



San Francisco Tomorrow

Working to Protect the Urban Environment

Issue 343

Will you want to live in San Francisco – Tomorrow?

April 2011

America's Cup Yacht Races in SF Bay

Will the America's Cup yacht races, to be held in San Francisco Bay in the summers of 2012 and 2013, rejuvenate the Port? Will it bring jobs and tax revenue to the City, and improve the Bay Area's international reputation? Or is it a costly boondoggle that, even if successful, will cost taxpayers millions, cause significant environmental harm and impact the ability of the Port to fulfill its role as a steward of its Public Trust properties?

The truth is that no one knows the answer yet. The America's Cup race organizers are making sweeping changes to the race format in the hopes of raising its national and international profile; the City is spending staff resources to plan for an event that may or may not generate sufficient revenue to repay their investment; and little attention has been paid yet to the potential impacts of the races or proposals to mitigate those impacts.

Further, the agreement between the event authority and the City grants the authority long-term development rights at several sites: at minimum, Piers 30-32 and Seawall Lot 330 (to be delivered free of the Public Trust encumbrances). Piers 26, 28, 19, 23 and 29 might also be delivered to the authority, as reimbursement for their infrastructure investments in preparation for the event.

Last summer, the Mayor's office briefly considered requesting state legislation to exempt the project from the California Environmental Quality Act (CEQA); several environmental groups persuaded them to abandon this idea. The current agreement requires the City to

obtain all needed approvals and permits by the end of 2011.

Cutting short the CEQA process

No doubt about it, these seasons of America's Cup races will have a huge impact on the normal life of the city. The idea of cutting the CEQA timeline roughly in half has created concern in environmental circles, even though virtually every organization is supportive of the effort. In order to better coordinate and mitigate environmental concerns, several environmental organizations have joined forces to form the "America's Cup Environmental Council" with the goals of

- Creating a carbon-neutral or carbon-negative event
- Thoroughly assessing the local, regional and global impacts of the event including fiscal impacts
- Protecting natural resources around and within the Bay;
- Ensuring that local neighbors are shielded from serious negative impacts and historic resources are not impacted
- Developing mitigation programs that fully protect San Francisco neighborhoods, historic resources, the Bay and ocean
- 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.
- Requiring that any future waterfront development anticipated by the Host and Venue Agreement be subjected to rigorous public scrutiny, especially Seawall Lot 330.

For more information, see americascup.com

REMOVE the GOLF COURSE at SHARP PARK and RESTORE NATURE'S SYSTEM as it was

Long known for its environmental problems and poor playing conditions, Sharp Park Golf Course in Pacifica also bleeds San Francisco taxpayers for expensive infrastructure and operations at the underutilized course. Since the city owns and operates Sharp Park Golf Course, the Recreation and Parks department (RPD) continues to advance plans to spend millions on this golf course not even located within San Francisco, while needed programs and critical services have been cut in San Francisco communities.

Recently, half a dozen organizations filed a lawsuit against the RPD for continuing to illegally kill endangered species at the golf course, which is located within the Golden Gate National Recreation Area.

A new scientific study confirms that removing the golf course and restoring the functions of the original natural ecosystem would be a more sustainable approach to managing Sharp Park and would restore wetlands habitat, reduce flooding and protect the endangered species at the site. The study indicates that restoration would be the least costly alternative, the savings from which would help to restore needed community services, neighborhood recreation centers and parks,

including golf courses actually located within San Francisco. For example, the study shows that restoring the natural ecosystem of the Sharp Park wetlands and barrier beach so that natural processes of the lagoon and surrounding wetlands can function as flood protection for neighbors against sea-level rise and coastal storm events. Restoration would stop the ongoing killing of endangered species.

The Park Department plan to preserve the course would cost \$12 million to \$18 million in the short-term, with hundreds of thousands of dollars per year for operations and maintenance, ongoing liability for Endangered Species Act violations, and collateral costs to local property values through the loss of the beach and increased flood risk.

In contrast, the new restoration plan would cost only \$5 million over 50 years, and could be supported by the National Park Service. With minimal maintenance, reduced flood and endangered species liability, preservation of the beach, and benefits for a wider group of stakeholders, this restoration is the common-sense approach.

With thanks to Jeff Miller, Center for Biological Diversity and John Bowie, Wild Equity Institute

No to proposed permanent entrance fees to the Arboretum!

San Francisco Tomorrow has voiced our long-standing opposition to the idea that each resource of the city which has been free and open to all citizens should be fiscalized and given a price tag. It's not the right thing to do, and there are other funds available to support the Arboretum, notably the very large pockets of the Botanical Gardens Society itself. Furthermore, charging fees at the Arboretum will not solve the fiscal problems of Recreation and Park Department (RPD).

A well attended public rally opposing the permanent imposition of fees, for visitors or for city residents, was held Saturday, April 2 and now the Board of Supervisors Budget Committee is hearing from both "Pro" and "Con".. Tell them yourself that it was a bad idea to approve the temporary Arboretum fees in the first place. There was a proviso put in

place that would rescind the fees if other moneys could be raised.

After seven months the fee has been a failure. Only \$54,800 out of a promised \$250,000 has been collected. Attendance, based on RPD figures, has declined sharply with non-resident visitors down 70% vs. estimates, and resident visitors down 36%. RPD's strategy is to market Strybing Arboretum as the new Japanese Tea Garden. Please **SUPPORT** Ordinance 110113 sponsored by Supervisors Avalos, Campos, Kim, Mar and Mirkarimi to use Prop N tax revenues as a sustainable solution to support a free public garden. **OPPOSE** Ordinance 110225 sponsored by Mayor Lee for permanent fees for non-residents.

For the latest, go to keeparboretumfree.org

"Seems to be quite a bit of litigation these days,"
said Mark Buell, President of the Recreation and Park Commission recently.

AT&T UTILITY BOXES: HUNDREDS MORE PROPOSED

Soon you may find a huge utility box installed in front of your home, and there will be little or nothing you can do about it. If AT&T prevails, hundreds, perhaps thousands, of new utility boxes will occupy sidewalks throughout all neighborhoods. The risk is significant, unless the Board of Supervisors acts soon to enforce regulations agreed by then Director of Public Works, Mayor Ed Lee.

The Board would have to reverse the Planning Department which granted AT&T a blanket go-ahead to install 750 utility boxes citywide, stating that the project is exempt from environmental review and would not have significant negative impacts. Here is the description of the project as published by the Planning Department:

“AT&T proposes to upgrade its residential communications network to a high speed data transmission referred to as “Lightspeed”, which would enable new services, including internet protocol television. To provide these new services, AT&T would expand its fiber-optic network throughout the City by placing additional fiber through its existing copper conduit currently used for telephone line. Specifically, AT&T would install up to 726 metal, either tan or light green, 51.7-inches-wide by 26-inches-deep by 48-inches-high communications cabinets in the public right-of-way to house the Lightspeed electronics. The precise locations of the proposed new cabinets have not been identified; however, all new cabinets would be located within 300 feet of an existing AT&T Serving Area Interface (SAI) cabinet, also located within the public right-of-way throughout the City.”

But by proposing to occupy public sidewalks, AT&T sidesteps the more costly alternatives required under regulations signed by Mayor Ed Lee in 2005, when he was head of the Department of Public Works. If not placed underground, utility boxes are to be placed on *private* property, according to the regulations, which would cause AT&T to contract with private owners who are willing to house Internet and cable equipment on their properties. These regulations make street-level fixtures a last resort if the other two approaches prove technologically or economically infeasible.

In writing the 2005 regulations then DPW Director Lee determined that “surface-mounted facilities in the public right-of-way will impede travel on public streets, inconvenience property owners, create visual blight, or otherwise incommode the use of the public rights-of-way by the public.” San Francisco Beautiful (SFB) and Walk SF were the civic watchdogs most instrumental in achieving this regulation.

AT&T’s utility boxes would measure up to four-feet high, four-feet wide, and two-and-half-feet deep. They are flanked by vertical posts to prevent damage by vehicles. Already an intrusive force, these fixtures are permanent graffiti magnets, obstacles to the visually impaired, and hazards to opening passenger car doors, writes SFB’s Milo Hanke, and parking additional refrigerator-size utility boxes on sidewalks all over the city would be a visual blight. As to property values, a utility box detracts from the “curb appeal” of one’s house or commercial property.

In 2008, AT&T made an application for a categorical exemption for a similar, citywide installation. Community groups voiced opposition at a contentious environmental impact hearing held before the full Board of Supervisors. Before a vote was taken, the Dallas-based telecommunications giant withdrew its application.

Since that setback, AT&T and the industry successfully lobbied for a state law that reduces a city’s right to conduct environmental reviews of proposed telecommunication projects and their impact on the public right-of-way.

In December, the California Public Utility Commission delivered another blow to local jurisdiction. The commission’s surprise ruling purports to pre-empt local land use authority (CPUC General Order 190), declaring that only the CPUC may issue discretionary permits for telecommunications projects. The League of California Cities believes CPUC overreached its authority, and advises that “cities should consult with their city attorney.” Since this ruling, Gov. Jerry Brown replaced two of the five commissioners. San Francisco Beautiful (SFB) is leading a coalition of neighborhood groups appealing the categorical exemption granted by the Planning Department of the AT&T plan to install 726 utility boxes and demanding an EIR. A hearing has been scheduled before the Board of Supervisors on April 26 at 4 p.m. SFB will argue that an EIR should study the cumulative impact of these boxes and others already in the public right of way and review the alternatives for mitigating this blight upon public sidewalks and streetscapes. Stay tuned by visiting SFB website www.sfbeautiful.org

(Thanks to San Francisco Beautiful for major portions of this article.)

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Get a grip, dog-walkers!

Dogs Must Be on Leash

The National Park Service released an environmental analysis recently of the Dog Management Plan proposed for the GGNRA (Golden Gate National Recreation Area), including Crissy Field and the Presidio. The Plan would regulate both on-leash and off-leash dog activities, superseding the special rule which has governed dogs since 1979 and pretty much allowed dogs to roam freely throughout the GGNRA. There have been signs and fences but no enforcement to keep dogs out of special conservation areas, such as areas of native plants or special habitat of endangered wildlife, but these signs were largely ignored.. At Crissy Field and Fort Funston, for example, damage to wildlife, plants and even other park visitors has been significant.

In "the Gull" newsletter, Golden Gate chapter of the Audubon Society states: "The Dog Management Plan strikes a balance between protecting the park's natural resources and allowing dog-related recreation. There should be no commercial dog walkers allowed in the GGNRA; Park enforcement should require compliance at the 95% level; no dogs should be allowed on trails. As Audubon

says, dogs are only one species and we need to pay attention to **all** the Park's species.

The plan encompasses 21 areas with five alternatives for each area. Dogs will not be banned from the Parks. The plan would permit off-leash dogs in seven areas in GGNRA but will require voice control in those areas, as defined in the document. The Park has a fundamental purpose of preventing threats to its precious resources. There is no other National Park in the United States allowing off leash dogs, with the exception of a few parks who allow dogs for limited times only during licensed hunting periods

Dog walkers are being called out en force to protest the reduction in areas that can be used for dog walking. About 1400 people have attended Open Houses and everyone who is interested can go online to comment on the Plan at parkplanning.nps.gov/dogplan. When the process is finally completed, the changes will enable law enforcement to implement and enforce rules.

Comments are due by May 30, 2011.



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