the Main Post for the important historical, heritage and archeological site that it is today, and build its programs around that concept from the outset.
5. The Trust should suspend the current NEPA process and reconcile the conflicting findings of the Trust prepared Draft DOE and the Section 213 Report prepared by the National Park Service.
6. The Trust should present to the public all the financial impacts of the Preferred Alternative.
7. The Trust should withdraw the museum and lodge proposals.
8. The Trust should work to rehabilitate existing structures.
9. The Presidio is a National Park and the Trust should, as a steward of natural and cultural resources for the people of the United States, be responsive to overwhelming public opposition regarding future major construction on the Presidio.
10. The museum should be located in San Francisco in an area that is more accessible to visitors and residents via high-capacity transit.
11. The primary site for lodging on the Main Post should focus primarily within existing structures such as Pershing Hall and the Montgomery Street Barracks.
12. Any new lodging at the site designated in Preferred Alternative should be substantially smaller in scale (height and size) and stepped back from the parade grounds.
13. The Trust should fully consider and evaluate the "Elements of PNRWG's Recommended Alternative (Alternative 5)," an alternative prepared by the PNRWG and presented in Section G of this document.

NEPA, NHPA AND PRESIDIO TRUST ACT COMMENT REFERENCE

The following three tables are provided as references to the PNRWG comments on the subject NEPA documents. While all comments are considered NEPA comments, they are further subdivided here into NEPA, NHPA and Presidio Trust Act categories for quick reference only. Additional comment detail is provided within this report at the page number listed.

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C. REVISED DRAFT MAIN POST UPDATE COMMENTS

In this section, the PNRWG provides comments on the RDMPU. The RDMPU describes the Preferred Alternative and is considered a major re-writing of the PTMP with particular emphasis on the Main Post, the one district in the Presidio that represents the entire National Historic Landmark District period of significance of 1776 through 1945.

The Museum Project Does Not Belong on the Main Post

The RDMPU lists the PTMP core Guidelines for Buildings and Structures, focusing on retaining and restoring historic buildings and connections, requiring new “infill” to be compatible. (RDMPU, p. 15) The RDMPU presents the Fisher Museum as having an “architectural style that will be compatible with the simple, straightforward architecture that characterizes the Main Post,” (RDMPU, p. 38) and the lodge as “re-establish[ing] the separation between the Old and Main Parade grounds...” (Update, p. 35) We disagree with both of these claims. The Fisher Museum, situated as a sprawling, modern facility overlooking the entire Main Parade Ground with the museum’s significantly expanded footprint, will visually dominate the historic character of the Main Post.

The Massive Lodge Should Not Be Built As Described

The “lodge”¹ will become a massive visual and pedestrian circulation barrier between the Old and the Main Parade Grounds, instead of providing a connection between the two areas. The result of these new elements will be very intrusive visually and will dramatically change the character of this historic area, not preserve and enhance it.

We are opposed to constructing any building on the Main Post (an area that is rich in history and old California architecture) that is not “compatible with this National Historic Landmark District”. Without mimicking the historic buildings, any new building should include or at least embrace these hallmark characteristics, including color, rooflines and style.

A Museum of Contemporary Art Is Not Relevant to the Presidio Visitor Experience

The RDMPU states that the reason for locating a museum of contemporary art at the Main Post is “to add a cultural institution of distinction to the Main Post”. This implies the Main Post, as a National Historic Landmark District (NHL), is not a “cultural institution of distinction” and misconstrues the term “cultural” as a social value instead of its intended use as reflective of the past culture that occupied the Presidio. (RDMPU, p. 38) Contemporary art, while cultural in one context, has nothing to do with reflecting the Presidio’s historic culture.

A museum of contemporary art would not add a *relevant* cultural institution to the visitor experience. Instead, it would detract from what Frederick Law Olmstead called the

¹ The SDSEIS refers to a proposed new facility for overnight accommodation at the Building 34 site as a “lodge,” and as “invoking the tradition of national park lodges.” “Lodge” in the national park tradition, in most cases refers to a smaller structure than a hotel, often rustic, often including cabins and located in non-urban national park settings. The proposed large, modern facility might better be called a “hotel” as it will have all the amenities of a hotel in an urban setting. However, to avoid confusion, we use “lodge” only because that is what the SDSEIS calls the facility, albeit in an apparent attempt to make the complex comport with a national park setting.

essential elements of the Park: in this case, the historical quality of the Main Parade. The museum would detract from the importance of the place as an historic landmark, the history of the place, and the significance of the historic architecture. The addition of a large modern building to house contemporary art overwhelms the Main Parade Ground space, and creates an unrelated building with contents that has nothing to do with the essential elements of the Park. The Trust fails to provide a rationale why all the other activities proposed for the Main Post are not sufficient to attract visitors, focusing on the essential elements of the park, and the Trust fails to explain why an added, unrelated attraction and unrelated structure at that site is necessary.

Placement of Heritage Center De-Emphasizes the Historic Elements of the Presidio Visitor Experience

By placing the Heritage Center in the back of the Officers Club, the Trust pushes history and the true nature of the Presidio and the Main Post away from the visiting public, where it will be encountered only accidentally or by the truly inquisitive. Visually out of the way and unlikely to be found, the back of the Officer's Club is simply without credibility as a site that will "offer the public a place to begin their exploration of the historic post." (Update, p. 30) Furthermore, the proposed location of the Fisher Museum galleries, as the visual and atmospheric centerpiece of the Main Post severely distracts from and diminishes the importance of the Officer's Club and El Presidio.

The Trust Is Wrong In Finding The Main Post's Open Spaces Are Not Important

The Trust document states, "Many of the features that once made the Main Post's open spaces compelling have been obscured over time." (RDMPU, p. 4) This assertion is in direct contrast to statements in PTMP (PTMP, p.62). No features have eroded since 2002 when the PTMP was written. This statement appears to have been added in an attempt to support new, large-scale construction. The Trust states that the "proposals...will establish the Presidio as one of the country's great public places." (RDMPU, p. 2) To the contrary, the Main Post open space *is* compelling, and the proposed new construction will close important visual connections between parade areas. The Presidio already exists as one of the country's great public places. We recognize that the public will visit the Presidio without large-scale newly constructed amenities.

The Vision for the Main Post Should Be Created Through A Collaborative Process

The vision for the Main Post should reflect park values and its rich history. It is a vision that should be carefully defined through consultation and collaboration with its administrative partner, the National Park Service, and the public well in advance of producing PTMP amendments. The Trust knows well that based on an analysis of public comments on the Draft Main Post Update, the public does not share the Trust's "vision" presented in the Preferred Alternative.

Previous Trust Parking Decisions Will Impair El Presidio Resources for Decades

The RDMPU states that the spatial character of El Presidio's Plaza de Armas will be re-established. (RDMPU, p. 29) However, much of the site, the most archeologically sensitive on the Main Post, will be covered by parking until the year 2030, as indicated by Figure 8. (RDMPU, p. 19) Figures 9, 11 and 22 fail to properly indicate the full extent of the El Presidio parking. (Update, p. 21, 25, p. 45) The meaning of Trust priorities is clear: Parking for the Fisher Museum before natural and cultural resources.

Road Closures Are Designed to Support Museum Proposal, Not Main Post Circulation

The road closures identified in Figure 13 are designed to support the museum proposal and are at the expense of the rest of the Main Post, reducing options for traffic circulation, and potentially creating traffic bottlenecks. (RDMPU, p. 29)

“Strategies” for Conforming to the Secretary of the Interior’s Standards Are Insufficient

The Trust states that “the Trust and the NPS identified the applicable Secretary’s Standards for rehabilitation and new construction. (RDMPU, p. 48) However, only 5 of the 10 Secretary’s Standards were selected. (November 19, 2008 Public Workshop) The 5 of 10 standards not selected are all applicable, such as, “Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.” Of the 5 standards *selected* for inclusion, 4 are demonstrably not followed (e.g. “A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.”) The museum proposal’s materials, features, spaces and spatial relationships violate this standard. The other included standards are violated in an equally obvious manner. Use of the phrase “strategies for conformance” does not commit the Trust to actually complying with any of the standards, leaves the Presidio’s historic character at risk and violates the Presidio Trust Act.

D. SDSEIS - GENERAL COMMENTS

In this Section, the PNRWG provides general comments on the SDSEIS. General comments reflect on the document as a whole, rather than on a particular section or detail.

Preferred Alternative Violates Presidio Trust Act Sections 101 (3) and 101 (5)

Comparing the Presidio Trust Act, 16 U.S.C. § 460bb (p. 37, below) with the Preferred Alternative, the Preferred Alternative will violate the letter and intent of the law governing how the Presidio is to be managed in the following ways:

Regarding the Trust’s congressional mandate, the Fisher Museum and/or the lodge proposal are in violation of the Presidio Trust Section 101 (3), which mandates that “preservation of the cultural and historic integrity of the Presidio for public use recognizes its significant role in the history of the United States.” The Preferred Alternative will dramatically alter the cultural and historic integrity of the Main Post of the Presidio, significantly violating the purpose for which the Presidio Trust was created: to recognize the Presidio’s significant role in the history of the United States.

The Preferred Alternative would not “protect the Presidio from development and uses which would destroy the scenic beauty and historic and natural character of the area and cultural and recreational resources” as required by Presidio Trust Act Section 101 (5). Historic and cultural resources would not be managed in a manner consistent with sound principles of land use planning and management, since significant archeological resources would be destroyed and the historic setting of the Main Post would be

profoundly altered. The Preferred Alternative does not protect the Presidio from development; it is, itself, a major development. The Preferred Alternative would not protect the Presidio from uses that would destroy the historic character of the area and cultural resources. By its very nature, the Preferred Alternative destroys the historic character of the area and cultural resources.

While public agencies enjoy great discretion to define their actions, courts have repeatedly stated that they should exercise their discretion in accordance to their Congressional mandate. (*See, e.g. Citizens Against Burlington v. Busey* (9th Cir. 1991) 938 F.2d 190, 196 (stating that when defining the purpose and need of their actions under NEPA, “agencies must look hard at the factors relevant to the definition of purpose...An agency should always consider the views of Congress, expressed, ... in the agency’s statutory authorization to act...”).) The Preferred Alternative is unquestionably contrary to the Trust’s statutory mandate.

Preferred Alternative Violates Presidio Trust Act Sections 104 (c) (3)

In addition to violating the Presidio Trust Act Section 101 (3) and 101 (5) as stated above, the new construction also appears to be in violation of the Presidio Trust Act Section 104 (c) (3), which limits new construction to "replacement of existing structures of similar size in existing areas of development." This requirement has already been established by federal court decision, and the Presidio Trust’s position that it can aggregate the square footage of various buildings removed is improper. (*See, Sierra Club v. John O. Marsh*, N.D. Cal. C-86-0289 WWS, Findings of Fact and Conclusion of Law (Feb. 14, 1986).)

Preferred Alternative Violates Secretary of the Interior’s Standards

The historic buildings of the Main Post are listed as “contributing” to the Presidio’s status as a National Historic Landmark, and as such, the Secretary’s Standards apply. However, the current proposal appears to be inconsistent with the basic Secretary’s Standards that “[n]ew additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion and massing to protect the integrity of the property and its environment.” (Secretary’s Standards for Rehabilitation, Section 9) The Fisher Museum, the proposed lodge, the proposed addition to the Presidio Theater and the proposed addition to the Chapel can be compatible with the historic buildings of the Main Post if project development follows the Secretary’s Standards. (RDFOE, p. 93) As has been indicated earlier, the Trust has selected only a subset of Standards to follow, and is demonstrably not following even this subset.

Preferred Alternative Contradicts Basic Assumptions and Goals of PTMP

The proposed Main Post Update is not simply an update of the 2002 PTMP, but a wholesale change of the plan contradicting some of the basic assumptions and goals of that document. The 2002 PTMP places the “highest priority” on “actions that carry out the preservation, rehabilitation, and use of historic buildings and landscapes,” (PTMP, Ch.1, p. 5), a priority that is clearly compromised by the current proposal (RDFOE, p. 91)

See also Final EIR for the PTMP, Response to Comments, Response to PR-8, p. 4-210 Assures the public that “the Plan does not propose new construction to provide additional large-scale buildings as venues to host programs, but rather emphasize rehabilitation and reuse of existing building for preferred uses, including program-related use”;
Response to Comments, Response to NC-4, p. 4-166 States that “new construction is envisioned as a way to facilitate rehabilitation and reuse by improving the functionality of older buildings and increasing the financial feasibility of reuse.”

The PTMP was based on a “promise” and an “understanding” between the Trust and the public worked out over many years and with considerable debate. The RDMPU and SDSEIS break that promise and ignore the delicate, long-standing balance between financial self-sufficiency and preservation of natural and cultural resources developed in negotiation between the community and the Trust.

Preferred Alternative Violates Section 110 of the NHPA

The Preferred Alternative violates Section 110 of the National Historic Preservation Act, which requires that the Presidio Trust, to the maximum extent feasible, minimize harm to the Presidio National Historic Landmark district resulting from its undertakings. The SDSEIS acknowledges that demolition of historic buildings in the Main Post would have an adverse effect on historic resources, including the NHLD (SDSEIS, p. 101), and that construction of the Fisher Museum would “adversely affect the historic setting of that open space.” and “introduce a focal point at the southern boundary of the Main Parade that is inconsistent with the overall historic character of its setting. This would adversely affect the Main Parade.” (SDSEIS, p. 102)

Preferred Alternative Is Deficient With Respect to NEPA Requirements

As described in more detail below in Section E, the SDSEIS falls short of NEPA requirements in various respects – most notably because it understates the Preferred Alternative’s environmental impacts.

Preferred Alternative is Incompatible with NHLD

The SDSEIS suggests that the Presidio is unique as a national park (SDSEIS, p. S-3). The Presidio is described as a “showcase of military history architecture” (DSEIS, p. 2), and the Main Post is “the one district in the Presidio that represents the entire NHLD period of significance of 1776 through 1945.” (SDSEIS, p. 89) The DSEIS also describes the open space, vistas, and beauty of its natural environment.

However, the Fisher Museum and the lodge do not support or enhance the park’s historic significance and natural amenities. They do not contribute to the inherent character of the Presidio and the Main Post. The new buildings will fill in open space and are out of scale with their environment. They dominate the Main Parade ground, reducing the significance of the Montgomery Street Barracks (See Figs. 23 and 24, SDSEIS, pp. 135, 136). Even the Anza Esplanade (which does deal with the Presidio’s past) is clearly subsidiary to these other structures.

The proposed developments result in a direct effect to the NHLD, as well as to several of

its contributing resources. The undertaking would result in an overall cumulative adverse effect to the NHLD. (RDFOE, p. 91) As stated in the RDFOE, "It [The Main Post] is the sole planning district in the Presidio that represents the entire NHLD period of significance of 1776 through 1945." (RDFOE, p. 5) Loss of NHLD designation would simply open up the Main Post to further large-scale, incompatible commercialization, a violation of the Trust enabling legislation. The Trust, by its proposed developments, imperils the Presidio's designation as a NHLD.

The Function of the Preferred Alternative Will Have an Adverse Effect on the NHLD

The function of the proposed contemporary art museum will have an adverse effect on the NHLD, and one cognizable under the NHPA. The regulations implementing the Act include 36 DFR 800.5(v), which proscribes "The introduction of visual...*and atmospheric elements* that diminish the integrity of the property's significant historic features". (emphasis supplied) The incongruous nature of such a museum, which has absolutely nothing to do with the history of the Presidio or the natural resources of the park, and announces its discrepant nature by its dominant placement with modern architecture befitting its function, would, indeed, be, in the words of the applicable regulation, a proscribed "atmospheric element (that) diminish(es) the integrity of (the Presidio's) historic features".

CEQA Analysis on Traffic Impacts Should Be Performed

There will be impacts to roadways and neighborhoods outside of the Presidio. While mitigations are offered for impacts outside of the Presidio, it does not fully analyze the impacts of these mitigations. As has been done for the Doyle Drive Project, a CEQA analysis should be performed to fully identify impacts and mitigations of the Preferred Alternative outside of the Presidio. The mitigations from the Doyle Drive Project should be reviewed, analyzed and incorporated, where appropriate, within the Main Post SDSEIS project.

E. SDSEIS - SPECIFIC COMMENTS

The SDSEIS specific comments provided below are targeted at a particular section or detail of the document. The comments track the order of the sections presented in the DSEIS.

1.0 Purpose and Need

The Rationale For Altering the PTMP Has Not Been Sufficiently Justified

The claimed purpose and need for the Preferred Alternative is said to be, "attracting other compatible uses to the Main Post's remaining historic buildings, bring people to the Main Post and contribute to making the Presidio a great national park". (DSEIS, p.4) The SDSEIS is considerably vague and circular, suggesting that the document "reflects the land uses and improvements that the Trust intends to pursue in order to establish the Main Post as the cultural and civic center of a unique urban national park." (SDSEIS, p. S-1) There is no evidence the Trust has diligently sought alternatives using the existing buildings to achieve the same goal.

This statement of purpose and need is manifestly deficient and forecloses any consideration of alternatives to fulfilling those purposes or satisfying those needs. The statement is so vague as to be meaningless, and internally inconsistent. It wholly fails to indicate how a *contemporary art museum, a big hotel and a multiplex movie theatre* would themselves be considered to be "*compatible uses* to the Main Post's other *historic buildings*" and so leaves that purpose and need effectively undefined.

As stated in the DSEIS and implicit in the SDSEIS Preferred Alternative, the remaining element of the claimed purpose and need, ("bringing people to the Main Post"), nowhere indicates: (a) the extent to which currently operating facilities and programs would not themselves do so; (b) whether additional programs and other facilities would do so; and (c) in any event, what number of visitors and tenants is sought for the Main Post and why that amount is deemed essential to "revitalization." In sum, because the statement of purpose and need is so deficient, it improperly precludes the identification and consideration of alternatives to achieving them, including alternatives with far fewer environmental consequences.

The Trust has allowed the museum proposal to proceed even as a number of adverse impacts to the Main Post continue to be identified including the possible de-designation of the Presidio NHL, destruction of archeological resources, and the demolition of historic structures, some of which have been renovated recently at taxpayer expense. The SDSEIS fails to justify the building demolition and new construction and how those actions are related to the Presidio Trust's mission defined in the Presidio Trust Act.

The purpose and need for the SDSEIS and RDMPU merely allows the Trust to consider the Fisher proposal for a major museum. For the Fisher proposal to be considered at all, the SDSEIS was required to allow total construction at the Main Post of 253,000 sq. ft. rather than the PTMP approved 100,000 sq. ft. Without a new SDSEIS and proposed change in the PTMP, the proposal would have had to be rejected.

The discussion of revitalization and the contribution of the museum to that purpose/goal derives from the decision by the Trust to consider the proposal at all. The central point here is that the Main Post already had a "revitalization plan" in the PTMP as it stood: lodging and visitors center in revitalized buildings (not newly constructed buildings), public areas on the Main Parade, and archaeology and heritage centers.

The idea of a contemporary art museum building was completely opportunistic, that is, created by the Fisher proposal, including the \$10 million landscaping incentive. Rather than turn it down as inconsistent with the PTMP, the Trust chose to amend the approved plan for the sole purpose of allowing the proposal to go forward.

Without Sufficient Purpose and Need An Analysis of Alternatives Is Impossible

The purpose and need for the preferred action have largely been eliminated and minimized in the planning documents. The RDMPU no longer contains a statement of purpose, and the SDSEIS is vague and circular. This deficiency infects the presentation of the Alternatives presented in the DSEIS (DSEIS, p. 9-54) and Update, and therefore undermines the NEPA sufficiency of the selection of the Preferred Alternative in the February, 2009 documents. Since the Trust cannot put into specific words the purpose

and need for this significant amendment to the PTMP, the projects within the RDMPU and SDSEIS are not needed and goals for the Main Post can ultimately be achieved without the proposed projects. Without a specific purpose and need (other than to just build the project proponent's art museum), the Trust violates the Presidio Trust Act, undertaking unnecessary development. Moreover, even if the purpose of the Preferred Alternative was to revitalize the Main Post, that purpose has now been edited out of the Website documents. (Compare DSEIS, p.1-7 to SDSEIS, p. 1-3) (See, *Citizens Against Burlington, supra*, 938 F2d at 196.)

3.0 Affected Environment

3.1 Land Use

Museum Design is Not Included in the SDSEIS and RDMPU, and the Plan Views Are Inconsistent

The SDSEIS is actually more vague on the Preferred Alternative than the DSEIS was in depicting the various alternatives. Unlike the DSEIS, the SDSEIS contains no design drawings or plans on the Preferred Alternative, only three-dimensional building outlines. Even these are difficult to reconcile as to their accuracy. This is a fatal, fundamental flaw in the SDSEIS document. The public cannot be required to view the proponent's website to see design concepts or renderings not in the SDSEIS or RDMPU. The SDSEIS is inadequate and insufficient without itself incorporating design drawings from the Project proponent.

At least three plan views of the design are inconsistent in the RDMPU. (RDMPU, p. 37, 39, 45) The true projected layout of the museum proposal is unknown.

Inconsistencies and lack of information contribute to the inadequacy of these two documents regarding the museum's proposed project design.

Museum Design, Scale and Location Violate the Trust Mandate

If the concerned citizen does choose to investigate the project proponent's website for renderings (and there is certainly no commitment by anyone that these drawings might not be changed at the project proponent's whim), these drawings show a proposed museum building that is clearly incongruous with the Main Post's unique architectural character. (See, <http://www.camptoday.org/images.html>) As such, it would violate the Trust's own mandate. While not specifically stated in the RDFOE, the following effects detailed in the previous Draft Finding of Effects (DFOE) still apply. Clearly, a new author has minimized the effects in the RDFOE.

A key design feature of the Main Post is "four [parallel] lines of repeating buildings, overlooking lawns, streets and/or parade grounds." Although building programs dating to the period of significance, including Major Harts' 1907 plan, envisioned filling the south end of the Main Parade with a grand structure, these plans were never implemented. *Locating the contemporary museum at the bowling center site changes the historic design of the Main Parade from a field defined by parallel rows of buildings on the east and west and mostly open at the ends, to a highly designed new landscape element with contemporary*

construction "completing" its south edge in a manner that never occurred historically. This action would be inconsistent with the Secretary's Standards and would result in an adverse effect. (emphasis added; DFOE, p. 46)

Without dramatic alterations to the museum location this adverse effect would be impossible to mitigate.

Museum Location Disrupts the Main Post's Historic Setting

The proposed site of the Fisher Museum is an inappropriate intrusion that would disrupt the Main Post's historic setting. (SDSEIS, p. 102) While the new design is lower, as explained in the DFOE, the following adverse impact is still applicable despite not being mentioned in the RDFOE:

The contemporary art museum at the bowling alley site would place a large mass of contemporary construction directly in front of building 100. This would change the contributing building's historic design as a barracks fronting a parade ground in a manner inconsistent with the Secretary's Standards, and result in an adverse effect. (emphasis added; DFOE, p. 47)

We find that removing this finding of effect to be inconsistent and illogical. The description still applies, despite not being included in the RDFOE. Without a dramatic alteration to the museum location this adverse effect would be impossible to mitigate.

Museum Jeopardizes Integrity of Presidio NHL, Destroys Archeological Resources

The Fisher Museum would jeopardize the integrity of the Presidio National Historic Landmark District (NHL). According to the RDFOE there are no direct effects to the NHL. However, much of what was written in the DFOE still applies:

The proposed size and prominence of the new structure would alter the feeling of the Main Parade by changing it from an Army era parade ground fronted by two parallel rows of barracks buildings on the east and west (each one no larger than 42,000 sq/ft), to the front lawn of a 100,000 sq/ft building at its south end. The proposed size of the new structure at this location would be inconsistent with the Secretary's Standards and would result in a direct adverse effect.

At the end of the period of significance (1945), the bowling center site was characterized by low-scale buildings, recreation spaces and parking lots that were less prominent than the neighboring barracks buildings. By filling the site with a contemporary building more than twice as large as any of the surrounding contributing buildings, the feeling of the site would be changed. The proposed mass and size in this location would be inconsistent with the Secretary's Standards and would result in a direct adverse effect.

Construction of the basement and plans for an underground parking garage associated with the contemporary art museum would destroy archaeological resources associated with F1 and F20, and preclude the ability to investigate F20, which would be inconsistent with Secretary's Standards and would result in an adverse effect. (p. 48)

The undertaking associated with Alternative 2 would result in an adverse effect to the NHLD because it “[alters]...the characteristics of [the Presidio NHLD] that qualify the property for inclusion in the National Register in a manner that [diminishes] the integrity of the property’s location, design setting, materials, workmanship, feeling, [and] association.” (p. 52) (emphasis added)

While reduced in height the museum design is still *intended* to be *and is* large and prominent. It is, by its very design, intended to alter the feeling of the Main Post, to draw attention to itself, rather than support the NHLD. Even with the alterations to the museum design, massing and location these adverse effects still diminish the integrity of the NHLD, and likely cause the site being delisted from the National Register of Historic Places.

Museum Interrupts the Rhythm of Open Space and Built Environment

As presented, the height and breadth of the Fisher Museum would intrude upon and detract from the rhythm, scale, and proportion of the Main Post. (SDSEIS, p. 102) Since the location has not changed, only the height of the building, the previous analysis still stands. As stated in the DFOE:

In the location proposed, a large new building would interrupt the rhythm of open space to built environment, thus changing the character of the Main Post’s physical features within its setting that contribute to its historic significance. This action would be inconsistent with the Secretary’s Standards and result in a direct adverse effect on the Main Parade and surrounding contributing buildings. (emphasis added; DFOE, p. 47)

Without a dramatic alteration to the museum location this adverse effect would be impossible to mitigate and the project should be relocated.

Museum Total Size Is Unclear and Misleading

While the Trust has presented the new Fisher museum as reduced in scale, the Preferred Alternative contemplates a project that would be substantially larger. Due to the vague descriptions of the project in the RDMPU and SDSEIS, however, it is not possible for the public to determine its detailed dimensions. The following is the PNRWG’s best estimate of the proposed project:

The main Fisher museum building will be in excess of 70,000 sq. ft.; the Fisher museum annex will be approximately 30,000 sq. ft.; there will be between 20,000 and 30,000 sq. ft. of sunken courtyards, partially enclosed areas beneath the overhanging roof of the main building, underground connecting passageways and other restricted areas; there will be an additional 20,000 to 30,000 sq. ft. of hardscape patios, plazas, terraces, staircases, walkways, delivery dock and driveways, and other hard surfaces; approximately 43,000 sq. ft. of rehabilitated space at Building 101; and a 35,000 sq. ft. underground garage (relocated from beneath the main Fisher museum building (as presented in the June 2005 MPU) to adjacent the new Fisher museum annex.) Using the average of the above hardscape figures, the totals are:

Fisher main building	70,000 sq. ft.
Fisher annex	30,000
Fisher restricted hardscape	25,000
Fisher additional hardscape	25,000
Fisher Building 101	43,000
Fisher garage	<u>35,000</u>
Total:	228,000 sq. ft.

In addition to the 228,000 sq. ft., the Preferred Alternative contemplates a large, hardsurface, parking lot essentially on there side of the Fisher annex whose footprint appears to be approximately equal in size the entirety of the Fisher project. (RDMPU, pp. 20, 25, 45)

While one might claim the above is an apples and oranges comparison, the PNRWG agrees that indeed it is, and that is precisely the point of the analysis. Throughout the NEPA review process, including the review of the Preferred Alternative, the Trust has minimized the Fisher museum presence. The above analysis demonstrates the immensity of the physical impact of the Fisher project presence at the head of the Main Parade Ground.

Lodge Is Too Massive and Destroys Archaeological Resources

The proposed lodge on the Main Post, the site and its height and bulk, and potential impact on known and unknown archaeological resources would result in adverse effects on resources. As discussed previously, and not changed in the new design:

The proposed 85,000 sq. ft. lodge, and included restaurant would be built on a site once occupied by a dispersed collection of one-two story barracks buildings, which together totaled approximately 40,000 sq/ft. *By more than doubling the built mass on this site, the historic setting of the east edge of the Main Parade is altered, and could result in a direct adverse effect.*

Although the lodge site was selected to create a visual separation between the Old and Main Parades, *the height and width of the new building could diminish the integrity of buildings 86 and 87 by reducing their prominence in the historic scene with a mass of new construction six times larger than the two contributing buildings combined. This would be inconsistent with the recommendations of the Secretary's Standards and could result in a direct adverse effect on buildings 86 and 87.*

Construction and plans for an underground parking garage associated with the lodge would *destroy known archaeological resources* associated with F9, which would be inconsistent with Secretary's Standards and would *result in an adverse effect.* (RDFOE, p. 93) *(emphasis added)*

The Trust should eliminate the lodge from consideration, if it cannot reengage the public on the design, scale and massing. Developing lodging on the Main Post should focus primarily on re-using existing structures, including Pershing Hall and the Montgomery Street Barracks. We do not object to using the Building 34 site for lodging if the scale is

appropriate. The new building should maintain a similar footprint to the current one. We question the economics of discarding a perfectly usable office structure in order to move the Trust staff into an existing Building 220 and use space that could otherwise produce rental income.

3.3 Transportation and Parking

SDSEIS is Deficient Without a Park-Wide Transportation, Traffic and Parking Plan

The Trust does not have a park-wide transportation, traffic and parking plan and the SDSEIS is deficient without such a plan. The Trust must prepare such a plan before concluding the SEIS process to properly understand, quantify and prepare feasible steps to meet expected visitation. The park-wide transportation plan should be made available to the public as part of a public comment process.

A park-wide plan must include a Memorandum of Understanding (MOU) with primary transportation providers such as the SFMTA and Golden Gate Bridge Highway and Transportation District.

A park-wide plan must address the proposed RDMPU visitation, impacts to neighborhoods and examine reduced visitation alternatives such as: 1) no art museum; 2) no lodge; and or 3) no theater expansion.

A Level Of Service Analysis Is Inappropriate to Assess Impacts on Residential Communities

The DSEIS Traffic assessment is conducted only by Level of Service (LOS) analysis, which is not an appropriate measure to assess traffic's impact on residential communities and park activities. (DSEIS, pp. 69–74, Tables 3-4 (current situation); pp. 86 – 93, Tables 11-14 (impacts).)

Level of Service (LOS) is a measure of “through-put”, which assesses how quickly the total predicted load of vehicles is moved along a commuter route. LOS does not assess pedestrian safety, compatibility with bicycles, traffic noise, traffic safety impacts, air pollution, or any of the other factors that relate to the enjoyable use of a park or a residential area.² The traffic assessment does not address these issues in any meaningful way, neither within the Park nor in the surrounding neighborhoods. A high level of service supporting a high volume of vehicles is commonly associated with roads that are neither pedestrian nor bicycle friendly.

² References supporting the above comments:

<http://www.planning.org/thecommissioner/spring02.htm>

http://dphwww.sfdph.org/phes/publications/Transportation_pubs/Tr_Replacing_Auto_LOSA_CEQA.pdf

<http://www.dot.state.fl.us/Planning/systems/sm/los/pdfs/plos-urb-art-mod.pdf> and related papers at the Florida DOT site.

<http://www.vtpi.org/measure.pdf>

Consequently, implementing mitigation measures which improve LOS does NOT mean that the traffic impact would be made acceptable – quite possibly the contrary. Further analysis is required to assess pedestrian safety, compatibility of predicted automobile traffic with bicycle traffic on roadways in the Presidio and the surrounding neighborhoods, traffic noise, traffic safety impacts, and any of the other factors that relate to the enjoyable use of a park or a residential area.

DSEIS Fails to Consider Impacts of Traffic Diversions to Previously Low-Traffic Streets

Traffic mitigation looks primarily at adding signals to intersections, both within the Presidio and in adjoining neighborhoods. However, the DSEIS fails to consider the impact of diverting high volumes of traffic onto previously low-traffic residential streets. Presidio staff has stated the expectation that cars will disperse onto residential surface streets upon leaving the Presidio, thus relieving congestion. Based on other experiences with large developments in the area, for example California Pacific Medical Center's (CPMC) Pacific Site, we expect this will bring adverse impacts to the residential areas. The DSEIS fails to assess the impacts of the proposed mitigations, such as signalization, on the nearby residential neighborhoods, paying particular attention to increased traffic levels throughout the day, and safety issues such as vehicle speeds, running of lights and pedestrian safety. (DSEIS, pp. 102–105, Tables 18-19.)

DSEIS Fails to Analyze Traffic With Other Activities in Surrounding Areas

The DSEIS traffic assessment only looks at am/pm peak period traffic. The traffic assessment does not assess the distribution of traffic and interaction with other activities in the surrounding area except for the weekday peak am/pm rush hour.

Traffic pattern variations which occur throughout the day, weekdays vs. weekends; seasonal changes, vacation impacts, etc. are not assessed in sufficient detail. Data from other museums (e.g. the Exploratorium and SF MOMA) clearly demonstrates that museum attendance varies significantly from average (e.g. 33% greater in July to 40% lower in October). Special exhibits can draw large crowds for extended periods.

It is reasonable to expect that in addition to increasing peak commute demand, increasing recreational visitors will increase the level of traffic throughout the day, possibly to near peak hour levels for extended periods.

The DSEIS' failure to model traffic variations throughout the day, weekdays vs. weekends, and seasonal changes is a significant omission. The failure to address special events is also a serious omission. (DSEIS, p. 70, Table 3; p. 73, Table 4; p. 80, Table 7; p. 83, Table 8; p. 85, Table 9; pp. 89–191, Tables 11–14.)

PresidiGo, MUNI Funding Not Analyzed

The Presidio is not readily accessible by public transit: schedules are infrequent and long connections are required. Use of the PresidiGo shuttle may offer an excellent solution to problems associated with Presidio commute traffic. However, it is still not effective for visitors coming to the Presidio outside of commute routes/schedules, and internal loop frequencies are inadequate to discourage driving to the Presidio.

Although MUNI and PresidiGo potentially can reduce driving to the Presidio, there is no reason to believe that MUNI funding will be adequate to support increased Presidio traffic without degrading other services – a net negative impact to San Francisco. Absent a clear agreement for coordinated operations, the analysis of public transit fails to address critical hinge factors such as funding and optimized routes for PresidiGo and MUNI. This is a serious omission from the proposed impacts (DSEIS, pp. 98-99) and mitigations (DSEIS, pp. 106-107).

Pedestrian and Bicycle Intensity and Traffic Interactions Are Misleading

The DSEIS sections dealing with Bicycle and Pedestrian usage refers to the Presidio Trails and Bikeways Master Plan, implying that this document contains an accurate assessment of use intensity and traffic interactions. (DSEIS, pp. 76-77; p. 98) This implication is misleading: The Presidio Trails and Bikeways Master Plan does not address the issue of traffic intensity and bicycle usage adequately; this issue was raised in public comment (e.g. Appendix B, p. B7) as was the need for traffic calming measures (DSEIS, p. B10). The DSEIS fails to address how increased use intensity affects these existing concerns. Given that the DSEIS predicts an additional 8,000 daily person trips to the Main Post, leaving out an assessment of increased pedestrian traffic in the vicinity of the Main Post is a significant omission.

Parking Demand Inconsistent With Recreational Use Pattern

The DSEIS asserts that demand for parking on weekends is expected to be less than on weekdays – yet museum and recreational uses peak on weekends, and all visitor serving functions will have full staff on weekends. This assertion is unsupported, and inconsistent with expectations of a recreational use pattern. (DSEIS, p. 94)

Possible Parking Mitigations Not Considered

TDM policies that discourage driving into, and parking within the Presidio increase the probability of Presidio visitors and tenants parking in the neighboring community – a pattern that is commonly observed in San Francisco in the vicinity of large institutions. The DSEIS fails to consider these issues, and does not consider possible mitigations. (DSEIS, p. 105) The DSEIS assumes that visitors will not park in the adjoining neighborhoods because of the need for residential permits. However, there is no evidence of effective enforcement programs to date, especially those that do not create even more problems for residents. Installing parking meters in residential neighborhoods is unacceptable. As a result the DSEIS ignores a key factor that affects both the quality of life for residents, and the ability of local neighborhood serving businesses to attract clients.

Tour Bus, Trucks and Taxi Impacts Not Analyzed

The DSEIS does not address the possible impacts of tour buses, nor does it offer plans to mitigate possible adverse impacts, such as increased noise and vibration in neighboring residential districts.

Traffic Impacts to Greater Presidio Not Analyzed

The DSEIS estimates traffic impacts on the Main Post, various gates and intersections outside the Presidio. (DSEIS, pp. 70-71) However, the DSEIS fails to estimate the impact of the Fisher Museum and related vehicular traffic on the larger Presidio NGLD.

3.4 Air Quality

Air Quality Impacts of Preferred Alternative Are Underestimated

On page 73, the SDSEIS evaluates average carbon monoxide emissions from vehicle trips for the Preferred Alternative to be from 533.80 pounds/day. The BAAQMD states that 550 pounds/day of carbon monoxide is a "significant impact". (SDSEIS, p. 93) The SDSEIS fails to estimate air quality impacts properly, given much higher visitation rates expected in the Preferred Alternative (up to 21million) versus existing conditions (up to 660,000), a ratio of 3.2:1. The ratio of average weekly vehicle trips between the Preferred Alternative (16,765) and Alternative 1 (13,951), is 1.2:1. The visitation ratio is not consistent with the vehicle trips ratio. Vehicle trips under the Preferred Alternative are potentially underestimated and therefore, the SDSEIS underestimates the air quality impact. The SDSEIS also fails to mitigate these likely significant impacts to air quality.

Preservation Policies in Conflict With Energy Best Practices

The document, at page 243 states, "The Buildings would meet or surpass the energy conservation requirements of the current California Title 24 energy code, where these requirements do not conflict with historic preservation objectives." (SDSEIS, p. 182) This statement does not explain how the Preservation policies may be in conflict with energy best practices or how the conflicts may be resolved. The policy is likely to be an issue for lighting technologies and solar technology where there may be objections to panels on the roof, but some creative thinking could resolve these issues; e.g., panels can be placed as parking lot covers, where parking is absolutely necessary. The SDSEIS fails to explain how energy conservation requirements will be met while preserving historic objectives.

LEED Standards Employed Meet Only Minimum Standards

The SDSEIS states, "...The Trust would encourage applicants to seek LEED Silver rating..." (SDSEIS, p. 182) This is a minimum standard in today's green construction environment. LEED Gold is the standard in the City's Green Building Ordinance, and Treasure Island has committed to LEED Platinum. There is no reason why a competent architectural firm considering new construction at this date could not achieve LEED platinum. In addition to LEED standards there should be a commitment to total life cycle impacts of a new building for this proposal to be a serious achievement in green construction.

3.5 Noise

Noise Impacts on Neighboring Community Not Analyzed Sufficiently

The SDSEIS only considers the impact of traffic related noise from the perspective of the Presidio proper. Because the "nearest residences within the City and County of San Francisco are over 1500 ft" from the Main Post, the SDSEIS assumes they would not be

affected, and so ignores the impact on Presidio inbound and outbound traffic on the neighboring community. (SDSEIS, pp. 79-84)

3.6 Historic Resources

Preferred Alternative Would Have Many Adverse Effects on Historic Resources

As previously identified by the Trust in the DFOE, the Preferred Alternative will have significant adverse effects on historic resources.

Trust Proposal Diminishes Integrity of NHLD

“The new museum building at the scale and size proposed would fill the majority of the space bordered by the four surrounding streets and be much larger than anything that existed on the site before. It would introduce a new element into the historic setting that would be out of scale... Because the new building as proposed would diminish the integrity of multiple contributing resources and aspects of the historic scene, it would have a significant impact on the historic Main Post and potentially the NHLD.” (DSEIS, pp. 147-8) The Preferred Alternative is not significantly different in this respect than the original Proposed Alternative. The sprawl and increased hardscape more than offset whatever amount the height has been reduced.

Historic Scene Diminished Under Trust Proposal

“The new construction as currently envisioned under the Preferred Alternative would significantly alter the ability to experience the historic scene of the Main Post...the only area that includes all eras of history as well as the original resources that resulted in the designation of the Presidio as a National Historic Landmark District. (DSEIS, p. 229)

Proposal Develops Real Estate Rather Than Protecting Natural and Cultural Resources

“The proposed (lodge) could adversely affect both of these buildings (86 and 87) and because of its prominent location, the historic Main Post.” (DSEIS, p. 148) The Trust proposes something wholly out of compliance with its obligations to protect the Presidio from development.

Interpretation of the Presidio’s natural, historic and cultural resources is the primary responsibility of the National Park Service in cooperation with the Presidio Trust. The Trust should include the National Park Service’s expertise in interpreting the historic features of the Presidio.

3.7 Archaeology

Archeological Features Not Shown to Exist Under Proposed Museum Locations

Data from Presidio Trust investigations suggest that there may be significant adverse effects to archeological resources by the Preferred Alternative. The historic stream ravine, now covered by fill, is clearly shown underlying the museum site for the Preferred Alternative. (Draft Cut and Fill Map 1871-2000, p. 1) The sites are considered likely sources of archeological materials. (Draft Geoarchaeological Investigations for the Proposed Presidio Contemporary Art Museum, p. 7) The RDMPU indicates that a stream is buried under the sites of the Preferred Alternative. (Figures 1, 2 RDMPU, pp. 5, 7)

Streams would be crucial areas of early settlement and deposits of human habitation. Yet, predicted archeological features do not include the site of the museum offered in the Preferred Alternative. (SDSEIS, p. 10) The Trust has drilled cores in these areas and found archeological remains from the historic period. The SDSEIS fails to include predicted archeological features in the sites of the Preferred Alternative and fails to identify adverse consequences of the proposed development on those sites.

Destruction of Archeological Resources Reduces Integrity of NHLD

“The Removal of historic structures and contributing elements of the cultural landscape plus the disturbance of archeological sites would have an irreversible impact (i.e. once they are damaged or destroyed, they are lost forever). However, prior to the removal or disturbance to these resources, documentation and data recovery would be completed; thus maintaining the historical record and limiting the impact the loss of the physical structure and historic associations.” (SDSEIS, p. 178) The SDSEIS fails to specify how, if the National Historic Landmark District is so destroyed that it has to be relegated to paper or in a computer and filed away, a visitor will ever be able to comprehend and appreciate the entirety of the Period of Significance. The very unique and special traits of the Main Post, those qualities that made it a NHLD, will have been lost. The SDSEIS fails to explain how any of the mitigation proposed can make up for such a loss.

3.8 Visual Resources

The DSEIS “Visual Resource” section specifies, “the Main Post is visually diverse with a wide variety of architectural styles and building types from every era of its history.” (SDSEIS, p. S-10) The aerial view (RDMPU, Inside Cover) shows all red tile roofs except for two or possibly, three buildings. Nearly all of these buildings are red brick or have a white facade and nearly all have sloped roofs. The previous Update cover is what most San Franciscans and Presidio visitors think of as the visual “architecture” of the Presidio: the red-bricked row of Montgomery Street barracks. Now, embedded in the Trust future vision of the Presidio, the RDMPU cover shows a Presidio symbolically fading away, its bright future of visitor engagement with the NHLD now dulled by over-development and irrelevant uses.

The Proposed Lodge Creates Visual Barrier and Changes Historic Character Of the Main Post

The 480-foot long, lodge will become a massive visual barrier between the Old and the Main Parade grounds, as opposed to providing a connection between the two areas. The result of these two new elements will be very intrusive visually and will dramatically change the character of this historic area, not preserve and enhance it. (SDSEIS, p. 140)

The Structure’s Architecture Should Be Compatible with NHLD

The design of the Fisher Museum and the lodge are not “compatible with this National Historic Landmark District” (SDSEIS, p. 2) an area that is rich in history and old California architecture. Without mimicking the historic buildings, any new building should include or at least embrace these hallmark characteristics, including color, rooflines and style. The design of the Fisher Museum as proposed, fails to accomplish this. The visual impact of the Fisher Museum is not compatible with nearby historic structures and does not enhance the NHLD. The Fisher Museum intends to be the focal

point of the Main Parade Ground and Main Post, detracting from the historic nature and character of the setting.

3.9 Visitation

Visitation is Likely to be Significantly Underestimated in the SDSEIS

Accurate visitation estimates are essential to understanding projected park use. Underestimated park visitation could result in park overuse and a poor visitor experience through congestion, crowding and traffic. By conservatively modifying underlying assumptions (such as utilized building square footage) analyzing Presidio Main Post visitation, annual Presidio visitation in 2030 can easily reach 2.55 million, a 25% increase over the 2.06 million currently estimated for 2030 visitation. The 25% visitation increase (or an additional 500,000 visits per year) will directly translate to significant additional parking demand and increased traffic congestion, not considered by the Trust in this planning document.

The visitation, traffic and parking impacts of the Preferred Alternative is based on inadequate information, improper comparisons, inaccurate presentations of data and faulty methodology. With a modest research effort, the PNRWG obtained current and past relevant information from the De Young, Legion of Honor, SF MOMA and Asian museums and the Exploratorium. This information includes visitation by year, month and day, total square footage for each building, and the square footage devoted to gallery space, administration, education and other museum functions. (See, SDSEIS, Tables 7-10, 25, pp. 45-53, 154, & Appendix A)³

Based on data obtained from the above museums, the SDSEIS is faulty in several respects:

The visitation, traffic and parking estimates do not take into account the seasonal variations in attendance at the Main Post buildings. Museums, in particular, have a very strong seasonal pattern, with peaks and troughs by month, and high peaks associated with special exhibits, free days or extended hours.

The method used in the SDSEIS to estimate daily and weekend traffic is based on annual estimates divided by days in the year. Peak traffic is estimated for weekday hours and weekend hours assuming all visitation and traffic is equally distributed by day and week throughout the year.

The differences in monthly visitation are from 30% to 100% greater than the average. Daily peak traffic and weekend peak traffic are severely understated by the SDSEIS' failure to account for these peak months.

The Fisher Museum estimates are too low, while several of the other building uses appear unsupported or too high. As a result, the traffic impact of the Fisher Museum is severely underestimated compared to Alternative 1. It is probable that the necessary increase in

³ PNRWG objects to the Trust's decision not to include Appendix A - Transportation Data in the published SDSEIS document.

the Fisher Museum estimates will cause demand for parking to exceed supply in the Main Post.

These traffic impacts, causing back ups and delays in the Main Post and at entry/exit points to the Presidio, will seriously impact the feeling of the Main Post, and is a negative impact not recognized, discussed, or addressed in the SDSEIS.

The creation of major destination institutions in the Presidio, which is inadequately served by public transit, conflicts with the San Francisco transit first policy and with the National Park Service Policy to minimize auto use in national parks.

Locating a new contemporary art museum in the City proper would avoid these traffic congestion and parking issues in and around the Presidio.

3.10 Recreation

DSEIS Alternatives Insufficient Without Particularization for Facilities Replacement

The Preferred Alternative results in the relocation or removal of several low-cost recreational or educational uses that serve the general public. These include the bowling alley, tennis courts and a senior center. The SDSEIS makes only vague statements about how or where these facilities could go, how relocation would be paid for, etc. The Preferred Alternative cannot be properly evaluated without a particularization of what arrangements will be made with these facilities.

The SDSEIS makes only the following vague, substantively meaningless statements:

Preferred Alternative: "...the Bowling Center *could* be relocated to a rehabilitated building at Crissy Field. The tennis court *could* be relocated elsewhere within the Presidio as funding permits" (SDSEIS, p. 148, *emphasis added*)

3.11 Water Resources

Water Resources Analysis Inadequate and Internally Inconsistent

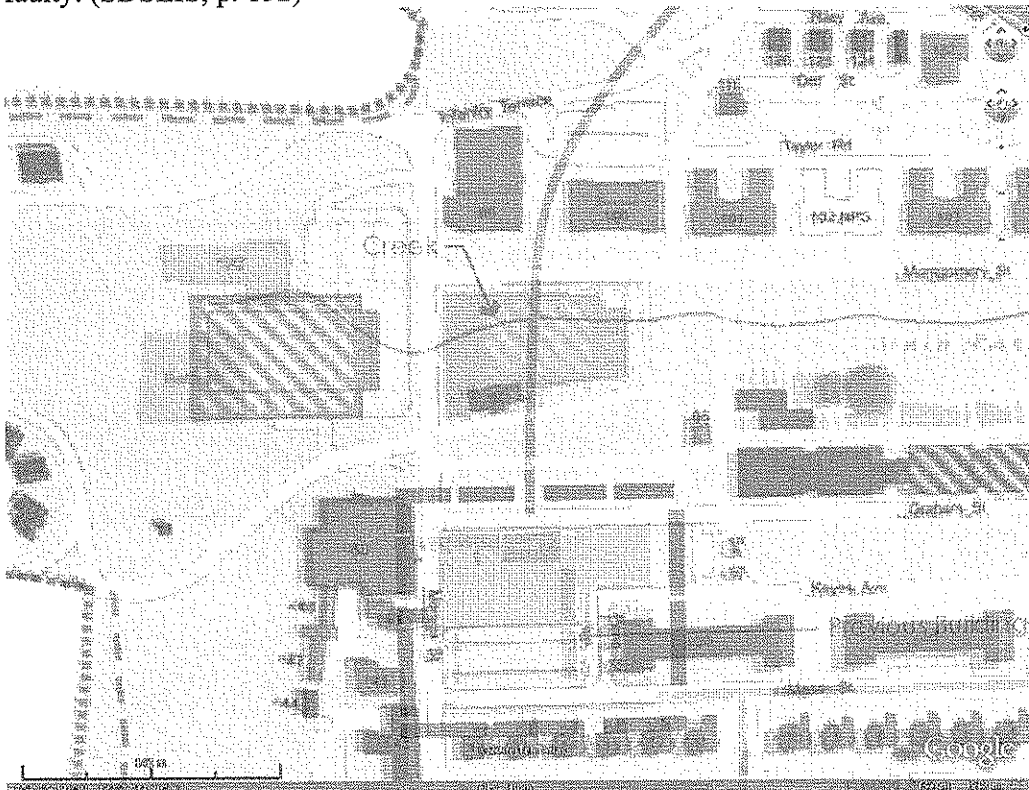
Thick willow stands indicating shallow groundwater are present at the site above the museum location for the Preferred Alternative. A spring adjacent to the tennis courts at Infantry Terrace still flows, as noted in the SDSEIS (SDSEIS, p.151). These data contradict the assertion in the SDSEIS (SDSEIS, p. 152) that groundwater is anticipated to be 33, 43, and 50 feet below the existing surface. The SDSEIS states that "perched" groundwater is identified at 19 feet below the surface (SDSEIS, p. 151). The DSEIS fails to support the assertion that groundwater is perched and not true groundwater, particularly given that the SDSEIS acknowledges the existence of the spring, wetlands and creek (*in the previous wetlands section (SDSEIS, p. 151)*). Springs, wetlands and creeks are the surface expression of groundwater and therefore, the water resources analysis is inadequate and internally inconsistent.

Significant Impacts to Hydrology Would Occur, Contrary to SDSEIS Assertions

Data from Presidio Trust investigations indicate that significant impacts could occur from the proposed project to hydrology. The “Draft Cut and Fill Map 1871-2000,” indicates a fill thickness of about 25 feet at the museum sites for Alternative 2 and 2A, and suggests a steadily decreasing depth (much less than 50 feet) of the former stream ravine towards the south and under the museum sites in the Preferred Alternative. (Draft Cut and Fill Map 1871-2000, p. 1) The shallower depth of fill (25 ft) in the former creek bed towards the south suggests that groundwater could be much closer to the surface than suggested in the SDSEIS. (SDSEIS, p. 151) Cores drilled from the site were air-dried, suggesting that they were wet and possibly influenced by groundwater. (Draft Geoarchaeological Investigations for the Proposed Presidio Contemporary Art Museum, p. 4)

The cross section Figure 3 from the Draft Geoarchaeological Investigations suggest that the creek surface may be from 10 to 18 feet below ground surface rather than the 50 ft asserted. (SDSEIS, p. 152) This 10-18 foot depth is consistent with the spring north of the tennis courts and the willow stands just to the south of the Alt. 2A museum site.

These data suggest that the assertion that the groundwater is anticipated to be 33 to 50 feet below the existing surface is incorrect and that this hydrologic analysis is therefore, faulty. (SDSEIS, p. 152)



The image above is created from the overlaying of page 7 of the Update, p. 27 of the DSEIS, and p. 39 from the DSEIS. The Image shows the relative position of the now-buried creek and the sites for the museum in Alternatives 2 and 2A. The museum proposal in the Preferred Alternative is in the same location as the combined footprint of

Alternatives 2 and 2A and would significantly impact the hydrology of both sites. (RDMPU, p. 37; SDSEIS, p. 14, 4 Site Plan of Art Museum)

Springs North of Infantry Terrace Tennis Courts Not Investigated

The SDSEIS fails to investigate the springs that come to the surface and possible wetland areas to the north of the Infantry Terrace tennis courts and its connection to the now buried creek. Based on the information presented above the SDSEIS fails to properly analyze the impacts of the Preferred Alternative on sub-surface hydrology. (SDSEIS, p. 152)

Stormwater Options Not Investigated

The SDSEIS fails to analyze options other than directing stormwater to the combined sewer system and does not determine the impact to wet weather capacity of the City combined sewer system or how those impacts will be addressed. (SDSEIS, p. 182)

Project Water Demands Are Not Adequately Identified

The SDSEIS does not adequately identify the amount of additional water demand for the project and whether this amount is consistent with previous projections made for the SFPUC plan. (SDSEIS, p. 182) The SDSEIS does not analyze the amount of water used on the greening of the main post and by the 2.4 million visitors in the Preferred Alternative. Since no water reclamation plant has been built, and there is no assurance that one will be built, water to green this very large lawn would be shipped from Hetch Hetchy reservoir to supplement water from Lobos Creek. Watering very large lawns in California, particularly in a Mediterranean climate susceptible to long periods of drought, is not a sustainable practice. The SDSEIS fails to identify impacts to the Tuolumne watershed from the proposed undertaking.

Impacts From Emerging Contaminants Found in Reclaimed Water Are Not Assessed

If reclaimed water is used to green the proposed 7-acre lawn, the SDSEIS fails to study the impacts to the environment from the emerging contaminants that pass through the treatment process. The SDSEIS fails to analyze the nature, extent, fate and transport of potential contaminants that are released to the environment by reclaimed water. (SDSEIS, pp. 153)

3.12 Cumulative Impacts

Cumulative Impacts of Alternatives Not Fully Assessed

The SDSEIS fails to assess the cumulative impacts of the Preferred Alternative and other alternatives: that is, the effect of one environmental consequence on another, and a determination of the grand total effect of the increments. Various environmental effects are identified (land use, transportation, parking, air quality, noise, building rehabilitation, etc. (SDSEIS, p. 160-175), but there is no detail regarding the incremental effects of the one on the other. Therefore, there has been no assessment of the cumulative total impacts. Further, there is no catalogue of past, present and future contemplated other projects and programs in order to assess their environmental impacts. Simple conclusory statements that there will be cumulative impacts are not adequate descriptions or

determinations of cumulative impacts because they do not permit the public (or the Trust) to properly know what the incremental impact of a particular action to total cumulative impact would be, in kind and/or extent.

Cumulative Impacts Have Not Been Properly Analyzed

There is no analysis as to the environmental impacts of the Preferred Alternative on the effects of all the other relevant actions, such as the re-landscaping of the Main Parade Ground (2007 EA, SDSEIS, p. S-3, n.3) or the Doyle Drive reconstruction. (SDSEIS, p. 157-175)

There is no analysis of the incremental effects that the Preferred Alternative may add to the effects of the relevant actions and otherwise, in order to assess the cumulative effects. (SDSEIS, p. 157, n. 55, and p. 157-175) Indeed, there is no analysis for the other Alternatives in the DSEIS, and likewise, no comparison of incremental and cumulative effects in the DSEIS.

The method of analysis of cumulative effects is not clear, nor the reasons for choosing the method of analysis chosen, as NEPA requires. There is neither (a) a catalogue of past actions nor (b) an aggregation of these actions plus an identification of the increments added by the Preferred Alternative (nor by the other Alternatives in the DSEIS), again as NEPA requires.

Crissy Marsh Expansion Not Analyzed In Cumulative Impacts

The Crissy Marsh expansion project is missing from the cumulative impacts section. The SDSEIS fails to include (SDSEIS, pp. 157, 159) and analyze the impacts of the Preferred Alternative on the Crissy Marsh expansion project, despite the inclusion of the "Crissy Field Marsh Expansion Technical Study, Letter of Agreement" in the PTMP document. (Appendix C, p. C1, PTMP)

Preferred Alternative Not Protective Against Significant Impacts

"The actions of the Preferred Alternative would have a significant impact on the National Historic Landmark District. While the majority of the projects would not have significant impacts, ... the change from all projects, under the preferred alternative is significant." (SDSEIS, p. 164)

Sunken Courtyards Are An Adverse Effect to the NHL

The SDSEIS states, "Under the preferred alternative, the art museum would install large outdoor sculptures in a sunken courtyard open to the sky but not visible within the historic scene. While the courtyard would not necessarily be compatible with the historic landscape, managing the location, orientation, and screening of the courtyard would minimize the potential for adverse effect." (SDSEIS, p. 170)

There are no sunken courtyards anywhere in the Presidio, and particularly not on the Main Post. A sunken courtyard would not be compatible with, and would be an adverse effect to the NHL and is only introduced to avoid the adverse effects generated from the previous above-ground museum proposal.

Moreover, the courtyards are not so "sunken." Aligned towards the northeast, the wells

completely expose the outdoor sculptures to visitors approaching the museum from the Main Parade Ground and would be visible within the historic scene. The SDSEIS fails to identify and assess the adverse effect from the sunken courtyards.

Also, what does “managing the location,” mean? What organization, by what standards will “manage the location?” How would large and not necessarily compatible outdoor modern sculpture ever be appropriate for (not have adverse effect on) the historic landscape regardless of how/who/what manages it? How will these outdoor displays of sculpture preserve the cultural and historic integrity of the Presidio for public use? How will these displays recognize the Presidio’s significant role in the history of the United States?

Inclusion of Large Outdoor Sculptures in “Sunken Courtyards” Will Adversely Affect the NHLD

The SDSEIS states, “...managing the location, orientation, and screening of the courtyard would minimize the potential for adverse effect.” (SDSEIS, p. 170) The SDSEIS fails to support its assertion that the introduction of outdoor sculpture in sunken courtyards would not impact the historic integrity of the Main Post. In sum, the SDSEIS does not provide the information essential to properly assess the impacts of the contemplated large, outdoor sculptures.

3.13 Other Impacts

Failure to Investigate Possible Mitigation

NEPA Sec. 102(2)(C)(ii) requires that an EIS disclose “any adverse environmental effects which cannot be avoided should the proposal be implemented”. But an agency will not know if an adverse effect can be avoided unless it has investigated whether it can be avoided. In sum, NEPA imposes a duty to investigate the possibility of mitigation. Indeed, this is the foundation for what is recognized as the action-forcing goal of NEPA: to encourage mitigation where feasible and appropriate. Throughout the SDSEIS (see, for example, p. 177) adverse impacts of the Preferred Alternative are identified. But there is no indication that the possibility of mitigation has been investigated and determined.

F. NEPA PROCESS COMMENTS

The logical, normal public process (NEPA) to update a major planning document was not followed. Instead, the following sequence of events led to the focus on a single alternative, suggesting NEPA was convoluted to accommodate the museum proposal:

The Proposed Statements of Purpose and Need, and the Alternatives to Satisfy Them Are Deficient

There are only statements that the Preferred Alternative is “to take into account several proposals...that were not fully contemplated in the PTMP,” (SDSEIS Abstract, p. 1) This says nothing about why the Trust is pursuing the contemplated projects. “Opportunistic” acceptance of a building proposal is not sufficient under NEPA.

The SDSEIS bulleted list of “objectives”, such as creating a lively pedestrian district, “greening the Main Parade and new construction (SDSEIS, p. 2) are simply elements of

the Preferred Alternative, not a statement of purpose and need as to why they should be done.

The statement of purpose and need of “revitalizing the Main Post” (SDSEIS, p. 5) is deficient. There is no demonstration of a need to do so, especially in light of the following: the imminent opening of the Disney Family Museum; the influx of Main Post visitation projected by the Trust independent of the Preferred Alternative; the increasingly robust program of public events occurring there; the opening to public uses of the first floors of the rehabbed barracks buildings as planned in the 2010 Trust budget; and the total absence of any demonstration that the Trust would not, in the foreseeable future, have the capital from sources such as rents and/or contributions, that is, sources other than the Preferred Alternative project proponents to effect a “revitalization” (as in PRNWG Alternative #5, below). NEPA requires that the claimed purpose and need be explained and justified. The SDSEIS and RDMPU fail to do that.

Even assuming that the claimed purpose and need are sufficiently identified and justified in the Trust’s February 2009 documents, the Alternatives in the DSEIS and DMPU (the predicate for the February, 2009 Preferred Alternative) were flawed, and therefore the Preferred Alternative is deficient. The Alternatives (other than 2 and 2A, now the Preferred Alternative) were all alternatives to one another, but not alternatives to accomplishing the claimed purpose and need of “revitalizing” the Main Post. (The one exception, the History Museum, although stated as an Alternative, had been rejected by the Trust.)

The Trust Is Obligated To Work With Other Government Agencies

Under NEPA, the Trust may not take actions entirely in opposition to local/federal government policy. It is the policy of San Francisco to disapprove those major developments that create undue demands for new transit services. NPS policy is to discourage vehicle use in national parks. Only in exceptional circumstances would an agency proceed to take an action that is contrary to approved city/county/federal policies. A compelling need for this project to contravene other relevant agency policies has not been demonstrated.

EIS Documentation Cumbersome, Confusing, Misleading, Incomplete and Vague

To examine the proposal, the reviewer is confronted with an unmanageable array of draft and supplemental documents. The reader must refer to competing and incomplete analyses between the documents that appear to be rushed to publication. A good example of this flaw is that only rudimentary, conceptual designs of the primary project are available in the SDSEIS NEPA document. The designs from the project proponent website have changed during the comment period, are not consistent with square footage information given in the documents, and are not internally consistent within the SDSEIS and RDMPU. The result is a moving target that cannot be relied upon to properly evaluate or analyze.

Public Readability and Understandability Requirements of NEPA Precluded

It is not clear whether, and if so, the extent to which the June 2008 counterparts to the foregoing documentation are still applicable. It is not clear what the amending language of the PTMP will be, if any. (See SDSEIS, S-5: The “preferred alternative” is “consistent

with the PTMP” but the “new structures and building additions would exceed the PTMP’s planned building area.”) There is no comprehensive explication or comparison chart of the array of changes that the RDMPU would make to the PTMP.

Sequence of Trust Planning Actions on Main Post Flawed

1. Scoping for SEIS was announced contemporaneously with the issuance of the RFP tailored for the Fisher Museum proposal, which was already under discussion and review by the Trust.
2. The Fisher Museum was accepted, pending outcome of DSEIS review and Section 106 Process.
3. EA Main Parade Ground was approved, without museum, lodge or theater construction.
4. DSEIS and Update for Main Post were issued, substantially changing the Design Guidelines from the PTMP to accommodate the Fisher Museum and lodge.
5. Publicity for Walking Tours of the proposed Fisher Museum and lodge commenced.
6. Section 106 review of Draft Finding of Effects began simultaneously with submission deadline for DSEIS comments, not allowing the public time to review Section 106 comments received from relevant agencies or organizations.

For details, please see Museum Proposal Timeline in the Appendices (p. xx, below).

NEPA Process Used to Promote a Single Proposal

The PNRWG is greatly concerned by the direction the Presidio Trust has taken with the subject documents and the proposals contained therein. We find that the primary reason for the DSEIS, SDSEIS, the Update and the RDMPU is to respond to a particular museum proposal and to promote that incongruous proposal notwithstanding the deeply and widely held convictions of the Park’s many and diverse longtime interested community members. The NEPA process has been used to promote a single proposal rather than to engage in a genuine planning process with the interested and involved community regarding the Presidio National Historic Landmark District. Rather than celebrating the heritage that the public has embraced and desired, the Trust proposes a contemporary art museum and lodge that have little, if anything, to do with what the Presidio represents and that greatly diminishes its historic sense of place.

RFP For Cultural Buildings Is Contradictory, and the NEPA Process Violated

The Request For Proposal (RFP) for cultural buildings on the Main Post was contradictory. It stated that new construction should:

- Enhance historically significant open spaces within the Main Post and to preserve the integrity of the NHLD.
- New construction must be compatible with the historic character of the Main Post.
- New construction should be a contemporary intervention, intentionally differentiated from the historic landscape.

These requirements do not logically follow unless the proposed project is already known. It appears that the RFP was put together *after* the Presidio Trust had already decided on the Fisher Museum as proposed by the project proponent. The NEPA process is violated when it is used to promote a single alternative without equal consideration of other reasonable alternatives.

The NEPA Process Is Not Coordinated with the NHPA Process

There has been a lack of coordination with the highly relevant and critical NHPA Section 106 process. The Draft Finding of Effects (DFOE) dated May 27, 2008, was not issued until on or around August 15, 2008, *even though it was available to be released contemporaneously* with the Draft Supplementary Environmental Impact Statement (DSEIS) on June 9, 2008. The RDFOE has been illogically stripped of adverse effects despite impacts and adverse effects still being relevant and applicable to the Preferred Alternative. The NHPA Section 213 states that the proposal will cause irreversible significant adverse effect to the NHLD, and is in direct conflict with the RDFOE, which incorrectly concludes that there are no adverse effects to the NHLD.

Financial and Economic Impacts Were Considered, But Not Included For Public Review

The SDSEIS contains no description or analysis of the financial and economic considerations associated with any of the alternatives, because such issues are not strictly within the purview of NEPA. However, the Preferred Alternative presents a far more intensive level of development than was permitted or envisioned in the original PTMP. It is obvious that economics was one of the key factors driving selection of the Preferred Alternative, and this information should be available as part of the environmental review process. (SDSEIS, pp. 188-190)

The public has a right to know what factors were assessed when the Preferred Alternative was selected. What sort of revenue stream will be generated by these developments? What costs will the Trust assume from additional visitation? Will revenues be sufficient to cover costs associated with the Preferred Alternative, such as traffic and parking mitigation? The SDSEIS fails to provide appropriate economic information to assess the financial impact to the Presidio.

Revenues and Expenses Associated With Museum Project Not Included

The SDSEIS makes a number of generalized statements about the how the proposed alternative will “serve as a focal point for attracting additional tenants and investors which would directly and indirectly enhance the financial viability of the Presidio...” (SDSEIS, p. 178) The DSEIS *wholly fails* to provide any material (studies, other investigations) that would substantiate this hypothesis. Without *any* concrete data about the current financial status of the Presidio, estimated future revenues, or the revenues from the Fisher Museum this statement is impossible to assess.

2005 Strategic Plan Should be Updated and Provided

The Trust should analyze the financial impact of the Preferred Alternative on the 2005 Strategic Plan and provide that analysis to the public for review. The analysis should provide an updated financial forecast.

The SDSEIS and RDMPU are predicated in part on greening the Main Parade Ground. Yet the funding for this essential element is left to an uncertain philanthropic effort.

G. ELEMENTS OF PNRWG'S RECOMMENDED ALTERNATIVE (ALTERNATIVE 5)

The PNRWG recommends the following alternative. The alternative is based on sound planning principles and focuses on the heritage, history and archaeology of the Presidio Main Post.

Guiding Principles

The planning for the Main Post should proceed from its environment, location, history and its ability to challenge us about the future. The story of the natural resources that were here, which drew the First People and the settling of California and the west over time, can and should be told here. The Golden Gate Bridge is a bookend to the St. Louis Arch.

Many of the pioneers and explorers who headed for California, Oregon and places in between via the overland route left from St. Louis. Those who came over the waters came through the Golden Gate. Those stories are best told at the Presidio where the south tower of the Bridge stands next to Ft. Point, a Civil War era harbor protection. One looks around and sees history waiting to be presented.

The Preferred Alternative should also celebrate the Presidio's varied and significant military history. It should not be transformed into an urbanized, municipal park with a complex of cultural uses and divergent structures. The Main Post is not just a collection of buildings with no single "period of integrity." There is a single and, so far, an intact integrity of use at the Main Post since 1776. The military character of the Presidio is a thread of continuity that runs through its evolving history and building styles, including the WWII "temporary" barracks that have now lasted as useful buildings for over 65 years.

History/Heritage/Archaeology Center

The most important component to restoring the Presidio Main Post should be a History/Heritage/Archaeology Center. This Center could be located as shown in Alternative 3 if its size, scale, design and massing are consistent with the historic character of the site and if it is in compliance with the National Historic Preservation Act. Alternatively, existing buildings (Herbst Exhibition Hall, the former Post Library, Bldg. 105, the Officer's Club) could be suitable for remodeling and reuse. These decisions would need to be evaluated in an independent planning process. All other improvement or developments to the Main Post should stem from and support this Center. Protection and enhancement of the El Presidio is a main priority. The Trust should include the National Park Service's interpretive expertise in the design and implementation of this center.

The Main Post and Main Parade Ground Restoration

We consider the Environmental Assessment (EA) for the Main Parade Ground to be improperly adopted and we reject the findings of that document. A presentation of the new Main Parade plan should be included and its impacts determined in the SDSEIS. Without this analysis the SDSEIS is fundamentally flawed.

The Main Post use and visitor experience can be enhanced by activities over and above the History/Heritage/Archaeology Museum. Well-planned thorough scheduling of conferences, meetings, civil celebrations, exhibitions and performances could be made available. A thoughtful landscaping and greening making the Main Parade a sweeping public space for the above mentioned events can be coordinated with the Montgomery Street Barracks 1st floor public space, so that these are appropriate visitor amenities to attract and service visitors.

Shrubs or trees (rather than office buildings or hotels) should be used to define historic spaces or create landscape edges, if such edges are necessary. The trees would produce less traffic and green house gas emissions, provide a welcoming interface for visitors and produce oxygen for the environment.

Types of low-water impact plantings, with an emphasis on climate-appropriate and wildlife-useful vegetation, should be studied as part of the greening of the Main Post rather than solely an expansive lawn.

Street Closures

Street closure decisions should not be made until Main Post uses are determined. However, Sheridan from Graham to Montgomery, or Arguello from Moraga to Sheridan should not be closed under the Preferred Alternative. These closures would restrict future options and constrain traffic. They might be closed temporarily for events.

The Archaeology work and presentations should permit the temporary closure of Graham St. in the area of the El Presidio. Placing the laboratory near and behind the "O" Club is acceptable.

El Presidio Parking

El Presidio should be restored and parking eliminated from this location.

Consider Consolidating Parking Areas at Park Periphery

As part of a comprehensive Presidio Parking Plan, the Trust should consider parking areas combined with shuttle services at the periphery of the Park, away from neighborhoods and near higher traffic exits such as the Golden Gate Bridge by Fort Scott and the Girard Road exit from Doyle Drive. The Parking Plan could also consider using the Lucas Development parking structure on weekends combined with a shuttle service to bring visitors to other areas of the Park.

Presidio Theater

Building 99 renovations should focus on reusing the existing building with only very modest expansion to the west, as permitted by the Secretary's Standards. Renovations should be proceeded by a public review and based on an analysis of public uses, including interpretive, educational, cultural, performance and film.

H. CONCLUSIONS

- 1. The Museum Project Does Not Belong on the Main Post**
- 2. The Lodge Should Not Be Built As Described**
- 3. Preferred Alternative Violates the Presidio Trust Act**
- 4. The Main Post Planning Process Has Been Seriously Compromised**
- 5. The Trust Is Obligated To Work With Other Government Agencies**
- 6. The Trust Has Not Coordinated the NEPA and NHPA Processes**
- 7. Economics Were Considered, But Not Included For Public Review**
- 8. The SDSEIS-DSEIS Documents Are Inadequate In Many Respects.**
- 9. The Fisher Museum Proposal Has No Relation to the Presidio's History**

I. RECOMMENDATIONS

1. The Trust should amend the PTMP only as proven necessary and only with public support.
2. The Trust should follow the spirit and intent of the law that defines its purpose and mandate and vet new proposals through the Secretary of the Interior for appropriateness.
3. The Trust should restart a planning process that honors the Main Post's centrally important role as a National Park and the NHL, and focuses on the Presidio's history, heritage and archaeology.
4. The Trust should promote the Main Post for the important historical, heritage and archeological site that it is today, and build its programs around that concept from the outset.
5. The Trust should suspend the current NEPA process and reconcile the conflicting findings of the Trust prepared Draft DOE and the Section 213 Report prepared by the National Park Service.
6. The Trust should present to the public all the financial impacts of the Preferred Alternative.
7. The Trust should withdraw the museum and lodge proposals.
8. The Trust should work to rehabilitate existing structures.

9. The Presidio is a National Park and the Trust should, as a steward of natural and cultural resources for the people of the United States, be responsive to overwhelming public opposition regarding future major construction on the Presidio.
10. The museum should be located in San Francisco in an area that is more accessible to visitors and residents via high-capacity transit.
11. The primary site for lodging on the Main Post should focus primarily within existing structures such as Pershing Hall and the Montgomery Street Barracks.
12. Any new lodging at the site designated in Preferred Alternative should be substantially smaller in scale (height and size) and stepped back from the parade grounds.
13. The Trust should fully consider and evaluate the “Elements of PNRWG’s Recommended Alternative (Alternative 5),” an alternative prepared by the PNRWG and presented in Section G of this document.

Final Note

We urge the Trust to engage the public *in a collaborative* planning process that celebrates the history and heritage of the Main Post and the Presidio’s natural environment. The new process should start with a full examination of the Purpose and Need for any changes, and include the economic and financial implications of the alternatives. The Trust should include the National Park Service’s expertise in interpreting the historic features of the Presidio. We encourage the development of related activities and programs to ensure that the Presidio continues to be a place where history is made and ongoing.

* * *

APPENDICES

A. PRESIDIO NEIGHBORHOOD REPRESENTATIVE WORK GROUP

The Presidio Neighborhood Representative Work Group (PNRWG) was re-established by Resolution 258-08 of the San Francisco Board of Supervisors to provide citizens living in proximity to the Presidio an opportunity to respond to the latest proposed changes in the Presidio Trust Management Plan (PTMP) last adopted in May 2002. The Work Group is comprised of organizational representatives from the affected neighborhoods. Pertinent City departments are providing assistance to the Group, including the City Attorney, the Planning Department, the San Francisco Public Utilities Commission (SFPUC), the Municipal Transportation Agency, the Mayor's Office of Neighborhood Services, and the San Francisco County Transportation Authority.

The Group members are:

- David Bancroft: Cow Hollow Association
- Martin Beresford: Marina Community Association
- Ron Blatman: Presidio Heights Neighborhood Association
- Bob David: Golden Gate Valley Neighborhood Association
- Chris Donahoe: Sea Cliff Properties Association
- Becky Evans, Jan Blum: Sierra Club
- Jack Gold: San Francisco Architectural Heritage
- Donald Green: Laurel Heights Improvement Association
- Judith Hulka: Neighborhood Associations for Presidio Planning
- Kelly Keiser: Marina Merchants Association
- Doug Kern: Presidio Environmental Council
- Redmond Kernan, Raymond Holland: Planning Association for the Richmond
- Bill Shepard: Lake Street Residents Association
- Margot Parke, Carol Brownson: Pacific Heights Residents Association
- Patricia Vaughey: Marina-Cow Hollow Neighbors and Merchants
- Rich Worner: Jordan Park Improvement Association

B. PRESIDIO TRUST ACT: SECTION 101 FINDINGS

The Presidio Trust Act (16 U.S.C. § 460bb), at Section 101 – Findings, states:

The Congress finds that—

- (1) the Presidio, located amidst the incomparable scenic splendor of the Golden Gate, is one of America's great natural historic sites;
- (2) the Presidio was the oldest continuously operating military post in the Nation dating from 1776, and was designated a National Historic Landmark in 1962;
- (3) preservation of the cultural and historic integrity of the Presidio for public use recognizes its significant role in the history of the United States;
- (4) the Presidio, in its entirety, is a part of the Golden Gate National Recreation Area, in accordance with Public Law 92-589;
- (5) as part of the Golden Gate National Recreation Area, the Presidio's significant natural, historic, scenic, cultural, and recreational resources must be managed in a manner which is consistent with sound principles of land use planning and management, and which protects the Presidio from development and uses which would destroy the scenic beauty and historic and natural character of the area and cultural and recreational resources;
- (6) removal and/or replacement of some structures within the Presidio must be considered as a management option in the administration of the Presidio; and
- (7) the Presidio will be managed through an innovative public/private partnership that minimizes cost to the United States Treasury and makes efficient use of private sector resources.

C. PRESIDIO TRUST ACT: SECTION 104 (PARTIAL) DUTIES AND AUTHORITIES

The Presidio Trust Act (16 U.S.C. § 460bb), at Section 104 – Duties and Authorities of the Trust, states that:

- (c) Management Program
 - (3) new construction limited to replacement of existing structures of similar size in existing areas of development,

D. MUSEUM PROPOSAL TIMELINE

The NEPA and NHPA sequence of events followed by the Trust in the case of the Fisher Museum suggests that it was designed by the Trust to at least distinctly favor if not result in it approving the Fisher Museum proposal. Here is the chronology of the Trust actions:

Nov 11, 2003	Olin Partnership selected or submits report on rehabilitating the Main Parade Ground
Feb 2007	Main Post Planning and Design Guidelines (see PT website, included in PTMP, 2002)
Jan-July 2007	Talks with Fisher and the Trust to review his proposal after talks by Fisher with the MOMA and De Young for placement with those museums fail.
Aug 7, 2007	Fisher holds a joint Press Conference with the Presidio Trust in the Presidio National Park publicly announcing his plans to build a contemporary art museum there to house his private art collection.
Aug 8, 2007	RFP issued for contemporary building at the S end of the Main Parade Ground; Scoping Comments invited for a Draft SEIS and Update for the Main Post
Oct 15, 2007	Trust Selects Larkspur Hotels to Develop lodge at Main Post
Oct 16, 2007	RFP amended to include occupancy of Building 101, after discussions with Fishers. (See Chronicle and PT website and record of hearing of the Fisher and PHA proposal hearing for offer)
Oct 23, 2007	Section 106 Letter of Intent to hold 106 consultations on the Main Post Proposals
Nov 2007	EA for the Main Parade approval published--included only 3,000 sq. ft. new construction; excludes lodge, theater or museum, although the projects were out for RFP and lodge proposal approved.
Nov 9 2007	Section 106 Consultation Package distributed to parties
Dec 12, 2007	Section 106 consultation meeting #1 re: Effects to be Assessed
Jan 28, 2008	Section 106 Materials distributed for Consultation Feb 26, 2008--Summary of Scoping Comments on DSEIS
Jan 30, 2008	Fisher proposal accepted; discussions begun (See Trust Website, press release)
Feb 26, 2008	Section 106 Consultation Meeting #2 Materials prepared included--Identified Historic Properties Renderings of History Center (PHA), Fisher Museum, lodge, Theater
Mar 17, 2008	Consultation Package #3 distributed--Revised table of undertakings by SEIS alternative --Table of undertakings by NHPA/NEPA timelines for compliance
June 9, 2008	Draft SEIS Main Post published, with comments due July 31 (45 days) --Draft Main Post Update, with Design Guidelines --SEIS proposes to use the public hearing process to incorporate required Section 106 historic review process
June 3, 2008	Brochure: "Bringing Back the Heart of the Presidio" undated; distributed at a SPUR meeting on June 3 and subsequently. Features Fisher Museum in proposed location as the only alternative in the SEIS, lodge and theater included. Notes SEIS on website and where to direct written comments and July 14 Board Meeting.
June15-July 30	Wednesday and Sunday Main Post walking tours (see Website brochure (Bringing Back...) for dates)
July 14, 2008	Trust Board Meeting for public comment on DSEIS, Comment Period Extended to Sept 20, 2008
July 28, 2008	Transportation Workshop for DSEIS
Aug 19, 2008	Trust announces last two walking tours: Aug 24, 27.
Sep 2, 2008	Comment period for DSEIS extended to Oct 20
Sep 4, 2008	Section 106 Package of materials #3 distributed for Sept 16 Consultations --DSEIS Scoping Comments Letters from 106 Parties and others (dated 11/21/07-12/21/07) --Section 106 review comments from parties (dated 3/26/08-7/18/08)
Sep 2, 2008	(Web site) --announced second Trust Board Meeting for public comments on SEIS for Oct 14 --announced Public Workshops on Draft SEIS for Sep 25, 28, Oct 2.
Sep 16, 2008	Section 106 Consultation Meeting (nr 4)
Sep 25 28 Oct 2	Public Workshops on DSEIS
Oct 14, 2008	Second Trust Board Meeting for SEIS Public Comment
Oct 20, 2008	Comments due on DSEIS
Mar. 1, 2009	New Fisher Museum design announced in Chronicle
Mar. 20, 2009	PNRWG Reconvened
April 1, 2009	Public Meeting on SDSEIS, RDMPU and Fisher design
Mar. 30, 2009	New Fisher Museum designs up on project proponent's website. http://www.camptoday.org
April 7, 2009	Public Board Meeting on Fisher Museum Proposal
April, 2009	NEPA and Section 106 comment deadline extended to 6/1/09
April, 2009	Section 106 consultation meeting; re: DFOE and Section 213 Report
April, 2009	Public Meeting on Transportation