



San Francisco Tomorrow

Working to Protect the Urban Environment

Issue 350

Will you want to live in San Francisco – Tomorrow?

March 2012

America’s Cup & James R. Herman Cruise Terminal & Northeast Wharf Plaza

San Francisco Tomorrow joined several other organizations to appeal the certification of the Final Environmental Impact Report (FEIR) for the America’s Cup project. All parties were concerned that the Funding sources currently available for mitigating the environmental impacts identified in the FEIR and laid out in the associated Mitigation, Monitoring and Reporting Program (MMRP) are so uncertain as to raise doubt whether the required mitigation, monitoring and restoration will occur. The mitigations offered by the developers which would improve transit service and restore and renovate Port property gave pause to SFT, Telegraph Hill Dwellers, Golden Gate Audubon, Waterfront Watch and the Sierra Club who joined forces for the appeal. This economic uncertainty of the projected funding sources, results, itself, in a reasonably foreseeable environmental impact that has not been addressed in the current document or by City officials.

Under the terms of the 34th America’s Cup Host & Venue Agreement, the America’s Cup Organizing Committee (ACOC) “will endeavor” to raise “up to” \$32 million over a three-year period from private sources to reimburse the City for a *portion* of the City’s costs. The only surety for this sum is the ability of the City to “terminate this Agreement if the Committee fails to meet its year one fundraising target of \$12 million by the timetable provided in Section 9.4.” But this goal, the only firm fundraising commitment, has been met. SFT and others are worried that revenue from this source would be speculative. The \$12 million raised to date is barely sufficient to reimburse the General Fund for America’s Cup expenditures identified in the Fiscal Year 2011-2012 budget (year one).

San Francisco’s General Fund is suffering from a sizable deficit (estimated at \$263 million for the coming year) that is compounded by state cuts to local services and schools. The justification for expending General Fund dollars for planning and preparations for the America’s Cup is the assumption that the event will bring a large increase in jobs and tourism that will benefit the General Fund in 2013. However, visitor numbers from the San Diego World Series races held in November of 2011 showed a much lower than expected attendance, raising questions about the validity of that assumption.

As a result of the joint appeal of the FEIR, the Supervisors did specify some changes: that the planned Jumbotron on a raft in Aquatic Park will not be approved; and that long-term development triggered by the Event Authority’s investments will be subject to additional CEQA review. Then they approved the FEIR and denied the appeal. But there is still the possibility to litigate on the CEQA document; the appellants are currently participating in mediation efforts with the City.

Currently, the Board of Supervisors is considering the adoption of the final Design and Development agreement. At their February 15th Budget and Finance meeting, *all* of the Supervisors expressed concern that the DDA as currently written doesn’t provide adequate fiscal protection for the City and the Port. They called for measures including: removal of Pier 29 as a location for long-term development; providing the Port with participation rent from long-term leases granted to the Event Authority as well as a 1% share of future condominium sales from development on Sea Wall Lot 330; and a cap on the amount of investment that the City is obligated to repay.

PRESIDIO TRUST FAILS AGAIN: LAWSUIT FILED TO HALT NEW CONSTRUCTION ON MAIN POST near historic row of barracks

The Presidio Trust is pushing to convert a major portion of the Main Post, the most historically significant site in the Presidio, into a new luxury hotel despite nearly unanimous public opposition. The Presidio Historical Association (PHA) and the Sierra Club filed a Federal lawsuit in U.S. District Court in early February to halt this proposed new construction. The lawsuit charges the park's managing Federal agency, the Presidio Trust, with failing to comply with the Presidio Trust Act, National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA). SFT is considering joining the lawsuit as a co-defendant or with an amicus brief.

In recent actions, the Presidio Trust's Board of Directors changed restrictive zoning policies that protected the Main Post until now in order to permit construction of **a 14-building hotel, a large addition to a historic theater and other structures**, a move strongly opposed by numerous nonprofit organizations and private citizens.

The Sierra Club and SFT have participated in the creation of the Presidio National Park and Golden Gate National Recreation Area. Sierra Club's Becky Evans says, "The unique historic value of the Presidio Main Post should not be sacrificed to build an unnecessary hotel."

The Sierra Club won a 1986 Federal lawsuit that enjoined the US Army from undertaking new construction in the Presidio, a military base at that time. "By filing this suit, the Sierra Club seeks affirmation of that 1986 decision and seeks the Presidio Trust's compliance with the Presidio Trust Act and other environmental laws," Evans said. The lawsuit asserts that the Presidio Trust

ignored its duty to "[protect] the Presidio from development and uses which would destroy the historic...character of the area...and other cultural resources", and failed to limit new construction to one-for-one replacement of demolished structures as required by the Presidio Trust Act.

The plaintiffs also claim that the Trust's environmental process was flawed and that the Trust failed to minimize adverse impacts in its National Historic Landmark District to the maximum extent possible as required by the NHPA.

The nonprofit Presidio Historical Association has helped to preserve and present the Presidio's history for more than 50 years and five years ago successfully fought the Presidio Trust's plan to build a massive, contemporary art museum on the historic Main Post. The Stanford Law School's Environmental Law Clinic is representing the Presidio Historical Association and the Sierra Club in the lawsuit.

The Presidio Trust Act (PTA) of 1996 recognized and protected the 1,491-acre Presidio of San Francisco as a unique place of history and open space in a densely populated urban center. The Main Post, established in 1776, was designated a National Historic Landmark District in 1962.

The Presidio was home to Spanish, Mexican, and American military operations for nearly 220 years until the base became a national park within the Golden Gate National Recreation Area (GGNRA) in 1994. More than 30,000 Americans veterans and their families are buried in the Presidio's National Cemetery, on the western side of the Main Post.

RECORD-BREAKING "BIG YEAR" for birder Dominik Mosur

Local bird-watcher Dominik Mosur has completed a record-breaking Big Year as a San Francisco birder. In 2011, he documented sightings of 273 different species of birds in San Francisco! The exact tally is 264 seen from within San Francisco city limits, plus nine more seen from a boat within San Francisco County waters for a total of 273. This breaks the previous 'SF Big Year' record. "The Big Year" is an informal competition among birders to determine who can see or hear the largest number of species of birds within a single calendar year and within a specific geographical area. Mosur's year started off with great promise, spotting more than 170 different species within January and February alone. On October 25, with the sighting of a small brown Swamp Sparrow, his year's total was over the previous mark.

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On December 24th, the sighting of a Bald Eagle was a cap to his achievement. Mosur spotted the majestic raptor soaring over Corona Heights while on his lunch break from work at the Randall Museum. "It was the third sighting this year of a Bald Eagle over San Francisco," Mosur said, "and a great way to end the year."

Other highlights of the year include finding a Burrowing Owl -- the only one seen alive in the City all year; finding and photographing the first American Oystercatcher seen in California north of San Luis Obispo County; and seeing the first Brown Booby from SF city limits.

Currently on staff at the Randall Museum, Mosur cares for more than 100 animals in the Museum's Live Animal Exhibit, including fourteen species of birds. He is active with the Golden Gate Audubon Society and co-leads monthly birding walks from the Randall Museum at Corona Heights Park. For information about the guided birding walks, call the Randall Museum at 415-554-9600 or visit www.randallmuseum.org

Heads Up! Redistricting is underway

Following a ten-year cycle, the San Francisco Redistricting Task Force is engaged in revising the Board of Supervisor district boundaries to acknowledge city population changes and altered neighborhood characteristics revealed in the latest census. The shape of our districts will affect the quality of representation and affect Board actions over the next nine years. It is necessary for citizens to be aware and involved in the redistricting process before the public process ends on April 15 by submitting suggestions to the Task Force. See sfgov.org, call (415) 554-7710 or e-mail rdtf@sfgov.org

The main issues are summarized below:

1. There is a requirement of roughly equal populations in each district which may vary by one percent or up to five percent in order to sustain "communities of interest" representing political neighborhoods that share outlooks and services. Unfortunately, the task force uses current total census figures as the basis for their division of population among the districts. More legally appropriate, and basic to the need for political representation, would be to weigh the count by using the ten-year projection estimates of voters as the basis for population to be redistricted. Children and transients are not germane to voter population representation.

2. Neighborhoods are entitled to be districted based upon their "communities of interests" such as shared cultural histories, behavior, institutions and services.

- a. For example, Japan Town and the Fillmore share a history of ethnic struggle for survival and uprooting from their residential communities. Yet, early redistricting attempted to sever those communities, cutting them from District 5 at Geary Boulevard and

putting the northern portions into unrelated District 2.

- b. A growing community of Arabic immigrants in the Tenderloin, has been severed from their religious and shopping facilities in District 6 and arbitrarily moved into unrelated District 3.
- c. The proposed major hospital, CPMC, adjacent to its potentially impacted District 5-Japan Town and the Fillmore- is dangled as a gerrymandered finger of District 2.
- d. Golden Gate Park provides a "community of interest" to adjoining neighborhoods that would seem to require that it remain a single planning entity and Supervisor District. Yet, the park is represented, on its north end, by District 1 and is bordered by a disjointed finger of District 5 and a part of District 4. It would be functionally provident if both residential sides of the park were within District 1 alone. An objection has noted as "the future of the park should be defended by more than one Supervisor;" but if one Supervisor supports "privatizing" the park's use while the other opposes it, there is an impasse which would divide defense of the park's future. .
- e. Woodland Avenue was once divided between District 5 and 8. New redistricting maps correct Woodland's topographic isolation. However, topographic isolation continues to exist in other districts such as 8 and 9.

The Redistricting Task Force has had an arduous and complicated job and should be complimented for its efforts. However, because the redistricting mapping decisions change constantly with every meeting, and often at variance with legal requirements, and because well financed political interests are at work constantly, it is essential to attend every redistricting meeting and observe the proceedings in case a legal challenge is seen.

For information about San Francisco Tomorrow, go to www.sftomorrow.org

Muni along Stockton Street

The state of Muni's current trolley bus operation along Stockton Street is deplorable

Improvements are long overdue and should be put into effect without delay. Stockton is a major Muni corridor served by Lines 30, 45 and the southbound leg of Line 8x. Passengers board one or more of these lines from many parts of San Francisco including Chinatown, Russian Hill, Telegraph Hill, North Beach, Fisherman's Wharf, Polk Gulch, Cow Hollow, the Marina, Mission Bay, Dogpatch, Bay View/Hunters Point, Visitation Valley, San Bruno Avenue and downtown San Francisco.

Expanding City's Pedestrian Improvements for

Chinese New Year: Along the busy Stockton Street/Chinatown commercial corridor, Mayor Ed Lee's innovative pedestrian program included temporary removal of car parking, widening of sidewalks and control of double parking & delivery trucks. Besides easing pedestrian congestion, traffic decongestion eased the flow of the Bus Lines 8X, 30 and 45. The successful trial should be expanded into trial programs focused on Transit Surface Improvements---tried and true in many cities throughout the world.

In addition, the Save Muni action group proposes the following Stockton Street surface improvements in order to achieve additional capacity and reliability, decrease Muni travel times, increase pedestrian movement and facilitate commercial activities. Some or

all of these changes could be tried for six months and then evaluated.

1. Allow all door boarding on Muni vehicles traveling between Columbus Avenue and Market Street. This change would require changes in the fare collection structure as well as outreach and advance publicity in several languages. To minimize fare evasion, it would be essential to institute random and targeted enforcement, and vigorously promote the use of Clipper Cards.
2. Adopt traffic management strategies along Stockton and elsewhere along the three affected Muni lines similar to those that were successfully implemented on Market Street in 2009.
3. Restrict truck deliveries and garbage collection to hours that would not impede transit vehicle movement. Enforce this restriction.
4. To speed boarding and ensure adequate carrying-capacity, acquire and deploy a sufficient number of low-floor, diesel-operated articulated buses. Adjust trolley bus operations as required to accommodate a mix of regular vehicles and fast-loading, low-floor vehicles.
5. Provide more pedestrian space along Stockton Street via widened sidewalks and mini-parks or "parklets".

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