



September 16, 2008

TO: Presidio Trust
FROM: Gary Widman, President

Re: Presidio Historical Association Specific Comments On Sec. 106 Process
And On Untitled, Unsigned Presidio Trust Document Of May 27, 2008

Very little has changed from the undertakings originally proposed, except the Trust has added an addition to the Chapel that was not part of the original comments. Our preliminary comments still stand, as it appears there has been no attempt to make changes suggested by those comments. Therefore, we repeat herein some of our conclusions and comments of March 30, 2008 (See Attachment 1).

As before, our analysis of the probable finding of effect is based on information provided in the subject document. However, even with the information provided, it is clear that the projects proposed will cause excessive and unnecessary destruction of historic resources, transform the cultural landscape, and exceed in mass and height what this delicate historic district can accommodate without fatal loss of integrity.

The Draft F.O.E. supports the conclusion that any one or combination of the proposed changes to the Master Plan will have an adverse effect on the NHLD. The differences in degree between Alternatives 2, 2A and 3 are so slight that the direct and indirect effects of all of them would cause such loss of integrity as to harm, perhaps irrevocably the Presidio's ability to meet the criteria for the NHLD. The F.O.E. needs to state this more clearly.

We are concerned that the proposed additions will create a completely new layer with its own powerful set of associations, materials, and design, with no relation to the historical significance of the district, and will be so disruptive as to cause a loss of the NHLD designation. Please see our correspondence on this subject from last March.

Our comments on the current Draft NHPA Consultation package follow:

Archaeology: Before this document can be considered sufficient, a more complete review of the adverse effects of the project should be undertaken. That cannot be completed with the level of information which has been provided to date. The Geo-archaeological Research as described and available on line is inadequate, inconsistent and

is not as described in the Draft F.O.E. The archival research does not include a broad enough review of archives in Spain and Mexico City, and the Russian Federation.

Nevertheless, the Draft F.O.E. has identified a permanent adverse effect to the archaeological record, which the Trust shows no interest in avoiding. The draft F.O.E. does not explain why it does not choose to employ interpretive approaches, which would minimize the damage to the archaeological resources. Further archaeological evaluation should be undertaken by a third party that is not hired by the Trust. Following completion of this work, a peer review of this more thorough investigation should be completed before the project review is complete. The Trust might consider transferring this process to the National Park Service to avoid any appearance of willful destruction of resources.

Internal Consistency: This document is not internally consistent. Its conclusions are seldom supported by the evidence presented. The seven aspects of integrity should be listed under each alternative in the effect summary. One example: on page 34, the examples of adverse effects are not consistently applied to the three alternatives. For example, Alternative 2A is just as damaging to example “iv” as are Alternatives 2 and 3, and for the same reasons. Example “vii” applies as well to all three of these alternatives, in our opinion (see our letter of April 27, page 2) because leasing to a new user who will control the visual impact of the Main Post (with outdoor art display, for example) will be an adverse effect which cannot be controlled by the 106 process.

Purpose and Need, a NEPA concept in the Draft FOE: “Purpose and Need” are expressed in NEPA terms inadequate to meet the standard of “analytical” required by NEPA. These broadly descriptive expressions are not expressed in objective terms that can be rationally analyzed. How much “revitalization” is the goal? Why? How can it be measured?

Vague concepts such as “revitalize” or “unique and dynamic urban national park” used to state purpose and need in the FOE/SEIS are not grounded in the Trust Act, legislation establishing the GGNRA, nor the Park Service Organic Act and policies derived from it. We conclude that this “purpose and need” created by the Trust lacks a basis in law and cannot be applied to justify actions that will have adverse effects on a NHLD.

Building Demolition: The intention of the NHLD designation is that the site be preserved as of the date (1993) when it was designated. It is inappropriate to restore it to any particular period, or to destroy historic fabric of any particular historic period. For example, the Main Post Update proposes to demolish almost all the WWII structures in the Main Post (only building 37 would remain). The goal of “clarifying” the layers is not sufficiently important to justify the loss of historic fabric.

Street Demolition or Modifications: The Main Post Update also proposes to remove or modify several of the historic streets that are also part of NHLD. Loss of all or part of these streets is a demolition that would also constitute an adverse effect. Changing their character from street to pedestrian way is also a change to the cultural landscape that would constitute an adverse effect. This needs to be mentioned in the Draft F.O.E. For example: Anza Street dates from 1864. Arguello Boulevard dates from 1883. Moraga Avenue dates from 1846. Montgomery Street dates from 1880. Although Montgomery Street is not being closed, allowing parallel parking along the west side of it essentially displaces the historic roadway 10 feet to the east, which would be an adverse effect.]

Simulations: The figures B-3-10 identify important view corridors. The simulations of the four alternatives provided in figures B-11 through 14 show very distant views of the new construction in the various alternatives, and none of them is shown as they would appear in the previously identified important view corridors. This does not help the public to understand the impact and effects of the undertakings, but obscures their effect on important view corridors. Simulation B-11 does not appear to render the 18 foot increase in elevation between the Alternative 2 and Alternative 2A sites in addition to being a long range perspective with an unnaturally wide angle view.

Cumulative Effect: The conclusion that there is no cumulative adverse effect from all the previous actions in the Presidio is not substantiated or justified. In the list of projects since 1993, the accumulation of changes that by themselves may have been deemed to have no adverse effect, and the adverse effects of previous and anticipated actions clearly will combine and will contribute to an adverse effect. In our opinion, all the alternatives together create an adverse cumulative effect.

Construction of CAMP is Prohibited by N.P.S. Management Policies Derived from the Organic Act: FOE, p. 26 refers to “cultural programs”. Culture is defined as “a system of behaviors, values, ideologies and social arrangements” related to park resources. (National Register Bulletin: Guideline for Evaluating and Documenting Traditional Cultural Properties, U.S Department of the Interior, National Park Service. n.d.) (See paragraph B.4. of PHA General Comments on Sec. 106 Process of Sept. 16, 2008).

NPS Management Policies, 2006, which are derived from the NPS Organic Act, as amended, prohibit construction of cultural facilities that do not meet **all** of these tests:

9.3.1.7 Facilities for Arts and Culture

...permanent facilities may be built specifically for cultural activities only when all of the following criteria are met:

The permanent facility is required for programs of major importance in conveying the park story.

It would be impossible or impractical to use demountable or temporary facilities.

It would be impossible to adaptively use other park facilities.

Neither the facility nor its operation would impair cultural or natural resources or hinder the use of the park for its intended purposes.

It would not be feasible for others outside the park to provide the facility.

The Section 106 Consultation must therefore reject CAMP in all proposed alternatives because CAMP fails to meet these criteria for construction of a cultural facility in a national park.

Include the Heritage Center and Related Programs in the Proposed Project as a “Reasonably Foreseeable Action” in the FOE/SEIS: The Heritage Center and related programs, paths, kiosks and wayside exhibits are “reasonably foreseeable events” that must be included in 106 considerations of direct, indirect and cumulative effects on the integrity of the Main Post and for possible effects on adjacent structures and cultural landscape features. The second paragraph of “Project Purpose and Need,”(FOE, p. 25) states that the “Trust also announced that it would pursue the development of a Heritage Cenand program to highlight the park’s historic significance. Both of these concepts have been incorporated into the planning update for the Main Post which forms the basis for the proposed action in the Main Post SEIS and precipitated the present Section 106 compliance action.” This program is key to visitor experience in the park - the sense of place that is essential to historic integrity. The concept includes a center from 6,000 to 20,000 square feet in existing structures or new construction, kiosks, waysides exhibits, and perhaps paths that will accommodate a possible 1,000,000 visitors a year.

Inadequate information has been provided to the public about the Heritage Cento permit analysis of either direct or cumulative effects in the 106 consultation. The so-called Frankel Report was withdrawn from the SEIS Appendices. However, we are aware that the Trust has sufficient information that it has budgeted funds for the Heritage Program and has stated that the Center will be in building 50.

Main Parade EA Legally Inadequate: Should Be Revised or Included in the Main Post SEIS:

The Main Parade EA, which contributes to cumulative effects of the present undertaking in the FOE, failed to comply with NEPA regulations. The Trust had knowledge of a foreseeable event, the hotel, that was recorded in drawings for traffic and parking (figures 3 and 4), but not in the colored renderings, (figures 1 and 2). The hotel was a “reasonably foreseeable event” during the time of preparation of the Main Parade EA. It was detailed in two drawings related to traffic and parking and its 100 room size is reported only in “Cumulative actions and Resources Affected,(p. 54.) The hotel was a “reasonably foreseeable event” during the time of preparation of the Main Parade EA and analysis of the lodging plan was improperly omitted from the Main Parade EA.

The hotel was supposed to “restore” the eastern edge of the parade ground. We reject the argument that the edge of the Main Parade should be “restored” because the NHLD documentation values the Presidio for its historic integrity at the time of its listing and in subsequent updates. Any attempt to “restore” features of a given period is “false history” according to the CLR (which has been in draft since 2002, so it too is a contingent document). The concept of “enhancing” a National Historic Landmark is not supported by the applicable regulation.

Excessively Complex Process with Contingent Principles and Guidelines:

It is a violation of NEPA and contrary to the intent of NHPA to allow the current process to continue with its present complexity and use of changing or contingent planning policies and design guidelines. PHA recommends that the Section 106/FOE and related NEPA processes be halted and revised into a sequential, linear process that proceeds from approved and unchanging principles and design guidelines to then consider specific construction proposals. In the present process, the public cannot understand the process of NEPA or NHPA applied to the current undertaking. The public cannot understand what is a reliable authority or what may be contingent upon a principle or guideline that itself is contingent on other changing authorities. The present parallel and interrelated review processes often have illogical circular reasoning: one finding is based on a planning principle or guideline that itself is changing in the current undertaking.

Example: P. 32 of the Main Parade EA states:

“The analysis concludes that Main Parade improvements would result in a positive change to the visual character of Main Post. New construction would conform to the PTMP Planning Principles and Main Post Planning and Design Guidelines to help ensure that it would be compatible with adjacent historic buildings in scale, massing and materials.” (This refers to the hotel in general terms. The hotel is not included in the Main Parade EA.)

The undertaking in the FOE would change those planning principles and guidelines to permit specific construction: the finding of “No adverse effect” for Main Parade is used

as a reference in the EIS and FOE for the proposed new construction, even though the planning principles and design guidelines referred to as the basis for the Main Parade EA are no longer valid because the present undertaking will change them.

In analyzing the FOE for “Cumulative Effects,” we encounter this sort of tangled logic and citations to authorities that are in draft or being changed by the very process that cites them as authoritative. The findings of effect are based on principles and design guidelines that are contingent upon the proposed construction, thereby describing circular dependency. This is a common error of the SEIS/FOE that must be corrected.

Alternative 1:

Office Building: Since no design for new construction of office buildings under this alternative has been proposed we cannot assume that whatever is ultimately proposed will meet the Secretary’s Standards. It clearly would be an adverse effect on the archaeology, and an indirect adverse effect on setting and feeling because it will block the existing view corridor from El Presidio to the Golden Gate.

Theater Addition: We do not concur that the theater addition as proposed conforms to the Secretary’s Standards. It is larger than the existing historic structure, too tall and in an incompatible style, material etc., in a prominent location at a major entry point to the Main Post.

Presidio Chapel: No design or site planning was provided, so this alternative cannot be evaluated. Thus the assertion that there is no effect is entirely un-proven.

Changes to Historic Streets: The proposed street closures are considered an adverse effect, but elsewhere (page 40) the document claims that these street closures will be “conducted according to the Secretary’s Standards.” The latter seems an impossibility since it will remove historic features and alter historic relationships. Thus, closure of historic streets would constitute an adverse effect. This is one of many examples of a determination of effect based on prospective potential application of the Secretary’s Standards rather than a determination based on specific plans and information.

Cumulative Effects: See above.

Alternative 2:

Demolition: Demolition of eight structures, including all but one of the WWII structures in the Main Post has the effect of nearly removing an entire layer of history from the period of significance of the Main Post.

Museum: The discussion of the major adverse effect of this project fails to conclude that damage to the NHLD would result.

Lodge: The mass and volume of the lodge exceeds anything ever put on this site, and would contribute to a finding of adverse effect. The justification that the lodge “restores

the edge” is false history, not recommended by the Cultural Heritage Assessment of 2002. It also creates an adverse effect to setting and feeling. Thus the conclusion that it does not is false. This location for new construction will result in the loss of an important view corridor, which recalls its earliest period of significance.

Theater Addition: Same as Alt 1.

Presidio Chapel: Same as Alt 1.

Changes to Historic Streets: Same as Alt. 1.

Cumulative Effects: See above.

Main Post Update: The design guidelines contained in the Main Post Update do not meet the Secretary’s Standards, and thus appear to be the cause of many of the adverse effects of Alternative 2. The draft F.O.E. somewhat acknowledges this, but states that the design guidelines are “intended to provide measures to minimize or mitigate those effect.” They actually do nothing of the kind, and appear patently worded to allow the proposed adverse effects, since they were written after the designs were developed. This is yet another example of improper procedure.

Alternative 2A:

Demolition: Demolition of seven structures, including one of the few buildings being considered for the Update of the NHLD begun last spring.

Museum: The adverse effect of 2A would be just the same as that of 2, but the museum affects the NHLD in a different way because of being in a slightly different place. This alternative clearly has an adverse effect, both direct and indirect on example iv since it clearly changes “the character of the property’s use or physical features within the property’s setting that contribute to its historic significance.” The statement on page 58 that a museum south of Moraga would result in no adverse effect on the setting and feeling of the Main Post is patently inaccurate and unsupported. The size is 18 feet higher in elevation, which would increase the dominance of a monumental building at that location. Elsewhere in the document it is stated that there was never any permanent construction in this area.

Lodge: The immense bulk and mass of the lodge would contribute to a finding of adverse effect. The conclusion that it does not is false. Reducing the lodge by 10,000 s.f. is not a sufficient reduction to remove the adverse effect. Allowing the Lodge to bleed 3000 sq. feet of new construction into the Main Parade is yet another adverse effect. The east edge of the Main Parade, as proposed, will be cluttered on both sides with elements which are tall enough to obstruct the view corridors considered important and which will force visitors to walk along a former historic street from which they can see almost nothing but new construction and inappropriately modern landscape architectural treatments.

Theater Addition: Same as Alt 1.

Presidio Chapel: Same as Alt 1.

Street Closures: Same as Alt. 1.

Cumulative Effects: See above.

Alternative 3:

Demolition: Demolition of three historic structures, which is considerably fewer than the proposals in 2 and 2A.

History Center: Any large construction at this site will have an adverse effect. We note that the History Center has one-half the footprint and less than half the mass of C.A.M.P. Thus its effect is correspondingly less adverse. Like the contemporary art museum, the history center will also damage the archaeology. Alternative sites for the history center need to be considered.

Art Museum at Fort Scott: Much lower adverse effect. Should be preferred. [why is this included in the Main Post Undertaking? It is not in the Main Post.]

Changes to Historic Streets: Fewer changes than Alternatives 2 and 2A,.

Cumulative Effects: See above.

Alternative 4:

No action, no analysis....

Additional Alternatives that need to be considered:

Sites for the Art Museum, hotel and multiplex theater that are located off the Presidio

Alternate sites for the History Center:

- a. Adaptive Reuse of an historical structure
- b. New construction, redesign to adapt to terrain, roughly between the library and the day care center, with surface parking.

Conclusions: Despite the long catalog of adverse effects from the undertakings, no conclusion as to their consequences to the integrity of the Historic District is drawn. This needs to be done.

Reasonable Foreseeable Actions: A Heritage Center plan is referred to throughout the documentation of the Main Post Update. It is not included as an alternative nor in consideration of cumulative effects, nevertheless, the Trust has adequate information to budget for the heritage center, now planned for Building 50. PHA recommends that the Heritage Center be fully integrated into the FOE. Failure to do so would ignore a “reasonably foreseeable action” and render the study invalid.

Input from Consulting and Concurring Parties: The history of consultation discussed in the “Interim Case Report” on the Section 106 Consultation fails to include any

reference to the actual opinions of the ACHP, the SHPO and the National Trust for Historic Preservation that the Trust has received on this subject. Neither does it refer to the contributions or opinions of any of the other consulting parties. This information should be included.