

**Arc Ecology • Baykeeper
California Native Plants Society, Yerba Buena Chapter
Clean Water Action • Golden Gate Audubon Society
Livable City • Natural Resources Defense Council
Nature in the City • Planning and Conservation League
Presidio Environmental Council • San Francisco Tomorrow
San Francisco League of Conservation Voters
Sierra Club • Sustainable Watersheds Alliance • The Bay Institute
Telegraph Hill Dwellers • Turtle Island Restoration Network
Walk San Francisco**

March 11, 2011

Bill Wycko, Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Notice of Preparation: Case No. 2010.0493E - The 34th America's Cup Races and James R. Herman Cruise Terminal and Northeast Wharf Plaza

Dear Mr. Wycko,

On behalf of the America's Cup Environmental Council (ACEC) and its partners, we submit the following comments on the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the 34th America's Cup Races (AC34) and James R. Herman Cruise Terminal and Northeast Wharf Plaza (Proposed Project), released February 9, 2011. In order to maintain an effective and unified voice for environmental- and community-based concerns ACEC is comprised of environmental, neighborhood and community organizations, including the Sierra Club, Golden Gate Audubon, San Francisco Baykeeper, NRDC, Arc Ecology, The Bay Institute, Planning and Conservation League, San Francisco Tomorrow (SFT), Telegraph Hill Dwellers, Livable City, Arc Ecology, San Francisco League of Conservation Voters, California Native Plant Society-Yerba Buena Chapter, Clean Water Action and the Presidio Environmental Council. These organizations are committed to a successful and sustainable America's Cup event. To that end, we have agreed to work cooperatively to attain the co-equal goals of:

- Creating a carbon-neutral or carbon-negative event demonstrating best practices by participants while demonstrating a model for viewers;
- Thoroughly assessing the local, regional and global impacts of the event including fiscal impacts;
- Protecting natural resources around and within the Bay;
- Developing mitigation programs that fully protect San Francisco neighborhoods as well as historic and natural resources;
- Identifying programs and mitigations that will assure that the America's Cup event is a benefit for San Francisco neighborhoods and the environment in both the short and long term; and,
- Requiring that any future waterfront development anticipated by the Host and Venue Agreement be subjected to rigorous public scrutiny.

We appreciate the opportunity to provide these comments, which serve to inform the EIR preparation process and assist San Francisco in maintaining its aggressive review and approval schedule for the Proposed Project. Below you will find general comments to the NOP, followed by specific concerns as they relate to environmental review topics.

1. General Comments

1.1. PROJECT DESCRIPTION AND SCOPE

Under the California Environmental Quality Act (CEQA), the Project EIR must contain a complete and adequate Project Description that includes all improvements and events that may impact the environment as a result of the City's approved 34th America's Cup Host and Venue Agreement (Host Agreement). Consequently, in addition to the AC34 race related temporary and permanent improvements and the Port Commission's proposed new Cruise Terminal and Northeast Wharf Plaza at Pier 27, the EIR must identify, consider and analyze the environmental impacts that may result from the City's agreement to grant long-term development rights and "Legacy Leases" to the America's Cup Event Authority LLC (Authority). In other words, CEQA requires that both the short and the long-term impacts of this project be identified and analyzed in the EIR.

The NOP does not describe even the scheduled race events and the associated race-related waterfront improvements in adequate detail. The Host Agreement states that the race-related waterfront improvements are to be determined pursuant to the "Space Plan" and the "Event Plan," which are described as preliminary and subject to change and modification from time to time by the Authority. Until the Event and Space Plans are finalized and the venue sites are established, the preparation of an EIR may itself be premature, as CEQA requires the project description to be stable and finite. Without a more concrete project description it's difficult to identify all impacts and mitigation measures.

In addition, CEQA requires the City to discover, disclose, and discuss the cumulative impacts of all relevant past, present, and reasonably anticipated future projects in the EIR. The list of projects that must be considered in this analysis includes, but is not limited to, the Pier36/Brannan Street Wharf project, the Exploratorium Relocation Project, 8 Washington Street, and the Fisherman's Wharf Improvement Project.

Further, according to the NOP, a significant number of federal approvals are required that will require environmental review pursuant to the National Environmental Quality Act (NEPA) and consultation pursuant to Section 106 of the National Historic Preservation Act (NHPA). Notably, many of the potentially significant impacts identified in the NOP are impacts to federally owned resources and resources listed on the National Register of Historic Places. The City should prepare a joint Environmental Impact Statement (EIS)/ Environmental Impact Report (EIR), rather than simply prepare an EIR. If the City declines to do so, it should clearly state its rationale for not preparing a joint EIS/EIR. .

1.2. ALTERNATIVES ANALYSIS REQUEST

Suggestions for alternatives intended to reduce impacts to identified resources are made throughout this document. In addition, we are concerned that the NOP fails to identify uses for the properties named after the 2013 races are completed. The nature of the agreement between the ACOC and the City ensures that the effects of this event are much longer lasting than the immediate race event and must be evaluated in this document.

At a minimum, the following scenarios should be analyzed as alternatives:

- **Scenario #1: The Authority successfully defends its title.** In this case, what properties would be retained for future events, and how would they be used between events? Pier 27 is slated to replace Pier 35 as the priority cruise terminal; if it were to continue in use as an event location, this will create a conflict between cruise visits and future race events. Will the Authority retain Piers 30-32 and Seawall Lot 330 as maritime properties for the event or proceed with long-term development of the sites? This alternative needs to identify long-term event sites and potential conflicts between existing and potential event uses.
- **Scenario #2: The Authority loses the title.** The agreement between the Event authority and the City indicates that a large swath of waterfront properties could be turned over to the Authority for long-term development. The EIR must contain an alternative that assumes all named sites (SWL 330 and Piers 26, 28, 30-23, 19, 23, 29) will be subject to intensive commercial development and identify those impacts.

Because of the inadequacy of the project description, we request a second public scoping period in order to review and comment on the alternatives and project description, once finalized. This is not without precedent, and can be done without delaying the process.

2. Considerations for Proposed Environmental Review Topics

2.1. LAND USE

2.1.1. Potential land use-related impacts associated with temporary event structures

The analysis should identify all temporary structures that will be in place for either the 2012 or 2013 events along with the length that those structures will be in place. These structures range from tents, bleachers and port-a-potties to structures placed on Pier 30-32. Because many of these structures are meant to capture views of the race on the Bay, they will also serve to block those same views to those areas behind the structures – that impact should be analyzed

The NOP identifies at least two City parks that will be impacted by structures; Brannan Street Wharf and Marina Green. The analysis should identify how much of Marina Green will be covered by these structures and the impact on this heavily used park. In addition, detail must be provided on the extent and placement of temporary structures on GGNRA property, and the process by which this will be permitted.

The structures on Pier 30-32 are identified as temporary, but they will be in use for a considerable amount of time, and potentially, should the America's Cup remain in with the Golden Gate Yacht Club, for several years. This analysis should provide a rendering of these structures and explain whether they will continue to be used or will be dismantled after each event.

As an alternative to the use of Marina Green for temporary structures, the use of the adjacent parking areas should be analyzed and considered. Also, the Marina neighborhood should be made aware of the diminution of their park for this event. If the Marina Green is used for the Event, this park must be fully restored after the event. Furthermore, alternative space must be identified for local neighborhood use on an interim basis during the Event – perhaps Marina Middle Schools recreational areas can be improved to provide alternative space to replace the temporary loss of neighborhood park access.

2.1.2. Potential land use-related impacts associated with the proposed helipad barge

The proposal to place a helipad on a barge raises many questions. How and through what agency is this use permitted? What locations are being considered for its placement? This proposed use has some very problematic impacts, including noise, water quality and interference with birds.

2.1.3. Long-term uses must be identified to determine lasting land use impacts

The Event Authority has an option for long-term development of several Port sites, but no information has been provided about the long-term use of those sites. There are significant impacts for intensified use at any of the locations that must be identified and mitigated.

2.1.4. Changes in land use within open spaces must be considered

The event already describes changes in the use of open spaces at the Brannan Street Wharf and Marina Green. The description and analysis needs to incorporate planned or foreseeable changes in use on Golden Gate National Recreation Area Property, Angel Island, Alcatraz and Yerba Buena Island.

The NOP describes a new viewing area constructed at the end of Piers 27 and 29 in conjunction with construction of the cruise terminal. This is a windswept area that will not be readily accessible to the public, and will in fact be closed to public access when cruise ships are docked at Pier 27. We suggest an alternative that looks at removing the structure behind the Ferry building (the former Gabbiano's restaurant) and creating an event viewing area and permanent open space at that site; it will be more accessible and will create additional open space at an already heavily used site.

2.1.5. EIR must consider compatibility with existing land use plans

The EIR must consider the project's conflicts with all existing land use plans, objectives, and policies, both as to the AC34 race events and associated race-related improvements and as to the proposed new Cruise Terminal and Northeast Wharf Plaza at Pier 27, as well as to future development on Piers 30-32, Seawall Lot 330, and piers that are subject to the City's grant of Legacy Leases and Disposition and Development Agreements (DDAs) under the Host Agreement.

Specifically, these would include elements of the San Francisco General Plan (Commerce and Industry, Recreation and Open Space, Housing, Community Facilities, Urban Design, Environmental Protection, Transportation, Air Quality, Community Safety, and Arts), San Francisco's Sustainability Plan, Transit First Policy, Zero Waste Policy and Climate Action Plan, the San Francisco Planning Code (Zoning Ordinance), the San Francisco Stormwater Guidelines, the Waterfront Land Use Plan, the Northeast Waterfront Plan, the South Beach/China Basin Sub-Area Plan, the San Francisco Bay Conservation and Development Commission's (BCDC) San Francisco Bay Plan and Waterfront Special Area Plan (SAP), Redevelopment projects including but not limited to the implementation of the Treasure Island, Candlestick Hunters Point Shipyard, Mission Bay, Eastern Neighborhoods, the Port's Pier 70 and Blue Greenway projects, and the Public Trust Restrictions.

The EIR must also consider the project's compatibility with regional environmental plans and policies such as the Metropolitan Transportation Commission's (MTC) Regional Transportation Plan (RTP)—Transportation 2030; the Bay Area Air Quality Management District's (BAAQMD) 2010 Clean Air Plan, the Bay Area Air Quality Plan; and the San Francisco Regional Water Quality Control Board's (SFRWQCB) San Francisco Basin Plan. Wherever possible, the project should seek to proactively advance these plans.

2.2. AESTHETICS

2.2.1. Potential aesthetic impacts to open water areas

The sponsors of the America's Cup are expecting a large number of visiting watercraft that will require docking and envision using much of the open water area in the northern waterfront for that purpose. The CEQA document should include visuals to indicate the impact of large vessels in the open water areas.

Amendments to the BCDC Bay Plan are being considered to allow temporary berthing in the open water areas of Piers 32-38 and 14-32. An additional impact is the proposed retrofit of Piers 30-32 in their entirety. The entitled project on this site called for removal of a significant portion of Pier 32; if that portion is strengthened rather than removed, that will have a permanent rather than temporary impact on the open water basin, which was supposed to be expanded.

Proposed mitigation for aesthetic impacts to open water areas

- Short-term: limit seismic retrofit to the portion of Piers 30-32 permitted for retention under the previously entitled project.
- Long-term: remove that portion or an equivalent area of Piers 30-32 (platform and pilings).
- Consider locating large vessels at Treasure Island Marina, with a ferry shuttle or water taxis to the San Francisco shoreline

2.2.2. Potential aesthetic impacts to the Port's Embarcadero National Register Historic District

The Port's Embarcadero National Register Historic District and its individual contributing resources are significant visual resources that could be substantially degraded in quality by the construction of the proposed Pier 27 Cruise Terminal and by other temporary and permanent improvements proposed in connection with the race Event and the associated long-term development rights. With regard to aesthetic impacts on these nationally recognized visual resources, the EIR must:

- Take into consideration the aesthetic impact of the proposed design of the Pier 27 Cruise Terminal on the National Register Historic District within which it is located, as well as on the adjacent historic Piers 29 and 31. The EIR must evaluate how the elements of the proposed Cruise Terminal design are compatible with the materials, features, size, scale, proportion and massing of the nearby historic bulkhead buildings and pier sheds, and with the characteristics of the surrounding historic district.
- Evaluate how the proposed removal of "a portion" of the Pier 29 shed and construction of a new 160,000 sq ft. viewing platform or "outdoor amphitheater" at the eastern end of Pier 27-29 will impact the aesthetics of the NRHD, when viewed from the Bay as well as other vantage points.
- Identify, describe and evaluate all temporary and permanent improvements proposed to historic Piers 19, 23, 26 and 28, for their potential impacts on the aesthetics of the NRHD.
- Analyze the cumulative degradation on the visual character of the NRHD from the Cruise Ship Terminal, the removal of a portion of Pier 29 and other AC34 improvements, together with all past, present, and reasonably anticipated future projects within the historic district.

Alternatives for consideration to minimize aesthetic impacts to the Port's Embarcadero National Register Historic District

- Consider alternative designs for the proposed Pier 27 Cruise Terminal that would be more compatible with the materials, features, size, scale, proportion and massing of the nearby historic bulkhead buildings and pier sheds, and with the defining characteristics of the NRHD.
- Consider alternatives to chopping off Pier 29 to create a viewing platform for the race event. Alternatives could include (1) providing temporary public viewing platforms by using barges or cruise ships; and (2) eliminating or reducing the amount of proposed viewing space at the end of Piers 27-29 by adding a large spectator viewing area behind the Ferry Building by removing the non-historic World Trade Club building, which would provide significant permanent public open space in connection with the Ferry Building Farmer's Market.
- Avoid removal of historic resources and require all alterations and changes to be compatible with the defining characteristics of the NRHD and consistent with the Secretary's Standards, as determined through an adequate and open public review process.

2.2.3. Potential aesthetic impacts associated with advertising and billboards

The EIR must take into consideration the AC34 event's potential blight impacts to our City and waterfront from advertising signs and billboards. The Host Agreement provides for an "Advertising Plan," to be developed by no later than March 31, 2011, to promote the race events, which would include billboards and other promotional advertising in areas including the City's "main squares, landmarks, and significant public buildings." Potential impacts to the City's landmarks and significant buildings from billboards, signage and other promotional advertising of AC34 must be analyzed in the EIR and control measures put in place as a part of any Advertising Plan.

Proposed mitigation to minimize impacts from advertising and billboards

- Prohibiting billboards or any promotional or other advertising material on any landmarks or historic resources and ensuring that advertising is carefully controlled on the public waterfront.
- Allocate resources to ensure the strict enforcement of the City's billboard and sign control ordinances.

2.3. POPULATION AND HOUSING

2.3.1 Impacts from conversion of affordable housing to short-term rentals

The massive predictions of visitors for the America's Cup will bring a large influx of people wishing to stay close to the Event areas, where hotel options exist but are limited. This could potentially lead to major impacts on existing rental housing stock if property owners and landlords respond by converting affordable residential rental units into temporary tourist "hotels."

The EIR should evaluate the increased housing demand generated by the event and the potential impacts of property owners removing affordable rental housing from the market in order to create temporary rentals for America's Cup visitors.

Proposed mitigation to minimize impacts on housing:

- The City should strictly enforce existing City Planning Code restrictions on the conversion of residential rental units into short-term tourist rentals.

2.4. CULTURAL AND PALEONTOLOGICAL RESOURCES

2.4.1. *Project location and setting should include all historically significant sites*

The NOP's description of the "Project Location and Setting" does not contain a complete and adequate overall description of the significance of the *Port's Embarcadero National Register Historic District* (NRHD), which encompasses a 3-mile stretch of the northern waterfront from Pier 45 to Pier 48, including 30 individual historically significant buildings and structures as contributing resources. Nor does the NOP include a complete and adequate description of all of the historic resources under federal ownership. A complete description of the NRHD and all historic resources under federal jurisdiction must be included in the EIR's project description.

2.4.2. *Impacts of the race and the Authority's long-term development rights upon historic resources, individually and cumulatively, must be identified and analyzed in the EIR.*

According to the Project Description in the NOP, the improvements proposed for the 2013 race events would involve substantial capital investment and construction for some facilities, which would stay in place after the Proposed Project, and temporary improvements that would be removed after conclusion of the Proposed Project. The details of these improvements were not adequately identified in the NOP. The EIR must identify all such improvements and consider their potential impacts to each individual resource, as well as cumulatively to the NRHD as a whole.

The Project Description in the NOP lists the following piers located within the NRHD among those individual facilities to be used by the America's Cup Event Authority (the "Authority") pursuant to "Venue Leases" to host race-related events: Piers 19, 19 1/2, 23, 26, 28, 27-29 1/2. With the exception of Pier 27 and 19 1/2, the bulkheads, piers and pier sheds of each of these individual facilities are historically significant resources, which contribute to the NRHD. Other historic resources on the waterfront that may be impacted by the AC34 race-related events were not identified in the NOP, including Pier 36, Red's Java House, Pier 29 Bellline Office Building and Pier 23 Café. In addition, there are extensive and highly valuable historic and archeological resources under federal ownership and jurisdiction that will be significantly impacted by the race-related events unless these potential impacts are identified and protected.

As to its overall analysis of the impacts to historic resources, the EIR must:

- Identify all individual contributors to the NRHD that will be impacted in any way by the AC34 race event from improvements that would stay in place after AC34 and those that will be removed after the AC34 concludes. Include and analyze all aspects of the finalized Event Plan and Space Plan in the EIR;
- Include sufficient detail as to all proposed temporary or permanent construction or improvements to each identified historic resource so that potential impacts can be analyzed and appropriate alternatives and mitigation measures identified;
- The NOP states in various places that alterations and changes will be consistent with the "Secretary's Standards." The EIR must contain sufficient detail as to each improvement or

change to any impacted historic resource so that the public and decision-makers can determine if the project is or is not consistent with the standards and provide an adequate public process for reviewing all improvements or modifications to determine compliance with the Secretary's Standards; and,

- Establish as the baseline for all CEQA purposes the current existing condition of all historic resources (prior to any improvements/construction associated with the AC34 Event).

2.4.3. *The impacts of the Authority's long-term development rights upon historic resources, individually and cumulatively, must be identified and analyzed in the EIR.*

The Project Description in the NOP is inadequate in that it does not contain a description of potential impacts to historic resources that will result from long-term development rights that the City has agreed to grant to the Authority under the Host Agreement simultaneously with the race-related Venue Leases. The Host Agreement provides long-term development rights or the option to such rights on each of the following historic piers: Piers 19, 23, 26, 28 and 29. The EIR must identify the potential improvements that may result from these development rights and consider their potential impacts to each individual resource, as well as cumulatively to the NRHD as a whole.

2.4.4. *Comments related to potential impacts on Piers 27-29:*

According to the NOP, the America's Cup Village complex is proposed to be located on Piers 27-29. Pier 27 is also the site proposed by the Port for the development of its new Cruise Terminal and the Northeast Wharf Plaza. According to the NOP, the EIR will examine the environmental impacts to Piers 27 and 29 in two phases. We offer the following comments in response to the NOP:

a) Inadequate Description of Phases of Proposed Cruise Terminal Project

The descriptions of both Phases of the Proposed Pier 27 Cruise Terminal and Northeast Waterfront Plaza, at Figures 10 and 11 in the NOP, which purport to describe the elements of this phased project, are wholly inadequate, thus failing to describe appropriate details of the phases.

b) Impacts of Changes to Piers 27-29 on the National Register Historic District

For purposes of CEQA, Piers 27-29 are located within the boundaries of the NRHD. Pier 29 (shed and associated bulkhead) is a contributing historic resource to the NRHD, while Pier 27 is not, although all changes to it could impact the significance of the NRHD unless the proposed design of any construction on Pier 27 is compatible with the historic district in which it is located.

c) "First Phase" Impacts

According to the NOP, the race finish is proposed in the waters off Pier 27-29 and the proposed the America's Cup Village, including "grand stands," is proposed to be constructed on these piers. AC34 race-related improvements to Piers 27-29 would include demolishing all of the Pier 27 shed and "a portion" of the historic Pier 29 shed and constructing a new east and corner wall on the Pier 29 shed in order to create an expansive (160,000 sq. ft.) public viewing platform or "outdoor amphitheater" at the eastern end of Pier 27-29 to accommodate up to 10,000 spectators. According to the NOP, this first phase would also include building the Pier 27 cruise terminal "core and shell."

In connection with the "first phase" improvements, the EIR should:

- Analyze the impact on Pier 29 of removing "a portion" of its shed;

- Include detailed plans showing how much of the Pier 29 shed would be removed and showing in detail the design of the new east and corner wall on the Pier 29 shed;
- Include detailed plans showing temporary and other permanent changes proposed to be made to the interior and exterior of the Pier 29 shed in order to determine if the project would constitute a significant impact to this historic resource that must be mitigated;
- Include detailed plans showing the design of the proposed new “core and shell” proposed to be constructed in the footprint of the removed Pier 27 in order to determine if the design would constitute a significant impact on the NRHD;
- Compare the proposed AC34 first phase plans to the Port's currently proposed plans for the cruise ship terminal. Show how much of the Pier 29 shed would have to be removed for the Port's plans in comparison to the proposed AC34 plans. Address the following questions: What portion of Pier 29 would be required for the construction of the Port's currently proposed cruise ship terminal? Would removal of all of Pier 27 be required?
- Analyze the future use and desirability of a permanent 160,000 sq. ft. outdoor area at the eastern end of Pier 27-29 following the AC34. Given its location far removed from The Embarcadero, how likely are pedestrians to walk the distance? How windy is this location for a public plaza? Is this area needed for future cruise terminal functions?; and,
- Analyze and discuss in detail the need to chop off Pier 29 to temporarily accommodate the AC34 race events vs. keeping more of Pier 29 shed for other uses that may be more compatible with the Port's future cruise terminal.

d) *“Second Phase” Impacts*

According to the NOP, the Port would begin to build out the final improvements for the cruise terminal and Northeast Wharf Plaza at Pier 27 following the events at Piers 27-29 (and additional events if the Golden Gate Yacht Club wins AC34). During the Proposed Project, and until the cruise terminal is constructed and operational, Pier 27 would not be used for cruise ships. Therefore, Pier 35 would have to serve as the primary cruise ship facility, which means that the existing traffic and congestion impacts currently generated from Pier 35 terminal operations would continue and worsen. In addition, the Port's new cruise ship shoreside power system (funded with a grant from SF Bay Area Air Quality Management District) will have to be relocated during the Proposed Project and will not be used again until the new Pier 27 cruise terminal is completed.

In connection with the “second phase” improvements, the EIR must:

- Include detailed plans for the proposed Pier 27 cruise terminal in order to determine whether its design would be compatible with the NRHD;
- Analyze the compatibility of its design with other historic resources within the NRHD and the impact of the design on the district;
- Determine the latest possible date upon which the cruise terminal and Northeast Wharf Plaza will be completed taking into consideration the Authority's use of Pier 27-29 as the America's Cup Village will impact this. How will timing of completion change if the Golden Gate Yacht Club wins AC34 and the Host Agreement is extended?;

- Discuss the risk to the Port of losing its grant funding for the shoreside power system at Pier 27 in light of uncertain timing for completion of the new cruise terminal; and,
- Because Pier 35 will be used as the City's primary cruise terminal until the Pier 27 cruise terminal is completed, and will thereafter continue to be used as a secondary terminal, the structural condition of Pier 35 should be discussed in the EIR, as well as the impact on air quality of continuing to use Pier 35 without a shoreside power system during and beyond the AC34 race events.

Alternatives for consideration to minimize impacts to cultural resources associated with 'second phase' improvements:

- The EIR should consider alternatives to chopping off Pier 29 to create a viewing platform for the race event, including (1) providing temporary public viewing platforms by using barges; and (2) eliminating or reducing the amount of proposed viewing space at the end of Piers 27-29 by adding a large spectator viewing area behind the Ferry Building by demolishing the non-historic, vacant World Trade Club building, which could provide significant permanent public open space in connection with the Ferry Building Farmer's Market following the Proposed Project. One of these alternatives should be required to avoid the loss of a portion of Pier 29 and the construction of a too-large viewing platform at the end of Pier 27-29 for temporary use;
- Require the upgrading and retrofit of historic Pier 35 (substructure and seismic repairs) and installation of shoreside power at Pier 35 as a part of the Proposed Project to mitigate for the Port's loss of the use of Piers 27 for cruise ships, the potential delay in completion of the new Pier 27 cruise terminal and not being able to use the shoreside power system during the Proposed Project (with increase in air pollution resulting from additional cruise ship travel related to AC34 without shoreside power). As noted in the NOP, Pier 35 will continue to be used as a secondary terminal and for maritime events, Fleet Week, foreign naval diplomatic calls, Tall Ships Festivals and visits by oceanic research vessels following the future completion of the Pier 27 cruise terminal; and,
- Require the retrofit and upgrading of Pier 31 as a requirement of the Proposed Project to mitigate for the loss of a portion of historic Pier 29.

2.4.5. The EIR must analyze all impacts to the following historic and cultural resources from temporary or permanent race-related improvements, as well as from long-term development rights granted under the Host Agreement (Legacy Leases and DDAs):

Pier 29 Beltline Office Building

The EIR must analyze all potential impacts to this historic resource from the use of Piers 27-29 for the America's Cup Village complex (discussed above) and from the future construction of the cruise ship terminal and the eventual construction of the Northeast Wharf Plaza on Pier 27.

Proposed mitigation measures intended to minimize impacts to the Pier 29 Beltline Office Building:

Require the Pier 29 Beltline Office Building to be protected, preserved and restored now using funds raised for AC34 instead of waiting for some future funding to materialize. Include restoration plans in the EIR.

Red's Java House

Located on a tiny portion of the Pier 30-32 deck, Red's Java House is not even mentioned in the NOP. Its importance as a historic resource on the waterfront must be described in the EIR. The EIR must analyze all potential impacts to this historic resource from the modifications and use of Piers 30-32 for team base operations during the AC34 race events, as well as from the future development of Pier 30-32 pursuant to Legacy Leases and Development Agreements under the Host Agreement. The EIR must analyze potential impacts to the existing business as well as to the structure. Damage to or removal of Red's Java House would be a significant environmental impact that could not be mitigated.

Proposed mitigation measures intended to minimize impacts to Red's Java House:

Require Red's Java House – both the building and the business – to be protected and preserved during and after AC34 race events.

Piers 30-32

Except for Red's Java House, Pier 30-32 was destroyed by fire in 1984 and is not a contributing resource to the NRHD. It is in deteriorating structural condition. According to the NOP, the initial phase of the project would include significant improvements to Pier 30-32, including seismic upgrading and repairs, to support full public access and team base operations during the AC34 race events, followed by future long term development pursuant rights granted to the Authority under the Host Agreement.

Because of its currently deteriorating structural condition, Pier 30-32 is a good candidate for removal of a significant amount of fill on the waterfront pursuant to BCDC requirements. Thus, in addition to potential impacts to Red's Java House mentioned above, the EIR must analyze how upgrading and repairing Pier 30-32 for the AC34 race-related events and future development pursuant to rights granted to the Authority under the Host Agreement would impact the requirements of the BCDC's Waterfront Special Area Plan (SAP) for the removal of fill and (as a foreseeable result) how this could increase the likelihood that deteriorating historic resources within the NRHD would become alternate candidates for removal.

Alternatives for consideration to minimize impacts to Piers 30-32:

The EIR should analyze alternatives to making significant improvements to Pier 30-32. Given its potential for fill removal and the fact that the improvements proposed would foreclose this opportunity, the EIR should consider the alternative of making only temporary improvements to accommodate the AC34 race events, then requiring that most of Pier 30-32 be removed at the conclusion of the race except for that tiny portion on The Embarcadero where Red's Java House is located. Alternatively, the EIR should analyze other areas for fill removal that would not require the removal of historic resources; and the EIR must consider and analyze the Port's proposed amendments to the SAP in this regard.

Pier 36

Although this pier is not even mentioned in the NOP, the Host Agreement obligates the City to demolish and remove Pier 36 by January 1, 2013, in order to provide an open water basin for mooring of the AC72 catamarans that will be competing in AC34. Because it is a contributing resource to the NRHD, demolition will constitute a significant impact to this historic resource that cannot be mitigated. The City's agreement, signed on December 15, 2010, to demolish Pier 36 prior to environmental review is in violation of CEQA even if demolition is proposed for a related project (the Brannan Street Wharf project) for which an EIR has not been certified. The historic significance of Pier 36 must be described and the proposal for its removal analyzed in the EIR. The impacts of the America's Cup on Pier 36 and other

historic resources must be considered cumulatively with the impacts of all other past and future projects on the waterfront.

The EIR should consider and analyze why the non-historic Pier 30-32, in deteriorating structural condition, is proposed to be upgraded for future development, while historic Pier 36 is proposed to be demolished.

Proposed mitigation measures intended to minimize impacts to Pier 36:

If it is determined that the loss of historic Pier 36 cannot be avoided, mitigation should include the requirement of seismically and structurally upgrading other historic pier structures in deteriorating structural condition including, specifically, Pier 31, whose loss would be a significant impact on the NRHD.

Piers 19, 23, 26 and 28

The NOP states as to each of these individual resources that the temporary and permanent improvements in connection with the race-related events would comply with the "Secretary's Standards," but in each case the NOP contains insufficient detail for the reader to have any idea if any of these proposed improvements could cause a significant impact to the historic resource.

The EIR must describe in detail all temporary, permanent and "optional improvements" and their potential impacts. We note that the NOP lists under the heading of permanent project components, for example: "optional improvements including build out of a new north bulkhead wall" between Piers 19 and 19 1/2. The EIR must contain sufficiently detailed plans as to all proposed improvements and changes so that the public and decision-makers can determine if the changes are significant and whether the project is or is not consistent with the Secretary's Standards, both as to the individual resources and cumulatively, taking into consideration all other proposed alterations within the NRHD.

Further, because the Host Agreement provides that the City is granting long-term development rights to the Authority over all of these piers (as well as long term development rights over Piers 30-32, Seawall lot 330, and an option over Pier 29) *simultaneously* with the race-related "Venue" leases, all future development plans for these historic piers must also be analyzed in the EIR.

Proposed mitigation measures intended to minimize impacts to Piers 19, 23, 26 and 28:

- A mere statement that proposed temporary and permanent improvements and changes to these piers will comply with the Secretary's Standards is insufficient mitigation.
- As to all race-related improvements, review by an expert historic preservation body within a public review process must be required to ensure compliance with the Secretary of the Interior's Standards.
- As to all future development of these historic resources pursuant to the rights granted by the Host Agreement, project-specific environmental review of each proposed project, together with review by an expert body within an identified public review process (i.e. by the Historic Preservation Commission) must be required to ensure that any and all future potential impacts to these historic resources can be avoided.

Pier 23 Café

Pier 23 Cafe is a contributing resource in the NRHD. The NOP makes no reference to this historic resource or any potential impacts to it from the AC34 race events or from the likely future development of Pier 23 by the Authority. The EIR must describe in detail and analyze any temporary or permanent impacts to this building and the existing business. Removal or significant alterations to the Pier 23 Café would constitute a significant impact to this historic resource that could not be adequately mitigated.

Proposed mitigation measures intended to minimize impacts to Pier 23 Café:

Require the Pier 23 Cafe – both the building and the business – to be protected and preserved during and after the AC34 race events.

2.4.6. Potential impacts to historic resources under federal ownership

The Host Agreement contains a list “Event Live Sites” that includes Alcatraz, Crissy Field, Angel Island and Treasure Island. According to the NOP, there is a proposed viewing area (bleachers for 500-2,000 people) on Alcatraz; and at Crissy Field, Cavallo Point and Fort Mason, there are plans for entertainment/spectators with food and beverage, displays and booths for an estimated crowd 50,000-100,000, along with bleachers for public viewing for 5,000-10,000 people.

The EIR must identify all locations where spectators are likely to gather to watch the races and analyze potential impacts that could result directly or indirectly from the AC34 race events to all historic resources under federal ownership and jurisdiction. These historic resources include (without limitation) those located in Aquatic Park, the Presidio, Forts Baker and Cronkhite, Golden Gate Bridge, Coastal Fortifications, Cavallo Point, Fort Mason, The Presidio, Alcatraz, Crissy Field and Fort Point, Treasure Island and Yerba Buena Island. In addition, archeological sites under federal ownership that could be impacted include those on Black Point: East Battery (Ft. Mason) and West Battery (Ft Mason); Fort Point National Historic Site, Marin Headlands – Big Rock Overlook; Presidio of San Francisco: Batteries East and West; and Fort Mason Archeological District.

Proposed mitigation measures intended to minimize impacts to historic resources under federal ownership:

- Work closely with the Golden Gate National Recreation Area, the National Maritime Historical Park, the Presidio Trust, and others in the National Park Service, to identify all potential areas and resources that could be impacted by race-related spectators and events and to develop and implement a program to protect all historic resources under their jurisdiction from direct or indirect impacts from race-related events. Adequate funding must be immediately provided to the NPS this purpose.
- Amend the Host Agreement to delete from its list of “Event Live Sites” all sensitive sites or areas that cannot be adequately protected from damage and add a list to the Host Agreement of sites that are “off limits to race viewers.”

2.4.7. Potential impacts to historic resources due to installation of gravity or screw anchors and gangways

The NOP mentions that “gravity anchors or screw anchors and gangways anchored by pilings” are proposed at or between a number of the piers, including several of the historic piers, but does not contain

adequate information to assess the impacts or any mitigation measures. The EIR must describe what are they and what potential impacts they may have on the piers, and whether mitigation may be appropriate.

2.5. TRANSPORTATION AND CIRCULATION

2.5.1. Project description is inadequate to identify reasonable impacts to transportation and circulation

The description of hospitality and viewing areas does not provide sufficient information to determine site specific impacts. For example, Crissy Field, Alcatraz, Cavallo Point and Fort Mason are lumped together as a viewing area with an expected attendance of 50,000-100,000. However, these sites are far flung and would create very different circulation patterns depending upon the location and intensity of use. There is no way of knowing what visitor-attracting events will be located at which location, or how visitors might be persuaded to attend different sites. That makes it impossible to accurately or adequately assess the transportation and circulation effects. In addition, the limited seating access (approximately 10% of the expected visitor population) means that visitors will almost certainly seek other viewing sites, including the Marin Headlands, Sausalito, Tiburon, Belvedere, and Angel Island. The Conzelman Road project will still be under construction, and include periodic road closures in Headlands and Cavallo Point/Fort Baker throughout the AC34 timeframe. - The Discovery Museum is a popular visitor draw, especially for people with young children, so existing parking is frequently filled. This, combined with road construction could lead to major traffic issues. However, this is also one of the better places to contemplate the construction of bleachers. A shuttle bus system from satellite parking and Golden Gate Transit stops should be examined. In addition, Doyle Drive phase II construction is occurring throughout the event period, with the potential for causing major traffic problems.

The striking lack of detail in the NOP concerning the amount of parking spaces available and the limited public bleacher viewing space available, coupled with the enormous attendance projections create the risk of a complete inundation of the nearby neighborhoods with visitors attempting to find a parking space and/or find a vantage point from which to view the event. These visitors will have a serious negative impact on multiple neighborhoods and present threats to general public safety if these issues are not immediately addressed and solutions found and implemented.

The People Plan, as outlined in the NOP, is insufficient both in its scope and its description for purposes of CEQA as illustrated by the following unanswered questions:

- How does the People Plan treat the neighborhood areas that will be impacted by transportation and circulation problems caused by the Event – including South Beach, Telegraph Hill, North Beach, Russian Hill, Polk Gulch, the Marina, and Cow Hollow?
- Will the People Plan, including the Transportation Management Plan, be part of the project undergoing environmental review, or will it, or parts of it, be developed separately from mitigation measures proposed in the EIR with respect to the AC34 race program elements?
- Whose responsibility is it to prepare and pay for the “People Plan” and the Transportation Management Plan?
- Will an adequate “People Plan” and the Transportation Management Plan be adopted as a mitigation measure?
- How will mitigation strategies developed in the EIR be required, implemented and adequately financed?

Finally - the reference to the development of a "People Plan" in the NOP is interesting; however, unless that Plan is provided as part of the NOP or project description, the reference is irrelevant for the purposes of this CEQA analysis. If the People Plan is a mitigation measure, then we would expect it to be fully described as such in the draft environmental impact report.

The NOP (page 16) cites an attendance of up to 250,000 on weekdays and up to 500,000 on weekends. The project description should include an estimate, based on previous events (such as the annual Blue Angels event) of where and in what numbers these crowds are likely to congregate, so that impacts can be accurately and adequately measured and mitigated.

2.5.2. The EIR must fully and comprehensively address the Event's significant impacts on transportation and circulation

Because so much of the northern half of the city operates at LOS D or F on both weekdays and weekends, any additional auto traffic will have a severe cumulative impact on a large section of the City from the Bay Bridge access routes south of Market to the Golden Gate Bridge and points in between. We expect that LOS F conditions would impact many more streets than currently occurs in a normal heavy commute.

To measure these impacts, we expect the analysis to map anticipated traffic flow into the City for planned venues and to study and map traffic impacts on all adjacent neighborhoods. In addition, the analysis should map anticipated motor and foot traffic on all planned venues as well as all affected neighborhoods. For instance, traffic impacts should be assessed for all freeway routes through the City, including Highways 1 and 101, for all major street arteries that have a terminus near any of the America's Cup viewing or gathering sites (including Broadway, Pine, Bush, Geary, Franklin and Gough), and for all streets near the shoreline that are determined to be impacted by traffic (we expect that to be at least 8 blocks or up to the hilltop, which will become ad hoc viewing areas).

The analysis must look at the most likely extreme event, which may be a race that takes place on a weekday afternoon in conjunction with a pennant race Giants baseball game at AT&T Park.

In addition to MUNI, the most severely impacted transit service will be the Golden Gate Transit bus service, since all of their routes run on streets that can be expected to be heavily impacted by this event, including their routes in southern Marin. This document must measure impacts on all regional transit, including Bart, Caltrain, Samtrans and AC Transit.

Ferry service is a potentially important transit tool to carry large numbers of people to the City, yet it is not clear how the ferries will be able to a) increase their service and b) navigate the race route and visitor traffic on the bay. These issues should be described and analyzed in the EIR document

The analysis should measure the following impacts on transit service:

- The impact of additional ridership on current lines;
- The impact of traffic delays on MUNI service and the availability of equipment; and,
- The impact on transit service in the rest of the City of resources diverted to serve the needs of the race attendees.

The most severe transportation and circulation impacts will occur in neighborhoods adjacent to the waterfront. We know from past events that every hillside with a Bay view will become a viewing area, and

that drivers will scour adjacent streets for parking spaces, creating even more circulation problems. Many visitors will also take advantage of their presence in the City to visit the most popular tourist locations, including those in neighborhood locations like Lombard Street (between Hyde and Leavenworth), and Coit Tower. The transportation impacts on neighborhoods adjacent to these visitor areas must be evaluated.

Pedestrian impacts will also be extreme for these events, particularly if temporary structures or retail stands are placed within the pedestrian rights-of-way. This document should identify where pedestrian volumes will significantly increase (at minimum, along the Embarcadero, Marina Green and Crissy Field) and what temporary structures are being considered in these areas. In addition, traffic impacts should also be assessed for Sausalito and other communities in southern Marin County with views of the Bay.

2.5.3. Proposed mitigation measures intended to minimize impacts to transportation and circulation

The large crowds anticipated for both the 2012 and 2013 events will almost certainly attract more cars than the City can absorb unless dramatic action is taken. The People Plan envisioned by the project sponsor must include measures to reduce or eliminate visitor auto traffic from the area.

Recommendations to consider include:

- Implementation of a Regional Transportation Plan utilizing mass transit services and modes available in San Francisco the East Bay and Marin Counties. Such Plan would maximize inter-connective opportunities for the public to access viewing locations in affected counties;
- Implementation of a congestion management district in the northeastern quadrant of the City, perhaps expanding to the freeway off-ramps south of Market. This district could either charge a toll for vehicles entering the race impact zone, or it could simply divert visitor traffic to satellite parking lots;
- Partial or complete closure of streets to private auto traffic, including the Embarcadero, to ensure access for transit, emergency vehicles, pedestrians and bicycles;
- Adding new equipment to allow MUNI to serve race day traffic on the Embarcadero, as far as Crissy Field, using the dedicated right-of-way for the T-Third and F-Embarcadero lines to the extent possible.

The combination of the People Plan, as defined as part of the project, and subsequent mitigation measures must include as parts of the Transportation Management Plan, both traffic and parking management plans and a transit plan including proposed mass transit improvements. These should include the following:

a) Traffic Management Plan:

- Discourage use of private automobiles to access event sites, and should strongly encourage use of public transit options and other alternative modes of travel.
- Implement street closures along The Embarcadero and other impacted routes to all motorized transportation except public transit vehicles on Event days.
- Evaluate measures needed to control all categories of motor traffic in the affected areas, including adjacent neighborhoods.

- Implement a Congestion Management Plan for all personal vehicles entering the waterfront area through the adjacent neighborhoods.
- Evaluate how much public parking and public seating will actually be available to the public, versus corporate or private and understand that all unmet public needs will impact the nearby neighborhoods, especially in the hills, for parking and viewing.
- Employ adequate traffic enforcement officers to maintain orderly flow of traffic on directed routes to mitigate gridlock.
- Synchronize traffic lights to address traffic direction at peak entry and exit on race days/times on main arteries and in known neighborhoods.
- Create and enforce transit only lanes for Golden Gate Transit, MUNI and other bus lines on streets that are expected to operate at LOS D or worse during the event.
- Fund massive Public Information Outreach including a substantial television and social media network campaign to promote awareness of increased mass transit options and discourage vehicular traffic from coming into San Francisco.
- Identify problem areas for traffic congestion in adjacent neighborhood areas, and provide traffic management personnel to enforce existing traffic and parking laws.
- Determine which streets in adjacent neighborhoods should or could be closed to traffic for specific hours during race days. Close off personal vehicle access to Telegraph Hill and Pioneer Park on race days and allow access by MUNI (39 Coit) only. Close Lombard Street between Hyde and Leavenworth to through traffic during race days.
- Where possible and feasible and where property is not in jeopardy of being damaged, use closed streets as public viewing locations, especially in hilly areas.

b) Parking mitigation

- Identify satellite parking options for those who ignore ads and drive into the City.
- Develop a plan to assure that residents, businesses, delivery trucks and regular clients are not deprived of the parking spaces they need.
- In order to encourage public transit use for access and to avoid exacerbating traffic conditions, the Project Description should consider alternative Event-approved public uses of SWL 330 besides public parking on race days (e.g., vendors, resting areas, restrooms, etc.).
- While provisions for equipment and supply drop-off should be made for those piers dedicated to support of the Event, personal parking should not be permitted.

c) A Transit Plan must be developed and implemented for the Northeast Waterfront to connect the neighborhood residents and visitors to Event that should include:

- A funding and resource plan that ensures minimal adverse impacts on overall non-event related MUNI and other transit services. This includes, but is not limited to, impacts on transit revenue streams, and availability of transit operators, supervisors, vehicles and other resources.

- Restoration of service to and from the Embarcadero area similar to that provided by MUNI routes 10 and 12 prior to December 2009.
- Expanded F Market and Wharves streetcar service, as well as also initiation of service on MUNI's long-planned E Embarcadero streetcar service along the Embarcadero Corridor from at least Fisherman's Wharf to 4th & King Streets.
- Consider investments to improve Transit Signal Priority and other Transit System Management measures along the North and South Embarcadero and elsewhere to improve MUNI reliability and efficiency
- Plans for Cable Car system reconstruction that avoid closures during the two AC34 seasons.
- Plans for water taxis connected to other public transit.
- Improve and expand MUNI and shuttle services along The Embarcadero, as well as to connect the outlying Event locations, the Wharf, the Exploratorium and the Ferry Building with North Beach and Chinatown.
- Expand and ensure MUNI service to Aquatic Park, Fort Mason, the Presidio and Crissy Field is enhanced on a permanent basis providing access from all neighborhoods in San Francisco, with particular emphasis given to neighborhoods farthest away with least access, to our National Parks.
- New shuttle service between off-site parking garages and lots in downtown and major Event destinations on the waterfront.
- Opportunities for shared bus stops with private vanpools and shuttles.
- Better transit or shuttle connections for visitors from the North and East Bay and Peninsula to event viewing areas.
- Increased BART, Caltrain, Amtrak, AC Transit, Samtrans, GGT as well as MUNI service on race days. Also increase ferry service as race activities allow.
- Improved MUNI connections to the Embarcadero.
- Increased F-Line service on race days.
- Provision for bicycle rentals adjacent to parking lots and transit stops such as the Caltrain station and MUNI/BART stations.
- Provision of extensive, well-publicized, secured and staffed bike parking at key intervals near the public venues.
- Establishment of dedicated permanent bike lanes (the Embikeadero plan) along The Embarcadero that could be augmented during race days when public transit should be the only transport available on The Embarcadero.
- Develop or expand bike share or rental programs.

- More available and better publicized day passes for MUNI to encourage transit use among visitors.
- d) A Parking Management Plan must be developed and implemented that should:
- Review existing parking studies and develop additional studies as necessary to determine parking availability both near the waterfront and at potential satellite locations, including available capacity for both weekend and weekday races.
 - Incorporate electronic real-time information to inform car-users of off-site parking availability and locations, especially where shuttle service, bus service or bike rental is available.
 - Add transit and shuttle services to move people from parking structures to destinations.
 - Explore the conversion of existing on-street parking spaces to stops for shuttles and vanpools.
 - If congestion management district is not implemented, develop a plan to restrict access to parking garages/lots along or near The Embarcadero before and during race hours.
 - Minimize parking on piers to reduce conflict with pedestrian traffic on Herb Caen Way
 - Provide teaching moments by requiring that any/all cars allowed to be parked on the Piers during Race Days be limited to those from City Car share or be alternative fuel vehicles.
 - A Pedestrian Management Plan must be developed and implemented that:
 - Minimizes conflicts between pedestrian and auto traffic by limiting parking on piers between Pier 40 and Pier 35;
 - Reduces conflicts between vendor operations and pedestrian traffic by locating vendors on the inland side of the Embarcadero or within bulkhead buildings and pier structures along Herb Caen Way. No new kiosks or carts should be allowed on Herb Caen Way.
 - Closes Jefferson Street to auto traffic during daylight hours to accommodate increased pedestrian traffic.
- e) Given that it is likely that despite all best efforts to reduce the inflow of traffic into San Francisco individuals may still choose to drive, the EIR should evaluate:
- The impacts of the AC events on traffic traveling on San Francisco bound freeways in the North, East and South Bay; and,
 - The potential benefits of the San Francisco local hiring ordinance as a means of reducing the vehicular flow of commuting workers into the City.

2.6. NOISE

The EIR must take into consideration the Proposed Project's potential noise impacts to the nearby neighborhoods and surrounding residential properties. We request the EIR consider such impacts - informed by the results of other large events as well as noise modeling, where appropriate. The following recommended mitigation measures are organized by source and informed by residents with knowledge of likely noise-related impacts within residential areas:

Loudspeakers

- No amplified events post 10 PM;
- Range and angles of amplifiers must be respectful of sound carrying across water and to residential areas on hills;
- The angle at which amplification is set must minimize noise impacts on nearby neighborhoods, especially those on hilly terrain; and,
- Baffling must be used to mitigate volume and reverberation.

Motorbike/motorcycles amplified exhaust/muffler systems and air horns on vehicles.

Legal noise limits must be enforced by SFPD for single or packs of motorcycles and/or street bikes and/or vehicles equipped with air horns. Multiple hillside neighborhoods suffer from excessive noise from these sources during crowded events now.

Aviation (helicopters, flybys, hovering, circling)

- Designate no fly zones and hours except for authorized, contracted media coverage;
- Establish flight paths for aviation to minimize buzzing/hovering over neighborhoods;
- No helicopters hovering over Telegraph Hill, which is also a safety hazard;
- Require BMP aviation equipment to maximize noise suppression when hovering and circling in static locations; and,
- Noise is also a significant hazard to wildlife, particularly nesting birds. There may be private boats with small cannons, fireworks, horns or vuvuzelas, many potentially anchored off Alcatraz.

2.7. AIR QUALITY

Residents on the east side of Telegraph Hill and the Barbary Coast and Golden Gateway communities will be particularly impacted by air pollution generated by race event-related traffic and by the generation of significant diesel emissions due to the Port's inability to use the recently installed cruise ship shoreside power system because of the Proposed Project.

2.7.1. Potential cruise ship-related impacts to air quality

The Port is currently using Piers 27-29, with its new \$5 million zero-emission, greenhouse gas free shoreside power system for all shoreside power capable cruise ships, which the Port estimates will be between 20 and 22 cruise ships in 2011. Installed in 2010 with funding from the Bay Area Air Quality Management District and the Environmental Protection Agency, the shoreside power system allows cruise ships to shut down their diesel engines and receive clean power from the city's electrical grid. According to Jared Blumenfeld, EPA's Administrator for the Pacific Southwest region, "*The significant diesel emission reductions from this electric shorepower connection will result in fewer incidences of asthma, cardiopulmonary diseases, lost school and work days, and premature deaths directly linked to diesel pollution.*" In addition, under the California Air Resources Board, ports are required to have shoreside power available for use by cruise ships by 2014.

According to the NOP, because the America's Cup Village complex and primary viewing platform will be located on Piers 27-29, Pier 35 would have to serve as the primary or only cruise ship facility during the Proposed Project and the shoreside power system will have to be relocated for the Proposed Project and not used again until the proposed new Pier 27 cruise terminal is completed and operational following all AC34 events at Piers 27-29 (and additional events if the Golden Gate Yacht Club wins AC34).

The use of Pier 35 as the primary cruise ship facility during this period would result in increased diesel emissions from cruise ships that will not be able to plug into San Francisco's shoreside power system. Further, the existing traffic and congestion impacts currently generated from Pier 35 terminal operations would continue and likely worsen.

The EIR must address the air quality impacts from cruise ships that will not have access to the shoreside power by determining the total number of cruise ship calls that would have been served by the Pier 27 shoreside power during the entire period that shoreside power is not available.

Proposed mitigation measures intended to minimize air quality-related impacts from cruise ships:

- Commensurate reduction in the number of cruise ships allowed to port in San Francisco during the period when shoreside power is unavailable;
- Impose idling restrictions for larger vessels; or,
- The installation of shoreside power at Pier 35.

2.7.2. Potential air quality impacts associated with increased vehicular traffic

Visitors drawn to race events are likely to generate significant increases in the volume of idling vehicles in residential neighborhoods, particularly on Telegraph Hill, along the Barbary Coast, and in North Beach. Auto exhaust from cars idling in bumper-to-bumper traffic in neighborhoods can pose serious air quality and public health risks to residents.

According to the American Lung Association, pollution such as smog and soot from vehicle tailpipes can irritate and damage human lungs, leading to higher risks of asthma, cancer and heart disease. Children are especially vulnerable because their lungs are still developing and they breathe more rapidly than adults. A recent study in New York City found that idling engines there annually create close to 24 tons of sooty particles, 940 tons of smog-forming nitrogen oxides (NO_x), 2,200 tons of volatile organic compounds (VOC), over 6,400 tons of carbon monoxide (CO), and about 130,000 tons of the greenhouse gas carbon dioxide. Consequently, New York City has recently adopted a comprehensive program to address air quality problems from increased idling, including restricting the time that vehicles can idle in a school zone to one minute and substantially increasing enforcement of anti-idling laws in residential neighborhoods. The Clean Cities Program of the U.S. Department of Energy recommends that idling be reduced as much as possible and encourages drivers who anticipate waiting for more than one minute to turn off their engines.

The EIR should analyze the potential environmental impacts in residential neighborhoods adjacent to the Proposed Project of increased air pollution from idling vehicles due to the Proposed Project.

Proposed mitigation measures intended to minimize air quality-related impacts from vehicular traffic

In addition to the Mitigation Measures proposed in the section on Traffic and Circulation Impacts, we propose the following:

- Public Education campaign directed at all potential event visitors about air quality and health impacts of vehicle idling in residential neighborhoods.
- Restrict vehicle idling in residential neighborhoods adjacent to Proposed Project areas to one minute.
- Create hotline for citizen complaints about traffic congestion and excessive idling.
- Dedicate enforcement officers in residential neighborhoods on all race event days to facilitate traffic movement and prevent excessive idling.

2.8. GREENHOUSE GAS EMISSIONS

Preparers of the EIR should make every effort to determine total greenhouse gas emissions associated both directly and indirectly with the Proposed Project. This information should inform the development of mitigation measures intended to make the Proposed Project a carbon-neutral or carbon-negative event. In the event this is determined impractical, preparers should identify the constraints leading to that finding and propose mitigation strategies intended to off-set estimated emissions. In addition, please refer to recommended mitigation measures identified in Section 2.7, Air Quality, intended to both reduce impacts to air quality as well as minimize greenhouse gas emissions.

2.9. WIND AND SHADOW

2.9.1. Potential wind and shadow impacts associated with development on Seawall Lot 330

The Host Agreement grants the Authority long-term development rights on Seawall Lot 330 pursuant to a Legacy Lease, and provides that the City is “unconditionally obligated” to remove “in its entirety” the public trust restrictions on this lot before the City conveys title to the Authority. The proposed Brannan Street Wharf open space park is planned to extend between Piers 30-32 to Pier 38. The Watermark Condo tower is 22 stories (approximately 250 feet in height).

The EIR should discuss the current as-of-right zoning and allowable height and bulk on the remaining portions of Seawall Lot 330 and analyze the potential wind and shadow impacts that could be caused to parks and public open spaces by a development on the site.

Proposed mitigation measures intended to minimize wind and shadow-related impacts associated with development on seawall lot 330:

- Require development on Seawall Lot 330 to be designed so that it will not create hazard winds or add shadow to public parks or open spaces, including the Brannan Street Wharf open space park.

2.9.2. Potential wind and shadow impacts associated with development on Piers 30-32

The Host Agreement also grants the Authority long-term development rights on Piers 30-32 pursuant to a Legacy Lease. The proposed Brannan Street Wharf open space park is will extend from Piers 30-32 to Pier 38.

The EIR should discuss the current as-of-right zoning and allowable height and bulk for the development on these piers. What was the proposed height and bulk of the defunct cruise ship terminal project on

Piers 30-32? The EIR must analyze the potential wind and shadow impacts that could be caused to parks and public open spaces by a development on these piers.

The EIR must consider and analyze all potential wind and shadow impacts on parks and public open spaces of future development of Seawall Lot 330 and Piers 30-32, including all such impacts on the proposed Brannan Street Wharf open space park.

Proposed mitigation measures intended to minimize wind and shadow-related impacts associated with development on Piers 30-32:

- Require any development on Piers 30-32 to be designed so that it will not create hazard winds or add shadow to public parks or open spaces, including the proposed Brannan Street Wharf open space park.

2.9.3. Potential wind and shadow impacts associated with development on Piers 27-29

According to the NOP, the proposed the America's Cup Village, including "grand stands," is proposed to be constructed on Piers 27-29, which will entail demolishing all of the Pier 27 shed and "a portion" of the historic Pier 29 shed in order to create an expansive (160,000 sq ft.) public viewing platform or "outdoor amphitheater" at the eastern end of Pier 27-29 to accommodate up to 10,000 spectators.

Although views from the northeast edge of the Pier 27-29 deck are among the most striking on the San Francisco waterfront, the EIR should consider the value of the future use of this proposed new 160,000 sq ft. public viewing platform as a public open space given the fact that it is an area far removed from the Embarcadero where casual pedestrians are unlikely to walk the distance without a distinct attraction. The EIR should also consider the potentially significant wind impacts at this location.

Alternatives for consideration to minimize wind and shadow impacts associated with development on Piers 27-29

The EIR should consider alternatives to creating a permanent open area at the end of Piers 27-29 the only purpose for which is to create a viewing platform for the race event. Alternatives ways to provide large public viewing areas should be considered, including the following:

- Providing temporary public viewing platforms by using barges and/or
- Eliminating or reducing the amount of proposed viewing space at the end of Piers 27-29 by adding a spectator viewing area behind the Ferry Building by demolishing the non-historic, vacant World Trade Club building, which could provide significant permanent public open space in connection with the Ferry Building Farmer's Market following AC34.

These alternatives would mitigate the loss of a portion of Pier 29 as well as avoid the construction of a too-large viewing platform at the end of Pier 27-29 for temporary AC34 use.

2.10. RECREATION

The Proposed Project will likely impose restrictions on or otherwise impact recreational activities within and along portions of San Francisco Bay. While it may be reasonable to expect activities such as kite boarding/surfing and sailing should be off-limits during actual race events it is not reasonable to expect prolonged restrictions on these and other activities. To identify likely impacts to recreational uses of the Bay and surrounding environments, an evaluation of potential impacts should include, but not be limited to:

- Impacts on water contact recreation, including Bay swimmers in Aquatic Park, kayakers, windsurfing, kitesurfing, and recreational boating (water quality impacts, lack of access, and from mooring some of the 72' yachts in Aquatic Park);
- Impacts on recreational activities in the federal park units including Alcatraz, Fort Mason, Aquatic Park/Hyde Street Pier, Marin Headlands, The Presidio, Crissy Field, Fort Point, including walking, cycling, bird watching, wind surfing, fishing, dog walking and sailing, as well as theater and museum events;
- Impacts on recreational fisherman;
- Impacts on recreational use of Brannan Street Wharf, which under the Host Agreement will be completed and turned over to the Authority for viewing race events;
- Permanent removal of the well-used Telegraph Field soccer and recreational field in the Pier 27-Pier 29 valley; and,
- Impacts on the already-crumbling and partially blocked-off Municipal Pier that could further reduce public access to this important recreational pier.

Proposed mitigation measures to alleviate restrictions of recreation activities:

- Fully fund the restoration and rehabilitation of Municipal Pier.
- Require that the Pier 27 Northeast Wharf Plaza be funded and built simultaneously with the replacement of Pier 27 for the America's Cup Event.
- Create and fund new open spaces on Port seawall lots in Northeast waterfront

2.11. UTILITIES AND SERVICE SYSTEMS

2.11.1. Port sewerage system requires significant maintenance and possibly maintains insufficient capacity for the proposed project

Portions of the sewer infrastructure at select piers are known to require significant upgrades to maintain even basic service under existing conditions. The Proposed Project is expected to strain this situation further, requiring potentially large investments in order to maintain compliance with discharge prohibitions pursuant to the Clean Water Act, including Sanitary Sewer Overflows from the separate Port sewer collection system. The increased load on the City's combined sewer system must also be identified and mitigated; including but not limited to, increased odors along the Embarcadero, increased Combined Sewer Discharges, increased wet weather flow to the Southeast Treatment Plant.

Proposed mitigation measures intended to minimize impacts to Port of San Francisco's sewer system:

- Within the NOP it is stated that a Waste Management Plan shall be developed to identify mitigation primarily for trash-related impacts. We believe this plan should also detail forecasted increases in sewage load from proposed housing and general race activities within America's Cup Village.

- If information regarding sewer maintenance requirements and system capacity is unavailable thorough inspections should be carried out and the system should be modeled to determine whether sufficient capacity exists to meet expected increases in load.
- San Francisco Public Utilities Commission (SFPUC) should be consulted to determine whether the proposed project will pose an unacceptable load to the Port of San Francisco's sewage system and whether mitigation is required in the form of sewage system upgrades.
- Identify opportunities for on-site treatment wastewater at largest venues, including Piers 30-32, Piers 27-29 and other large venue sites.
- Where possible develop or rehabilitate permanent restrooms to serve event crowds.

2.12. PUBLIC SERVICES

2.11.2 Sanitation and garbage demands generated by the event will be substantial and must be accurately anticipated and comprehensively managed

The project will undoubtedly generate substantial volumes of garbage and human waste even with the best efforts of the proposed "Zero Waste Plan." The EIR should evaluate the range of sanitation and garbage needs demands that the Event will create over the course of the Event activities. Subsequently, a Sanitation and Garbage Plan must be developed and implemented that should include:

- Sanitation companies should coordinate with traffic management consultants and the SFPD as to where casual public viewing venues are likely to be created outside of planned venue zones so that temporary restroom facilities are placed where they are actually needed and will be used.
- Provide for the daily maintenance of temporary restrooms to ensure that hazardous waste is properly dealt with. Quickly remove temporary restrooms after race events have ended.
- Provide sufficient containers for recyclables, compostables and landfill, carefully labeled and regularly emptied.
- Schedule regular pickups to keep trash bins functional and neighborhoods free of blight.
- A comprehensive waste prevention plan is needed that includes restrictions on what can be sold or given away at the events, especially non-compostable food packaging and unsolicited literature.
- Pre-event publicity should encourage people to bring their own reusable water bottles and/or coffee mugs. Event sponsors should provide reusable water bottles and plentiful jug fillers.
- Require compliance with the City's zero waste policies and goals and prohibit plastic containers from being sold or distributed in association with the Event.

2.11.2 Safety concerns should be addressed, if not in the EIR, through alternative public forums

Particular safety concerns include:

- If traffic is not restricted, there is a high potential for accidents between cars and cars and pedestrians along Conzelman Road. Throughout the bluffs, there are safety issues –it is quite likely people will fall down cliffs;
- There are safety issues if people attempt to view from the bluffs between Upper and Lower Fort Mason. There is a potential for people to fall into the water from the Lower Fort Mason piers; and,
- Fort Point – There is a safety concern with the potential for drowning from people hit by unexpected large waves.

2.13. BIOLOGICAL RESOURCES

The project will undoubtedly have several impacts on biological resources within the project area. It is impossible to determine all of those impacts at this time due to the inadequacy of the project description in the NOP.

However, it is reasonable to anticipate impacts to (1) marine and inter-tidal plants and wildlife, including birds, fish, mammals, and benthic communities in the Bay, (2) birds and mammals that use the piers and other structures along the waterfront, and (3) terrestrial plants and wildlife in all areas to be used by spectators, particularly GGNRA. Data for some aspects of these biological resources may be more readily available (e.g., wildlife in the GGNRA), while other information may need to be acquired through additional studies prior to completion of the EIR (e.g., there is a lack of information about where birds raft and forage in the Bay).

2.13.1. The EIR must identify impacts to biological resources arising from the project and ensure adequate avoidance, minimization, and mitigation measures.

The Project Description is currently inadequate to allow comprehensive and specific scoping comments on impacts to biological resources at this time. However, the ACEC has identified several areas that the project proponents must fully consider in the draft EIR. The project proponents must:

- Thoroughly identify all potential impacts to biological resources that will result from the project, particularly impacts from the large number of anticipated spectators;
- Increased and prolonged visitor traffic will have significant negative impacts on several important areas. For example, one of the most desirable viewing sites – the western slope of Yerba Buena Island (YBI) – includes some of the most intact oak woodlands and coastal scrub and the ecotone between them, as well as one of the few remaining populations of *Pholistoma auritum* in San Francisco County. This western slope of the island has the only healthy, intact, native plant communities left on the island and is fragile. The slope is steep, has sudden sheer drops, and it is easy to lose footing. Poison oak is a very common constituent of this plant community. This western slope should be off limits west of Treasure Island Road. The threatened Western Snowy Plover is resident for most of the year on west Crissy Beach and will require significant protection. There is a high potential for trampling of restored dune habitat throughout Crissy Field area. The Crissy airstrip will likely be popular viewing venue – the western portion directly abuts Snowy Plover area. However, this area could support bleachers with appropriate temporary fencing to protect the plovers. There is also a high potential that people will use the fenced wildlife zone around the Marsh/lagoon area - it needs better protection somehow;

- The EIR should include maps of all habitat areas that spectators may wish to use for viewing as well as the areas they are likely to traverse to get to the viewing areas;
- The potential impacts that must be assessed include:
 - trampling, smothering, erosion, and the dispersal of invasive non-native plants
 - creation of social trails and their impacts on habitat both during and after the events
 - fire, from smoking, fireworks, etc., especially during events that take place during the dry season
 - impacts of dogs, whether on or off leash (digging, defecating, urinating, chasing wildlife, etc.)
- Provide significant funding for wildlife biologists to provide input—and conduct necessary studies—during the project planning stage regarding the local wildlife and plant communities and the likely impacts of noise, lighting, physical disturbance, trash and pollution, and other introduced disturbances into the project area. In order to secure the support of the Bay Area environmental community, the rigor of biological review must be higher than the low standard set by CEQA in an EIR;
- The drafters of the EIR should be familiar with the San Francisco Bay Subtidal Habitat Goals Report available at <http://www.sfbaysubtidal.org/>. At this point, we are uncertain about the scope of the project and its potential to impact subtidal wildlife and habitats. The EIR and other planning documents must provide adequate information—including new studies where necessary—for the public to be adequately informed about the impacts of this project on subtidal resources in the Bay;
- Provide funding for biological monitoring during the events themselves, including monitoring of any breeding birds or mammals within the project area. Data and reports produced from this monitoring must be made publicly available;
- Develop a comprehensive biological adaptive management plan to adjust activities as necessary to respond to wildlife impacts. The adaptive management plan must include provisions to reduce or mitigation impacts to breeding wildlife within the project area, especially migratory birds and other protected species, and contingency mechanisms to address unanticipated biological impacts. Members of the America's Cup Environmental Council should be consulted during the project period to assess impacts and implement the adaptive management plan as necessary;
- Provide significant funding to keep spectators out of habitat areas on YBI, Angel Island, the GGNRA and the Presidio. Funding for spectator control must be provided well **in advance** of the events to allow the responsible agencies to do the necessary planning as well as implementation;
- The leash law must be strictly enforced, and visitors should be strongly discouraged from bringing dogs to sensitive areas;
- Impose a prohibition on fireworks; and,
- Develop a performance bond or some other mechanism to assure sufficient funds shall be available to thoroughly repair any impact that is not successfully avoided or mitigated.

2.13.2. The Project will result in significant impacts to biological resources in the GGNRA. The Project Proponents should describe how these impacts will be addressed and avoided or mitigated.

Since we are uncertain of how the Project Proponents intend to complete their CEQA and NEPA compliance for this project, we are including concerns about GGNRA lands below. Specific concerns include:

- **Sensitive habitat areas.** Increased traffic and visitor usage due to the races may result in direct and indirect impacts to sensitive habitats in the Marin Headlands and at Fort Baker, Fort Mason, the Presidio (including Crissy Field), Alcatraz, and Fort Point. There is a high potential for creation of destructive and erosive social trails on all bluff areas: Northwestern San Francisco from Land's End to the Golden Gate Bridge, the Marin headlands, Cavallo Point/Fort Baker, Angel Island, and Yerba Buena Island. Besides social trails, there is potential for trampling and smothering in all habitat areas with a view. The Black Point tidal zone, below the bluffs, is the last undeveloped tidal area in San Francisco. Sensitive areas must be identified in the EIR. Avoidance and minimization measures will include directing spectators away from sensitive areas, installing fences and signage as necessary, and monitoring for impacts so they may be addressed. Mitigation measures must also be implemented to offset impacts that are not fully mitigated.
- **Impacts to wildlife.** Many portions of the GGNRA host important populations of breeding, migrating and wintering birds and other wildlife. For example, the Wildlife Protection Area at Crissy Field provides habitat for the federally threatened snowy plover. There is Mission Blue butterfly habitat recovery areas in many locations along Conzelman Road and Hawk Hill. There is some Mission Blue butterfly habitat and sensitive hillside restoration areas at Fort Baker /Cavallo Point. There are also potential sea bird nest sites on the cliffs in the Marin Headlands. Alcatraz is now the site of a major nesting area for a number of bird species. Nesting occurs through September, and the closed nesting habitat areas are also the areas with best views of the event. Many birds are extremely sensitive to intrusions and disturbances. Boats, esp. private boats close to shore could cause major disruptions to nesting birds. Helicopters over flights at any level could also have a major impact. Park plans under development classify the entire area around Alcatraz as a sensitive resource area. Inspiration Point off Arguello in the Presidio has major views of the Bay, and directly abuts restored serpentine grassland habitat, which could be trampled. Impacts from increased visitor numbers, lights, noise, trash and other disturbances related to the races must be identified and avoided to the fullest extent possible. Those impacts that cannot be avoided must be more than adequately mitigated.
- **Safety measures may result in negative environmental impacts.** Some portions of the GGNRA, such as the ridges and bluffs at Ft. Mason, Ft. Baker and Ft. Point, may be inviting to spectators but may require the installation of fencing or other means to reduce dangers to visitors. These potential danger areas and any likely safety measures (fencing, etc.) should be identified. Minimization and mitigation measures should then be proposed.
- **Impacts to park visitors.** Areas such as the Presidio and the Marin Headlands are extremely popular destinations for hikers, wildlife watchers, and others who enjoy the parks for their natural and open space values. The project may result in decreasing the value or accessibility of the park for some of these users (who may be put off by the increase in traffic, lack of parking, or other disturbances). These impacts should be identified and mitigated so that Bay Area residents may continue to use and enjoy their open spaces throughout the race period.

2.14. GEOLOGY, SOILS, AND MINERAL RESOURCES

2.14.1. Marina dredging-related impacts to biological, geological and hydrological resources

In order to adequately assess dredging-related impacts the EIR should specify the category of dredging approach to be employed (e.g. mechanical or hydraulic) in addition to specific methods to be employed, along with the following information, in order to inform potential impacts of the proposed project to hydrological, biological and geological resources:

- Physical characteristics of material to be dredged
- Quantities of material to be dredged
- Dredging depth
- Location and distance to disposal area
- Physical environment of the dredging and disposal areas
- Contamination level of sediments
- Method of disposal

2.15. HYDROLOGY AND WATER QUALITY

2.15.1. Boatyard-related impacts to hydrology and water quality

Boatyards throughout the San Francisco Estuary are known to contribute significant loads of stormwater-borne pollutants, including copper from hull paint and other pollutants associated with industrial activities typical of boatyards and boat maintenance activities. Such loading rates typically exceed allowable values pursuant to the Clean Water Act under existing conditions - a trend expected to worsen due to activities directly and indirectly associated with the proposed project. Boatyards are expected to receive a significant spike in traffic directly associated with racing activities. In addition, the proposed project will indirectly attract a significant number of spectator boats for service and maintenance as well as increased traffic associated with a heightened enthusiasm for sailing and boating in general.

Authors of the EIR should make attempts to forecast traffic increases to the region's boatyards - in addition to increases in likely fuel spills, bilge discharges, and stormwater- and air-borne pollutants associated with such rates of traffic. These impacts may warrant provisions for upgrades to Bay Area boatyards in order to avoid significant and unavoidable impacts to water quality in violation of the Clean Water Act. Such upgrades could be facilitated by making available mitigation funds for Bay Area boatyards to install treatment facilities and make improvements to site designs through an application or competitive grant process. In addition, as a responsible Agency, the Water Board has a duty to ensure feasible mitigation measures to reduce the significant impacts of boatyards to stormwater quality; measures could include additional inspections and water quality monitoring, revisions to boatyards' Stormwater Pollution Prevention Plans and enforcement.

In-water construction-related impacts to hydrology and water quality

Based on the Notice of Preparation (NOP) for the proposed project, in-water construction or construction taking place in close proximity to the Bay shall occur at several locations within the Bay or directly along the waterfront. In addition, temporary berthing locations are mentioned along with a floating barge for

purposes of refueling helicopters to serve broadcasting and media operations. In-water construction-related impacts may result in a number of potential impacts to biological, geological and hydrological resources. Notably, construction may result in increased loading of suspended solids and other typical construction-related pollutants, geomorphological changes may occur due to structure removal or installation, and temporary and/or permanent impacts to birds and marine life may result from the array of proposed activities.

When conducting the environmental review process all potential impacts should be accounted for each individual construction activity, rather than the project as a whole. We also question the necessity of installing a floating barge for helicopter refueling, which appears unnecessary and poses an unnecessary risk of fuel spillage and other risks to public safety. Finally, construction and on-going operations and maintenance activities are also likely to exacerbate the spread of *Undaria pinnatifida* both within and outside San Francisco Bay. The proposed project maintains a likely potential to promote the spread of the species within San Francisco Bay and beyond, since it is believed to be spread along the California coast primarily via recreational boats and general disturbance. Preparers of the EIR should consult the Smithsonian Institute and others with experience in monitoring and managing the spread of this invasive kelp, which is currently restricted to discrete locations along the San Francisco waterfront.

2.15.2. Increased use of piers may impact stormwater quality

The document should identify water quality impacts of increased stormwater runoff from increased parking and industrial uses at local boatyards and marinas and the piers being used by the event authority. Specifically, Piers 30-32 are being considered for parking use by race participants and organizers, a use that is not appropriate for a pier over water, and one which will increase the pollutant load in stormwater running off the site. This document should clarify that even temporary uses must comply with the Port's stormwater guidelines; stormwater must be treated on site and cannot be discharged into the City's combined sewer system. Further, any vehicles on the site must be located away from the aprons, with stormwater treatment devices between any parking and the edge of the platform.

2.15.3. Increased stormwater runoff introducing trash and other pollutants that impact hydrology and water quality

Authors of the NOP have indicated that a Waste Management Plan shall examine options for recycling, composting and waste reduction to exceed the City's goals for landfill diversion. Within the brief description provided in the NOP, the proposed Waste Management Plan appears to focus primarily on waste reduction. However, provisions should be described that aim to prevent increased stormwater runoff from the creation of new impervious surfaces or trash from spectator, staging and racing areas from reaching San Francisco Bay. The City should aim to reduce stormwater runoff and other land-based pollution to the marine environment by using low impact development techniques consistent with relevant San Francisco guidelines and ordinances, and minimizing release of solid waste and trash by making recycling and composting receptacles readily available and pick-ups frequent. This Plan should also describe how the City will respond to noticeable amounts of trash reaching the Bay - i.e. provisions for manual removal of trash along the shoreline and within the Bay should be adequately described.

2.16. HAZARDS AND HAZARDOUS MATERIALS

Please refer to section 2.13 regarding consideration of potentially contaminated dredge materials, which should be adequately addressed in the EIR.

If you have any questions or would like to discuss any of these comments, please feel free to contact us.
Thank you for your consideration of these comments.

Sincerely,

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/s/