File No. 120691

Committee Item No. _____
Board Item No. 40

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____ Date _____

Board of Supervisors Meeting Date 7/10/2012

Cmte	Board	
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☐	☐	Legislative Digest
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OTHER (Use back side if additional space is needed)

☐	☒	Planning Dept. response (Attachments & Exhibits) *
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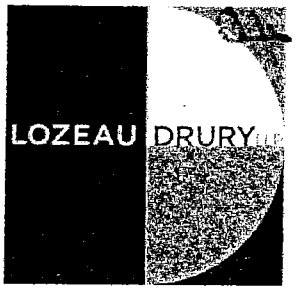
Completed by: _____ Date 7/3/2012
Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

File no. 120691



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July 2, 2012

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 JUL -2 PM 4:15
Ak

Via Electronic Mail and Hand Delivery

Board President David Chiu and
Honorable Members of the Board of Supervisors
c/o Ms. Angela Calvillo
Clerk of the Board of Supervisors
City of San Francisco
1 Dr. Carlton B. Goodlett Place, Rm. 244
San Francisco, CA 94102-4689
Email: angela.calvillo@sfgov.org; joy.lamug@sfgov.org

RE: REQUEST FOR CONTINUANCE PENDING CALIFORNIA COASTAL COMMISSION REVIEW -- Beach Chalet Athletic Fields Renovation Project Final Environmental Impact Report (SCH 2011022005) and Project Approval (Planning Dept. Case No. 2010.0016E)

Dear President Chiu and Honorable Members of the Board of Supervisors:

I am writing on behalf of SF Ocean Edge (SFOE), the Sierra Club San Francisco Bay Chapter, the Golden Gate Audubon Society, Sunset Parkside Education and Action Committee (SPEAK), the Richmond Community Association (RCA), Golden Gate Park Preservation Alliance, and Katherine Howard, ASLA, and their thousands of members who live in the City and County of San Francisco (collectively, "Park Advocates"), concerning the Environmental Impact Report (EIR) prepared for the Beach Chalet Athletic Fields Renovation project ("Project") (Planning Dept. Case No. 2010.0016E; SCH No. 2011022005).

We hereby request that the Board of Supervisors continue its hearing scheduled for July 10, 2012, until after the California Coastal Commission ("CCC") rules on a pending appeal of the Project. Pursuant to the Public Records Act, we received today correspondence from the CCC to the City of San Francisco ("City"). (Attached hereto as Exhibit A) In these public records, the CCC informs the City that ***the City "misleads the public"*** by falsely informing the public that the Planning Commission's approval of a local coastal zone permit for the Project (2010.0016P; Planning Comm. Motion No. 18640) is not appealable to the CCC. The CCC states, "***On the contrary, the project is appealable and must be noticed as such.***" The CCC concludes, "Accordingly, the Planning Commission's decision cannot become effective until we receive a proper final notice (after exhausting local appeal rights) and the Coastal Commission's

appeal period runs without any appeal. Once the local appeals have been exhausted, please send us a Final local action notice for this appealable development."

Thus, as the Park Advocates have argued, the Coastal permit is appealable to the CCC. The Planning Commission's decision approving the Coastal permit is not a final action until appeals to the CCC are exhausted. The Park Advocates have filed an appeal of the Coastal permit. Therefore, the Planning Commission has not taken a final action, and the appeal to the Board of Supervisors is not ripe. As such, the BOS appeal must be continued until after the CCC appeals are exhausted, and there is a final decision for the BOS to review. Since the Planning Commission decision cannot be deemed final until after the CCC appeal is exhausted, there is no final decision for the Board of Supervisors to review.

Furthermore, this solution makes good common sense. It is likely that the CCC will reject, or significantly modify, the Beach Chalet Project. The CCC recently considered a very similar project at Malibu High School. Malibu High School sought to install artificial turf and stadium lighting on a football field about 1,500 feet from the ocean and within the Coastal Zone. The CCC severely restricted the project. The CCC imposed permit conditions limiting usage of lighting after 7:30 p.m. to no more than ***18 nights per year***, and imposed numerous other conditions prohibiting all lighting during certain seasons. (Exhibit B) If the CCC renders a decision about the Beach Chalet Project that is consistent with its decision in the Malibu High School project, limiting night lighting to 18 nights per year, then the proposed Project will not achieve its stated Project Objective of increasing the number of play hours.

Also, if the CCC limits night lighting to no more than 18 nights per year, then the City will have no substantial evidence on which to base its statement of overriding considerations. The Environmental Impact Report ("EIR") admits that the Beach Chalet Project will have significant unavoidable impacts on the historic resources of Golden Gate Park. (EIR, p. ES-9) The Planning Commission found that the significant adverse impact was acceptable in light of overriding considerations – most notably, the provision of increased play hours. If the CCC limits night lighting to 18 nights per year, then the fields will only add approximately one-half of the playing hours that the EIR claims, and there will be no substantial evidence to support the statement of overriding considerations. Thus, the Board of Supervisors will have no basis on which to issue a statement of overriding considerations until after the CCC issues a final decision on the Coastal permit.

For over two years, the Park Advocates have asked that the Beach Chalet fields be renovated with natural grass and that other locations be evaluated for improvements, using the rest of the 2008 Neighborhood Park Bond monies. As a result, the Draft EIR considered West Sunset Playing Field as an alternative location. However, this Alternative (#2) did not include renovating the natural grass at the Beach Chalet fields. Therefore, in December of 2011, the Park Advocates submitted a more detailed alternative, which combined aspects of Alternatives #2, #3 and #4 into a compromise alternative or hybrid alternative.

The EIR and City staff continue to refuse to consider the Hybrid Alternative advocated by the Park Advocates . The Hybrid Alternative would:

(1) restore Beach Chalet with new natural sod, improved drainage and gopher controls and with no sports lighting; and

(2) renovate the West Sunset Playing Fields with artificial turf and night lighting.

This would result in the creation of *six* artificial turf fields at West Sunset (3 full size and 3 U10), rather than 4 at Beach Chalet, plus improved grass fields at Beach Chalet. The Hybrid Alternative would achieve all of the Project objectives, without any adverse impact on Golden Gate Park. As discussed in Exhibit C to this letter, the Hybrid Alternative would provide approximately the same number of play hours as the proposed Project, and possibly more. If the CCC limits night lighting at Beach Chalet consistent with the Malibu decision, then the Hybrid Alternative will provide far more play hours than the proposed Project.

For all of these reasons, we respectfully request that the Board of Supervisors continue consideration of this matter until after the California Coastal Commission renders a final decision on the Coastal Permit. The CCC has determined that City staff has misled the public by informing the public that there is no appeal available to the CCC. The Planning Commission decision is not a final action, and the City must set aside the Final Local Action Notice and continue the hearing date on this matter.

A. The Planning Commission's Decision is Appealable to the Coastal Commission.

Coastal Commission staff wrote to the San Francisco Planning Commission on June 13, 2012, stating, "the project is appealable [to the Coastal Commission] and must be noticed as such." (Exhibit A) The Coastal Commission informed the City by the same correspondence that the City "misleads the public" by informing them that the matter is not appealable to the CCC. (Id.) The CCC letter states:

(1) Appealable Development:

Coastal Act Section 30603 specifies the types of development that are appealable to the Commission, including, "(5) Any development which constitutes a major public works project ..." Section 13012(b) of the Commission's regulations defines major public works, in part, as "publicly financed recreational facilities that serve, affect, or otherwise impact regional or statewide use of the coast by increasing or decreasing public recreational opportunities or facilities." Similarly, the SF LCP Section 330.10(c)(3) includes "All publicly financed recreational facilities" as projects that constitute major public works projects.

The proposed project is being funded by the San Francisco Recreation and Parks Department. Therefore, given the above standards for determining whether development is appealable to the Commission, ***the subject alterations being made to the facilities at the Beach Chalet Athletic Fields at Golden Gate Park (2010.0016P) constitute a type of development that is appealable to the California Coastal Commission.***

However, the notices we have received (file notice, hearing notice, decision notice) state that "The project site is not within the area appealable to the California Coastal Commission." The notices do not state that notwithstanding this sentence, the project is appealable to the Commission. Accordingly, the statement used ***misleads the public and the applicant as to the potential for appeal and the ability to appeal the City/County's decision to the Coastal Commission.*** Please indicate on future notices regarding this project that it is appealable to the Coastal Commission (including the final action notice as discussed below).

(2) Final Local Action Notice:

The SF LCP and the Coastal Commission's regulations (including Sections 13570 through 13573) outline the noticing requirements for local governments with certified local coastal programs. SF LCP Section 330.6(d)(2) states that a local decision on a Coastal zone permit shall not be deemed complete until "all local rights of appeal have been exhausted" and therefore any notice sent to the Commission prior to the exhaustion of local appeal rights cannot be considered final and the coastal permit cannot be considered effective. (See also Section 13570 of the Commission's regulations). Further, LCP Section 330.6 and Section 13571 of the Commission's regulations require the final local action notice to be sent once the action is complete and final, and it must include the findings, the action taken by the Zoning Administrator or City Planning Commission, conditions of approval if any and procedures for appeal.

In this case, the previous notices do not make up or constitute a final local action notice because the local rights of appeal are not yet exhausted and therefore the action itself is not yet final. ***Accordingly, the Planning Commission's decision cannot become effective until we receive a proper final notice (after exhausting local appeal rights) and the Coastal Commission's appeal period runs without an appeal.***

Once the local appeals have been exhausted, please send us a Final local action notice for this appealable development.

(Exhibit A, emphasis added)

Therefore, there is no question that the Planning Commission determination is appealable to the California Coastal Commission, and the City has actively misled the public by announcing to the contrary. The Planning Commission's decision granting a Local Coastal Permit is therefore not a final agency action, and the decision is not ripe for appeal to the Board of Supervisors until appeals to the Coastal Commission are exhausted. The LCP permit is currently scheduled for hearing by the Board of Permit Appeals on August 1, 2012.

B. The Coastal Commission is Likely to Reject the Project or Significantly Restrict Night Use.

The proposed Project will place 150,000 watts of stadium lighting on 10 sixty-foot tall poles, and spectator seating for over 1,000 fans at the western edge of Golden Gate Park – one of the last natural, dark sky areas in this heavily urbanized City. This area is currently treasured by astronomers, beach goers, nature lovers, hikers and others as a natural oasis in the midst of a dense, urban City. The EIR conceded that:

> [t]he addition of ten new 60-foot-tall steel lamp poles would be a highly visible new addition to the landscape, not only during the day, but also at night in an area of the park which has been historically dark at night. The addition of new poles and lights would alter the character defining land patterns within the Athletic Fields by introducing a large-scale lighting element which is incompatible with the informal and naturalistic character of the fields. Similar to the installation of spectator seating, the addition of new light poles at the center and ends of the field could also alter the character defining feature of the spatial organization of the field as an expansive, uninterrupted plane.

(EIR, at IV.C-24 (emphasis added); see also, comment letter of Charles Birnbaum, FASLA, FAR, President of Cultural Landscape Foundation (the Project is a "misguided plan that will destroy the historic character of this significant cultural landscape, listed on the National Register of Historic Places in 2004." (Exhibit D))

The California Coastal Act prioritizes protection of coastal natural resources, including dark sky areas. The California Coastal Commission conducts a highly circumspect review of lighting for new projects along the shoreline. Where bright lighting is allowed, it is usually permitted only where (1) lights are permitted only for a limited period of time, (2) lights must be turned off during the bird migratory season (February-May and August – November of each year), (3) a qualified ornithologist conducts a study to assess impacts, and (4) adaptive management measures are in place to adjust the lighting regime should data indicate that impacts are unacceptable. (See, e.g., California Coastal Commission Staff Report (1999) at 3-4; CCC Staff Report (2000), at 3-4; CCC Staff Report (2003), at 4-5)

On October 5, 2011, the CCC unanimously rejected a permit application for lighting at an athletic field in the City of Malibu and adopted the CCC staff's recommendations to approve the

permit with severe restrictions. (See, Exhibit B) Specifically, the CCC rejected the applicants request for "lighting of the main sports field...until 7:30 p.m., except for ***18 days in any 12-month period*** up to 10:30 p.m. The CCC imposed several restrictions, limiting lighting to only three (3) days in any calendar week until 7:30 p.m. (during Daylight Savings Time) except from September through May 31, when lights may be kept on up to 18 times until 10:30 p.m., but never on consecutive nights. The CCC further prohibited use of the lights from June 1 through August 1 of any year. Finally, for lighting during the bird migration period an Avian Monitoring Plan prepared by a qualified ecologist is required; the plan must include ongoing monitoring for adverse impacts to birds and if monitoring results indicated negative impacts, then a modified lighting plan must be developed.

Under the doctrine of *stare decisis*, it is likely that the Coastal Commission will render a consistent decision in the Beach Chalet matter, which will in turn negate the statement of overriding considerations for the Project, negate any finding that the Project achieves its objectives, and render the Hybrid Alternative clearly superior in every respect.

C. The Hybrid Alternative Achieves all Project Objectives, while Protecting the Historic Resources of Golden Gate Park and Protecting the Coastal Zone.

There is no question that the Beach Chalet fields are in need of repair. We fully support efforts to restore the Beach Chalet fields with new grading, irrigation and sod – as was recently done at the larger Polo Fields in Golden Gate Park for $1.4 million. The construction budget for the proposed Project is $11.3 million. A more extensive natural grass restoration without lights - perhaps adding gopher controls and better drainage - could cost $2 - $4 million. This would leave funding for fixing up other fields. At the same time, the City should restore West Sunset Playground – only 8 blocks to the south -- with artificial turf and some night lighting. This would create 4 usable natural grass fields at Beach Chalet, and 6 soccer pitches at West Sunset (3 full sized pitches and 3 U10 pitches) with appropriate night lighting for the area. This would result in as many, and possibly more, play hours as the proposed Project, while restoring both play areas and achieving all project objectives for comparable cost. The Hybrid Alternative meets all of the Project objectives, while protecting the historic Beach Chalet area.

The EIR and City staff have steadfastly refused to consider the Hybrid Alternative. For the last two months, Park Advocates have requested that the Recreation and Park General Manager meet with them to discuss alternatives. This meeting was repeatedly either rescheduled and cancelled or declined. On June 21, 2012, a Parks Advocate representative attended the Recreation and Park Commission public meeting, and asked the Commission to direct the General Manager to meet with their group. She asked for a date before Board of Supervisors Appeal Hearing on July 10th, to try to work out a compromise alternative. At that time, the General Manager, through the Commission, gave the Park Advocate the date of July 13th -- 3 days after the Appeal Hearing --too late to work out a compromise for this Project.

Where a project is found to have significant adverse impacts, ***CEQA requires the adoption of a feasible alternative that meets most of the project objectives but results in fewer significant impacts.*** (*Citizens of Goleta Valley v. Bd. of Supervisors* (1988) 197 Cal.App.3d 1167, 1180-81) A "feasible" alternative is one that is capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors. (Pub. Res. Code § 21061.1; 14 Cal. Code Regs. § 15364)

The Final EIR admits that the West Sunset alternative "would attain most of the project's basic objectives," and would "avoid or substantially lessen one or more of the significant environmental impacts of the proposed project," and would be "feasible." The Planning Commission therefore abused its discretion by failing to adopt the off-site alternative. The Responses to Comments states:

> **[t]he EIR includes analysis of an off-site alternative (West Sunset Playground) that would: (1) attain most of the project's basic objectives; (2) *avoid or substantially lessen* one or more of the significant environmental impacts of the proposed project; and (3) be feasible.**

(Responses to Comments, at X.0-71, Response to ALT-5, emphasis in original)

However, the City has stated elsewhere, (without any calculations or substantial evidence), that the Hybrid Alternative would not provide equivalent play hours. As demonstrated in Exhibit C, the Hybrid Alternative would provide as many, or possibly more, play hours than the proposed Project. Since West Sunset can accommodate six soccer pitches, rather than only 4 at Beach Chalet, the Hybrid Alternative may provide over 900 more play hours each year than the proposed Project. Of course, if CCC restricts night lighting at Beach Chalet to 18 nights per year, then the Hybrid Alternative will provide vastly more play hours than the proposed Project.

D. Conclusion.

We urge the Board of Supervisors to continue this matter until after the Coastal Commission resolves the appeal of the Planning Commission's Coastal Permit Decision. Until the Coastal Commission renders a decision, there is no final action for the Board of Supervisors to review.

In this dense, urban environment, there are few places to experience nature, forests, open spaces, and dark skies. The Beach Chalet fields provide one of the last such settings. Once it is paved over with plastic and 150,000 watts of stadium lighting, it will be gone forever. There is no question that children need play space, but they also need areas that "provide a sylvan retreat

from urban pressures for all citizens, rich and poor." (National Register, § 7, at 1) We are confident that the Coastal Commission will protect this resource, as it has in Malibu.

If the Board proceeds with the appeal hearing, we urge the Board to remand this issue back to the Planning Department to prepare a supplemental EIR to consider the Hybrid Alternative, (as well as all the other deficiencies in the EIR identified in my June 12, 2012, letter appealing the May 24, 2012, decisions of the Planning and Recreation and Parks Commissions), which includes:

(1) renovated grass fields at Beach Chalet with gopher controls, improved drainage, state-of-the-art irrigation, new sod, and no night lights; and
(2) new artificial turf fields at West Sunset made with safe materials and appropriate lighting.

This Hybrid Alternative would provide all of the additional play hours included in the proposed Project, while still protecting the unique natural landscape of the Beach Chalet and Ocean Beach areas. Thank you for considering our comments.

Respectfully submitted,

Richard Toshiyuki Drury
LOZEAU|DRURY LLP

EXHIBIT A

Dreher, Nicholas@Coastal

From: Dreher, Nicholas@Coastal
Sent: Wednesday, June 13, 2012 4:53 PM
To: glenn.cabreros@sfgov.org
Cc: Cavalieri, Madeline@Coastal; scott.sanchez@sfgov.org; dan.sider@sfgov.org
Subject: Beach Chalet Soccer Fields Project (2010.0016P)

Hello Mr. Cabreros,

As we discussed yesterday, I am writing you this email to discuss two issues that have arisen regarding 2010.0016P (Beach Chalet Soccer Fields): 1) whether 2010.0016P is appealable to the California Coastal Commission and 2) the absence of a Final Local Action Notice. In our conversation yesterday, you indicated that regardless of whether the City/County considered this project appealable (the previous notices indicated it was not in the area appealable to the California Coastal Commission), members of the public could submit appeals at the discretion of the Coastal Commission, and that the City/County believes a Final Local Action Notice has already been sent to the Commission on this project. On the contrary, the project is appealable and must be noticed as such, and a Final Local Action Notice has not been submitted. Please consider the following:

(1) Appealable Development:

Coastal Act Section 30603 specifies the types of development that are appealable to the Commission, including "(5) Any development which constitutes a major public works project...." Section 13012(b) of the Commission's regulations defines major public works, in part, as "publicly financed recreational facilities that serve, affect, or otherwise impact regional or statewide use of the coast by increasing or decreasing public recreational opportunities or facilities." Similarly, the SF LCP Section 330.10(c)(3) includes "All publicly financed recreational facilities" as projects that constitute major public works projects.

The proposed project is being funded by the San Francisco Recreation and Parks Department. Therefore, given the above standards for determining whether development is appealable to the Commission, the subject alterations being made to the facilities at the Beach Chalet Athletic Fields at Golden Gate Park (2010.0016P) constitute a type of development that is appealable to the California Coastal Commission.

However, the notices we have received (file notice, hearing notice, decision notice) state that "The project site is not within the area appealable to the California Coastal Commission." The notices do not state that notwithstanding this sentence, the project is appealable to the Commission. Accordingly, the statement used misleads the public and the applicant as to the potential for appeal and the ability to appeal the City/County's decision to the Coastal Commission.

Please indicate on future notices regarding this project that it is appealable to the Coastal Commission (including the final action notice as discussed below).

(2) Final Local Action Notice:

The SF LCP and the Coastal Commission's regulations (including Sections 13570 through 13573) outline the noticing requirements for local governments with certified local coastal

programs. SF LCP Section 330.6(d)(2) states that a local decision on a Coastal zone permit shall not be deemed complete until "all local rights of appeal have been exhausted" and therefore any notice sent to the Commission prior to the exhaustion of local appeal rights cannot be considered final and the coastal permit cannot be considered effective. (See also Section 13570 of the Commission's regulations). Further, LCP Section 330.6 and Section 13571 of the Commission's regulations require the final local action notice to be sent once the action is complete and final, and it must include the findings, the action taken by the Zoning Administrator or City Planning Commission, conditions of approval if any and procedures for appeal.

In this case, the previous notices do not make up or constitute a final local action notice because the local rights of appeal are not yet exhausted and therefore the action itself is not yet final. Accordingly, the Planning Commission's decision cannot become effective until we receive a proper final notice (after exhausting local appeal rights) and the Coastal Commission's appeal period runs without an appeal.

Once the local appeals have been exhausted, please send us a Final local action notice for this appealable development.

Sincerely,

Nicholas B. Dreher
Coastal Program Analyst
California Coastal Commission
(415) 904-5251
nicholas.dreher@coastal.ca.gov

EXHIBIT B

CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

W 23a

DATE: January 19, 2012

TO: Commissioners and Interested Parties

FROM: Charles Lester, Executive Director
John Ainsworth, Senior Deputy Director
Deanna Christensen, Coastal Program Analyst

SUBJECT: **City of Malibu LCP Amendment No. 1-11-A (High School Lights):** Executive Director's determination that action by the City of Malibu, acknowledging receipt, acceptance, and agreement with the Commission's certification with suggested modifications, is legally adequate. This determination will be reported to the Commission at the February 8, 2012 meeting in Santa Cruz.

On October 5, 2011, the Commission approved Local Coastal Program Amendment No. 1-11-A with suggested modifications. The subject amendment dealt with changes to the City's Local Implementation Plan to allow night lighting of the main sports fields at public high schools in the Institutional zone as a conditionally permitted use.

On January 9, 2012, the City Council adopted Ordinance No. 366 (attached) acknowledging receipt of the Commission's certification of LCP Amendment No. 1-11-A and accepting and agreeing to all modifications suggested by the Commission. The document was transmitted to Commission staff on January 10, 2012.

Pursuant to Section 13544 of the California Code of Regulations, Title 14, Division 5.5, the Executive Director must determine that the action taken by the City of Malibu acknowledging receipt and acceptance of, and agreement with the Commission's certification of the above referenced LCP amendment with suggested modifications is legally adequate and report that determination to the Commission. The certification shall become effective unless a majority of the Commissioners present object to the Executive Director's determination.

I have reviewed the City's acknowledgement and acceptance of, and agreement with the terms and suggested modifications of LCP Amendment 1-11-A, as certified by the Commission on October 5, 2011, as contained in the adopted Ordinance No. 366 of January 9, 2012, and find that the City's action and notification procedures for appealable development are legally adequate to satisfy the terms and requirements of the Commission's certification. I therefore recommend that the Commission concur in this determination.

Received
JAN 10 2012
California Coastal Commission
South Central Coast District

ORDINANCE NO. 366

AN ORDINANCE OF THE CITY OF MALIBU REGARDING LIMITED LIGHTING OF THE MAIN SPORTS FIELD AT PUBLIC HIGH SCHOOLS, REPEALING ORDINANCE NO. 345, ACKNOWLEDGING RECEIPT OF THE CALIFORNIA COASTAL COMMISSION (CCC) RESOLUTION OF CERTIFICATION FOR LOCAL COASTAL PROGRAM AMENDMENT (LCPA) NO. 09-004 WITH SUGGESTED MODIFICATIONS AND ADOPTING REVISIONS TO LCPA NO. 09-004 AND ZONING TEXT AMENDMENT (ZTA) NO. 09-006 TO INCORPORATE THE CCC SUGGESTED MODIFICATIONS TO INCLUDE AMENDMENTS TO LOCAL COASTAL PROGRAM (LCP) LOCAL IMPLEMENTATION PLAN (LIP) TABLE B (PERMITTED USES), SECTION 3.3.N.3.B (ZONING DISTRICTS; INSTITUTIONAL), SECTION 4.6.2 (ENVIRONMENTALLY SENSITIVE HABITAT AREA OVERLAY; DEVELOPMENT STANDARDS; LIGHTING), AND SECTION 6.5.G (SCENIC, VISUAL, AND HILLSIDE RESOURCE PROTECTION ORDINANCE; DEVELOPMENT STANDARDS; LIGHTING) AND MALIBU MUNICIPAL CODE (M.M.C.) SECTION 17.34.030 (INSTITUTIONAL DISTRICT; CONDITIONALLY PERMITTED USES) AND SECTION 17.34.040.B (INSTITUTIONAL DISTRICT; LOT DEVELOPMENT CRITERIA)

THE CITY COUNCIL OF THE CITY OF MALIBU DOES ORDAIN AS FOLLOWS:

Section 1. Recitals.

A. On October 12, 2009, the City Council directed staff to begin preparation of an amendment to the Local Coastal Program (LCP) and Malibu Municipal Code (M.M.C.) for permitted and conditionally permitted uses and accompanying development standards within the Institutional Zone.

B. On November 9, 2009, the City Council adopted City Council Resolution No. 09-59 to initiate Local Coastal Program Amendment (LCPA) No. 09-004 and Zoning Text Amendment (ZTA) No. 09-006 to consider changes to the LCP and M.M.C. regarding Institutional Zone development standards, permitted and conditionally permitted uses. The City Council directed the Planning Commission to schedule a public hearing regarding the amendment.

C. On November 10, 2009, the draft amendment was presented to the Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES) for review and recommendation.

D. On December 8, 2009, an amended version of the draft amendment was presented to ZORACES for final comments and recommendations.

E. On December 24, 2009, a Notice of Planning Commission Public Hearing and Notice of Availability for Local Coastal Program Documents was published in a newspaper of

general circulation within the City of Malibu and was mailed to all interested parties; regional, state and federal agencies affected by the amendment; local libraries and media; and the California Coastal Commission indicating that the Planning Commission would hold a public hearing on January 19, 2010 to consider an amendment to the LCP. In addition, the notice was mailed to all property owners and occupants within a 500 foot radius of the Malibu High School (MHS) campus boundary.

F. On January 19, 2010, the Planning Commission held a duly noticed public hearing on the amendment, reviewed and considered the agenda report, reviewed and considered written reports, public testimony and other information in the record. The Planning Commission requested staff prepare a resolution recommending that the City Council approve the limited lighting of the main sports field at public high schools with temporary light standards.

G. On February 16, 2010, the Planning Commission considered the amendments and adopted Planning Commission Resolution No. 10-08, recommending the City Council approve the amendment.

H. On February 25, 2010, a Notice of City Council Public Hearing was published in a newspaper of general circulation within the City of Malibu and was mailed to all interested parties; regional, state and federal agencies affected by the amendment; local libraries and media; and the California Coastal Commission indicating that the City Council would hold a public hearing on March 22, 2010 to consider an amendment to the LCP. In addition, the notice was mailed to all property owners and occupants within 500 feet of the MHS campus boundary.

I. On March 22, 2010, the City Council heard and considered the evidence and information provided in support of and in opposition to the application, public testimony of all interested persons and the recommendations of the Planning Commission.

J. On April 12, 2010, the City Council adopted Ordinance No. 345 adopting LCPA No. 09-004 and ZTA No. 09-006.

K. On April 20, 2010, the LCPA was submitted to the California Coastal Commission (CCC). On July 22, 2010, the submittal, identified by the CCC as MAL-MAJ-1-11-A (High School Lights), was reviewed by Commission staff and determined to be complete.

L. On October 5, 2011, the CCC conditionally certified MAL-MAJ-1-11-A (LCPA No. 09-004) subject to modifications as set forth in the Resolution of Certification adopted by the CCC on October 5, 2011. The modifications are generally within the same scope as LCPA No. 09-004; however, provide additional scenic/visual and environmental protections to establish conformance with policies contained in the LCP Land Use Plan (LUP). The modifications would result in corollary amendments to ZTA No. 09-006 as approved by the City Council on April 12, 2010.

M. On October 18, 2011, the City received said Resolution of Certification, dated October 13, 2011.

N. On November 24, 2011, a Notice of City Council Public Hearing to be held on December 12, 2011 was published in a newspaper of general circulation within the City and was mailed to all interested parties; regional, state and federal agencies affected by the amendments; local libraries and media; and the California Coastal Commission.

O. On December 12, 2011, the City Council held a duly noticed public hearing.

Section 2. Environmental Review.

In accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21080.9 and Section 15265 of the CEQA guidelines, CEQA does not apply to activities and approvals by the City as necessary for the preparation and adoption of an LCP amendment. This ordinance is for an amendment to the LCP, which must be certified by the California Coastal Commission before it takes effect. LCP Local Implementation Plan (LIP) Section 1.3.1 states that the provisions of the LCP take precedence over any conflict between the LCP and Zoning Ordinance (Title 17 of the M.M.C.). In order to prevent an inconsistency between the LCP and the City's Zoning Ordinance, if the LCP amendment is approved, the City must also approve the corollary ZTA to the Zoning Ordinance. This amendment is necessary for the preparation and adoption of the LCP amendment and because they are entirely dependent on, related to, and duplicative of the exempt activity, they are subject to the same CEQA exemption.

Section 3. Local Coastal Program Amendment No. 09-004 Amendments to the Local Implementation Plan as Modified by the California Coastal Commission.

Consistent with the CCC's October 5, 2011 conditional certification of MAL-MAJ-1-11-A (LCPA No. 09-004), the Local Implementation Plan is hereby amended as follows:

A. Amend Table B (Permitted Uses), an exhibit of the LIP (Chapter 3 – Zoning Designations and Permitted Uses), under the Institutional Zone by adding a new use "Sports Fields (Lighted)" as a conditionally permitted use referencing Footnote 11 as follows:

USE	RR	SF	MF	MF BF	MHR	CR	BPO	CN	CC	CV-1	CV-2	CG	OS	I	PRF	RVP
Sports Fields (lighted)	•	•	•	•	•	•	•	•	•	•	•	•	•	CUP[11]	•	•

B. Amend Table B (Permitted Uses), an exhibit of the LIP (Chapter 3 – Zoning Designations and Permitted Uses), under "Notes" at the end of the table by adding in a new footnote as follows:

11. Sports field lighting shall be limited to the main sports field at Malibu High School and subject to the standards of LIP Sections 3.3.N.3, 4.6.2 and 6.5.G.

C. Amend LIP Section 3.3.N.3.b (Zoning Designations; Institutional) as follows:

ii. Maximum Height. Structures other than roof antennas and light standards shall not exceed a maximum height of 18 feet above natural or finished grade. The maximum height may be increased up to 28 feet if approved through site plan review, pursuant to Section 13.27 of the Malibu LIP.

D. Amend LIP Section 4.6.2 (Environmentally Sensitive Habitat Area Overlay; Development Standards; Lighting) as follows:

Exterior lighting (except traffic lights, navigational lights, and other similar safety lighting) shall be minimized, restricted to low intensity features, shielded, and directed away from ESHA to minimize impacts on wildlife. Night lighting for sports courts, sports fields, or other private recreational facilities in ESHA, ESHA buffer, or where night lighting would increase illumination in ESHA shall be prohibited. Permitted lighting shall conform to the following standards:

1. The minimum necessary to light walkways used for entry and exit to the structures, including parking areas, on the site. This lighting shall be limited to fixtures that do not exceed two feet in height, are directed downward, and use bulbs that do not exceed 60 watts, or the equivalent, unless a higher wattage is authorized by the Planning Manager.
2. Security lighting attached to the residence that is controlled by motion detectors and is limited to 60 watts, or the equivalent.
3. The minimum lighting necessary for safe vehicular use of the driveway. The lighting shall be limited to 60 watts, or the equivalent.
4. A light, not to exceed 60 watts or the equivalent, at the entrance to the (identify non-residential accessory structures).
5. No lighting around the perimeter of the site, no lighting for sports courts or other private recreational facilities, and no lighting for aesthetic purposes is allowed.
6. Prior to issuance of Coastal Development Permit, the applicant shall be required to execute and record a deed restriction reflecting the above restrictions.
7. Lighting of the main sports field at Malibu High School may only be permitted if it complies with the following standards:
   a. Lighting shall be minimized, directed downward, and shielded using the best available visor technology and pole height and design that minimizes light spill, sky glow, and glare impacts to public views and wildlife to the maximum extent feasible.

b. Lighting may only occur for a maximum of three (3) days in any calendar week and must be limited to the following time restrictions:

   i. During Pacific Standard Time (defined as of 2011 to be the first Sunday in November to the second Sunday in March), the lights may be illuminated no later than 7:30 p.m. except as indicated below.

   ii. From each September 1 through May 31 period, inclusive, the lights may only be illuminated after 7:30 p.m. up to 18 times, and then (a) only until 10:30 p.m., (b) never on consecutive nights, and (c) on no more than two nights in any given calendar week.

   iii. The lights may not be illuminated at any time between June 1 and August 31, inclusive, of any year.

c. For lighting that is to be allowed during bird migration periods (Fall Migration: September through first week in November, and Spring Migration: Last week of March through May), an Avian Monitoring Plan, that is prepared by a qualified ornithologist/ecologist and reviewed and approved by the City Biologist and the Executive Director of the Coastal Commission, shall be required prior to issuance of the coastal development permit, and the permit shall be consistent with and require compliance with that plan. The plan shall, at a minimum, include the following elements:

   i. Monitoring shall be conducted by a qualified ornithologist/ecologist to assess potential adverse impacts to migratory and resident bird species.

   ii. The monitoring design and schedule shall include a paired monitoring design (i.e. a night with lights immediately preceded or followed by a night without lights), and a monitoring frequency of once per week during any week when lights are operated during Fall and Spring migration periods for at least one year. If the monitoring results indicate that the one year monitoring period was a typical bird migration year with a typical range of atmospheric conditions and the main sports field lights have resulted in no adverse impacts upon birds, no additional monitoring may be required. If the monitoring results indicate otherwise, monitoring shall continue for an additional year(s) until a year of monitoring under typical conditions occurs and the consulting ornithologist obtains enough data to assess potential adverse impacts to migratory and resident bird species.

   iii. The description of observational monitoring activities shall include tallying species and numbers of birds observed within a 200 ft. sphere of the light standards and noting atmospheric conditions, bird behavior, and changes in bird behavior.

iv. The monitoring plan shall specify a threshold for determining significant adverse impacts to migratory and resident bird species from field lights.

v. Seasonal migration reports (Fall and Spring) of monitoring results shall be submitted to the City Biologist. However, the consulting ornithologist shall immediately notify the City should an adverse bird event related to the approved field lights occur at any time during the course of monitoring. The monitoring plan shall also include a provision for submission of a final monitoring report to the City Biologist and the Executive Director of the Coastal Commission at the end of the monitoring period.

The approved Avian Monitoring Plan shall be implemented concurrent with the approved field lighting operations. If the Monitoring results indicate that the approved field lighting results in significant adverse impacts upon birds, mitigation measures shall be developed that must be reviewed and approved by the City in consultation with the Executive Director of the Coastal Commission, and the approved mitigation measures must be implemented in order to ensure avoidance of the identified impacts.

d. The applicant shall be required to submit a written statement agreeing to the above restrictions.

E. Amend LIP Section 6.5.G (Scenic, Visual, and Hillside Resource Protection Ordinance; Development Standards; Lighting) as follows:

Exterior lighting (except traffic lights, navigational lights, and other similar safety lighting) shall be minimized, restricted to low intensity features, shielded, and concealed to the maximum feasible extent so that no light source is directly visible from public viewing areas. Night lighting for sports courts, sports fields, or other private recreational facilities in scenic areas designated for residential use shall be prohibited. Permitted lighting shall conform to the following standards:

1. The minimum necessary to light walkways used for entry and exit to the structures, including parking areas, on the site. This lighting shall be limited to fixtures that do not exceed two feet in height, are directed downward, and use bulbs that do not exceed 60 watts, or the equivalent, unless a higher wattage is authorized by the Planning Manager.

2. Security lighting attached to the residence that is controlled by motion detectors and is limited to 60 watts, or the equivalent.

3. The minimum lighting necessary for safe vehicular use of the driveway. The lighting shall be limited to 60 watts, or the equivalent.

4. A light, not to exceed 60 watts or the equivalent, at the entrance to the (identify nonresidential accessory structures).

5. No lighting around the perimeter of the site, no lighting for sports courts or other private recreational facilities, and no lighting for aesthetic purposes is allowed.

6. Lighting of the main sports field at Malibu High School may only be permitted if it complies with the following standards:

   a. Lighting shall be minimized, directed downward, and shielded using the best available visor technology and pole height and design that minimizes light spill, sky glow, and glare impacts to public views and wildlife to the maximum extent feasible.

   b. Lighting may only occur for a maximum of three (3) days in any calendar week and must be limited to the following time restrictions:

      i. During Pacific Standard Time (defined as of 2011 to be the first Sunday in November to the second Sunday in March), the lights may be illuminated no later than 7:30 p.m. except as indicated below.

      ii. From each September 1 through May 31 period, inclusive, the lights may only be illuminated after 7:30 p.m. up to 18 times, and then (a) only until 10:30 p.m., (b) never on consecutive nights, and (c) on no more than two nights in any given calendar week.

      iii. The lights may not be illuminated at any time between June 1 and August 31, inclusive, of any year.

7. Prior to issuance of Coastal Development Permit, the applicant shall be required to execute and record a deed restriction reflecting the above restrictions. Public agencies shall not be required to record a deed restriction but may be required to submit a written statement agreeing to any applicable restrictions above.

Section 4. Local Coastal Program Amendment Findings.

In order to amend the LCP, the City Council must make the finding listed below.

Finding A. The text amendment to the Local Implementation Plan is consistent with Chapter 3 of the Coastal Act.

Chapter 3 of the Coastal Act states that any new development must not impede or adversely impact public access to the beach, must protect marine resources and scenic views, and must not significantly disrupt environmentally sensitive habitat areas.

The proposed amendment would advance the core goals and policies of the Coastal Act. The proposed amendment is consistent with the scenic and visual resource protection policies of the LCP. MHS is the only public high school in the City and serves all of Malibu. Given the topography of the area and the distance from the main sports field to scenic and visual resources in the vicinity, it is anticipated that, when positioned, any light standards would blend in with the

existing, residentially-developed area and would not block or obscure public views of the ocean or mountains during daytime hours. However, when lights are in operation during nighttime hours, they would create illumination/sky glow that would be visible from public scenic and visual resources. The amount of sky glow would depend on weather conditions since sky glow is exacerbated during foggy conditions. However, the impact of any illumination in the area would not be significant as any light standards would be used intermittently and limited to a minimum number of hours on select evenings, for a designated number of days per year. In addition, the main sports field is nestled in the middle of a full-service high school campus located in an existing developed area of the City. Any proposed lights would be required to be directed downward and use state-of-the-art measures that minimize light spill, sky glow and glare impacts. As such, the limited operation of light standards maintains compatibility with the Malibu Park community as described in the LCP. Furthermore, it is not anticipated to adversely impact public views because they would only be used at night when such views from public viewing areas are not available. Since adverse impacts to scenic and visual resources are not anticipated, the City Council finds that the proposed amendment is consistent with the scenic and visual resource protection policies of the LCP.

The proposed amendment is consistent with the ESHA resource protection policies of the LCP. The area of undisturbed coastal sage scrub is located approximately 190 feet from the main sports field. In addition, the area of undisturbed coastal sage scrub vegetation to the east of the main sports field does not rise to the level of ESHA because it is fragmented within a matrix of development and ruderal, ornamental, and disturbed habitat and because it does not support any special status species. As such, the MHS site and surrounding area do not constitute ESHA as noted in a Biological Inventory prepared by Glenn Lukos Associates in May 2009 and subsequent determination made by the CCC Staff Biologist and City Biologist. Any proposed field lights would not spill into any areas designated ESHA or ESHA buffer and the impact of the proposed illumination in the area is not anticipated to be significant as any light standards would be used intermittently and limited to a minimum number of hours on select evenings, for a designated number of days per year. The proposed lights would be required to be directed downward and use state-of-the-art measures that minimize adverse impacts to area wildlife. Since adverse impacts to sensitive habitat resources are not anticipated, the City Council finds that the proposed amendment is consistent with the ESHA resource protection policies of the LCP.

The addition of outdoor lighting at MHS was evaluated by the CCC on October 5, 2011 against potential impacts to scenic/visual and environmental resources, including public views of natural landforms, the beach and ocean, nighttime sky, and ESHA in the surrounding area. The CCC evaluated the City's LCP amendment request against these standards and determined the proposed lighting of the main sports field at Malibu High School is permissible with the modifications included herein. The modifications tailored the City's LCP amendment in such a way to confine the proposed night lighting to a limited number of hours, nights per week, and nights per year; to protect the general scenic and visual qualities of the nearby coastal areas; and to minimize impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent. Additionally, the modifications ensure that field night lights would

not spill into any areas designated ESHA or ESHA buffer and would minimize adverse impacts to biologically significant wildlife and coastal resources, consistent with the relevant ESHA policies of the LUP. The modified LCP amendment was found to adequately protect ESHA from significant disruption of habitat values and is consistent with, and adequate to carry out, the ESHA policies of the LUP.

Section 5. Zoning Text Amendment No. 09-006 Corollary Amendments to Title 17 of the Malibu Municipal Code Resulting from Modifications by the California Coastal Commission on Local Coastal Program Amendment No. 09-004.

A. Amend M.M.C. Section 17.34.030 (Institutional District; Conditionally Permitted Uses) by adding in the following conditionally permitted use:

N. Sports field lighting of the main sports field at Malibu High School (pursuant to the provisions of Malibu Local Coastal Program Local Implementation Plan Sections 4.6.2 and 6.5.G).

B. Amend M.M.C. Section 17.34.040.B.2. (Institutional District; Lot Development Criteria) to read as follows:

2. Maximum Height. Structures other than roof antennas and light standards shall not exceed a maximum height of eighteen (18) feet above natural or finished grade. The director may issue a development permit, pursuant to the site plan review process of this title, to allow structure height up to twenty-eight (28) feet.

Section 6. Zoning Text Amendment Findings.

The City Council hereby finds that the ZTA is necessary for the LCP amendment and approves the ZTA on the condition that the ZTA only take effect if the LCP amendment is certified by the California Coastal Commission. Pursuant to M.M.C. Section 17.74.040, the City Council further finds that the subject ZTA is consistent with the objectives, policies, and general land uses in the General Plan. MHS is the only public high school in the City and is within the Institutional Zone. The minimum operation of use maintains compatibility with the Malibu Park community as described in the General Plan. The ZTA will allow the text of the M.M.C. to be amended consistent with the amended LCP and is only corollary of that action.

Section 7. Approval of Ordinance No. 366 and Repealing Ordinance No. 345.

The City Council hereby adopts LCPA No. 09-004 and ZTA No. 09-006 amending the LCP and M.M.C as modified by the California Coastal Commission. Ordinance No. 345 is hereby repealed and any amendments to the LIP and Title 17 of the M.M.C. authorized by Ordinance No. 345 are superseded by the amendments set forth in Sections 3 and 5 of this Ordinance.

A. Pursuant to the California Coastal Commission's Administrative Regulations Section 13544.5, the LCP amendment certification shall not be deemed final and effective until all of the following occur: 1) the City Council: a) acknowledges receipt of the California Coastal Commission's Resolution of Certification, including any terms or modifications suggested for final certification; b) accepts and agrees to any such terms and modifications and takes whatever formal action is required to satisfy the terms and modifications; and c) agrees to issue coastal development permits for the total area included in the certified LCP; 2) the Executive Director of the California Coastal Commission determines in writing that the City's action is legally adequate to satisfy any specific requirements set forth in the California Coastal Commission's certification order and the Director reports the determination to the California Coastal Commission at its next regularly scheduled meeting; 3) if the Director finds that the City's action does not conform to the California Coastal Commission's order, the California Coastal Commission shall review the City action as if it were a resubmittal; and 4) notice of the certification shall be filed with the Secretary of the Resources Agency for posting and inspection.

B. The City Council acknowledges receipt of the California Coastal Commission's modifications to LCPA No. 09-004. The City Council further accepts and agrees to the modified language suggested by the California Coastal Commission pertaining to the LIP and approves revisions to LCP Amendment No. 09-004 without further changes.

C. The City of Malibu agrees to issue coastal development permits for the total area included in the certified LCP.

D. The proposed amendments to the LIP meet the requirements of, and are in conformance with the policies and requirements of Chapter 3 of the California Coastal Act to the extent necessary to achieve the basic State goals specified in Public Resources Code Section 30001.

Section 8. Submittal to California Coastal Commission.

The City Council hereby directs staff to submit a copy of this Ordinance to the California Coastal Commission per Title 14, California Code of Regulations Section 13544.5(a).

Section 9. Certification.

The City Clerk shall certify the adoption of this Ordinance.

PASSED, APPROVED AND ADOPTED this 9th day of January, 2012.

LAURA ROSENTHAL, Mayor

ATTEST:

LISA POPE, City Clerk
(seal)

Date: January 10, 2012

APPROVED AS TO FORM:

CHRISTI HOGIN, City Attorney

I CERTIFY THAT THE FOREGOING ORDINANCE NO. 366 was passed and adopted at the regular City Council meeting of January 9, 2012, by the following vote:

AYES:	5	Councilmembers:	Conley Ulich, Sibert, Wagner, La Monte, Rosenthal
NOES:	0		
ABSTAIN:	0		
ABSENT:	0		

LISA POPE, City Clerk
(seal)

EXHIBIT C

Katherine Howard, ASLA

LANDSCAPE ARCHITECT
Ca. Lic. # 4279

1243 42nd Avenue
San Francisco, Ca 94122
(415) 710-2402

July 1, 2012

Board President David Chiu and Members of the Board of Supervisors
c/o Ms. Angela Calvillo, Clerk of the Board of Supervisors, City of San Francisco
1 Dr. Carlton B. Goodlett Place, Rm. 244
San Francisco, CA 94102-4689

RE: Beach Chalet Athletic Fields Renovation - file no. 120691
Financial Comparison of Alternatives

Dear President Chiu and Members of the Board of Supervisors:

The attached analysis compares the costs and benefits associated with two mutually exclusive alternatives:

1. Athletic Field Renovation projects currently proposed by the City:
   a. Build 4 full-sized soccer fields, using synthetic turf and night sports lighting at the Beach Chalet meadow (2008 Neighborhood Parks Bond).
   b. Rebuild 9.2 acres of grass athletic fields at West Sunset Playground (2012 Neighborhood Parks Bond)
2. The SF Ocean Edge proposed "Hybrid Alternative:"
   a. Rebuild the 4 full Beach Chalet fields as natural grass fields with no sports lighting and build synthetic turf fields with night sports lighting at the West Sunset Playground.

The attached analysis indicates that the SFOE Hybrid Alternative would produce hours of available athletic playing time equal to between 95% and 104% of the amount predicted for the Proposed Project. The cost and potential revenues of the two alternatives would be roughly similar.

Sincerely,

Katherine Howard

Katherine Howard, ASLA

Gregory P. Miller
Senior Financial Consultant and
Bank Vice President (Retired)

Attachments: *Financial Comparison of the Proposed Project and SFOE "Hybrid" Alternative Analysis*
Except from *2012 RPD Bond booklet*
SFRPD *Field Capacity Analysis*

June 21st, 2012

Beach Chalet Athletic Fields Project

Financial Comparison of the Proposed Project and SFOE "Hybrid" Alternative:

Summary:

- The proposed project seeks to build 4 Full-sized soccer fields using synthetic turf and night sports lighting at the Beach Chalet meadow.
- The SFOE Hybrid Alternative seeks to re-build the 4 full Beach Chalet fields as natural grass fields with no lighting and build synthetic turf fields with night sports lighting at the West Sunset Playground.

The following analysis indicates that the SFOE Hybrid Alternative would produce total hours of available athletic playing time equal to between 95% and 104% of the amount predicted for the Proposed Project. The cost and potential revenues of the two alternatives would be roughly similar.

The task of analysis is greatly simplified by two facts:

(1) The two sites are approximately the same size (7.2 Acres for Beach Chalet vs. 9.2 acres at West Sunset).

(2) Under current SF financial plans, both sites are slated for "renovation":

- Beach Chalet would be re-built as indicated in the EIR at a cost of about $14mm. The project would be financed with a combination of money from the 2008 Clean and Safe Neighborhood Parks Bond, the 2006 Lease Review Bond, and a gift in kind of undisclosed value from the City Fields Foundation.
- The City is proposing to renovate the grass fields and other site amenities at West Sunset Playground for $13.2mm, to be financed by proceeds of the proposed 2012 Parks Bond -- see attached excerpt.

A Simplified Example:

As a first approximation, let's assume both sites could accommodate 4 full-sized soccer fields. We need to compare the outcomes of two mutually-exclusive alternatives:

(1) Rebuild both sites as currently proposed by the City.

or :

(2) Rebuild four full-sized grass fields at Beach Chalet and four full sized synthetic turf fields with night sports lighting at West Sunset.

To do the proper analysis, we need to consider the combined costs and benefits of both sites for each of the alternatives. If we think about this for a moment, we see that the two alternatives differ only in the location of the different types of fields -- we've swapped locations. All other aspects remain the same -- the same new total hours of available playtime at the two sites, the same total costs of constructing the fields, the night lighting, the site specific supporting amenities, and the same ongoing operational costs.

Both alternatives provide identical benefits and costs.

A More Thorough Analysis:

We need to adapt our analysis to the slightly more complex actual situation. There are three complications:

(1) The two sites have different physical configurations which dictate different suites of soccer fields:

- The Beach Chalet site is roughly rectilinear and accommodates 4 full-sized soccer fields.
- The West Sunset site is in the form of a square and is divided by a significant elevation change into two distinct areas (the "Upper" and "Lower" fields). This physical configuration precludes building 4 full-sized soccer fields. Instead, SFRPD analysts have proposed building a total of 3 full-sized and 3 half-sized soccer fields at West Sunset.

(2) The lower field at West Sunset is a favored site for baseball. Given the limited alternative sites for baseball, SFRPD indicates that the availability for "ground sports" (soccer) would be limited except in the winter. Note that the proposed rebuilt West Sunset fields cover an area equaling 4.5 full soccer fields -- about 13% more area than Beach Chalet. The total hours available for soccer play will be less than Beach Chalet because about 3,065 hours per year would be devoted to baseball.

(3) Natural grass needs a certain amount of "field rest" – periods in which the fields are closed to regenerate the living grass. For unspecified reasons, SFRPD's analysis assumes that grass fields at the Beach Chalet Fields require 22 weeks of "field rest" each year, while grass fields at West Sunset Playground only require 7 weeks per year. No explanation is given in the SFRPD analysis spreadsheets for the three-fold difference in "rest" requirements.

Available Hours of Play Per Year:

Figure 1 summarizes hours per year available for soccer and baseball play under the two alternatives. It is derived from field capacity analysis performed by SFRPD and provided to us by Patrick Hannan of the City Fields Foundation.

Analysis strictly using SFRPD assumptions indicates that the City's proposed project outlined in the EIR would only generate 10% more soccer playtime than the SFOE Hybrid Alternative – see the first column of Figure 1.

As indicated above, the lower fields of West Sunset are often used for baseball. The SFRPD analysis indicates that 2,369 hours/year would be used for baseball if grass fields continue to be used at the site. If synthetic turf is used, the baseball community would be able to use 3,065 hours per year. We can see no reason why playing opportunities for baseball should be discounted or ignored. The third column in Figure 1 adds back in the baseball hours for both alternatives – with this adjustment, the City's proposed alternative would only generate 5% more total athletic play time than the SFOE Hybrid alternative.

The results remain counter-intuitive: The SFOE Hybrid Alternative, which calls for the equivalent of 4 ½ full synthetic turf fields at West Sunset Playground yields less hours of available play then the EIR Proposal which would create only 4 synthetic turf fields. There should be an advantage for the SFOE Hybrid Alternative:

SFOE Advantage = ½ additional field x (3,580 hrs/yr for Synthetic turf – 1,700.5 hrs/yr for grass)

= 939 hours /yr

We do not see this advantage in Column 3 because of the three-fold difference in required "field rest" for the two sites built into the SFRPD capacity analysis. In the case of West Sunset, SFRPD assumes that grass fields must be closed 7 weeks a year, leaving 45 weeks available for play. In the case of Beach Chalet, they assume all the fields need to be closed 12 weeks a year and that one out of four fields need to be closed at all other times for additional rest. Total time closed is 12 + ¼ (52 – 12) = 22 weeks. Thus, they are assuming grass fields can only be open 30 weeks a year at Beach Chalet.

It is difficult to see why the two sites should require very different amounts of grass "field rest". Both sites are located near the ocean and experience similar weather and wind patterns. West Sunset Playground is only 8 blocks south of Beach Chalet. Perhaps SFRPD's assumptions

reflect differences in the current conditions of the two sites – West Sunset has, until very recently, been maintained by gardener named Terry Mc Devitt who is widely-respected throughout the Department. Beach Chalet, on the other hand, was probably poorly constructed in the first place, has not been refurbished since the late 90's, and has had the misfortune of being cared for with indifferent vigor and skill. However, the current condition of the two sites is not relevant since both sites are slated for reconstruction.

We can easily calculate the annual hours lost due to the increased rest requirement for grass fields at Beach Chalet. The total annual hours of play available is roughly proportional to number of weeks open (30 vs. 45 weeks): SFRPD reports that each full grass field at Beach Chalet would be available 1,184.4 hours/yr and those at West Sunset would be available 1,700.5 hours/yr. The total hours lost because of longer "rest" for four full grass fields at Beach Chalet would be 4 x (1700.5 – 1184.4) = 2,064 hours/year.

Columns 4 and 5 of Figure 1 adjust the hours of play for grass fields by assuming that newly constructed fields would have the same field rest requirements at either site (7 weeks). The results are as expected -- the SFOE Hybrid alternative produces 939 more hours/year than the EIR proposed project. Under these assumptions, the SFOE alternative produces about 4% more available playtime per year. Note that the SFOE Hybrid would show a similar advantage if we had assumed that grass fields at both sites required 22 weeks of rest. The adjustment we are making is not highly -dependent on the absolute level of field rest -- it is mainly a function of the difference in grass field rest requirements for the two sites.

Costs and Revenues:

Since the EIR Project constructs 4 full synthetic turf fields and the Hybrid alternative builds 4.5 synthetic full field equivalents, total construction and maintenance costs for the two alternatives will differ. Figure 3 summarizes these differences using rough estimates of cost per full field. Note that the difference in construction costs tends to be offset by the difference in annual maintenance costs.

Revenues generated by charging fees for adult league rentals would follow a similar logic. Since the Hybrid alternative illuminates about 13% more area, net night rental income might be slightly higher. On the other hand, since 1.5 full field equivalents are actually smaller U10 fields, it is possible that they might not have as high a demand.

Note this comparison assumes that the City Fields Foundation would make the same donation in kind for either alternative.

Also note that if our proposed alternative is modified to advocate using a non-SBR cushioning material (such as cocoa hulls), then our Hybrid alternative's total cost would be greater than the EIR Project by any cost difference between the two cushioning materials. However, if the City decides that safer cushioning material should be used at all new projects, then the increased cost should apply to both alternatives and will not contribute to a cost difference.

FIGURE 1
Comparison of Hours of Play for Project Alternatives

Alternative	Site	Number of Fields	Available Hours of Play Per Year for Soccer (1)	Available Hours of Play Per Year for Baseball (2)	Total Available Hours of Play Per Year	Use Same Grass Field Rest Assumptions (4)	Revised Total Hours of Play Per Year
EIR Proposed Project	Beach Chalet	4 Full Synth Turf & Night Lights	14,320	-	14,320	-	14,320
	West Sunset Upper Field	2 Full and 2 U10 Grass (3)	5,103	-	5,103	-	5,103
	West Sunset Lower Field	1 Full and 1 U10 Grass (3)	183	2,369	2,552	-	2,552
	Totals	7 Full and 3 half-size	19,606	2,369	21,975	-	21,975
SFOE Hybrid Alternative	Beach Chalet	4 Full Grass	4,738	-	4,738	2,064	6,802
	West Sunset Upper Field	2 Full and 2 U10 Synth Turf & Night Lights	10,740	-	10,740	-	10,740
	West Sunset Lower Field	1 Full and 1 U10 Synth Turf & Night Lights	2,306	3,065	5,371	-	5,371
	Totals	7 Full and 3 half-size	17,784	3,065	20,849	2,064	22,913
EIR Project / SFOE Hybrid Alternative			1.10		1.05		0.96

NOTES:
(1) Available Hours of Play per year based on SFRPD field capacity analysis enclosures to email, "West Sunset Hours", dated 3/1/12, sent by Patrick Hannan (City Fields Foundation)
(2) See Figure 2
(3) A U10 soccer field is 1/2 the size of a full field
(4) Assumes grass fields at both locations require 7 weeks of field rest per year (1700 hrs/yr play time per full field)

Figure 2

West Sunset Lower Field - Implied Hours of Play Devoted to Baseball

Technology	Season	Hours/Year for 1 Full Field at West Sunset: West Sunset - Upper Fields (Soccer Only)	West Sunset - Lower Fields (Soccer Hours reported, but both Baseball and Soccer are played)	Difference = Implied # of hours of Baseball at West Sunset Lower Field	Total for Lower Fields: x 1.5 = 1 full + 1 U10
Synth Turf + Night Lights	Winter	832	832	-	-
	Fall & Spring	1,728	537	1,191	1,787
	Summer	1,020	168	852	1,278
	Total	3,580	1,537	2,043	3,065
Natural Grass	Winter	293	-	293	439
	Fall & Spring	1,053	122	932	1,397
	Summer	355	-	355	533
	Total	1,701	122	1,579	2,369
Increase Due to ST + Lights	Winter	540	832	(293)	(439)
	Fall & Spring	675	416	260	389
	Summer	665	168	497	746
	Total	1,880	1,416	464	696

Notes:

(1) Available Hours of Play per year based on SFRPD field capacity analysis enclosures to email, "West Sunset Hours", dated 3/1/12, from Patrick Hannan (City Fields Foundation)

Figure 3
Comparison of Costs for Project Alternatives
(Dollars)

Rough Unit costs per Full Soccer Field:	**Grass**	**Synth Turf**
Field Construction	700,000	1,500,000
Night Sports Lighting		300,000
Total Construct Costs	700,000	1,800,000
8 - 10 year Renovation	-	500,000
Annual Maintenance	50,000	6,000

Alternatives	**Site**	**Number of Natural Grass Full Field Equivalents**	**Number of Synth Turf + Lights Full Field Equivalents**	**Field + Light Const Costs**	**Periodic Renovation**	**Annual Maintenance**
EIR Proposed Project	Beach Chalet	-	4.0	7,200,000	2,000,000	24,000
	West Sunset - Upper	3.0	-	2,100,000	-	150,000
	West Sunset - Lower	1.5	-	1,050,000	-	75,000
	Total			10,350,000	2,000,000	249,000
SFOE Hybrid Alternative	Beach Chalet	4.0	-	2,800,000	-	200,000
	West Sunset - Upper	-	3.0	5,400,000	1,500,000	18,000
	West Sunset - Lower	-	1.5	2,700,000	750,000	9,000
	Total			10,900,000	2,250,000	227,000
EIR Project - SFOE Hybrid Alternative				(550,000)	(250,000)	22,000

Beach Capacity Analysis - 3 Existing Fields and One New

Summary	EXISTING FIELDS IMPACT PER FIELD						Existing Fields Total Impact										ADDITIONAL FIELDS		TOTAL INCREASE	
	Hours	Hours	Increase Due To				Fields Impacted		Total Hours Added		Hours Due to No Closure		Hours Due to No Rain		Hours Due to Lights		Total Hours Added		Hours	
	Current	With Turf	No Closure	No Rain	Lights	Total	Ground	Ball	Ground	Ball	Ground	Ball	Ground	Ball	Ground	Ball	Ground	Ball	Ground	Ball
Winter	184	832	109	85	455	648	3 Full	0	1945	0	327	0	254	0	1365	0	832.00	0	2,777.20	0
Fall and Spring	661	1,728	392	108	567	1,067			3200	0	1175	0	324	0	1701	0	1,728.00	0	4,928.40	0
Summer	734	1,020	118	0	168	286			857	0	353	0	0	0	504	0	1,020.00	0	1,876.80	0
Total Hours	1,579	3,580	618	193	1,190	2,001			6002	0	1855	0	578	0	3570	0	3,580.00	0	9,582.40	0

Factors & Assumptions:

1. Beach is closed 12 weeks per year from October through December and Every Monday for Maintenance
2. During school hours, field is only utilized 10% in winter and 20% in spring and fall.
3. During summer 9 to 3, fields is utilized 80% for camps
4. Field is closed 25% in winter and 10% in fall and spring due to rain.

Detail - Current Capacity In Hours PER FIELD

		Weekends					Weekday					TOTAL
	# of weeks	Hours Open	Total Hours/Day	% available	Day Per Week	Estimated Hrs/	Hours Open	Total Hour	% available	Days Per	Estimated Hrs/ Week	HOURS PER YEAR
Winter	9	9am to 5pm	8	75%	2	12	9 am to 3	6	10%	4	2.4	
Winter							3 pm to 5	2	75%	4	6	183.60
Fall and Spring	19	9am to 7pm	10	90%	2	18	9 am to 3	3	20%	4	2.4	
Fall and Spring							3 pm to 7	4	90%	4	14.4	661.20
Summer	12	9am to 8pm	11	100%	2	22	9 am to 3	6	80%	4	19.2	
Summer							3 pm to 8	5	100%	4	20	734.40
Weeks Closed	12											
TOTAL	52										TOTAL	1,579.20

Detail - Post Field Turf Capacity in Hours PER FIELD Note: Assumptions Changed Are Highlighted

	# of	Weekends					Weekday					TOTAL
	weeks	Hours Open	Total Hours/Day	% available	Day Per Week	Estimated Hrs/ Week	Hours Open	Total Hours/Day	% available	Days Per Week	Estimated Hrs/ Week	HOURS PER YEAR
Winter	13	9am to 10pm	13	100%	2	26	9 am to 3	6	10%	5	3	
Winter							3 pm to 10	7	100%	5	35	832.00
Fall and Spring	27	9am to 10pm	13	100%	2	26	9 am to 3	3	20%	5	3	
Fall and Spring							3 pm to 10	7	100%	5	35	1,728.00
Summer	12	9am to 10pm	13	100%	2	26	9 am to 3	6	80%	5	24	
Summer							3 pm to 10	7	100%	5	35	1,020.00
Weeks Closed	0											

TOTAL	52

TOTAL	3,580.00

West Sunset Lower Capacity Analysis - 1 Full Size and 1 U10

Summary

	EXISTING FIELDS IMPACT PER FIELD			TOTAL INCREASE	
	Hours	Hours	Total	Fields Impacted	Total Hours Added
	Current	With Turf	Increase	Ground	Ground
Winter	0	832	832	1 Full and 1 U10	1248
Fall and Spring	122	537	416		623
Summer	0	168	168		252
Total Hours	122	1,537	1,416		2123

Assumptions:

1.West Sunset Lower is a Premier Baseball field and in high demand for use by schools (high school and middle school), youth leagues, summer camps and adults. There are no alternative locations for baseball. The only hours where grounds sports could be added without a major impact on baseball would be weekdays (other than summer) from 9 to 3, winter, evenings after dark. In addition, we believe that in the fall we could allocate 8 hours per weekend for use by youth players displacing baseball. This chart reflect actual increase on capacity.
2. During school hours, field is only utilized 10% in winter and 20% in spring and fall.
3. 2 U10 equal 1 Full and 1 U10 equals 1/2 Full

Detail - Current Ground Sports Usage Per Field

		Weekends					Weekday					TOTAL
	# of weeks	Hours Open	Total Hours/Day	% available	Day Per Week	Estimated Hrs/ Week	Hours Open	Total Hours/Day	% available	Days Per Week	Estimated Hrs/ Week	HOURS PER YEAR
Winter	7	9am to 5pm	0	75%	2	0	9 am to 3 pm	0	10%	5	0	0.00
Winter							3 pm to 5 pm	0	75%	5	0	
Fall and Spring	27	9am to 7pm	0	90%	2	0	9 am to 3 pm	0	20%	5	0	121.50
Fall and Spring							3 pm to 7 pm	1	90%	5	4.5	
Summer	12	9am to 8pm	0	100%	2	0	9 am to 3 pm	0	80%	5	0	0.00
Summer							3 pm to 8 pm	0	100%	5	0	
Weeks Closed	6											
TOTAL	52										TOTAL	121.50

Note: Only current ground sports usage is weekdays after school for practices on a small part of the field

Detail - Post Field Turf Ground Sport Usage Per Field

	# of	Weekends					Weekday					TOTAL
	weeks	Hours Open	Total Hours/Day	% available	Day Per Week	Estimated Hrs/ Week	Hours Open	Total Hours/Day	% available	Days Per Week	Estimated Hrs/ Week	HOURS PER YEAR
Winter	13	9am to 10pm	13	100%	2	26	9 am to 3 pm	6	10%	5	3	832.00
Winter							3 pm to 10 pm	7	100%	5	35	
Fall*	12	9 am to 10 pm	8	100%	1	8	9 am to 3 pm	3	20%	5	3	432.00
Fall							3 pm to 10 pm	5	100%	5	25	
Spring	15	6 pm to 10 pm	2	100%	2	4	9 am to 3 pm	3	20%	5	3	

Spring	10	6 pm to 10 pm	2	100%	2	4	3 pm to 10 pm	0	100%	5	0	105.00
Summer	12	6 pm to 10 pm	2	100%	2	4	9 am to 3 pm	0	80%	5	0	
Summer							3 pm to 10 pm	2	100%	5	10	168.00
Weeks Closed	0											
TOTAL	37										TOTAL	1,537.00

West Sunset Upper Capacity Analysis - 2 Full Size and 2 Small U10 Fields

Summary

	EXISTING FIELDS IMPACT PER FIELD						Existing Fields Total Impact										ADDITIONAL FIELDS		TOTAL INCREASE	
	Hours	Hours	Increase Due To				Fields Impacted		Total Hours Added		Hours Due to No Closure		ours Due to No Ra		Hours Due to Lights		Total Hours Added		Hours	
	Current	With Turf	No Closure	No Rain	Lights	Total	Ground	Ball	Ground	Ball	Ground	Ball	Ground	Ball	Ground	Ball	Ground	Ball	Ground	Ball
Winter	293	832	0	85	454	540	2 Full & 2 small U10	0	1619	0	0	0	255	0	1362	0	0	0	1,618.50	0
Fall and Spring	1,053	1,728	0	108	567	675			2025	0	0	0	324	0	1701	0	0	0	2,025.00	0
Summer	355	1,020	497	0	168	665			1995	0	1491	0	0	0	504	0	0	0	1,995.00	0
Total Hours	1,701	3,580	497	193	1,189	1,880			5639	0	1491	0	579	0	3567	0	0	0	5,638.50	0

Factors & Assumptions:

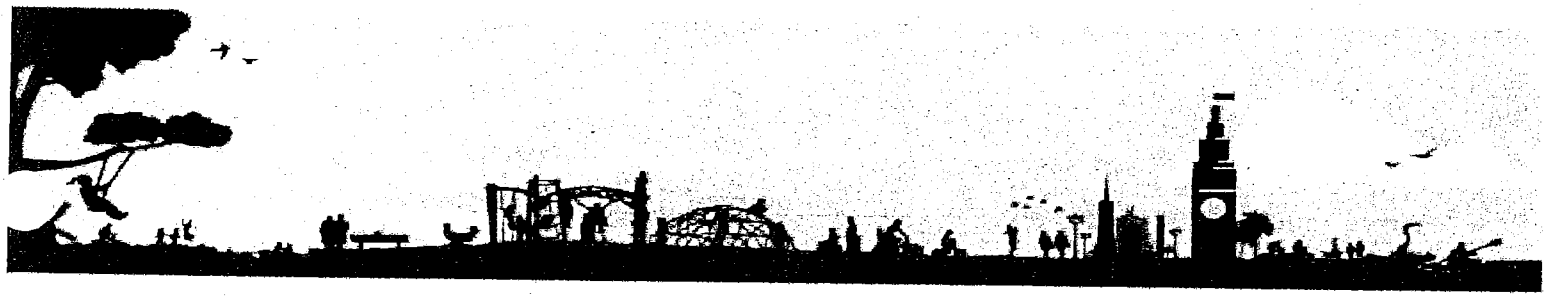
1. West Sunset Upper is closed 7 weeks per year during June and July for Maintenance
2. During school hours, field is only utilized 10% in winter and 20% in spring and fall.
3. During summer 9 to 3, fields is utilized 80% for camps
4. Field is closed 25% in winter and 10% in fall and spring due to rain.
5. 2 Small U10 are equivalent to 1 Full in terms of hours added

Detail - Current Capacity in Hours PER FIELD

		Weekends					Weekday					TOTAL
	# of weeks	Hours Open	Total Hours/Day	% available	Day Per Week	Estimated Hrs/ Week	Hours Open	Total Hours/Day	% available	Days Per Week	Estimated Hrs/ Week	HOURS PER YEAR
Winter	13	9am to 5pm	8	75%	2	12	9 am to 3 pm	6	10%	5	3	292.50
Winter							3 pm to 5 pm	2	75%	5	7.5	
Fall and Spring	27	9am to 7pm	10	90%	2	18	9 am to 3 pm	3	20%	5	3	1,053.00
Fall and Spring							3 pm to 7 pm	4	90%	5	18	
Summer	5	9am to 8pm	11	100%	2	22	9 am to 3 pm	6	80%	5	24	355.00
Summer							3 pm to 8 pm	5	100%	5	25	
Weeks Closed	7											
TOTAL	52										TOTAL	1,700.50

Detail - Post Field Turf Capacity in Hours PER FIELD Note: Assumptions Changed Are Highlighted

	# of	Weekends					Weekday					TOTAL
	weeks	Hours Open	Total Hours/Day	% available	Day Per Week	Estimated Hrs/ Week	Hours Open	Total Hours/Day	% available	Days Per Week	Estimated Hrs/ Week	HOURS PER YEAR
Winter	13	9am to 10pm	13	100%	2	26	9 am to 3 pm	6	10%	5	3	832.00
Winter							3 pm to 10 pm	7	100%	5	35	
Fall and Spring	27	9am to 10pm	13	100%	2	26	9 am to 3 pm	3	20%	5	3	1,728.00
Fall and Spring							3 pm to 10 pm	7	100%	5	35	
Summer	12	9am to 10pm	13	100%	2	26	9 am to 3 pm	6	80%	5	24	1,020.00
Summer							3 pm to 10 pm	7	100%	5	35	
Weeks Closed	0											
TOTAL	52										TOTAL	3,580.00



EXECUTIVE SUMMARY

Parks and open spaces are San Francisco's most unique and precious asset. Our extensive and diverse system of parks is rare for a city of this density and size, making us the envy of many other municipalities. Great city parks like Golden Gate Park, McLaren Park, Mission Dolores, and the many smaller neighborhood parks which dot the City – these are the places where we play, relax, enjoy nature, and spend time with our friends and families. We can boast that San Francisco offers easy access to the best urban amenities, AND the best parks and open spaces.

San Francisco Clean and Safe Neighborhood Parks Bond	Budget $M
Neighborhood Parks	
Angelo J. Rossi Playground	8.2
Balboa Park	7
Garfield Square	11
George Christopher Playground	2.8
Gilman Playground	1.8
Glen Canyon Park	12
Hyde & Turk Mini Park	1
Joe DiMaggio Playground	5.5
Margaret S. Hayward Playground	14
Moscone Recreation Center	1.5
Mountain Lake Park	2
Potrero Hill Recreation Center	4
South Park	1
West Sunset Playground	13.2
Willie "Woo Woo" Wong Playground	6
Program Contingency	6
Issuance and Oversight	2
	99
Citywide Parks	
Lake Merced Park	2
Golden Gate Park	9
John McLaren Park	10
	21
Citywide Programs	
Community Opportunity Fund	12
Failing Playgrounds	15.5
Forestry	4
Trails	4
Water Conservation	5
	40.5
Waterfront Parks	
Pier 43 Plaza	2.5
Northeast Wharf Plaza & Pier 27/29	16
Agua Vista Park	2.5
Pier 70 Parks	10
Warm Water Cove Park	2
Islais Creek Improvements	1.5
	34.5
TOTAL	$195.0

A park system as large and diverse as ours requires continued and consistent investment. San Francisco's over 220 parks are spread over 3,000 acres, and contain 178 playgrounds, 25 recreation centers, 9 swimming pools, and numerous tennis courts, ball diamonds, soccer fields, and other sports venues. Many of these facilities have been "loved to death". Dilapidated playgrounds, worn out playfields, and deteriorating swimming pools all show signs of excessive wear and tear due to a lifetime of use. In addition, aging infrastructure exacerbates existing maintenance challenges, stretching thin already scarce staff and financial resources to deal with inefficient and wasteful irrigation systems, urban forestry emergencies, and outdated playgrounds. A study conducted of the condition of the City's parks reveals that we still have over $1 billion in capital needs.

The City proposes a $195 million General Obligation bond to address outstanding capital needs in the city's parks. The proposal includes funding for specific neighborhood parks, long awaited investment in Golden Gate Park, McLaren, and Lake Merced, as well as renovations to the parks' support infrastructure. Specifically, the proposal allocates:

- $99 million for Neighborhood Parks, selected based on community feedback, their physical condition, the variety of amenities offered, seismic safety risk, and neighborhood density
- $34.5 million for Waterfront Open Spaces
- $15.5 million for Failing Playgrounds
- $12 million for the Community Opportunity Fund
- $21 million for Golden Gate Park, Lake Merced Park, and McLaren Park
- $13 million for forestry, trails, and water conservation

Professional Profile

Katherine Howard
ASLA
CA License # LA 4279
Landscape Architect
(1993 - 2009)

As a registered Landscape Architect in the State of California, Ms. Howard has directed a wide variety of design projects and brings a host of design, project management, and construction implementation experience to her projects. Her background includes both small and large-scale educational, recreational, residential, public and commercial projects. Katherine's Project Manager experience includes all phases of projects from client interface with preliminary designs and layouts through construction drawings, cost estimates, value engineering, and construction oversight services. Katherine has public interaction experience in presenting design ideas and facilitating discussions as well as in creating and presenting Master Plans. She also has a broad background in civic participation and working with various City Departments on a *pro-bono* basis.

Education

University of California at Berkeley Extension, Certificate in Landscape Architecture, 1993
SF State College, San Francisco, CA. M.A. Program, completed course work but not thesis.
Scripps College, Claremont, CA. Bachelor of Arts.
Continuing education: Horticulture, construction, design, green building.

Affiliations and Credentials

Registered Landscape Architect, State of California, License # LA 4279
Ocean Beach Master Plan, 2012, Citizens Advisory Committee
Golden Gate Park Preservation Alliance, Steering Committee
SF Ocean Edge, Steering Committee
Friends of the Music Concourse, Co-Chair
Park Rangers Coalition, Co-Chair
SPUR, Sustainable Development Committee, past Chair (4 years)
Citizen's Advisory Committee to the Golden Gate Park Concourse Authority, past Chair
UC Berkeley Extension Programs in Landscape Architecture and Sustainability, Advisory Board

Select Projects

Megan Furth Academy
San Francisco, CA

Project Manager and Landscape Architect. This project required the creative use of space in a dense urban setting. The design integrated both active play areas and quiet, calm spaces into the site. The major outdoor areas are the Pre-K and K outdoor playgrounds, the interior active play areas, and the interior below-grade courtyards. (Merrill Morris Partners)

Santa Clara Valley Water District, landscape redesign

Project Manager and Landscape Architect. Landscape redesign for large water treatment facility site to shield from neighbors while preserving views. Preserve existing tree stand while enhancing with supplemental plantings. Client and consultant interface, landscape design, renderings, cost estimates, construction drawings, and construction oversight . (Merrill Morris Partners)

Tracy Multi-Modal Station, Tracy, CA

Project Manager and Landscape Architect. Landscape for new bus and train station. Client and consultant interface, landscape design, ADA grading, renderings, cost estimates, construction drawings, and construction oversight. (Merrill Morris Partners)

BART Reforestation Project,
Pleasanton, CA

Project Manager and Landscape Architect. Reforestation of right-of-way for proposed BART switching station. Manage arborist survey and coordinate with BART and City on tree replacement requirements, site requirements, landscape and irrigation design. (Merrill Morris Partners)

San Antonio Park
Oakland, CA

Project Manager and Landscape Architect. Managed all phases of renovation of large city park, including new artificial turf playing field on a difficult site, basketball court, and expanded Tot Lot and 5-12 childrens' play areas. Subsequently designed the San Antonio Park Master Plan to increase accessibility while enhancing existing uses. (Robert La Rocca and Associates)

Peninsula Volunteers
Rosner House
Menlo Park

Project Manager and Landscape Architect. Design interior garden and surrounding grounds for senior day-care center for seniors with cognitive disabilities. Specialized knowledge of patients needs and safe plant materials. All facets of project from staff interviews through cost estimates, construction drawings, and construction over-sight.

Ponderosa Estates
Marin City, CA

Project Manager and Landscape Architect. Landscape renovation for a low-income housing facility that included an accessible play area and new community center. Worked closely with residents in planning the landscape and play area renovations. (Robert La Rocca and Associates)

Gregory P. Miller
San Francisco, CA 94122
(415) 710-2403

WORK EXPERIENCE:

Wells Fargo Bank, San Francisco, CA
Management Sciences Department
1977 - 2003

Vice President and Senior Financial Consultant.
Reported to the Treasurer of Wells Fargo & Co. managing a staff of five to 15 financial consultants providing internal advisory services to senior management on topics such as:

- Measurement and control of global interest rate risk;
- Capital allocation for credit risk exposure;
- Development of continuous time models of interest and credit risk;
- Pricing bank financial products and securitized investments;
- Development of standards for capital investment methodology;
- Mergers and acquisitions - valuation and negotiation.

Wells Fargo Head Office
1975 - 1977

Utility Teller

United States Navy
1972-1975

Lieutenant (jg)

- Anti-submarine warfare officer, USS Bagley (DE-1069)

EDUCATION:

University of California at Los Angeles, B.A, Economics, 1972
Summa Cum Laude, Phi Beta Kappa

EXHIBIT D

The Cultural Landscape Foundation
1909 Que Street NW, Second Floor, Washington, DC 20009 (t) 202.483.0553 (f) 202.483.0761
stewardship through education
www.tclf.org

June 28, 2012

Beach Chalet Athletic Fields - file no. 120691

Board President David Chiu and Honorable Members of the Board of Supervisors
c/o Ms. Angela Calvillo, Clerk of the Board of Supervisors, City of San Francisco
1 Dr. Carlton B. Goodlett Place, Rm. 244
San Francisco, CA 94102-4689

Dear President Chiu and Honorable Members of the Board of Supervisors:

On behalf of The Cultural Landscape Foundation (TCLF), I am writing to express our concern about plans for building a soccer complex on the Beach Chalet Athletic Fields in Golden Gate Park. It is our understanding that the Board of Supervisors will consider an Appeal to the EIR for this project on July 10, 2012.

Golden Gate Park—the first large urban park built west of the Mississippi River—is an important historic designed landscape. The Park "was conceived as a naturalistic pleasure ground park to provide a sylvan retreat from urban pressures for all citizens, rich and poor." (*National Register*, Sect. 7, p. 1). The Beach Chalet fields are one of the few large, open grassy areas in the Park. The current plans propose to destroy much of the historic and aesthetic fabric that makes this area unique. As the primary author of the development of the *Secretary of the Interior's Standards with Guidelines for the Treatment of Cultural Landscapes* (1998), it is clear that the proposed plans do not take into account the historically significant character-defining visual and spatial relationships that are central to the original and continuing design intent of Golden Gate Park.

As background, TCLF is a national organization that provides people with the tools to see, understand and value landscape architecture and its practitioners as we have learned to do with buildings and their designers. Put simply, our mission is *stewardship through education*. TCLF's involvement with the Beach Chalet project dates to April 2010, when we submitted a letter expressing our concerns at that time to the San Francisco Planning Department. These concerns include the negative impact on the character of this section of the park of establishing it as a heavy use, structured sports area thus altering the naturalistic setting, as well as the introduction of structures that are out of scale with the existing surroundings and which would significantly compromise the visual and spatial relationships of the Beach Chalet area.

As President and Founder of TCLF, I urge you to require the preparation and recirculation of a supplemental EIR to analyze impacts omitted from the EIR. I also urge the Board to decline to approve the Project until an adequate alternatives analysis is conducted and the project is conformed to applicable plans and policies. It is our hope that in lieu of approving a misguided plan that will destroy the historic character of this significant cultural landscape, listed on the National Register of Historic Places in 2004 you will instead consider alternatives that will creatively meld historic preservation, design and programmatic objectives and in the process sympathetically adapt this nationally significant landscape.

Thank you for your attention and consideration.

Sincerely,

Charles A. Birnbaum, FASLA, FAAR
Founder + President, The Cultural Landscape Foundation

LOZEAU DRURY LLP

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June 12, 2012

Via Electronic Mail and Hand Delivery

Board President David Chiu and
Honorable Members of the Board of Supervisors
c/o Ms. Angela Calvillo
Clerk of the Board of Supervisors
City of San Francisco
1 Dr. Carlton B. Goodlett Place, Rm. 244
San Francisco, CA 94102-4689

RE: Beach Chalet Athletic Fields Renovation Project Final Environmental Impact Report (SCH 2011022005) and Project Approval (Planning Dept. Case No. 2010.0016E) – Appeal of Certification of Final Environmental Impact Report and Project Approval (May 24, 2012)

Dear President Chiu and Honorable Members of the Board of Supervisors:

I am writing on behalf of SF Ocean Edge (SFOE), the Sierra Club San Francisco Bay Chapter, the Golden Gate Audubon Society, Sunset Parkside Education and Action Committee (SPEAK), the Richmond Community Association (RCA), Golden Gate Park Preservation Alliance, and Katherine Howard, ASLA, and their thousands of members who live in the City and County of San Francisco, concerning the Environmental Impact Report (EIR) prepared for the Beach Chalet Athletic Fields Renovation project ("Project") (Planning Dept. Case No. 2010.0016E; SCH No. 2011022005).

In particular, we hereby appeal the May 24, 2012 decisions of the San Francisco Planning Commission: (1) certifying the Final EIR (Planning Commission Motion No. 18637; Case No. 2010.0016E); (2) adopting CEQA findings and statement of overriding considerations related to the certification of a Final Environmental Impact Report and (Planning Commission Motion No. 18638; Case No. 2010.0016E); (3) adopting finding of consistency with the General Plan and other policies and CEQA findings (Planning Commission Motion No. 18639; Case No. 2010.0016R); (4) adopting CEQA findings and statement of overriding considerations as set forth in Motion No. 18638 (Planning Commission Motion No. 18640; Case No. 2010.0016P). We also appeal the related May 24, 2012 decision of the Recreation and Park Commission: adopting CEQA findings and statement of overriding considerations set forth in Planning Commission Motion No. 18637; finding that the Project is consistent with the Golden Gate Park

Master Plan; and approving the conceptual plan for the Project (Recreation and Park Commission Resolution No. 1205-020; Case No. 2010.0016R). Copies of the decision documents are attached hereto as Exhibit 1.

I. INTRODUCTION

We urge the Board of Supervisors to reverse the decisions of the Planning Commission and Recreation and Park Commission and decline to certify the EIR, and require the preparation and recirculation of a supplemental EIR to analyze impacts omitted from the EIR. We urge the Board to decline to approve the Project until an adequate alternatives analysis is conducted and the Project is conformed to applicable plans and polices.

The Project will Permanently Transform Golden Gate Park: By placing 7-acres of plastic and crumb rubber artificial turf, 150,000 watts of stadium lighting on ten 60-foot high poles, and over 1000 seats of spectator seating at the Beach Chalet fields, the Project would permanently transform San Francisco's crown jewel – Golden Gate Park -- a nationally recognized historic site which has been cherished for generations for its naturalistic beauty. Golden Gate Park is one of the nation's leading urban parks, known throughout the world as a unique natural area within the confines of a major city. The area, only 500 feet from Ocean Beach, is listed on the National Register of Historic Places, and is the first large urban park built west of the Mississippi River. The Project will transform one of San Francisco's last dark sky areas by introducing a brightly lighted stadium for spectator sports with sports lighting on until 10:00 p.m., 365 days a year.

The Project is contrary to numerous applicable plans and policies, including:

- The 1998 Golden Gate Park Master Plan, which states that the "major design feature of Golden Gate Park and the framework within which all park activities occur is its pastoral and sylvan landscape," particularly in the western end of the park, which was intended to be "simply treated as a woodland or forest . . ." (GGP Master Plan, at 3-2, 4-1, 4-5)
- The 2004 National Register listing, which states that the area is to "provide a sylvan retreat from urban pressures for all citizens, rich and poor."
- The City's Local Coastal Plan which requires the City "emphasize the naturalistic landscape qualities of the west end of the park."
- The Recreation and Open Space Element (ROSE) of the General Plan, which states that "The size and form of the park's major pastoral landscape elements, its meadows and wooded areas should be retained and renewed."

The EIR and the Planning Commission Motions admit that the proposed project will cause a significant and unavoidable "substantial adverse change in the significance of the historical resource" of Golden Gate Park. (EIR, at VI.C-20; Draft Motion, at 9) The artificial turf

and lights will fundamentally change the character of the western end of Golden Gate Park and effect an unprecedented departure from the historic design and management of the park. (*See* EIR, at VI.C-20, -23)

Hybrid Alternative – Improved Natural Grass at Beach Chalet with no Sports Lighting and Appropriate Artificial Turf at West Sunset Playground: There is no question that the Beach Chalet fields are in need of repair. We fully support efforts to restore the Beach Chalet fields with new grading, irrigation and sod – as was recently done at the larger Polo Fields in Golden Gate Park for $1.4 million. The construction budget for the proposed Project is $11.3 million. A more extensive natural grass restoration without lights - perhaps adding gopher controls and better drainage - could cost $2 - $4 million. This would leave funding for fixing up other fields. At the same time, the City could restore West Sunset Playground – only 8 blocks to the south -- with artificial turf and some night lighting. This would create 4 usable natural grass fields at Beach Chalet, and 6 soccer pitches at West Sunset (3 full sized pitches and 3 U10 pitches) with appropriate night lighting for the area. This would result in almost as many play hours as the proposed Project, while restoring both play areas and achieving all project objectives for comparable cost. The Hybrid Alternative meets all of the Project objectives, while protecting the historic Beach Chalet area.

Analyze Artificial Turf Alternatives for the Off-site Project alternative: Artificial turf can provide longer hours of play than a living grass surface. However, the type of artificial turf used for the Project should be looked at carefully. We urge the City to analyze safer alternatives to Styrene Butadiene Rubber (SBR) artificial turf, such as cork-coconut infill ("corkonut"), "carpet-pad" infill, or other non-toxic materials. There is no dispute that crumb rubber infill contains cancer causing and other toxic chemicals. The EIR prepared by the City of Piedmont for the Moraga Canyon Sports Fields states that the "potential hazardous effects from the use of the proposed synthetic turf field ... would be considered a significant impact" (p. 215). We have submitted herewith expert comments of Phillip Landrigan, MD, epidemiologist and Director of the Mount Sinai School of Medicine Children's Environmental Health Center in New York, and Matthew Hagemann, C. Hg., former director of the United States Environmental Protection Agency's West Coast Regional Superfund program. Mr. Hagemann concludes that SBR creates a cancer risk approximately 19 times above the CEQA significance threshold. Safer alternative infill fields, made with cork, sand or other non-toxic materials, have been installed in cities including Los Angeles, New York, San Carlos, Piedmont, and many others. San Francisco should not lag behind these other cities when it comes to protecting our children. The EIR fails to analyze less toxic alternatives at all, and it appears that the Planning Commission did not discuss or even appear to consider our written comments and expert testimony.

Summary Conclusion: In short, we fully support the goals of restoring the Beach Chalet Fields to high quality natural grass fields with gopher controls and improved drainage with no sports lighting. We further support improving the nearby West Sunset fields withartificial turf that is safe, and appropriate night lighting for the area. This Hybrid Alternative will achieve all

of the Project objectives, while protecting San Francisco's crown jewel – Golden Gate Park. Our children certainly need playing fields. But they also need areas that "provide a sylvan retreat from urban pressures for all citizens, rich and poor." The west end of Golden Gate Park provides one of the few naturalistic areas in this heavily urbanized city. (National Register, § 7, at 1) Fortunately, the Hybrid Alternative gives us an opportunity to achieve both goals.

II. THE BOARD SHOULD REFUSE TO CERTIFY THE EIR.

A. The EIR's Analysis of Alternatives Is Inadequate Because it Fails to Analyze the Hybrid Alternative.

The EIR is inadequate because it fails to analyze the Hybrid Alternative: (1) improve Beach Chalet with new sod, good drainage, and gopher controls; AND (2) install artificial turf and lights at West Sunset. Instead, the EIR creates a false choice: either improve Beach Chalet, OR improve West Sunset. This choice is patently absurd since the City already plans to upgrade West Sunset with real grass next year (2008 Parks Bond) [http://sfrecpark.org/BondOutreach.aspx]. The Hybrid Alternative simply "swaps" the two parks – instead of real grass at West Sunset, install artificial turf and lights; and instead of plastic turf at Beach Chalet, install real grass. This will result in 6 artificial soccer pitches at West Sunset instead of 4 at Beach Chalet, and will upgrade Beach Chalet with new, real grass fields
The Hybrid Alternative achieves ALL of the Project Objectives, while avoiding the admittedly significant impacts on the natural and historic resources of the Western end of Golden Gate Park. The EIR is patently inadequate due to its refusal to analyze the Hybrid Alternative, and the City is required to select the Hybrid Alternative since it is environmentally superior and achieves all Project objectives.

1. CEQA Requires Full and Forthright Analysis of Impacts and Alternatives to Afford the "Fullest Possible Protection to the Environment.

CEQA requires that an agency analyze the potential environmental impacts of its proposed actions in an environmental impact report ("EIR") (except in certain limited circumstances). (*See, e.g.*, Pub. Res. Code § 21100.) The EIR is the very heart of CEQA. (*Dunn-Edwards v. BAAQMD* (1992) 9 Cal.App.4th 644, 652.) "The 'foremost principle' in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." (*Communities for a Better Environment v. Calif. Resources Agency* (2002) 103 Cal. App. 4th 98, 109.)

CEQA has two primary purposes. First, CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project. (14 Cal. Code Regs. ("CEQA Guidelines") § 15002(a)(1).) "Its purpose is to inform the public and its responsible

officials of the environmental consequences of their decisions before they are made. Thus, the EIR 'protects not only the environment but also informed self-government.'" (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553, 564) The EIR has been described as "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return." (*Berkeley Keep Jets Over the Bay v. Bd. of Port Comm'rs.* (2001) 91 Cal. App. 4th 1344, 1354 ("Berkeley Jets"); *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810)

Second, CEQA requires public agencies to avoid or reduce environmental damage when "feasible" by requiring "environmentally superior" alternatives and all feasible mitigation measures. (CEQA Guidelines § 15002(a)(2) and (3); See also, *Berkeley Jets*, 91 Cal. App. 4th 1344, 1354; *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564) The EIR serves to provide agencies and the public with information about the environmental impacts of a proposed project and to "identify ways that environmental damage can be avoided or significantly reduced." (Guidelines §15002(a)(2)) If the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment where feasible" and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns." (Pub.Res.Code § 21081; 14 Cal.Code Regs. § 15092(b)(2)(A) & (B))

2. CEQA Requires Discussion of Alternatives that would Feasibly Attain Most Project Objectives but would Substantially Avoid Impacts.

Where a project is found to have significant adverse impacts, ***CEQA requires the adoption of a feasible alternative that meets most of the project objectives but results in fewer significant impacts.*** (*Citizens of Goleta Valley v. Bd. of Supervisors* (1988) 197 Cal.App.3d 1167, 1180-81; *see also, Burger v. County of Mendocino* (1975) 45 Cal.App.3d 322) A "feasible" alternative is one that is capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors. (Pub. Res. Code § 21061.1; 14 Cal. Code Regs. § 15364)

CEQA requires that an EIR provide a discussion of project alternatives that allows meaningful analysis.[1] An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.[2] The purpose of the discussion of alternatives is both to support the decision makers and to inform public participation. Thus, "[a]n EIR's

[1] *Laurel Heights I,* supra, 47 Cal.3d at 403.

[2] CEQA Guidelines § 15125.6.

discussion of alternatives must contain analysis sufficient to allow informed decision making."[3] An EIR must also include "detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project."[4]

The analysis of project alternatives must contain a quantitative assessment of the impacts of the alternatives. In *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 733-73, the court found the EIR's discussion of a natural gas alternative to a coal-fired power plant project to be inadequate because it lacked necessary "quantitative, comparative analysis" of air emissions and water use. The court concluded that absent such data, the significance of the elimination of this impact was unknown.

The lead agency is required to select the environmentally preferable alternative unless it is infeasible. As explained by the Supreme Court, an environmentally superior alternative may not be rejected simply because it is more expensive or less profitable:

> The fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially infeasible. What is required is evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project.

(*Citizens of Goleta Valley v. Bd. of Supervisors* (1988) 197 Cal.App.3d 1167, 1180-81; *see also, Burger v. County of Mendocino* (1975) 45 Cal.App.3d 322)

In *Burger v. County of Mendocino* (1975) 45 Cal.App.3d 322, the court held that the county's approval of an 80 unit hotel project over a smaller 64 unit alternative, despite recommendations to the contrary in the EIR, was not supported by substantial evidence. The EIR discussed numerous adverse environmental effects that would be caused by the 80 unit project and recommended that the developer be allowed to construct a smaller 64 unit hotel so long as certain mitigation measures were completed, including relocation of some of the proposed buildings. In evaluating whether substantial evidence supported the county's rejection of the smaller alternative as economically infeasible, the court found that "there is no estimate of income or expenditures, and thus no evidence that a reduction of the motel from 80 to 64 units, or relocation of some units, would make the project unprofitable."[5] Thus, the court identified three criteria that should be evaluated in a comparative analysis to determine whether a project alternative or mitigation measure would be economically feasible: (1) estimated income; (2) estimated expenditures; and (3) estimated profitability between the proposed project and alternative or with and without recommended mitigation measures. (*See also, County of El*

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[3] *Laurel Heights I*, supra, 47 Cal.3d at 404.

[4] *Id.* at 405.

[5] *Burger v. County of Mendocino*, 45 Cal.App.3d at 326-327.

Dorado v. Dept. of Transp. (2005) 133 Cal.App.4th 1376 (agency must consider small alternative to casino project); *Preservation Action Counsel v. San Jose* (2006) 141 Cal. App. 4th 1336.)

3. The Project Objectives are too Narrowly Defined.

The Project Objectives have been tailored to result in the rejection of any off-site Alternative. The Project really has two major goals: (1) renovate the Beach Chalet facilities to provide for more play time and a better user experience and (2) contribute to meeting an increased city-wide demand for play time. There is no reason that these two objectives must be linked to the Beach Chalet site itself. As discussed further below, the City could have considered an alternative—which was suggested by numerous members of the public on multiple occasions—to develop a "hybrid" alternative whereby the turf and light installation were to occur at West Sunset Playfields while also investing in grass turf and facilities renovation (without stadium lights) at the Beach Chalet.

The EIR and findings reject the Off-site Alternative primarily because it would not meet the Project Objective to improve the condition of the Beach Chalet fields. An agency may not reject an off-site alternative *because* it is off-site – which is essentially what the City has done. It is well-established that off-site alternatives should be considered under CEQA. As the Supreme Court has explained, an EIR is required to explain in detail why various alternatives were deemed infeasible, and should explore the potential to locate the project somewhere other than proposed. (*Laurel Heights I*, 47 Cal.3d at 404-406; *Goleta Valley*, 197 Cal.App.3d 1180-81) The City's position, rejecting the West Sunset alternative *because* it is not located at Beach Chalet, makes a mockery of CEQA's requirement for a true off-site alternative analysis. If an offsite alternative could be rejected simply because it is in a different location, then the offsite alternative analysis would be meaningless.

Furthermore, the Hybrid Alternative discussed below would achieve the on-site objectives of restoring the Beach Chalet Fields, (with natural grass, gopher controls and good drainage), while also providing artificial turf fields for additional play hours at West Sunset. A supplemental EIR is required to be prepared and recirculated to analyze the West Sunset alternative and the Hybrid Alternative discussed below.

To narrowly define the primary "objective" of the proposed project itself constitutes a violation of CEQA since such a restrictive formulation would improperly foreclose consideration of alternatives. (*See City of Santee v. County of San Diego* (1989) 214 Cal.App.3d 1438) (holding that when project objectives are defined too narrowly an EIR's treatment of analysis may also be inadequate.) As a leading treatise on CEQA compliance cautions, "The case law makes clear that...overly narrow objectives may unduly circumscribe the agency's consideration of project alternatives." (Remy, Thomas, Moose & Manley, *Guide to CEQA* (Solano Books, 2007), at 589)

CEQA prohibits a project sponsor from limiting its ability to implement the project in a way that precludes it from implementing reasonable alternatives to the project. (*See Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736 (holding alternatives may not be artificially limited by applicant's prior contractual commitments that would prevent sponsor from implementing reasonable alternative) Inconsistency with only some of the Project Objectives is not necessarily an appropriate basis to eliminate impact-reducing project alternatives from analysis in an EIR. (14 Cal. Code Regs § 15126.6(c), (f))

The FEIR fails to discuss whether the City Fields Foundation has refused to fund the project if (1) artificial turf were not installed and (2) lights were not included. In addition, the FEIR fails to mention that CFF has stated that they will not donate to this project if the project is not located at Beach Chalet. If CFF has set those terms on the funding, then it is essentially dictating the terms of the project, which is ostensibly a public works project. Effectively, it has compromised the ability of the Recreation and Parks Department and the Planning Department to conduct an independent analysis of the project and its alternatives. (See, *People v. County of Kern* (1976) 62 Cal.App.3d 761, 775; *Gentry v. Murietta* (1995) 36 Cal.App.4th 1359, 1397-98 (agency must exercise its independent judgment in reviewing a project).) In fact, none of the environmental review documents fully explain City Field's role, despite the fact that the organization originated the design and has dictated the terms for its construction. Neither the public or decision makers have been fully informed to understand the root of the analysis for the preferred alternative or the projects.

4. The EIR Should Be Revised to Include Analysis of the West Sunset Playfield – Beach Chalet "Hybrid" Alternative.

The Recreation and Parks Department could accomplish <u>all</u> of the project objectives if it would only consider—as has been urged by members of the public since the genesis of this project—a "Hybrid Alternative" that would (1) improve the grass turf and existing facilities at the Beach Chalet and (2) renovate the West Sunset Playfields to meet higher playing time demands (e.g., installing artificial turf, lights, etc.) This would result in the creation of *six* artificial turf fields at West Sunset (3 full size and 3 U10), rather than 4 at Beach Chalet, plus improved grass fields at Beach Chalet – potentially resulting in even more play time. The City has persistently refused to consider such an option, but has never provided a credible reason for doing so.

To the extent that the City rejects the Hybrid Alternative due to an alleged failure to achieve all of the Project Objectives, the City has defined the Project objectives too narrowly. The City states that its intent is to develop playing fields on the "north side" of the City. West Sunset is only 9 blocks south of Golden Gate Park. West Sunset is also 8 blocks to the east of the Beach Chalet location. Therefore, Beach Chalet and West Sunset are almost identically located with respect to the center of the City. Also, in a City that is 7 miles by 7 miles, either field is accessible citywide, and soccer families regularly travel to fields throughout the City.

To the extent that the City rejected consideration of the Hybrid Alternative due to cost, the SFOE has prepared a cost analysis showing that the cost of the Hybrid Alternative is almost identical to the cost of the Beach Chalet alternative. The City has produced no substantial evidence to show that the Hybrid Alternative is economically infeasible or to support the proposed statement of overriding considerations to reject the Hybrid Alternative.

5. Barring Consideration of the Hybrid Alternative, the Off-Site Alternative Should Be the Preferred Alternative for the Project.

The FEIR admits that the off-site alternative "would attain most of the project's basic objectives," and would "avoid or substantially lessen one of more of the significant environmental impacts of the proposed project," and would be "feasible." The Planning Commission therefore abused its discretion by failing to adopt the off-site alternative. The Responses to Comments states:

> **[t]he EIR includes analysis of an off-site alternative (West Sunset Playground) that would: (1) attain most of the project's basic objectives; (2) *avoid or substantially lessen* one or more of the significant environmental impacts of the proposed project; and (3) be feasible.**

(Responses to Comments, at X.0-71, Response to ALT-5, emphasis in original (*Citizens of Goleta Valley v. Bd. of Supervisors* (1988) 197 Cal.App.3d 1167, 1180-81)

Not only would the Off-site Alternative avoid the impacts to the historic and cultural resource, it would also avoid the significant impacts arising from conflicts with the City's General Plan and policies and the impacts to wildlife and dark sky values discussed further below. The EIR admits that the off-site alternative "attains most of the project's basic objectives," and is "feasible." Conclusions to the contrary elsewhere in the EIR and findings therefore lack substantial evidence, and render the EIR internally inconsistent and inadequate. Therefore, CEQA requires that the City select the Off-site Alternative.

B. The Significant and Unavoidable Impacts to Historic Resources Can and Should Be Avoided.

The EIR and the Draft Motion admit that the proposed project will cause a significant and unavoidable "substantial adverse change in the significance of the historical resource" of Golden Gate Park. (EIR, at VI.C-20; Draft Motion, at 9) The artificial turf and lights will fundamentally change the character of the western end of Golden Gate Park and effect an unprecedented departure from the historic design and management of the park. (*See* EIR, at VI.C-20, -23) The

San Francisco Historic Preservation Commission and several organizations and members of the public raised this concern and urged selection of the Off-Site Alternative.

The Golden Gate Park Master Plan describes the park as being intended to be primarily for "relief from urban pressures" with the "landscape...[as] its most prominent feature", particularly in the western end of the park, which was always intended to be "simply treated as a woodland or forest . . . ." (GGP Master Plan, at 3-2, 4-1, 4-5, respectively) The Golden Gate Park Master Plan explicitly considered the difference in uses between the eastern and western ends of the park. Specifically, the Master Plan states that the "distinction should be maintained, with different landscape treatments for the eastern and western portions." (GGP Master Plan, at 4-5)

The National Register describes the park as "conceived as a naturalistic pleasure ground park to provide a sylvan retreat from urban pressures for all citizens, rich and poor... the park ... is now a green oasis in a sea of urbanization." (National Register, § 7, at 1) Further, "the spatial relationships between evergreen forest and the open meadows [are] the significant feature [of the park]" and buildings and structures, even those that further the recreational mission of the park, should be kept to a minimum because "they are viewed as intrusions to the naturalistic landscape." (*Id.*, at 6, 11, respectively)

Over the past 100 years, efforts to further "urbanize" the western end of the park have always ended with a return to the historic, naturalistic setting. Given that all of the planning documents and policies that relate to the western end of Golden Gate Park mandate the preservation of its historic and naturalistic qualities, and that the City has a viable Off-site alternative, the Commission should uphold the tradition of maintaining the historic character of the park. It should refuse to certify the EIR until the City has conducted a robust analysis of alternatives and selected the Off-site Alternative as the preferred project alternative.

C. The FEIR Fails to Acknowledge Inconsistencies with SF General Plan and the Western Area Shoreline Plan (LCP).

The EIR is legally deficient because it fails to analyze and mitigate the project's inconsistencies with all applicable policies, including the Golden Gate Park Master Plan and the San Francisco General Plan, including the Western Area Shoreline Plan and the Environmental Protection Element. The project's inconsistencies with these local plans and policies constitute significant impacts under CEQA. (*See Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 783-4; *see also County of El Dorado v. Dept. of Transp.* (2005) 133 Cal.App.4th 1376) The City's refusal to forthrightly consider conflicts with the General Plan and the Golden Gate Park Master Plan constitute abuses of discretion that have undermined the integrity of the EIR and circumvented the purpose of CEQA.

1. Inconsistency with a General Plan Constitutes a Significant Impact that Must Be Analyzed in the EIR.

The City is required to treat its analysis of conflicts with the General Plan seriously and land use decisions must be consistent with the plan. (CEQA Guidelines, App. G, Evaluation of Environmental Impacts, Item 6; Guidelines § 15125(d); Gov. Code § 65860(a)) The General Plan is intended to be the "constitution for all future developments"[6] in San Francisco, a "charter for future development,"[7] that embodies "fundamental land use decisions that guide the future growth and development of cities and counties."[8] The "propriety of virtually any local decision affecting land use and development depends upon consistency with applicable general plan and its elements."[9] The consistency doctrine has been described as the "linchpin of California's land use and development laws; it is the principal which infuses the concept of planned growth with the force of law."[10]

A project's impacts may be deemed significant if they are greater than those deemed acceptable in a general plan. (*Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1416). Where the plan or policy was adopted to avoid negative environmental effects, conflicts with the plan or policy constitutes a significant negative impact. (*Oro Fino Gold Mining Corp. v. Co. of el Dorado* (1990) 225 Cal.App.3d 872, 881-882); Guidelines, App. G., § IX(b)) A significant impact on land use and planning would occur if the project would "[c]onflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect."[11] "Environmental effects" include direct and indirect impacts to land use and planning.[12] Thus, under CEQA, a project results in a significant effect on the environment if the project is inconsistent with an applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating one or more of these environmental effects.

The City is incorrect as a matter of law when it asserts in the Response to Comments that "a conflict between a proposed project and a General Plan policy does not, in itself, indicate a significant effect on the environment within the context of CEQA." (Response to Comments, at X.E-43) The Response to Comments further states:

> while there is no requirement for a detailed analysis of consistency between the proposed project and the applicable land use plans, the CEQA Guidelines direct that a general discussion of inconsistencies between applicable general plans and

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[6] Families *Unafraid to Uphold Rural El Dorado County v. Board of Supervisors of El Dorado County* (1998) 62 Cal.App.4th 1334, 1335.)
[7] *Lesher Communications, Inc. v. City of Walnut Creek* (1990) 52 Cal.3d 531,54
[8] *City of Santa Ana v. City of Garden Grove* (1979) 100 Cal.App.3d 521,532
[9] *Citizens of Goleta Valley v. Board of Supervisors of County of Santa Barbara* (1990) 52 Cal.3d 553, 570
[10] *Corona-Norco Unified School District v. City of Corona* (1993) 17 Cal.App.4th 985, 994.
[11] CEQA Guidelines Appendix G, section IX(b).
[12] *Id.*

> regional plans be included. However, no actual conclusions need to be drawn (other than for those plans and policies adopted for the purpose of avoiding or mitigating environmental effects). *Since the EIR contains a general discussion of the project's consistency with applicable plans and policies in Chapter III, Plans and Policies, it meets CEQA requirements.*

(Response to Comments, at X.E-28 (emphasis added))

This statement is legally erroneous. CEQA law establishes that an inconsistency with a General Plan or regional plan policy designed to protect the environment is itself a significant impact that must be disclosed and mitigated in the EIR. (*Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 783-4; *see also County of El Dorado v. Dept. of Transp.* (2005) 133 Cal.App.4th 1376.) The EIR is legally deficient due to its failure to conduct such analysis, mitigation, and alternatives analysis. A supplemental EIR is required to be prepared and recirculated to analyze and propose mitigation and alternatives to reduce this impact.

2. The Project Is Inconsistent with the Western Shoreline Area Plan, which Requires the Protection of the Naturalistic Character of the Site.

The EIR is inadequate because it fails to forthrightly address inconsistencies with the Western Shoreline Area Plan (WSAP) element of the General Plan, which also serves as the certified Local Coastal Program (LCP) pursuant to the California Coastal Act. The Western Shoreline Area Plan sets forth the following policies for land use in the western end of Golden Gate Park:

POLICY 3.1 Strengthen the visual connection between the park and beach. Emphasize the naturalistic landscape qualities of the western end of the park for visitor use. When possible eliminate the Richmond-Sunset sewer treatment facilities.

POLICY 3.1 Continue to implement a long-term reforestation program at the western portion of the park.

POLICY 3.3 Develop and periodically revise a Master Plan for Golden Gate Park to include specific policies for the maintenance and improvement of recreational access in the western portion of the park.

POLICY 3.4 Rehabilitate the Beach Chalet for increased visitor use.

(San Francisco General Plan, Western Shoreline Area Plan[13]) Of these policies, perhaps the most important is the first, which limits development to emphasize the "naturalistic landscape qualities" of the park. The importance of protecting natural values is reiterated in other parts of the General Plan, including the Environmental Protection Element (see below).

The EIR acknowledges the significant change to the historic resource and the naturalistic vista currently available at the site. In discussing impacts to the historic resource, the EIR states:

> The addition of ten new 60 - foot - tall steel lamp poles would be a highly visible new addition to the landscape, not only during the day, but also at night in an area of the park which has been historically dark at night. The addition of new poles and lights would alter the character defining land patterns within the Athletic Fields by introducing **a large - scale lighting element which is incompatible with the informal and naturalistic character of the fields.** Similar to the installation of spectator seating, the addition of new light poles at the center and ends of the field could also alter the character defining feature of the spatial organization of the field as an expansive, uninterrupted plane.

(EIR, at IV.C-24 (emphasis added)) Thus, while the EIR and Response to Comments strain to find consistency with the WSAP in the Plan Consistency section, it at least forthrightly acknowledges that the Project is "incompatible" with the naturalistic setting, which is required to be protected under Policy 3.1.

Moreover, the EIR attempts to downplay the importance of these inconsistencies by insisting that the Project is "generally consistent" with the General Plan. The term "generally consistent" implies that the Project is at least somewhat "inconsistent." As such, those inconsistencies must be identified or forthrightly discussed in the EIR. The City's refusal to do so constitutes an abuse of discretion and renders the EIR inadequate. A supplemental EIR must be prepared and recirculated to analyze lighting impacts, and to consider feasible alternatives such as moving night lighting to West Sunset, or mitigation measures, such as the use of Class IV lighting rather than Class II, as proposed by the National Park Service in a letter dated March 4, 2011.

[13] Available at http://www.sf-planning.org/ftp/general_plan/Western_Shoreline.htm#WES_GGP

3. The EIR Fails to Acknowledge Inconsistencies with the Environmental Protection Element of the General Plan.

The EIR is inadequate because it does not accurately discuss inconsistencies with the Environmental Protection Element of the San Francisco General Plan, particularly Policy 8.2,[14] which states:

> Policy 8.2
>
> Protect the habitats of known plant and animal species that require a relatively natural environment.
>
> Golden Gate Park, a product of years of planning and design, provides to a certain extent the natural environment needed by wildlife and plant communities. **The natural areas of Golden Gate Park should remain as they are, and any move to convert them into areas of more active recreation should be discouraged.**

(San Francisco General Plan, Environmental Protection Element, Policy 8.2 (emphasis added)) While the Beach Chalet athletic fields are designated for recreational use, they must be managed within the larger context of the western end of the park, which is valued for its naturalistic qualities. The project clearly violates Policy 8.2 because it purposefully converts the current use of the Beach Chalet athletic fields to one of "more active recreation" by tripling usage at the fields.

4. The San Francisco General Plan Prioritizes Preservation of Historic Resources, Open Space, and Scenic Vistas.

The EIR is inadequate because it fails to forthrightly discuss inconsistencies with the San Francisco General Plan's Priority Policies that (1) landmarks and historic buildings be preserved, and (2) parks and open space and their access to sunlight and vistas be protected from development. (San Francisco General Plan[15]) As discussed above, the EIR acknowledges the significant and unavoidable impacts on the historic and cultural character of the park, that the western end of the park has been "historically dark at night" and that the large-scale lighting "is incompatible with the informal and naturalistic character of the fields." (*See* EIR, at IV.C-24) Therefore, the proposed project is inconsistent with the Priority Policies' requirements to both protect historic resources and protect scenic vistas from development.

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[14] Available at http://www.sf-planning.org/ftp/general_plan/I6_Environmental_Protection.htm#ENV_GEN_1
[15] Available at http://www.sf-planning.org/ftp/General_Plan/index.htm)

5. The Project Is Inconsistent with the Natural Area Policies of the Urban Design Plan for the General Plan.

The Urban Design Plan (UDP) for the Comprehensive Plan of San Francisco (SF Planning Department, May 1971) sets forth several policies regarding natural areas, including:

> Natural Areas Policy 2
> Limit improvements in other open spaces having an established sense of nature to those that are necessary, and unlikely to detract from the primary values of the open space. The recreation and open space values of the parks and other open and landscaped areas developed by man ought not to be reduced by unrelated and unnecessary construction. These resources are not expected to be increased substantially in future time, whereas the public need for them will surely grow.
>
> Facilities placed in these areas should be of a public nature and should add to rather than decrease their recreation and open space values. Facilities that can be accommodated outside the established parks and open space should be placed at other appropriate locations. Where new facilities are necessary in these parks and open spaces, they should be sited in areas that are already partially developed in preference to areas with a greater sense of nature.

The UDP further emphasizes the preservation of areas of special character within San Francisco, including Golden Gate Park for its naturalistic and woodland character. (UDP, at 49) Policy 9 of the UDP further urges the protection of the natural values of parks by placing recreation facilities that do not rely on the park setting "outside the park system."

The EIR does not assess consistency with the UDP . By failing to discuss the UDP, the EIR fails as a matter of law to analyze "[c]onflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect." (CEQA Guidelines Appendix G, section IX(b); CEQA Guidelines § 15125(a), (d).) In any event, the EIR cannot demonstrate consistency with these stated City policies. First, the Project violates Natural Areas Policy 2 and Policy 9 because the Project constitutes an "unnecessary" construction within Golden Gate Park, particularly because, as the Response to Comments concedes, the Off-site Alternative meets most of the project objectives without imposing *any* significant environmental impacts. Second, as the EIR and the Response to Comments acknowledge, the Project will change the "special character" of the Beach Chalet site.

6. The Project Is Inconsistent with the Recreation and Open Space Element of the General Plan.

The EIR fails to discuss the Recreation and Open Space Element (ROSE) of the General Plan. The ROSE sets forth several objectives that emphasize the preservation of the naturalistic and unique character of the western end of Golden Gate Park. Specifically, the ROSE states that the Golden Gate Park Master Plan would provide for the protection of the park landscape, preserve open space, and minimize vehicular traffic in the park. (ROSE, Policy 2.9) In addressing Land Use, the ROSE states that "[a]ll activities, features and facilities should be subordinate to the present design and character of the park." The ROSE further requires that "any modification or replacement of existing buildings be compatible with the landscape and historic features of the park" and the plan should "prohibit any construction which would detract visually or physically from the character of the park." Moreover, the Master Plan should include a landscape design element that "provide[s] for the protection and renewal of the park's unique landscape areas. The size and form of the park's major pastoral landscape elements, its meadows and wooded areas should be retained and renewed.". By failing to discuss the ROSE, the EIR fails as a matter of law to analyze "[c]onflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect." (CEQA Guidelines Appendix G, section IX(b); CEQA Guidelines § 15125(a), (d).) A supplemental EIR is required to discuss this inconsistency and to propose feasible alternatives and mitigation measures to reduce the impact created by the plan inconsistency.

D. The Project Is Inconsistent with the Golden Gate Park Master Plan.

The EIR, Response to Comments, and Draft Motion both expressly state that one of the project objectives is to "[r]emain consistent with the *Golden Gate Park Master Plan*." (Draft Motion, at 4 (emphasis in original) As discussed below, the Project is plainly inconsistent with the Master Plan and ignores the purposeful design and management of Golden Gate Park for more than a century.

The Golden Gate Park Master Plan clearly describes the purposeful design of the park and prioritizes the importance of maintaining the naturalistic character of the western end of the park. (Golden Gate Park Master Plan, at 3-2) Specifically, the Master Plan states:

> The goal is to manage the current and future park and recreation demands while preserving the historic significance of the park. As such, the plan is a preservationist plan, and proposed changes respect the historic context of the park.

(GGP Master Plan, at 1-6) The Master Plan further states that the "Golden Gate Park should be recognized as an important American Cultural Resource." (GGP Master Plan, at 3-2) The Master Plan acknowledges that while facilities have been added to the western park over the years, "the character of the landscape has remained as a more wooded, less refined parkland. This distinction should be maintained with different landscape treatments for the eastern and western portions." (GGP Master Plan, at 4-5) Finally, the Response to Comments acknowledges that the Beach Chalet Athletic Fields are not designated for night use in the Master Plan but concludes, somehow, that increasing night time activity at the fields is not inconsistent with the Master Plan. (Response to Comments, at X.E-30)

The Response to Comments adds nothing to the discussion regarding consistency with the Master Plan (or any other plan in policy). In response to criticism of its finding of consistency with the Master Plan, the Responses to Comments states:

> Since the EIR contains a general discussion of the project's consistency with applicable plans and policies in Chapter III, Plans and Policies, it meets CEQA requirements

(Responses, at X.E-28) This statement ignores entirely the substantive requirements of CEQA. A CEQA document must not only disclose significant impacts, including plan inconsistencies, but must also adopt all feasible mitigation measures and alternatives to reduce those impacts to the extent feasible. The City has performed at most only the first of those two mandatory duties – disclosure of the impact.

Deborah Learner, the San Francisco Rec. & Park Department's Capital Project Manager from 1978-2001 and Project Manager for the Golden Gate Park Master Plan, submitted a comment letter on the EIR, concluding that the Project is inconsistent with the Master Plan. She states, "Installation of field lights at the Beach Chalet Soccer Field is not consistent with the GGPMP." Ms. Learner points out that "the GGPMP **does not** identify the Beach Chalet Soccer Fields as s night use area." Ms. Learner observes, "Central Park, America's flagship urban park, and the progenitor of Golden Gate Park, does not have athletic field lighting for night use, neither has it installed artificial turf. Clearly, while the demand for field use is as great or greater in New York than here in San Francisco, the historic character of Central Park has been preserved."

The City has prejudicially abused its discretion by disclosing the Project's inconsistency with the General and Master Plans, but then failing to adopt all feasible mitigation measures and alternatives to reduce those impacts to the extent feasible.

1. The EIR's Consistency Determination for Objective II, Policy A, Item 2 Is Erroneous and Internally Contradictory.

Objective II, Policy A, Item 2 of the Golden Gate Park Master Plan states that the "major design feature of Golden Gate Park and the framework within which all park activities occur **is its pastoral and sylvan landscape.**" (GGP Master Plan, at 3-9 (emphasis added)) Policy A.2 further mandates that

> [t]he major design feature of Golden Gate Park and the framework within which all park activities occur is its pastoral and sylvan landscape. **The integrity of the pastoral and sylvan landscape must be maintained and remain unaltered.**

(*Id.*, emphasis added) The EIR erroneously concludes the proposed project is "*generally consistent* with these policies because the project would be implemented entirely within the boundaries of the existing complex . . . and the project would not diminish or encroach upon the surrounding open space.) (EIR, at III-8 (emphasis added) Once again, we note that "generally consistent" implies it is at least somewhat inconsistent with these policies; CEQA requires that these inconsistencies be identified and considered significant impacts, requiring mitigation or selection of alternatives that lessen or avoid these inconsistencies.

There is no credible argument that the project—which includes the removal of seven acres of naturally-growing grass and several mature trees and will see the installation of ten 60-foot tall lights that will broadcast 150,000 watts of light into a heretofore dark portion of the park—respects the "major design feature" of the park and the "pastoral and sylvan landscape" which is the "framework" within which all park activities must occur. (GGP Master Plan, Objective II, Policy A, Item 2). In fact, the EIR concedes that the installation of lights will alter the "historically dark" area and that they are "incompatible" with the informal and naturalistic character of the fields. (EIR, at IV.C-24)

The EIR bases its consistency analysis, in part, on the conclusion that the "project will not diminish or encroach upon the surrounding open space." (EIR, at III-8) This conclusion fails to acknowledge that (1) light pollution, (2) noise, (3) traffic, (4) additional human activities, (5) trash, and (6) tracking of crumb rubber will occur outside the boundaries of the project. The Response to Comments fails to provide any further discussion on this matter and, instead, is merely defensive of the language in the EIR. Other parties, including the National Park Service and members of the public have expressed legitimate concerns about impacts—particularly lighting—which will spill over from the project and negatively affect adjacent open space and scenic vistas as well as the general character of that part of the City.

The EIR's refusal to discuss inconsistencies with the Master Plan is an abuse of the Planning Department's discretion. The Commission should refuse to certify the EIR until the Planning Department conducts a robust and honest assessment of these inconsistencies and

adopts all feasible mitigation measures and alternatives prior to adopting a statement of overriding considerations.

2. The EIR's Consistency Determination with Policy F of the Master Plan Is Based on Inappropriate Deferred Mitigation.

Policy F of the Golden Gate Park Master Plan prioritizes sustainable landscape principles, including efficient use of water and minimization of the use of chemical fertilizers and pesticides. The EIR concludes that the project is consistent with Policy F because the artificial turf will require less water and chemical applications and because the turf "would be returned to a turf manufacturer for reuse/recycling at the end of its lifespan." (EIR, at III-8)

a. Deferred mitigation violates CEQA and prevents the public from an opportunity to review and provide input on mitigation.

Feasible mitigation measures for significant environmental effects must be set forth in an EIR for consideration by the lead agency's decision makers and the public before certification of the EIR and approval of a project. The formulation of mitigation measures generally cannot be deferred until after certification of the EIR and approval of a project. Guidelines, section 15126.4(a)(1)(B) states: "Formulation of mitigation measures should not be deferred until some future time. However, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way." Here, the EIR provides very generic parameters of what the vendor's end-of-life plan will include, which do not rise to the level of specific, quantitative "performance standards."

Deferred mitigation is disallowed because it prevents the public from having input regarding mitigation measures and prevents decision-makers from fully understanding the efficacy of those measures. (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 307 ("A study conducted after approval of a project will inevitably have a diminished influence on decision making. Even if the study is subject to administrative approval, it is analogous to the sort of post hoc rationalization of agency actions that has been repeatedly condemned in decisions construing CEQA.") "[R]eliance on tentative plans for future mitigation after completion of the CEQA process significantly undermines CEQA's goals of full disclosure and informed decision making; and[,] consequently, these mitigation plans have been overturned on judicial review as constituting improper deferral of environmental assessment." (*Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 92.)

An agency "goes too far when it simply requires a project applicant to obtain a biological [or other] report and then comply with any recommendations that *may* be made in the report." (*Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4th 1261, 1275 (emphasis added) "If mitigation is feasible but impractical at the time of a general plan or zoning amendment, it is

sufficient to articulate specific performance criteria and make further approvals contingent on finding a way to meet them." (*Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 793.)

However, a lead agency's adoption of an EIR's proposed mitigation measure for a significant environmental effect that merely states a "generalized goal" to mitigate a significant effect without committing to any specific criteria or standard of performance violates CEQA by improperly deferring the formulation and adoption of enforceable mitigation measures. (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 670; *Communities, supra*, 184 Cal.App.4th at p. 93 ("EIR merely proposes a generalized goal of no net increase in greenhouse gas emissions and then sets out a handful of cursorily described mitigation measures for future consideration that might serve to mitigate the [project's significant environmental effects.]"); *cf. Sacramento Old City Assn. v. City Council* (1991) 229 Cal.App.3d 1011, 1028-1029 (upheld EIR that set forth a range of mitigation measures to offset significant traffic impacts where performance criteria would have to be met, even though further study was needed and EIR did not specify which measures had to be adopted by city))

A supplemental EIR is required to develop and propose for public review and scrutiny specific mitigation measures for recycling of the artificial turf fields.

b. The City's Recycling and Reuse Plan constitutes deferred mitigation because there is no substantial evidence that such a program is feasible or assurances that it will be implemented.

The City acknowledges that the disposal of artificial turf, which is required every 8-10 years, will have potentially significant adverse impacts on landfill space. (EIR, at IV.H-9) However, the City has unlawfully deferred development of mitigation measures by allowing the turf manufacturer to propose a turf recycling plan as late at 7 years after project approval. (EIR, at IV.H-30) This unlawfully defers development of mitigation, since there is no reasonable assurance that an adequate mitigation measure will be developed.

For the purposes of CEQA compliance, the City's decision to defer development of the mitigation measure for turf disposal unlawfully removes the development of mitigation from all public review and scrutiny. This is especially true in this case because the Memorandum of Understanding between the City and the City Fields Foundation states that the Foundation—not the City—will select the vendor and contractor for the project. (*See* Agreement Between the City and County of San Francisco and the San Francisco Fields Foundation, at p. 3, ¶3.1(b).) Indeed, this raises questions as to whether the City is exercising its "independent judgment" in approving the Project, as required by CEQA. (See, CEQA §21082.1(c); *People v. County of Kern* (1976) 62 Cal.App.3d 761, 775; *Gentry v. Murietta* (1995) 36 Cal.App.4th 1359, 1397-98)

The end-of-life plan will be left in the hands of a private company, subject only to staff-level review, and outside the scope of CEQA, public review, and review by elected decision-makers. As explained by the *Sundstrom* court:

> An EIR ... [is] subject to review by the public and interested agencies. This requirement of "public and agency review" has been called "the strongest assurance of the adequacy of the EIR." The final EIR must respond with specificity to the "significant environmental points raised in the review and consultation process." . . . Here, the hydrological studies envisioned by the use permit would be exempt from this process of public and governmental scrutiny.

(*Sundstrom*, 202 Cal.App.3d at 308.) The same is true with the non-existent mitigation measures for artificial turf recycling.

The EIR's reliance on the *possibility* of a turf manufacturer implementing a recycling program constitutes inappropriately speculative and deferred mitigation under the EIR. (Guidelines § 15126.4(a)(1)(B)) As such, the analysis should be revised to consider consistency with Policy F under the assumption that recycling and reuse will not be available.

E. The EIR Fails to Identify and Mitigate Significant Aesthetic Impacts.

The EIR's analysis of Aesthetic Impacts is extremely flawed and its conclusions are not supported by substantial evidence. First, the EIR underestimates the impacts of having ten 60-foot light towers in a part of a park that has been historically dominated by trees. Second, the EIR does not even analyze that the historic darkness at the western end of the park constitutes part of the "scenic vista" that will suffer substantial damage. Third, the EIR fails to acknowledge that the glare from the light fixtures will have significant adverse impacts on the aesthetic resources, particularly dark sky values, from Sutro Heights and Ocean Beach. (EIR, at IV.B-13) Criticisms of these deficiencies were raised during the public comment period, but the Response to Comments avoids any forthright discussion of these concerns.

Jim Chappell, urban planner and former President and Executive Director of SPUR (San Francisco Planning and Urban Research Association) from 1994-2009, has submitted a comment letter concluding that the proposed Project would have significant adverse aesthetic impacts that are not adequately analyzed or mitigated in the EIR. Mr. Chappell concludes that "the introduction of lighting of the scale and intensity planned for the Project area would undermine the feeling of wildness in the area ... The serenity and natural feeling of the area would have been destroyed." The National Park Service letter of Feb. 1, 2012, echoed these concerns, concluding that "there is no quantifiable information or analysis in the EIR that supports" the EIR's conclusion that the Project would not have significant light spillover impacts on the nearby Ocean Beach dark sky area.

We submit herewith expert analysis of lighting expert Henk Spoelstra of Lumineux Consult. Mr. Spoelstra concludes that the project may have significant adverse impacts on dark skies, views from Ocean Beach, and other areas in the City, particularly due to light backscatter in the atmosphere, and particularly during fog, and glare induced by the night sports lighting. Mr. Spoelstra concludes that the EIR fails to include analysis that correctly models the amount of sky glow that will be experienced under either clear sky or fog conditions and that the EIR fails to adequately respond to his prior comment letter.

While the courts review an EIR using an "abuse of discretion" standard, "the reviewing court is not to 'uncritically rely on every study or analysis presented by a project proponent in support of its position. A 'clearly inadequate or unsupported study is entitled to no judicial deference.'" (*Berkeley Jets*, 91 Cal. App. 4th 1344, 1355 (emphasis added), quoting, *Laurel Heights Improvement Assn. v. Regents of University of California*, 47 Cal. 3d 376, 391 409, fn. 12 (1988)) As the court stated in *Berkeley Jets*:

> A prejudicial abuse of discretion occurs "if the failure to include relevant information precludes informed decisionmaking and informed public participation, thereby thwarting the statutory goals of the EIR process." (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal. App. 4th 713, 722]; *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal. App. 4th 1109, 1117; *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal. App. 4th 931, 946)

(91 Cal. App. 4th at 1355)

1. The EIR's Analysis of Impacts on the Scenic Vista Is Inadequate.

While CEQA grants considerable deference to the lead agency in making determinations regarding Aesthetic impacts, it requires a minimum of reasonableness and integrity. While the EIR skirts a forthright discussion of these impacts in the Aesthetics section, it does more forthrightly acknowledge the substantial adverse effects of the installation of lighting in the Historic Resources section. There, **the EIR acknowledges that the light poles will be "highly visible" during the day and at night "in an area of the park that has been historically dark at night."** (EIR, at IV.C-24) Despite its internal inconsistencies, the EIR concludes that these impacts are less than significant on the Aesthetic resource. (EIR, Impact AE-1 (IV.B-18), Impact AE-2 (IV.B.-28), Cumulative Impact C-AE (IV.B-37)

The Project will include the installation of ten 60-foot light poles mounted with sufficiently large fixtures to broadcast 150,000 watts of light onto the field every night of the year. During the day, these introduce an industrial element to the scenic treetop view of the western end of Golden Gate Park. During the night, a single light structure will have the illumination power of fifty-five street lights, a massive increase over the levels of illumination currently provided by lights along the Great Highway. These impacts will also negatively affect

wildlife and dark sky values appreciated by local astronomers and stargazers and ordinary people.

Feasible alternatives to the proposed light structures exist. The National Park Service recommended use of Class IV lighting (20-25 foot candles) rather than the Class II (51 foot candles) lighting proposed for the Project. This would reduce light intensity by half while still achieving all project objectives – and reducing project costs. There is no question that this would be a feasible mitigation measure for significant project impacts. The City has abused its discretion by failing to adopt or even consider this feasible mitigation measure. The City may not adopt a statement of overriding considerations and may not approve the Project unless it adopts this feasible mitigation measure. More importantly, there is no question that it is economically and technologically feasible to have no night lighting at Beach Chalet, as proposed in the Hybrid Alternative. Therefore, the City must adopt this environmentally superior alternative of no night lighting at Beach Chalet, with lights installed at West Sunset.

2. The EIR Acknowledges that the Project Will Substantially Degrade the Existing Visual Character of the Site and Its Surroundings.

In addition to resulting in light poles towering over the trees of the western end of the park, the Project will introduce a significant new source of light that will alter the dark sky character of the western shoreline area. The Response to Comments acknowledges that "the dark skies constitute a unique resource in the project vicinity." (C&R, at X.H-70) "Unique" is always valuable. Impacts that rob an area of a unique resource should be considered significant, requiring a robust assessment and selection of mitigation measures and/or an alternative that substantially lessens or avoids the impact.

The EIR and Response to Comments fail to seriously discuss impacts on the visual character of the site, especially during night. The EIR authors apparently have little or no experience with stargazing or assessing dark sky values. (*See* Lumineux Consult at 4) For example, the EIR fails to consider affects of back scattered light from the night sky. (*Id.*) The City has no evidence to assert that the sky above the renovated Project site will be just as dark as it would be without the lights. (*Id.*)

a. The EIR's Conclusion that the Project Will Not Create a New Source of Substantial Light or Glare Is Not Supported by Substantial Evidence.

The EIR fails to adequately and forthrightly assess impacts from the lighting and glare. (EIR, at IV.B-1-B-38). In truth, the EIR and Response to Comments fail to provide any data or other proof that there will be no glare from the project at night

The EIR's analysis fails on multiple fronts. First, it relies on vague "proof" and lacks quantitative analysis to support its assumptions. . (*See* Lumineux Consult, at 2 (referring to C&R, at X.H-12)[16] Second, despite claims to the contrary, it is apparent that the lights will be highly visible vertically, which will disrupt the views of observers above the fields (e.g., at Sutro Heights) and potentially cause an attractive nuisance for wildlife. (*See, e.g.*, Lumineux Consult, at 3, 4). Third, the simulations conducted were conducted at dusk, rather than in the complete darkness that represents the true value of the dark sky resource. (Lumineux Consult, at 3) Fourth, the Response to Comments was largely unresponsive to concerns raised by members of the public, including lighting professionals, about the quality of the analysis and issues that were not considered in the DEIR.

The Response to Comments' explanation of why simulations of the light spill over were conducted on images at dusk rather than full darkness are unconvincing. (*See* C&R, at X.H-55) The Response to Comments essentially explains that providing an accurate assessment of the glare and spill effects would be "extraordinarily difficult". (*See* C&R, at X.H-56) Regardless of the difficulty, an adequate analysis of impacts is required by CEQA.

While the EIR provides a quantitative analysis for horizontal illuminances, it fails to do so for vertical illuminances. (Lumineux Consult, at 2-6) Specifically, the EIR appears to rely on its assertion that shield lights will cut horizontal illumination to zero. However, even the flawed simulations provided in the EIR demonstrate that at least some glare and spill over will occur vertically. (*See* EIR, at IV.B-32; see also Lumineux Consult, at 3-5)

The EIR and Response to Comments concede that there has been no analysis of the light impacts under foggy conditions, but that it is expected that during fog the light would likely "be more visible higher up in the sky and from vantage points farther away." (Response to Comments, at X.H-59) Unfortunately, the EIR and Response to Comments discuss these phenomena only qualitatively and fail to provide any substantial evidence or quantitative analysis. (*See* Lumineux Consult, at 3) The National Park Service and others, including a professional lighting expert, have opined that the lights under foggy conditions will indeed have a significant aesthetic impact. (*See* National Park Service, Lumineux Consult, at 3)

Likewise, the Response to Comments does nothing to remedy the EIR's failure to assess lighting reflected from the turf surface. (*See* C&R, at X.H-60) The Response to Comments acknowledges that reflective glare "may" be an impact, but it dismisses the concern by saying that less reflective surfaces *may* be available (without committing to using them) and it states that other structures at the site will not be made with reflective materials. (*Id.*) The EIR makes no such assurances. At a minimum, the commitment to use less reflective turf and non-reflective

[16] The EIR's assertion that "experienced professionals" developed the visual simulations and assessments is also unavailing, as it does not identify the professionals or describe their qualifications. (Lumineux Consulting, at 2 (in response to C&R, at X.H-54)

structural components should be a fully described mitigation measure. Ultimately, the Response to Comments dismisses the concern without any actual analysis or evidence.

b. The Illumination Levels Included in the Project Do Not Further Any of the Project Objectives.

Moreover, the EIR utterly fails to acknowledge that nothing in the Project Objectives identifies the need for this level of illumination. The Response to Comments explains that "in order to be able to host high level tournaments with large numbers of spectators, an increase in light quantity from 30 foot-candles (FCs) (Class 3) to 50 PCs (Class 2) was desired." (Response to Comments, at X.H-56-57) The use of the fields to hold specific "tournaments", let alone "high-level" tournaments, is not an enumerated Project Objective. (See EIR, at II-5) Therefore, the installation of such bright lights is not even in furtherance of a Project Objective.

F. The EIR Fails to Correctly Calculate and Mitigate for GHG Emissions

The EIR fails to accurately calculate greenhouse gas (GHG) emissions from the Project. It is well-established that an EIR must analyze and mitigate a proposed project's greenhouse gas impacts. (*Communities for a Better Environment v. Richmond* (2010) 184 Cal. App. 4th 70)

The EIR fails to calculate the Project's GHG emissions. The Initial Study identified greenhouse gas emissions to have a less-than-significant impact, stating:

> The proposed project would generate greenhouse gas emissions, but not in levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions. (Less than Significant)

(Initial Study, p. 29) Construction activities over a 10-month period would include use of standard earth-moving equipment for grading, large trucks for hauling, and a small crane to lift the proposed light standards. (DEIR, p. ES-2)

No quantification of greenhouse gas (GHG) emissions during Project construction or following installation was provided in the DEIR. GHG emissions are not quantified in the DEIR because the Initial Study states that the project is consistent with San Francisco's "Strategies to Address Greenhouse Gas Emissions" and therefore would result in a less than significant impact. According to the DEIR, San Francisco's strategy is consistent with the Bay Area Air Quality Management District (BAAQMD) Qualified Greenhouse Gas Reduction Strategy, as defined in the 2010 CEQA Air Quality Guidelines.[17]

[17] http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/CEQA/BAAQMD%20CEQA%20Guidelines%20May%202011.ashx?la=en

The BAAQMD CEQA Guidelines require a Qualified Greenhouse Gas Reduction Strategy to be adopted in a "public process following environmental review."[18] San Francisco's Qualified Greenhouse Gas Reduction Strategy is a draft[19] and has not been adopted through a public process. The DEIR states only that the draft of the policy[20] was submitted to the BAAQMD.

Because the Qualified Greenhouse Gas Reduction Strategy is a draft, it was inappropriately relied upon in the IS to determine that Project greenhouse gas emissions would be less than significant. The plan, as currently written, may not be adopted through a public process and therefore it may not be implemented.

In calculating GHG impacts, it is imperative to start from the proper CEQA "baseline." Every CEQA document must start from a "baseline" assumption. The CEQA "baseline" is the set of environmental conditions against which to compare a project's anticipated impacts. Section 15125(a) of the CEQA Guidelines (14 C.C.R., § 15125(a)) states in pertinent part that a lead agency's environmental review under CEQA:

> "...must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time [environmental analysis] is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant."

(See, *Save Our Peninsula Committee v. County of Monterey* (2001) 87 Cal.App.4th 99, 124-125) As the court of appeal has explained, "the impacts of the project must be measured against the 'real conditions on the ground,'" and not against hypothetical permitted levels. (*Save Our Peninsula, supra*, 87 Cal.App.4th 99, 121-123; *Communities for a Better Environment v. SCAQMD* (2010) 48 Cal. 4th 310.)

The CEQA baseline is the natural grass field that currently exists at Beach Chalet. It is well-established that natural grass is highly effective at sequestering carbon dioxide. In other words, the GHG baseline is currently a negative number – less than zero. (Dr. Ranajit Sahu, Technical Assessment of the Carbon Sequestration Potential of Managed Turfgrass in the United States)

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18 http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/CEQA/BAAQMD%20CEQA%20Guidelines%20May%202011.ashx?la=en, p. D-25

19 http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf

20 http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf

The United States Department of Interior National Park Service filed a letter with the San Francisco Planning Department on March 4, 2011 urging the City to calculate and consider GHG impacts of the Project. The Park Service calculated that proposed lighting for the Project alone would generate 180 metric tons per year of GHG.

Matthew Hagemann, C. Hg., the former director of the United States Environmental Protection Agency's West Coast Regional Superfund program, concludes that the Project will have significant GHG impacts. He concludes:

1. The replacement of 6.8 acres of existing natural grass fields with 7.2 acres of synthetic turf and the replacement of an existing 25,230 square foot parking lot with a 34,060 square foot parking lot. The current natural grass surface serves to sequester greenhouse gasses[21] whereas synthetic turf emits greenhouse gasses during its production.[22] A study conducted in Canada concluded that a 9000m^2 natural grass field would sequester 16.9 MT CO_2e while a synthetic turf field would emit 55.6 MT CO_2e over a 10-year period. Cumulatively, this means that a 9000m^2 synthetic turf field would emit 72.6 MT CO_2e over a 10-year period, as the synthetic turf field does not sequester any GHG while it simultaneously emits them.[23] The proposed Project is more than 29,000 m^2, more than 3 times the size of the field in the study. Therefore, the installation of synthetic turf has the potential of releasing 218 MT CO_2e. Another study notes that "synthetic turf fields do not benefit from the carbon sequestration capability offered by the natural turf grass." It also goes on to say that natural grass can reduce greenhouse gas emissions by 10% over their lifecycle.[24]

2. The City has embarked on a program to replace grass fields throughout the City with artificial turf. The acreage of currently built synthetic fields in San Francisco is 19.6 acres. The planned renovation of Minnie and Lovie Ward fields would add another 5.5 acres of artificial turf. If Beach Chalet were converted to artificial turf, it would bring the total to 32.3 acres. The **cumulative impact** of the previously replaced fields, plus the Beach Chalet replacement would be well in excess of 1000 MT CO2e.

3. Emissions of construction equipment during the 10 month construction period. The DEIR does not address potential greenhouse gas emissions from construction. To mitigate any emissions, Mr. Hagemann points out numerous feasible mitigation measures that have been implemented elsewhere, but are not included for this Project.

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[21] http://www.mass.gov/eea/docs/eea/water/swm/framework/iane-doc-j.pdf
[22] *Review of the Impacts of Crumb Rubber in Artificial Turf Applications* (2010). University of California, Berkeley.
[23] *Estimating the Required Global Warming Offsets to Achieve a Carbon Neutral Synthetic Field Turf System Installation* (2006). Athena Institute.
[24] http://www.basf.com/group/corporate/en/function/conversions:/publish/content/sustainability/eco-efficiency-analysis/projects/Synthetic_Turf_EEA_Study_Verification.pdf p. 18

Given the potentially significant GHG emission impacts and the EIR's failure to analyze them, the Commission should refuse to certify the EIR until it is revised and recirculated to analyze this impact, propose feasible mitigation measures, and consider feasible alternatives that could reduce GHG impacts.

G. FEIR Unlawfully Defers Mitigation of Impacts to Water Quality

The Commission should also refuse to certify the EIR because it unlawfully defers mitigation of water quality impacts. The EIR acknowledges that

> [T]he composition of tire crumb is dependent on the tires used in the manufacturing process and can be variable. **Therefore, the quality of stormwater runoff and leachate from the proposed synthetic playfields <u>is unknown</u> and could contain pollutants that could degrade groundwater quality.**

(DEIR, at IV.G-29 (emphasis added)) According to a letter from the San Francisco Public Utilities Commission to the San Francisco Department of Parks and Recreation, zinc levels in stormwater run-off from SBR fields are fifty times higher than drinking water standards, which is a potentially significant impact. Given that San Francisco has adopted the Precautionary Principle, it is an abuse of discretion for the City to determine that there is not a significant impact when the quality of the leachate is "unknown", or, as indicated by the PUC, highly toxic, especially given that the runoff is likely to degrade groundwater quality in a priority aquifer.

The EIR attempts to assuage concerns about the impact by providing deferred mitigation. The PUC's further stated: "In the future, the SFPUC would coordinate with the SFRPD to determine a feasible solution to reduce the peak runoff rate and total runoff volume to the CSS [combined sewer system.]" As discussed above, CEQA prohibits such deferred mitigation.

H. The EIR Fails to Analyze and Mitigate Significant Impacts Related to Toxic Chemicals and other Human Health Risks Related to SBR Artificial Turf and Fails to Consider Feasible Non-Toxic Alternatives.

As discussed above, numerous controlling plans require that Beach Chalet remain in a naturalistic state without artificial turf or lights. However, if the City adopts the proposed Hybrid Alternative, it would include artificial turf at West Sunset. We urge the City to revise the EIR to consider non-toxic alternatives to Styrene Butadiene Rubber (SBR) at West Sunset. There is no dispute that SBR crumb-rubber artificial turf contains a large array of toxic and cancer-causing chemicals. (DEIR, IV.H-2) The only dispute is whether anyone playing on SBR fields, especially children, are exposed to an "acceptable" level of these cancer-causing and toxic chemicals. Under the California Environmental Quality Act, a risk is significant if it exceeds one cancer per million, or if the acute hazard index (for non-cancer health risks) exceeds 1.0. (DEIR, IV.H-3) If the City proceeds with artificial turf at West Sunset, we urge the City to consider

non-toxic alternatives to SBR, as have been installed throughout the country, including in the nearby cities of San Carlos, Piedmont, and in New York City and Los Angeles.

1. The EIR Underestimates Cancer Risks Exist Due to SBR.

As discussed below, the most comprehensive study to date, conducted by the California Environmental Protection Agency Office of Environmental Health Hazard Assessment (OEHHA) in 2009, concludes that SBR crumb rubber fields, create a cancer risk of approximately 18.8 per million – 18 times above the CEQA significance threshold. The OEHHA Study concludes:

> "Estimated inhalation exposures of soccer players to five of these (benzene, formaldehyde, naphthalene, nitromethane and styrene) gave theoretical increased lifetime cancer risks that exceeded the insignificant risk level of 10^{-6} (OEHHA, 2006)." (p.33)

California Office of Environmental Health Hazard Assessment (OEHHA) (2009)[25]

Chemical	Increased Cancer Risk
Benzene	2.8/million
Formaldehyde	1.6/million
Naphthalene	3.8/million
Nitromethane	8.7/million
Styrene	1.9/million
CUMULATIVE	**18.8/million**

In addition, a recent peer-review journal article study published in 2011 concludes that SBR soccer pitches create a significant cancer risk above 1 per million due to dioxin-like chemicals. Menichini, et al., *Sci Total Environ.* 2011 Nov 1;409(23):4950-7. Epub 2011 Sep 9. The article concludes:

> "The artificial-turf granulates made from recycled rubber waste are of health concern due to the possible exposure of users to dangerous substances present in the rubber, and especially to PARs. In this work, we determined the contents of PARs, metals, non-dioxin-like PCBs (NDL- PCBs), PCDDs and PCDFs in granulates, and PAR concentrations in air during the use of the field... an excess lifetime cancer risk of 1 x10(-6) was calculated for an intense 30-year activity."

[25] *Chemicals and particulates in the air above the new generation of artificial turf playing fields, and artificial turf as a risk factor for infection by methicillin-resistant Staphylococcus aureus (MRSA) Literature review and data gap identification,* Office of Environmental Health Hazard Assessment, California Environmental Protection Agency, pp. 30-33 (July, 2009).

The EIR fails to analyze health risks from dioxin-like compounds at all.

The EIR fails to discuss a 2007 study by the highly respected Environment and Human Health, Inc. (EHHI), directed by Dr. John Wargo, Ph.D., (Director of the Yale Program on Environment and Health). The EHHI study concludes:

> The Connecticut Agricultural Experiment Station study conclusively demonstrates that the tire crumbs and tire mulch release chemical compounds into the air and ground water. Thus, tire crumbs constitute a chemical exposure for humans and the environment.
>
> Health endpoints of concern are numerous, including acute irritation of the lungs, skin, and eyes, and chronic irritation of the lung, skin, and eyes. Knowledge is somewhat limited about the effects of semi-volatile chemicals on the kidney, endocrine system, nervous system, cardio vascular system, immune system, developmental effects and the potential to induce cancers.

Phillip Landrigan, MD, epidemiologist and Director of the Mount Sinai School of Medicine Children's Environmental Health Center in New York, submitted a letter to the City Planning Department on May 8, 2012, stating:

> The major chemical components of crumb rubber are styrene and butadiene, the principal ingredients of the synthetic rubber used for tires in the United States. Styrene is neurotoxic. Butadiene is a proven human carcinogen. It has been shown to cause leukemia and lymphoma. The crumb rubber pellets that go into synthetic turf fields also contain lead, cadmium and other metals. Some of these metals are included in tires during manufacture, and others picked up by tires as they roll down the nation's streets and highways. There is a potential for all of these toxins to be inhaled, absorbed through the skin and even swallowed by children who play on synthetic turf fields. Only a few studies have been done to evaluate this type of exposure risk, the most notable by EPA in 2009, NY State DEC in 2009, and CT DEP in 2012.
>
> Although some elevation in VOCs and particulate levels were found, the results were inconsistent and all were below the NAAQ Standards or government set levels of concern. All of these studies cautioned that they were limited in nature, could not represent the wide range of environmental conditions likely in real world use, and could not account for the wide variability in the make-up of different batches of crumb rubber. In our opinion, this remains an area of potential risk that has not been studied to our satisfaction.

The EIR does not address Dr. Landrigan's comments, and the City has not responded to this letter.

Matthew Hagemann, C.Hg., former director of US EPA's West Coast Superfund program, concludes that the Project will have significant cancer and non-cancer health risks. Mr. Hagemann states:

> Approximately 314,000 square feet of synthetic turf is to be installed upon Project construction. Although the company that would supply the turf has not been selected, the new synthetic turf would consist of four basic components: fiber, infill, backing, and underlayment. The infill typically consists of crumb rubber, finely ground rubber from recycled or scrap tires.
>
> Toxins from tire crumb can enter the body through inhalation of particulates, fibers, and volatile organic compounds (VOCs).[26] VOCs can cause organ damage, irritation of eyes, throat, and airways, and nervous system impairments.[27] Synthetic turf can be heated to high temperatures when exposed to sunlight which, in turn, can lead to further release of VOCs.[28]
>
> The DEIR includes references to synthetic turf studies that have shown risks to human health from inhalation of VOCs to exceed a commonly accepted threshold of one additional cancer incidence in a population of a million people ("one in a million or 10^{-6}"). Although this is disclosed in the DEIR, the DEIR fails to identify this as a significant impact and fails to mitigate the risk.
>
> One study cited in the DEIR, a 2009 study prepared by the California Office of Environmental Health Hazard Assessment (OEHHA)[29], concludes that soccer players with inhalation exposure to vapors from a theoretical scenario of playing for 51 years on synthetic turf would have increased "lifetime cancer risks that exceeded the insignificant risk level of 10^{-6}" from breathing benzene, formaldehyde, naphthalene, nitromethane and styrene, chemicals associated with VOC vapors from synthetic turf. The OEHHA finding of significant health risks was corroborated by a 2011 Italian study in which showed risk to be in excess of 10^{-6} from particle-bound polycyclic aromatic hydrocarbons.[30] Another 2011 study found that benzothiazole, a chemical that causes respiratory irritation and dermal sensitization, volatilizes from crumb rubber resulting in inhalation exposure.[31] The latter two studies are not mentioned in the DEIR.

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[26] http://www.ens-newswire.com/ens/jun2009/2009-06-04-091.asp
[27] http://www.emcmolding.com/CRIS.pdf
[28] http://www.dec.ny.gov/docs/materials_minerals_pdf/tirestudy.pdf
[29] http://www.calrecycle.ca.gov/Tires/Products/BizAssist/Health/TurfStudy/LitReview.doc
[30] http://www.ncbi.nlm.nih.gov/pubmed/21907387
[31] http://www.ncbi.nlm.nih.gov/pubmed/21797770

The individual risks from benzene, formaldehyde, naphthalene, nitromethane and styrene each exceed the one in a million threshold. When summed[32], the cancer risk from chemicals identified in the OEHHA study equals 1.9 in 100,000 which exceeds a 10^{-5} level (or one in a hundred thousand) risk level (19 in a million).

Because cancer and non-cancer health risks were not identified as significant, no mitigation was identified in the DEIR. The failure to identify significant health risks from synthetic turf is contrary to findings in other DEIRs including a 2010 DEIR prepared for sports fields in Moraga, California.[33] In Moraga, the DEIR concluded "potential hazardous effects from the use of the proposed synthetic turf field ... would be considered a significant impact" (p. 215). To address this finding, the Moraga EIR included the following mitigation measures:

- Testing to determine materials used in the synthetic turf components;
- "Airing out" the turf prior to installation and use to minimize the presence of VOCs and other potential airborne contaminants; and
- Signs to be placed at the fields noting use of crumb rubber in the infill to minimize effects on sensitive individuals.

At a minimum, these measures should be considered in a revised DEIR. Additionally, measures to prevent exposure to harmful vapors should be considered including:

- Use of natural grass;
- Use of non crumb-rubber synthetic turf alternatives;[34]
- Use a silicon-based infill;[35]
- Use cork and coconut husks as infill;[36] and
- Use elastomer-coated sand as infill.[37]

Since the very studies that the EIR cites calculate a cancer risk well above the CEQA significance threshold of 1 per million, and the EIR fails to analyze cancer risks from dioxin-like chemicals at all, there is no substantial evidence to support the EIR's conclusion that the cancer risk is less than significant.

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[32] http://www.calepa.ca.gov/brownfields/documents/2005/CHHSLsGuide.pdf, p. 2-10
[33] *Moraga Canyon Sports Field Environmental Impact Report*, June 2010
[34] http://www.geoturfusa.com/g/installations
[35] http://www.newgrass.com/wordpress/index.php/2009/02/
[36] http://www.csrwire.com/press_releases/28784-Limonta-Sport-Chosen-as-FIFA-Preferred-Producer
[37] A Safe Alternative to Crumb Rubber Infill Within Synthetic Turf Fields, May 2008
http://synthetiksurfacescanada.com/img/pdf/A%20Safe%20Alternative%20To%20Crumb%20Rubber.pdf

The City of Piedmont retained independent consulting firm, LSA Associates, Inc., to analyze the proposed artificial turf field at Blair Park (Moraga Canyon Sports Field Project EIR (2010). That EIR analyzed the same data reviewed by the City, but concludes that even with mitigation measures, **the human health impact created by toxic chemicals in SRB artificial turf would remain "significant and unavoidable."** (Moraga Canyon Sports Field Project EIR, p. 215) If SBR creates a significant and unavoidable cancer risk to children in Piedmont, then the same material must also create a significant and unavoidable health risk to children in San Francisco.

Given these demonstrable, significant impacts and risks to human health and the EIR's complete failure to analyze the issue, the Commission should refuse to certify the EIR and direct the Planning Department to conduct additional analysis, develop mitigation measures, and select less impactful alternatives, including natural turf in Golden Gate Park.

2. The EIR Miscalculates the Acute Hazard Risk.

A study conducted by OEHHA in 2007 concludes that SBR artificial turf creates an acute hazard index of 2.2 – more than double the 1.0 CEQA significance threshold. (DEIR, IV.H-29) Nevertheless, the EIR cites this very study to erroneously conclude that the acute hazard risk is less than significant. (EIR, IV.H-4)

Mr. Hagemann states in his comment letter on the project:

> Non-cancer risks also exceed the acute hazard index of 1.0, the level which is typically considered to be significant. OEHHA found that a one-time ingestion of a 10g piece of shredded tire resulted in a non-cancer risk of 6.9, almost 7 times the threshold. Ingestion of infill material may occur as players contact the synthetic turf surface. Zinc is the chemical which is the primary driver of the risk. Ingestion of zinc, even for a short time, can result in stomach cramps, nausea, and vomiting.[38] The Connecticut Department of Public Health warns that children are likely to swallow infill material.[39] The acute hazard index, based on all chemicals, is 2.2, more than twice the 1.0 threshold. Although the non-cancer risks exceed the hazard index and pose potentially significant impacts to human health, the DEIR does not identify these findings nor provide adequate mitigation.

The EIR cites no other study calculating a different acute hazard index. Therefore, there is no substantial evidence to support the EIR's conclusion that the acute hazard index is less than significant. A Supplemental EIR must acknowledge this significant impact and propose feasible mitigation measures and alternatives.

[38] http://www.atsdr.cdc.gov/phs/phs.asp?id=300&tid=54
[39] http://www.ct.gov/dph/lib/dph/environmental_health/eoha/pdf/artificial_turf_tech_fs_10-07.pdf

3. The EIR Lacks Substantial Evidence to Conclude that Heavy Metal Risks Are Insignificant.

The DEIR admits that ingestion of zinc contained in SBR artificial turf is calculated by OEHHA to create a non-cancer health risk of 6.9 – far above the CEQA significance threshold of 1.0. (DEIR, IV. H-4) Nevertheless, the EIR concludes that this risk is less than significant. (*Id.*) There is no substantial evidence to support this conclusion.

4. The EIR Fails to Adequately Assess Risks from Extreme Heat.

The EIR admits that, "air temperature in the immediate area of synthetic turf can be higher than adjacent areas on hot or sunny days, creating what is known as a "heat island." (DEIR, II-24) However, the EIR only states that "signage would encourage field users to hydrate." (*Id.*)

The risk of extreme heat is a significant impact of artificial turf that requires analysis and mitigation in the EIR, more than the perfunctory mention contained in a single sentence. It is well documented that synthetic turf fields absorb heat, resulting in surface temperatures much higher than the surrounding air. A study prepared by the New York State Department of Public Health concluded that even in relatively mild temperatures in the 70's Fahrenheit, average surface temperatures on artificial turf have been measured as high as 120 to 130 degrees – much higher than temperatures on natural grass. The report concludes, "the surface temperatures reported on synthetic turf fields can get high enough to reach levels of discomfort and may contribute to heat stress among users of the fields... The potential for and frequency of high surface temperatures warrant consideration when making decisions about installing and using a synthetic turf field."[40]

Dr. Landrigan's letter to the City states,

> On hot summer days, temperatures of over 130 degrees Fahrenheit have been recorded a few feet above the surface of synthetic turf fields - precisely at the altitude where playing children breath. Surface temperatures have been recorded as high as 173 degrees. A 2009 study done by the NY State DEC noted that such conditions may have the potential to cause thermal injury and contribute to heat-related illnesses.

The EIR fails to adequately analyze this impact or consider feasible mitigation measures or alternatives. A recirculated EIR must be prepared to analyze this impact and propose feasible alternatives and mitigation measures.

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[40] Fact Sheet: Crumb-Rubber Infilled Synthetic Turf Athletic Fields, New York Dept. of Health. (http://www.health.ny.gov/environmental/outdoors/synthetic_turf/crumb-rubber_infilled/docs/fact_sheet.pdf)

5. The EIR Fails to Adequately Assess Human Health Risks from Skin Abrasions and Injuries.

Numerous studies have documented an increased risk of skin abrasions, allergic reactions, and certain types of ligament damage on artificial turf. In fact, there are certain injuries that are unique to artificial turf – such as "turf toe." Dr. Landrigan's letter states: "Numerous studies have demonstrated a higher rate of abrasion injuries on synthetic turf compared to natural grass, as high as 7 times greater. Outbreaks of skin infections caused by methicillin-resistant staphylococcus aureus (MRSA) have been documented in college and professional football players (NEJM 2005). Abrasions from synthetic turf have been consistently identified as a risk factor along with hygiene related issues including shared towels, creams, and inadequate hand and whirlpool hygiene. Although there is good evidence that synthetic turf does not harbor the bacteria, the increased risk of abrasion injuries does demand attention and heightened hygiene vigilance."

The EIR concludes that "increased risk of sports injury to recreationists [is] not applicable under CEQA." There is no legal basis for this conclusion. Courts have repeatedly affirmed that human health impacts are within the scope of CEQA – in other words, humans are part of the environment. Human "health impacts … must be identified and analyzed in … EIRs." (*Bakersfield Citizens v. City of Bakersfield* (2004) 124 Cal. App. 4th 1184, 1220.) The failure of the City to analyze the health risks of the Project renders the EIR inadequate. (*Berkeley Jets*, 91 Cal.App.4th at 1369) A recirculated EIR must be prepared to analyze this impact and propose feasible alternatives and mitigation measures.

6. Non-Toxic Alternatives to SBR Exist and Should Be Assessed in the EIR.

The EIR expressly refuses to analyze feasible non-toxic alternatives to SBR turf. (DEIR IV.H-8) Most obvious is real grass fields with gopher controls and adequate drainage. There are also several non-toxic artificial turf infill materials that have been used successfully in other communities, which should be considered for the West Sunset Alternative. The City of New York has ceased installing SBR artificial turf due to the above health concerns. (*See* Letter of Dr. Landrigan) Since the moratorium, the City has successfully installed several carpet-pad style artificial turf fields.

Numerous alternative infill materials are summarized in a report by the Montgomery County, Maryland, Department of Environmental Protection, and Montgomery County Department of Health and Human Services.[41] At a minimum, the EIR should be revised to

[41] A Review of Benefits and Issues Associated with Natural and Artificial Turf Rectangular Stadium Fields, Prepared by a Staff Work Group from Montgomery County Public Schools, Montgomery County Department of Parks, Montgomery County Council, Montgomery County Department of Environmental Protection, and

consider these non-toxic alternatives, such as: (1) Corkonut (a FIFA-approved blend of cork and coconut shells recently installed in the cities of Piedmont and San Carlos); (2) Thermoplastic Elastomers (TPEs) (a non-toxic "carpet-pad-style" backing recently installed in New York City); (3) EPDM Rubber (Ethylene Propylene Diene Monomer) (a non-toxic infill recently installed a Brigham Young University); (4) Acrylic Coated Silica Sand (a non-toxic sand-based material recently installed at fields by the Los Angeles Unified School District).

A supplemental EIR should be prepared to adequately disclose and analyze the human health impacts of SBR turf fields, and to consider alternatives and mitigation measures to reduce these risks. The alternative infill materials mentioned above should be considered for feasibility if artificial turf is installed at West Sunset. We reiterate that no artificial turf of any type should be installed at Beach Chalet.

7. A Supplemental EIR Must be Prepared and Recirculated for Public Comment.

Recirculation of an EIR prior to certification (as here) is addressed in CEQA § 21092.1 (and CEQA Guidelines §15088.5). In *Laurel Heights Impr. Assn. v. Reg. of Univ. of Cal.* (1993) 6 Cal. 4th 1112 ("*Laurel Heights II*") the Supreme Court explained that CEQA Section 21166 disfavors EIR recirculation after certification, but Section 21092.1 contains an additional, fourth category, which favors EIR recirculation prior to certification. The Court stated:

> With the addition of the fourth category of "triggering information" to the list, we recognize that "significance" for purposes of section 21092.1 cannot be defined exclusively in terms of the grounds for recirculation found in section 21166, from which the first three categories are drawn. The different circumstances governed by these statutes mandate this conclusion.
>
> In the case of a certified EIR, which is a prerequisite for application of section 21166, section 21167.2 mandates that the EIR be conclusively presumed valid unless a lawsuit has been timely brought to contest the validity of the EIR. This presumption acts to preclude reopening of the CEQA process even if the initial EIR is discovered to have been fundamentally inaccurate and misleading in the description of a significant effect or the severity of its consequences. After certification, the interests of finality are favored over the policy of encouraging public comment.
>
> By way of contrast, section 21092.1 was intended to encourage meaningful public comment. (See State Bar Rep., supra, at p. 28.) Therefore, new information that demonstrates that an EIR commented upon by the public was so fundamentally and

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Montgomery County Department of Health and Human Services (April 13, 2011) (http://www.montgomerycountymd.gov/content/council/atreportwithappendicesapril132011.pdf)

> basically inadequate or conclusory in nature that public comment was in effect meaningless triggers recirculation under section 21092.1. (See, *Mountain Lion Coalition v. Fish & Game Com., supra*, 214 Cal.App.3d 1043.)
>
> *Laurel Heights II*, 6 Cal.4th at 1130 (emph. added).

CEQA §21092.1, reads: "When significant new information is added to an environmental impact report after notice has been given pursuant to Section 21092 ... but prior to certification, the public agency shall give notice again pursuant to Section 21092, and consult again pursuant to Sections 21104 and 21153 before certifying the environmental impact report." PRC § 21092.1. "Significant new information" includes:

> (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
> (2) A substantial increase in the severity of an environmental impact would result...
> (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project...
> (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.
>
> 14 CCR §15088.5; *Mountain Lion Coal. v. Fish and Game Comm'n* (1989) 214 Cal.App.3d 1043.

As discussed above the EIR fails entirely to adequately analyze, mitigate, or consider alternatives related to the Project's inconsistencies with applicable planning documents, aesthetic impacts, historic impacts, visual impacts, GHG impacts, toxic impacts, and others. The EIR is therefore "so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded." A supplemental EIR is therefore required to analyze these and other impacts of the Projects, and to consider feasible alternatives and mitigation measures.

I. The EIR Illegally Defers Mitigation for Impacts from the Disposal of the Turf Waste Material.

The EIR inappropriately relies on deferred mitigation to reduce the impacts of disposal of the turf surface to less than significant levels. (EIR, at IV-H-9, -30). CEQA disallows deferring the formulation of mitigation measures to post-approval studies. (CEQA Guidelines § 15126.4(a)(1)(B); *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308-309.) An agency may only defer the formulation of mitigation measures when it possesses "'meaningful information' reasonably justifying an expectation of compliance." (*Sundstrom* at 308; *see also Sacramento Old City Association v. City Council of Sacramento* (1991) 229 Cal.App.3d 1011,

1028-29 (mitigation measures may be deferred only "for kinds of impacts for which mitigation is known to be feasible").)

The Planning Commission is precluded from making the required CEQA findings unless the record shows that all uncertainties regarding the mitigation of impacts have been resolved; an agency may not rely on mitigation measures of uncertain efficacy or feasibility (*See Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 727 (finding groundwater purchase agreement inadequate mitigation because there was no evidence that replacement water was available).) This approach helps "insure the integrity of the process of decisionmaking by precluding stubborn problems or serious criticism from being swept under the rug." (*Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 935.)

Here, the purported recycling program is uncertain in both efficacy and feasibility. The EIR provides no details whatsoever about this proposed program and cannot assure the public that such a program will even come to be, let alone that it will be efficacious and feasible. Consequently, the EIR must be amended to consider the disposal of the turf as a significant impact. Moreover, the EIR must consider the cumulative impacts of disposing of all of the artificial turf fields within San Francisco and that are going to be installed in the foreseeable future. Because the Off-site Alternative is feasible and meets most of the project objectives, it should be selected in favor of the EIR's current preferred alternative.

Several commentators to the EIR criticized its unsupported boast that the turf would last 10-15 years. (*See, e.g.*, EIR at IV.H-30) Notably, in the Response to Comments, the City discusses only that warranties range from 8-10 years and asserts —without providing evidence— that third party warranties are available for longer periods of time. The City does not directly address the question of longevity or increasing health risks that may occur as the materials break down. Moreover, the City does not provide any information about the make-up of turf fields already installed or how they are holding up. Visual observations at South Sunset field show that that artificial turf field is already in a state of disrepair after only five years.

The recycling and reuse assurances provided in the EIR remain too poorly explained and uncertain. The EIR states that the Synthetic Turf Standards would require the vendor to provide an "end-of-life recycling plan" that would specify (1) the manner of reuse or recycling and its process, (2) the parties responsible for removal and disposition of the turf, and (3) a signed commitment guaranteeing implementation." (EIR, at IV.H-30) Despite these assurances, the EIR then states that "the turf should be able to be disposed of consistently with the management of used tires." (*Id.*) So, not only does the EIR anticipate that the recycling plan may not be implemented, it acknowledges that the disposal option is the same as that used for used tires, which can have significant negative impacts on the environment.

Moreover, by deferring the development of the end-of-life recycling plan, the City has effectively precluded public input into the development of those measures. CEQA prohibits this approach. As explained by the *Sundstrom* court:

> An EIR ... [is] subject to review by the public and interested agencies. This requirement of "public and agency review" has been called "the strongest assurance of the adequacy of the EIR." The final EIR must respond with specificity to the "significant environmental points raised in the review and consultation process." . . . Here, the hydrological studies envisioned by the use permit would be exempt from this process of public and governmental scrutiny.

(*Sundstrom*, 202 Cal.App.3d at 308.)

Here, the specifics of the purported end-of-life recycling plan will depend on the vendor and only have to conform to certain, broad requirements. Interested parties would be precluded from commenting on their adequacy, even though CEQA requires that they be permitted to do so. This is not the kind of public input required by CEQA.

J. Inadequate Response to Comments.

The Final EIR fails to adequately respond to comments made by many of the commenting entities, including, but not limited to, the Sierra Club's December 12, 2011 letter to Bill Wyco. Luminex has submitted a letter detailing the many failures of the Final EIR to address comments raised by Luminex on during the comment period for the Draft EIR.

Public participation is an essential part of the CEQA process. Public review of environmental documents serves the following purposes: (a) sharing expertise; (b) disclosing agency analyses; (c) checking for accuracy; (d) detecting omissions; (e) discovering public concerns; and (f) soliciting counter proposals. (CEQA Guidelines, § 15200.) "[T]he 'privileged position' that members of the public hold in the CEQA process . . . is based on a belief that citizens can make important contributions to environmental protection and on notions of democratic decision making. . . ." (*Concerned Citizens of Costa Mesa, supra*, 42 Cal.3d at 936.)

Evaluation and response to public comments is also essential. Failure to comply with the requirement can lead to disapproval of a project. (CEQA Guidelines Discussion, § 15088.) An agency's responses to comments must specifically explain the reasons for rejecting suggestions received in comments and for proceeding with a project despite its environmental impacts. Such explanations must be supported with specific references to empirical information, scientific authority, and/or explanatory information. (*Cleary v. County of Stanislaus* (1981) 118 Cal.App.3d 348, 357.) The responses, moreover, must manifest a good faith, reasoned analysis; conclusory statements unsupported by factual information will not suffice. (*People v. County of Kern* (1974) 39 Cal.App.3d 830, 841.)

Here the City responded in a cursory and inadequate way to most of the comments submitted by the public. A supplemental EIR is required to provide an adequate response to comments.

III. CONCLUSION

We urge the Board of Supervisors to reverse the decisions of the Planning Commission and Recreation and Park Commission. In this dense, urban environment, there are few places to experience nature, forests, open spaces, and dark skies. The Beach Chalet fields provide one of the last such settings. Once it is paved over with plastic and 150,000 watts of stadium lighting, it will be gone forever. There is no question that children need play space, but they also need areas that "provide a sylvan retreat from urban pressures for all citizens, rich and poor." (National Register, § 7, at 1)

Fortunately, we can have both. We urge the Board to remand this issue back to the Planning Department to prepare a supplemental EIR to consider the Hybrid Alternative, which includes:

(1) renovated grass fields at Beach Chalet with gopher controls, improved drainage, state-of-the-art irrigation, new sod, and no night lights; and
(2) new artificial turf fields at West Sunset made with safe materials and appropriate lighting.

This Hybrid Alternative would provide almost all of the additional play hours included in the proposed Project, while still protecting the unique natural landscape of the Beach Chalet and Ocean Beach areas. Thank you for considering our comments.

Respectfully submitted,

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Planning Commission Motion No. 18637

HEARING DATE: May 24, 2012

Hearing Date:	May 24, 2012
Case No.:	**2010.0016E**
Project Name:	**Beach Chalet Athletic Fields Renovation**
Zoning:	Public Use District Open Space Height and Bulk District Coastal Special Use District
Block/Lot:	1700/001
Project Sponsor:	Dan Mauer, Recreation and Park Department (415) 581-2542
Lead Agency:	San Francisco Planning Department
Staff Contact:	Don Lewis, Environmental Planner (415) 575-9095 or don.lewis@sfgov.org

ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED RENOVATION OF THE BEACH CHALET ATHLETIC FIELDS, AN APPROXIMATELY 9.4-ACRE PUBLIC SPORTS FACILITY LOCATED AT 1500 JOHN F. KENNEDY DRIVE, ALONG THE WESTERN EDGE OF GOLDEN GATE PARK. THE PROJECT ENTAILS THE REPLACEMENT OF EXISTING GRASS TURF FIELDS WITH SYNTHETIC TURF, INSTALLATION OF FIELD LIGHTING, RENOVATION OF THE EXISTING RESTROOM BUILDING, INSTALLATION OF PLAYER BENCHES AND SEATING, AND CONSTRUCTION OF OTHER MODIFICATIONS FOR PARKING, CIRCULATION, AND SPECTATOR AMENITIES TO IMPROVE THE OVERALL CONDITIONS OF THE FACILITY AND INCREASE THE AMOUNT OF PLAY TIME AVAILABLE ON THE ATHLETIC FIELDS.

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Environmental Impact Report identified as Case No. 2010.0016E, Beach Chalet Athletic Fields Renovation (hereinafter "Project"), based upon the following findings:

1. The City and County of San Francisco, acting through the Planning Department (hereinafter "Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 *et seq.*, hereinafter "CEQA"), the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 *et seq.*, (hereinafter "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").

   A. The Department determined that an Environmental Impact Report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on February 2, 2011.

   B. On October 26, 2011, the Department published the Draft Environmental Impact Report (hereinafter "DEIR") and provided public notice in a newspaper of general circulation of

the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice.

C. Notices of availability of the DEIR and of the date and time of the public hearing were posted at the project site on October 26, 2011.

D. On October 26, 2011, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse.

E. Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on October 26, 2011.

2. The Commission held a duly advertised public hearing on said DEIR on December 1, 2011 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on December 12, 2011.

3. The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 47-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Draft Comments and Responses document, published on May 9, 2012, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.

4. A Final Environmental Impact Report (hereinafter "FEIR") has been prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Comments and Responses document all as required by law.

5. Project Environmental Impact Report files have been made available for review by the Commission and the public. These files are available for public review at the Department at 1650 Mission Street, Suite 400, and are part of the record before the Commission.

6. On May 24, 2012, the Commission reviewed and considered the FEIR and hereby does find that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

7. The Planning Commission hereby does find that the FEIR concerning Case No. 2010.0016E – Beach Chalet Athletic Fields Renovation Project reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Comments and Responses document contains no significant revisions to the DEIR,

and hereby does CERTIFY THE COMPLETION of said FEIR in compliance with CEQA and the CEQA Guidelines.

8. The Commission, in certifying the completion of said FEIR, hereby does find that the project described in the EIR:

   A. Would have a project-specific significant, adverse effect on the environment associated with the addition of spectator seating, synthetic turf, circulation paths, and field lights to the Beach Chalet Athletic Fields, a historical resource for purposes of environmental review.

9. The Planning Commission reviewed and considered the information contained in the FEIR prior to approving the Project.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of May 24, 2012.

Linda Avery
Commission Secretary

AYES: Commissioners Fong, Wu, Antonini and Borden

NOES: Commissioner Moore

ABSENT: Commissioners Miguel and Sugaya

ADOPTED: May 24, 2012

SAN FRANCISCO
PLANNING DEPARTMENT

Planning Commission Motion No. 18638

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

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Hearing Date:	May 24, 2012
Case No.:	**2010.0016E**
Project Name:	**Beach Chalet Athletic Fields, Golden Gate Park**
Zoning:	P (Public) Zoning District OS (Open Space) District
Block/Lot:	1700/001
Project Sponsor:	San Francisco Recreation and Park Department c/o Dan Mauer 30 Van Ness Avenue, 5th floor San Francisco, CA 94102
Staff Contact:	Glenn Cabreros – (415) 558-6169 glenn.cabreros@sfgov.org

ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, INCLUDING FINDINGS REJECTING ALTERNATIVES AS INFEASIBLE, AMENDING A MITIGATION MEASURE, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION, MONITORING, AND REPORTING PROGRAM, RELATING TO THE RENOVATION OF THE BEACH CHALET ATHLETIC FIELDS FACILITY LOCATED IN GOLDEN GATE PARK AND INCLUDING REPLACING THE EXISTING GRASS TURF FIELDS WITH SYNTHETIC TURF, INSTALLING FIELD LIGHTING, RENOVATING THE EXISTING RESTROOM BUILDING, INSTALLING PLAYER BENCHES AND SEATING, AND COMPLETING OTHER MODIFICATIONS FOR PARKING, CIRCULATION, AND SPECTATOR AMENITIES TO IMPROVE THE OVERALL CONDITIONS OF THE FACILITY AND INCREASE THE AMOUNT OF ATHLETIC PLAY TIME WITHIN THE P (PUBLIC) ZONING DISTRICT AND THE OPEN SPACE HEIGHT AND BULK DISTRICT.

PREAMBLE

On June 15, 2010, the San Francisco Recreation and Parks Department ("Project Sponsor") submitted an Environmental Evaluation Application to the Planning Department ("Department"), Case No. 2010.0016E, in connection with a project to renovate of the Beach Chalet Athletic Fields facility, located at 1500 John F. Kennedy Drive in Golden Gate Park, which includes replacing the existing grass turf fields with synthetic turf, installing field lighting, renovating the existing restroom building, installing player benches and seating, and completing other modifications for parking, circulation, and spectator amenities to improve the overall conditions of the facility and increase the amount of athletic play time ("Project").

On February 2, 2011, the Department issued a Notice of Preparation of an Environmental Impact Report (NOP) for the Project.

On October 26, 2011, the Department published the Draft Environmental Impact Report ("DEIR" or "Draft EIR") for the Project and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment. The DEIR was available for public comment until December 12, 2011.

The San Francisco Planning Commission held a public hearing on the DEIR on December 1, 2011 at a regularly scheduled meeting to solicit public comment regarding the DEIR.

The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 47-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Draft Comments and Responses document, published on May 9, 2012, distributed to the Planning Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.

A Final Environmental Impact Report ("FEIR" or "Final EIR") was prepared by the Department, consisting of the Draft EIR and the Comments and Responses document.

Project Environmental Impact Report files have been made available for review by this Commission and the public. These files are available for public review at the Planning Department at 1650 Mission Street, and are part of the record before this Commission.

On May 24, 2012, the Planning Commission reviewed and considered the Final EIR and found that the contents of the report and the procedures through which the Final EIR was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code section 21000 *et seq.*) ("CEQA"), 14 California Code of Regulations sections 15000 *et seq.* ("CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

The Commission found the Final EIR was adequate, accurate and objective, reflected the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and approved the Final EIR for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

The Planning Department, Linda Avery, is the custodian of records, located in the File for Case No. 2010.0016E, at 1650 Mission Street, Fourth Floor, San Francisco, California.

Department staff prepared a Mitigation Monitoring and Reporting Program ("MMRP") for the Project and these materials were made available to the public and this Commission for this Commission's review, consideration and action.

On May 24, 2012, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case Nos. 2010.0016E. The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, the Planning Department staff, and other interested parties.

MOVED, that the Commission hereby adopts findings under the California Environmental Quality Act, including rejecting alternatives as infeasible and adopting a Statement of Overriding Considerations, and adopts the MMRP attached as Exhibit A based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

In determining to approve the Project, the Commission makes and adopts the following findings of fact and decisions regarding mitigation measures and alternatives, and adopts the statement of overriding considerations, based on substantial evidence in the whole record of this proceeding and pursuant to CEQA, the CEQA Guidelines, and Chapter 31.

This document is organized as follows:

Section I provides a description of the proposed Project, the environmental review process for the Project, the approval actions to be taken, and the location of records;

Section II identifies the Project's potentially significant impacts that are avoided or reduced to less-than-significant levels and makes findings regarding Mitigation Measures;

Section III identifies significant, unavoidable impacts that cannot be avoided or reduced to less-than-significant levels through Mitigation Measures;

Section IV identifies the Project alternatives that were analyzed in the EIR and discusses the reasons for the rejection of these alternatives; and

Section V makes a Statement of Overriding Considerations setting forth the specific economic, legal, social, technological, or other benefits of the Project that outweigh the significant and unavoidable adverse environmental effects and support the rejection of the project alternatives;

The Mitigation Monitoring and Reporting Program ("MMRP"), for the mitigation measures that have been proposed for adoption is attached with these findings as Exhibit A. The MMRP is required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. The MMRP provides a table setting forth each mitigation measure listed in the Final EIR that is required to reduce or avoid a significant adverse impact, with the exception of Mitigation Measure M-CP-1, which is hereby amended by these findings because it may not be feasible to implement as described in the FEIR, as described in more detail below. The MMRP also specifies the agency responsible for implementation of each measure, establishes monitoring actions and a monitoring schedule.

I. PROJECT DESCRIPTION

a. Project Description

The Project Sponsor, the San Francisco Recreation and Parks Department ("SFRPD"), is proposing to renovate the Beach Chalet Athletic Fields facility, an approximately 9.4-acre public sports field facility

located at 1500 John F. Kennedy Drive, along the western edge of Golden Gate Park ("Project Site"). The Project Site currently includes four grass turf athletic fields surrounded by an 8-foot-tall metal chain link fence, an approximately 25,320-square-foot, 50-space asphalt parking lot (including one disabled-accessible space), a restroom building, and a cargo container being used as a maintenance shed. The Project includes replacing the existing grass turf fields with synthetic turf, installing field lighting, renovating the existing restroom building, installing player benches and spectator seating, expansion of the parking lot and various other modifications intended to improve the overall conditions of the facility and increase the amount of play time available on the athletic fields.

b. Project Objectives

The objectives of the Project include the following:

- Increase the amount of athletic play time on the Beach Chalet Athletic Fields by renovating the existing athletic fields and adjacent warm-up areas.
- Improve public access to the Beach Chalet Athletic Fields by adding new pathways, increasing the size of the existing parking lot, providing a formal drop-off area, and providing bicycle racks.
- Increase ground-sports athletic opportunities on the north side of San Francisco commensurate with improvements elsewhere in San Francisco.
- Provide a safe, optimal recreation facility and amenities for athletes, spectators, and park users by renovating the existing Beach Chalet Athletic Fields and the existing restroom building, adding bleachers, and installing a new plaza area with visitor amenities.
- Reduce ongoing maintenance and resource needs.
- Comply with current Americans with Disabilities Act (ADA) requirements.
- Improve safety and increase nighttime use of the west end of Golden Gate Park by installing new lighting and bringing more recreation facility users to the area.
- Remain consistent with the *Golden Gate Park Master Plan.*

c. Environmental Review

On February 2, 2011, the Planning Department issued a Notice of Preparation of an Environmental Impact Report (NOP) for the Project.

On February 2, 2011, the Department published an Initial Study for the Project, scoping out several impact areas from further review because the Project would either have no effect or a less-than-significant effect without mitigation related to those impact areas.

On October 26, 2011, the Planning Department published the DEIR and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Planning Department's list of persons requesting such notice.

Notices of availability of the DEIR and of the date and time of the public hearing were posted near the project site by Planning Department staff on or about October 26, 2011.On October 26, 2011, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse.

Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on October 26, 2011.

The Commission held a duly advertised public hearing on the DEIR on December 1, 2011 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on December 12, 2011.

The Planning Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 47-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Draft Comments and Responses document, published on May 9, 2012, distributed to the Planning Commission and all parties who commented on the DEIR, and made available to others upon request at the Planning Department.

A Final Environmental Impact Report has been prepared by the Planning Department, consisting of the Draft Environmental Impact Report and the Comments and Responses document. Since publication of the DEIR, no new information of significance has become available that would require recirculation of the EIR under CEQA Guidelines Section 15088.5.

On May 24, 2012, the Planning Commission reviewed and considered the Final Environmental Impact Report, certified said Report as complete, and found that the contents of said report and the procedures through which the Final Environmental Impact Report was prepared, publicized, and reviewed complied with the provisions of CEQA, the CEQA Guidelines, and Chapter 31.

d. Project Approval Actions

Planning Commission

- Certification of the Final EIR
- Determination of consistency with the *San Francisco General Plan*
- Issuance of Coastal Development Permit

Recreation and Park Commission

- Approval of the Beach Chalet Athletic Fields Renovation Project

Board of Supervisors

- Consideration of any appeals of the Planning Commission's certification of the Final EIR

San Francisco Public Utilities Commission

- Certification of compliance with the San Francisco Stormwater Design Guidelines and the San Francisco Stormwater Management Ordinance
- Confirmation of compliance with the San Francisco Water Efficient Irrigation Ordinance requirements.

e. Location of Records

The records upon which all findings and determinations related to the adoption of the Project are based include the following:

- The Final EIR, and all documents referenced in or relied upon by the Final EIR;
- All information (including written evidence and testimony) provided by City staff to the Commission relating to the Final EIR, the proposed approvals and entitlements, the Project, and the alternatives set forth in the Final EIR;
- All information (including written evidence and testimony) presented to the Commission by the environmental consultant and sub consultants who prepared the Final EIR, or incorporated into reports presented to the Commission;
- All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or the Final EIR;
- All applications, letters, testimony, and presentations presented to the City by the Project Sponsor and its consultants in connection with the Project;
- All information (including written evidence and testimony) presented at any public hearing or workshop related to the Project and the Final EIR;
- The Mitigation Monitoring and Reporting Program (MMRP); and
- All other documents comprising the record pursuant to Public Resources Code Section 21167.6(e).

The public hearing transcript, a copy of all letters regarding the Final EIR received during the public review period, the administrative record, and background documentation for the Final EIR are located at the Planning Department, 1650 Mission Street, 4th Floor, San Francisco. The Planning Commission Secretary is the custodian of these documents and materials. The Recreation and Park Commission Secretary is the custodian of Project documents and materials on file at the Recreation and Park Department Headquarters in Golden Gate Park.

These findings are based upon substantial evidence in the entire record before the Commission. The references set forth in these findings to certain pages or sections of the Draft EIR or responses to comments in the Final EIR are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

II. LESS-THAN-SIGNIFICANT IMPACTS AND FINDINGS REGARDING MITIGATION MEASURES

The following Sections II and III set forth the Commission's findings about the Final EIR's determinations regarding significant environmental impacts and the mitigation measures proposed to address them. These findings provide the written analysis and conclusions of the Commission regarding the environmental impacts of the Project and the mitigation measures included as part of the Final EIR and

adopted by the Commission and other City decision makers as part of the Project. To avoid duplication and redundancy, and because the Commission agrees with, and hereby adopts, the conclusions in the Final EIR, these findings will not repeat the analysis and conclusions in the Final EIR, but instead incorporates them by reference herein and relies upon them as substantial evidence supporting these findings.

In making these findings, the Commission has considered the opinions of City staff and experts, other agencies and members of the public. The Commission finds that the determination of significance thresholds is a judgment decision within the discretion of the City and County of San Francisco; the significance thresholds used in the EIR are supported by substantial evidence in the record, including the expert opinion of the EIR preparers and City staff; and the significance thresholds used in the EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project.

As set forth below, the Commission adopts and incorporates all of the mitigation measures set forth in the Final EIR and the attached MMRP to substantially lessen or avoid the potentially significant and significant impacts of the Project, with the exception of Mitigation Measure M-CP-1, which is modified by these findings as set forth below due a finding that implementation of the measure as described in the Final EIR may be infeasible. The Commission and other City decision makers intend to adopt each of the mitigation measures proposed in the Final EIR, except as specifically modified by these findings. Accordingly, in the event a mitigation measure recommended in the Final EIR has inadvertently been omitted in these findings or the MMRP, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in these findings or the MMRP fails to accurately reflect the mitigation measures in the Final EIR due to a clerical error, the language of the policies and implementation measures as set forth in the Final EIR shall control. The impact numbers and mitigation measure numbers used in these findings reflect the information contained in the Final EIR.

Implementation of the Project would result in less-than-significant impacts in the following environmental topic areas and, as such, no mitigation is required to address these impacts:

- Land Use and Land Use Planning
- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Geology and Soils
- Greenhouse Gas Emissions
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Transportation and Circulation
- Recreation and Public Space
- Utilities and Service Systems

- Hydrology and Water Quality.

Implementation of the Project with required mitigation measures would result in less than significant impacts for the following environmental topic areas:

- Biological Resources
- Hazards and Hazardous Materials

With the required mitigation measures, all potential project impacts, with the exception of impacts of the related to Cultural Resources as described in Section III below, would be avoided or reduced to a less-than-significant level.

As authorized by CEQA Section 21081 and CEQA Guidelines Section 15091, 15092, and 15093, based on substantial evidence in the whole record of this proceeding, the Commission finds that, with one exception, all of the changes or alterations to the Project listed herein have been or will be required in, or incorporated into, the Project to mitigate or avoid the significant or potentially significant environmental impacts listed herein, as identified in the Final EIR, that these mitigation measures will be effective to reduce or avoid the potentially significant impacts as described in the EIR, and these mitigation measures are feasible to implement and are within the responsibility and jurisdiction of the City and County of San Francisco to implement or enforce. As set forth in more detail below, Mitigation Measure M-CP-1 is amended by these findings, as set forth in the attached MMRP, due to the potential infeasibility of fully complying with the mitigation measure as described in the Final EIR while also complying with accessibility requirements.

a. Biological Resources

Impact BI-1: The Project could potentially adversely impact species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service. Specifically, sixteen trees and forty-four shrubs would be removed as part of the implementation of the Project, and this removal could result in impacts to special status species bat species due to impacts to their nesting, roosting or foraging habitat.

As described in **Mitigation Measure M-BI-1**, approval for building and grading permits issued for demolition and construction within the project area shall include a requirement for pre-construction special-status bat surveys when large trees are to be removed. If active day or night roosts are found, the bat biologist shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no-disturbance buffer of 100 feet shall be created around active bat roosts being used for maternity or hibernation purposes. Bat roosts initiated during construction are presumed to be unaffected, and no buffer would be necessary.

Impact BI-3: The Project could potentially conflict with applicable local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Specifically, sixteen trees would be removed as part of the implementation of the Project, and this removal could conflict with policies set forth in the Golden Gate Park Master Plan.

As described in **Mitigation Measure M-BI-3**, SFRPD shall replace the trees removed within SFRPD-managed lands with trees of equivalent ecological value (i.e., similar species providing the same general microhabitat characteristics for wildlife species) to the trees removed. If trees of equivalent ecological value are not feasible or available, removed trees shall be replaced at a ratio of 1 inch for 1 inch of the diameter at breast height of the removed tree. SFRPD shall monitor tree replacement plantings annually for a minimum of three years after completion of construction to ensure establishment of the plantings and, if necessary, shall replant to ensure the success of the replacement plantings.

The Commission finds that the foregoing mitigation measures are feasible and will mitigate the potential impacts of project construction on biological resources to a less-than-significant level by ensuring that special status bats and the ecological value of Golden Gate Park are not adversely affected by proposed tree removal. These measures are adopted as a condition of project approval and are set forth in the MMRP, attached as Exhibit A.

b. Hazards and Hazardous Materials and Air Quality

Impact HZ-2: The Project could create a significant hazard to the public or the environment as a result of a release of hazardous building materials in structures that would be demolished. Specifically, the FEIR identifies potential hazardous building materials that could be in the restroom building and, if disturbed, could pose health threats if not properly disposed.

As described in **Mitigation Measure M-HZ-2**, the project sponsor shall ensure that, before renovation, the restroom building is surveyed for hazardous building materials, including PCB-containing electrical equipment, fluorescent light ballasts containing PCBs or DEHP, and fluorescent light tubes containing mercury vapors. These materials shall be removed and properly disposed of before commencement of demolition or renovation. Old light ballasts that will be removed during renovation shall be evaluated for the presence of PCBs, and in the case where the presence of PCBs in the light ballast could not be verified, they will be assumed to contain PCBs, and handled and disposed of as such, according to applicable laws and regulations.

The Commission finds that the foregoing mitigation measures are feasible and will mitigate the potential impacts of project construction related to hazardous materials to a less-than-significant level. This measure is adopted as a condition of project approval and is set forth in the MMRP, attached as Exhibit A.

III. SIGNIFICANT IMPACTS THAT CANNOT BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL AND AMENDMENT OF MITIGATION MEASURE M-CP-1

Based on substantial evidence in the whole record of these proceedings, the Commission finds that there are significant project-specific or cumulative impacts that would not be eliminated or reduced to an insignificant level by the mitigation measures listed in Exhibit 1. The Final EIR identifies a significant and unavoidable adverse effect to cultural (historic architectural) resources related to the addition of field lights circulation paths, and spectator seating, and the removal of grass turf and installation of synthetic turf. The combined result of these improvements is a significant impact to historic resources because the alterations would alter many of the character defining features that convey the Athletic Fields' historic significance and justifying its inclusion in the Golden Gate Park National Register Historic District. As

the installation of spectator seating, synthetic turf, and field lights are crucial to the implementation of the proposed project, there are no mitigation measures for these elements that would reduce the level of impact to the less-than-significant level while continuing to meet the objectives of the project.

The Commission determines that the following significant impact on the environment, as reflected in the Final EIR, is unavoidable, but under Public Resources Code Section 21081(a)(3) and (b), and CEQA Guidelines 15091(a)(3), 15092(b)(2)(B), and 15093, the Commission determines that the impact is acceptable due to the overriding considerations described in Section V below. This finding is supported by substantial evidence in the record of this proceeding.

Cultural Resources (Historic Architectural Resources)

Impact CP-1: The Project would cause a substantial adverse change in the significance of a historic resource as defined in CEQA Guidelines Section 15064.5. The Beach Chalet Athletic Fields Renovation Project would materially impair in an adverse manner many of the character defining features of the Beach Chalet Athletic Fields, a contributor to the Golden Gate Park National Historic District. Alterations to the Athletic Fields, including the addition of spectator seating, synthetic turf, and field lights would collectively result in a significant impact under the CEQA definition of material impairment because they would alter an adverse manner many of the character defining features that convey the Athletic Fields' historical significance and justify its inclusion in the National Register (and therefore the California Register) as a contributor to the Golden Gate Park National Register Historic District.

Mitigation Measure M-CP-1, as described in the FEIR, requires that the circulation paths be designed with a more naturalistic and compatible surface material such as decomposed granite, NaturePave (a decomposed granite product with a resin binding agent), or compacted earth in place of the proposed concrete surface materials. As set forth in the FEIR, Mitigation Measure M-CP-1 further requires that the paths also be redesigned to create a more informal path edge treatment such as a 'soft' planted edge.

Although technologically feasible to use, decomposed granite and other similar soft ground materials do not provide an accessible surface for walkways because they are not always stable, firm and slip-resistant. Because of this, it may not be feasible to use such materials and meet the accessibility requirements for the proposed project. Compliance with accessibility requirements for public facilities is, in addition to being legally required, a stated objective of the Project. Additionally, implementation of Mitigation Measure M-CP-1 alone would not reduce the overall impact to the cultural landscape to a less-than-significant level.

The Commission, based on information set forth in the administrative record and these findings, hereby amends Mitigation Measure M-CP_1 as follows (changes from the language used in the FEIR are shown in ~~strikethrough~~ for deletions and <u>underline</u> for additions):

> **Mitigation Measure M-CP-1:** The circulation paths shall be redesigned to include a more naturalistic and compatible surface material such as decomposed granite, NaturePave (a decomposed granite product with a resin binding agent), or compacted earth in place of the proposed concrete surface materials <u>if such redesign can be accomplished while still meeting all applicable accessibility requirements</u>. The paths shall

> also be redesigned to consider a more informal path edge treatment such as a 'soft' planted edge if such redesign can be accomplished while still meeting all applicable accessibility requirements. The SFRPD shall determine the feasibility of using these alternate materials and edge treatments in consultation with the Mayor's Office on Disability.

Although the Commission hereby adopts this Mitigation Measure, as amended, and as set forth in the attached MMRP, the Commission finds that this measure will not mitigate significant and unavoidable impact related to the addition of field lights, spectator seating, and synthetic turf to the athletic fields facility, considered an historic resource for purposes of environmental review, to less-than-significant levels. The Commission further finds that this impact would remain significant and unavoidable with the implementation of Mitigation Measure M-CP-1 either in the form described in the FEIR or as hereby amended and set forth in the MMRP, the Commission determines that this significant impact on the environment, as reflected in the Final EIR, is unavoidable, but under Public Resources Code section 21081(a)(3) and (b), and CEQA Guidelines 15091(a)(3), 15092(b)(2)(b), and 15093, the Commission determines that the impact is acceptable due to the overriding considerations described in Section V below. This finding is supported by substantial evidence in the record of this proceeding.

IV. EVALUATION OF PROJECT ALTERNATIVES

This section describes the Project alternatives and the reasons for approving the project and for rejecting the alternatives. CEQA mandates that an EIR evaluate a reasonable range of alternatives to the Project or the Project location that generally reduce or avoid potentially significant impacts of the Project. CEQA requires that every EIR also evaluate a "No Project" alternative. Alternatives provide a basis of comparison to the Project in terms of their significant impacts and their ability to meet the Project objectives. This comparative analysis is used to consider reasonable, potentially feasible options for minimizing environmental consequences of the Project.

The FEIR analyzed four project alternatives: a "No Project Alternative", an "Off-Site Alternative", a "Grass Turf with Reduced Lights Alternative", and a "Synthetic Turf without Lights Alternative." The FEIR determined that these alternatives were potentially feasible, but did not necessarily meet the project sponsors' objectives. A brief description of each alternative is provided below, followed by findings related to the rationale for the City's rejection of each alternative.

The Commission rejects the Alternatives set forth in the Final EIR and listed below because it finds, in addition to the reasons described below, elsewhere in these Findings, and in the administrative record, that there is substantial evidence, including evidence of economic, legal, social, technological, and other considerations under CEQA Guidelines 15091(a)(3), that make infeasible such alternatives. In making these determinations, the Commission is aware that CEQA defines "feasibility" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors."

The Commission certifies that it has independently reviewed and considered the information on the alternatives provided in the Final EIR and in the record. The Final EIR reflects the Commission's and the City's independent judgment as to the alternatives. The Commission finds that the Project provides the best balance between satisfaction of the project objectives and mitigation of environmental impacts to the extent feasible, as described and analyzed in the EIR and adopts a statement of overriding considerations as set forth in Section IV below.

The Commission adopts the EIR's analysis and conclusions regarding alternatives eliminated from further consideration, both during the scoping process and in response to comments.

a. No Project Alternative

Under the No Project Alternative, the existing fields would remain in use and no renovations to the field or other facilities would occur. The No Project Alternative includes those activities that would reasonably be expected to occur in the foreseeable future if the proposed project were not approved.

The No Project Alternative would eliminate the need for construction activities in the project area, thereby avoiding all construction impacts identified for the proposed project, including the significant and unavoidable impact on historic resources, and the significant impacts associated with biological resources, and hazards and hazardous materials. In addition, although not considered a significant impact, impacts on views of the project area and nighttime lighting would be avoided under the No Project Alternative. Other less than significant impacts associated with construction noise, traffic, and air quality would also be avoided under the No Project Alternative. Other proposed future projects in the site vicinity may still be implemented, including the San Francisco Groundwater Supply Project, and so cumulative construction impacts could still occur, but there would be no contribution to these impacts from the proposed project.

The Commission rejects the No Project Alternative because it would fail to meet most of the Project objectives. While the No Project Alternative would remain consistent with the Golden Gate Master Plan, the No Project Alternative would not meet any other objectives which include increasing the amount of athletic play on the Beach Chalet Athletic Fields by renovating the existing athletic fields and adjacent warm-up areas; improving public access to the Beach Chalet Athletic Fields by adding new pathways, increasing the size of the existing parking lot, providing a formal drop-off area, and providing bicycle racks; increasing ground-sports athletic opportunities on the north side of San Francisco commensurate with improvements elsewhere in San Francisco; reducing ongoing maintenance and resource needs; complying with current ADA requirements, and; improving safety and increasing nighttime use of the west end of Golden Gate Park by installing new lighting and bringing more recreation facility users to the area. All of the reasons stated herein provide sufficient independent grounds for rejecting this alternative.

b. Off-Site Alternative

Under the Off-Site Alternative, the San Francisco Recreation and Parks Department (SFRPD) would construct similar renovations to the West Sunset Playground, located on Ortega Street in the Outer Sunset neighborhood.

The Off-Site Alternative would have construction-related impacts similar to or greater than the proposed project because the fields are more proximate to sensitive receptors such as schools and residences than the project site. It is assumed that this alternative would be compatible with existing zoning and land use designations because the site is already used for recreational purposes. Because the Off-Site Alternative would entail similar construction activities as the proposed project, impacts related to biological resources, hydrology and water quality, and hazards and hazardous material would be comparable to those under the Project. However, under the Off-Site Alternative, visual resources impacts associated with nighttime lighting effects would likely be greater than that of the proposed project. Historic resources impacts would be less than significant.

Under this alternative, impacts to recreational resources are anticipated to be greater than those identified for the proposed project because the Beach Chalet Athletic Fields would continue to be used and would continue to degrade. It is also assumed that effects associated with increased traffic, transit, parking, and pedestrian access would be similar to or greater than the proposed project.

The Commission rejects the Off-Site Alternative because it would fail to meet most of the Project objectives and would not increase the amount of athletic play time on the Beach Chalet Athletic Fields by renovating the existing athletic fields and adjacent warm-up areas, although it would partially meet this objective by providing some increase play time for SFRPD overall, the alternative would fail to meet the objective of improving safety and increasing nighttime use of the west end of Golden Gate Park by installing new lighting and bringing more recreation facility users to the area. This alternative would also fail to meet the objectives of improving public access to the Beach Chalet Athletic Fields by adding new pathways, increasing the size of the existing parking lot, providing a formal drop-off area, and providing bicycle racks, and increasing ground-sports athletic opportunities on the north side of San Francisco commensurate with improvements elsewhere in San Francisco.

The Off-Site Alternative would only partially achieve some of the Project objectives while all of the same mitigation measures would be required.

All of the reasons stated herein provide sufficient independent grounds for rejecting this alternative.

c. Grass Turf with Reduced Lights Alternative

Under the Grass Turf with Reduced Lights Alternative, the SFRPD would construct most of the improvements that are included under the Project with the exception that a new grass turf field would be installed instead of a synthetic turf field. This alternative also includes modifications to some of the proposed improvements. It is assumed that the new grass turf field would be similar in size to the turf field under the proposed project. The intent of this alternative would be to reduce impacts to historic resources. All of the same mitigation measures as the proposed project would be required under this alternative.

The Grass Turf with Reduced Lights Alternative would have similar construction-related impacts as the proposed project, with the exception of construction activities associated with synthetic turf installation. This alternative will have similar restroom renovations to the proposed project, therefore hazards and hazardous material impacts are anticipated to be comparable to the proposed project. Construction-related impacts to special-status bats, vegetation, and tree removal would be similar under this alternative. Implementation of pre-construction surveys for special-status bats would be required under this alternative.

Under this alternative, impacts to historic resources would be less in comparison to the Project. The replacement of grass turf; reduced number of field lights; small-scale, removable seating instead of spectator seating; and linear circulation paths composed of decomposed granite material and a 'soft' planted edge instead of concrete would collectively reduce impacts to historic resources. Installation of such components under this alternative would allow the site to remain a contributing resource to the Golden Gate Park National Historic District. Although technologically feasible to use, decomposed granite and other similar soft ground materials do not provide an accessible surface for walkways

because they are not always stable, firm and slip-resistant. Because of this, it may not be feasible to use such materials and meet the accessibility requirements for the Project. The installation of the reduced number of lights would result in less visual impacts on surrounding residences as the Project (though it is noted that impacts related to aesthetics are less than significant under the Project).

While this alternative would remain consistent with the Golden Gate Master Plan and improve access to the fields with new pathways and increased parking for cars and bikes, it would fail to meet the objective of reducing ongoing maintenance and resource needs; instead, it would require a greater level of maintenance work to preserve field conditions. A greater level of maintenance would be needed because the new grass fields would be larger than the existing fields under this alternative and would be used at a greater level with the inclusion of nighttime play hours. Decomposed granite may not be considered acceptable under applicable disability access requirements and therefore might not be a feasible alternative material. While there would be some increase in play time at the facility, it would be substantially less than under the Project due to: (1) a 50% reduction in the number of lit fields; (2) maintenance and rest and re-growth closures; and (3) rain closures.

The Grass Turf with Reduced Lights Alternative would only partially achieve the objective to provide for a safe, optimal recreation facility and amenities for athletes, spectators and park users by renovating the existing Beach Chalet Athletic Fields and the existing restroom building, adding bleachers, and installing a new plaza area with visitor amenities. While installation of new lighting would accommodate additional evening playtime, some of the deficiencies at the existing facility, such as wet periods and maintenance periods, would likely persist, reoccur or worsen unless public access was restricted during existing permitted play times.

The Commission rejects the Grass Turf with Reduced Lights Alternative because it would fail to meet some of the project objectives and would require additional staff maintenance levels beyond what is currently available. While the Grass Turf with Reduced Lights Alternative would remain consistent with the Golden Gate Master Plan and improve access to the facilities, it would not meet many of the other objectives, which include increasing the amount of athletic play on the Beach Chalet Athletic Fields and increasing ground-sports athletic opportunities on the north side of San Francisco commensurate with improvements elsewhere in San Francisco. In particular, this alternative fails to reduce ongoing maintenance and resource needs, rather it increases the maintenance resource needs with an increased field size and play time. The alternative may not be consistent with current ADA requirements because of the inconsistent Grass Turf surface. For the foregoing reasons, the Commission rejects this alternative. In addition, all of the reasons stated herein provide sufficient independent grounds for rejecting this alternative.

d. Synthetic Turf without Lights Alternative

Under the Synthetic Turf without Lights Alternative, the SFRPD would construct most of the improvements that are included under the Project except for the installation of field lighting. This alternative also includes modifications to some of the proposed improvements, installation of small-scale, removable seating such as benches or low-profile bleachers and installation of linear circulation paths using decomposed granite with a 'soft' planted edge. As stated above, although technologically feasible to use, decomposed granite and other similar soft ground materials do not provide an accessible surface for walkways because they are not always stable, firm and slip-resistant. Because of this, it may not be

feasible to use such materials and meet the accessibility requirements for the Project. The intent of this alternative would be to reduce impacts to historic resources.

The Synthetic Turf without Lights Alternative would have similar but slightly reduced construction-related impacts in comparison to the proposed project, with the exception of construction activities associated with field lighting installation. Therefore, hazards and hazardous material impacts and hydrology and water quality impacts are anticipated to be the same as those determined under the Project.

Under this alternative, impacts to aesthetics would be less than those of the Project as this alternative would not introduce any new lighting and would not result in any changes to nighttime views, or adversely affect views from outside the boundaries of the project site (though it is noted that impacts related to aesthetics resources are less than significant under the Project).

Impacts to historic resources would also be less in comparison to the Project due to the elimination of field lighting, the installation of small-scale, removable seating (i.e., benches or low-profile bleachers), a pathway system comprised of decomposed granite, and a "soft" planted edge that would allow the site to remain a contributing resource to the Golden Gate Park National Historic District. However, as discussed elsewhere, use of decomposed granite or a similar material and a "soft" planted edge for the pathway system may not be feasible due to accessibility requirements.

In terms of traffic generated by this alternative, it is anticipated that traffic levels would be less than that of the Project since use of the Athletic Fields would be restricted to daytime hours and use levels would be lower than the Project.

Under this alternative, the installation of synthetic turf would still result in vegetation and tree removal. Thus, construction-related impacts on trees and special-status bats would be the same as the Project and mitigation would be available to lessen this impact. However, unlike the Project, less than significant adverse nighttime lighting effects on migratory birds would be eliminated.

The Synthetic Turf without Lights Alternative would achieve most of the Project objectives, but would fail to meet two of the Project objectives. As most of the components under this alternative are the same as the Project, this alternative would meet the objectives related to improved public access to the Beach Chalet Athletic Fields by adding new pathways, increasing the size of the existing parking lot, providing a formal drop-off area, and providing bicycle racks, increased ground-sports opportunities on the north side of San Francisco commensurate with improvements elsewhere in San Francisco, reduction of ongoing maintenance and resource needs, and increasing the amount of athletic play time at the Beach Chalet Athletic Fields by renovating the existing athletic fields and adjacent warm-up areas.

The Commission rejects the Synthetic Turf without Lights Alternative, because it would fail to meet the objective pertaining to improved safety and increased nighttime use of the west end of Golden Gate Park. The Synthetic Turf without Lights Alternative would only partially achieve the objective to provide a safe, optimal recreation facility and amenities for athletes, spectators, and park users. The absence of field lighting would restrict use of the fields to daytime hours only and therefore the increase in play hours would be less than with the proposed project. Although impacts to historic resources would be reduced, this alternative would not meet current accessibility requirements because it cannot be stated with

certainty that decomposed granite would meet all applicable accessible requirements, and therefore, may not be feasible for use in the project.

For the foregoing reasons, the Commission rejects this alternative. Further, all of the reasons stated herein provide sufficient independent grounds for rejecting this alternative.

V. STATEMENT OF OVERRIDING CONSIDERATIONS

The Commission finds that, notwithstanding the imposition of all feasible mitigation measures, significant impacts related to Historic Resources will remain significant and unavoidable and in accordance with CEQA Guidelines Section 15092(b)(2)(B), such remaining impacts are acceptable to the overriding considerations described below. In accordance with CEQA guidelines Section 15093, CEQA Section 21081(b), and Chapter 31 of the San Francisco Administrative Code, the Commission hereby finds that each of the specific economic, legal, social, technological, and other considerations, and the benefits of the Project separately and independently outweigh the remaining significant, adverse impact. The remaining significant adverse impact identified is acceptable in light of each of these overriding considerations. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Commission will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this Section, and in the documents found in the Record of Proceedings, as defined in Section I.

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, the Commission specially finds that there are significant benefits of the Project in spite of the unavoidable significant impacts, and therefore makes this Statement of Overriding Considerations. The Commission further finds that, as part of the process of obtaining Project approval, all significant effects on the environment from implementation of the Project have been eliminated or lessened where feasible. All mitigation measures proposed in the Final EIR for the proposed Project and determined to be feasible by these findings are adopted as part of this approval action.
The Project would result in the following benefits:

- Increase the amount of athletic play time on the Beach Chalet Athletic Fields by renovating the existing athletic fields and adjacent warm-up areas.
- Improve public access to the Beach Chalet Athletic Fields by adding new pathways, increasing the size of the existing parking lot, providing a formal drop-off area, and providing bicycle racks.
- Increase ground-sports athletic opportunities on the north side of San Francisco commensurate with improvements elsewhere in San Francisco.
- Provide a safe, optimal recreation facility and amenities for athletes, spectators, and park users by renovating the existing Beach Chalet Athletic Fields and the existing restroom building, adding bleachers, and installing a new plaza area with visitor amenities.
- Reduce ongoing maintenance and resource needs.
- Comply with current Americans with Disabilities Act (ADA) requirements.
- Improve safety and increase nighttime use of the west end of Golden Gate Park by installing new lighting and bringing more recreation facility users to the area.

- Remain consistent with the *Golden Gate Park Master Plan.*

Having considered the information included above as well as information in these Findings and elsewhere in the administrative record, the Commission finds, determines, and concludes that benefits of the Project outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects therefore are acceptable.

DECISION

That based upon the Record, the submissions of the Project Sponsor, the staff of the Department, the SFRPD, and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **ADOPTS** findings under the California Environmental Quality Act, including rejecting alternatives as infeasible, amending a mitigation measure as infeasible, adopting a Statement of Overriding Considerations, and **ADOPTS** a Mitigation Monitoring and Reporting Program (MMRP) , attached as Exhibit A.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on May 24, 2012.

Linda D. Avery
Commission Secretary

AYES: Commissioners Fong, Wu, Antonini and Borden

NAYS: Commissioner Moore

ABSENT: Commissioners Miguel and Sugaya

ADOPTED: May 24, 2012

MITIGATION MONITORING AND REPORTING PROGRAM (Including the Text of the Adopted Mitigation Measures)

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM				
	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
BIOLOGICAL RESOURCES					
Mitigation Measure M-BI-1: Pre-Construction Bat Surveys					
Conditions of approval for building and grading permits issued for demolition and construction within the project site shall include a requirement for pre-construction special-status bat surveys when large trees are to be removed. If active day or night roosts are found, the bat biologist shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no-disturbance buffer of 100 feet shall be created around active bat roosts being used for maternity or hibernation purposes. Bat roosts initiated during construction are presumed to be unaffected, and no buffer would necessary.	SFRPD	Prior to tree removal. The period between surveys and tree removal of potential habitat trees should occur only: (i.) 24 hours after night emergence surveys establish that no bats are present, or; (ii.) during months when bats are active which is approximately between March 1st, or when heavy rains cease and/or night temperatures are above 45F, and April 15th, when females begin giving birth to pups and between August 15th, after pups are self-sufficiently volant, and October 15th, or when heavy rains begin and night temperatures are below 45F.	Pre-construction special-status bat survey; establishment and implementation of buffers	Sponsor to provide Environmental Review Officer (ERO) with bat survey results prior to tree removal	Considered complete upon receipt of bat survey report and establishment of buffers

Adopted Mitigation Measures	MONITORING AND REPORTING PROGRAM				
	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
Mitigation Measure M-BI-3: Plant Replacement Trees	SFRPD	During construction activities and for a minimum of three years after replacement trees have been planted	Plant replacement trees and monitor tree replacement plantings annually for a minimum of three years	Sponsor to provide Environmental Review Officer (ERO) with tree replacement plan	Considered complete three years after completion of construction
The San Francisco Recreation and Park Department (SFRPD) shall replace the trees removed within SFRPD-managed lands with trees of equivalent ecological value (i.e., similar species providing the same general microhabitat characteristics for wildlife species) to the trees removed. If trees of equivalent ecological value are not feasible or available, removed trees shall be replaced at a ratio of 1 inch for 1 inch of the diameter at breast height of the removed tree. SFRPD shall monitor tree replacement plantings annually for a minimum of three years after completion of construction to ensure establishment of the plantings and, if necessary, shall replant to ensure the success of the replacement plantings.					
CULTURAL RESOURCES					
Mitigation Measure M-CP-1: Circulation Paths					
The circulation paths shall be redesigned to include a more naturalistic and compatible surface material such as decomposed granite, NaturePave (a decomposed granite product with a resin binding agent), or compacted earth in place of the proposed concrete surface materials if such redesign can be accomplished while still meeting all applicable accessibility requirements. The paths shall also be redesigned to consider a more informal path edge treatment such as a 'soft' planted edge if such redesign can be accomplished while still meeting all applicable accessibility requirements. The SFRPD shall determine the feasibility of using these alternate materials and edge treatments in consultation with the Mayor's Office on Disability.	SFRPD	During construction activities if determined feasible by Commission and Mayor's Office of Disabilities (MOD)	Design circulation paths with more naturalistic material if feasible	SFRPD and MOD	Considered complete upon issuance of building permit
HAZARDS AND HAZARDOUS MATERIALS					
Mitigation Measure M-HZ-2: Hazardous Building Materials					
The project sponsor shall ensure that, before renovation, the restroom building is surveyed for hazardous building materials, including PCB-containing electrical equipment, fluorescent light ballasts containing PCBs or DEHP, and fluorescent light tubes containing mercury vapors. These materials shall be removed and properly disposed of before commencement of demolition or renovation. Old light ballasts that will be removed during renovation shall be evaluated for the presence of PCBs, and in the case where the presence of PCBs in the light ballast could not be verified, they will be assumed to contain PCBs, and handled and disposed of as such, according to applicable laws and regulations.	SFRPD	Prior to any demolition activities	Properly remove and dispose of hazardous building materials	Project sponsor/ contractor shall submit a Monitoring Report, detailing survey results and compliance with the specified measure, to SFDPH for approval after construction. opies the report shall be sent to the SFRPD and the Planning Department	Considered complete upon agency receipt of SFDPH-approved Monitoring Report

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Planning Commission Motion No. 18639

GENERAL PLAN REFERRAL

HEARING DATE MAY 24, 2012

Case No.:	**2010.0016R**
Project:	**Golden Gate Park Beach Chalet Athletic Fields Renovation Project**
Block/lot:	**AB 1700/001 (ptn)**
Project Sponsor:	Recreation and Park Department 30 Van Ness Avenue San Francisco, CA 94102
Staff Contact:	Neil Hrushowy – (415) 558-6471 neil.hrushowy@sfgov.org

ADOPTING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND WITH THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1 FOR THE PROPOSED RENOVATION OF THE GOLDEN GATE PARK BEACH CHALET ATHLETIC FIELDS AND FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, Section 4.105 of the City Charter and 2A.53 of Administrative Code require General Plan referrals to the Planning Commission (hereinafter "Commission") for certain matters, including determination as to whether the lease or sale of public property, the vacation, sale or change in the use of any public way, transportation route, ground, open space, building, or structure owned by the City and County, would be in-conformity with the General Plan prior to consideration by the Board of Supervisors.

On June 15, 2010, the San Francisco Recreation and Parks Department ("Project Sponsor") submitted an Environmental Evaluation Application to the Planning Department ("Department"), Case No. 2010.0016E, in connection with a project to renovate of the Beach Chalet Athletic Fields facility, located at 1500 John F. Kennedy Drive in Golden Gate Park, which includes replacing the existing grass turf fields with synthetic turf, installing field lighting, renovating the existing restroom building, installing player benches and seating, and completing other modifications for parking, circulation, and spectator amenities to improve the overall conditions of the facility and increase the amount of athletic play time ("Project").

On February 2, 2011, the Department issued a Notice of Preparation of an Environmental Impact Report (NOP) for the Project.

On October 26, 2011, the Department published the Draft Environmental Impact Report ("DEIR" or "Draft EIR") for the Project and provided public notice in a newspaper of general circulation of the

availability of the DEIR for public review and comment. The DEIR was available for public comment until December 12, 2011.

The San Francisco Planning Commission held a public hearing on the DEIR on December 1, 2011 at a regularly scheduled meeting to solicit public comment regarding the DEIR.

The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 47-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Draft Comments and Responses document, published on May 9, 2012, distributed to the Planning Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.

A Final Environmental Impact Report ("FEIR" or "Final EIR") was prepared by the Department, consisting of the Draft EIR and the Comments and Responses document.

Project Environmental Impact Report files have been made available for review by this Commission and the public. These files are available for public review at the Planning Department at 1650 Mission Street, and are part of the record before this Commission.

On May 24, 2012, the Planning Commission reviewed and considered the Final EIR and found that the contents of the report and the procedures through which the Final EIR was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code section 21000 et seq.) ("CEQA"), 14 California Code of Regulations sections 15000 et seq. ("CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

The Commission found the Final EIR was adequate, accurate and objective, reflected the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and approved the Final EIR for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

The Planning Department, Linda Avery, is the custodian of records, located in the File for Case No. 2010.0016E, at 1650 Mission Street, Fourth Floor, San Francisco, California.

Department staff prepared a Mitigation Monitoring and Reporting Program ("MMRP") for the Project and these materials were made available to the public and this Commission for this Commission's review, consideration and action.

PROJECT DESCRIPTION

The Project Sponsor, the San Francisco Recreation and Parks Department ("SFRPD"), is proposing to renovate the Beach Chalet Athletic Fields facility, an approximately 9.4-acre public sports field facility located at 1500 John F. Kennedy Drive, along the western edge of Golden Gate Park ("Project Site"). The Project Site currently includes four grass turf athletic fields surrounded by an 8-foot-tall metal chain link fence, an approximately 25,320-square-foot, 50-space asphalt parking lot (including one disabled-accessible space), a restroom building, and a cargo container being used as a maintenance shed. The Project includes replacing the existing grass turf fields with synthetic turf, installing field lighting, renovating the existing restroom building, installing player benches and spectator seating, expansion of

the parking lot and various other modifications intended to improve the overall conditions of the facility and increase the amount of play time available on the athletic fields.

ENVIRONMENTAL REVIEW

On May 24, 2012, the Planning Commission (hereinafter "Commission") conducted a public hearing on the Final Environmental Impact Report (EIR) for the Project. The Commission reviewed and considered the EIR and found the contents of said report and the procedures through which the EIR was prepared, publicized and reviewed complied with the California Quality Environmental Quality Act (Public Resources Code section 21000 *et seq.*) ("CEQA"), the CEQA Guidelines (14 Cal. Code Reg. section 15000 *et seq.*), and Chapter 31 of the San Francisco Administrative Code.

On May 24, 2012, the Commission certified the Final EIR by Motion No. 18637. Additionally, the Commission adopted approval findings, including findings rejecting alternatives, amending a mitigation measure, and making a statement of overriding considerations, and adopted a mitigation monitoring and reporting program ("MMRP") pursuant to CEQA by Motion No. 18638, which findings and MMRP are incorporated by this reference as though fully set forth herein.

The proposal addresses the following relevant objectives and policies of the General Plan:

RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 2: DEVELOP AND MAINTAIN A DIVERSIFIED AND BALANCED CITYWIDE SYSTEM OF HIGH QUALITY PUBLIC OPEN SPACE.

POLICY 2.2: PRESERVE EXISTING PUBLIC OPEN SPACE

The Beach Chalet soccer fields in Golden Gate Park have been designated as recreational use for approximately 75 years, yet issues of drainage prevent them from being used close to their full potential. This area of the city has few other opportunities for this kind of active recreation and either their loss or continued underperformance contradicts the General Plan's clear guidance to provide recreational opportunities in all neighborhoods.

OBJECTIVE 4: PROVIDE OPPORTUNITIES FOR RECREATION AND THE ENJOYMENT OF OPEN SPACE IN EVERY SAN FRANCISCO NEIGHBORHOOD.

POLICY 4.1: MAKE BETTER USE OF EXISTING FACILITIES.

Neighborhood parks as well as citywide facilities require regular maintenance in order to carry out effective recreation programs and permit maximum public use and enjoyment. The City's operating budget must provide the necessary resources for the city-owned open spaces to ensure a high level of maintenance if neighborhood needs are to be met by intensified use of existing facilities. Frequency of maintenance and the extent of capital improvements should relate directly to intensity of use. For example, low cost, efficient maintenance

techniques could be used in parks and open spaces that are relatively undeveloped.

The General Plan calls for the City to provide a diversified and balanced system of public open space, and provision of public open space throughout the City. The proposed project would refurbish the athletic play fields in Golden Gate Park, converting natural turf fields to synthetic turf, which will support greatly increased activity levels, and make better use of the City's existing athletic fields. The project will also provide additional amenities and ensure that the facilities are accessible.

POLICY 4.3: RENOVATE AND RENEW THE CITY'S PARKS AND RECREATION FACILITIES.

Maintenance and Capital Improvements

In the years ahead, major ongoing efforts will need to be continued to assess the renovation needs of parks and recreation facilities and to restore them. Once renovated, parks and recreation facilities that are now marginally useful may support increased use.

Many parks and facilities have been in continuous public service for decades without having been restored or renovated. The project will renovate the Beach Chalet athletic fields in Golden Gate Park, install other improvements, as well as renovate rest room facilities to meet ADA access requirements. The project will ensure that the recreation facilities are better able to sustain increased use. The proposed improvements would retain the current athletic field configuration. The athletic field improvements are essential to accommodate increasing recreational use.

GOLDEN GATE PARK

OBJECTIVE 2: DEVELOP AND MAINTAIN A DIVERSIFIED AND BALANCED CITYWIDE SYSTEM OF HIGH QUALITY PUBLIC OPEN SPACE.

Golden Gate Park is the keystone of the citywide system because of its size and the specialized landscape elements and recreational opportunities available within it. Other highly visible landscaped city parks, hilltop open spaces, waterfront parks and plazas are also important elements in the citywide system. Although primarily undeveloped at present, John McLaren Park because of its size has the potential of becoming a major component of the citywide system.

POLICY 2.2: PRESERVE EXISTING PUBLIC OPEN SPACE.

The City s policy should be made clear: where new recreation and cultural buildings are needed they should be located outside of existing parks and playgrounds. When new indoor facilities are needed, the City should allocate funds for land acquisition as well as for construction.

Additions to cultural and recreation facilities should be limited to the existing footprint and to that which can be accommodated on the site without creating a negative impact on the surrounding area by reason of excessive height and bulk. A goal of planning should be to limit the size of any necessary additions.

Additions should be limited primarily to publicly accessible recreational and cultural uses, or facilities which directly support them. Alternative locations for non-publicly accessible functions should be carefully explored. When additions are planned, careful planning should limit the size of the required enlargement.

The limited availability open space in the city requires judicious use of those spaces already designated as public open space. This means minimizing the amount and size of non-recreational uses in parks, including parking lots and buildings that do not have publicly accessible functions. For this reason, the expansion of the parking lot is not consistent with the strong language in both the General Plan and the Golden Gate Master Plan that requires the park to be less oriented towards the automobile and more towards sustainable modes of transport.

POLICY 2.4: GRADUALLY ELIMINATE NON-RECREATIONAL USES IN PARKS AND PLAYGROUNDS AND REDUCE AUTOMOBILE TRAFFIC IN AND AROUND PUBLIC OPEN SPACES.

Prohibit construction of new roads and parking lots in developed public open spaces.

Encourage walking, and the use of bicycles and public transit for recreational travel.

The plan should expand access to the improved playing fields through improvements to sustainable modes of transport, including transit, bikes and walking, and not by increasing access by private automobile.

POLICY 2.6: MAKE OPEN SPACES ACCESSIBLE TO PEOPLE WITH SPECIAL NEEDS.

The City should ensure that public open spaces are accessible to all San Franciscans, including persons with special recreation needs. These may include seniors, the very young, people with disabilities. In order to achieve this policy, park and recreation facilities should be planned and programmed for people with special recreation needs in mind.

The proposed plan makes appropriate improvements to the facilities to ensure universal access to the buildings and playing fields.

POLICY 2.10: DEVELOP A MASTER PLAN FOR GOLDEN GATE PARK.

Golden Gate Park plays a key role in the public recreation system in San Francisco. With 1,017 acres, it is the largest and most diverse park in the city system and provides places for active recreation, cultural institutions, as well as landscaped areas of pastoral character. The park is enjoyed by city and Bay Area residents, as well as national and international visitors.

The park is over one hundred years old. Some of its infrastructure needs to be replaced or renovated. Some buildings and recreation facilities no longer serve the purpose for which they were intended. Forested areas and woody vegetation are over-mature or diseased. Conflicts exist between the need for additional recreational development, maintenance of the park's historic and naturalistic character, and the preservation of its valuable open space. Transportation

problems have developed, including excessive through-traffic, all-day commuter parking, and unsatisfactory pedestrian access and circulation.

To address these problems, work on the Master Plan has begun. The overall goal of the Golden Gate Park Master Plan should seek to retain the integrity of the park's original design while having sufficient flexibility to accommodate society's evolving needs.

1979, the Recreation and Park Commission, adopted "Master Plan Objectives and Policies for Golden Gate Park," to guide any necessary changes, act as a blueprint to guide maintenance of the park's rich landscape, and steward Golden Gate Park through the next century. The objectives are to:

1. Acknowledge Golden Gate Park's contribution to the diversity of cultural and recreational activities available to residents of San Francisco and the Bay region; recognize the park's importance as an American cultural resource.
2. Provide for the protection and renewal of the park landscape.
3. Preserve the open space of Golden Gate Park.
4. Create and maintain a park-wide system of recreation roadways, pathways and trails. Minimize vehicular traffic.
5. Foster appropriate use of park recreation resources.

Land Use

The land use element should update the existing inventory of land uses, facilities, structures, and recognized landmarks and identify appropriate areas for required land uses throughout the park. All activities, features and facilities should be subordinate to the present design and character of the park. The plan should preserve the park's valuable open space and not permit construction of new recreation or cultural buildings within Golden Gate Park unless incidental to enjoyment of the Park's open space. No additional roadways should be allowed to encroach on the park. Emphasis should be given to activities which do not diminish open space.

The primary function of the park is to serve the recreation needs of all San Francisco residents. Neighborhood serving facilities should be located in the adjacent neighborhoods themselves.

Landscape Design and Features

The landscape design element of the master plan should provide for the protection and renewal of the park's unique landscape areas. The size and form of the park's major pastoral landscape elements, its meadows and wooded areas should be retained and renewed. Similarly, the overall evergreen landscape character of the park should be maintained as the dominant design element. This element should closely coordinate with the forest management element.

Existing formal gardens and colorful horticultural displays should be retained, in areas designated in early park plans; however, new colorful horticultural displays should not be introduced into predominantly evergreen areas.

Landscape design standards should be employed to guide restoration and maintenance of meadow areas, lake and water course edges, park entrances and pedestrian pathways, intensive recreation use areas, and roadways and other paved areas.

The General Plan clearly acknowledges the need to renew and renovate park facilities to keep pace with contemporary needs. It further states that the City should have the flexibility to improve facilities to meet society's changing demands. It also states, however, that the naturalistic character of the park is integral to its identity and should be respected. Landscape design standards sensitive to natural landscapes are required to ensure this identity is maintained and not eroded. There is some question whether the scale of the lights and the introduction of nighttime use are consistent with naturalistic character that dominates most of the park. The Concourse is a notable and very positive exception to this, where nighttime use has only served to increase the attractiveness of Golden Gate Park and augment is cultural standing in the city and region.

WESTERN SHORELINE*

Golden Gate Park

Strengthen the visual connection and physical access between the park and the beach. Improve the western end of the park for public recreation and when possible eliminate the sewer treatment facilities. Extend the reforestation program, which has been established to replace dead and dying trees at the windbreak along the ocean, throughout the park to ensure vigorous forest tree growth and maintain high visual quality. Emphasize the naturalistic landscape qualities existing at the western portion of the park, and encourage increased visitor use in the area. (Golden Gate Park is more fully discussed in the Citywide System section, policy 11.)

The General Plan recognizes both the recreational needs the park should meet, while also recognizing the sensitive character of the naturalistic landscape. The key to successful improvements lies in the careful design of recreational facilities that blends modern athletic field design with the park's natural landscape and ensuring no facility becomes a jarring contradiction to the otherwise bucolic character of the park.

ENVIRONMENTAL PROTECTION ELEMENT

POLICY 7.1: PRESERVE AND ADD TO PUBLIC OPEN SPACE IN ACCORDANCE WITH OBJECTIVES AND POLICIES OF THE RECREATION AND OPEN SPACE PLAN.

The project implements this policy.

The Beach Chalet Athletic Fields Renovation Project is consistent with Planning Code Section 101.1(b) Priority Policies as follows:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced. *The Project would have no adverse effect on neighborhood serving retail uses or opportunities for employment in or ownership of such businesses.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhood. *The Project would have no adverse effect on the City's housing stock or on neighborhood character. Neighborhood character will be conserved and improved by its implementation.*

3. That the City's supply of affordable housing be preserved and enhanced. *The Project would have no adverse effect on the City's supply of affordable housing.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking. *The Project would not result in commuter traffic impeding MUNI's transit service, overburdening the streets or altering current neighborhood parking.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for residential employment and ownership in these sectors be enhanced. *The Project would not affect the existing economic base in this area.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake. *The Project would not adversely affect achieving the greatest possible preparedness against injury and loss of life in an earthquake.*

7. That landmarks and historic buildings be preserved. *The proposed improvements to the Beach Chalet Athletic Fields have been found to represent a significant impact to an historic resource. The Project would affect landmarks by converting the existing turf play fields to synthetic turf, install field, pathway and other lighting, and install player and spectator seating where none currently exist. These project elements would affect historic resources on park property, and would affect the park landscape and historic resources.*

8. That our parks and open space and their access to sunlight and vistas be protected from development. *The Project would have no adverse effect on parks and open space or their access to sunlight and vistas. Renovation of the athletic fields and related facilities would improve the public open space resources.*

The Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed findings of General Plan conformity on May 24, 2012.

On May 24, 2012, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the General Plan Referral application, Case No. 2010.0016R. The Commission heard and considered public testimony presented at the hearing and has further considered written and oral testimony provided by Department staff and other interested parties.

NOW THEREFORE BE IT RESOLVED that the Commission hereby adopts the CEQA Findings set forth in Motion No. 18638 and adopts the MMRP (attached thereto as Exhibit A) and finds the proposed renovations to the Beach Chalet Athletic Fields, as described above, to be consistent with the General Plan of the City and County of San Francisco, including, but not limited to the Recreation and Open Space Element, Urban Design, and Environmental Protection Elements, and is consistent with the eight Priority Policies in City Planning Code Section 101.1 for reasons set forth in this motion.

I hereby certify that the foregoing Motion was adopted by the Commission at its meeting on May 24, 2012.

Linda D. Avery

Commission Secretary

AYES: Commissioners Fong, Wu, Antonini, Borden

NOES: Commissioner Moore

ABSENT: Commissioners Miguel and Sugaya

ADOPTED: May 24, 2012

I:\Citywide\General Plan\General Plan Referrals\2010\2010.0016 Beach Chalet Fields\Final\2010.0016R Draft Motion Beach Chalet Athletic Fields_FNL Motion.doc

EXHIBIT 1

Application to Request a
Board of Supervisors Appeal Fee Waiver

CASE NUMBER: For Staff Use only	

APPLICATION FOR
Board of Supervisors Appeal Fee Waiver

1. Applicant and Project Information

APPLICANT NAME: KATHERINE HOWARD, SPEAK MEMBER	
APPLICANT ADDRESS: 1243 42nd Avenue SAN FRANCISCO, CA. 94122	TELEPHONE: (415) 710-2402 EMAIL: KathyHoward@earthlink.net
NEIGHBORHOOD ORGANIZATION NAME: SUNSET/PARKSIDE EDUCATION + ACTION Committee	
NEIGHBORHOOD ORGANIZATION ADDRESS: 1329 7th Avenue SAN FRANCISCO, CA. 94122	TELEPHONE: (415) 976-4816 EMAIL: SPEAKSANFRANCISCO@YAHOO.COM
PROJECT ADDRESS: Block 1700/LOT 001, BEACH CHALET FIELDS, Golden GATE PARK	

PLANNING CASE NO.:	BUILDING PERMIT APPLICATION NO.:	DATE OF DECISION (IF ANY):
2010.0016E	—	MAY 24, 2012

2. Required Criteria for Granting Waiver

(All must be satisfied; please attach supporting materials)

- ☑ The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization.
- ☑ The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.
- ☑ The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.
- ☑ The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.

For Department Use Only

Application received by Planning Department:

By: _____ Date: _____

Submission Checklist:

- ☐ APPELLANT AUTHORIZATION
- ☐ CURRENT ORGANIZATION REGISTRATION
- ☐ MINIMUM ORGANIZATION AGE
- ☐ PROJECT IMPACT ON ORGANIZATION

☐ WAIVER APPROVED ☐ WAIVER DENIED

SAN FRANCISCO
PLANNING
DEPARTMENT

FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception
1650 Mission Street, Suite 400
San Francisco CA 94103-2479

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FAX: **415.558.6409**
WEB: **http://www.sfplanning.org**

Planning Information Center (PIC)
1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**
Planning staff are available by phone and at the PIC counter. No appointment is necessary.

SPEAK SUNSET PARKSIDE EDUCATION AND ACTION COMMITTEE
1329 7th Avenue, San Francisco, CA 94122-2507 (415) 976-4816

June 12, 2012

TO: Planning Department

FROM: Sunset Parkside Education and Action Committee (SPEAK)

RE: Application for fee waiver for an appeal of the certification of the Final Environmental Impact Report for the proposed renovation of the Beach Chalet Athletic Fields in Golden Gate Park, Case No. 2010.0016E, approved by Planning Commission Motion No. 18637, on May 24, 2012.

The Sunset Parkside Education and Action Committee (SPEAK) is appealing certification of the Final Environmental Impact Report cited above to the Board of Supervisors. This project, located at the Beach Chalet Athletic Fields in Golden Gate Park, has direct negative impacts on the members of SPEAK and those living or visiting the Sunset District.

SPEAK was formed in 1969 and we have proudly celebrated our 40th year of serving the Sunset and Parkside communities.

SPEAK has been a recognized community organization by the Planning Department for many years and appears on their list of approved neighborhood organizations.

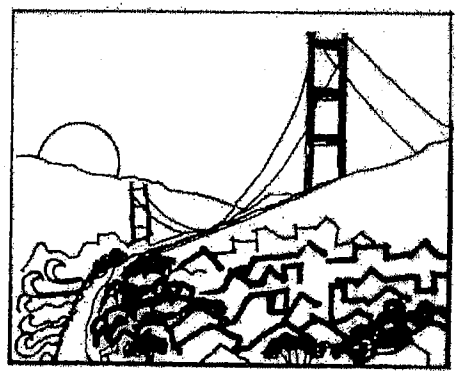
SPEAK authorizes Katherine Howard to file this appeal on our behalf.

SPEAK respectfully requests a waiver of the $510 fee for the attached appeal.

Nancy Wuerfel — June 12, 2012

Nancy Wuerfel, Vice President — Date

Since 1969



SPEAK

Sunset-Parkside Education and Action Committee (SPEAK)

1329 – 7th Avenue

San Francisco, CA 94122

speaksanfrancisco@yahoo.com

SPEAK

HISTORY SPEAK was established in 1969 and has approximately 200 current members. It is one of the oldest and largest neighborhood organizations in the Sunset-Parkside District of San Francisco.

PURPOSES:

- to educate and inform residents of the Sunset-Parkside about matters of mutual concern to the community, such as zoning and land use, public safety and public services; and
- to take our community concerns to elected officials and public agencies so that we may work together to improve the quality of life in the Sunset-Parkside area of San Francisco.

GEOGRAPHICAL BOUNDARIES are Golden Gate Park on the north, Twin Peaks and Mt. Sutro on the east, Lake Merced Boulevard, Eucalyptus Drive, and Portola Drive on the south, and the Pacific Ocean on the west.

BOARD MEETINGS: The Board of Directors of ***SPEAK*** meets)the third Monday of the month at 6:00 p.m. at 3201 Ulloa Street near the corner of 33rd Avenue in the meeting room of Grace Lutheran Church. E-mail speaksanfrancisco@yahoo.com to confirm date, time and agenda.

GENERAL MEMBERSHIP MEETINGS

Twice a year, SPEAK invites all members and the general public to a meeting on a special topic such as earthquake preparedness or ballot measures in the upcoming election.

SPEAK's recent achievements

Landmarks. SPEAK *is continuing to research and document potential landmark buildings for designation by the City. Two buildings at the San Francisco Zoo have been selected for landmark documentation: the Fleishacker Pool Bath House and the Mother's Building.*

SAHRIC SPEAK *received a grant from the Gerbode Foundation to hire an architectural historian and survey historic buildings in the Sunset, creating an offshoot called SAHRIC (Sunset Architectural and Historic Resource Inventory Committee).* ***SAHRIC's*** *main focus has been the collection of data about the small houses and cottages that remain in the former town of Oceanside (west of 40th Avenue all the way to Ocean Beach).*

SPEAK *initiated the landmarking of the historic old Shriner's Hospital and Conservatory of Music and encouraged their successful reuse as a senior residence and a French American school, respectively.*

SPEAK *has published several attractive brochures describing the architectural gems of the Sunset and Parkside.*

SPEAK *initiated the planning for the revitalization of 19th Avenue, demanding improved pedestrian safety and traffic signals, lighting, and tree planting.*

SPEAK *was involved in the defeat of two proposed cell antenna projects: one at Sunset Reservoir and one on the Noriega Street project, the latter case being only the second time that a cell antenna project was defeated at the Planning Commission.*

SPEAK

SUNSET-PARKSIDE EDUCATION AND ACTION COMMITTEE
1329 – 7th Avenue, San Francisco, CA 94122-2507 (415) 979-4816

LOCAL BALLOT ISSUES FORUM

WHEN: Monday, October 18, 2004
7:00 PM

WHERE: 3201 Ulloa Street at 33rd Avenue
(Grace Lutheran Church)

Come and hear pro and con speakers on all the local measures that will appear on the November 2, 2004 election ballot.

For more information, contact Tess Manalo-Ventresca at 415/731-1434.

SAN FRANCISCO
PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- ☐ Affordable Housing (Sec. 415)
- ☐ Jobs Housing Linkage Program (Sec. 413)
- ☐ Downtown Park Fee (Sec. 412)
- ☐ First Source Hiring (Admin. Code)
- ☐ Child Care Requirement (Sec. 414)
- ☐ Other

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Planning Commission Motion No. 18640

LOCAL COASTAL ZONE PERMIT

Hearing Date:	May 24, 2012
Case No.:	**2010.0016P**
Project Name:	**Beach Chalet Athletic Fields, Golden Gate Park**
Zoning:	P (Public) Zoning District OS (Open Space) Height and Bulk District
Block/Lot:	1700/001
Project Sponsor:	San Francisco Recreation and Parks Department c/o Dan Mauer 30 Van Ness Avenue, 5th floor San Francisco, CA 94102
Staff Contact:	Glenn Cabreros – (415) 558-6169 glenn.cabreros@sfgov.org

** Complete copy of document is located in

File No. 120691

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A COASTAL ZONE PERMIT APPLICATION PURSUANT TO PLANNING CODE SECTION 330 TO ALLOW RENOVATION OF THE BEACH CHALET ATHLETIC FIELDS FACILITY INCLUDING REPLACING THE EXISTING GRASS TURF FIELDS WITH SYNTHETIC TURF, INSTALLING FIELD LIGHTING, RENOVATING THE EXISTING RESTROOM BUILDING, INSTALLING PLAYER BENCHES AND SEATING, AND COMPLETING OTHER MODIFICATIONS FOR PARKING, CIRCULATION, AND SPECTATOR AMENITIES TO IMPROVE THE OVERALL CONDITIONS OF THE FACILITY AND INCREASE THE AMOUNT OF ATHLETIC PLAY TIME, WITHIN THE P (PUBLIC) ZONING DISTRICT AND THE OPEN SPACE HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 4, 2012, Dan Mauer of the San Francisco Recreation and Park Department (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Coastal Zone Permit under Planning Code Section 330 to allow renovation of the Beach Chalet Athletic Fields facility including replacing the existing grass turf fields with synthetic turf, installing field lighting, renovating the existing restroom building, installing player benches and seating, and completing other modifications for parking, circulation, and spectator amenities to improve the overall conditions of the facility and increase the amount of athletic play time ("Project").

BOARD of SUPERVISORS

City Hall
Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

June 13, 2012

Richard Toshiyuki Drury
Lozeau/Drury LLP
410 12th Street, Suite 250
Oakland, CA 94607

Subject: Appeal of Final Environmental Impact Report - Beach Chalet Athletic Fields Renovation

Dear Mr. Drury:

The Office of the Clerk of the Board is in receipt of your appeal filed on June 12, 2012, from the decision of the Planning Commission's May 24, 2012, Certification of a Final Environmental Impact Report identified as Planning Case No. 2010.0016E, through its Motion No. 18637, for the proposed project located at 1500 John F. Kennedy Drive, Golden Gate Park.

A hearing date has been scheduled on **Tuesday, July 10, 2012 at 4:00 p.m.,** at the Board of Supervisors meeting to be held in City Hall, Legislative Chamber, Room 250, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Please provide 18 copies to the Clerk's Office by:

8 days prior to the hearing:	any documentation which you may want available to the Board members prior to the hearing;
11 days prior to the hearing:	names of interested parties to be notified of the hearing in label format.

If you have any questions, please feel free to contact Legislative Deputy Director, Rick Caldeira, at (415) 554-7711 or Legislative Clerk, Joy Lamug, at (415) 554-7712.

Sincerely,

Angela Calvillo
Clerk of the Board

c:
Cheryl Adams, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney
Scott Sanchez, Zoning Administrator, Planning Department
Bill Wycko, Environmental Review Officer, Planning Department
AnMarie Rodgers, Planning Department
Tina Tam, Planning Department
Nannie Turrell, Planning Department
Linda Avery, Planning Department
Glenn Cabreros, Planning Department
Project Sponsor, Dan Mauer, Recreation and Park Department

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APPEAL OF EIR CERTIFICATION
Beach Chalet Athletic Fields Renovation

DATE:	July 3, 2012
TO:	President David Chiu and Members of the Board of Supervisors
FROM:	Tim Frye, Preservation Coordinator, San Francisco Planning Department, 415- 575-6822
RE:	File No. 120691, Planning Department Case No. 2010.0016E Appeal of the Final Environmental Impact Report for Beach Chalet Athletic Fields Renovation
PROJECT SPONSOR:	San Francisco Department of Recreation and Park
APPELLANT:	Richard Drury, representing SF Ocean Edge, Sierra Club San Francisco Bay Chapter, Golden Gate Audubon Society, Sunset Parkside Education and Action Committee, Richmond Community Association, Golden Gate Park Preservation Alliance, Katherine Howard, ASLA.
HEARING DATE:	July 10, 2012
ATTACHMENTS:	A – HPC Comment Letter on the Draft EIR for Beach Chalet Athletic Fields Renovation

On behalf of the Historic Preservation Commission, the Planning Department is transmitting the following comment letter, dated December 1, 2011 for the appeal of the Beach Chalet Athletic Fields Renovation FEIR. These are HPC's original comments during the review and comment period of the DEIR.

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December 1, 2011

Mr. Bill Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Mr. Wycko,

On November 16, 2011, the Historic Preservation Commission (HPC) held a public hearing and took public comment on the Draft Environmental Impact Report (DEIR) for the proposed Beach Chalet Athletic Fields Renovation Project. After discussion, the HPC arrived at the comments below:

- The HPC believes the proposed project is inconsistent with the Golden Gate Park Master Plan and conflicts with the City's General Plan policies.
- The HPC agrees with the finding that the proposed project will cause a significant impact to historic resources and spatial organization of the western end of Golden Gate Park.
- The HPC disagrees with the finding in the DEIR and believes there will be a big change to the aesthetics of the park. The HPC believes that the proposed project will adversely affect daytime and nighttime views of the area.
- One Commissioner believes bringing night time lighting is the biggest impact of the proposed project and is more problematic and impactful than replacing the existing natural fields with artificial turf.
- The HPC believes the DEIR did not adequately address safety of visitors not traveling by car and that the proposed project is "elitist" given this part of the park is not accessible by public transportation, thus does not serve the needs of all the people in the City.
- The HPC believes the mitigation measures should clearly state that the park should be designed to be as naturalistic as possible and to match the semi-wild feeling that currently exists in this part of the park.
- The HPC does not believe the circulation path is adequately discussed in M-CP-1 for the plaza and playground.
- The HPC believes the changes made since the previous proposal is in the right direction but needs more information about the design of the area between the soccer fields and parking lot as well as the planting material.
- The HPC believes the best preservation alternative is a combination of parts of preservation alternative no. 2, 3, and 4 which is to improve the soccer fields at Beach

Chalet as well as to seek an off-site alternative. The proposed off site alternative holds real potential when considered in a larger context of fields in this part of the city

- Believe that greater investigation could/should have been made in drafting the DEIR to improve use, maintenance and safety of grass fields—better drainage options, turf type and maintenance methods.
- The HPC prefers to maintain the natural fields and believes switching to artificial turf is a troubling precedent.

The HPC appreciates the opportunity to participate in review of this environmental document. We believe there are reasonable compromises to successfully achieve the goals of recreation and the preservation of Golden Gate Park's historic character.

Sincerely,

Charles Edwin Chase, President
Historic Preservation Commission

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Notice of Document Transmittal

Planning Department Response to the Appeal of Final Environmental Impact Report for Beach Chalet Athletic Fields Renovation

DATE:	July 2, 2012
TO:	Joy Lamug, Legislative Division, Board of Supervisors
FROM:	Bill Wycko, Environmental Review Officer – (415) 558-9048 Don Lewis, Environmental Planner – (415) 575-9095
RE:	BOS File No. 12-0691 [Appeal of Final EIR, Planning Department Case No. 2010.0016E – Beach Chalet Athletic Fields Renovation]

HEARING DATE: July 10, 2012

The Planning Department is transmitting the following document in response to an Appeal of Final EIR, Planning Department Case No. 2010.0016E – Beach Chalet Athletic Fields Renovation for distribution to board members, appellant, city attorney and BOS files:

- 1 hard copy of the Department's Appeal Response letter

Please note that the Department's Appeal Response was also emailed to BOS.Legislation@sfgov.org, Please also note that 18 CDs and one hard copy of both the Draft EIR and Comments and Responses document were sent to Victor Young, Clerk of the Board of Supervisors, on June 26, 2012.

Thank you.

SAN FRANCISCO
PLANNING DEPARTMENT

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APPEAL OF EIR CERTIFICATION
Beach Chalet Athletic Fields Renovation

DATE:	July 2, 2012
TO:	President David Chiu and Members of the Board of Supervisors
FROM:	Bill Wycko, Environmental Review Officer, San Francisco Planning Department, 415 575-9048
RE:	File No. 120691, Planning Department Case No. 2010.0016E Appeal of the Final Environmental Impact Report for Beach Chalet Athletic Fields Renovation
PROJECT SPONSOR:	San Francisco Department of Recreation and Park
APPELLANT:	Richard Drury, representing SF Ocean Edge, Sierra Club San Francisco Bay Chapter, Golden Gate Audubon Society, Sunset Parkside Education and Action Committee, Richmond Community Association, Golden Gate Park Preservation Alliance, Katherine Howard, ASLA.
HEARING DATE:	July 10, 2012
ATTACHMENTS:	A – Appeal Letter B – Visual Simulation Methodology C – Carbon Sequestration D – EIR Certification Motion

INTRODUCTION:

This memorandum and the attached documents are a response to the letter of appeal to the Board of Supervisors (the Board) regarding the issuance of a Final Environmental Impact Report (FEIR) under the California Environmental Quality Act ("CEQA Determination") for the Beach Chalet Athletic Fields Renovation Project (the proposed project). The FEIR was certified by the Planning Commission (the Commission) on May 24, 2012. The appeal to the Board was filed on June 12, 2012 by Richard Drury on behalf of SF Ocean Edge (SFOE), Sierra Club San Francisco Bay Chapter, Golden Gate Audubon Society, Sunset Parkside Education and Action Committee (SPEAK), Richmond Community Association (RCA), Golden Gate Park Preservation Alliance, and Katherine Howard, ASLA.

The appeal letter is included with this Memorandum as Attachment A. The FEIR, which consists of the Draft Environmental Impact Report (EIR) and the comments and responses document, were provided to the Clerk of the Board on June 26, 2012.

fields would be removed and replaced with a 3.5-foot-tall black vinyl chain link fencing. The areas behind the goals would have 16-foot-tall fencing to ensure that balls remain on the fields.

Proposed field lighting would consist of ten 60-foot-tall light standards made of galvanized steel. Two light standards each would be located at the north and south ends of the facility and another six light standards would be located between the centermost fields. Each light fixture, or assembly, would consist of ten 150,000 watt metal halide lamps. In addition to the field light standards, the project includes 47 approximately 15-foot-tall pedestrian pathway light standards and 13 approximately 18-foot-tall parking lot light standards.

The existing restroom building would be renovated and a new plaza area with seating would be constructed on the west side of the building. Additional amenities proposed for the plaza area include a small playground to the south of the restroom as well as picnic tables and permanent barbeque pits. Two access paths would be constructed from the plaza area to the field.

The existing 25,320-square-foot parking lot would be renovated and expanded by 8,740 square feet to include a drop-off area and approximately 20 additional parking spaces (including four Americans with Disabilities Act [ADA] compliant spaces), for a total of 70 spaces. The location of the existing vehicular ingress and egress from John F. Kennedy Drive would remain the same as under existing conditions.

Onsite pedestrian circulation at the field level would be modified with a new concrete pathway that would encircle the four fields and provide access to each of the fields, as well as provide connection with existing pedestrian circulation routes within the park and to the pathway at the Great Highway.

The project would also install spectator seating for approximately 250 visitors at the north and south ends of the facility, as well as seating for approximately 606 visitors on the east-west walkway between the two center fields. Seating for approximately 190 spectators would also be provided in the plaza area. All facilities would comply with current ADA accessibility guidelines.

The project would require removal of 16 trees and approximately 44 shrubs to accommodate the proposed changes. Each tree removed would be replaced at a one-to-one or greater ratio. Tree replacement locations would include the southern edge of the project area and other appropriate areas.

Project construction would require approximately 10 months beginning in summer/fall 2013. Construction activities would include use of standard earth-moving equipment for grading, large trucks for hauling, and a small crane to lift the proposed light standards. The project would require excavation to a depth of approximately one foot below ground surface (bgs) for most project elements and approximately ten feet bgs for the installation of the light standards. Construction material staging and storage are anticipated to occur within the boundaries of the existing facility.

CONCERNS RAISED AND PLANNING DEPARTMENT RESPONSES:

The Appellant's concerns in the Appeal Letter may be summarized as follows:

The EIR also analyzed other alternatives, specifically the Off-Site Alternative, the Grass Turf with Reduced Lights Alternative, and the Synthetic Turf without Lights Alternative. As summarized in Table VI-1, Comparison of the Significant Environmental Impacts of the CEQA Alternatives, on page VI-5 of the EIR, all three of these alternatives would result in decreased impacts to historic resources as compared to the proposed project. Unlike the proposed project, under each of these alternatives effects on historical resources would be less than significant. Each of these three alternatives would result in similar impacts with respect to biological resources and hazards and hazardous materials as compared to the proposed project.

Section 15126.6(c) of the CEQA Guidelines states that "the range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects." All of the alternatives analyzed in the EIR meet this requirement. The EIR also identifies, on page VI-15, the alternatives that were considered but rejected from further consideration, including synthetic turf with reduced lights and two alternative locations within Golden Gate Park. These alternatives were appropriately rejected because they would not reduce the project's significant impact.

The Appellant asserts that the EIR is inadequate because it fails to analyze the Hybrid Alternative and that the EIR creates a false choice of either improving Beach Chalet or improving the West Sunset facility. However, the Hybrid Alternative is within the range of alternatives analyzed in the EIR and does not need to be analyzed as a separate alternative. Specifically, the Hybrid Alternative would be similar to a combination of the Alternative 2, the Off-Site Alternative and Alternative 3, the Grass Turf with Reduced Lights Alternative.

CEQA Guidelines Section 15126.6 states that "An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.... There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason." As such, the EIR considered a reasonable range of project alternatives and met all content requirements as set forth by CEQA Guidelines Section 15126.6.

The topic of the "Hybrid Alternative" (also referred to as the "Compromise Alternative") was addressed in Response ALT-4 on pages X.O-64-65 of the Comments and Responses, which states that the alternative would be within the range of alternatives analyzed in the EIR and therefore does not require further analysis as a separate alternative. The Appellant has not provided any further information to support the contention that the Hybrid Alternative should be analyzed separately. Moreover, the Appellant is inaccurate in the assertion that the EIR "rejects" the Off-Site Alternative. In fact, the EIR analyzes this alternative on pp. VI-7 through VI-9 and identifies it as the environmentally superior alternative on p. VI-14. Other alternatives were considered and rejected and are

done by the Appellant, misinterprets the intents of CEQA. As stated in CEQA Guidelines Section 15002, "the basic purposes of CEQA are to: (1) Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities; (2) Identify the ways that environmental damage can be avoided or significantly reduced; (3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and (4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved." The EIR identified three alternatives that would reduce the proposed project's significant and unavoidable impacts to historical resources to a less-than-significant level.

In certifying the EIR on May 24, 2012, the Planning Commission found that the EIR fulfilled its obligation by identifying potential environmental impacts of the proposed Beach Chalet Athletic Fields Renovation project and by identifying mitigation measures that could reduce or avoid such impacts that are deemed feasible (in the areas of biological resources and hazardous materials), as well as by disclosing significant unavoidable impacts that cannot be mitigated to a less-than-significant level (impact to historical resources). In an accompanying Statement of Overriding Considerations, the Planning Commission and the Recreation and Parks Commission found that that there are significant benefits of the project in spite of the unavoidable significant impact, approved the project and rejected the alternatives as infeasible.

Based on the above, the City has carried out its CEQA process properly and thoroughly with respect to identifying significant impacts and mitigating them to the degree feasible and with respect to developing and analyzing project alternatives. It would be inappropriate to reject the EIR on the basis of its identification of a significant impact or because it included analysis of multiple alternatives that would reduce or avoid that impact.

Representation of Plan Consistency

Concern 3: The EIR fails to acknowledge inconsistencies with the General Plan and these inconsistencies constitute a significant impact that must be analyzed in the EIR.

Response 3: **Consistency with the General Plan is appropriately discussed in the CEQA documents with respect to physical impacts to the environment.**

Regarding the Appellant's claim that the EIR fails to acknowledge inconsistencies with the General Plan, the project's consistency with the General Plan is discussed appropriately in the EIR and in the Comments and Responses document. The Appellant further asserts that the project is inconsistent with or would conflict with various objectives and policies of the General Plan, and these alleged inconsistencies constitute a significant environmental impact.

The compatibility of the proposed project with General Plan policies that do not relate to physical environmental issues was considered by the Planning Commission on May 24, 2012. The Planning Commission evaluated the proposed project in accordance with provisions of the General Plan, including the Priority Policies and the Western Shoreline Plan, an area plan within the General Plan that encompasses the City and County of San Francisco's (CCSF) Local Coastal Plan. On May 24, 2012, the Planning Commission approved the Coastal Zone Permit and found the proposed renovations to the Beach Chalet Athletic Fields to be consistent with the General Plan, including the Recreation and Open Space Element, the Urban Design Plan, the Western Shoreline Area Plan, the Environmental Protection Element, and the eight Priority Policies.

Consistency with Golden Gate Park Master Plan

Concern 4: The project is inconsistent with the Golden Gate Park Master Plan. Specifically, the project is inconsistent with Park Master Plan Objective II, Policy A, Item 2, because the project would encroach upon the surrounding open space and the EIR fails to disclose those impacts. The EIR's consistency determination with Policy F of the Park Master Plan, which prioritizes sustainable landscape principles, is based on inappropriate deferred mitigation.

Response 4: **Consistency with Golden Gate Park Master Plan is appropriately discussed in the CEQA documents with respect to physical impacts to the environment, including project impacts that extend beyond the boundaries of the project site. With regard to Policy F of the Park Master Plan, the Appellant has mischaracterized a part of the proposed project as a mitigation measure.**

Golden Gate Park Master Plan Consistency

Regarding the Appellant's claim that the project is inconsistent with the Golden Gate Park Master Plan and "ignores the purposeful design and management of Golden Gate Park for more than a century," the consistency with the Golden Gate Master Plan is discussed appropriately in the EIR and in the Comments and Responses documents. Specifically, as discussed in the Park Master Plan and stated in the EIR, the western portion of Golden Gate Park contains most of the park's larger meadows, lakes, and relatively natural areas, as well as facilities for activities and sports. The project site is designated as a "Major Recreational Area," according to the plan's Land Use Map (Figure 3-1 of the Park Master Plan).[1] As discussed in the EIR on page III-7, the Beach Chalet Athletic Fields were established to meet specific recreational needs, and the facility is programmed specifically for recreational and sports purposes (Objective 1, Policy C, Major Recreation Area). The Park Master Plan requires that land uses and activities in Golden Gate Park contribute to the mission and purposes of the park, and that activities within a designated land use zone should be appropriate to the land use purpose (Objective 1, Land Use and Activities).

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1 SFRPD, *Golden Gate Park Master Plan;* p. 3-7.

those impacts to the extent feasible is inaccurate. Consistent with CEQA Guidelines Section 15126.4, the EIR identifies mitigation measures for each impact determined to be significant or potentially significant based on the significance criteria specific to each topic listed in each resource sub-section of Chapter IV. In accordance with CEQA Guidelines Section 15370, the mitigation measures either avoid an impact altogether or minimize the impact by limiting the degree or magnitude of an action or its implementation.

Impacts Beyond Project Site Boundaries

Regarding the EIR's consistency determination for Objective II, Policy A, Item 2 (regarding the "pastoral and sylvan landscape" of Golden Gate Park), the term *generally consistent* is applied to mean that the EIR considered the general intent of this policy as conceived during the time of the development of the Park Master Plan and determined that the proposed project would comply with it. As stated above, to the extent that physical environmental impacts could occur as a result of any inconsistencies between this policy and the proposed project, these have been analyzed and mitigated to the extent feasible in the EIR. Golden Gate Park contains a number of structures that depart from the definition of "pastoral and sylvan," including some facilities located in the west end of the park, but these are appropriate within the context of their intended uses (e.g., the Beach Chalet building itself, museums, parking structures, recreation centers, etc.). Similarly, the proposed project would be appropriate on the project site because of the site's classification as a major recreation area in the Park Master Plan, and because the Plan explicitly articulates the objective to increase its usability (Objective 1, Policy C, Major Recreation Area). The proposed project would not create a new use of the project site but rather would implement a number of improvements that would facilitate increased use of the site, as intended by the Park Master Plan.

The Appellant incorrectly asserts that the consistency analysis is erroneous because it fails to acknowledge light pollution, noise, traffic, additional human activities, truck, and tracking of crumb rubber outside of project boundaries. In fact, consistent with CEQA Section 15358, the EIR analyzes all of these project impacts, including those that would extend beyond the project site, in appropriate sections of Chapter IV. In stating that the project would occur within the limits of the project site the EIR was addressing the classification of the project site as a "Major Recreation Area" in the Golden Gate Park Master Plan, distinct from other portions of the western end of the park, and not making any conclusions about the physical impacts that were the subject of the impact analysis in the EIR. Based on this, the EIR accurately characterizes the proposed project's consistency with the Park Master Plan and correctly identifies any physical impacts that may result from its implementation.

Response 5: **The project's comprehensive analysis of aesthetic impacts properly disclosed visual impacts that would occur to scenic vistas as a result of the proposed project and appropriately characterized those impacts as less than significant.**

(a) Potential impacts to visual quality, including scenic vistas, were identified as a source of public interest during the EIR scoping process. Because of this and the project's unique location in the west end of Golden Gate Park, the Planning Department employed a number of methods to assess impacts of the proposed project on aesthetic resources, including conducting site reconnaissance, evaluating the proposed project plans and drawings, analyzing light distribution from a light study prepared specifically for the project, reviewing photographs of the project area, preparing daytime and nighttime visual simulations, and performing a comparative analysis of nighttime views.

The analysis in the EIR was comprehensive and responsive to the City's CEQA significance criteria in that it considered whether implementation of the proposed project would: (1) have a substantial adverse effect on a scenic vista; (2) substantially damage scenic resources, including but not limited to trees, rock outcroppings, and other features of the built or natural environment that contribute to a scenic public setting; (3) substantially degrade the existing visual character or quality of the site and its surroundings; or (4) create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area or that would substantially affect other people or properties.

Specifically, the EIR concluded that the proposed project would not have a substantial adverse effect on a scenic vista or substantially damage scenic resources because the project site is located at the edge of the Golden Gate Park, where naturalistic features (i.e., the park, beach, ocean) and urbanized features (i.e., the Great Highway, Beach Chalet Restaurant, Murphy Windmill and Millwright's Cottage) interrelate with one another, and because the project site is screened and would continue to be screened from most public views in the area (criteria 1 and 2). The EIR further concluded that the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings because the proposed project would appear generally consistent with the overall look and feel of other nearby facilities, in the sense that most of them are composed of both naturalistic and built forms, because the new features of the site, while visually different from existing conditions, would not be demonstrably adverse and would be consistent with the site's primary function as a formally developed recreational area, and because the existing and proposed vegetation would continue to screen the project site from most of the surrounding views (criterion 3). Lastly, the EIR concluded that the proposed project would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area or that would substantially affect other people or properties because the night-time lighting, while noticeable, would not result in noticeable amounts of spill over (based on a lighting study) and would not reach homes located in the surrounding residential neighborhoods (criterion 4).

need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure." The City prepared an adequate and complete EIR that fully disclosed the extent of impacts of visual resources, including during nighttime hours, and appropriately concluded that they would be less than significant.

The Appellant is incorrect in asserting that the EIR is internally inconsistent because it identifies in the Historic Resources section (Section IV.C) the proposed lighting as being visible during the day and states that the project area of the park is historically dark at night. In fact, the same conclusion regarding the visibility of the light standards during the day is made in the Aesthetics section, on page IV.B-19, where it is stated, in describing daytime visual simulations of views within the project site, that "The proposed galvanized steel poles and field lights would add a dominant vertical component to the project site, and would constitute possibly the greatest change in views from this perspective. The new 60-foot-tall poles would disrupt the views toward the sky and would add urbanized elements to the project site that would compete for visual dominance with the natural features of the outer edges of the site." Further, on page IV.B-21, it is stated with respect to changes to daytime views from the Ocean Beach public promenade, "..the tops of the light poles and standards would be visible in the distance above the tree canopy, whereas currently, the project site is not visible from this vantage point." The same observation is made with respect to daytime views from the Beach Chalet Restaurant outdoor patio, on page IV.B-26. However, the EIR concludes on page IV.B-26 that, because the project site is located at the edge of the Golden Gate Park, where naturalistic features (i.e., the park, beach, ocean) and urbanized features (i.e., the Great Highway, Beach Chalet Restaurant, Murphy Windmill and Millwright's Cottage) interrelate with one another, and because the project site is screened and will continue to be screened from most public views in the area, the permanent visual impact of the proposed Beach Chalet Athletic Fields Renovation Project on daytime views would be less than significant. This conclusion takes into account the CEQA significance thresholds that are applied to analysis of visual impacts and not those applied to analysis of historic resources. Thus, while the proposed lighting structures may be perceived as a contributor to a significant impact to historical resources, it is evaluated against different criteria for purposes of assessing visual impacts, which does not require the consideration of historic presence of light structures at the site to the same degree as it would for analyzing historical impacts. Thus, contrary to the Appellant's assertion to the contrary, no contradiction exists between the Aesthetics and Historical Resources sections of the EIR with respect to characterization of the light standards during daytime hours.

In response to Appellant's assertion that nighttime rather than dusk simulations should have been prepared, dusk simulations rather than complete darkness simulations were selected because lights, both existing and proposed, can be

conditions. As articulated in the EIR, the proposed project would contribute to this lighting but would not trigger any significant impacts with respect to night lighting for the reasons already noted above – mainly, because the night-time lighting, while noticeable from some of the surrounding areas during evening games, would not result in noticeable amounts of spillover (based on a lighting study) and would not reach homes located in the surrounding residential neighborhoods.

(d) The Appellant has asserted that the proposed illumination levels are not necessary to achieve the project objectives. The Project Sponsor's Objectives include increasing the amount of athletic play time on the fields and improving safety and increasing nighttime use of the west end of Golden Gate Park among the listed objectives. Use of the facility for tournaments is within the scope of these objectives. In fact, the United States Soccer Federation clearly identifies that soccer fields should use class 3 standards, as proposed by the project. In addition, Musco Lighting staff also mentioned that class 4 fields are rarely designed and that on several occasion, clients have been disappointed with class 4 lighting once it has been installed. Moreover, while alternatives are evaluated against the project objectives, it is not within the purview of the CEQA document to evaluate the degree to which a proposed project meets its sponsors stated objectives.

Based on the foregoing, the EIR provided a thorough and accurate analysis of the project's impacts on visual quality and appropriately characterized them as less than significant.

Treatment of Greenhouse Gas Impacts

Concern 6: The Appellant asserts that the EIR fails to accurately calculate GHG emissions from the Project and that it incorrectly relies on San Francisco's "Strategies to Address Greenhouse Gas Emissions" (as BAAQMD's Qualified Greenhouse Gas Reduction Strategy) to substantiate the less-than-significant impacts identified in the Initial Study, since this document has not been adopted through a public process and is in draft form.

Response 6: **The EIR accurately concluded that proposed project's impacts with respect to greenhouse gas emissions would be less than significant and provided sufficient supporting evidence to substantiate this conclusion.**

Section 15064.4 of CEQA Guidelines calls for a "good-faith effort" to "describe, calculate or estimate" GHG emissions. Section 15064.4 further states that the significance of GHG impacts should include consideration of the extent to which the project would increase or reduce greenhouse gas emissions; exceed a locally applicable threshold of significance; and comply with "regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions." The revisions also state that a project may be found to have a less-than-significant impact if it complies

with these requirements, and was determined to be consistent with San Francisco's Strategies to Address Greenhouse Gas Emissions.[5] As such, the proposed project would result in a less than significant impact with respect to GHG emissions.

As discussed in the Initial Study, the San Francisco Recreation and Park Department's (RPD) actions to reduce operational greenhouse gas emissions toward the City's goal of an 80 percent reduction by 2050 include the following: (1) Energy Efficiency and Conservation: The RPD is working with the Energy Efficiency Services of the San Francisco Public Utilities Commission (PUC) to reduce energy use through the selection of operational equipment such as electrical fixtures and sprinkler heads, design standards enforcement, and use of the San Francisco Greening Checklist for exterior spaces; (2) Renewable Energy Generation: The RPD is working with the PUC to assess its facilities' solar potential and identify potential co-generation sites; (3) Information Technology (IT): IT energy conservation measures include power management tools for all personal computers and monitors. The RPD plan includes full compliance by the third quarter of fiscal year 2010 with the City's adopted policy of the Committee on Information Technology (COIT); (4) Green Building: The RPD plan includes compliance with the City's Environmental Code to achieve Leadership in Energy and Environmental Design (LEED) certification; (5) Fleets and Fuel: The RPD has identified specific plans to retire older vehicles to achieve fuel savings, maintenance cost savings, and lower residual costs for older vehicles. Further, the RPD only purchases clean light-duty passenger cars and trucks; (6) Employee Commute: The RPD plan includes measures to reduce vehicle trips traveled by promoting alternative transportation incentives to its employees; (7) Zero Waste: The RPD is close to realizing its goal of 100 percent compliance with the City's recycling initiative; (8) Green Product Purchasing: The RPD uses the City's Approved Catalog to purchase environmentally conscious products; (9) Carbon Sequestration: The RPD promotes the City's urban forestry program through tree planting campaigns and supports other City departments in their participation in the urban forest program; and (10) Community Wide Emissions: The RPD actions include providing community support to reduce greenhouse gas emissions through programs related to recycling, biodiversity, bicycling, and community education.

Based on the foregoing, because relying on the compliance with the GHG Reduction strategy was the correct approach in assessing GHG impacts of the proposed project, individual calculations were not required; therefore, the EIR accurately concluded that this impacts would be less than significant.

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5 Greenhouse Gas Analysis: Compliance Checklist. January 25, 2011. This document is on file and available for public review in Case File No. 2010.0016E at the Planning Department, 1650 Mission Street, Suite 400.

the Task Force established by the SFRPD Commission (Commission) to address the potential impacts associated with synthetic turf.

Based on the Task Force recommendations, SFRPD requires that concentrations of metals be limited in synthetic turf products. Further, to prevent the generation of polluted runoff from the fields until material-specific information is available regarding stormwater runoff quality from the Beach Chalet synthetic turf installation, the SFRPD would construct the playfields with an underlying liner and a drainage system equipped to capture all runoff and leachate from the fields, as described in Chapter II, Project Description. The drainage system would initially direct all runoff and leachate to the combined sewer system via a new pipeline and connection. SFRPD would conduct periodic water sampling from the underdrain system, in conjunction with SFPUC, and evaluate the quality of water drained from the synthetic turf. If sampling by the SFRPD indicates that runoff and leachate quality is acceptable, SFPUC could allow drainage from the synthetic turf athletic fields to infiltrate into the underlying Westside Groundwater Basin. If approval is obtained from the SFPUC to infiltrate runoff from the synthetic turf, the proposed project would be required to comply with the San Francisco Stormwater Management Ordinance, the requirements of which are described in detail in the EIR, and involve a close monitoring, inspections, and certifications by the SFPUC.

Because the SFRPD would not allow leachate or runoff from the fields to infiltrate to the groundwater until sampling data indicate that the quality is acceptable, impacts related to degradation of groundwater quality would be less than significant. Accordingly, the EIR identifies no significant impacts, and no mitigation is required.

The Appellant's letter provides the following quote from the EIR: "the composition of SBR is dependent on the tires used in the manufacturing process and can be variable. Therefore, the quality of stormwater runoff and leachate from the proposed synthetic playfields is unknown and could contain pollutants that could degrade groundwater quality." However, the Appellant fails to disclose that the EIR states on the same page that, while cumulative impacts related to degradation of water quality are potentially significant, "the proposed project includes construction of the playfields with an underlying liner and a drainage system equipped to capture all runoff and leachate from the fields, and discharge the drainage to the combined sewer system. The quality of the discharge would be monitored, and the SFPUC would not allow drainage from synthetic turf fields to infiltrate into the groundwater basin until the water quality meets acceptable standards. Therefore, the project's contribution to this potential cumulative impact would not be cumulatively considerable."

The proposed project would incorporate measures to address any potential impacts related to water quality as part of the project description. Therefore, they are not considered to be mitigation measures. Because runoff from the project site would undergo the required water quality testing and compliance with the

The risk analyses performed by the studies assessed in the EIR use standard methods for analysis of risk, are based on the known toxicological properties of the chemicals of concern, and consider the combined risk associated with all of the chemicals of concern. Based on this analysis, the EIR concluded that human health impacts related to the use of synthetic turf with SBR infill would be less than significant. These risk analyses were conducted for fields using SBR infill or similar materials, and even if the properties of the SBR changed from those of the rubber used in tires, they are considered sufficiently representative of the risks associated with play on synthetic fields.

Several commenters on the Draft EIR presented hazardous materials studies not included in the EIR or alternate interpretations of the studies included in the EIR. The studies presented by commenters were considered in the Comments and Responses document as they relate to the proposed project and the Comments and Responses document concluded that no changes to the significance determinations identified in the EIR were required, as discussed in Comments and Responses document, pages X.N-104 through X.N-114. The Appellant misrepresents the EIR as having not conducted a complete assessment of available hazardous material studies, and cites other studies. For the reasons listed below, these studies would not change the EIR significance determinations, either because they are consistent with studies already evaluated for the EIR, or because the studies were in fact evaluated in the EIR.

- 2009 Office of Environmental Health Hazard Study[7] - The 2009 OEHHA study, including the cancer risks presented therein, was evaluated in the EIR. As noted in the Comments and Responses document, this study determined that the increased risk of cancer from off-gassing was above the *de minimus* level for five of the eight chemicals tested. Additionally, as acknowledged on EIR page IV.H-10, the study concluded that further studies of the chemicals present above synthetic turf fields is warranted. The Appellant claims incorrectly that the cancer risks presented for 5 chemicals identified in the 2009 OEHHA study, and disclosed in the EIR, are "cumulative" (i.e., additive). However, this calculation method is not correct, not representative of the results of the 2009 report, and does not accurately represent cancer risks.

- The Appellant references the study "A Review of Benefits and Issues Associated with Natural and Artificial Turf Rectangular Stadium Fields." This study, similar to other studies evaluated in the EIR, conducted a literature survey of governmental and non-governmental SBR infill studies

[7] Office of Environmental Health Hazard Assessment, *Chemicals and Particulates in the Air above the New Generation of Artificial Turf Playing Fields, and Artificial Turf as a Risk Factor for Infection by Methicillin-Resistant Staphylococcus Aureus (MRSA), Literature Review and Data Gap Identification,* July 2009, available online at: http://www.calrecycle.ca.gov/Tires/Products/BizAssist/Health/TurfStudy/LitReview.doc, accessed on March 28, 2011.

Responses document was published and did not raise new points. This was stated in presentation to the Planning and Recreation and Park Commissions at the EIR certification hearing on May 24, 2012.

The Appellant's claims, as presented in a comment letter from Matthew Hagemann, C.Hg. that the EIR does not mitigate potential VOC inhalation risks identified in the studies evaluated in the EIR is misleading. As stated in the Comments and Responses, the composition of SBR can vary, depending on the type of tire and tire manufacturer, and this is one reason for the development of the Synthetic Turf Standards described on DEIR pages IV.H-14 through IV.H-17. These standards limit the metals concentrations in the infill and fiber (including lead) and require full disclosure of the SVOC content. A comprehensive list of all chemical constituents would depend on the specific turf product purchased. Because of the chemical composition of SBR, it would be impossible to purchase synthetic turf without any metal content. Instead, the Synthetic Turf Standards provide limits on metals concentrations to ensure that human health and the environment would not be adversely affected. The risk analyses presented in the literature cited in DEIR Section IV.H are based on chemical analysis of the turf product tested, and risks associated with the identified chemicals of concern.

Furthermore, as described on Comments and Responses document, page X.N-106, in the five studies that addressed inhalation hazards, the maximum cancer risk level identified was 8.7 in a million which is higher than the *de minimus* level of one in a million; however this was based on data from an indoor field, which would present higher health risks than an outdoor application such as the Beach Chalet Athletic Fields. For outdoor applications, the highest cancer risk level identified was 8 in 1 million based on the concentration of 2-methyl-1,3-butadiene identified in one of eight air samples from above a playfield. However, risks would likely be much lower because this volatile compound was only identified in one of eight air samples, the compound is not consistently emitted and therefore a player would not be consistently exposed to the maximum concentration identified and used in the risk analysis.

(b) The Appellant's claim that the acute hazard risk was miscalculated is incorrect. The hazard index for noncancer risk was close to or less than 1 in the two studies evaluated in the EIR that addressed noncancer risk. When tested using a gastric simulation, which is considered more representative of actual conditions, the hazard index was 2.2, sufficiently close to a hazard index of 1. The 2007 OEHHA study deemed the hazard index not to represent a serious health hazard; the Appellant's claim that this statement, presented in the EIR, was erroneous is not correct. As noted, more than one study assessing acute hazard risk was assessed in the EIR; the Appellant's claim that only one study was cited is inaccurate.

(c) The Appellant's claim that the EIR does not provide evidence to substantiate conclusions regarding heavy metal risks from SBR artificial turf fields is misleading. As noted above, the Synthetic Turf Standards provide limits on metals concentrations to ensure that human health and the environment would not be adversely affected. Therefore, the Appellant's claim is not correct.

project, and is described as such in the Project Description chapter of the EIR, where it is stated that, "[a]t the end of its lifespan, which is anticipated to be a minimum of ten years, the turf would be returned to a turf manufacturer for reuse/recycling and replaced by new synthetic turf."

As stated on page X.N-30 of the Comments and Responses document, the expected life span of the synthetic turf is anticipated to be a minimum of 10 years, pending weather conditions and amount of use. When turf is recycled, the SFRPD would require the vendor to comply with the City and County of San Francisco's (CCSF) "Synthetic Turf Standards." As discussed on page V.H-30 of the EIR, these Standards require the vendor of the synthetic turf product to provide a detailed end-of-life recycling plan for the ultimate disposition of the turf at the end of its useful life. In addition, the "Synthetic Turf Standards" specify that incineration, or any other type of high-temperature conversion technology, cannot be used for disposition of the used turf products, and that these products may not be used as Alternate Daily Cover at a permitted landfill facility.

As stated on EIR page IV.H-31, recycling options for used turf materials are currently under development, and continue to evolve as more synthetic turf applications reach the end of their useful life. Currently, spent turf can be recycled for uses such as manufacture of batting cages, barn mats, top dressing for natural grass, lining for highway barrels and backing for road bases, tote bags, t-shirts, coasters, and park benches.

The requirement for recycling of the product would be enforced through the guarantee provided by the vendor as a part of the purchase agreement with the SFRPD, which is included in a written commitment letter. Development of the required recycling plan within seven years would allow the vendor to continue developing recycling options (in addition to those currently available), and would ensure completion of the plan. Therefore, the ability to ultimately recycle the turf product, before the end of the minimum 10-year life span of the product, is ensured. The turf would be recycled as enforced through the guarantee provided by the vendor as part of the purchase agreement and would not be placed in a landfill. Recycling of the turf assists the City in achieving its zero waste goal by 2030.

With regard to comments about the potential for the selected turf manufacturer to go out of business or otherwise be unable to replace turf as needed, such presumptions are speculative and it is not necessary to address this further under CEQA Guidelines Section 15145.

In response to the Appellant's claim that the recycling program provides no details regarding its efficacy and feasibility, it is not possible to provide specific details for a process that continues to evolve over time to incorporate new standards, requirements, and technologies, and hence, may not apply to the proposed project at the end of its life span.

CONCLUSION:

For all of the reasons provided in this appeal response, the Planning Department believes that the Final EIR complies with the requirements of CEQA and the CEQA Guidelines, and provides an adequate, accurate, and objective analysis of the potential impacts of the proposed project. Therefore, the Planning Department respectfully recommends that the Board uphold the Planning Commission's certification of the Final EIR.

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July 2, 2012

President David Chiu and Members of the Board of Supervisors
c/o Ms. Angela Calvillo, Clerk of the Board of Supervisors
City of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Re: **Beach Chalet Athletic Field Appeal**
File No. 120691

Dear President Chiu and Honorable Members of the Board of Supervisors:

I am writing in reference to the June 12, 2012, Appeal of the recent decisions of the San Francisco Planning Commission and Recreation and Park Commission regarding the Beach Chalet Athletic Field Project. The Environmental Impact Report that was certified by the Planning Commission is fatally flawed. It should be returned to the Planning Department to be supplemented with additional information, corrections of inaccuracies, and consideration of the win-win hybrid alternative project location at West Sunset Playground. Additionally, the Board should rescind approval of the project as currently described, and support the approval of the win-win hybrid alternative.

Introduction

Golden Gate Park has been described by the Department of Recreation and Parks as *"... an oasis–a verdant, horticulturally diverse, and picturesque public space where city dwellers can relax and reconnect with the natural world."* Replacing natural turf with artificial turf made of plastic and rubber tire crumb, installing stadium lighting that will illuminate the surrounding sky long after the sun has gone down, and significantly altering this area will irreparably alter the Park, harm the surrounding environment, and threaten the health of humans, other animal life, and vegetation.

The EIR failed to adequately review the many environmental impacts this Project will have on Golden Gate Park. It also failed to consider an alternative that would both meet the objectives of the Project and avoid the significant environmental impacts on the western end of Golden Gate Park. Accordingly, the Board of Supervisors should uphold the Appeal and return the EIR to the Planning Department for supplementation.

Impact of Rubber Tire Crumb Infill

One of the major flaws with this Environmental Impact Report is its inadequate review of the impact of styrene butadiene rubber ("SBR") infill on human health and the environment. The EIR has incorrectly concluded that this infill poses no significant health risks. There are several problems with this conclusion. First, very little research was reviewed in the EIR. Second, most if not all of the research had serious methodological flaws. And third, even the research that was reviewed indicated SBR rubber poses significant health risks. Many of these defects are detailed in the June 12, 2012, appeal submitted by Richard Drury, Esq.

Concerns about the research and the risks of using SBR infill in artificial turf fields abound. Following is a list of some of the risks that were not considered in the EIR:

- The risk to human health, animal health, and the environment of exposure to chemicals, heavy metals, and other substances found in rubber tire crumb, including but not limited to heavy metals, phthalates, and volatile compounds;
- The risk of the release from tire crumb of these chemicals, heavy metals and other substances into water runoff and groundwater;
- The risk of a man-made or natural disaster that might increase the release of harmful or toxic materials into the environment;
- The risk of a natural or man-made disaster causing damage to the proposed lining and drainage system designed to capture runoff and leachate from the fields;
- The risk of removing 10 acres of permeable land from Golden Gate Park through which water penetrates to the underlying aquifer:
- The risk of exposure to MRSA that breeds on artificial turf;
- The risk of tire crumb sticking to clothes, skin, shoes, and the like, and migrating beyond the sports fields;
- The risk posed by the flammability of SBR infill.

None of these risks, as well as many others, were adequately reviewed in the EIR. A December 12, 2012, letter from me to Mr. Bill Wycko, Planning Department Environmental Review Officer, details many more deficiencies in the EIR. The EIR cited only a few of the hundreds of studies on SBR infill that have been done. And none of the research in the EIR considered the long-term exposure and/or cumulative effects of exposure.

One of the studies that the EIR relied on to support its determination that SBR infill is safe was the *Draft Synthetic Playfields Task Force Findings and Department Recommendations, Report to San Francisco Recreation and Parks Commission,* July 28, 2010. ("Task Force Report") Recommendations in the Task Force Report that were disregarded in the EIR include the following:

- The Department should conduct or participate in field temperature testing at existing synthetic turf fields in San Francisco. *(one time test process)*
- The Department should monitor a leachate study currently underway at Stanford University.
- The Department should conduct or participate in tests of field stormwater runoff to determine the presence and potential levels of zinc and other possible contaminants. *(on existing fields)*
- The Department should continue to request feedback from user groups using new products rather than relying on manufacturers for quality and performance information. New York and New Jersey are leading the way, and the Department will know more about performance, playability, safety, and longevity of new products within the next three years.
- The Department should request MSDS sheets from turf vendors, which provide data on flammability testing and consult the fire department on product literature.
- The Department should continue to monitor performance and reliability of companies with new rubber free infill alternatives.
- When purchasing new turf projects, RPD should request full material composition disclosures and share them with DPH and SFE for feedback.
- The Department should conduct or participate in tests of field storm water runoff to determine the presence and potential levels of zinc and other possible contaminants.

(Task Force Report, pp. 6-7)

The EIR relied on a Draft report, done at the request of the Recreation and Parks Department, which concluded that much more information is required to make an informed decision about the safety of SBR infill. This underscores the inadequacy of the EIR, and supports my request that the Board of Supervisors uphold the Appeal and return the EIR to the Planning Department for additional work.

There are countless additional studies at www.synturf.org, addressing the issue of the safety of SBR which were not considered in the EIR. For example,the non-profit organization Environment and Human Health, Inc. published a survey of research on the safety of artificial turf called *Artificial Turf.* Their conclusion: *There is enough information now concerning the potential health effects from chemicals emanating from rubber tire crumbs to place a moratorium on installing any new fields or playgrounds that use ground-up rubber tires until additional research is undertaken.*

Another flaw is that the EIR does have any studies on the long- term, cumulative impacts of continuous exposure to artificial turf with rubber tire infill. Studying the short-term impacts of isolated components of artificial turf does not answer the critical question: *What are the health and environmental impacts of long-term exposure to all of the components in artificial turf with tire crumb infill?* Short-term studies of individual components does not provide valid and reliable data upon which to base a decision that will impact the health of users of these fields, especially young and vulnerable children, for years to come.

It should also be noted that the city of Piedmont, CA, in the East Bay published a DEIR reviewing environmental impacts of a proposed artificial turf soccer field complex in Moraga Canyon. (*Public Review Draft Environmental Impact Report, Moraga Canyon Sports Fields Project, Piedmont, CA.*
http://www.ci.piedmont.ca.us/recreation/docs/deir/ch_5.pdf) Following their comprehensive review of the research, the DEIR concluded that: *...the installation of synthetic turf field surfaces...has the potential to expose users and the environment to product constituents (e.g., heavy metals, polyaromatic hydrocarbons, volatile organic compounds, polychlorinated biphenols) that may have human and environmental health implications. Due to the lack of final consensus in the scientific community regarding the safety of synthetic turf, the implementation of the mitigation measures identified in Section 4.5 of this EIR would minimize the potential risk from the use of synthetic turf fields, but not to a less than significant level.* ***The installation of synthetic turf would result in a significant and unavoidable impact.*** (p. 351) Since this was published, it was decided that the project in Moraga Canyon would not go forward.

Precautionary Principle

On June 30, 2008, City Ordinance 113-08 officially adopted San Francisco's Enviromental Code, which is guided by the Precautionary Principle, as follows:

SEC. 101. THE SAN FRANCISCO PRECAUTIONARY PRINCIPLE ....Based on the best available science, the Precautionary Principle requires the selection of the alternative that presents the least potential threat to human health and the City's natural systems...
Simply put, the Precautionary Principle means "Safety First." More precisely, it stands for the proposition that when an activity raises threats of harm to
human health or the environment, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically. In this context the proponent of an activity, rather than the public, should bear the burden of proof.

When viewed in light of the Precautionary Principle, the hazardous impacts of the proposed project are clearly significant and cannot be mitigated. There is simply too much risk to human health to take a chance on an entire population of users, especially children. Tire crumb contains many compounds, including toxic metals, volatile organic carbons, phthalates, carbon black, allergens, and endocrine disrupters, that are carcinogenic or otherwise toxic. These toxins appear in water runoff, leachate and in the air. Rubber tire crumb gets attached to clothing, shoes, and skin. It should also be pointed out that the California EPA has very strict regulations on the disposal of rubber tires because they are toxic, yet does not regulate the disposal of rubber tire crumb. It is as though by grinding up the toxic material in tires and spreading it on artificial grass it becomes non-toxic. Our children should not be guinea pigs in an experiment that could cause them a lifetime of harm. The EIR needs supplementation and a more thorough review of all the health and environmental risks of SBR infill.

San Francisco is a Green City

San Francisco has often prided itself on being a leading "green" city. Programs and policies supporting this abound. For example, San Francisco has adopted a policy encouraging residents to convert Pavement to Parks, and fines homeowners $250 for paving their front yards. The City has imposed a ban on plastic shopping bags; encourages biking, walking and public transit instead of cars; supports "Bike to Work" days; Sunday Streets; and has even considered banning plastic water bottles in San Francisco, something which has already been mandated in City Hall. It is inconsistent,

therefore, that San Francisco would support a development in Golden Gate Park that would remove over seven acres of natural grass and replace it with plastic and rubber tire crumbs.

The importance of children interacting with nature cannot be underestimated. Nature Deficit Disorder, a term coined by Richard Louv in his 2005 book *Last Child in the Woods*, refers to the troubling trend that children are spending less time outdoors, resulting in a wide range of behavioral problems. According to Louv, "An increasing pace in the last three decades, approximately, of a rapid disengagement between children and direct experiences in nature... has profound implications, not only for the health of future generations but for the health of the Earth itself." (*Last Child In The Woods* Interview by Claus von Zastrow, Public School Insights)

In a University of Illinois study, for example, interaction with nature has proven to reduce settings in the course of common after-school and weekend activities may be widely effective in reducing attention deficit symptoms in children." (University of Illinois, Children with ADHD benefit from time outdoors enjoying nature. Dept. of Public Affairs, Jim Barlow, Life Sciences Editor) Attention Restoration Theory develops this idea further, both in short term restoration of one's abilities, and the long term ability to cope with stress and adversity.

Following the development of ADD and mood disorders, lower grades in school also seem to be related to NDD. Louv claims that "studies of students in California and nationwide show that schools that use outdoor classrooms and other forms of experiential education produce significant student gains in social studies, science, language arts, and math." (Richard Louv, Leave no child inside. *Orion*. March/April 2007)

It would be unforgivable if a City that so highly values the environment, good health and well-being for all (as evidenced by Healthy San Francisco and other programs), would pave acres of natural grass, add toxic tire crumb, ruin the night sky at Ocean Beach, and permanently impact the aesthetic and historical nature of this part of Golden Gate Park, San Francisco's crown jewel.

<u>The Win-Win Hybrid Alternative is the Best Outcome</u>

There is a simple solution to both providing more hours of play for our children and preserving the beauty and habitat of Golden Gate Park and Ocean Beach for all San Franciscans. The Win-Win Hybrid Alternative proposes a simple swap – renovated fields at West Sunset Playground with artificial turf and a safe alternative to SBR infill and

appropriate lighting as well as renovated fields at the Beach Chalet with real grass, gopher controls, and no lights.

This swap would create four upgraded natural grass fields at Beach Chalet, and three full-sized and 3 half-sized fields at West Sunset. It would result in almost as many play hours as the proposed Project, while restoring both play areas and achieving all project objectives for comparable cost. This Win-Win Hybrid Alternative meets everyone's needs, and should be supported by the Board of Supervisors.

Conclusion

The purpose of Golden Gate Park is to serve as an open space preserve in the midst of urban San Francisco. Destroying a grass field—in a treasured park—and replacing it with plastic and tire crumb is both short-sighted and wrong. Our children deserve to have Golden Gate Park protected for their enjoyment and their children's enjoyment. Please support children's sports and soccer on real grass in the Park.

Please keep San Francisco green by protecting birds and wildlife habitat, the trees that form a windbreak around the existing meadow, the natural beauty of Golden Gate Park and the natural darkness at the western edge of the Park and Ocean Beach.

I urge you to support the June 12, 2012 Appeal, and return the Environmental Impact Report to the Planning Department for supplementation. Thank you very much for your consideration.

Sincerely,

Jean Barish, Esq., MS

HPC Comment Letter to the BOS - Beach Chalet FEIR Appeal (File No. 120691)

Tina Tam to: Angela Calvillo 07/03/2012 03:51 PM

Cc: BOS.Legislation, Joy Lamug, Tim Frye, Don Lewis, cdamkroger, kathyhoward, c.chase

History: This message has been forwarded.

Hi Angela,

Please circulate this 3-page memo to the BOS. Thank you very much.

HPC Memo to the BOS - Beach Chalet EIR Appeal.pdf

Tina B. Tam
Assistant to the Director of Current Planning /
Senior Preservation Planner
San Francisco Planning Department

415-558-6325 (phone)
415-558-6409 (fax)

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APPEAL OF EIR CERTIFICATION
Beach Chalet Athletic Fields Renovation

DATE:	July 3, 2012
TO:	President David Chiu and Members of the Board of Supervisors
FROM:	Tim Frye, Preservation Coordinator, San Francisco Planning Department, 415- 575-6822
RE:	File No. 120691, Planning Department Case No. 2010.0016E Appeal of the Final Environmental Impact Report for Beach Chalet Athletic Fields Renovation
PROJECT SPONSOR:	San Francisco Department of Recreation and Park
APPELLANT:	Richard Drury, representing SF Ocean Edge, Sierra Club San Francisco Bay Chapter, Golden Gate Audubon Society, Sunset Parkside Education and Action Committee, Richmond Community Association, Golden Gate Park Preservation Alliance, Katherine Howard, ASLA.
HEARING DATE:	July 10, 2012
ATTACHMENTS:	A – HPC Comment Letter on the Draft EIR for Beach Chalet Athletic Fields Renovation

On behalf of the Historic Preservation Commission, the Planning Department is transmitting the following comment letter, dated December 1, 2011 for the appeal of the Beach Chalet Athletic Fields Renovation FEIR. These are HPC's original comments during the review and comment period of the DEIR.

SAN FRANCISCO
PLANNING DEPARTMENT

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December 1, 2011

Mr. Bill Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Mr. Wycko,

On November 16, 2011, the Historic Preservation Commission (HPC) held a public hearing and took public comment on the Draft Environmental Impact Report (DEIR) for the proposed Beach Chalet Athletic Fields Renovation Project. After discussion, the HPC arrived at the comments below:

- The HPC believes the proposed project is inconsistent with the Golden Gate Park Master Plan and conflicts with the City's General Plan policies.
- The HPC agrees with the finding that the proposed project will cause a significant impact to historic resources and spatial organization of the western end of Golden Gate Park.
- The HPC disagrees with the finding in the DEIR and believes there will be a big change to the aesthetics of the park. The HPC believes that the proposed project will adversely affect daytime and nighttime views of the area.
- One Commissioner believes bringing night time lighting is the biggest impact of the proposed project and is more problematic and impactful than replacing the existing natural fields with artificial turf.
- The HPC believes the DEIR did not adequately address safety of visitors not traveling by car and that the proposed project is "elitist" given this part of the park is not accessible by public transportation, thus does not serve the needs of all the people in the City.
- The HPC believes the mitigation measures should clearly state that the park should be designed to be as naturalistic as possible and to match the semi-wild feeling that currently exists in this part of the park.
- The HPC does not believe the circulation path is adequately discussed in M-CP-1 for the plaza and playground.
- The HPC believes the changes made since the previous proposal is in the right direction but needs more information about the design of the area between the soccer fields and parking lot as well as the planting material.
- The HPC believes the best preservation alternative is a combination of parts of preservation alternative no. 2, 3, and 4 which is to improve the soccer fields at Beach

Chalet as well as to seek an off-site alternative. The proposed off site alternative holds real potential when considered in a larger context of fields in this part of the city

- Believe that greater investigation could/should have been made in drafting the DEIR to improve use, maintenance and safety of grass fields—better drainage options, turf type and maintenance methods.
- The HPC prefers to maintain the natural fields and believes switching to artificial turf is a troubling precedent.

The HPC appreciates the opportunity to participate in review of this environmental document. We believe there are reasonable compromises to successfully achieve the goals of recreation and the preservation of Golden Gate Park's historic character.

Sincerely,

Charles Edwin Chase, President
Historic Preservation Commission

BOS 11- Hand del.
File No. 120691
Joy, cpage

NANCY WUERFEL, 2516 23RD AVENUE, SAN FRANCISCO, CA 94116

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 JUL -2 PM 3:48
BY RBC

July 2, 2012

TO: Members, Board of Supervisors

FROM: Nancy Wuerfel, Golden Gate Park Preservation Alliance Nancy Wuerfel

RE: CONTINUATION REQUEST for the BOS hearing on the appeal of the DEIR of the Beach Chalet Athletic Fields Renovation Project (July 10, 2012)

I wish to support the request today from Mr. Richard Drury, LOZEAU|DRURY LLP, for continuation of the scheduled Board hearing (July 10, 2012) on the appeal of the DEIR for the above project.

This project requires a Coastal Zone Permit. The permit approved by the Planning Commission has already been appealed to the Board of Appeals, and it qualifies to be appealed ultimately to the California Coastal Commission (CCC). The Coastal Zone issues being appealed overlap with issues about the adequacy of the EIR that you will be hearing. The project will not be finally defined until after these review bodies have ruled on the Permit.

For your information, Renée T. Ananda, CCC Coastal Program Analyst, wrote on March 3, 2011 to the Planning Department about the Notice of Preparation of a draft EIR for the Beach Chalet project. She made the following comments, which in my opinion the EIR did not adequately address:

"The legal standard of review for the CDP [Coastal Development Permit] is San Francisco's certified Local Coastal Program (LCP). As such, Commission staff recommends that the DEIR analyze project impacts to coastal resources and the proposed project's conformity with the objectives and policies of the City's LCP, including but not limited to:

1. Golden Gate Park, Objective 3, Policy 1 of the LCP. This policy requires that the visual and physical connection between Golden Gate park and the beach be strengthened and emphasize the naturalistic landscape qualities of the west end of the park for visitor use. Commission staff suggests that the DEIR additionally evaluate whether the proposed project conforms with Objective 3, Policy 3 which requires that the City develop and periodically revise a Master Plan for the park to include specific policies for maintenance and improvement of recreational access in the western portion of the park (which is within the Coastal Zone);

2. Transportation, Objective 1, Policies 3 and 4 of the LCP, which require that incentives for transit usage and connections between local transit routes and regional transit be provided; and analyze the

3. Potential impacts of artificial lighting on biotic resources and the public's coastal recreational experience in the surrounding area and along Ocean Beach. "

In light of these timely CCC recommendations and the insufficient response of the DEIR to evaluate or mitigate their potential impacts, I urge the Board of Supervisors to continue your hearing until after the Coastal Zone Permit issues are resolved, and the scope of the project reflects these decisions.

cc: Clerk, Board of Supervisors

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 JUL -2 PM 4:27
Ak

From: Anmarie Mabbutt [tenniselement@yahoo.com]
Sent: Friday, June 29, 2012 11:34 AM
To: sean.elsbernd@sfgov.org
Cc: edwin.lee@sfgov.org; scott.wiener@sfgov.org; david.campos@sfgov.org; david.chiu@sfgov.org; john.avalos@sfgov.org
Subject: File #120691 - Please vote to oppose the EIR certification for Beach Chalet

Dear Supervisor Elsbernd,

I am writing today to ask you to please vote to oppose certification of the EIR for the Beach Chalet Fields. **The EIR fails to adequately consider alternative locations for the project. The EIR also fails to adequately address the permanent and irreversible damage to the Fields' aesthetic and historic character.** A National Historic Landmark report on the Beach Chalet Fields notes its unique aesthetic - bordered by forest like shrubbery and trees, in its current state, it is not until someone walks up close that they are aware of the athletic fields. This will all be destroyed by the inclusion of 60 foot high stadium lights. Regardless of how the lights are angled to minimize disruption to the nighttime sky, the light poles and the urbanized use they symbolize will constantly be visible to the casual and distant public.

As for the permanent and irreversible damage to the Fields' historic character, the EIR's historical description of the Beach Chalet Fields is completely inadequate and misleading. **The EIR's Historical Background and Cultural Resources Sections lack critical historical factual information regarding the WWII-era use of the Beach Chalet Fields as the site of a U.S. Army coastal signal defense station and the use of the Beach Chalet as housing barracks for the troops.** The 369 page EIR does not mention one word about this historic military use. This omission is a tremendous disservice to the individuals who served their country during WWII that were stationed at these fields. It took me just a few minutes to locate an October 1941 photograph of the troops of the 78th Coast Artillery pitching tents at the Beach Chalet Fields. Here is a link to the photo - http://sf.untappedcities.com/2012/04/20/architecture-spotlight-the-beach-chalet/ .

Various troops spent time at the Beach Chalet Fields during WWII including the 30th Infantry who camped on the field in March 1941. **This historic WWII military use should have been included in the EIR's historical description of the Fields and its absence, whether negligent or intentional, is not acceptable.** The use of the Beach Chalet and the Beach Chalet Fields as the U.S. Army's Coastal Defense Headquarters during WWII is of such historical and cultural significance it should preclude the conversion of these historic natural grass fields into a ten acre artificial turf soccer complex. This historic use is especially significant since the Beach Chalet and the Beach Chalet Fields appear to be the only two areas of Golden Gate Park that ever served as sites for active military duty.

Given its historic WWII-era use and its location in Golden Gate Park's pastoral Western End, the Recreation and Parks Commission has never approved the Beach Chalet Fields as a permitted athletic field. While acknowledging the Beach Chalet Fields' longstanding historic use as an athletic field for soccer and other ground sports, the Recreation and Parks Commission still chose not to approve the Beach Chalet Fields for permitted play. This is yet another reason to vote to reject the EIR certification.

Please take the time to review Park Code Appendix 7.6 – the RPD's list of permitted athletic fields. The list contains 41 locations. ***Beach Chalet is not included on this list.*** It is the sole and exclusive jurisdiction of the Recreation and Parks Commission, not the Recreation and Parks Department's Permits and Reservations Manager to determine which public fields are appropriate and available for permitted play. Yet, it appears under the RPD's current Permits and Reservations Manager Dana Ketcham, the RPD list of permitted athletic

fields has now grown from 41 to 63. Many of the new unapproved, unauthorized areas are described on the 2012 SFRPD Field List as "grass areas" including Kezar Triangle, Mission Dolores, Marina Green and West Portal to name just a few.

Ms. Ketcham, a former City Fields Foundation Steering Committee member, has absolutely no right or authority to expand the RPD's inventory of permitted athletic fields. Under City Charter Section 4.113, the Recreation and Park Commissioners retain exclusive control over these decisions. In the past, the Recreation and Park Commission took great care in determining which fields were appropriate for permitted play. The last time the Commission approved new permitted fields was back in 1999. In April1999, the Recreation and Park Commission approved four additional sites for permitted play – St. Mary's, Alice Chalmers, Cayuga and Sunset. At this same meeting, the Recreation and Park Commission specifically rejected the use of Speedway Meadow and Kezar Triangle for permitted athletic play.

The entire notion of replacing more than seven acres of green open space at Golden Gate Park's Western Edge with millions of tons of pulverized tire crumbs just yards from the Pacific Ocean is an abomination. *Of all the members of the Board of Supervisors, you should feel particularly obligated to oppose the certification of the EIR for the Beach Chalet Fields.* You are the only sitting Supervisor who approved the initial City Fields' gift, the partnership MOU and the delegation of the Board's authority to approve all future City Fields gifts to the RPD General Manager. **You should have never voted to approve File #060255.** This legislation included an improper and arguably illegal delegation of the Board's duty under Administrative Code Section 10.100-305(b) to approve all gifts in excess of $10,000. A series of multi-million dollar gifts that should have been publicly vetted twice, first by the Recreation and Park Commission and then by the Board of Supervisors had suddenly become a series of private secret decisions made behind the closed doors of McLaren Lodge.

The details of the City Fields gifts at Crocker Amazon, South Sunset, Kimball Field, Franklin Square, Mission Playground and Beach Chalet have never been released to the public. Both the City Fields Foundation and the RPD have refused to reveal the identity of the contractors and subcontractors working under City Fields' gifted contracts. General Manager Ginsburg has also failed to respond to a public records request placed last week for the additional insured and third party beneficiary designations for the City Fields' contracts at Mission Playground and Kimball Field. Even though the MOU specifically requires the RPD General Manager to receive these designations "prior to the commencement of any work" by the City Fields' contractors, General Manager Ginsburg has thus far refused to turn over copies of the designations.

Although required by the MOU and File #060255, the RPD General Managers have repeatedly failed to file the quarterly reports to the Commission or the annual reports to the Board detailing the progress of the partnership. **It also appears the City Fields donors have never filed the financial disclosure statements required by Sunshine Ordinance Section 67.29-6.** Despite repeated requests for these disclosures from RPD, none have ever been provided. **This apparent lack of disclosure and the repeated failure of General Managers Agunbiade, Blumenfeld and Ginsburg to disclose the amount and source of all City Fields gifts as a public record on the RPD website is a very serious violation of the Sunshine Ordinance** and should serve as grounds for official misconduct charges. General Managers Yomi Agunbiade, Jared Blumenfeld and Phil Ginsburg have all signed the Sunshine Ordinance Declaration attesting that they have read and understand the requirements of the Sunshine Ordinance yet they all appear to have accepted millions of dollars from the City Fields Foundation in violation of Sunshine Ordinance Section 67.29-6.

As for the MOU that you approved as part of File #060255 back in April 2006, the MOU specifically limits the approval of the City Fields partnership to its "initial phase." The "initial phase" is described as preparation of conceptual plans for up to eight Turf fields, the preparation of construction documents for the first two sites selected and construction of artificial turf fields at the two sites. Once the first two projects at Garfield Square and Silver Terrace were completed, any additional field conversion projects are "subject to amendment of this

Agreement." The City Fields MOU has never been modified or amended. Yet the City has appropriated more than $17 million ($8.5 million in revenue bonds in FY 07-08, $8.5 million from the 2008 Clean and Safe Neighborhood Parks Bond Fund) in public funds for the City Fields projects at South Sunset, Crocker Amazon, Kimball Field, Franklin Square, Beach Chalet and Minnie and Lovie Ward. Of this $17 million, more than $6.6 million has already been expended. This amounts to a major misappropriation of public resources.

For all of the above reasons and more, please vote to oppose certification of the EIR for the Beach Chalet Fields. **The Beach Chalet Fields should be restored as an open and natural green space. Soccer players could continue to use the fields without destroying the historical, cultural and aesthetic integrity of the Beach Chalet Fields. Please vote to deny the certification of the EIR for this project.**

Thank you for your time.

Sincerely,

Anmarie Mabbutt

Fw: File #120691 - Please vote to oppose the EIR certification for Beach Chalet
Anmarie Mabbutt
to:
board.of.supervisors@sfgov.org
06/29/2012 12:38 PM
Cc:
"angela.calvillo@sfgov.org", "derek.evans@sfgov.org"
Hide Details
From: Anmarie Mabbutt <tenniselement@yahoo.com>
To: "board.of.supervisors@sfgov.org" <board.of.supervisors@sfgov.org>,
Cc: "angela.calvillo@sfgov.org" <angela.calvillo@sfgov.org>, "derek.evans@sfgov.org" <derek.evans@sfgov.org>
Please respond to Anmarie Mabbutt <tenniselement@yahoo.com>

Dear Clerk's Office Staff,

This is a forward of a letter I sent to Supervisor Elsbernd earlier this morning regarding File #120691. Please include this letter as part of the official legislative packet for File #120691.

Thank you.

Anmarie

----- Forwarded Message -----
From: Anmarie Mabbutt <tenniselement@yahoo.com>
To: "sean.elsbernd@sfgov.org" <sean.elsbernd@sfgov.org>
Cc: "edwin.lee@sfgov.org" <edwin.lee@sfgov.org>; "scott.wiener@sfgov.org" <scott.wiener@sfgov.org>; "david.campos@sfgov.org" <david.campos@sfgov.org>; "david.chiu@sfgov.org" <david.chiu@sfgov.org>; "john.avalos@sfgov.org" <john.avalos@sfgov.org>
Sent: Friday, June 29, 2012 11:34 AM
Subject: File #120691 - Please vote to oppose the EIR certification for Beach Chalet

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Ms. Ketcham, a former City Fields Foundation Steering Committee member, has absolutely no right or authority to expand the RPD's inventory of permitted athletic fields. Under City Charter Section 4.113, the Recreation and Park Commissioners retain exclusive control over these decisions. In the past, the Recreation and Park Commission took great care in determining which fields were appropriate for permitted play. The last time the Commission approved new permitted fields was back in 1999. In April1999, the Recreation and Park Commission approved four additional sites for permitted play – St. Mary's, Alice Chalmers, Cayuga and Sunset. At this same meeting, the Recreation and Park Commission specifically rejected the use of Speedway Meadow and Kezar Triangle for permitted athletic play.

The entire notion of replacing more than seven acres of green open space at Golden Gate Park's Western Edge with millions of tons of pulverized tire crumbs just yards from the Pacific Ocean is an abomination. *Of all the members of the Board of Supervisors, you should feel particularly obligated to oppose the certification of the EIR for the Beach Chalet Fields.* You are the only sitting Supervisor who approved the initial City Fields' gift, the partnership MOU and the delegation of the Board's authority to approve all future City Fields gifts to the RPD General Manager. **You should have never voted to approve File #060255.** This legislation included an improper and arguably illegal delegation of the Board's duty under Administrative Code Section 10.100-305(b) to approve all gifts in excess of $10,000. A series of multi-million dollar gifts that should have been publicly vetted twice, first by the Recreation and Park Commission and then by the Board of Supervisors had suddenly become a series of private secret decisions made behind the closed doors of McLaren Lodge.

The details of the City Fields gifts at Crocker Amazon, South Sunset, Kimball Field, Franklin Square, Mission Playground and Beach Chalet have never been released to the public. Both the City Fields Foundation and the RPD have refused to reveal the identity of the contractors and subcontractors working under City Fields' gifted contracts. General Manager Ginsburg has also failed to respond to a public records request placed last week for the additional insured and third party beneficiary designations for the City Fields' contracts at Mission Playground and Kimball Field. Even though the MOU specifically requires the RPD General Manager to receive these designations "prior to the commencement of any work" by the City Fields' contractors, General Manager Ginsburg has thus far refused to turn over copies of the designations.

Although required by the MOU and File #060255, the RPD General Managers have repeatedly failed to file the quarterly reports to the Commission or the annual reports to the Board detailing the progress of the partnership. **It also appears the City Fields donors have never filed the financial disclosure statements required by Sunshine Ordinance Section 67.29-6**. Despite repeated requests for these disclosures from RPD, none have ever been provided. **This apparent lack of disclosure and the repeated failure of General Managers Agunbiade, Blumenfeld and Ginsburg to disclose the amount and source of all City Fields gifts as a public record on the RPD website is a very serious violation of the Sunshine Ordinance** and should serve as grounds for official misconduct charges. General Managers Yomi Agunbiade, Jared Blumenfeld and Phil Ginsburg have all signed the Sunshine Ordinance Declaration attesting that they have read and understand the requirements of the Sunshine Ordinance yet they all appear to have accepted millions of dollars from the City Fields Foundation in violation of Sunshine Ordinance Section 67.29-6.

As for the MOU that you approved as part of File #060255 back in April 2006, the MOU specifically limits the approval of the City Fields partnership to its "initial phase." The "initial phase" is described as preparation of conceptual plans for up to eight Turf fields, the preparation of construction documents for the first two sites selected and construction of artificial turf fields at the two sites. Once the first two projects at Garfield Square and Silver Terrace were completed, any additional field conversion projects are "subject to amendment of this Agreement." The City Fields MOU has never been modified or amended. Yet the City has appropriated more than $17 million ($8.5 million in revenue bonds in FY 07-08, $8.5 million from the 2008 Clean and Safe Neighborhood Parks Bond Fund) in public funds for the City Fields projects at South Sunset, Crocker Amazon, Kimball Field, Franklin Square, Beach Chalet and Minnie and Lovie Ward. Of this $17 million, more than $6.6 million has already been expended. This amounts to a major misappropriation of public resources.

For all of the above reasons and more, please vote to oppose certification of the EIR for the Beach Chalet Fields.**The Beach Chalet Fields should be restored as an open and natural green space. Soccer players could continue to use the fields without destroying the historical, cultural and aesthetic integrity of the Beach Chalet Fields. Please vote to deny the certification of the EIR for this project.**

Thank you for your time.

Sincerely,

Anmarie Mabbutt

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BOARD OF SUPERVISORS
SAN FRANCISCO
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AK

Katherine Howard, ASLA
LANDSCAPE ARCHITECT
Ca. Lic. # 4279

1243 42nd Avenue
San Francisco, Ca 94122
(415) 710-2402

July 2, 2012

Board President David Chiu and Members of the Board of Supervisors
c/o Ms. Angela Calvillo, Clerk of the Board of Supervisors, City of San Francisco
1 Dr. Carlton B. Goodlett Place, Rm. 244
San Francisco, CA 94102-4689

Re: COMMENT ON INADEQUACY OF the C&R and the EIR REGARDING LOSS OF VEGETATION AND RESULTANT IMPACT ON BIOLOGICAL, AESTHETIC AND CULTURAL RESOURCES
Beach Chalet Athletic Fields Renovation
Board of Supervisors File no. 120691

Dear President Chiu and Members of the Board of Supervisors:

The City has failed to address the public comments for the EIR for the Beach Chalet project in an adequate manner regarding biological resources, their potential loss, and their impact on cultural and aesthetic resources. The EIR should be rejected and returned to the Planning Department for revisions. This letter summarizes a few of the EIR's deficiencies in this regard.

The EIR and background reports go to great lengths to try to prove that many of the trees on the site are in actuality shrubs. This is an important distinction, and impacts not only the public's impression of the impacts of the project but also the potential impact on the character of the site and the extent of mitigations required. The C&R also includes a new construction component, stormwater swales. This could have a considerable impact on the site and on the existing vegetation, but this impact is not dealt with in the EIR.

Myoporum laetum - tree or 'tall shrub'?

The EIR and background reports go to great lengths to try to prove that many of the trees on the site are in actuality shrubs.

1. Public comments had questioned why a 20 to 30 foot tall tree would be classified as a shrub and quoted arborist Roy C. Leggitt III in saying that:

   "Myoporum laetum is a tree species. Trees are either single stemmed or multi-stemmed. Woody plants of 20 to 30 feet tall are certainly trees, and are recognized as such under the Article 16 of DPW code definition of Significant Trees . . "[1]

[1] Leggitt , Roy C, III. Arborist Memorandum, April 2010, page 1. (Appendix B.)

However, the Beach Chalet C&R felt that

> *"it is a matter of professional opinion as to what constitutes a shrub versus a tree. Because most of the myoporum at the site have multiple stems arising at or near ground level and average 15 to 20 feet tall, these were classified as shrubs in the Hortscience report."*[2]

The C&R then quote definitions from various horticultural publications. Yet the definitions of shrubs quoted in the C&R do not match the on-site myoporum. At 20 to 30 feet in height, the myoporum are not of "low stature", are not "smaller in height than a tree", and are not of "relatively short height." [3] In fact, the EIR also lists a definition of a tree as

> ". . .a woody perennial, ***usually*** having one dominant vertical trunk and ***a height greater than 15 feet.*** [4] *(emphasis added)*

Therefore, there is an inconsistency in the C&R in regards to whether the myoporum qualify as trees.

A photo of some of some of the myoporum in question is seen attached. (Figure # 1)

2. The C&R also states that Article 16 of the San Francisco Public Works Code defines a tree as:

> *"any large perennial plant having a woody trunk(s), branches, and leaves and specifically defines certain trees taller than 20 feet as Significant Trees, . . "*[5] .

The Department of Public Works (DPW) manages all of the street trees and therefore a large section of the urban forest. One can assume that DPW's classification system would come from a professional in the City's employ. But in the EIR, the reason given for the EIR consultant ignoring the DPW's definition of a tree, is that the trees are under the jurisdiction of a different department.

> *". . .However, Article 16 of the San Francisco Public Works Code does not apply to trees in the project area, as these are under jurisdiction of SFRPD. . . "* [6]

Is this an example of City departments not working together? Or is it more convenient for the Project sponsor to ignore DPW's expertise when the Project sponsor wants to facilitate a project that requires tree removals that the public might find objectionable?

3. The City's arborist report and map show the location of the myoporum .[7] The myoporum have been numbered in the field. In my professional experience, it is not standard practice for an arborist to map out and to number shrubs. It is clear that the intent was to map out the impact of the removal of character-defining vegetation from the area, and that the myoporum were considered by the arborist to be of a size and of enough impact on the site character to be surveyed, labeled, and recorded. (Figure #2)

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[2] Beach Chalet Athletic Fields, C&R, page X.L-35
[3] Beach Chalet Athletic Fields, C&R, page X.L-34

[4] Beach Chalet Athletic Fields, C&R, page X.L-34

[5] Beach Chalet Athletic Fields, C&R, page X.L-35
[6] Beach Chalet Athletic Fields, C&R, page X.L-35

[7] Hortscience, "Tree and Large Shrub Report," Survey performed for the City Fields Foundation. Tree Survey Map, February. 2010.

In fact, the City's arborist report pointed out that some of the myoporum have "*stems*" of 16" and 17" in diameter. **These myoporum are a larger diameter than some of the Monterey cypress listed in the same report, which are designated as trees and are to be preserved. (Plants no.41, 54)**

<u>The public is mislead by mischaracterization of the myoporum as shrubs, and the mitigations are also impacted:</u>

The marginalization of the myoporum as a shrub misleads the public into thinking that very little significant vegetation will be removed from the project site. As can be seen in the attached arborist survey map (Figure # 2) , the numbers in circles are the plants that have been granted tree status by the EIR. Looking at only those numbers, one is under the impression that very few trees would be removed. The red X'es (added by this author) show all of the myoporum slated for removal on that map. This shows a much more complete picture of the impact of the tree removal on the site. This map and the trees lists are part of the background documentation that the public would have to research in order to understand that more than a few trees are being removed, but they are not in the EIR. Therefore, the EIR is inadequate in communicating this impact clearly.

The marginalizing of the myoporum is relevant to the impact of the project on the Park, because it would have an impact on mitigations in terms of tree replacement also. The EIR states:

> "*Approximately 16 Monterey Cyress/Monterey Pine and 44 myoporum shrubs would be removed to accommodate the project. Although these character defining elements of the landscape would be removed they* **trees (this word has been added)** *would be replaced in kind at a 1:1 ratio.*" [8]

In other words, the EIR has been modified in the C&R so that now only the plants defined as trees are being replaced at a 1:1 ratio. Because the myoporum have been defined as shrubs, the EIR now states that they do not have to be replaced. This may impact the character of the site as well as the effectiveness of the windbreak.

The EIR should be rejected so that it correctly and completely assess the number of trees that will be removed by their size and their contribution as a character-defining feature of the site, and it should recalculate the mitigations for the tree removal.

<u>New construction information is included in the EIR, but new impacts from this construction are not adequately covered</u>

There is new construction information in the C&R - the need for swales for stormwater. The following language is added by the C&R to the EIR:

> *"In accordance with the Storm Water Design Guidelines, the SFRPD would construct infiltration swales or other measure that would prevent the stormwater runoff flow rate and volume from exceeding existing conditions (except for fields) and provide treatment for stormwater pollutants. Compliance with the Stormwater Design Guidelines would require that SFRPD prepare a stormwater control plan describing the BMPs that would be implemented, including a plan for post construction operation and maintenance of the BMPs."* [9]

Many trees are already being removed due to the expansion in the size of the current fields. Since the area surrounding the fields is filled with trees, it is likely that that construction of stormwater swales will have an impact on the remaining trees and "tall shrubs." Yet, the C&R has no information as to where these swales will be constructed, the number, length, or depth of the swales, the trees that will be

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[8] C&R, page XI-24

[9] Beach Chalet Athletic Fields, C&R, page X.M - 25

impacted by these swales, the impact on the character of the site, or the mitigation measures for the possible loss of trees caused by these swales.

The C&R does not address the inadequacy of the tree protection measures for this site

The tree protection standards quoted in the EIR are generic standards that may be appropriate on a large site in which the trees are a safe distance from the construction. The City's arborist report states that:

> *"... Because the project involves intense redevelopment of areas adjacent to plants, the most practical Protection Zone would be 5' from the edge of grading . . ."* [10]

Tree Protection Zones are usually based on a distance *from the trunk or outer canopy of a tree*. Tree roots can extend many times the outer canopy of a tree; the older the tree, the more likely that the roots will extend a long distance. The EIR standard bases tree protection on the needs of construction, not on the need to preserve at least a minimum of protection for tree roots. Many of the largest trees at Beach Chalet are at the edge of the construction (Figures # 3 and 4)and are even labeled in City arborist's report as being "close to edge of grading." [11]

Construction is not a neat and tidy business that takes place only within the boundaries of a line on a piece of paper. The EIR ignores the requests from the public to take into account the close location of the project next to all boundary trees, the extensive use of heavy construction equipment, and the probable location of the tree roots within the current field and surrounding grass areas, and fails to more accurately describe the possible damage to each tree individually and the proposed mitigations for either the loss of or the damage to each tree.

Conclusion: the EIR is inadequate in considering impacts of the tree removals and new construction on biological, cultural and aesthetic resources

The existing vegetation and, in particular, the trees are an important component of the aesthetic and cultural character and habitat of the Beach Chalet site. The C&R do not address many of the questions posed during public comment on the EIR in regard to the protection of the vegetation and in particular the myoporum and other trees located on the site. In addition, the EIR does not take into account the potential negative impact on the vegetation of the newly proposed stormwater swales. The EIR should be sent back to the Planning Department so that these issues can be addressed and so that the public can be better informed of the extent of the damage to the vegetation that the proposed Project will cause, the impact on the cultural and aesthetic qualities of the site, and the need for more extensive mitigation for this damage.

ATTACHMENTS:

Appendix A: Figures

Appendix B: Arborist Memorandum

Appendix C: C.V., Roy Leggitt III, arborist

Appendix D: C.V., Katherine Howard, ASLA, landscape architect

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[10] Hortscience, "Tree and Large Shrub Report," Survey performed for the City Fields Foundation. Tree Survey Map, February, 2010, page 11.

[11] Hortscience, "Tree and Large Shrub Report," Survey performed for the City Fields Foundation. Tree Survey Map, February, 2010, page 10.

APPENDIX A: FIGURES

Figure 1

Border of trees and "tall shrubs" (Myoporum laetum) along the southern edge of the Beach Chalet Athletic Fields. All of these trees and "tall shrubs" will be removed by the project. Note that the chain link fence on the right of this photo is feet high.(See red X'es along southern edge of the field in Figure 2.)

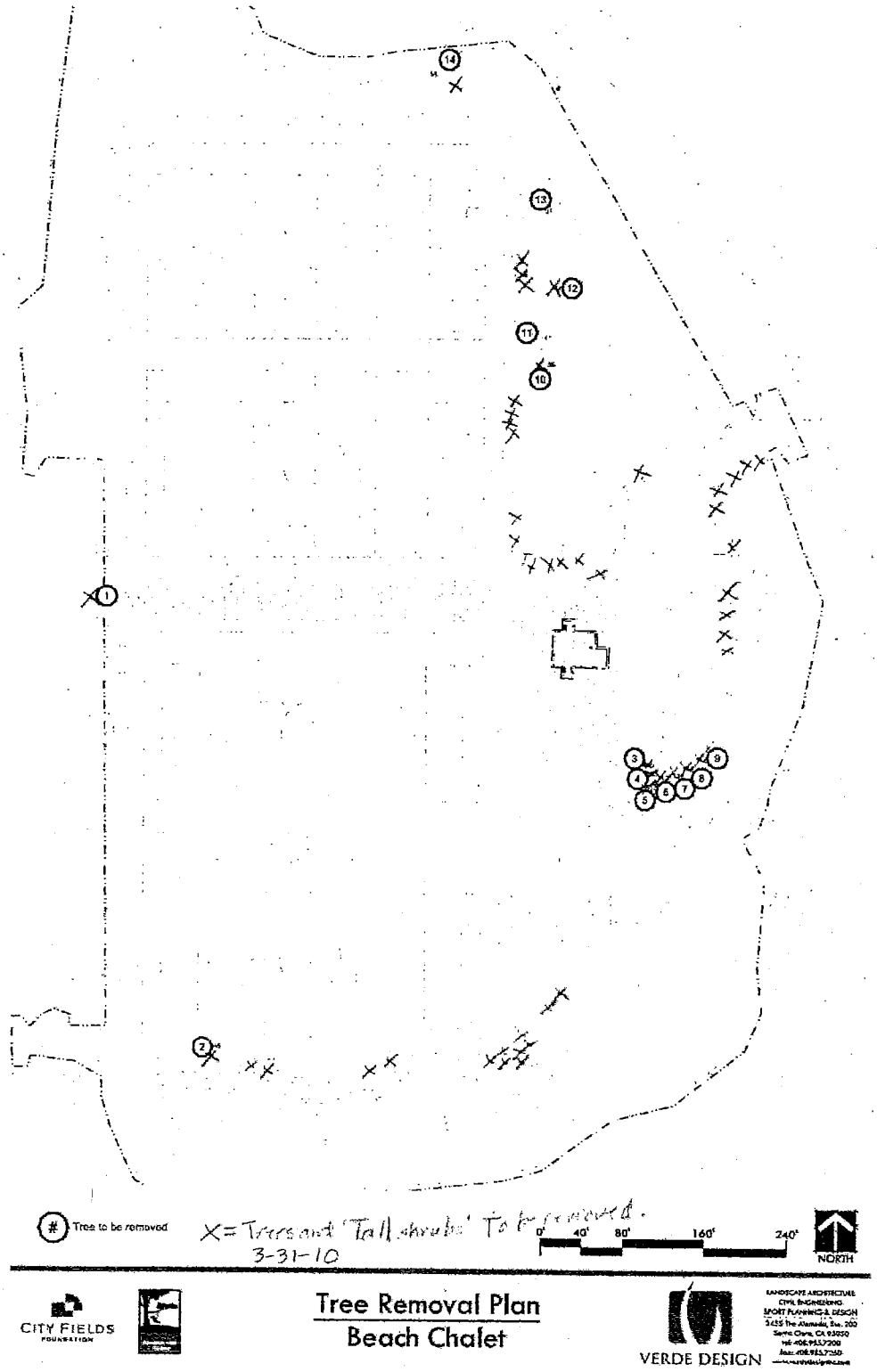

Figure 2 -

The numbers in circles are those designated "trees" by the City Arborist's report. The red X'es indicate the myoporum that has been relegated to "tall shrub" status, but nevertheless appear on this plan.

Figure 3. Myoporum and Cypress to west of current playing field. Construction will extend into this area. A Tree Protection Zone of five feet from the construction will extend under the canopies and will not provide any protection for these tree roots.

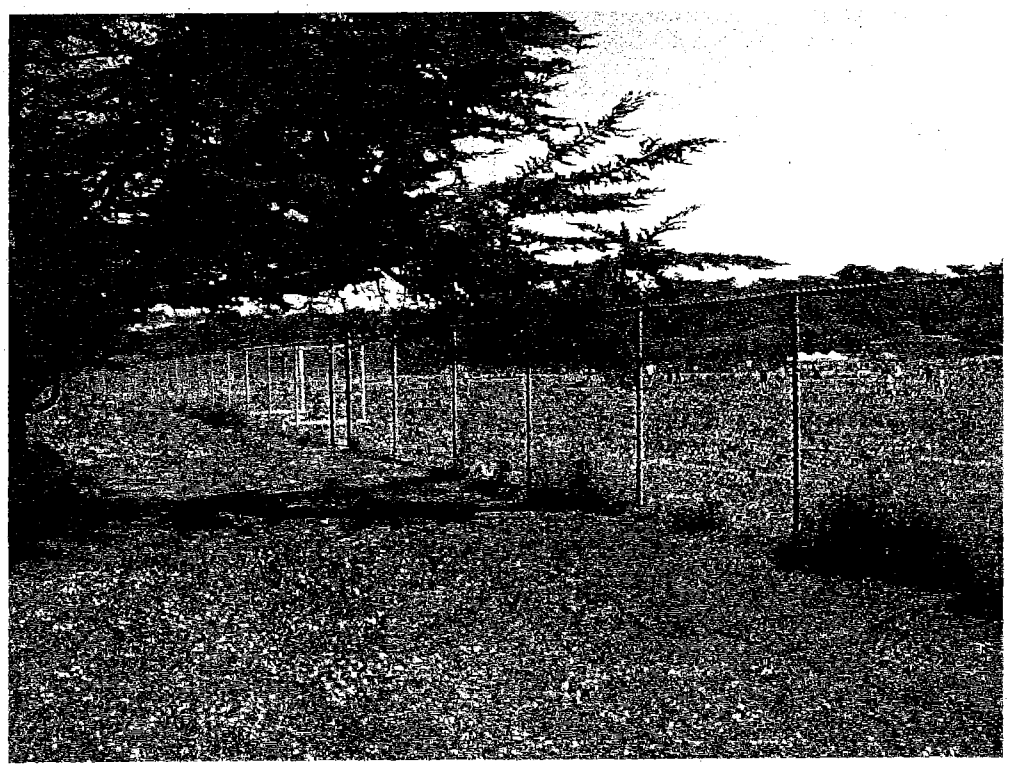

Figure 4. Monterey Cypress to west of current playing field. Construction will extend outside of this fence and under the canopy of this tree, with probable loss of major roots and major branches.

APPENDIX B: ARBORIST MEMORANDUM

APPENDIX B: ARBORIST MEMORANDUM - PAGE 1

SF Ocean Edge

Attn: Katherine Howard
c/o 1243 42nd Avenue
San Francisco, CA 94122

Project: Soccer Fields
Golden Gate Park, Western End

Date: 4/19/10

ARBORIST MEMORANDUM
Findings

Flawed Tree Study

Exemption from Environmental Review, page 8

HortScience *Tree and Large Shrub Report* assignment: assess tree hazard potential under new uses. This is not a measure of existing conditions nor is it an assessment of existing value and function. The assignment from R&P was slanted to meet the criteria for an approved project, not toward an objective study. The R&P Commission has cited this aspect of the study in the Exemption of Environmental Review, and this part of the study is flawed.

Characterization of Trees and Shrubs

Myoporum laetum is a tree species. Trees are either single stemmed or multi-stemmed. Woody plants of 20 to 30 feet tall are certainly trees, and are recognized as such under the Article 16 of DPW code definition of Significant Trees.

Flat-topped Monterey Cypress are normal for an area of prevailing winds. This is not a defect, but rather is adaptive and is an advantage. These trees are crucial in their function as a windbreak.

Myoporum Windbreak

The Myoporum perform a critical function at the extreme west end of Golden Gate Park. This species is one of only a few that can survive in the prevailing winds off the Ocean that are moist and salt-laden. The removal of the Myoporum will cause foliar salt to kill trees within the park that are currently protected. The 1980 study of GGP identified the significance of the Myoporum, and their function and importance to the park has not changed since that time. With the removal of the Myoporum, the very wellbeing and utility of GGP is threatened.

Golden Gate Park Forest Management Plan, State of California Department of Forestry, 1980 relates the importance of the western windbreak on pages 53 and 54:

"Three major observations have been documented by this study. First, wind is the controlling factor in tree survival in this area. Second, under these conditions, certain species perform better than others. Finally, the better the initial condition of a tree, the higher its chances of survival.

"The effect of wind was extremely pronounced, where proximity to the ocean results in heavily salt-laden winds. Highly exposed trees were covered with a visible salty residue. This combination of salt and wind was so detrimental, that wind protection was found to be imperative for tree survival. This protection is required in a continuous, more or less solid form running along the western edge, rather than individual tree protection...the protection provided from a continuous "wall" of brush...was successful."

"Some form of wind-protection must be provided for the trees...can be provided by wind and salt-resistant shrubs."

On page 57 of this report, a diagram for windbreak design specifies *Myoporum laetum* to be planted as the ***front line defense***, even before fencing. The City successfully installed this windbreak, and it has served us well for about 30 years.

Root Losses From Trenching

Impacts to tree roots from trenching for underground utilities have been omitted. Trees could be lost due to root losses that cause trees to become unsafe or fall over.

Assumptions and Limiting Conditions

Any legal description provided to the consultant is assumed to be correct. Title and ownership of all property considered are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised or evaluated as though free and clear, under responsible ownership and competent management.

It is assumed that any property is not in violation of any applicable codes, ordinances, statutes or other governmental regulations.

Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible. The consultant can neither guarantee nor be responsible for the accuracy of information provided by others.

Various diagrams, sketches and photographs in this report are intended as visual aids and are not to scale, unless specifically stated as such on the drawing. These communication tools in no way substitute for nor should be construed as surveys, architectural or engineering drawings.

Loss or alteration of any part of this report invalidates the entire report.

Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior written or verbal consent of the consultant.

This report is confidential and to be distributed only to the individual or entity to whom it is addressed. Any or all of the contents of this report may be conveyed to another party only with the express prior written or verbal consent of the consultant. Such limitations apply to the original report, a copy, facsimile, scanned image or digital version thereof.

This report represents the opinion of the consultant. In no way is the consultant's fee contingent upon a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.

The consultant shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule, an agreement or a contract.

Information contained in this report reflects observations made only to those items described and only reflects the condition of those items at the time of the site visit. Furthermore, the inspection is limited to visual examination of items and elements at the site, unless expressly stated otherwise. There is no expressed or implied warranty or guarantee that problems or deficiencies of the plants or property inspected may not arise in the future.

Disclosure Statement

Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. An arborist cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate the trees.

Certification of Performance

I, Roy C. Leggitt, III, Certify:

That we have inspected the trees and/or property evaluated in this report. We have stated findings accurately, insofar as the limitations of the Assignment and within the extent and context identified by this report;

That we have no current or prospective interest in the vegetation or any real estate that is the subject of this report, and have no personal interest or bias with respect to the parties involved;

That the analysis, opinions and conclusions stated herein are original and are based on current scientific procedures and facts and according to commonly accepted arboricultural practices;

That no significant professional assistance was provided, except as indicated by the inclusion of another professional report within this report;

That compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party.

I am a member in good standing of the American Society of Consulting Arborists and a member and Certified Arborist with the International Society of Arboriculture.

I have attained professional training in all areas of knowledge asserted through this report by completion of a Bachelor of Science degree in Plant Science, by routinely attending pertinent professional conferences and by reading current research from professional journals, books and other media.

I have rendered professional services in a full time capacity in the field of horticulture and arboriculture for more than 20 years.

Signed: Roy C. Leggitt, III

Date: 4/19/10

ATTACHMENT B: C.V. Roy C. Leggitt, III

Tree Management Experts
Consulting Arborists

3109 Sacramento Street
San Francisco, CA 94115

Member, American Society of Consulting Arborists
Certified Arborist, International Society of Arboriculture

cell/vm 415.606.3610 office 415.921.3610 fax 415.921.7711 email RCL3@mindspring.com

Curriculum Vitae

Roy C. Leggitt, III

Consulting Arborist and Plant Scientist

Education:

Bachelor of Science, California State University – Fresno.
Plant Sciences, Ornamental Horticulture

Professional Qualifications

Member, American Society of Consulting Arborists
Graduate, ASCA 2003 Consulting Academy
Certified Arborist WE-0564A, International Society of Arboriculture
Certified Tree Risk Assessor CTRA#499, International Society of Arboriculture, PNW Chapter
California State Contractor License for Tree Service C61/D49 #885953

Continuing Education / Topic or Seminar Titles

Selection of methodology in tree appraisal
Tree Appraisal Workshop
Tree Appraisal Theory and Practice: An Advanced Seminar
Testifying Skills for Consulting Arborists
Trees and the Law
Understanding Soils
Soil Compaction
Roots and Soils
Reforestation in the Forest, Suburbia and the City
Palm Cultivation
Sudden Oak Death
Tree Preservation During Construction
Hazard tree risk assessment and management
National Tree Failure Program
Body Language of Trees
Tree Physiology
Davey Operational Safety program
Fire Risk Management
Riparian zone conservation
Resistograph® Certification Seminar

Areas of Specialized Study

Plant physiology and biology
Plant taxonomy
Arboriculture
Irrigation technology
Landscape design
Plant pathology and mycology
Risk assessment
Arboricultural biomechanics

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Related Fields of Study

Agronomy and viticulture
Soil sciences
Geological sciences
Computer sciences and programming
Mathematics
Physics

Employment:

1987-Present	Self-employed Consulting Arborist and Horticultural Consultant.
1992-2002	The Davey Tree Expert Co., Inc.: project management, representative, consultant.
1989-1992	Golden Coast Environmental Services, Inc.: project management and northern California representative.
1988-1989	City of Fresno: supervised team of 4 data collectors to develop citywide inventory. Developed and adapted software throughout project.
1987-1988	Center for Irrigation Technology: research on sprinkler distribution patterns using laser scanning to measure droplet size.

Agency Certifications:

Small Business Administration: Certified Small Business DUNS# 12-783-9798

San Francisco Human Rights Commission: Certified Local Business Enterprise (LBE) and Certified Disadvantaged Business Enterprise (DBE). Certification number: HRC020914873

San Francisco Redevelopment Agency: Certified Small Business Enterprise (SBE). Certification number: 113-10706-013

Consultant:

Municipal and Agencies

1988-1989: City of Fresno: managed an in-house street tree inventory project, including staff training and management, data quality control, software modifications and implementation of database.

1989: City of Palo Alto: managed data collection and software implementation for a City-wide street and right-of-way tree inventory.

1989-1990: City of Visalia: managed data collection and software implementation for a street tree inventory and a valley oak conservation study of all areas within City limits.

1990: City of Manteca: City-wide street tree inventory and management plan.

1990: City of Lancaster: City-wide street sign inventory.

1990: City of Pasadena: City-wide inventory of street trees, street lighting, sidewalk damage survey; site-specific sidewalk redesign specifications to accommodate tree needs.

1990-1992: City of Los Angeles: managed 6 staff data collectors. Oversaw data quality and localized data base installations in field offices.

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Certified Arborist, International Society of Arboriculture

cell/vm 415.606.3610 office 415.921.3610 fax 415.921.7711 email RCL3@mindspring.com

1994-1997: City and County of San Francisco, Housing Authority: tree surveys, tree management planning and contract administration for Sunnydale (phase I), Hunter's View, Potrero Terrace and Potrero Annex.

1999-2000: City of Pacifica: risk assessment tree survey for 639 trees including a recommendation for removal of 119 trees. Represented the City on a panel to answer over 200 citizen inquiries. Represented the City to administer the tree service contract.

1999-2000: National Park Service, Fort Mason: inspections and reports to facilitate tree management decisions. Evaluation based on safety and neighbor concerns. Conducted 3-hour training session for staff on proper pruning techniques.

2002: National Park Service, Muir Woods National Monument: deconstruction planning, hazard evaluation and construction planning in tree-sensitive areas.

2002-Present: City of Pacifica: site-specific inspections and recommendations for management decisions, risk assessment and dispute resolution.

2003: City of Pacifica: tree risk assessment and tree management study. Field report and geographic information system developed to implement tree removal, reforestation and replacement tree conservation in a residential neighborhood and riparian zone parks.

2003-2006: USDA Research Station, Albany: soil nutrition and hydrology survey; plant location, size and health survey; comprehensive interpretive report with map inserts.

2004: City of San Pablo: site assessment, tree health assessment and recommended remediation for 44 palm tree planting sites in a commercial district.

2004-2005: City of Oakland: Leona Quarry Redevelopment Master Plan; plan review, project compliance with conditions of approval.

2005-2006: City of Oakland: City-wide tree inventory; estimated 300,000 tree sites. Vector-mapping by block side, PDA data collection, database development, GIS implementation.

2006-2007: City of Pacifica: tree risk assessment and tree management study for all large trees managed by the City that are located in streets and parks.

2006-2007: San Francisco Public Utilities Commission with Ecology & Environment, Inc: Crystal Springs Pipeline No. 2 project. Provided the tree survey and arborist memorandum for an environmental impact report. Tree protection and mitigation measures were evaluated at the Municipal, County and State levels, including considerations under the California Environmental Quality Act (CEQA) and SB-1334.

2006-2008: Federal Building, Golden Gate Plaza with PGA Design: provided design review, species selection and site management and monitoring specifications.

2007: City of Pacifica: Author of DPW publication *Trees for Pacifica: Tree Selection and Planting Guide* to provide appropriate species selection based on site assessment, wind, coastal influence, tree size and growth rate with ornamental and native species.

2008: State Compensation Insurance Fund: tree health and site assessment with recommendations for tree care. Review of new plaza to preserve existing trees during construction.

2008-Present: San Francisco Public Utilities Commission with ESA/Orion Joint Venture: Crystal Springs Pipeline No. 2 project. Provided project refinement and enhancement of options through inclusion of tree impacts caused by use of helicopters, temporary bridge construction and installation of cathodic protection.

2008-Present: City of Oakland, with PGA Design: City sidewalk repair specifications, monitoring and stress tests.

2008: National Park Service, San Francisco Maritime National Historic Park: tree health and risk assessment with recommendations.

Management Planning

1998-1999: Laguna Heights Co-op Corp.: tree inventory and mapping for 450-tree association property. Tree management plan and 10 year maintenance cost projections.

2003-Present: Treasure Isle HOA: database tree inventory, tree maintenance and management plan, creation of a fully cross-indexed management manual and project management. Ongoing assistance with vendor oversight, conflict resolution and interfacing with City staff. 16-acre site. 2003-Present: Bohemian Club, San Francisco: management for intensely used urban planting sites for Boston ivy, trees and shrubs.

2004: La Salle Heights HOA, San Francisco: tree and vegetation study for a 16-acre site with 800 trees, native plants, invasive exotic plants and landscaping. Data and analyses included pest and disease management, species selection, fire risk assessment, irrigation assessment, erosion, soil properties and preparation of a site map.

2004-Present: Longwater HOA, Foster City: tree inventory, site mapping and management plan for 207 trees in common areas. Many young trees were inspected with nursery, planting and cultivation problems. Management planning included species suitability, planting density, remediation strategies and maintenance recommendations. Large trees primarily required health and risk assessment with maintenance recommendations. Ongoing inspections.

2004-Present: Barron Square HOA, Palo Alto: tree inventory, site mapping and management plan for 259 trees of 37 species in common areas. Primary areas for recommendations were risk assessment, planting density, irrigation, drainage, infrastructure conflicts and maintenance. Ongoing inspections.

2004-Present: Edgewater Isle South HOA, San Mateo: tree inventory, site map and management plan for 135 trees in common areas. Site assessment and tree planting plan in 2006. Ongoing inspections.

2005-Present: Edgewater Isle Master Association, San Mateo: tree inventory, digital site mapping, comprehensive management plan and field manual. Tree health, risk assessment and infrastructure conflicts evaluated. Site assessment and tree planting plan in 2006. Ongoing inspections.

2005: Serravista HOA, South San Francisco: site assessment, tree health assessment, species recommendations and Planning Department documents

2006-Present: Alverno Hill HOA, Redwood City: construction impacts and landscape plan review from neighboring property development and a fire risk assessment report.

2006-Present: Whaler's Island HOA, Foster City: tree inventory, digital site mapping, comprehensive management plan and field manual. Tree health, risk assessment and infrastructure conflicts evaluated. Ongoing inspections.

2007-Present: Glenridge Apartments Co-operative: tree risk assessments and recommendations

2007-Present: Oak Commons HOA, Gilroy: tree health and risk assessment of 3 large oaks with recommendations. Evaluation of new tree health, crowded plantings and installation and nursery defects for over 900 new trees within new development landscaping with recommendations.

3109 Sacramento Street
San Francisco, CA 94115

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Certified Arborist, International Society of Arboriculture

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2007-2008: Pitcairn HOA, Foster City: tree health and risk assessment with cultivation recommendations.

Construction Mitigation

1995-2001: Proulx properties: 7-year project to combine 4 large estates including management of natural areas, private golf course design/build impacts, new infrastructure, private vineyard and orchard.

1998-2004: Bay Area Discovery Museum: preservation of historic eucalyptus trees from design stages through construction during a 15,000 square foot expansion over 5 years.

1998-2002: Presidio Hill School: building and utility service design modifications necessary to preserve 3 large trees during historic building preservation and new construction over 4 1/2 years.

2001: #1 Front Street: comprehensive report to assess problems and recommend remedial steps for cultivation of 41 trees in containers on high-rise roof terraces.

2002-2003: Marina Chateau: 8th floor deck-installed design including a decorative screen and selection of containers and plants.

2004: The Altenheim, Oakland: tree survey and report to conserve a rare plant and historic landscape of 6.2 acres during an adaptive reuse construction project.

2002-2007: Laguna Honda Hospital: tree preservation and conservation of a historic arboretum, and tree preservation at various new building construction sites within a 63-acre site to be executed over 10 years.

2004-2008: Cavallo Point and Healing Arts Center (The Retreat at Fort Baker), Sausalito. Site assessment, health assessment, construction modification, tree protection and preservation recommendations, co-author and lead consultant of a 10-year tree management plan.

2004-2006: GK Builders: tree protection and preservation planning for residential development.

2004-2007: Simpson Design Group: tree protection and preservation planning for residential development.

2004-2006: Sal Caruso Design Corporation: tree protection and preservation planning for various condominium conversion projects and for the Fremont Child Care Center.

2004-2007: Worldco Company, Ltd: tree protection, planning, tree and landscape design issues.

2005: EDAW, Inc.: project planning, including tree protection, preservation and species selection.

2005-2007: Devcon Construction: tree protection and preservation planning, on-site inspections during construction, mitigation recommendations, maintenance recommendations.

2005-2008: Safeway, Inc: tree assessment, site assessment, design review, tree protection measures and new planting recommendations.

2006-Present: DES Architects & Engineers: tree assessment, site assessment, appraised values and tree protection during construction.

2008: Hanover Company: tree health and risk assessment for the Candlestick Cove project in San Francisco.

2007-2008: Royston Hanamoto Alley and Abey (RHAA): City College of San Francisco. Provided design review, analysis of site conditions, species recommendations and spacing requirements for the re-design of the core areas of the campus and expanded areas adjacent to the reservoir.

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2009-Present: Webcor Construction, Inc: San Francisco General Hospital. Provided pre-construction evaluation of trees and soil conditions, recommending removal, transplanting, pruning and tree protection measures. Project Arborist for new construction and utilities.

Maintenance Management

2004-Present: Bay Area Discovery Museum: maintenance planning and maintenance policy development for outdoor educational exhibit areas.

2003-Present: Bohemian Club, San Francisco, providing conservation and management of extensive Boston ivy, trees, shrubs and irrigation at their downtown site.

2004-Present: Kaiser Permanente hospitals, 2 sites in San Francisco, providing management of all tree-related decisions and maintenance.

Natural Areas

2001-2003: Presidio Trust: ongoing volunteer participation including site restoration, maintenance and monitoring for quail habitat sites.

2001-2004: Kirsch property; riparian zone site evaluation, recommendations, re-vegetation planning and monitoring requirements, vineyard impacts and management issues.

2004-2005: City of Oakland, with PGA Design: Leona Quarry Redevelopment Master Plan; plan review, project compliance with conditions of approval integrating with natural areas.

Small Projects

1987-Present: Consultation and Arborist Reports: routinely created as guidance to project sponsors, contractors, Architects, landscape maintenance companies, commercial property managers, residential owners, concerned neighbors, Municipalities and insurance companies. Projects are throughout the San Francisco bay area with a concentration on the Peninsula, in San Francisco and in Marin County. Projects are too numerous to list separately.

Public Hearings

Representation at local government public hearings is a routine assignment.

Appraisals and Claims Settlement

1987-Present: Trespass and Negligence: routinely provide inspections, reports and appraisals for small trespass and negligence cases, generally negotiated, mediated, arbitrated, settled out of court or settled in small claims court.

1992-2002: The Davey Tree Expert Co., Inc.: provided all tree appraisals for the district office serving San Mateo and San Francisco counties.

1992-Present: California State Automobile Association: routinely provide inspection and appraisal information for claims settlement on both homeowner policies and automobile policies.

1994-2006: Farmer's Insurance: routinely provide inspection and appraisal information for claims settlement on real estate policies.

1999-Present: City of Pacifica: forensic investigations and technical report writing as an expert for tree dispute resolution.

2004-Present: State Farm Insurance: provide inspection and appraisal information for claims settlement.

2008: Shelter Ridge HOA, San Rafael: tree health and appraisal for damaged trees.

Tree Management Experts
Consulting Arborists

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Expert Witness

Routinely provide expert opinion and testimony on tree and horticulture issues to areas of legal practice that include Land Use, Real Estate, Trespass, Negligence and Personal Injury.

Trained and certified within the field of Arboriculture in technical report writing, forensic sciences, expert case preparation, deposition procedure and trial procedure.

Partial list of attorney-clients:

Carmen M. Aviles, esq. of Bledsoe Law Firm for defendant
David Balch, esq. of Kennedy, Archer & Harray for defendants
Steven A. Booska, esq., for plaintiffs and defendants
Matthew Davis, esq. of Walkup Law Office for plaintiffs
Phillip Fant, esq. of Cozen O'Connor for plaintiffs
Ira A. Freydkis, esq., for plaintiff
Brian Gearinger, esq., of Gearinger Law Group for plaintiff
Robert Harrison, esq. of Wright, Robinson, Osthimer and Tatum for defendant
Richard Herzog, esq., for defendant
Peter Lynch, esq. of Cozen O'Connor for plaintiff
Todd Master, esq. of Howard, Rome, Martin & Ridley for defendant
Thomas J. McDermott, esq. of Bragg & Kuluva for plaintiff
Mark Mosley, esq. of Seiler Epstein Ziegler & Applegate for plaintiff
Dan Reilly, esq. for defendant

Confirmed Expert Witness in Superior Courts: San Francisco, Santa Clara and Monterey Counties.

Lectures and Presentations:

1995: Three one-hour lecture sessions to College of San Mateo General Ornamental Horticulture class titled: "From Planting to Pruning of Woody Ornamentals in the Landscape."

1998: Three one-hour lecture sessions to College of San Mateo General Ornamental Horticulture class titled: "From Planting to Pruning of Woody Ornamentals in the Landscape."

1999: One-hour slide lecture at the Presidio to National Park Service Landscape Architects from across the country. Lecture topic: *History in Pruning: historic plantings and historic pruning.*

April 2002: Urban forestry presentation to San Francisco Department on the Environment

May 2002: Presentation to Tree Advisory Board on Landmark Tree Nominations in San Francisco

October 2004: Two-hour presentation for a Certified Arborist examination preparation class titled: "Assessment and Risk Management"

October 2004: Presentation of industry-specific use of scientific tools at Tool Day

November 2004: Presentation titled: "Tree Health During Construction"

January 2005: Presentation with handouts titled: "Air-spade: Uses, Limitations and Specifications"

March and April 2006: Two tree walks in Palo Alto for Canopy

August 2006: PowerPoint presentation to the Association of Bay Area Governments (ABAG) with handouts titled: "Integration of Risk Reduction Pruning to Municipal Management Systems"

May 2007: PowerPoint presentation to Bay Area staff from The Care of Trees®, Inc. with handouts titled: "Risk Reduction Pruning"

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City of East Palo Alto: pro bono assistance to City staff in developing a heritage tree protection ordinance.

Canopy (non-profit): pro bono assistance in formulating a public-private partnership with the City of East Palo Alto and their citizens for the first volunteer-oriented public tree planting project. Assisted Canopy with the grant funds application to the California Department of Forestry.

Friends of the Music Concourse: provided expert assistance over more than 1 year and public testimony on several occasions to achieve landmark status for historic trees in the Music Concourse of Golden Gate Park in San Francisco. The Music Concourse and the historic grid of trees were declared a City Landmark in December 2005.

Canopy (non-profit): Board member from February, 2007 to present.

Professional Affiliations and Memberships:

American Society of Consulting Arborists (ASCA), Member
International Society of Arboriculture (ISA), Life Member
Western Chapter, International Society of Arboriculture (WC-ISA), Member

Related Affiliations and Memberships:

California Native Plant Society
California Invasive Plants Council
Canopy
Friends of the Urban Forest
National Audubon Society
Natural Resources Defense Council
Golden Gate Audubon
Nature Conservancy
Sempervirens Fund
San Francisco Botanical Garden Society
Sierra Club

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September 2007: PowerPoint presentation to the Western Chapter International Society of Arboriculture (WCISA) with handouts titled: "Integration of Risk Reduction Pruning Into Municipal Management Systems"

November 2008: One-hour presentation with 8 page handout for a Certified Arborist examination preparation class titled: "Tree Assessment and Risk Management"

Media:

Featured by Media

American Way: September 15,1989, Mini-Splendored Things
The Fresno Bee: May 14, 1990, Editorials, Tree Spirits in Visalia
Visalia Times-Delta: 1991, Arborist takes Visalia's trees to heart
The Fresno Bee: 1991, Taking stock of Visalia's roots
Stockton Record: 1991, Sizing Up Manteca's Trees
Bay Guardian: April 16, 1997,Endangered species
San Francisco Chronicle: May 14, 2008, City takes the case of mystery manzanita
San Francisco Examiner: April 27, 2009, Art project may be putting trees at risk

Author or Speaker via Media

Storm Report of December 1994
ABC Television: 20-minute storm report interview
ABC Radio: 10-minute interview
SF Apartment Magazine, October 2003, Tree Dispute Resolution
Canopy: Trees for Palo Alto newsletter, Fall 2005, *Ask the Arborist* column

Public Policy:

Tree Advisory Board (volunteer): regular attendance and participation from June 1995. Appointed as voting Member by the Director of the Department of Public Works in June 1998. Appointed by the Board as Chair of the Landmark Tree Committee.

City of San Francisco: developed a partnership between corporate tree care and the Clean City Coalition to benefit DPW. Provided pro bono recommendations to DPW staff.

City of San Francisco: developed a maintenance agreement strategy to allow proper maintenance by an outdoor advertising company of previously city-maintained trees.

Tree Summit, Friends of the Urban Forest (volunteer): panel member for discussion of Urban Forestry among public and private sector stakeholders to develop the State of the Urban Forest Report, 2000.

City of San Francisco: assisted in modifications to Department of Public Works code Article 16. Ordinance changes include integration of various departments, the creation of the Bureau of Urban Forestry, and creation of the Urban Forest Council.

2008: EDAW, Inc.: San Francisco Urban Forestry Master Plan for the San Francisco Planning Department. The Consulting Arborist for a team to develop a Master Plan to integrate Arboriculture, Urban Design, infrastructure conflicts, sustainable ecology, funding strategies and maintenance alternatives.

Conservatory Foundation (non-profit): served 6 years on the Board of Directors to preserve the rare plant collection and the building, Golden Gate Park Conservatory of Flowers, San Francisco.

Professional Profile

Katherine Howard
ASLA
CA License # LA 4279
Landscape Architect
(1993 - 2009)

As a registered Landscape Architect in the State of California, Ms. Howard has directed a wide variety of design projects and brings a host of design, project management, and construction implementation experience to her projects. Her background includes both small and large-scale educational, recreational, residential, public and commercial projects. Katherine's Project Manager experience includes all phases of projects from client interface with preliminary designs and layouts through construction drawings, cost estimates, value engineering, and construction oversight services. Katherine has public interaction experience in presenting design ideas and facilitating discussions as well as in creating and presenting Master Plans. She also has a broad background in civic participation and working with various City Departments on a *pro-bono* basis.

Education

University of California at Berkeley Extension, Certificate in Landscape Architecture, 1993
SF State College, San Francisco, CA. M.A. Program, completed course work but not thesis.
Scripps College, Claremont, CA. Bachelor of Arts.
Continuing education: Horticulture, construction, design, green building.

Affiliations and Credentials

Registered Landscape Architect, State of California, License # LA 4279
Ocean Beach Master Plan, 2012, Citizens Advisory Committee
Golden Gate Park Preservation Alliance, Steering Committee
SF Ocean Edge, Steering Committee
Friends of the Music Concourse, Co-Chair
Park Rangers Coalition, Co-Chair
SPUR, Sustainable Development Committee, past Chair (4 years)
Citizen's Advisory Committee to the Golden Gate Park Concourse Authority, past Chair
UC Berkeley Extension Programs in Landscape Architecture and Sustainability, Advisory Board

Select Projects

Megan Furth Academy
San Francisco, CA

Project Manager and Landscape Architect. This project required the creative use of space in a dense urban setting. The design integrated both active play areas and quiet, calm spaces into the site. The major outdoor areas are the Pre-K and K outdoor playgrounds, the interior active play areas, and the interior below-grade courtyards. (Merrill Morris Partners)

Santa Clara Valley Water District, landscape redesign

Project Manager and Landscape Architect. Landscape redesign for large water treatment facility site to shield from neighbors while preserving views. Preserve existing tree stand while enhancing with supplemental plantings. Client and consultant interface, landscape design, renderings, cost estimates, construction drawings, and construction oversight . (Merrill Morris Partners)

Tracy Multi-Modal Station, Tracy, CA

Project Manager and Landscape Architect. Landscape for new bus and train station. Client and consultant interface, landscape design, ADA grading, renderings, cost estimates, construction drawings, and construction oversight. (Merrill Morris Partners)

BART Reforestation Project,
Pleasanton, CA

Project Manager and Landscape Architect. Reforestation of right-of-way for proposed BART switching station. Manage arborist survey and coordinate with BART and City on tree replacement requirements, site requirements, landscape and irrigation design. (Merrill Morris Partners)

San Antonio Park
Oakland, CA

Project Manager and Landscape Architect. Managed all phases of renovation of large city park, including new artificial turf playing field on a difficult site, basketball court, and expanded Tot Lot and 5-12 childrens' play areas. Subsequently designed the San Antonio Park Master Plan to increase accessibility while enhancing existing uses. (Robert La Rocca and Associates)

Peninsula Volunteers
Rosner House
Menlo Park

Project Manager and Landscape Architect. Design interior garden and surrounding grounds for senior day-care center for seniors with cognitive disabilities. Specialized knowledge of patients needs and safe plant materials. All facets of project from staff interviews through cost estimates, construction drawings, and construction over-sight.

Ponderosa Estates
Marin City, CA

Project Manager and Landscape Architect. Landscape renovation for a low-income housing facility that included an accessible play area and new community center. Worked closely with residents in planning the landscape and play area renovations. (Robert La Rocca and Associates)

To: Joy Lamug/BOS/SFGOV,
Cc:
Bcc:
Subject: File 120691: Please NO stadium lighting in GG PARK

From: john imperato <jimperato@hotmail.com>
To: <mayoredwinlee@sfgov.org>, <eric.l.mar@sfgov.org>, <john.avalos@sfgov.org>, <malia.cohen@sfgov.org>, <david.campos@sfgov.org>, <sean.elsbernd@sfgov.org>, <jane.kim@sfgov.org>, <christina.olague@sfgov.org>, <carmen.chu@sfgov.org>, <david.chiu@sfgov.org>, <mark.farrell@sfgov.org>, <scott.wiener@sfgov.org>, <board.of.supervisors@sfgov.org>,
Date: 07/05/2012 01:46 PM
Subject: Please NO stadium lighting in GG PARK

Dear Honorable Mayor and Supervisors,

Please support any possible alternative to the astro turf and stadium lighting proposed for the west end of golden gate park.

The western end of golden gate park is a vital natural resource to the city, that benefits a much wider spectrum of diverse visitors and residents than just soccer players.

The light pollution would be TERRIBLE for the city. KQED's special on the negative effects of a lighted night sky PROVE that stadium lighting and astroturf have NO PLACE in this wild and tranquil resource-the western end of the park.

Please DEFEAT the stadium lighting proposal.

Respectfully submitted,

John L. Imperato

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Beach Chalet, File no. 12069

From: Donald Ciccone <donciccone1@yahoo.com>
To: "Eric.l.mar@sfgov.org" <Eric.l.mar@sfgov.org>, "John.avalos@sfgov.org" <John.avalos@sfgov.org>, "Malia.cohen@sfgov.org" <Malia.cohen@sfgov.org>, "David.campos@sfgov.org" <David.campos@sfgov.org>, "Sean.elsbernd@sfgov.org" <Sean.elsbernd@sfgov.org>, "Jane.kim@sfgov.org" <Jane.kim@sfgov.org>, "Christina.Olague@sfgov.org" <Christina.Olague@sfgov.org>, "Carmen.chu@sfgov.org" <Carmen.chu@sfgov.org>, "David.chiu@sfgov.org" <David.chiu@sfgov.org>, "Mark.farrell@sfgov.org" <Mark.farrell@sfgov.org>, "Scott.wiener@sfgov.org" <Scott.wiener@sfgov.org>, "Board.of.Supervisors@sfgov.org" <Board.of.Supervisors@sfgov.org>, "sfoceanedge@earthlink.net" <sfoceanedge@earthlink.net>, "sfoceanedge@earthlink.net" <sfoceanedge@earthlink.net>,
Date: 07/05/2012 04:08 AM
Subject: Beach Chalet, File no. 12069

Please keep natural grass and NO sports lights at the Beach Chalet Athletics Fields in Golden Gate Park.

Let's renovate the Beach Chalet Athletic Fields with REAL grass and NO sports lights. Let's use the rest of the funding to fix up other fields for kids all over San Francisco.

I support the win-win Hybrid Alternative: Fix up the Beach Chalet Fields with real grass and no night lighting and fix up the West Sunset Playing fields with a better playing surface and lights that are appropriate to that neighborhood. This combined solution protects Golden Gate Park and provides more playing time for kids.

San Francisco prides itself on being a "green" city. How green is paving over 7 acres of Golden Gate Park with plastic grass? The Audubon Society has described this as the equivalent of installing a 7-acre asphalt parking lot.

The proposed lights at Beach Chalet Athletic Fields will be lighted from dusk to 10:00 p.m. every night. My family and I go down to the Beach to enjoy the sunset and to view the night sky. This project will destroy this for us forever and so we are objecting to it.

Golden Gate Park is important habitat for birds AND for kids! keep it green with real grass and NO sports lights.

The Golden Gate Park Master Plan describes the western end of Golden Gate Park as the most "wild and forested" area of the park. The new Ocean Beach Master Plan talks about preserving the natural beauty of Ocean Beach and connecting it to Golden Gate Park. The Beach Chalet Athletic Fields soccer complex will destroy the beauty of the park . Why is the City violating two of its own plans for this project?

To: BOS Constituent Mail Distribution, Joy Lamug/BOS/SFGOV,
Cc:
Bcc:
Subject: File 120691: Please add my name...

From: Paul Lufkin <plufkin@gmail.com>
To: Paul Lufkin <plufkin@gmail.com>,
Date: 07/04/2012 05:24 PM
Subject: Please add my name...

... to any record you are maintaining of San Francisco voters who remain STRONGLY OPPOSED TO SPORTS LIGHTS at the
Beach Chalet Athletics Fields in Golden Gate Park.
I believe we should renovate the Beach Chalet Athletic Fields with REAL grass and NO sports lights.

Please don't irrevocably screw up our beautiful park and beach area.

I live, work, and vote (Democrat) in San Francisco -- and I am vocal in my interactions with friends and neighbors who care
about this issue.
This is important to me. Thank you very much for considering my views.

Sincerely,
Paul Lufkin
240 Cumberland Street, #302
San Francisco, CA 94114
plufkin@gmail.com
415 515-1593

To: Joy Lamug/BOS/SFGOV
Cc:
Bcc:
Subject: Beach Chalet File no.120691 - Please reject the EIR and send back to Planning Dept.

From: "Kathy Howard" <kathyhoward@earthlink.net>
To: <mayoredwinlee@sfgov.org>, <John.Avalos@sfgov.org>, <David.Campos@sfgov.org>, <sfoceanedge@earthlink.net>, <David.Chiu@sfgov.org>, <Carmen.Chu@sfgov.org>, <Malia.Cohen@sfgov.org>, <Board.of.Supervisors@sfgov.org>, <Sean.Elsbernd@sfgov.org>, <Mark.Farrell@sfgov.org>, <Jane.Kim@sfgov.org>, <Eric.L.Mar@sfgov.org>, <Christina.Olague@sfgov.org>, <Scott.Wiener@sfgov.org>,
Date: 07/03/2012 09:16 PM
Subject: Beach Chalet File no.120691 - Please reject the EIR and send back to Planning Dept.

Dear Supervisor,

Please reject the EIR for the Beach Chalet Project.

The Project Objectives have been tailored to result in the rejection of any off-site Alternative. The Project really has two major goals: (1) renovate the Beach Chalet facilities to provide for more play time and a better user experience and (2) contribute to meeting an increased city-wide demand for play time. There is no reason that these two objectives must be linked to the Beach Chalet site itself. The City should consider an alternative—which was suggested by numerous members of the public on multiple occasions—to develop a "hybrid" alternative in which the artificial turf and light installation occur at West Sunset Playfields while also investing in grass turf and facilities renovation (without stadium lights) at the Beach Chalet. The EIR should be modified to include this alternative.

I urge the Board of Supervisors to reverse the decisions of the Planning Commission and Recreation and Park Commission and decline to certify the EIR, and require the preparation and recirculation of a supplemental EIR to analyze impacts omitted from the EIR. We urge the Board to decline to approve the Project until an adequate alternatives analysis is conducted and the Project is conformed to applicable plans and polices.

K. Howard
San Francisco

File No. 120691
BOS 11
C Pages

reason #1 for rethinking the rush to pave and pollute Golden Gate Park, File no. 120691

Ellen Koivisto & Gene Thompson to: mayoredwinlee, John.Avalos, David.Campos, SF Ocean 07/02/2012 08:30 PM

There are a myriad of reasons not to pave and pollute the western end of Golden Gate Park by putting in acres of astroturf and stadium lights. Here is one: from the start, there has been a woeful lack of real public input for this plan that Rec & Park wants to put into action.

My husband and I live on Great Highway, and commute through this area of the park each day on our bikes. I am a public high school teacher and have a large number of students who also live in the immediate area on both sides of the park who also go through this area of the park on a daily basis (for dog walking, lacrosse practice, and recreating). In the run up to this, well, coup, none of us at any time saw any notice anywhere about this plan -- not in our neighborhoods, not bordering the park, not in the park itself. We, the neighbors, only found out about this plan by accident. No one -- not me, my husband, my students, or any of our neighbors -- at any time saw any postings anywhere, including on the fence surrounding the soccer fields themselves. We found out later that the soccer coaches, at this time, were having private meetings with Rec & Park officials where the officials were introducing the coaches to the artificial grass manufacturers. In fact, the only people who were given notice, from what we can tell, were the soccer coaches. Considering that after we found out about it, my husband spent weeks standing in front of shops in the area gathering signatures to request an EIR for this project and talking to the neighbors, we can comment on the lack of public knowledge about this plan with some certainty.

We attended the scoping session and submitted concerns, very concretely stated. Our concerns were ignored, downplayed or sidestepped in the draft EIR. We attended the draft EIR hearing to voice concerns about issues we had raised that were not adequately addressed in the draft. The responses to those concerns in the EIR are mostly obscure and dancing around the issue. For instance (and this is just one example from many), I pointed out that basic definitions were lacking in the draft, such as what constitutes a tree or a shrub. From what we'd been hearing, the project classifies as shrubs a number of biological organisms possessing single trunks with crowns 40' off the ground. Remediation issues were addressed (inadequately, but addressed) for trees in the draft EIR, but not for shrubs. The response to this in the EIR was to refer me to two publications not referenced in the EIR, put out by different organizations at the state level, and that still don't answer the question re. this project.

In fact, as we've found out since, even some soccer families have felt used or passed over or kept in the dark in this process. There are soccer players and soccer families who do not want their children playing on plastic and old tires. They have reported being ostracized and belittled by the teams as a result. In the aftermath of the massive soccer team turnout for the EIR hearing, it came out that some soccer coaches took their players to City Hall without parental permission or knowledge. I don't know what the legal standing is for the soccer coaches, or for their league organizers, but if a teacher did something like that we'd be in violation of the law and in deep trouble.

The first reason, then, not to accept the EIR is the total lack of sunshine in this entire process and the two-tiers of rights that actions taken on this issue have highlighted. No one, outside the soccer coaches, knew about this;

certainly the neighborhood was not informed. So soccer leagues and soccer coaches have rights under city law that neighbors don't have? Is that the message that is intended? Because it's the message that's being received loud and clear. Laws and regulations that apply to one side (staying focused and to the point at the scoping and draft EIR sessions, for example, or openly trying to get some discussion of the issues) apparently do not apply to the other (secret meetings, non-posted proposals, swamping meetings with specific purposes with soccer teams who were not commenting to the purpose, and more). So rules and procedures apply to one side and not the other? Is that the message that's being conveyed here?

If you believe in responsible government with equal rights for all (not more equal for some than for others), then you will not accept this EIR and project as currently composed.

Sincerely,
Ellen Koivisto

To: Joy Lamug/BOS/SFGOV,
Cc:
Bcc:
Subject: reason #2 for rethinking the rush to pave and pollute Golden Gate Park, File no. 120691

From: Ellen Koivisto & Gene Thompson <offstage@earthlink.net>
To: mayoredwinlee@sfgov.org, John.Avalos@sfgov.org, David.Campos@sfgov.org, SF Ocean Edge <sfoceanedge@earthlink.net>, David.Chiu@sfgov.org, Carmen Chu <Carmen.Chu@sfgov.org>, Malia.Cohen@sfgov.org, Board.of.Supervisors@sfgov.org, Sean.Elsbernd@sfgov.org, Mark.Farrell@sfgov.org, Jane.Kim@sfgov.org, Eric.L.Mar@sfgov.org, Christina.Olague@sfgov.org, Scott.Wiener@sfgov.org,
Date: 07/03/2012 08:05 PM
Subject: reason #2 for rethinking the rush to pave and pollute Golden Gate Park, File no. 120691

Another reason for not paving and polluting the western edge of Golden Gate Park, from underground to far up into the sky, is the master plan for Golden Gate Park.

What is the point of having a master plan if it's going to be ignored? Because, as far as I can tell, the master plan has been thoroughly ignored in this entire process. It cost money to make the master plan, and one of the ideas in the master plan is the best use of the park for all people in the city; how does going against that save the city money? In fact, doesn't it cost more money? If the Golden Gate Park master plan is going to be ignored, does that mean the Ocean Beach master plan will be ignored as well? Does that mean the people who are paying attention to how City Hall works and who live in the neighborhood should be selling their homes to suckers now before the area is all literally underwater? Though if this project goes through, there may be a lot of peole selling up and getting out of the area. Why?

The master plan, to remind you, calls for the area in question to be multiuse; there is nothing multiuse about the proposed plastic fields and stadium lighting. Even other sports teams can't use the fields because the lines are painted on and specific to soccer.

The master plan defines the area as being pastoral; nothing save for some extremophile bacteria can pasture on hot plastic weave and ground up used tires.

The master plan describes this area as being a retreat from the city; the plan for the artificial fields, expanded parking lot, and lights on until 10 p.m. each day every day takes the worst of the city and plumps it down in the center of this retreat.

How bad could it be?

*The EIR describes the additional traffic due to this project as equalling the busiest weekend levels we currently see out here; given that the Bay to Breakers and Outside Lands produce ridiculous amounts of traffic with concomitant air pollution, this alone will be a substantial degradation of the area.

*A substantial increase in population in this area of the park means a huge increase in park garbage when there is already a problem with garbage, the most frequent crime in this area of the park being illegal dumping by contractors and pot growers.

*Lights make a difference out here, and had experts in lighting and night sky and fog and biological impacts of night lighting been consulted (instead of this request being ignored), it would be clear that the proposed lights will destroy whatever illusion of nature remains after the plants are gone.

*Bringing in large numbers of people from far away (we get international teams competing with each other, in addition to the suburban teams) guarantees an increase in crime (especially with the late hours, the presence of beer -- and it will be here -- and a lack of police).

*There will be a large increase in noise, and the area will go from being a haven to being a visual blight.

Please look again at the master plan for Golden Gate Park and tell me why it is being so thoroughly ignored for this plan that benefits the few at the expense of the many?

Sincerely,
Ellen Koivisto

To: Joy Lamug/BOS/SFGOV,
Cc:
Bcc:
Subject: File 120691: reason #3 for rethinking the rush to pave and pollute Golden Gate Park, File no. 120691

From: Ellen Koivisto & Gene Thompson <offstage@earthlink.net>
To: mayoredwinlee@sfgov.org, John.Avalos@sfgov.org, David.Campos@sfgov.org, SF Ocean Edge <sfoceanedge@earthlink.net>, David.Chiu@sfgov.org, Carmen Chu <Carmen.Chu@sfgov.org>, Malia.Cohen@sfgov.org, Board.of.Supervisors@sfgov.org, Sean.Elsbernd@sfgov.org, Mark.Farrell@sfgov.org, Jane.Kim@sfgov.org, Eric.L.Mar@sfgov.org, Christina.Olague@sfgov.org, Scott.Wiener@sfgov.org,
Date: 07/04/2012 07:14 PM
Subject: reason #3 for rethinking the rush to pave and pollute Golden Gate Park, File no. 120691

A third reason for not paving and polluting the western edge of Golden Gate Park is the real effects this project will have on the locals and tourists. "Locals" means the humans who live adjacent to the park or who work adjacent to the park, animals who live in this area of the park, who depend on this area of the park for migration, who nest seasonally in this area of the park, who hunt in this area of the park, who live in or migrate in neighborhoods adjacent to the park (primarily the beach and the ocean), and the plants that live in the park in this area and adjacent to this area.

What negative effects will this project have on the locals?

1. Increased noise pollution. The proposed project would cause a substantial increase in noise to this area, both short- and long-term. Noise pollution is a very real toxin, adding to stress levels, facilitating illnesses, disrupting mating, and shortening lifespans. Increases in automotive traffic, according to a number of recent studies, have forced urban birds to sing at higher pitches and louder volumes just to be heard over the din. Sound is so important to animal evolution that while there are plenty of blind species that do just fine, there are no deaf species. And humans, too, are animals. We are as susceptible as any bird to the increased noise.

2. Increased particulate and other air pollution from cars. It's a simple equation, really: more people equals more cars, and more cars equals more air pollution. And if you're not local you won't know this, but due to the fog, particulates stay in the air around here. They hang in the air, they coat the buildings and cars and sand dunes and everything else. They don't go away.

3. Increased garbage. Again, this is a simple equation: many more people and more hours and days of use equals more garbage. Already, there is a problem with garbage collection and illegal dumping in this area of the park and in the neighborhoods surrounding it. The raccoon population is huge (literally enormous -- they're big raccoons) and aggressive, and feeding them more is not a good idea. This area is also part of a skunk super highway, and providing them with a permanent feeding site is not a good idea, especially since skunks win human/skunk contests even when they lose (there are a fair number of skunks killed by vehicles around here each year, and the stink of the kills lasts for weeks each time).

4. Increased crime. Compared to the rest of the park, there is very little crime in this area now. Mostly, this is because there is no incentive to be in the park when you could be partying at a bonfire on the beach just across the street. Lighting up a large area of the park like this at night, especially for the adult soccer leagues, will mean this area gets used for drinking and other types of partying. And, as you can find out by asking the

National Park Rangers who patrol the beach fires, increased drinking equals increased crime.

5. Increased heat. We are in global warming. It is getting hotter and will continue to get hotter still. Artificial turf fields are notorious heat amplifiers. Changing what is now a net heat sink into a net heat producer will seriously negatively effect the plants and animals in the park and the local microclimate.

6. Increased pollution of the rest of the park, the beach and ocean. Crumb rubber migrates. Crumb rubber is a toxic stew of pollutants.

7. Serious degradation of circadian rhythms. Please look into the research here, even if it means just hitting the Wikipedia page on circadian rhythms. When you take away night, you do harm. This will be especially important in the winter months when those stadium lights will stealing over four hours of night each day.

8. Decreased abilities to produce oxygen, absorb and filter ground water, produce soil, and maintain soil. Get rid of the real greens and all the values of the ecosystem die with them.

9. Sheer aesthetic ugliness.

Point number 9 for the locals begins to address the affects this project would have on tourists as well. Golden Gate Park is unique due to its diversity of areas and biomes, its hidden corners, the air it gives you of continually making discoveries as you walk its paths, the feel that in the park you are seeing not nature trounced by humans but nature and humans working together. This part of the park is featured regularly in travel magazines and websites because of its wonderful, unexpected, bucolic nature. Tourists can find astroturf anywhere, but Golden Gate Park is unique and irreplaceable.

Sincerely,
Ellen Koivisto

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: File 120691: reason #4 for rethinking the rush to pave and pollute Golden Gate Park, File no. 120691

From: Ellen Koivisto & Gene Thompson <offstage@earthlink.net>
To: mayoredwinlee@sfgov.org, John.Avalos@sfgov.org, David.Campos@sfgov.org, SF Ocean Edge <sfoceanedge@earthlink.net>, David.Chiu@sfgov.org, Carmen Chu <Carmen.Chu@sfgov.org>, Malia.Cohen@sfgov.org, Board.of.Supervisors@sfgov.org, Sean.Elsbernd@sfgov.org, Mark.Farrell@sfgov.org, Jane.Kim@sfgov.org, Eric.L.Mar@sfgov.org, Christina.Olague@sfgov.org, Scott.Wiener@sfgov.org,
Date: 07/04/2012 08:54 PM
Subject: reason #4 for rethinking the rush to pave and pollute Golden Gate Park, File no. 120691

A fourth reason for not paving and polluting the western edge of Golden Gate Park is vandalism.

Vandalism is already a big problem in San Francisco parks, and it won't take much for our local vandals to figure out that artificial turf offers a motherlode for destructive impulses. In the scoping session I questioned the safety and flammability of, and replacement issues with artificial turf. In the draft EIR they said they couldn't find enough instances of burning or vandalism for this to be an issue. Yet a simple web search yields hit after hit after hit of video of burning artificial turf, slashed up artificial turf, and painted artificial turf.

The EIR completely fails to address this issue. What are the costs to fix and replace damaged plastic and ground tire "turf"? What toxins are in the smoke of burning artificial turf fields? How will firefighters deal with this toxic smoke? Will downwind neighbors need to be evacuated? What are the short- and long-term health effects of these toxins? Is the city liable for this smoke, along the lines established in NYC with the toxins from the burning twin towers? These are things prudent city government should consider, if for no other reason as a fiscal duty, but the EIR refused to look at.

Additionally, while it's not technically vandalism, many people brought up at the scoping session biological waste, including city gardeners who work on the artificial fields already in place. There was no real consideration given to the biological waste that will accumulate and fester in this plastic rug, if not removed. Who will clean up the dog waste, bird droppings, dropped vegetable matter (it is a park, after all, with strong winds), and food? How will it be paid for, and how often will it have to be done? The artificial turf fields in other locations are already running into these problems, and they're just going to get worse and more expensive as these fields photodegrade and age.

A realistic appraisal of these issues makes gopher vandalism of natural turf pale in comparison.

Sincerely,
Ellen Koivisto

To: Joy Lamug/BOS/SFGOV,
Cc:
Bcc:
Subject: reason #5 for rethinking the rush to pave and pollute Golden Gate Park, File no. 120691

From: Ellen Koivisto & Gene Thompson <offstage@earthlink.net>
To: mayoredwinlee@sfgov.org, John.Avalos@sfgov.org, David.Campos@sfgov.org, SF Ocean Edge <sfoceanedge@earthlink.net>, David.Chiu@sfgov.org, Carmen Chu <Carmen.Chu@sfgov.org>, Malia.Cohen@sfgov.org, Board.of.Supervisors@sfgov.org, Sean.Elsbernd@sfgov.org, Mark.Farrell@sfgov.org, Jane.Kim@sfgov.org, Eric.L.Mar@sfgov.org, Christina.Olague@sfgov.org, Scott.Wiener@sfgov.org,
Date: 07/05/2012 11:43 AM
Subject: reason #5 for rethinking the rush to pave and pollute Golden Gate Park, File no. 120691

A fifth reason for not paving and polluting the western edge of Golden Gate Park is that San Francisco is supposed to be a "green" city. So what's not green about artificial turf fields?

*The ecosystem currently in place is destroyed in order to construct the field. That ecosystem is not only local, but is both part of major migratory paths (for birds and fish -- for how this effects fish, see email #7 on lights) and intimately connected to the larger ecosystem of the beach. The ground is ripped up and disposed of (with much of the soil and its nutrients lost), the animals who live in the soil are killed, plants that live in the area are destroyed, and the wealth and stability embodied in that ecosystem are dissipated or lost.

*The ability of the land to absorb and filter rain water and flooding is destroyed.

*A concrete base is poured and covered with artificial materials, finally being capped by a woven carpet of soft plastic, dyed green using a mix of heavy metals, containing plastic softeners such as BPA (an endocrine disruptor) and its relatives, and then given "springiness" by a loose layer of ground-up used tires, the tires containing enormous amounts of unquantifiable and sometimes unidentified chemicals (such as copper, lead, various hydrocarbons, and more). Nothing in this resulting surface is natural, and none of it fits any working definition of green, except for color.

*Far from being waterless, artificial turf requires water for cleaning and cooling purposes, and requires disinfectants for decontamination, these disinfectants requiring water in order to be spread over the fields. Disinfectants are biocides, and amounts of these biocides will be washed off the fields into the park and the park's watershed and into the ocean.

*Rains and flooding will also wash the ground-up tire crumbs off the field into the park and out into the ocean. Users and wind will move the ground-up tire crumbs out of the fields and into the park and far beyond; it already does this in every other artificial turf field in the city.

*Chemicals leach from these materials over time, especially under high heat conditions and with exposure to light. These chemicals will be in any pooled water on the artificial turf, and will wash out into the park's natural ecosystems and ocean when there is rain or flooding. These leachates are proven 100% toxic to aquatic life.

*Chemicals are released into the air from these artificial turf fields. Little testing has been done on what kinds of chemicals and how much, and the little testing that has been done has discovered a large variation in the

amounts of toxins produced. The amounts produced, in most studies, have been deemed to be at safe levels, but the tests used to determine what constitutes a safe level are themselves flawed and have been coming under increased scrutiny by regulatory agencies all over the world. Recently, in fact, one large study concluded that there is no safe level of lead exposure for children at all. Please note, ground-up used tires usually contain lead. Studies are just beginning to be done on synergistic chemical interactions and, where they have been done, they have found that safe levels of individual chemicals plummet when chemicals are mixed, i.e. what might be a safe level of manganese and a safe level of copper become substantially unsafe when the environment presents both manganese and copper to an individual.

*The vast majority of chemicals in use in these products have not been tested in terms of their effects on humans. The vast majority of chemicals released into the environment in the last 40 years have not been tested at all. It is impossible, without testing, to say they are safe.

*Carbon dioxide is a global pollutant and a global greenhouse gas. Natural ecosystems pull carbon dioxide out of the atmosphere. Artificial turf fields produce massive amounts of carbon dioxide at every stage: from extraction of the oil to make the plastic carpet, to the production of the concrete, to its instillation, up to the fuel needed to keep the stadium lights burning until 10 p.m. each night.

*There is no realistic recycling option in place for the artificial turf carpet and ground-up tires. There is no plant named that does this work, there are no processes in place to use this material, and there is no economic stream that is clamoring for such a process or plant to be created. Pseudo-recycling, in order to lay claim to a green mantle, is not the same as true recycling.

In fact, the only green that seems to be involved in this project is money that is set to flow out of the city coffers to ... somewhere. Where has never been made clear.

Is this plan green? No. It is ecocide.

By the way, citations for all of this can be found in the public testimony provided at the scoping session and the draft EIR session.

Sincerely,
Ellen Koivisto

To:
Cc:
Bcc:
Subject: Beach Chalet appeal - file no. 120691 - Cultural Landscape Foundation letter

From: "SF Ocean Edge" <sfoceanedge@earthlink.net>
To: <angela.calvillo@sfgov.org>, <joy.lamug@sfgov.org>
Date: 07/02/2012 02:33 PM
Subject: Beach Chalet appeal - file no. 120691 - Cultural Landscape Foundation letter

Joy Lamug,
Angela Calvillo,

Attached please find a letter from Charles Birnbaum and The Cultural Landscape Foundation (TCLF) to add to the BOS file and packet for the appeal to the Beach Chalet Athletic Fields, file no. 120691.

I will be at City hall today to file the document in paper form.

Kathy

Katherine Howard
415-710-2402

Golden Gate Park 6-28-12 cb.pdf

The Cultural Landscape Foundation
1909 Que Street NW, Second Floor, Washington, DC 20009 (t) 202.483.0553 (f) 202.483.0761
stewardship through education
www.tclf.org

June 28, 2012

Beach Chalet Athletic Fields - file no. 120691

Board President David Chiu and Honorable Members of the Board of Supervisors
c/o Ms. Angela Calvillo, Clerk of the Board of Supervisors, City of San Francisco
1 Dr. Carlton B. Goodlett Place, Rm. 244
San Francisco, CA 94102-4689

Dear President Chiu and Honorable Members of the Board of Supervisors:

On behalf of The Cultural Landscape Foundation (TCLF), I am writing to express our concern about plans for building a soccer complex on the Beach Chalet Athletic Fields in Golden Gate Park. It is our understanding that the Board of Supervisors will consider an Appeal to the EIR for this project on July 10, 2012.

Golden Gate Park—the first large urban park built west of the Mississippi River—is an important historic designed landscape. The Park "was conceived as a naturalistic pleasure ground park to provide a sylvan retreat from urban pressures for all citizens, rich and poor." (*National Register*, Sect. 7, p. 1). The Beach Chalet fields are one of the few large, open grassy areas in the Park. The current plans propose to destroy much of the historic and aesthetic fabric that makes this area unique. As the primary author of the development of the *Secretary of the Interior's Standards with Guidelines for the Treatment of Cultural Landscapes* (1998), it is clear that the proposed plans do not take into account the historically significant character-defining visual and spatial relationships that are central to the original and continuing design intent of Golden Gate Park.

As background, TCLF is a national organization that provides people with the tools to see, understand and value landscape architecture and its practitioners as we have learned to do with buildings and their designers. Put simply, our mission is *stewardship through education*. TCLF's involvement with the Beach Chalet project dates to April 2010, when we submitted a letter expressing our concerns at that time to the San Francisco Planning Department. These concerns include the negative impact on the character of this section of the park of establishing it as a heavy use, structured sports area thus altering the naturalistic setting, as well as the introduction of structures that are out of scale with the existing surroundings and which would significantly compromise the visual and spatial relationships of the Beach Chalet area.

As President and Founder of TCLF, I urge you to require the preparation and recirculation of a supplemental EIR to analyze impacts omitted from the EIR. I also urge the Board to decline to approve the Project until an adequate alternatives analysis is conducted and the project is conformed to applicable plans and policies. It is our hope that in lieu of approving a misguided plan that will destroy the historic character of this significant cultural landscape, listed on the National Register of Historic Places in 2004 you will instead consider alternatives that will creatively meld historic preservation, design and programmatic objectives and in the process sympathetically adapt this nationally significant landscape.

Thank you for your attention and consideration.

Sincerely,

Charles A. Birnbaum, FASLA, FAAR
Founder + President, The Cultural Landscape Foundation

To: Joy Lamug/BOS/SFGOV,
Cc:
Bcc:
Subject: File 120691: Attached Letter: In Re Appeal of Beach Chalet Soccer Fields Proposal

From: Raymondsnf@aol.com
To: Eric.L.Mar@sfgov.org,
Cc: board.of.supervisors@sfgov.org, John.Avalos@sfgov.org, David.Campos@sfgov.org, David.Chiu@sfgov.org, Carmen.Chu@sfgov.org, Malia.Cohen@sfgov.org, Sean.Elsbernd@sfgov.org, Mark.Farrell@sfgov.org, Jane.Kim@sfgov.org, Christina.Olague@sfgov.org, Scott.Wiener@sfgov.org, Brendalaw@earthlink.net, faltshuler@igc.org, Laasf@aol.com, sfsky1@pacbell.net, julieburns@sealrock.com, herbertelliott@sbcglobal.net, paulsfo@gmail.com, rfries@carterfries.com, raymondsnf@aol.com, jasonjungreis@gmail.com, jim_lazarus@yahoo.com, phfromtherichmond@gmail.com, wsheplaw@aol.com, maria@komensf.org, mdstratton@att.net, mntuchow@yahoo.com, prose38@pacbell.net, pwinkelstein@gmail.com, dmbaroni@mac.com, daniel_baroni@gensler.com, jcheever@igc.org, brian@brianjlarkin.com, brianjlarkin@hotmail.com, royalmargie@sbcglobal.net, sharongadberry@yahoo.com, cherylschultz1@yahoo.com, claire@fmlpp.org, cjwinsf@gmail.com, rlcorriea@gmail.com, eliote@eceeproductions.com, diane@defraser.com
Date: 07/02/2012 02:23 PM
Subject: Attached Letter: In Re Appeal of Beach Chalet Soccer Fields Proposal

Supervisor Mar:

PAR has been informed that the decisions made by the Planning Commission and the Recreation and Parks Commission on May 24th with respect to the Recreation and Parks Department's proposal for the Beach Chalet Soccer Fields in Golden Gate Park have been appealed to the Board of Supervisors and that they have been scheduled for a hearing on Tuesday July 10th.

While PAR is not formally a party to that appeal, it does have some concerns about both the process and the substance of what was approved by the two commissions month before last. Those concerns and some suggested resolutions to them are described in the attached letter.

Please let me know if you have any questions about PAR's concerns prior to the hearing. Otherwise, Bob Fries (who chairs PAR's Parks and Recreation Committee) and I are planning to be available to answer any questions you or your colleagues may have about our concerns at the hearing a week from tomorrow.

Sincerely,

Raymond R. Holland, President
Planning Association for the Richmond (PAR)
5758 Geary Boulevard, #356
San Francisco, CA 94121-2112
Voicemails and Faxes: 415-541-5652
Direct and Voicemails: 415-668-8914

president@sfpar.org or raymondsnf@aol.com BeachChalet.pdf

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president@sfpar.org, www.sfpar.org

July 2, 2012

The Honorable
Supervisor Eric L. Mar
1 Dr. Carlton B. Goodlett Place, Room 284)
San Francisco, CA 94102-4689

In Re: Appeal of Proposal for the Beach Chalet Soccer Fields

Dear Supervisor Mar,

At a joint meeting of the Planning Commission and the Recreation and Parks Commission on May 24, the former certified a final draft of an Environmental Impact Report on the Recreation and Parks Department's proposal for the Beach Chalet Soccer Fields in the West End of Golden Gate Park and approved an application to the State's Coastal Commission for a permit to install them and the latter adopted that same EIR and its department's proposal as a "conceptual plan".

The commissions did so, despite the project's many material inconsistencies with elements of the City's General Plan and the Golden Gate Park Master Plan. PAR has a number of concerns with both the process and the substance of what has been approved and what is now being appealed to the Board of Supervisors. Among them are:

1. The scope of the Draft EIR that was certified considered only one of the two projects that were being proposed for the West End of Golden Gate Park, alternatives were considered for only one of those two projects (a water treatment plant) and alternatives were not but should still be considered for the other project (the proposal for the Beach Chalet Soccer Fields).

2. The proposed lighting, including 60-foot poles with 150,000 watts of illumination, at the soccer fields should be reconsidered with new alternatives.

3. The proposed composition of the new field turf, consisting of crumbled rubber tires, at the soccer fields should also be reconsidered with new alternatives.

4. The failure to accept, or seriously consider an alternative of repairing the natural turf without lighting at the soccer fields in the park while installing artificial turf and lighting at the West Sunset Playground or other possible

locations should still be considered in the development of the "conceptual plan" that was adopted May 24th.

1. Process

In September of 2011, there were two projects being proposed for the West End of Golden Gate Park. One was the Recreation and Parks Department's proposal for the Beach Chalet Soccer Fields and the other was a proposal from the Water Department of the San Francisco Public Utilities Commission for a Water Treatment Plant just to the south of those soccer fields with a groundwater pump inside of it.

The plant was proposed to provide tertiary treatment to the secondary-treated water pumped to it from the Oceanside Treatment Plant at the southwest corner of the City for the purposes of irrigating the golf courses in Golden Gate Park, Lincoln Park, and the Presidio and for other uses that are already prepared for recycled water (e.g., the academy and museum in Golden Gate Park, etc.). It needs to be noted that this would be the first major production and use of recycled water in San Francisco.

The Draft EIR that was issued last October for the West End of Golden Gate Park concerned only the proposal for the soccer fields; it did not even mention the proposal for a water treatment plant at a preferred location next to them even though it was public knowledge the SFPUC's Water Department was considering that and eight other alternate locations that were also ready for environmental reviews..

Shortly thereafter, the SFPUC's Water Department announced it was changing its "preferred location" for the plant from the West End of Golden Gate Park to a sliver of land it had identified between the Oceanside Plant and the adjacent National Guard Armory. To fit the plant into that much smaller space, the Water Department had redesigned the entire plant from a single-story to a three-story structure.

Because access to the aquifer for the groundwater pump to supplement the Hetch Hetchy Water System is underneath the West End of Golden Gate Park, that pump (with a footprint of only about 800 square feet) would remain in that part of the park in a standalone structure which the Water Department agreed to redesign so that it was more compatible aesthetically with the adjacent Millwright's House.

Not only did the SFPUC's Water Department consider a total of nine alternate locations to the West End of Golden Gate Park for its treatment plant, it invested a substantial amount of capital and labor resources in redesigning that project so that it would fit into the alternate location it now prefers between the Oceanside Plant and the armory.

On the other hand, while the EIR that was certified for the Recreation and Parks Department's proposal for the Beach Chalet Soccer Fields on May 24th identified several "significant environmental impacts" that would result from it as it is now being proposed, it did not identify any alternatives that would either mitigate or eliminate those impacts.

In addition, there has been no information provided to the public regarding how the Recreation and Parks Commission or its department plan to proceed with implementing the "conceptual plan" it adopted on May 24th.

2. Lighting:

One cannot overstate the seriousness of the lighting proposal. The West End of Golden Gate Park is dimly illuminated. The park west of 25th Avenue is largely dark at night. Adding lighting at the Beach Chalet fields not only adversely impacts the darkness in the park, in the sky and near Ocean Beach, but also the adjacent Richmond and Sunset neighborhoods from the ocean to at least 43d Avenue, if not further east. Residents from Fulton up to Geary will lose the darkness they have come to cherish. Photographs by independent photographers that have been published show that from Sutro Park the sky above the soccer fields would be highly illuminated every night of the year if the Recreation and Parks Department's proposal is carried to fruition as now proposed.

There is no rational basis for adversely impacting the environment at the West End of the park with the proposed lighting. Since it is unlikely children would use the soccer fields under the lights at all, much less until 10:00 p.m., adults would be the sole beneficiaries of that proposed lighting. The lighting proposal is inconsistent with the Golden Gate Park Master Plan, as the Planning Commission notes: "There is some question whether the scale of the lights and the introduction of nighttime use are consistent with naturalistic [sic] character that dominates most of the park." [Motion no. 18639, p. 7].

The only response to the admitted adverse environmental effects from lighting that appears in the Final EIR is that ONE of the objectives of the proposed project is to "increase . . . lighting in the western end of GGP." [Motion no. 18638] Why is this a legitimate "objective" of the proposal when it contradicts the GGP Master Plan? As the Planning Commission noted, the General Plan requires that renovations in the Park blend into the "natural landscape . . . **ensuring no facility becomes a jarring contradiction to the otherwise bucolic character of the park."** [Motion no. 18639, p. 7]

PAR suggests the significant adverse impacts from the proposed lighting in the Recreation and Parks Department's proposal be eliminated since there is no evidence of any attempt to mitigate them..

3. New turf:

PAR is also concerned that using the proposed synthetic ("crumb rubber") composition for the new turf may create an environmental hazard with the leaching of toxics and other contaminants in it into the water table. The City presently obtains about 15% of its drinking water from sources other than Hetch Hetchy and the aquifer beneath the soccer fields is one of those primary sources. The final EIR suggests that IF there were to be leaching that could cause a hazard to public health, then, at some time in future, the Recreation and Park Commission would take some kind of action..

Leaving to another day the chore of discovering, if not inventing in a solution, not merely a mitigation, to the problem of polluting our drinking water is unacceptable. The principle has been well established for years (see, for example, An Inconvenient Truth by Al Gore) that those proposing impacts on the environment should be first obligated to prove that such impacts will be benign, not malignant. There is no excuse for doing less with the City's drinking water!

PAR urges that you require other, non-polluting alternatives for any new artificial turf that is used. There are several alternatives on the market today, including cork coconut and "carpet pad" infill. The renovation of the playing surface of the soccer fields should not proceed until an acceptable, non-toxic substance is confirmed in place of the proposed crumb rubber.

4. The Better Project Alternative:

PAR cannot understand why the so-called "hybrid (or the 'Win-Win') Alternative" has not been considered for the soccer fields. This alternative would, first, have those soccer fields replanted with new natural grass or a non-toxic, synthetic turf and maintained as needed. No lighting or nighttime playing would be permitted in the West End of the park. The current footprint of the fields would remain the same and virtually all of the adverse effects on the West End of the park would be eliminated.

This alternative would move the Recreation and Parks Department's proposal for the soccer fields from the West End of Golden Gate Park to the West Sunset Playground, where soccer fields—and lights—already exist. Those fields could be upgraded, either with grass or artificial, non-toxic turf, and with increased lighting. Additional playing time would therefore be provided at the West Sunset Playground rather than at the Beach Chalet Soccer Fields.

In summary, the proposed project would put a "stadium" in the most pastoral, most quiet and darkest part of Golden Gate Park. Indeed, the Planning Commission itself wrote, "As the installation of spectator seating, synthetic turf, and field lights are crucial to the implementation of the proposed project, there are no mitigation measures for these elements that would reduce the level of impact to the less-than-significant level while continuing to meet the objectives of the project." [Motion 18638, p.10] In other words, the proposed project is inconsistent with protecting the Park's environment. Doesn't this dilemma call for a better alternative?

PAR therefore favors the alternative that includes the West Sunset Playground and the Beach Chalet fields. The significantly adverse effects of the department's proposal on the West End of the park would be eliminated. The desired increased in playing time for kids would be realized. Nighttime play, under the lights, could be achieved at the West Sunset Playground without degrading the beauty and serenity of the Park's West End. Truly, for all Richmond residents, and especially those living near the Beach Chalet Fields, eliminating bright lights and toxic substances in favor of the win-win alternative would be an obvious solution for everyone concerned.

Given the recent agreement to permit some public use of San Francisco Unified School District properties during non-school hours, there may even be other alternatives that could become available that have not yet been explored. It seems possible and even probable that the San Francisco Unified School District might be receptive to having artificial turf (preferably a non-toxic variety), lighting and spectator seats installed on some of its playing fields on the condition they could be used during non-school hours.

Please vote in favor of considering known and unknown alternatives to the current proposal for the West End of Golden Gate Park and please do NOT allow it to proceed, unless the significant environmental impacts identified in the EIR are eliminated or at least mitigated.

Thank you for your willingness to review the wisdom, or the lack thereof, in the decisions that the Planning Commission and the Recreation and Parks Commission made with regard to the proposals for the Beach Chalet Soccer Fields on May 24th. .

These comments and suggestions are subject to the ratification of PAR's Board of Directors at its next regularly scheduled meeting in the evening of July 9th. If they are not ratified or if they are modified in any way, you will be notified before your hearing in the afternoon of the following day.

Sincerely,

Raymond Holland
President

Cc: Clerk, Board of Supervisors
Individual Supervisors
Members, PAR Board of Directors

Note: While the original of this letter is being dispatched to Supervisor Mar by regular mail this afternoon, electronic copies are being dispatched to him and all others simultaneously.

File No. 120691
BOS-11
C Pages.

Please do not allow artificial turf instead of grass and ten 60-foot stadium lights at GGP Soccer Field!
Patricia Arack
to:
mayoredwinlee, John.Avalos, David.Campos, sfoceanedge, David.Chiu, Carmen.Chu, Malia.Cohen, Board.of.Supervisors, Sean.Elsbernd, Mark.Farrell, Jane.Kim, Eric.L.Mar, Christina.Olague, Scott.Wiener
07/02/2012 08:17 PM
Cc:
greathwywatch
Show Details

2 Attachments

image001.jpg image002.jpg

Dear Mayor Lee and Members of the Board of Supervisors:

PLEASE DO NOT RUIN the west end soccer field area behind the Beach Chalet of Golden Gate park, with artificial turf instead of grass, and harsh blazing night stadium lights on 365 nights a year until 10 pm, marring the night sky and disorienting migrating birds! Rescind the approval for the misguided and distressing plans of Park and Rec and the Planning Commission to "renovate" the soccer fields with artificial turf and 60-foot stadium lights that will be blazing away 365 days a year until 10:00 pm. this is too near residences and will destroy the wild natural feel of this end of the park.. This is a TERRIBLE IDEA. I can't believe anyone would even consider this. I am not a "NIMBY" person. I live a good mile away from the park, but those night lights will destroy the tranquility and peaceful ambiance of the west end of the park along the ocean for thousands and thousands of visitors who go to the beach NOT to play soccer but to enjoy a small part of the city where they can feel the clean and wild wonder of nature. Furthermore, we don't know the toxicity of the artificial turf, and it will destroy habitat and food sources for many animals and birds. Its ground up rubber tires, made from petroleum, a very toxic substance. How can you even consider allowing this to happen?

PLEASE DO NOT APPROVE THESE PLANS. THERE ARE OTHER ALTHERNATIVES TO INCREASE SOCCER PLAYING IN THE SUNSET.

This will also increase traffic and grid lock which is almost now unbearable on the Lower Great Highway because of the terrific wind and blowing sand closing the Upper Great Highway about 20 % of the time. We who live on the great highway can barely exit our garages because of the through commuter traffic that gets shunted onto our street when the highway is closed, and many drivers refuse to slow down.

Years ago I always saw dozens of flocks of birds at night migrating during the spring and fall. Now I see no more than two or three all year long. These stadium lights will eliminate those migratory birds altogether. This is another death knell for birds, whose numbers have decreased by intolerable levels in recent years.

This project will convert the existing grassy soccer fields into artificial turf fields, brightly lighted with stadium lights until 10:00 p.m. 365 nights of the year. It will change the western edge of the Park from a pastoral retreat to an urbanized space.

Potential impacts are:
Potential impacts are:

- Loss of over 55 trees, tall shrubs, and the current grass meadow
- Loss of wildlife habitat
- Installation of artificial turf = compacted soil, gravel, plastic carpet, and waste tires and sand infill
- Increased paving for sidewalks and parking
- Increased lighting for the sidewalks and parking
- An increase in traffic in the Park and the neighborhoods,
- Decreased available parking at Ocean Beach,
- Decreased night sky darkness,
- Infringement on the wild nature of Ocean Beach
- Infringement on the historic context for the Beach Chalet, the Dutch Windmill and the Murphy Windmill
- Contrary to the Golden Gate Park Master Plan

Amy Meyer
3627 Clement Street
San Francisco, CA 94121
415-221-8427 a7w2m@earthlink.net

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 JUL -2 PM 4:27
BY AK

June 28, 2012

Board President David Chiu and Members of the Board of Supervisors
c/o Ms. Angela Calvillo, Clerk of the Board of Supervisors
City of San Francisco
1 Dr. Carlton B. Goodlett Place, Rm. 244
San Francisco, CA 94102-4689

Re: Beach Chalet Athletic Fields - file no. 120691

Dear President Chiu and Honorable Members of the Board of Supervisors:

I am a former San Francisco Recreation and Parks commissioner. I have been an activist on behalf of the Golden Gate National Recreation Area for 42 years. I am the co-chair of the citizen panel for the just-finished Ocean Beach Plan.

I care very much about the impact of the Beach Chalet Athletic Fields project, because both federal and city park lands would be severely detrimentally affected. I am concerned about the negative impacts of installing sports lighting next to Ocean Beach and placing an artificial turf surface in Golden Gate Park.

Increasing the amount of "dark sky" available to the public is a national park goal, not only in San Francisco but throughout the National Park System. Keeping the skies as dark as possible at the western end of our city is our contribution to this goal. Reasons include natural habitat for birds and wildlife, and preservation of opportunities for astronomical observation.

Here also we strive to preserve the grand scale and aesthetic value of our Ocean Beach national park frontage. This is done by reducing, not increasing, light intrusion and urging restriction of any new lighting, limiting it as much as possible to meeting safety requirements. There is no other place in our highly-developed city that can provide this broad sky experience. The National Park Service and park activists have worked with managers of the developed areas that border the park lands and have met with understanding and success. The tall lights proposed for the Beach Chalet soccer fields would be visible for a long distance, north and south, beyond the seven acre field and spoil a lot of the work for darkness that has already been accomplished.

As a former park commissioner, I note that the kind of surface proposed for this field is expensive in its primary installation and is not permanent. It has to be renewed and each time that is a major expense. It would be more economical to develop a systematic maintenance program for these seven acres of grass rather than a quick fix that leads to a large future financial burden.

The Ocean Beach Master Plan has now been finalized. It is the product of the cooperation of city, state, and federal agencies and dozens of organizations and individuals. One of the most important features of this plan is that we will at last have the opportunity to make a much better connection between Golden Gate Park and Ocean Beach.

The heart of the environmental process is the study of alternatives. Alternatives to this beach front location for this kind of athletic field have not been sufficiently considered. The proposed athletic field development would diminish what we have in Golden Gate Park, a beloved special place, and would also diminish the value of a long portion of the Golden Gate National Recreation Area.

I urge you to oppose artificial turf and sports lights at the Beach Chalet soccer fields.

With best regards,

Amy Meyer

Amy Meyer

Coalition to Save Ocean Beach / Friends of Sutro Heights Park

A Coalition of Groups devoted to improving the Parklands & City

546 48th Ave

San Francisco CA94121 - 415/751-6925

To: Supervisor Eric Mar

July 2, 2012

Cc: Supervisors Christina Olague, Carmen Chu, Jane Kim, David Chiu, David Campos, John Avalos, Malia Cohen, Scott Wiener, Mark Farrell, Sean Eslbernd, Mayor Ed Lee, Ray Holland

1 Dr. Carlton B. Goodlett PL #244 San Francisco, CA 94102

RE: Beach Chalet soccer fields renovation - File #120691

Dear Supervisor Mar,

As you may know, our coalition has been active since the early 70s assisting with community preservation, beautification, and safety projects in our neighborhood and adjacent parklands. The Beach Chalet Soccer Field project has captured our attention like very few other proposed projects have in the recent past.

We feel that moving ahead with this plan would be catastrophic and virtually irreversible. For this reason, we strongly endorse the concerns of our sister organizations - PAR, and Friends of Land's End - that include issues of lighting, recycled rubber play surface, and alternative plans not carefully considered. The EIR was passed with important inconsistencies with the City's General Plan and the GGP Master Plan.

On behalf of the entire organization, please review the EIR irregularities (well outlined in the letter from Ray Holland of PAR). The lighting is an especially offensive aspect of the proposed plan as it will alter the views, ecology, and character of the area and night skies forever.

Friends of Sutro Heights Park endorse The "Win-Win" aternative plan that would allow improvements to the already lit West Sunset playground as well as improvements without the lights at the Beach Chalet Soccer Fields.

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BOARD OF SUPERVISORS
SAN FRANCISCO
2012 JUL -2 PM 4:27
BY AK

Very truly yours,

Tom Kuhn

Thomas Kuhn - Executive Committee CSOB/FOSHP

FOLE.ORG

3755 Balboa Street, Suite 201
San Francisco, CA 94121 USA
+1.415.666.3092

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SAN FRANCISCO
2012 JUL -2 PM 4:27
AK

July 2, 2012

Supervisor Eric Mar
1 Dr. Carlton B. Goodlett PL #244
San Francisco, CA 94102

RE: Beach Chalet Soccer Fields Project - File #120691

Dear Supervisor Mar,

FOLE (Friends of Lands End) urges you to reject the Planning Commission's approval to permit the proposed Beach Chalet Soccer Fields Project and the Recreation and Park Commission approval to implement the Project. The Commissions failed to duly consider the Project's many material inconsistencies with the Golden Gate Park Master Plan and the City's General Plan. Moreover, the Board Of Supervisors must consider additional factors beyond the purview of the Commissions.

Here are 10 reasons to oppose the Project:

1. Manipulation: The arguments supporting the plan primarily revolved around a shameless bait and switch: promoters constantly discuss youth soccer, but as the promoters must acknowledge 85% of the increased playing time will be solely for adult leagues. The promoters' cynical manipulation of children should be exposed and condemned.

2. Cost: The City must pay over $6 million now and then spend about $2,000,000 every 8 years for replacement of the artificial turf. For about $2,000,000, the City could install proper grass fields with gopher prevention and drainage that could be played on full time, and require only conventional maintenance.

3. Language from the Golden Gate Park Master Plan: By its express terms, the western edge of the Park is mandated to be kept "pastoral" and "sylvan." Filling the western edge of the Park with an athletic facility comprised of over seven acres of artificial turf lit by over 150,000 watts of night lighting on 60 foot poles is exactly the opposite. The proposal destroys dozens of trees, and will cost wildlife, habitat, nature, and serenity.

4. Play quality and turf dangers: Artificial turf results in inferior play (the ball skids), joint and foot injuries (studies find a 40% increase in knee injuries with artificial turf compared to grass), and staph infections. In the west end of Golden Gate Park the ground is often wet, and there will be better traction and fewer injuries with cleats on wet grass than on wet rubber.

5. Lighting and fog: The proponents have stated that there will be no light impact. The doctored photos used by the proponents are patently false and must be seen to be (dis)believed. In the prevalent fog, the lights will reflect everywhere and create a constant "halo" effect. The San Francisco Dark Skies initiative will be wholly violated.

File No. 120691
BOS 11
C Pages

reason #1 for rethinking the rush to pave and pollute Golden Gate Park, File no. 120691

Ellen Koivisto & Gene Thompson to: mayoredwinlee, John.Avalos, David.Campos, SF Ocean 07/02/2012 08:30 PM

There are a myriad of reasons not to pave and pollute the western end of Golden Gate Park by putting in acres of astroturf and stadium lights. Here is one: from the start, there has been a woeful lack of real public input for this plan that Rec & Park wants to put into action.

My husband and I live on Great Highway, and commute through this area of the park each day on our bikes. I am a public high school teacher and have a large number of students who also live in the immediate area on both sides of the park who also go through this area of the park on a daily basis (for dog walking, lacrosse practice, and recreating). In the run up to this, well, coup, none of us at any time saw any notice anywhere about this plan -- not in our neighborhoods, not bordering the park, not in the park itself. We, the neighbors, only found out about this plan by accident. No one -- not me, my husband, my students, or any of our neighbors -- at any time saw any postings anywhere, including on the fence surrounding the soccer fields themselves. We found out later that the soccer coaches, at this time, were having private meetings with Rec & Park officials where the officials were introducing the coaches to the artificial grass manufacturers. In fact, the only people who were given notice, from what we can tell, were the soccer coaches. Considering that after we found out about it, my husband spent weeks standing in front of shops in the area gathering signatures to request an EIR for this project and talking to the neighbors, we can comment on the lack of public knowledge about this plan with some certainty.

We attended the scoping session and submitted concerns, very concretely stated. Our concerns were ignored, downplayed or sidestepped in the draft EIR. We attended the draft EIR hearing to voice concerns about issues we had raised that were not adequately addressed in the draft. The responses to those concerns in the EIR are mostly obscure and dancing around the issue. For instance (and this is just one example from many), I pointed out that basic definitions were lacking in the draft, such as what constitutes a tree or a shrub. From what we'd been hearing, the project classifies as shrubs a number of biological organisms possessing single trunks with crowns 40' off the ground. Remediation issues were addressed (inadequately, but addressed) for trees in the draft EIR, but not for shrubs. The response to this in the EIR was to refer me to two publications not referenced in the EIR, put out by different organizations at the state level, and that still don't answer the question re. this project.

In fact, as we've found out since, even some soccer families have felt used or passed over or kept in the dark in this process. There are soccer players and soccer families who do not want their children playing on plastic and old tires. They have reported being ostracized and belittled by the teams as a result. In the aftermath of the massive soccer team turnout for the EIR hearing, it came out that some soccer coaches took their players to City Hall without parental permission or knowledge. I don't know what the legal standing is for the soccer coaches, or for their league organizers, but if a teacher did something like that we'd be in violation of the law and in deep trouble.

The first reason, then, not to accept the EIR is the total lack of sunshine in this entire process and the two-tiers of rights that actions taken on this issue have highlighted. No one, outside the soccer coaches, knew about this;

certainly the neighborhood was not informed. So soccer leagues and soccer coaches have rights under city law that neighbors don't have? Is that the message that is intended? Because it's the message that's being received loud and clear. Laws and regulations that apply to one side (staying focused and to the point at the scoping and draft EIR sessions, for example, or openly trying to get some discussion of the issues) apparently do not apply to the other (secret meetings, non-posted proposals, swamping meetings with specific purposes with soccer teams who were not commenting to the purpose, and more). So rules and procedures apply to one side and not the other? Is that the message that's being conveyed here?

If you believe in responsible government with equal rights for all (not more equal for some than for others), then you will not accept this EIR and project as currently composed.

Sincerely,
Ellen Koivisto

File No. 120691
BOS-11
C Pages.

Please do not allow artificial turf instead of grass and ten 60-foot stadium lights at GGP Soccer Field!
Patricia Arack
to:
mayoredwinlee, John.Avalos, David.Campos, sfoceanedge, David.Chiu, Carmen.Chu, Malia.Cohen, Board.of.Supervisors, Sean.Elsbernd, Mark.Farrell, Jane.Kim, Eric.L.Mar, Christina.Olague, Scott.Wiener
07/02/2012 08:17 PM
Cc:
greathwywatch
Show Details

2 Attachments

image001.jpg image002.jpg

Dear Mayor Lee and Members of the Board of Supervisors:

PLEASE DO NOT RUIN the west end soccer field area behind the Beach Chalet of Golden Gate park, with artificial turf instead of grass, and harsh blazing night stadium lights on 365 nights a year until 10 pm, marring the night sky and disorienting migrating birds! Rescind the approval for the misguided and distressing plans of Park and Rec and the Planning Commission to "renovate" the soccer fields with artificial turf and 60-foot stadium lights that will be blazing away 365 days a year until 10:00 pm. this is too near residences and will destroy the wild natural feel of this end of the park.. This is a TERRIBLE IDEA. I can't believe anyone would even consider this. I am not a "NIMBY" person. I live a good mile away from the park, but those night lights will destroy the tranquility and peaceful ambiance of the west end of the park along the ocean for thousands and thousands of visitors who go to the beach NOT to play soccer but to enjoy a small part of the city where they can feel the clean and wild wonder of nature. Furthermore, we don't know the toxicity of the artificial turf, and it will destroy habitat and food sources for many animals and birds. Its ground up rubber tires, made from petroleum, a very toxic substance. How can you even consider allowing this to happen?

PLEASE DO NOT APPROVE THESE PLANS. THERE ARE OTHER ALTHERNATIVES TO INCREASE SOCCER PLAYING IN THE SUNSET.

This will also increase traffic and grid lock which is almost now unbearable on the Lower Great Highway because of the terrific wind and blowing sand closing the Upper Great Highway about 20 % of the time. We who live on the great highway can barely exit our garages because of the through commuter traffic that gets shunted onto our street when the highway is closed, and many drivers refuse to slow down.

Years ago I always saw dozens of flocks of birds at night migrating during the spring and fall. Now I see no more than two or three all year long. These stadium lights will eliminate those migratory birds altogether. This is another death knell for birds, whose numbers have decreased by intolerable levels in recent years.

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- Infringement on the wild nature of Ocean Beach
- Infringement on the historic context for the Beach Chalet, the Dutch Windmill and the Murphy Windmill
- Contrary to the Golden Gate Park Master Plan

File 120691

Beach Chalet Compromise

Dominic L. Johnson to: mayoredwinlee, John.Avalos, David.Campos, sfoceanedge, David.Chiu, Carmen.Chu, Malia.Cohen, 06/14/2012 11:45 AM

History: This message has been forwarded.

My name is Dominic Johnson, I am a sales rep with A-Turf, a Synthetic Turf Field builder. I understand the Beach Chalet Field project is somewhat controversial with some groups completely in favor and others adamantly opposed. Our company has developed a synthetic turf product that does not use any SBR Crumb Rubber, instead it uses a natural sand infill. I have been trying to get the architects and park officials to consider it, but it seems to be falling on deaf ears.

The advantage of this system is that it uses a natural in-fill, eliminates the concerns about rubber making its way into storm drains, and can be re-used again at the end of the Turfs useful life.

I realize this is still a far cry from natural grass and I do not expect environmental groups to endorse the use of our product, but I do want you to be aware that it exists. I think this product may be an excellent compromise. This product also comes with a 12 year warranty, the industry standard is 8.

You can find more info on this product at this link
http://www.aturf.com/index.php/artificial-turf-specifications/ Please let me know of you would like samples or wish for me to give a presentation.

Kind Regards,

Dominic Johnson
Sales & Project Manager
A-Turf INC.
490 W. Vuelta Friso
Sahuarita,AZ 85629
520-260-8544 Cell
888-810-7030 Fax
dominic@aturf.com
http://www.aturf.com
http://www.surfaceamerica.com

File 120691

soccer field light, windmill, plane advertising, blue angels

Paul McKenzie to: mayoredwinlee, John.Avalos, David.Campos, sfoceanedge, David.Chiu, Carmen.Chu, Malia.Cohen, Board.of.Supervisors, 06/16/2012 02:12 PM

History: This message has been forwarded.

1-As a homeowner and tax payer in San Francisco, I am very disappointed to hear that a soccer field near the beach chalet will be replacing mother nature and what was intended to be natural space. You are contributing to global warming, loss of animal habitat, and light pollution. Please consider other options for a few soccer players.

2-Please consider having someone live at the Murphey windmill site to protect the site, manage the windwill and educate the public. The Dutch gentleman Ben, who is assisting there now, would be an option as he has the knowledge and skills to manage the windmill.

3-I do not appreciate seeing or hearing the planes advertising for GEICO. I will also contact the FAA and GEICO.

4-I do not want my tax money supporting the Blue Angels. Please put my tax money toward fixing the Ocean Beach explanade.

THANK YOU.

File 120691

Beach Chalet Soccer Fields -- Save Science Education

Julie Burns to: Eric.L.Mar@sfgov.org, Carmen.Chu@sfgov.org, "hknight@sfchronicle.com", "rm@well.com", 06/18/2012 01:12 PM
Cc: "Raymondsnf@aol.com", Thomas Kuhn , Dave Goggin, Julie Burns , "a7w2m@earthlink.net", "frank_dean@nps.gov", Bennett

Supervisors, especial Supervisors Mar and Chu:

Kids need soccer. But kids also need science. If you were part of the recent observations at Lands End during the annular eclipse and Transit of Venus, you saw how many kids were thrilled to see and learn about these astronomical events. And more events are planned.

Many have mentioned concerns about the night-time lighting on wildlife – and its deleterious effect on the quality of the adjacent residential neighborhoods. More importantly, the proposed lighting will degrade a unique urban resource, the dark Ocean Beach night sky.

Please see Heather Knight's Quote of the Week in the Sunday, 6/17 SF Chronicle
http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2012/06/17/BABN1P1EGB.DTL

"It is an issue having this site lit up like 'Star Wars' every night of the year."
Isabel Wade, founder of Neighborhood Parks Council. of the plan t add synthetic turf and lights to Beach Chalet Soccer Fields.

The National Park Service and GGNRA have made a commitment to preserving night sky for education and enjoyment by all citizens. San Francisco has pledged to reduce nighttime lighting in the downtown core – recognize that the night sky on our City's western edge is like nothing in any other urban area in the US.

Support the win-win alternative proposed by SF Oceans Edge and endorsed by the Audubon and Sierra Club, community groups like Friends of Sutro Heights, the Coalition to Save Ocean Beach, and Friends of Lands End, as well as many members of the Planning Association for the Richmond (PAR).

Save soccer. And save science.

Julie Burns
Friends of Lands End

PS For more about astronomy education in San Francisco, consider these facts:

- SF is the headquarters for the Astronomical Society of the Pacific, a worldwide organization committed to astronomical education http://www.astrosociety.org/
- SF is home to the California Academy of Sciences in Golden Gate Park. The proposed lighting would ruin any observations set up by the Academy
- SF Sidewalk Astronomers promote informal astronomy observations for kids and adults http://www.sfsidewalkastronomers.org/
- SF Amateur Astronomers host telescope night sky viewing parties at Lands End – night sky viewing that would be compromised by the proposed night-time lighting

http://www.sfaa-astronomy.org/

Julie Burns, Ph.D.
Seal Rock Research
+1.415.666.3092 office
+1.415.341.6060 mobile
+1.415.666.0141 fax
julieburns@sealrock.com

File 120691

Beach Chalet Soccer Fields -- please support the Win-win Alternative!

Jill Bittner to: John.Avalos, David.Campos, David.Chiu, Carmen.Chu, Malia.Cohen, Board.of.Supervisors, Sean.Elsbernd, Mark.Farrell, Jane.Kim, Eric.L.Mar, 06/12/2012 12:54 PM

Please support keeping real grass and NO sports lights in Golden Gate park. Please use the rest of the funding to fix up the other playing fields in San Francisco for the benefit of our community. Keep the park natural!

Jill Bittner
SF resident for 16 years

File 120691

Beach Chalet Soccer Fields -- please support the Win-win Alternative!

Al Minvielle to: John.Avalos, David.Campos, David.Chiu, Carmen.Chu, Malia.Cohen, Board.of.Supervisors, Sean.Elsbernd, 06/18/2012 04:21 PM

This is NUTS. Our kids and our community need places to play and enjoy each other. Beach Chalet has always been a play area, all be it a poor one. Fix it up and provide folks a place to exercise, interact, learn and appreciate the diversity that sport fosters. Lets put our kids first for a change. We can't afford to loose any more families from this city. Please give this project your approval.

File 120691

Beach Chalet Hybrid Alternative
SF Ocean Edge to: Board.of.Supervisors 06/20/2012 07:02 PM

History: This message has been forwarded.

Attached please find our proposal for an alternative to the Beach Chalet project. Please distribute to the Board.
K. Howard

SFOE Bulletin #22 -win-win solution.pdf

BULLETIN

22

SF Ocean Edge ©"

Where Golden Gate Park meets Ocean Beach.....

www.sfoceanedge.org

June 18, 2012

BEACH CHALET RENOVATION: THE WIN-WIN SOLUTION - THE HYBRID ALTERNATIVE

There is a simple solution to both providing more hours of play for our children and preserving the beauty and habitat of Golden Gate Park and Ocean Beach for all San Franciscans.

The Hybrid Alternative proposes a simple swap -- renovate the fields at West Sunset with artificial turf that is made of a safe material and with appropriate lighting, and renovate the Beach Chalet Athletic Fields with real grass and no sports lights.

Part 1: Renovate the Beach Chalet Soccer Fields with living grass turf and no sports lighting. There is no question that the Beach Chalet fields are in need of repair. We fully support efforts to restore the Beach Chalet fields with new grading, drainage, irrigation, and sod. This will protect the habitat and the sylvan parkland at this end of the Park, as well as preserving the evening skies at Ocean Beach.

Part 2: Renovate the playing fields at West Sunset Playground with artificial turf and appropriate night lighting. At the same time, the City could restore West Sunset Playground – only 8 blocks to the south -- with artificial turf that is made of a safe material and with appropriate night lighting.

West Sunset Playground is an ideal location. Like Golden Gate Park, it is in the western part of San Francisco, one of the project requirements. It already has athletic fields, restrooms, bleachers and a children's playground. There is night lighting on the adjacent basketball courts. Neighboring schools could benefit from the longer hours of field use that a renovated playing field would provide at West Sunset.

Results: This would create 4 upgraded natural grass fields at Beach Chalet, and 6 soccer pitches at West Sunset (3 full sized pitches and 3 U10 pitches). This would result in almost as many play hours as the proposed Project, while restoring both playing field areas and achieving the project objectives for comparable cost.

Maintenance: This proposal swaps the location of the natural grass fields, so there should be no increase in maintenance costs over the current proposal.

Funding: Funding will be available for both projects. The Beach Chalet soccer complex is being funded partly by the 2008 Clean and Safe Neighborhood Parks Bond. The City is already planning to renovate the West Sunset Playground and facilities with $13.2 million as part of the 2012 Clean and Safe Neighborhood Parks Bond.

A Superior alternative: The Hybrid Alternative is avoids the significant negative impacts on the natural, historic, and aesthetic resources of the western end of Golden Gate Park while providing increased hours of play for children. We look forward to working with the Department on this win-win solution.

Contact: Katherine Howard, Member, Steering Committee, SF Ocean Edge, 415-710-2402

Our Mission Statement

SF Ocean Edge supports active recreation and parkland with a win-win solution:

- Renovation of the existing Beach Chalet grass playing fields with natural grass, better field construction, and better maintenance;
- Use of the remainder of the $12 million funding for other playing fields and parks, providing recreation opportunities for youth all over San Francisco;
- Preserving Golden Gate Park's woodland and meadows as wildlife habitat and as a parkland heritage for future generations.

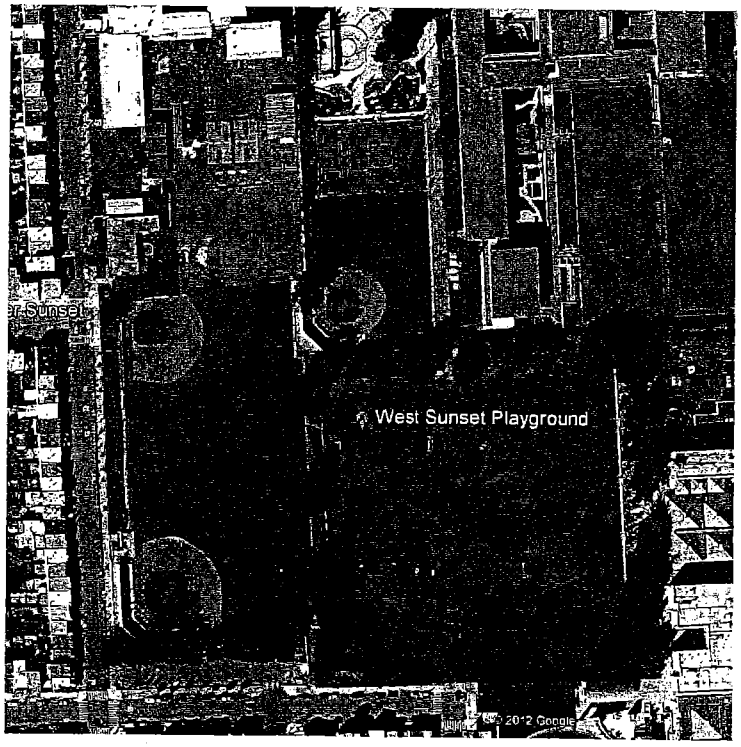
Comparison of the two sites for the Win-win Hybrid Alternative

Beach Chalet Athletic Fields:
Hybrid Alternative - renovate with real grass and no sports lighting.

(Not to scale)

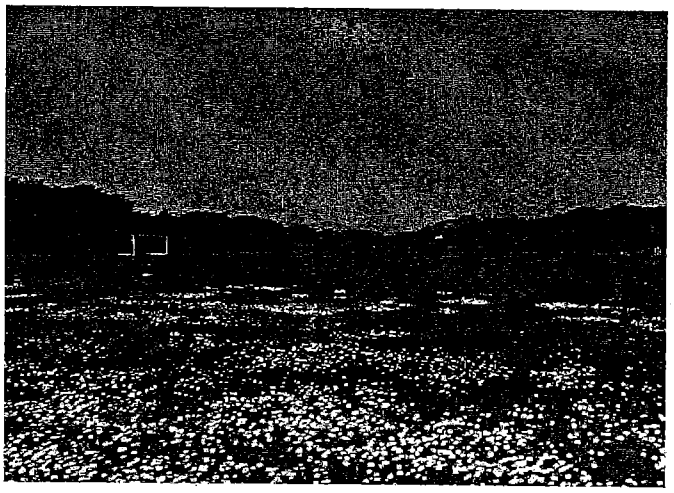
Beach Chalet Athletic Fields (7.2 acres) – Prime parkland and habitat next to Ocean Beach. This is the wrong location for the artificial turf and 150,000 watts of sports lighting.

West Sunset Playground :
Hybrid Alternative – renovate with an artificial turf surface that is safe and with appropriate night lighting.

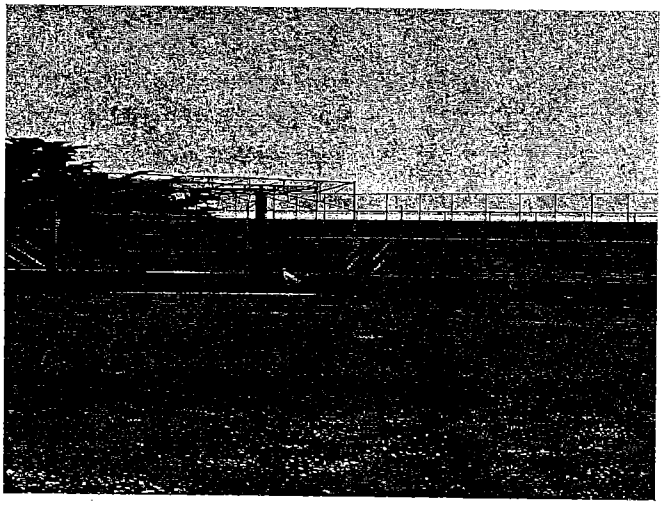


(Not to scale)

West Sunset Playground (9.2 acres) – A more urban location.



Beach Chalet Fields today – parkland, habitat, and athletic fields, next to Ocean Beach.



West Sunset today - playing fields in an urban setting.

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
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NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: **Tuesday, July 10, 2012**

Time: **4:00 p.m.**

Location: **Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102**

Subject: **File No. 120691. Hearing of persons interested in or objecting to the Planning Commission's decisions, dated May 24, 2012, Certification of a Final Environmental Impact Report identified as Planning Case No. 2010.0016E, through its Motion No. 18637, for the proposed renovation of the Beach Chalet Athletic Fields, an approximately 9.4-acre public sports facility located at 1500 John F. Kennedy Drive, along the western edge of Golden Gate Park. The project entails the replacement of existing grass turf fields with synthetic turf, installation of field lighting, renovation of the existing restrooms building, installation of player benches and seating, and construction of other modifications for parking, circulation, and spectator amenities to improve the overall conditions of the facility and increase the amount of play time available on the athletic fields. (District 1) (Appellants: Richard Toshiyuki-Drury on behalf of San Francisco Ocean Edge, Sierra Club-San Francisco Bay Chapter, Golden Gage Audubon, Sunset Park Side Education & Action Committee, the Richmond Community Association, Golden Gate Park Preservation Alliance, and Katherine Howard, ASLA) (Filed June 12, 2012)**

Pursuant to Government Code Section 65009, notice is hereby given, if you challenge, in court, the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official record in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information will be available for public review on Thursday, July 5, 2012.

Angela Calvillo
Clerk of the Board

DATED: June 22, 2012
MAILED/POSTED: June 29, 2012