

Date: October 16, 2008

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 Working Group

Through: San Francisco Board of Supervisors  
City Operations and Neighborhood Services Committee

**Re: Comments on Presidio Trust Management Plan, Main Post Update,  
and Draft Supplemental Environmental Impact Statement**

The Presidio Neighborhood Representative Working Group (PNRWG) provides the following comments on the subject documents. PNRWG was established by a San Francisco Board of Supervisors resolution to review and provide comments on the Presidio Trust Main Post Update (Update), the Draft Supplemental Environmental Impact Statement for the Presidio's Main Post (DSEIS), and the Presidio Trust's planning actions. A description of PNRWG, its members and the resolution are included in the Appendices to the attached comment document.

The Update's stated "purpose and need" is to "revitalize" the Main Post by now permitting, contrary to the 2002 Presidio Trust Management Plan (PTMP), the introduction of a 100,000 sq. ft. contemporary art museum at the southerly end of the Main Parade Ground, and a large, 95,000 sq. ft. lodging facility on the East side of the Main Parade Ground. However, PTMP already permits lodging and a large museum in the Crissy Field district. The Update also states that history will be presented at the Main Post. The presentation of history, however, was always contemplated under the 2002 PTMP. Furthermore, the interpretation of history at the Presidio is the primary responsibility of the National Park Service in cooperation with the Presidio Trust. The Trust should not embark on a large scale change at the historic Main Post without collaborating with the Park Service.

The Update indicates that the Presidio can support both presenting history and creating a large, new development at the Main Post. However, the planned scale and location of the museum and hotel developments will suffocate the presentation of history. The most significant adverse effects to the Main Post and the Presidio National Historic Landmark District are from the museum and hotel projects proposed in the Trust's Alternatives 2 and 2A. Other alternatives mentioned by the Trust included a History Center at the Golden Gate (Alternative 3); yet the Update concludes that a Heritage Center should be located at the Officers Club, which would seemingly preclude this Alternative.

The Trust planning process seems to have been conducted backwards. When a new concept for the Main Post had come to light, that concept should have been disclosed to and discussed with the public, followed by, if necessary, a National Environmental Policy Act (NEPA) process, and then perhaps, a Request For Proposal (RFP), a selection process

and then, an announcement of the selected alternative supported by the Trust and the interested, involved community. Instead, the Trust planning process began with a press conference announcing the chosen development alternative, went on to issue an RFP for a single site that did not comply with the 2002 PTMP, and then continued with simultaneously, but in an uncoordinated fashion, both a NEPA process and a National Historic Preservation Act (NHPA) Section 106 review process.

We request that the current NEPA process be suspended to allow the NHPA Section 106 consultation process and Section 213 report to the Advisory Council on Historic Preservation to catch up with and inform the NEPA process. A “restarted” planning process should be based upon the strengths of the Main Post site as a key planning area of the Presidio, and on being a centrally important part of both a National Park and a National Historic Landmark District. Planning should commence only with a fully integrated, agency-supported public process. Changes to the 2002 PTMP should be made only as proven necessary.

We request that the Trust work closely with City officials to thoroughly evaluate the anticipated impacts on the Presidio and the City for each alternative location both in the Presidio and in the City for the Fisher art collection, and ensure that the collection is readily accessible by high-capacity public transit.

Thank you very much for your consideration. If you have any questions regarding our comments, please feel free to contact me.

Sincerely,

Redmond Kernan  
Chairman, PNRWG

cc:

Speaker Nancy Pelosi  
Senator Dianne Feinstein  
Senator Barbara Boxer  
Mayor Gavin Newsom  
San Francisco Board of Supervisors  
Brian O’Neill, 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 Working Group**

**Comments**

**on the**

**Presidio Trust Management Plan Main Post Update  
Draft Supplemental Environmental Impact Statement  
and Associated Documents**

**September 29, 2008**

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## **A. INTRODUCTION**

The proposal to build a Contemporary Art Museum at the Presidio (CAMP) 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 Working 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 has met on a weekly basis since then to discuss the impacts of the Presidio Trust's proposed action. The following report presents the findings and recommendations of the group regarding the Presidio Trust's proposed action.

The PNRWG has evaluated the proposed action and alternatives against eight (8) criteria when considering its comments, that is, whether the proposed action or alternative:

1. Protects the integrity of the Presidio National Historic Landmark District (NHLD).
2. Reuses historic buildings over constructing major new development projects.
3. Complies with the Presidio Trust enabling legislation.
4. Celebrates history, heritage and archeology.
5. Minimizes traffic and parking problems.
6. Preserves recreational facilities, or specifies how they will be replaced.
7. Amends PTMP only as proven necessary.
8. Completely analyzes impacts, is accurate and makes appropriate assumptions.

The PNRWG's analysis developed specific findings and conclusions, as summarized in the following section. A comparative analysis of the alternatives is provided in Table 1 of the Appendices (p. 33). From this analysis it is clear that the core components of both Alternatives 2 and 2A involve inappropriate uses and development of the Main Post. Both alternatives involve adverse impacts that cannot be mitigated. Both violate the letter and spirit of the Presidio as a NHLD. The Update and DSEIS process violates 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.

## **B. SUMMARY OF FINDINGS AND RECOMMENDATIONS**

The following section summarizes the findings and recommendations of the PNRWG regarding the Presidio Trust's proposed action and alternatives, as described in the Update and DSEIS.

### **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 disrupt the Main Post's historic setting, and would jeopardize the integrity of the Presidio NHLD. The museum design, massing and location would create adverse impacts that could not be mitigated in any reasonable manner without drastic alteration of the proposed action.

- The Trust should withdraw the museum and lodge proposals.

- The museum should be located in downtown San Francisco or along the waterfront, areas that are more accessible to visitors and residents, more convenient to high-capacity transit and more financially beneficial to the City.

## **2. The Massive Lodge Should Not Be Built As Described**

The proposed hotel's height, bulk, location and potential impact on known and unknown archaeological resources would result in adverse effects on NHLD resources. Its scale and design are out of place and would dominate the proposed history walk along the east side of the Main Parade Ground. The large hotel would form a barrier, as opposed to a connection, between the Main and the Old Parade Grounds.

- Lodging on the Main Post should focus, at least largely, on re-using existing structures, including Pershing Hall and the Montgomery Street Barracks.
- It may be appropriate to evaluate lodging built on a substantially smaller scale (height and size) where the proposed action suggests building the large hotel.

## **3. Proposed Action Violates the Presidio Trust Act**

The proposed action (in particular, the museum and lodge) 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. The proposed actions do not protect the Presidio from development: the proposal is, of itself, a major development.

- The Trust should promote the Main Post for the important heritage site that it is today and build its programs around that concept from the outset.

## **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 rather than seriously evaluate a wide range of reasonable Main Post alternatives. While the Trust did go through a Request For Proposal (RFP) process, the RFP process was in response to a single proposal *already* received. The intent of the NEPA process is not being met.

## **5. The NEPA Process Is Not Coordinated with 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 DSEIS on June 9, 2008.

- The Trust should suspend the current NEPA process and allow the NHPA Section 106 process and Section 213 report to be completed.
- After these results are known, we recommend restarting a planning process that honors the Main Post's centrally important role in the National Park and the NHLD and focuses on history, heritage and archeology.
- Amend the PTMP only as proven necessary.

## **6. The DSEIS Alternatives Analysis Is Inadequate**

The DSEIS fails to identify a reasonable range of alternatives and fails to provide sufficient detail and analysis to allow the selection of any alternative other than the "proposed action."

- 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 F of this document.

- The PNRWG has analyzed the DSEIS alternatives along with its “Alternative 5” (Section E) against twelve PNRWG objectives. The analysis is presented in Table 1, Appendices, p. 36, and we submit the analysis shows that Alternative 5 is based on sound planning principles, focuses on the heritage and history of the Presidio Main Post.

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

Economic considerations are likely to be key factors driving the selection of the preferred alternative, and this information should be available as part of the environmental review process. The Trust Act attaches great importance to financial self-sufficiency and the Trust has used this rationale for many past decisions. The financial incentives associated with the Fisher Contemporary Art Museum at the Presidio (CAMP) proposal include a \$10 million charitable contribution (offered verbally by Mr. Fisher to the Trust, as reported publicly by Executive Director Craig Middleton.) The charitable contribution would be restricted to rehabilitation of the Main Parade Ground, and given only if the current proposal is approved.

- The Trust should present to the public the financial impacts of the proposed action, and any conditions placed on financial incentives to the Trust, as the Trust Board will necessarily consider these factors.

**8. The DSEIS Is Inadequate In Many Respects.**

The PNRWG has found numerous deficiencies, inaccuracies, unsubstantiated assumptions and inappropriate methodologies throughout the DSEIS. These are discussed in detail in Section D 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 be given a thorough response.

## C. MAIN POST UPDATE

In this section, the PNRWG provides comments on the Update. The Update describes the proposed action and is considered a major amendment to 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 Update lists the PTMP core Guidelines for Buildings and Structures, focusing on retaining and restoring historic buildings and connections, requiring new “infill” to be compatible. (Update, p. 15) The Update presents CAMP as contributing significantly to the character of the Main Post (Update, p. 20) and the Lodge as “re-establish[ing] the missing spine between the Old and Main Parade grounds...” (Update, p. 18) We disagree with both of these statements. CAMP, as situated on the Main Post with its overwhelming size and jarring modern design, will visually stifle the historic character of the Main Post.

### **The Massive Lodge Should Not Be Built As Described**

The 600-foot long, box-shaped, flat-roofed 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.

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” (DSEIS, p. S-2) and in the Update. Without mimicking the historic buildings, any new building should include or at least embrace these hallmark characteristics, including color, rooflines and style. The designs of CAMP and the Lodge, as proposed, fail to accomplish this. The visual impact of these structures clash with the stated Design Guidelines (Update, p. 42), in that they are not “responsive to the surrounding site configuration, adjacent open spaces,” and not “compatible with the massing, size and scale of the surrounding historic buildings.” (Update, p. 42)

### **Museum of Contemporary Art Is Not Relevant to Presidio Visitor Experience**

In addition to reusing the parade ground barracks for cultural activities, the creation of the Anza Esplanade and Lodge, adding a heritage center at the Officers Club (or elsewhere), including an Archeology Lab, the Update imposes a museum of contemporary art “to add a new dimension to the visitor experience.” (Update, p. 24)

However, a museum of contemporary art would not add a *relevant* new dimension to the visitor experience. Instead, it would detract from what Olmstead called the essential elements of the Park: in this case, the historical aspect of the Main Parade, 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, creates an unrelated building and 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.

### **Museum Visually Stifles Historic Character of Main Post**

The Update lists the PTMP's core Guidelines for Buildings and Structures, focusing on retaining and restoring historic buildings and connections, requiring new "infill" to be compatible. (Update, p. 15) The Update presents CAMP as contributing significantly to the character of the Main Post (Update, p. 20) and the Lodge as "re-establish[ing] the missing spine between the Old and Main Parade grounds..." (Update, p. 18) We disagree with both of these statements. CAMP, as situated on the Main Post with its overwhelming size and jarring, modern design, will visually stifle the historic character of the Main Post.

### **Trusts Finds Only "Potential" for Main Post as a Heritage Site**

The Trust appears tentative in the Update with the concept of the Main Post being an important heritage site, suggesting that it only has the "*potential* to be an important heritage site." (*emphasis added*) The Trust should promote the Main Post for the important heritage site that it is today and build its programs around that concept from the outset. (Update, p. 18)

### **Trust Finds Main Post Open Space Is Not Compelling**

The Trust suggests that "changes" have eroded features that make the Main Post's open spaces compelling. (Update, p. 18) This assertion is not substantiated and is in direct contrast to statements in PTMP. 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. To the contrary, we suggest that the Main Post open space is compelling and that the proposed new construction will close important visual connections between parade areas.

### **The Vision for the Park Should Be A Collaborative and Shared Concept**

The Update refers to the "Trust's vision" and "its vision" for the park rather than a vision established with its administrative partner (the National Park Service) and the community. (Update, p. 18) The Trust should reconsider this view and instead offer proposals to its partners and the community for consideration and collaborative planning, well in advance of producing PTMP amendments.

### **Parking Not Identified in El Presidio Figures**

The Update fails to identify parking at the El Presidio on Update Figures. (*See* Figures 9, 10, 12, and 14, Update, pp. 21, 23, 25, 29,) Even Figure 13 fails to properly indicate the full extent of the parking areas denoted only by a "P" symbol. (Update, p. 27)

### **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. (Update, p. 27)

## **D. DSEIS - GENERAL COMMENTS**

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

### **Proposed Undertaking Violates Presidio Trust Act**

Comparing the Presidio Trust Act, 16 U.S.C. § 460bb (p. 34, below) to the proposed action, the proposed action will violate the letter and intent of the law governing how the Presidio is to be managed in the following ways:

The proposed action will not preserve the cultural and historic integrity of the Presidio for public use, nor recognize its significant role in the history of the United States. The proposed action 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.

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 proposed action does not protect the Presidio from development; it is, itself, a major development. The proposed action would not protect the Presidio from uses that would destroy the historic character of the area and cultural resources. By its very nature, the proposed action 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* (9<sup>th</sup> 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, to the extent that the agency can determine them, in the agency’s statutory authorization to act...”.)

### **Alternatives 2 and 2A Are Incompatible with NHLD**

The DSEIS suggests that the Presidio is unique as a national park. 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.” (DSEIS, p. 136) The DSEIS also describes the open space, vistas, and beauty of its natural environment.

However, the Contemporary Art Museum at the Presidio (CAMP) 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 Montgomery Street Barracks to insignificance (*See* Figs. 14 and 40, DSEIS, pp. 34, 187). Even the Anza Esplanade and the Heritage Center (which do deal with the Presidio’s past) are clearly subsidiary to these other structures.

The proposed developments imperil the site's designation as a NHLD. (DFOE, p. 52) As stated in the DFOE, "It [The Main Post] is the sole planning district in the Presidio that represents the entire NHLD period of significance of 1776 through 1945." (DFOE, p. 8) Loss of NHLD designation would simply open up the Main Post to further large-scale, incompatible commercialization, a violation of the Trust enabling legislation.

### **Legality**

We have serious concerns, in other important respects, regarding the legality of the proposed changes, as summarized in Alternative #2 in the DSEIS, and of the underlying process. The undertaking appears to violate (1) the Trust's own mandate, (as noted above) (2) the Secretary of the Interior's Standards for Treatment of Historic Properties (Secretary's Standards), (3) the Trust's own planning guidelines, (4) Section 110 of the National Historic Preservation Act, and (5) the NEPA process requirements. The undertaking would endanger the Presidio's legal status as a Historic District, and would clearly violate the Trust's earlier PTMP "unequivocal commitment" to preserve the District's legal status and integrity.

First, regarding the Trust's own congressional mandate, the CAMP and/or the lodge proposal appear to be 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." This 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 issue has already been determined in federal court, and the Presidio Trust's position that it can aggregate the square footage of various buildings removed appears to be 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).)

Second, 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 contradict 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) CAMP, the proposed lodge and the proposed addition to the Presidio Theater do not appear to be compatible with the historic building of the Main Post. (DFOE, p. 52)

Third, the proposed Main Post Update is not simply an update of the 2002 PTMP, but contradicts 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 (DFOE, p. 52) (See also Final EIR for the PTMP, Response to Comments, Response to PR-8, p. 4-210 (assuring 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 (stating 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. This Update and DSEIS breaks that promise and ignores 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.

Fourth, the proposed actions appear to violate 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 DSEIS acknowledges that demolition of historic buildings in the Main Post would have an adverse effect on historic resources, including the NHLD (DSEIS, p. 147), and that construction of CAMP would “diminish the integrity of multiple contributing resources and aspects of the historic scene” and therefore “would have a significant impact on the Main Post and potentially the NHLD.” (DSEIS, p. 148) The Draft Finding of Effects concurs. (DFOE, p. 52)

Fifth, as outlined in more detail below, in various respects the DSEIS falls short of NEPA requirements – most notably because its consideration of alternatives is inadequate and it understates the proposed action’s environmental impacts.

### **RFP For Cultural Buildings Contradictory, 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 CAMP 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.

### **CEQA**

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 proposed actions outside of the Presidio. The mitigations from the Doyle Drive Project should be reviewed, analyzed and incorporated, where appropriate, within the Main Post DSEIS project.

### **Alternative Museum Sites Outside the Presidio**

The project proponent's art collection would be a valuable asset for San Francisco. However, it should be located outside of the Presidio of San Francisco and closer to existing public transportation capable of handling the projected visitors.

The DSEIS states that, "Alternatives were considered but rejected because they were found to be unavailable or non-existent and would not add to the vitality of the Main Post" (DSEIS, p. 52); and that, "The Museum of Modern Art would not have supported the proponent's key objective for public viewing and appreciation." (DSEIS, p. 53) There has been an inadequate consideration of alternative sites outside of the Presidio. There is no analysis of how and/or why the SF MOMA alternative would not have supported "the proponent's key objective for public viewing and appreciation." (DSEIS, p. 53) Only two sites are identified (The Palace of Fine Arts and the MOMA); otherwise the only reference is to "undisclosed 'South of Market' locations." No information is provided as to what research was done, when and how. No consideration is given to other San Francisco locations, such as on the Embarcadero (e.g. Seawall Lot 337).

## **E. DSEIS - SPECIFIC COMMENTS**

The DSEIS 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 Proposed Action (Alternatives 2 and 2A) 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) This statement of purpose and need is manifestly deficient and it therefore forecloses any consideration of alternatives to fulfilling those purposes or satisfying those needs. The statement is: (a) so vague as to be standardless, and (b) internally inconsistent. It is so vague because it wholly fails to indicate in any respect what is meant by "compatible uses to the Main Post's other historic buildings". It is internally inconsistent because 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 to the remaining element of the claimed purpose and need, ("bringing people to the Main Post"), the DSEIS' statement of purpose and need 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. 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 have been 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 DSEIS fails to justify the building demolition and new construction and how those actions are related to the Presidio Trust mission as defined in the Presidio Trust Act.

The purpose and need for the DSEIS and Update is to allow the Trust to consider the Fisher proposal for a major museum. For the Fisher proposal to be considered at all, the DSEIS was required to allow total construction at the main post of 220,000 sq. ft. rather than the PTMP approved 100,000 sq. ft. Without a new DSEIS 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 is derivative from the decision by the Trust to consider the proposal at all. In substantive terms, the Main Post already had a “revitalization plan” in the PTMP as it stood: lodging, visitors center, public areas on the Main Parade, archeology center, and heritage center.

The idea of a contemporary art museum and building was completely opportunistic, that is, created by the Fisher proposal, including the \$20 million he offered. 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.

The PNRWG specific objection is that the DSEIS purported purpose and need to “revitalize” the Main Post is inaccurate and does not justify amending PTMP. The need for the DSEIS is not to “revitalize” the Main Post because “revitalization” can ultimately be achieved without it; it is to allow for the receipt of some \$20 million as a condition to massive new construction not allowed by the existing PTMP. Moreover, as stated above, even if the purpose of the proposed actions were to revitalize the Main Post, the Trust cannot pursue this goal in direct contradiction of its congressional mandate. (*See, Citizens Against Burlington, supra*, 938 F2d at 196.)

### **3.0 Affected Environment**

#### **3.1 Land Use**

##### **Museum Design, Scale and Location Are Incongruous with the Main Post**

The proposed museum building is clearly incongruous with the Main Post’s unique architectural character. (*See*, photograph of Main Post, DSEIS, p. 30) As such, it would violate the Trust’s own mandate. These adverse effects are detailed in the Draft Finding of Effects (DFOE):

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 prominent 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 design and location this adverse effect would be impossible to mitigate.

### **Museum Massing Disrupts the Main Post's Historic Setting**

The currently proposed site of the CAMP is an inappropriate intrusion that would disrupt the Main Post's historic setting. (See, description and map, DSEIS, p. 28-29) As explained in the DFOE:

*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)*

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

### **Museum Jeopardizes Integrity of Presidio NHL, Destroys Archeological Resources**

CAMP would jeopardize the integrity of the Presidio National Historic Landmark District (NHL). (See description, map and photo, DSEIS, pp. 28- 30) As stated in the DFOE:

*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 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)*

The museum design is *intended* to be 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. Without dramatic alterations to the museum design, massing and location these adverse effects would be impossible to mitigate, would diminish the integrity of the NHLD, and likely cause its delisting 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 CAMP would intrude upon and detract from the rhythm, scale, and proportion of the Main Post. (See description, map and photo, DSEIS, pp. 28- 30) 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 dramatic alterations to the museum design, massing and location this adverse effect would be impossible to mitigate and the project should be relocated outside the Presidio Main Post.

### **Museum Total Size Is Unclear**

There appears to be some confusion as to the total amount of new construction that the proposed new buildings would entail. The museum is stated to be 75,000 sq. ft. above ground and 35,000 sq. ft. underground parking for a total of 110,000 sq. ft. (DSEIS, pp. 28, 31) Total new construction for the museum is listed as 99,860 sq. ft. plus exterior uses for plaza and terraces in the amount of 21,661 sq. ft. for a total of 121,521 sq. ft. The DSEIS is simply unclear whether the 35,000 sq. ft. garage is in addition to the 121,521 sq. ft. for a total of 156,521 sq. ft. The DSEIS fails to provide clarification on the complete and total size of the proposed museum, including plaza area and garage as it is unclear how big the museum really is and what is or is not included in different sets of figures. The size of the museum is widely referred to as 100,000 sq. ft. but this does not seem to be accurate based on other figures noted.

### **There Is Insufficient Information to Assess Museum Alternative 2A**

Regarding the art museum and proposal 2A, details are not provided on the size, configuration or location at Infantry Terrace of this alternative. The total square footage is absent. (DSEIS, p. 38) It is not possible to assess the NEPA impact of Alternative 2A without detail approximating that provided for Alternative 2: square footage, elevations,



setbacks, architectural renderings, landscaping, etc. NEPA requires that all alternatives be described with sufficient degree of detail and specificity, to allow meaningful public review and analysis of their respective merits. (40 CFR § 1502.14.)

### **Lodge Is Too Massive and Destroys Archeological Resources**

The proposed lodge or hotel 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. (*See*, description, map and photo, DSEIS, pp. 32- 34) As stated in the DFOE:

The proposed 95,000 sq/ft, three-story lodge 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 hotel would *destroy known archaeological resources* associated with F9, which would be inconsistent with Secretary's Standards and would *result in an adverse effect.* (DFOE, pp. 48, 49) (*emphasis added*)

The Trust should reengage the public on the design, scale and massing of the hotel. Developing lodging on the Main Post should focus at least largely 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 as 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.

## **3.2 Land Use Policy**

### **Removal of Recreational Facilities Should Not Occur Without Plans For Replacement**

The removal of the Bowling Alley, tennis courts, YMCA, Adult Health Care and Child Care buildings should not occur without specific plans for replacement. If the Trust is going to remove these buildings, the Trust and the Developer should move those tenants with no cost to the tenants and re-rent to those tenants on the same terms and conditions as their old leases (same price per square foot).

### **Assertions Regarding NHLD Status Contradictory**

“Under Alternative 2, the Presidio’s National Landmark status would be preserved. Proposed changes within the Main Post would comply with the National Preservation Act and be compatible with the park’s setting.” (DSEIS, p. S-12, p. 66) The DSEIS statement on p. 230 about adverse effects contradicts this assertion.

### **3.3 Transportation and Parking**

#### **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, or any of the other factors that relate to the enjoyable use of a park or a residential area.<sup>1</sup> 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.

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,

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<sup>1</sup> References supporting the above comments:

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

[http://dphwww.sfdph.org/phes/publications/Transportation\\_pubs/Tr\\_Replacing\\_Auto\\_LOSA\\_CE\\_QA.pdf](http://dphwww.sfdph.org/phes/publications/Transportation_pubs/Tr_Replacing_Auto_LOSA_CE_QA.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>

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, 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**

At present, 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 from 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 the community. 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 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 CAMP and related vehicular traffic on the larger Presidio NHLD.

### **3.4 Air Quality**

#### **Air Quality Impacts Underestimated**

On page 113, the DSEIS evaluates average carbon monoxide emissions from vehicle trips for alternative 2 and 2A to be from 549.75 to 546.76 pounds/day respectively. The BAAQMD states that 550 pounds/day of carbon monoxide is a “significant impact”. (DSEIS, p. 113) The DSEIS fails to estimate air quality impacts properly, given much higher visitation rates expected in Alternatives 2 and 2A (up to 2.4 million) versus Alternative 1 (up to 660,000), a ratio of 3.6:1. The ratio of average weekly vehicle trips between Alternatives 2 and 2A (17,305) and Alternative 1 (13,951), is 1.2:1. The visitation ratio is not consistent with the vehicle trips ratio. Vehicle trips under Alternatives 2 and 2A are potentially underestimated and therefore, the DSEIS underestimates the air quality impact. The DSEIS also fails to mitigate these likely significant impacts to air quality.

#### **Global Climate Change, Green House Gas Emissions**

Automotive emissions of concern in the past have been non-methane hydrocarbons (NMHC), oxides of nitrogen (NO<sub>x</sub>), and carbon monoxide (CO). These gases have public health concerns through inhalation. In addition, we have a concern for exhaust emissions that are carcinogenic. These are species of NMHC such as benzene and toluene. However, the biggest greenhouse gases (GHG) are different. While there are no direct health effects, they are a major source category (transportation sector) of gases that contribute to climate change.

The proposed action would bring millions of new visitors to the Presidio creating tens of thousands of new weekly trips. While there has been quite a bit of thought placed on new parking facilities at the Main Post, there has been little planning or visioning for a transportation system that would not only reduce GHG emissions, but also demonstrate leadership in GHG emission reductions, a crucial role for the National Parks. The DSEIS fails to rigorously analyze GHG effects, because it fails to commit to specific targets in GHG reductions. To suggest that the proposed major developments in Alternatives 2 and 2A, while initiating thousands of new weekly vehicle trips, would not generate enough greenhouse gases “to cause a substantial impact related to global climate change” (DSEIS, p. 115) is insensitive to the larger problem of climate change, is out of touch with the issues we face as a country, and misses the opportunity to lead rather than follow.

To address climate change, there needs to be an established baseline, with set reduction targets. The Plan contains no such targets nor mentions any commitment to provide them. The Trust needs to commit to a 50% reduction in the next 30 years, and this proposed project would set the framework for whether or not future managers will have that capability or not. The DSEIS fails to indicate the reductions in emissions that are possible, contemplated and in what time frame.

#### **DSEIS Fails to Show How Mitigations Will Be Applied**

The document states that the Trust is signing on to NR-26, the Climate Friendly Parks program, but then only lists the NR-26 commitments, while saying nothing about how commitments will be implemented. The DSEIS fails to identify how the NR-26 commitments will be applied in this undertaking. (DSEIS, p. 118)

#### **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." (DSEIS, p. 243) 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. Please explain how energy conservation requirements will be met while preserving historic objectives.

#### **LEED Standards Not Consistent Within Documents**

The DSEIS, at p. 243 also states, "...The Trust would encourage applicants to seek LEED certification..." (DSEIS, p. 243) However, the standard requested would be at a lower

level of LEED than the statement in the Update using LEED Silver as the standard. (Update, p. 45) (Note that LEED Gold is the standard in the City's Green Building Ordinance, and Treasure Island has committed to LEED Platinum.)

### **3.5 Noise**

#### **Noise Impacts to Crissy Field Not Adequately Analyzed Under Alternative 1**

The DSEIS, at p. 241 states that “A contemporary art museum at the commissary site under Alternative 1, or other Crissy Field proposals being considered under the alternatives would have no impacts on Crissy Field.” (DSEIS, p. 241) The Trust estimates that the art museum and other attractions will draw about 2 million more visitors a year to the Presidio, most of which will be coming in motor vehicles. Thousands of vehicle trips per year passing by Crissy Marsh will create noise from cars, motorcycles, motor scooters, go cars, open air and closed tour buses and the supply trucks necessary to service the museum and lodge. This noise will have a negative impact on Crissy Field. The DSEIS fails to estimate the impacts from noise on Crissy Field.

#### **Noise Impacts on Neighboring Community Not Analyzed Sufficiently**

The DSEIS 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 DSEIS assumes they would not be affected, and so ignores the impact on Presidio inbound and outbound traffic on the neighboring community. (DSEIS, pp. 120-127)

### **3.6 Historic Resources**

#### **Proposed Undertaking Would Have Many Adverse Effects on Historic Resources**

As previously identified by the Trust in the DFOE, the proposed undertaking 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)

#### **Historic Scene Diminished Under Trust Proposal**

“The new construction as currently envisioned under the proposed action 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 Protects 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 Archeology**

#### **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 proposed action. The historic stream ravine, now covered by fill, is clearly shown underlying the museum sites for Alternatives 2 and 2A. (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 Update indicates that a stream is buried under the sites of Alternatives 2 and 2A. (Figures 1, 2 Update, 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 Alternatives 2 and 2A. (DSEIS, p. 31) The Trust has drilled cores in these areas and found archeological remains from the historic period. The DSEIS fails to include predicted archeological features in the sites of Alternatives 2 and 2A and fails to identify adverse consequences of the proposed development on those sites.

#### **Destruction of Archeological Resources Reduces Integrity of NHL**

“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.” (DSEIS, p. 239) The DSEIS fails to specify how, if the National Historic Landmark District is so destroyed that it has to be commemorated on 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 NHL, will have been lost. The DSEIS 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.” (DSEIS, p. S-13) The aerial view (Update, 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 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.

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

The 600-foot long, box-shaped, flat-roofed 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. (DSEIS, P. 182)

### **The Structure’s Architecture Should Be Compatible with NHLD**

The design of CAMP and the lodge are not “compatible with this National Historic Landmark District” (DSEIS, p. S-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 designs of CAMP and the Lodge, as proposed, fail to accomplish this. The visual impact of these structures clash with the stated design guidelines (Update, p. 42), in that they are not “responsive to the surrounding site configuration, adjacent open spaces,” and not “compatible with the massing, size and scale of the surrounding historic buildings.” (Update, p. 42)

## **3.9 Visitation**

The visitation, traffic and parking impacts of Alternatives 1-4 are 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, DSEIS, Tables 7-10, 25, pp. 80-86, 200, & Appendix A)<sup>2</sup>

Based on data obtained from the above museums, the DSEIS 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 DSEIS to estimate daily and week end traffic is based on annual estimates divided by days in the year. Peak traffic is estimated for week day hours and week end hours assuming all visitation and traffic is equally distributed by day and week throughout the year.

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<sup>2</sup> PNRWG objects to the Trust’s decision not to include Appendix A - Transportation Data in the published DSEIS document. Instead, public access to the transportation data is limited to having to view the information only at the Presidio Trust’s library.



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 DSEIS' failure to account for these peak months.

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

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 proposed alternative results in the relocation or removal of several low-cost recreational or educational uses that serve the general public. These include the YMCA, the bowling alley, tennis courts and an early childhood center. The DSEIS makes only vague statements about how or where these facilities could go, how relocation would be paid for, etc. Alternatives 2, 2A and 3 cannot be properly evaluated without a particularization of what arrangements will be made with these facilities.

The DSEIS makes only the following kind of vague statements:

Alt. 2: "The YMCA fitness center *could be* demolished and relocated to the Commissary, *depending on the tenant's future plans*" (DSEIS, p. 26). "The bowling alley (building 93) *would be* demolished and *could be* relocated to a rehabilitated building at (Area B), *assuming an approved lease agreement*:" (DSEIS, p. 36) "The tennis court adjacent to the bowling center *would also be* demolished and *could be* rebuilt elsewhere within the Presidio *as funding permit* (DSEIS, Figure 16, p. 37)

Alt 2A: The bowling center and tennis court *would also be* demolished (as in Alternative 2) and *replaced by a plaza*" (DSEIS, p. 38)

Alt 3: "The bowling center and adjacent tennis court *would be* demolished and *could be* relocated in conjunction with the history center proposal" (DSEIS, p. 44) "The Main Post tennis court *could be* relocated to a new site (DSEIS, Figure 16, p. 37) See also DSEIS (pp. 22, 26, 36, Figure 16, p. 37, pp. 38 and 44) (*emphasis added*)

### 3.11 Water Resources

#### **Water Resources Analysis Inadequate and Unsubstantiated**

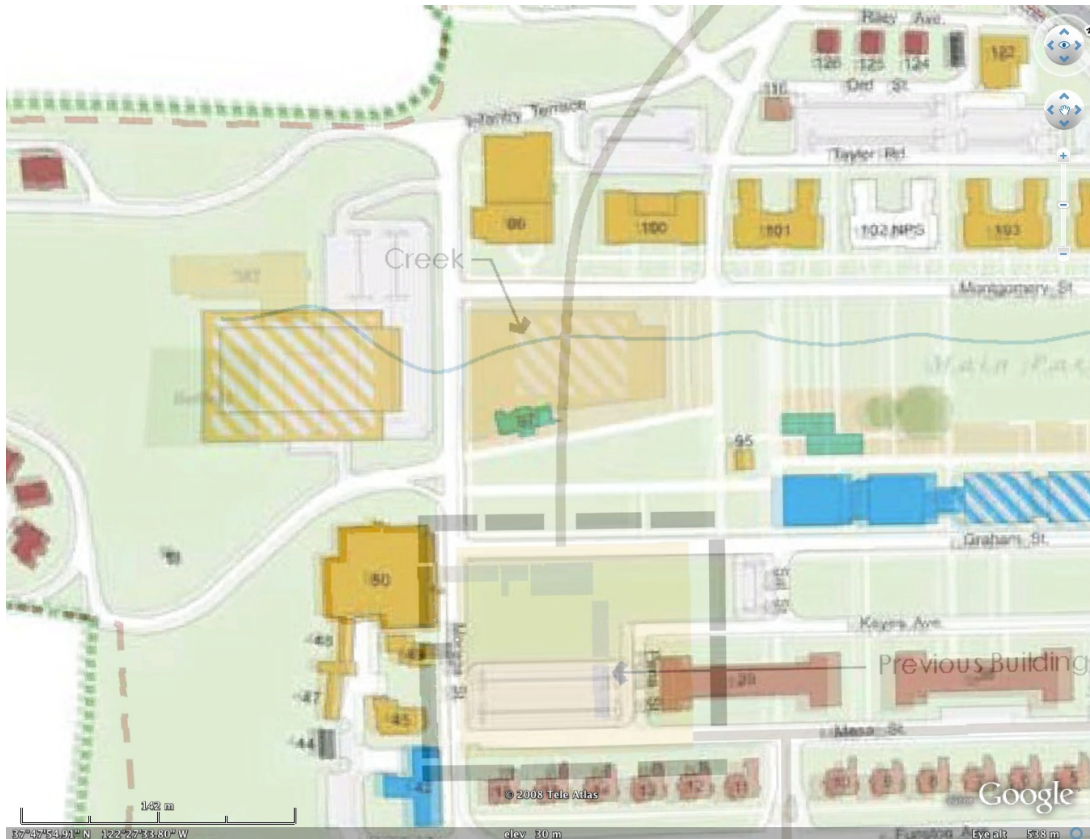
Thick willow stands indicating shallow groundwater are present at the site above the museum location for Alternative 2A. A spring adjacent to the tennis courts at Infantry Terrace still flows. This data is in contrast to the DSEIS assertion that groundwater is anticipated to be 50 feet below the existing surface (DSEIS, p. S-16). It is suggested that “perched” groundwater is identified at 26 feet below the surface (DSEIS, p. S-16). The DSEIS fails to support the assertion that groundwater is actually perched as differentiated from subsurface hydrology. The DSEIS fails to identify the geotechnical investigations referenced and where these investigations took place.

#### **Significant Impacts to Hydrology Would Occur, Contrary to DSEIS 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 Alternatives 2 and 2A. (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 DSEIS. (DSEIS, p. 210) 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. (DSEIS, p. 210) 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 50 feet below the existing surface” is incorrect and that this hydrologic analysis is therefore, faulty. (DSEIS, p. 210)



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. Clearly, the museum proposals would significantly impact the hydrology of both sites.

**Springs North of Infantry Terrace Tennis Courts Not Investigated**

The DSEIS 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 DSEIS fails to properly analyze the impacts of Alternative 2 and 2A on sub-surface hydrology. (DSEIS, p. 210)

**Stormwater Options Not Investigated**

The DSEIS 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. (DSEIS, p. 243)

**Sewage Increases to City System Not Determined**

The DSEIS does not adequately determine the volume of additional flow to the City’s combined sewer system of wastewater from the project and the impact of the additional volume on the available storage capacity for wet weather flows. The DSEIS fails to identify actions that will respond to capacity impacts of the project. (DSEIS, p. 243)

### **Water Demands Not Identified**

The DSEIS 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. (DSEIS, p. 242) The DSEIS does not analyze the amount of water used on the greening of the main post and by the 2.4 million visitors in alternative 2. 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 DSEIS fails to identify impacts to the Tuolumne watershed from the proposed undertaking.

### **Impacts From Emerging Contaminants Found in Reclaimed Water Not Assessed**

If reclaimed water is used to green the proposed 7-acre lawn, the DSEIS fails to study the impacts to the environment from the emerging contaminants that pass through the treatment process. The DSEIS fails to analyze the nature, extent, fate and transport of potential contaminants that are released to the environment by reclaimed water. (DSEIS, pp. 211-212)

### **Environmental Justice Impacts of Sewage and Stormwater Runoff Not Evaluated**

The DSEIS fails to analyze the Environmental Justice impacts of the proposed full build-out of the Presidio (2.4 million visitors to the main post of alternative 2) on the amount of sewage and stormwater delivered to the Hunter's Point wastewater treatment plant. These impacts are not analyzed sufficiently in the Water Resources section or the Other Impacts section. (DSEIS, p. 245)

## **3.12 Cumulative Impacts**

### **Generally**

The DSEIS fails to assess the cumulative impacts of the Proposed Action and its other Alternatives: that is, the effect of one environmental consequence on another, and a determination of the grand sum total effect of the increments. Various environmental effects are identified (land use, transportation, parking, air quality, noise, building rehabilitation, etc. (DSEIS 222-236)), 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 cumulative impact would be, in kind and/or extent.

### **Crissy Marsh Expansion Not Analyzed In Cumulative Impacts**

Under Alternative 1, the museum would be relocated to the Commissary. However, the Crissy Marsh expansion project is missing from the cumulative impacts section. The DSEIS fails to include (DSEIS, pp. 219, 221) and analyze the impacts of the proposed undertaking in Alternative 1 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)

### **Cumulative Actions Not Protective Against Significant Impacts**

“The cumulative actions would have a significant impact on the Main Post and potentially the NHLD. While the majority of the projects would not have significant impacts, the cumulative change from all projects, (including the proposed action) implemented since the writing of the 1993 NHL update through the foreseeable future is potentially significant.” (DSEIS, p. 226)

### **Insufficient Information to Assess Outdoor Sculpture Impacts**

The document states, “The contemporary art museum would install large outdoor sculptures in the historic landscape”...” while not necessarily compatible with the historic landscape, managing the location...would minimize the potential for adverse effect on the historic scene. (DSEIS, p. 231) The DSEIS fails to identify and assess the adverse effect: 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? What would be the duration of outdoor displays? 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? In sum, the DSEIS does not provide the information essential to properly assess the impacts of the contemplated large, outdoor sculptures.

### **Inclusion of Large Outdoor Sculptures May Impact NHLD**

Further, the DSEIS states “The introduction of sculpture would have a neutral impact on the integrity of the Main Post.” (DSEIS, p. 231) Without identifying how sculpture will be selected for outside display and what the criteria would be for impacts of sculpture on the integrity of the Main Post, the DSEIS fails to support its assertion that the introduction of sculpture will have a neutral impact on the integrity of the Main Post.

### **El Presidio Traffic Circulation Impacts Not Mitigated**

Please provide an explanation for the following statement: “Initiatives completed on the Main Post have enhanced public awareness of and implemented conservation strategies to preserve the site of El Presidio, the single most important archeological site in the park.” (DSEIS, p. 232) The Trust identified El Presidio as the single most important archeological site in the park; its Alternative 1 has a proposed circulation “that would...continue to diminish the character of this historic property.” (DSEIS, p. 165) In sum, the DSEIS fails to identify any mitigation of impacts of proposed circulation on the El Presidio site.

## **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 DSEIS (see, for example, p. 238) adverse impacts of the Proposed Action are identified. But there is no indication that the possibility of mitigation has been investigated and determined.

## **F. ELEMENTS OF PNRWG'S RECOMMENDED ALTERNATIVE (ALTERNATIVE 5)**

The PNRWG recommends the following alternative for analysis. The alternative is based on sound planning principles and focuses on the heritage, history and archeology 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 celebrate the Presidio's varied and significant military history. It should not just create 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." The Presidio Trust is looking for integrity in the wrong place. 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/Archeology Center**

The most important component to restoring the Presidio Main Post should be a History/Heritage/Archeology 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 Hall, the 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.

### **Contemporary Art Museum**

The CAMP does not belong on the Main Post area as described in Alternatives 2 and 2A. CAMP should be in downtown San Francisco or along the waterfront, areas that are more readily accessible to visitors and residents, and convenient to existing, high capacity transit.

While there may be other possible locations for the CAMP in the Presidio, there is insufficient analysis of alternatives in the DSEIS to reach any conclusion as to an acceptable site. The stated goal of educating the public in contemporary art could be far more effectively achieved by locating this collection in any of several potential alternative locations within the City. Such a location would have the advantage of taking the art to the people rather than incurring the huge cost and disruption that would be required to take the people to the art. It would be more beneficial for the City and would avoid the disruption and legal issues implicated in constructing CAMP at its currently proposed location and design.

### **The Lodge**

The large lodge should not be built as shown in Alternative 2. Its scale and design are out of place and would dominate the proposed history walk along the east side of the Main Parade.

Developing lodging on the Main Post should focus, at least largely, on re-using existing structures. The available Montgomery St. Barracks or other existing structures, such as Pershing Hall, would seem to hold promise for lodging and should be studied. They were used as living quarters and could be so used again. It may be appropriate to evaluate lodging built on a smaller scale where Alternative 2 proposes a large hotel. (Update, p. 23) For example, one could imagine structures similar to the moderately sized buildings shown in Fig. 4 (Update, p. 11) south of Buildings 86 and 87 and located between Graham and the planned Anza Esplanade.

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 as the current one. We do 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 bring in rental income.

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.

### **Presidio Theater**

The theater could be expanded to the west of the existing building to enable an appropriately sized reuse of the existing structure based on public analysis of public uses, including interpretive, educational, cultural, performance and film.

### **Other Recommendations**

We consider the Environmental Assessment (EA) for the Main Parade Ground to be improperly adopted and we reject the findings of that document. The Main Parade Ground EA evaluation and analysis should be included in the DSEIS.

Street closure decisions should not be made until Main Post uses are determined. We would not close Sheridan from Graham to Montgomery, or Arguello from Moraga to Sheridan and under Alternative 2A we would not close Montgomery Street and a portion of Moraga. These closures 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 should be restored and parking eliminated from this location.

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

## **G. PROBLEMS WITH THE TRUST PLANNING PROCESS**

The logical, normal public process 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:

### **Sequence of Trust Planning Actions on Main Post**

1. Scoping for SEIS was announced contemporaneously with the issuance of the RFP tailored for the CAMP proposal, which was already under discussion and review by the Trust.
2. CAMP 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 CAMP and Lodge.
5. Publicity for Walking Tours of proposed CAMP 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. 35, 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 and the Update is to acceptingly 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. We



feel that 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” (a large hotel) that have little to do with what the Presidio represents and that greatly diminishes its historic sense of place. The emerging sense is that this is a vanity project backed by practically unlimited private resources.

### **The NEPA Process Is Not Coordinated with Section 106 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.

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

The DSEIS 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. (DSEIS, pp. 260-261)

The public has a right to know what factors were assessed when Alternatives 2 and 2A were chosen. 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 DSEIS fails to provide appropriate economic information to assess the financial impact to the Presidio.

### **Revenues and Expenses Associated With Museum Project Not Included**

The DSEIS 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...” (DSEIS, p. 239) The DSEIS fails to provide any material (studies, other investigations) that would substantiate this hypothesis. Without concrete data about the current financial status of the Presidio or estimated future revenues, 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 DSEIS and Update are predicated in part on greening the Main Parade Ground. Yet the funding for this essential element is left to an uncertain philanthropic effort.

## H. CONCLUSIONS

### 1. The Museum Facility Does Not Belong on the Main Post

The proposed museum building is incongruous with the Main Post's unique architectural character, would disrupt the Main Post's historic setting, and would jeopardize the integrity of the Presidio National Historic Landmark District (NHLD). The museum design, massing and location would create adverse impacts that could not be mitigated in any reasonable manner without drastic alteration of the proposed action.

### 2. The Massive Lodge Should Not Be Built As Described

The proposed hotel's height, bulk, location and potential impact on known and unknown archaeological resources would result in adverse effects on NHLD resources. Its scale and design are out of place and would dominate the proposed history walk along the east side of the Main Parade Ground. The large hotel would form a barrier, as opposed to a connection, between the Main and the Old Parade Grounds.

### 3. Proposed Action Violates the Presidio Trust Act

The proposed action (in particular, the museum and lodge) 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. The proposed actions do not protect the Presidio from development: the proposal is, of itself, a major development.

### 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 rather than seriously evaluate a wide range of reasonable Main Post alternatives. While the Trust did go through a Request For Proposal (RFP) process, the RFP process was in response to a single proposal *already* received. The intent of the NEPA process is not being met.

### 5. The NEPA Process Is Not Coordinated with 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.

### 6. The DSEIS Alternatives Analysis Is Inadequate

The DSEIS fails to identify a reasonable range of alternatives and fails to provide sufficient detail and analysis to allow the selection of any alternative other than the "proposed action."

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

Economic considerations are likely to be key factors driving the selection of the preferred alternative, and this information should be available as part of the environmental review process. The Trust Act attaches great importance to financial self-sufficiency and the Trust has used this rationale for many past decisions. The financial incentives associated with the Fisher Contemporary Art Museum at the Presidio (CAMP) proposal include a \$10 million charitable contribution (offered verbally by Mr. Fisher to the Trust, as reported publicly by Executive Director Craig Middleton.) The charitable contribution

would be restricted to rehabilitation of the Main Parade Ground, and given only if the current proposal is approved.

**8. The DSEIS Is Inadequate In Many Respects**

The PNRWG has found numerous deficiencies, inaccuracies, unsubstantiated assumptions and inappropriate methodologies throughout the DSEIS.

**I. RECOMMENDATIONS**

**1. Withdraw Museum and Lodge Proposals, Suspend Current Process**

We strongly believe that the Trust can recover the public trust. With every respect, we request that the Trust withdraw the museum and hotel proposals and suspend the current process. If the Trust decides to proceed with the NEPA process, it is essential that every comment, question and request for further information and analysis be given a thorough response.

**2. Locate the Museum Downtown or Along the Waterfront**

The museum should be located in downtown San Francisco or along the waterfront, areas that are more accessible to visitors and residents, more convenient to high-capacity transit and more financially beneficial to the City.

**3. Lodging On The Main Post Should Focus On Reusing Existing Structures**

The Trust should reengage the public on the design, scale and massing of the hotel. Lodging on the Main Post should focus, at least largely, on re-using existing structures, including Pershing Hall and the Montgomery Street Barracks. It may be appropriate to evaluate lodging built on a smaller scale where the proposed action suggests building the large hotel. 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 as the current one.

**4. Restart Main Post Planning Process, Focusing on History, Heritage and Archeology**

Despite many compromises, the Presidio Trust has managed the Park well thus far and in a fashion that has achieved financial self-sufficiency. Having achieved that promise, we see a Main Post at the Presidio that engages the public in our history, our natural environment and celebrates our cultural heritage. We see activities and programs that support dealing with the principal issues of the day, much in the way the Presidio has always responded to national and world events. In that way, the Presidio would continue to be a place where history is made and ongoing.

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 PTMP should be amended only as proven necessary. The Trust should include the National Park Service's expertise in interpreting the historic features of the Presidio.

\* \* \*

## APPENDICES

### A. PRESIDIO NEIGHBORHOOD REPRESENTATIVE WORKING GROUP

The Presidio Neighborhood Representative Working 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 Working 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: 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: Planning Association for the Richmond
- Bill Shepard: Lake Street Residents Association
- Carola Shepard: Pacific Heights Residents Association
- Patricia Vaughey: Marina-Cow Hollow Neighbors and Merchants
- Rich Worner: Jordan Park Improvement Association

## B. TABLE1 - PNRWG ANALYSIS OF ALTERNATIVES

The following table summarizes our analysis regarding whether the proposed alternatives meet these criteria. Alternatives 1, 2, 2A, 3 and 4 are as described in the draft DSEIS. Two additional alternatives are provided. Alternative 5 is the Presidio Neighborhood Representative Working Group Alternative presented in Section E. The table can be read as follows:

- Y = Yes
- N = No
- ? = Not Clear

<b>Criteria</b>	<b>Alternatives*</b>						<b>Comments</b>
	<b>Discussed in DSEIS</b>						
<b>The Proposed Action:</b>	<b><u>1</u></b>	<b><u>2</u></b>	<b><u>2A</u></b>	<b><u>3</u></b>	<b><u>4</u></b>	<b><u>5</u></b>	
1. Protects the integrity of the Presidio National Historic Landmark District	Y	N	N	N	Y	Y	By violating the Presidio Trust's federal mandate, the PTMP and the Secretary's Standards and Guidelines, Alternative 2, 2A and 3, create adverse effects on the NHLD, impact the integrity of the NHLD and risk the loss of the Presidio's status as a NHLD.
2. Reuses historic buildings over constructing major new development projects.	N	N	N	N	Y	Y	CAMP is a huge and incompatible development built in a place where no structure had previously existed. The proposed massive lodge or hotel is a completely new structure.
3. Complies with the Presidio Trust enabling legislation	Y	N	N	N	Y	Y	The CAMP design, location and massing appears to violate the Presidio Trust Act.
4. Celebrates history, heritage and archeology	?	N	N	N	Y	Y	CAMP suffocates and overwhelms the history, heritage and archeology of the Main Post.
5. Minimizes traffic and parking problems	N	N	N	N	Y	Y	Analysis for traffic and parking impacts is incomplete.
6. Preserve recreational facilities or specifies how they will be replaced	Y	N	N	?	Y	Y	The Trust's proposal (Alt. 2) 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.	Y	N	N	N	Y	Y	The PTMP Update breaks the delicate 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 departure from that commitment.
8. Alternative is completely analyzed, is accurate and makes appropriate assumptions.	N	N	N	N	Y	Y	Alternatives 1, 2, 2A and 3 have deficiencies in their analysis of impacts, their accuracy and their assumptions.

## **C. 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.”

## **D. 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,”

## E. MUSEUM PROPOSAL TIMELINE

The NEPA and NHPA sequence of procedures followed by the Trust in the case of CAMP suggest that they were designed by the Trust to favor the CAMP 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	Don Fisher holds a joint Press Conference with the Presidio Trust in the Presidio National Park to make public and announce his plans to build a contemporary art museum there to house his private art collection.
Aug 8, 2007	RFP Issued for contemporary building for art or history 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 approved published--included only 3,000 sq. ft. new construction; does not include lodge, theater or museum, even though such 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), CAMP, 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 CAMP 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	Wed and Sundays (see brochure (Bringing Back etc) on Website for dates --Main Post walking tours
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)
Sept 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.
Sept 16, 2008	Section 106 Consultation Meeting (nr 4)
Sept 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