



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Appeal of Final Environmental Impact Report Natural Resources Management Plan

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DATE: February 17, 2017
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RE: File No. 170044, Planning Case No. 2005.0912E
Appeal of the Final Environmental Impact Report for the Natural Resources Management Plan (formerly the Significant Natural Resources Area Management Plan)
HEARING DATE: February 28, 2017
ATTACHMENTS: Attachment A: December 15, 2016 EIR Errata
Attachment B: Recreation and Park Commission Resolution No. 1612-012
Attachment C: Planning Commission Motion 19825

PROJECT SPONSOR: San Francisco Recreation and Parks Department
APPELLANT: Brent Planter, Wild Equity Institute
Dee Seligman, Rupa Bose, and Tom Borden, San Francisco Forest Alliance

INTRODUCTION

This memorandum and the attached documents are a response to two letters of appeal submitted to the Board of Supervisors (the “Board”) regarding the Planning Department’s (the “Department”) issuance of a Final Environmental Impact Report (“Final EIR”) under the California Environmental Quality Act (“CEQA Determination”) for the Natural Resources Management Plan (the “Project”).¹ The Final EIR (provided on a CD) was certified by the Planning Commission (the “Commission”) on December 15, 2016. The Recreation and Parks Commission approved the project on December 15, 2016. Two appeals of the Final EIR to the Board were filed.

The first appeal to the Board was filed by Dee Seligman, Rupa Bose, and Tom Borden of the San Francisco Forest Alliance (the “SF Forest Alliance Appellant”) on January 5, 2017. The SF Forest Alliance Appeal

¹ The Significant Natural Resource Areas Management Plan (or SNRAMP) is now referred to as the Natural Resources Management Plan (or NRMP) as the San Francisco Recreation and Parks Department has updated the name of the Plan.

Letter is part of Board of Supervisors File No. 170044 and can be accessed here: <https://sfgov.legistar.com/View.ashx?M=F&ID=4924313&GUID=0421B939-FD4D-4137-999D-045B5FD7BB42>.

The second appeal was filed by Brent Plater of the Wild Equity Institute on behalf of the Sierra Club's San Francisco Bay Chapter, the National Parks Conservation Association, Golden Gate Audubon Society, and the Sequoia Audubon Society (the "Wild Equity Appellant") on January 17, 2017.² The Wild Equity Appeal Letter is part of Board of Supervisors File No. 170044 and can be accessed here: <https://sfgov.legistar.com/View.ashx?M=F&ID=4924316&GUID=6CA60239-9847-404D-A193-B3CBC9D82A65>.

The decision before the Board is whether to uphold the Planning Commission's decision to certify the Final EIR and deny the appeal, or to overturn the Planning Commission's decision to certify the Final EIR and return the proposed project to the Planning Department for staff to conduct additional environmental review.

PROJECT DESCRIPTION

The San Francisco Recreation and Parks Department (the "SFRPD") developed the Natural Resources Management Plan (NRMP) to identify management actions that would preserve, restore, and enhance 32 Natural Areas, 31 in San Francisco and one (Sharp Park) in Pacifica. The 31 Natural Areas in San Francisco are scattered mostly throughout the central and southern portions of San Francisco and constitute approximately four percent of the total city area; the Sharp Park Natural Area is located on the western side of Pacifica. Natural Areas range in size from less than one acre to almost 400 acres and include such locations as Twin Peaks and portions of Glen Canyon Park. Many of these areas support sensitive plant and animal species and their habitats and most are used as recreational open spaces by residents and visitors.

As envisioned by the SFRPD, the NRMP would provide the framework for long-term management of the Natural Areas. The NRMP is intended to guide natural resource protection, habitat restoration, trail and access improvements, other capital projects, and maintenance activities over the next 20 years. The NRMP delineates Natural Areas into management area categories, depending on the level of resources and habitat present, and prescribes both general management activities that apply to all Natural Areas and activities specific to each Natural Area. Restoration actions would be undertaken based on adaptive management, which is a flexible learning-based approach to managing complex ecosystems, and monitoring would determine the success of those actions and influence future actions.

The activities planned for the Natural Areas can generally be divided between routine maintenance and programmatic projects. In the EIR, routine maintenance is addressed at a project level because sufficient detail is known about these activities and their potential impacts to conduct meaningful project-level environmental review. In contrast, the programmatic projects, which have not yet been designed and planned at a level that would support more detailed, project-level review, are addressed

² Save the Frogs! did not submit comments on the Draft Environmental Impact Report or submit comments at a public hearing on the EIR. For this reason, Save the Frogs! did not meet the requirements of Chapter 31 of the San Francisco Administrative Code to appeal the certification of the Final EIR to the Board of Supervisors.

“programmatically.” Generally, programmatic environmental review is used when a series of actions are related geographically, as logical parts in a chain of contemplated actions, in connection with rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or when individual activities are carried out under the same authorizing statutory or regulatory authority and have generally similar environmental effects that can be mitigated in similar ways. (CEQA Guidelines Section 15168(a).) CEQA contemplates that such programmatic projects may undergo additional environmental review, as appropriate and as required by CEQA, at the time they are proposed. (CEQA Guidelines Section 15168(c).) The EIR also analyzed the Laguna Salada Restoration Project at Sharp Park, as described below, at the project-level because sufficient detail regarding the proposed actions at Sharp Park was known during preparation of the Draft Environmental Impact Report (the “Draft EIR”).

Program-Level Activities

Programmatic projects would include the following:

- Rerouting or constructing trails, using heavy equipment (such as bobcats, backhoes, and excavators) at a typical grading depth of two feet. This activity is typically conducted by contractors.
- Stabilizing hillsides, using erosion control measures that require heavy equipment and grading and possible installation of structures, such as gabions. This activity is typically conducted by contractors.
- Undertaking initial invasive weed or tree removal projects that typically exceed half an acre (or on average 20 trees) at any one time. Trees would be removed manually and limb-by-limb, as described more fully in the Draft EIR Project Description on pp. 92-93. This activity can be conducted by contractors or SFRPD staff.

While the NRMP may identify additional types of programmatic projects, the environmental effects of those projects are anticipated to be similar to or less than the above categories of program-level projects.

Project Level Activities

Routine Maintenance

Routine maintenance would include the following:

- Removing invasive weeds by hand, either as follow-up on a previously treated site or as initial treatment in small areas (less than half an acre). This activity mostly involves the use of hand tools and volunteers, with some use of power equipment by SFRPD staff, such as brush blades or chainsaws. Ground disturbance from this activity is typically within the top inch or so of ground around the root zone.
- Installing plants using hand tools and plants in one-gallon containers or smaller. In addition to planting, volunteers also may assist Natural Resources Division staff with installation of erosion control materials, including coir rolls, straw bales, wattles, jute netting, and straw matting. These materials are installed with pins or two- to three-foot-long wooden stakes. This activity typically disturbs up to 12 inches of surface soil.

- Removing invasive trees (mostly eucalyptus), as well as overhanging tree limbs. This activity typically occurs in places where trees are expanding into or threatening a native habitat or presenting a safety concern. Following removal, stumps are left in place, resulting in little, if any, ground disturbance. Typically, no more than 20 trees (or half an acre) are treated at one time. This removal covers saplings and any tree over 15 feet high. Trees over six inches at diameter-at-breast-height (dbh) are typically removed by tree crews at a rate of one to a few trees at a time. Trees would be removed manually and limb-by-limb, as described more fully in the Draft EIR Project Description on pp. 92-93.
- Maintaining trails, which include clearing deposited soil from steps, replacing or installing steps or trail edging, and rerouting and benching trails. Ground disturbance for this activity is usually six inches or less.
- Maintaining catchment basins and sediment dams through hand removal of accumulated materials.

Laguna Salada Restoration Project at Sharp Park

As stated in the Draft EIR project description on p. 97, as part of the Sharp Park restoration activities, the following project-level activities from the NRMP would be implemented. The full set of Sharp Park NRMP measures are presented in the Draft EIR project description on p. 144 and include additional measures that may fall under either programmatic projects or routine maintenance.

- SP-4a—Implement improvements to protect and enhance the habitat for the California red-legged frog and San Francisco garter snake at Laguna Salada, including the following:
 - Create upland mounds for foraging, resting, and escape cover for the California red-legged frog and the San Francisco garter snake;
 - Dredge excess sediments and accumulated organic matter, including stands of encroaching tules, to maintain open water and fringe habitat in the wetlands complex and use appropriate dredged material on site to create or enhance upland habitat or to increase the elevation of certain golf course fairways;
 - Continue monitoring for California red-legged frogs and San Francisco garter snakes; and
 - Install and maintain signs and barriers to prevent disturbance of sensitive habitat in Horse Stable Pond and Laguna Salada by dogs or other possible nuisances.
- SP-4b—Construct upland mounds in the area directly south and southeast of Laguna Salada and plant with native grasses and herbs to provide snake and frog basking sites, and to provide nesting habitat for riparian birds; and
- SP-9b—Establish a vegetation management plan for the canal connecting Laguna Salada and Horse Stable Pond that would allow channel maintenance without affecting the forktail damselfly, California red-legged frog, or San Francisco garter snake

The improvements to protect and enhance the California red-legged frog and San Francisco garter snake at Laguna Salada under measure SP-4a are focused on restoring the marsh complex and associated

uplands to establish conditions that more closely resemble previous conditions, which will contribute to the recovery of these species, and to reduce the potential recurrence of the conditions that negatively affect the wetland complex and habitat for these species.

Draft EIR Figure 3 (as updated per the December 15, 2016 EIR Errata, Attachment A to this Appeal Response) shows the conceptual plan for restoring these areas. Although the primary restoration features discussed in the Final EIR are not likely to change, some modification may occur during consultation with the U.S Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW) pursuant to the state and federal Endangered Species Acts and during other regulatory approval processes, such as with the California Coastal Commission.

The restoration is designed to achieve recovery of the California red-legged frog and San Francisco garter snake populations and the main components are as follows:

- Dredging up to 60,000 cubic yards of material to remove sediment, encroaching plant species, and decaying vegetation in Laguna Salada, Horse Stable Pond, and the channel that connects the two water bodies, resulting in the conversion of freshwater marsh, willow scrub, and wet meadow wetland habitat to open water habitat;
- Recontouring freshwater marsh wetland and ruderal (disturbed) habitat along the Laguna Salada, Horse Stable Pond, and channel shorelines to create shallow water wetland habitat;
- Creating an upland and wetland habitat corridor between Horse Stable Pond and Laguna Salada;
- Converting about half an acre of wet meadow/freshwater marsh wetland to upland habitat, creating an upland refuge in the middle of Laguna Salada to provide snakes and frogs with refugia from feral cats and other terrestrial predators, and creating about an acre of replacement wetland along the northern and western edges of the lagoon in place of coastal scrub habitat; and
- Constructing up to four acres of upland mounds on landscaped grass on the east side of the lagoon and between Laguna Salada and Horse Stable Pond. These mounds would be placed in the area currently occupied by part of the Hole 13 fairway, which would be narrowed and reconfigured.

SFRPD developed 30 percent design plans for the Laguna Salada Restoration Project, enabling project-level CEQA review.

PROJECT BACKGROUND

1995 Natural Resources Management Plan

In the late 1990s, the SFRPD developed a Natural Areas Program to protect and manage Natural Areas for the natural and human values they provide. The Natural Areas Program mission is to preserve, restore, and enhance the Natural Areas and to promote environmental stewardship of these areas. On January 19, 1995, the San Francisco Recreation and Park Commission approved the first Significant Natural Resource Areas Management Plan (the “1995 Management Plan”). See Appendix E of the Draft EIR for a copy of the 1995 Management Plan.

Natural Resources Management Plan Update

Over the course of several years, the SFRPD embarked on a Plan update process that involved meetings with over 3,000 members of the public, task forces, advisory groups, independent technical advisers, consultants, and decision-making bodies to study, consider, and propose updates to the 1995 Management Plan, followed by independent scientific review. Ultimately, the SFRPD updated and expanded the level of detail in the 1995 Management Plan, as well as incorporated the comments from scientific reviews, resulting in a new NRMP. The San Francisco Recreation and Park Commission approved the Final Draft Plan for CEQA evaluation in August 2006 (the “2006 NRMP”).

Development of the Laguna Salada Restoration Project at Sharp Park

In 2009, the Board of Supervisors approved Ordinance No. 85-09 which required the SFRPD to develop a plan for restoring Sharp Park for the California red-legged frog and the San Francisco garter snake; in response to this, the SFRPD began to refine the activities proposed for Sharp Park in the 2006 NRMP. As part of the refinement, the SFRPD initiated the preparation of the Sharp Park Conceptual Restoration Alternatives Report (the “Restoration Report”) which was completed in September 2009. (See Draft EIR Appendix I.)

The Restoration Report provided decision makers with information on how to further define the restoration activities for Laguna Salada at Sharp Park. The report developed and analyzed three project proposals for the Laguna Salada restoration that would affect existing golf course operations: 1) restoration while continuing the operation of an 18-hole golf course (A18), 2) restoration while continuing golf course operations, albeit with a 9-hole golf course (A9), and 3) restoration while ceasing existing golf course operations. The project proposals in the Restoration Report were not CEQA Alternatives developed pursuant to CEQA Guidelines Section 15126.6, but rather initial project proposals for restoration that could be undertaken by the SFRPD.

These project proposals were derived from programmatic elements identified in the 2006 Natural Resources Management Plan. The Restoration Report on p. 4 concluded that “All three [proposals] will achieve the habitat goals.... [F]rom a wetland habitat restoration standpoint, converting uplands immediately adjacent to the wetland areas would result in greatest net benefit to the [San Francisco Garter Snake] per acre of enhanced habitat.”

In 2009, the Recreation and Park Commission endorsed the recommendation of the General Manager to proceed with developing a proposal that would expand the footprint of the habitat area into what is currently part of the landscaped golf course, restoring 19 acres of the golf course to upland habitat around wetland areas and providing a habitat corridor between Laguna Salada and Horse Stable Pond (the “Laguna Salada Restoration Project”). This proposal would act as recovery plan for the San Francisco garter snake and California red-legged frog and preserve an 18-hole golf course at Sharp Park.

The SFRPD submitted the proposed Laguna Salada Restoration Project to the Planning Department for analysis of environmental effects in the Draft EIR. This change to the 2006 NRMP, and update to the project description, was documented by the SFRPD in an August 21, 2011 memorandum to the Planning Department and is included in Draft EIR Appendix J. SFRPD continued to refine the details of the Laguna

Salada Restoration Project through consultation with the appropriate resource agencies, including the CDFW and USFWS.³

PROCEDURAL BACKGROUND

Notice of Preparation and Initial Study

In compliance with Section 15082 of the CEQA Guidelines, the San Francisco Planning Department prepared a Notice of Preparation (NOP) and Initial Study,⁴ which was sent to more than 2,400 interested parties on April 22, 2009, including the California Office of Planning and Research (OPR, or State Clearinghouse), other governmental agencies, organizations and persons interested in the proposed project. On that date, an environmental review notice associated with the NOP was published in the San Francisco Examiner and Pacifica Tribune. During a 30-day public scoping period that ended on May 26, 2009, the Planning Department accepted comments from agencies and interested parties identifying environmental issues that should be addressed in the EIR. In addition, two public scoping meetings were held (May 12, 2009, in the County Fair Building Auditorium in Golden Gate Park, and on May 14, 2009, at the Pedro Point Firehouse in Pacifica) to receive oral comments on the scope of the EIR. The Planning Department considered the comments made by the public and agencies in response to the NOP in preparing the Draft EIR for the proposed project. The NOP and Initial Study, with a summary of comment letters received in response to the NOP is included in Draft EIR Appendix A.

Draft EIR

The Draft EIR⁵ was published on August 31, 2011, and circulated to local, state, and federal agencies and to interested organizations and individuals for a 45-day public review period that was later extended for two weeks by the San Francisco Planning Commission, resulting in a 61-day public review period that began August 31, 2011, and continued through October 31, 2011. In addition, the Planning Commission held a public hearing on the Draft EIR on October 6, 2011, and Commissioners, organizations, and individuals made oral comments at that hearing. A second public review comment period, during which written comments were once again invited, was provided from April 27, 2012, to June 11, 2012, for a total of an additional 46 days. A Public Notice of the additional comment period was sent to over 300 neighborhood organizations and individuals through direct mailing and was also posted in the following locations: SFRPD's McLaren Lodge, the Planning Department, and the San Francisco County Clerk's office. Between the two public review periods, a total of 107 days were available to provide written public comment on the Draft EIR.

³ In 2012, the USFWS issued a Biological Opinion and Incidental Take Statement for the Sharp Park Safety, Infrastructure Improvement, and Habitat Enhancement Project (the "Pumphouse Project"), golf course operations, and pumping, with the understanding that the SFRPD is committed to moving forward with the proposed Laguna Salada Restoration Project.

⁴ A copy of the NOP and Initial Study may be accessed here: <http://sf-planning.org/environmental-planning>.

⁵ Ibid.

Responses to Comments

The Planning Department prepared a Responses to Comments (RTC)⁶ document that includes responses to comments on environmental issues received at the Draft EIR public hearing that was held on October 6, 2011, and in writing during the combined 107-day public review period for the Draft EIR. In addition, the Responses to Comments document included text changes (or text revisions) that were proposed in response to comments received or based on additional information that became available during the public review period and that represent a refinement or clarification to the text of the EIR. The Responses to Comments document did not identify any new significant environmental impacts; a substantial increase in the severity of a significant impact identified in the Draft EIR; or any new mitigation measures. None of the conclusions in the Draft EIR changed, and no new significant new information that would require recirculation of the Draft EIR under CEQA (California Public Resources Code Section 21092.1) and the CEQA Guidelines (14 California Code of Regulations Section 15088.5) was identified.

The RTC document was published on November 16, 2016, distributed to the Planning Commission and all parties who commented on the Draft EIR, and made available to others upon request at Department offices. While CEQA requires the Responses to Comments to be released a minimum of 10 days prior to certification of the EIR, the Planning Department released the document 30 days prior to the EIR Certification hearing on December 15, 2016, due to the length of the RTC document and the number of comments received.

Errata

Following publication of the RTC document, the SFRPD proposed modifications to the Project Description with respect to proposed actions at the Sharp Park Natural Area with the intent of emphasizing the preferred use of soil spoils for habitat restoration purposes and identifying the other disposal sites required for excess spoils as equal disposal options. The revisions to the Project Description removed specific reference to use of the spoils to raise the elevation of certain golf course holes and to clarify potential re-use locations. The Environmental Planning Division of the Planning Department issued the December 15, 2016, Errata to the Environmental Impact Report (Attachment A to this Appeal Response) that analyzed the proposed revisions to the Project Description and determined that the proposed modifications would not result in new significant environmental impacts or substantially increase the severity of a significant impact identified in the Draft EIR, and no new mitigation measures would be necessary. Further, these modifications to the project description and additional revisions to the EIR do not change any of the conclusions in the Draft EIR and do not constitute significant new information that requires recirculation of the Draft EIR under CEQA (California Public Resources Code Section 21092.1) and the CEQA Guidelines (14 California Code of Regulations Section 15088.5).

Project Impacts

The EIR concludes that the NRMP would result in the following significant and unavoidable environmental impacts even where feasible mitigation measures were identified:

⁶ Ibid.

- Significant unavoidable impacts to the historic integrity of with Sharp Park Golf Course from closing Hole 12 and modifying Holes 10 and 13;
- Significant unavoidable project-level and cumulative impacts from nitrogen oxide (NO_x) criteria pollutant emissions, which could exceed the Bay Area Air Quality Management District (BAAQMD) daily threshold;
- Significant unavoidable cumulative impacts related to the physical deterioration of recreational facilities resulting from increased dog use due to the implementation of the NRMP and the Golden Gate National Recreation Area (GGNRA) Dog Management Plan; and
- Significant unavoidable cumulative impacts related to special status plant and wildlife species from increased dog use due to the implementation of the NRMP and the GGNRA Dog Management Plan.

All other impacts are either less than significant or can be reduced to a less-than-significant level with the implementation of the mitigation measures identified in the EIR.

EIR Certification

On December 15, 2016, the Planning Commission held a hearing to consider certification of the Final EIR, which consists of the Draft EIR and appendices, RTC and appendices, and Errata. The Planning Commission reviewed and considered the information contained in the Final EIR and found that the Final EIR reflected the independent judgment and analysis of the City and County of San Francisco. The Planning Commission found that the Final EIR was adequate, accurate and objective, and that the RTC document contained no significant revisions to the Draft EIR. The Planning Commission certified the Final EIR in compliance with the requirements of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

The EIR is an “informational document” intended to inform public agency decisionmakers and the public of the significant environmental effects of a project proposal, identify possible ways to minimize the significant effects, and describe feasible alternatives to the project to reduce or eliminate those significant effects. Certification of an environmental document does not, in this case, constitute a project approval of any kind.

CEQA Findings and Statement of Overriding Considerations

As described in CEQA Guidelines Section 15093, if the Final EIR identifies significant effects for a proposed project, but the effects are not avoided or reduced to a less-than-significant level (i.e., significant and unavoidable impacts), whichever decisionmaker approves the project must find that any such unavoidable significant effects are acceptable due to overriding financial, technological, social, or other policy considerations. This is known as a Statement of Overriding Considerations. In making these findings, the decisionmaker must balance the prescribed types of benefits of the proposed project against its unavoidable environmental risks. If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable (CEQA Guidelines Section 15093).

Because the Recreation and Park Commission has sole authority to approve the NRMP, it was the decisionmaker, under CEQA, that was required to adopt CEQA findings, including a Statement of Overriding Consideration when it approved the project. Thus, following Planning Commission certification of the EIR on December 15, 2016, the Recreation and Park Commission approved the project and adopted findings as part of its approval action, in Recreation and Park Commission Resolution No. 1612-012 (see Attachment B of this Appeal Response).

CEQA GUIDELINES

The Final EIR has been prepared in accordance with CEQA, as established under the Public Resources Code 21000 et seq., the CEQA Guidelines (a part of the California Code of Regulations), and local CEQA procedures under Chapter 31 of the San Francisco Administrative Code. The purpose of the Final EIR is to disclose any potential impacts on the physical environment resulting from implementation of the proposed project and time for public review and comment before decisionmakers decide to approve or deny the project.

STANDARDS OF ADEQUACY FOR CERTIFICATION OF AN EIR

On December 15, 2016, the Planning Commission reviewed and considered the Final EIR at a duly noticed public hearing and certified the Final EIR for the proposed project in compliance with CEQA, the CEQA Guidelines, and Chapter 31. (See Attachment C of this Appeal Response.)

Under San Francisco Administrative Code Section 31.16(c)(3), the grounds for appeal of an EIR shall be limited to whether the EIR complies with CEQA, including whether:

“it is adequate, accurate and objective, sufficient as an informational document, correct in its conclusions, and reflects the independent judgment and analysis of the City and whether the Planning Commission certification findings are correct.”

The standards for adequacy of an EIR are set forth in CEQA Guidelines Section 15151, which provides:

“An EIR should be prepared with a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project 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.”

San Francisco Administrative Code Section 31.16(b)(6) provides that in reviewing a CEQA decision on appeal, the Board of Supervisors "shall conduct its own independent review of whether the CEQA decision adequately complies with the requirements of CEQA. The Board shall consider anew all facts, evidence and issues related to the adequacy, accuracy and objectiveness of the CEQA decision, including, but not limited to, the sufficiency of the CEQA decision and the correctness of its conclusions."

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

The concerns raised in the January 5, 2017 SF Forest Alliance Appeal Letter and the January 17, 2017 Wild Equity Appeal Letter, are summarized below and are followed by the Department's responses.

The SF Forest Alliance Appeal Letter included comments that the EIR presents an inaccurate project description, specifically regarding the proposed one-to-one tree replacement, the number of trees proposed for removal, and the forest management objectives; the EIR did not consider environmental justice impacts from NRMP activities at McLaren Park and Bayview Hill; and the EIR did not adequately disclose trail closure and trail use limitations, the amount of herbicide/pesticide use resulting from NRMP activities, and aesthetic impacts of fences. The SF Forest Alliance Appeal Letter also included comments about the actions of the SFRPD in light of Board of Supervisor Resolution 653-02 and alleged CEQA violations by the SFRPD.

The Wild Equity Appeal Letter included comments on the merits of the project; preference for full restoration of Sharp Park and removing the Sharp Park Golf Course; failure of the EIR to evaluate a full restoration alternative; failure of the EIR to evaluate the "golf course redevelopment project;" disagreement that Sharp Park golf course is a historic resource; failure of the EIR to evaluate the impacts of sea level rise on the project; failure of the EIR to evaluate the existing operations of Sharp Park; failure of the EIR to analyze the impacts of Mitigation Measure M-BI-6a, Protection of Protected Species during Implementation of the Sharp Park Restoration Project; and an assertion that the Draft EIR should have been recirculated as a result of amendments made to M-BI-6a.

Neither of the appeal letters or their attachments contain any new information that was not already addressed in the RTC document or that would change any of the conclusions reached in the EIR. The Planning Department finds the Appellants' arguments to be without merit.

Issue 1: The SF Forest Alliance Appellant asserts that the Final EIR misstates the NRMP's one-to-one tree replacement policy and requests a mitigation measure to require such replacement. Additionally the SF Forest Alliance Letter includes an attachment that asserts that the Final EIR erroneously reports the projected number of trees to be removed because it does not consider saplings and misstates the Forest Management Objectives in the NRMP by stating that the NRMP would focus on dead, dying or diseased trees.

Response 1: The Final EIR correctly cites the NRMP's one-to-one tree replacement, which is part of the NRMP project description and, therefore, does not necessitate a mitigation measure. The Final EIR also correctly estimates the projected number of trees to be removed, assesses the impacts of sapling removal, and correctly summarizes the Forest Management Objectives in the NRMP.

One-to-one Tree Replacement

As stated in Draft EIR Chapter III, Project Description, p. 92, invasive trees that are removed in San Francisco would be replaced with native tree species at a ratio of roughly one-to-one, although not necessarily at the same location or within the same Natural Area. The provision of replacement trees is a component of the NRMP project, rather than a mitigation measure. This tree replacement information

was documented in an August 24, 2011 Memorandum⁷ provided by the SFRPD to the Planning Department that clarified changes to the NRMP project description, and is included Draft EIR Appendix J.

Page 3 of the August 24, 2011 Memorandum states:

Tree Removal and Replacement. Invasive trees removed in San Francisco would be replaced with native tree species at a ratio of roughly one-to-one, although not necessarily at the same location or within the same Natural Area.

Additionally, a memorandum provided by Lisa Wayne, Open Space Manager, SFRPD, to Jessica Range, Environmental Planner, San Francisco Planning Department,⁸ provides additional detail on tree removal and replacement practices pursuant to the NRMP and SFRPD Natural Resources Division's current practices. In this memorandum, the SFRPD indicated that each year, the Natural Resources Division propagates and plants over 10,000 plants in restoration sites throughout the city, with at least 200 of those plants being trees. Therefore, planting replacement trees in Natural Areas at a one-to-one ratio, as proposed, is both feasible and has been demonstrated.

Tree Removal

General Recommendation GR-15c indicates that tree removal would focus on dead or dying trees, trees with disease or insect infestations, storm-damaged or hazardous trees, and trees that are suppressed because of overcrowding (see Draft EIR p. 112, Project Description). However, as discussed on RTC p. 4-459, there may be instances where other trees are removed in order to achieve broader restoration goals. In terms of the size of trees, diameter-at-breast-height (dbh), a common metric for assessing trees, is measured as the diameter of a tree at 4.5 feet above ground level on the uphill side of a tree. While a larger dbh is generally associated with taller trees, there is no specific, mathematical correlation between dbh and the height of a tree in general. For documentation purposes, the NRMP defines a tree as any plant having a dominant vertical trunk that is over 15 feet tall,⁹ while the NRMP EIR considers trees less than 15 feet tall seedlings or saplings. Seedlings and saplings are not included in the calculation of the number of trees to be removed within the Natural Areas, because they are not considered trees. SFRPD staff could remove seedlings and saplings that have a dbh of six inches or less (or a height of 15 feet or less), but the SFRPD arborist would be consulted in the evaluation of the removal of trees. The removal of saplings is addressed throughout the EIR as invasive vegetation removal or vegetation removal, which includes shrubs, saplings, and other species of less than 15 feet in height.

⁷ Dawn Kamalanathan, Director of Capital and Planning Division, San Francisco Recreation and Parks Department, "Clarification of Changes to the SNRAM Project Description" memorandum to Bill Wycko, Environmental Review Officer, San Francisco Planning Department, August 24, 2011.

⁸ Lisa Wayne, Open Space Manger, San Francisco Recreation and Parks Department, "Tree Removal and Replacement," memorandum to Jessica Range, Environmental Planner, San Francisco Planning Department, November 27, 2012.

⁹ This standard consistent with those in the Forest Inventory and Analysis Glossary maintained by the United States Department of Agriculture Forest Service. Accessed: <https://www.nrs.fs.fed.us/fia/data-tools/state-reports/glossary/default.asp> on February 14, 2017.

Forest Management Objectives

Draft EIR p. 112 shows that General Recommendation GR-15c indicates that tree removal would focus on dead or dying trees, trees with disease or insect infestations, storm-damaged or hazardous trees, and trees that are suppressed because of overcrowding. This recommendation can be found on page 5-19 of the NRMP.

“Recommendation GR-15c: To promote forest health, removal of trees shall focus on the removal of dead or dying trees, trees with disease or insect infestations, storm-damaged or hazardous trees, and trees that are suppressed because of overcrowding.”

While it is acknowledged that in some locations trees may be removed that are not dead, dying, or infested, the NRMP and the EIR project description is clear that those that are dead, dying, or infested would be the focus of tree removal activities. In conclusion, the one-to-one tree replacement is part of the NRMP project analyzed in the EIR and is clearly stated on Draft EIR p. 92. Furthermore, the EIR project description consistently indicates and accurately states that trees in San Francisco would be replaced at a one-to-one ratio, although not necessarily in the same location or same natural area. The EIR accurately presents NRMP objective GR-15c, which states that the NRMP would focus tree removal on replace dead, dying and diseased trees. Therefore, the items that the SF Forest Alliance claims are errors in the EIR are very much part of the project description and are accurately presented in the EIR.

Issue 2: The SF Forest Alliance Appellant asserts that the Final EIR did not consider environmental justice impacts resulting from the removal of trees and decrease in public access in McLaren Park and Bayview Hill.

Response 2: The remaining trees and trails at Bayview Park and McLaren Park following implementation of the NRMP over the 20-year period would not be disproportionately low compared to other Natural Areas and the Appellant has not provided evidence that the NRMP would result in an economic or social effect that would in turn cause a significant impact on the environment.

The goals of the NRMP, as articulated on NRMP p. 2-2, are to provide opportunities for passive recreational uses compatible with conservation and restoration goals and to improve and develop a recreational trail system that provides the greatest amount of accessibility while still protecting natural resources. At Bayview Park, the NRMP would result in the removal of 511 of the 6,000 invasive trees, the closure/relocation of 1,439 feet of social trails, and the creation of 1,020 feet of trails, all over a 20-year period. At Bayview Park, 8,077 feet of trails would remain. At McLaren Park, the NRMP would result in the removal of approximately 809 of the 19,500 invasive trees and the closure/relocation of 15,681 feet of social trails, all over a 20-year period. At McLaren Park, 43,504 feet of trails would remain. The remaining trees and trails at Bayview Park and McLaren Park would not be disproportionately low compared to other Natural Areas.

CEQA does not does not require the analysis of environmental justice impacts (although it is required under the National Environmental Policy Act [NEPA]). Consistent with CEQA Guidelines Section 15064(e), economic and social changes caused by a proposed project are not themselves treated as significant effects on the environment. However where a physical change in the environment is caused by an economic or social impact of a project, that physical change may be regarded as a significant impact on the environment in the same manner as any other physical change caused by the project. Alternatively,

economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment. If the physical change causes adverse economic or social effects on people, those adverse effects may be used as a factor in determining whether the physical change is significant. The SF Forest Alliance Appellant does not provide any evidence that the NRMP at Bayview Park and McLaren Park would result in economic or social impact that would in turn cause a significant effect on the environment. The environmental effects related to trail modifications, access and tree removal are addressed throughout the EIR.

Issue 3: The SF Forest Alliance Appellant asserts that the Final EIR did not adequately disclose the extent of trail closures resulting from the proposed project and these closures would result in significant recreation impacts.

Response 3: The Final EIR adequately analyzes the impacts of trail closures and appropriately concludes that such closures would result in less-than-significant recreation impacts.

The SF Forest Alliance Appeal Letter claims that the extent of intended trail closures is not disclosed in the NRMP and not evaluated in the EIR, and that the trail closures would result in a significant environmental effect on recreation. The SF Forest Alliance Appeal Letter includes a table that provides alternative data and includes maps indicating additional trails that have been closed per NRMP.

As discussed on RTC p. 4-152, the trail lengths presented in Table 5 of the Draft EIR refer only to designated primary, secondary, and social trails; it does not include streets or sidewalks. Further, the data contained in Table 5, including the length of the trails, was generated using a Geographic Information System (GIS), which also produced the Soils, Land Features, and Trails maps contained in the NRMP. GIS is a computer system used for capturing, storing, checking, and displaying data related to positions on the Earth's surface. Each of the individual Natural Areas maps provided in the NRMP indicates the source data used in the GIS map and who created and revised the GIS map and on what date. The information provided in Table 5, and on the maps provided in the NRMP, represents the existing conditions at the time work on the EIR commenced.

In regards to the assertion that the NRMP illustrates fewer trails to be decommissioned than have been proposed or undertaken, social trails are not developed by SFRPD; instead, they result from unauthorized travel by park users and change over time as unauthorized use changes over time. Social trails are defined as undesigned and redundant pathways that have developed through use of a Natural Area, and they are not maintained by the SFRPD. As such, it is impossible for the SFRPD to maintain an inventory of all social trails. The NRMP identified anticipated social trails to be decommissioned, as well as improvements to authorized trails. At the time the SFRPD develops trail restoration plans for specific projects, the SFRPD conducts a survey to develop the trail restoration plan using the most up-to-date information about social trails and the preferred alignment for authorized trails. For this reason, the Primary, Secondary, and Closed trails illustrated in the NRMP are similar to, but not necessarily identical to, the illustrations provided by the Appellant.

As discussed on Draft EIR pp. 259 to 260, one of the objectives of the NRMP is to provide guidelines for recreational uses compatible with San Francisco's natural resources. These guidelines are intended to promote passive recreation, including improving and developing a recreational trail system within the

Natural Areas. As such, the NRMP calls for the creation of 5,897 feet (1.1 miles) of new trails and the closure or rerouting of 54,411 feet (10.31 miles) of trails. However, trail access would be maintained in all Natural Areas. Creating new trails and closing some existing social trails could enhance the recreation experience offered by the Natural Areas by upgrading trails to be more user friendly through increased accessibility and improved trail conditions. As a result, the proposed project would not limit access to, or result in the physical deterioration of the Natural Areas or any other recreation facilities. Therefore the Draft EIR concluded that this impact of the NRMP on recreational resources would be considered less than significant. The Appellant has not submitted any evidence that a significant recreation impact would occur from the proposed trail closures.

Please see Response 7 regarding alleged CEQA violations.

Issue 4: The SF Forest Alliance Appellant asserts that the Final EIR did not adequately disclose that herbicide use would increase with the NRMP given the number of trees proposed for removal.

Response 4: Herbicide use under the NRMP is expected to be similar to current levels of use because existing routine maintenance activities would continue and tree removal would occur gradually over a 20-year period.

The SF Forest Alliance Appeal Letter asserts that the EIR's conclusion that herbicide use following the implementation of the NRMP would not substantially increase is false and that the removal of the number of trees proposed by the NRMP would necessitate an increase in the use of herbicides.

As discussed on RTC p. 4-536, the CEQA analysis provided in the Draft EIR compares the baseline (or existing conditions) at the project site, with the potential environmental impacts that would result from the proposed project; it does not analyze the impacts of current practices, except where they may appropriately be considered in a cumulative impact analysis. Pesticide use under the NRMP is expected to be substantially similar to the current use of pesticides in Natural Areas because the NRMP would apply herbicides in accordance with the City's Integrated Pest Management (IPM) Program and tree removal would occur gradually over the course of 20 years.

Herbicides are applied in accordance with the City's IPM Program, which is discussed in detail on Draft EIR pp. 90 to 91. The City's IPM program, codified as an Ordinance, provides the optimal integration of management methods to control pests with the least possible hazard to people, property, and the environment. As stated on Draft EIR p. 296, to minimize the potential impacts of herbicide application, the SFRPD would adhere to the City's IPM Program, in which pesticide use in the Natural Areas would be as little as possible to achieve the desired results and carefully monitored. Also, as discussed on RTC p. 4-537, the use of herbicides has substantially declined since 2003, where all four types of herbicides being used by the SFRPD are at levels of less than 4 pounds per year each (with two types of these herbicides are being used at levels of less than 1 pound per year each).

The EIR evaluated the environmental effect of pesticide use. While the Appellant expressed general concern about the proposed use of herbicides, they do not present any evidence that the proposed project would result in significant impacts with respect to the use of pesticides and herbicides.

Issue 5: The SF Forest Alliance Appellant asserts that the Final EIR did not adequately analyze the aesthetic impacts of fences in the natural areas.

Response 5: As detailed in the EIR, the NRMP proposes fencing to restrict access to sensitive habitat areas only under certain circumstances and the installation of fencing would not result in a substantial demonstrable change to aesthetic conditions.

The SF Forest Alliance Appeal Letter asserts that the installation of fences as part of the NRMP would have a significant environmental effect in regards to aesthetics. The Appeal Letter included an attachment that had a list of fencing that have been installed at Bayview Hill, Corona Heights, Glen Canyon, and Grandview and photos of split rail fencing in these locations to support their claim. The SF Forest Alliance Appeal Letter also asserts that installation of this fencing was a CEQA violation as they were installed before CEQA review of the NRMP was completed.

As discussed on RTC p. 4-339, the NRMP does not propose restricting access to trails with fencing as the primary means. Rather, fencing would only be required to protect visitor safety and sensitive habitat. The type of permanent fencing that typically would be used is a three-foot high rustic split-rail fence, similar to those depicted in the SF Forest Alliance attachment. While aesthetic effects are somewhat subjective, the photographs provided by the SF Forest Alliance further demonstrate that any such split-rail fencing would not result in a substantial, demonstrable negative change in aesthetic conditions. Therefore, the Draft EIR appropriately concludes on pp. 191 to 195 that the installation of fencing would result in less-than-significant aesthetic impacts.

Please see Response 7 for discussion regarding alleged CEQA violations.

Issue 6: The SF Forest Alliance Appellant states that Board of Supervisors Resolution 653-02 restricts the SFRPD from implementing the NRMP.

Response 6: Board of Supervisors Resolution 653-02 established a Board of Supervisors Citizens Advisory Committee for the development of NRMP which sunseted on December 1, 2003 and did not restrict the SFRPD from approving and implementing the NRMP.

The SF Forest Alliance Appeal Letter asserts that the SFRPD is prohibited from implementing the NRMP by Board of Supervisors Resolution 653-02.

Consistent with Board of Supervisors Resolution 653-02, the SFRPD established a Natural Areas Program Citizen Advisory Committee to guide the development of the NRMP, which, pursuant to the requirements of the Resolution, sunseted in 2003. The Appellant's concerns regarding SFRPD's compliance with Resolution 653-02 do not raise any issues regarding the adequacy or accuracy of the Final EIR, and as such are not ground for finding it inadequate under CEQA.

Resolution 653-02 did not purport to restrict the Recreation and Park Commission's ability to approve the NRMP. Rather, it anticipated that the Recreation and Park Commission would do exactly that. The Recreation and Park Commission's approval of the NRMP is not before the Board, and this comment does not raise any issues regarding the adequacy or accuracy of the Final EIR.

Issue 7: The SF Forest Alliance Appellant alleges multiple CEQA violations by the SFRPD, claiming that NRMP activities were being implemented before CEQA review of the NRMP was completed. Additionally, the Appellant alleges that one such violation, the installation of signs requesting the public to stay on designated trails and restricting and/or prohibiting bicycle use, would result in significant recreation impacts not disclosed in the NRMP EIR.

Response 7: Management of the Natural Areas is currently operating under the 1995 Management Plan and any actions taken are either authorized by the 1995 Management Plan or considered a separate project from the NRMP. The management of trail use is an existing SFRPD practice that would not change substantially with the NRMP.

The SF Forest Alliance Appeal Letter asserts that the SFRPD has acted in violation of CEQA by performing many of the actions proposed in the NRMP prior to certification of the EIR and approval of the project. The SF Forest Alliance Appeal Letter included an attachment that presented examples of such actions, which can be grouped into three categories: trail closure; the installation of fences; and installation of signs at some locations requesting users stay on designated trails and prohibiting or restricting the use bicycles.

The SF Forest Alliance Appeal Letter also claims that the installation of signs that request that the public stay on designated trails and restricts or prohibits bicycle use in some Natural Areas was not evaluated in the EIR and that this restriction would result in a significant environmental effect on recreation. To support the claim regarding restrictions to on-trail use and prohibition of bicycles in Natural Areas, the SF Forest Alliance Appeal Letter includes a photo of a sign at a Natural Area that directs users to "Stay on Designated Trails. No Bicycles."

Most of these concerns, some of which were raised during the public review period of the Draft EIR, relate to previous actions of the Natural Resources Division, which are separate and independent from the NRMP. These concerns do not do not relate to the adequacy or accuracy of the information contained in the EIR. Nonetheless, the RTC provided a response to some of these concerns for informational purposes. Further, as with all of the comments provided on this Draft EIR, they were forwarded to the SFRPD staff and Commission for review and consideration.

As discussed on RTC p. 4-20, the Natural Resources Division is currently operating under the 1995 Management Plan. Any action the Natural Resources Division is currently undertaking is either under the authorization of the 1995 Management Plan or a separate project from the NRMP. The alleged violations cited in the Appellant's Letter, while independent of the NRMP, may include projects funded by the 2008 and 2012 San Francisco Clean and Safe Neighborhoods Bond.

The 2008 Clean and Safe Neighborhood Parks Bond was a general obligation bond for improvements to parks owned and/or operated by the SFRPD and the Port of San Francisco. The 2012 San Francisco Clean and Safe Neighborhood Parks Bond, which is also a general obligation bond, builds on that precedent by delivering voter-approved parks and open-space recreation projects owned and/or operated by SFRPD or the Port of San Francisco. The projects identified in the 2008 and 2012 Clean and Safe Neighborhood

Parks Bond are separate and independent from the NRMP.¹⁰ The 2008 General Obligation Bond (2008 Clean and Safe Neighborhoods Parks Bond) underwent CEQA review as part of Planning Department Case File No. 2007.1013E. The 2012 General Obligation Bond (2012 Clean and Safe Neighborhoods Parks Bond) underwent CEQA review as part of Case File No. 2011.1359E.

Trail Closures and Installation of Fences

Appellant expressed two concerns in regards to trail closures and installation of fencing. As examples, Appellant cited actions at Glen Canyon. As discussed on RTC p. 4-20, the Glen Canyon Trail Restoration Project, referenced in the Appellant's attachment, was largely funded from the 2008 Clean and Safe Neighborhood Parks Bond, which underwent CEQA review under Planning Department Case File Nos. 2007.1247E and 2010.0870E, and is separate and independent of the NRMP. As discussed on RTC p. 4-21, the Glen Canyon Restoration Project, which is now substantially complete, repaired existing trails and steps, provided fencing for public safety, protected sensitive habitat areas, provided erosion control measures, restored native plants, and provided wayfinding signage.

As discussed on RTC p. 4-214, in regards to the trail closure in Glen Canyon, referenced in the Appellant's attachment, the trail (at the entry to the park from O'Shaughnessy Blvd.) was closed prior to the commencement of the environmental review for the NRMP. This unofficial path was deemed unsafe, due to a significant presence of poison oak. A low post-and-cable fence was installed near Silver Tree camp and day care center to discourage use. This trail closure is not part of the NRMP project.

Installation of Signs Requesting On-Trail Use and the Prohibition/Restriction of Bicycles

As discussed in the Project Background section above, the first Significant Natural Resource Areas Management Plan was approved in 1995. As presented on Draft EIR pp. 78 to 79, the 1995 Management Plan (Attachment E to the Draft EIR) included the following policies and management actions that pertain to trail management:

- Vegetation
 - Maintain and promote indigenous plant species,
 - Protect species listed as rare, threatened, or of special concern,
 - Preserve habitat that supports wildlife;
- Geotechnical/Soils
 - Minimize erosion along roads and trails,
 - Minimize access on unstable slopes,
- Public Use

¹⁰ In the case of the 2012 Clean and Safe Neighborhood Parks Bond, some of the bond money is set aside for Citywide Parks improvements, which includes improvements to Golden Gate Park, McLaren Park, and Lake Merced Park. It is possible that some of these monies could be used for management actions and improvements proposed under the NRMP, but NRMP projects could not be accomplished until after NRMP EIR certification and project approval.

- Develop guidelines for pathways and trails and for interpretive signs
- Control dirt bike and off-road use

The NRMP does not substantially change the SFRPD's approach to trail management. The SFRPD posts signs restricting or prohibiting activities that would either be inappropriate (e.g. the trail is too narrow or not constructed to support biking activity) – or – potentially destructive (e.g. creating land erosion conditions, compaction, endangering sensitive natural habitat). As discussed in Response 3 above, the proposed project would not significantly limit access to, or result in the physical deterioration of the Natural Areas or any other recreation facilities. Therefore the Draft EIR concluded that this impact of the NRMP on recreational resources would be considered less than significant.

As discussed on RTC p. 4-145, in terms of bicycle use, bicycles are currently allowed on paved areas in some of the Natural Areas (if trails are designated accordingly). Further, since the NRMP Draft EIR was written and circulated for public review, the SFRPD has added designated multi-use earthen trails which allow bicycle use in portions of McLaren Park, Oak Woodlands, and Twin Peaks, and the entirety of Interior Greenbelt.

In regards to posting signs managing trail usage, the SFRPD does post signs requesting users stay on designated trails and restricting or prohibiting bicycle riding on trails at specific park sites. The SFRPD's authority for the posting of these signs is Park Code 3.02 which states "No person shall willfully disobey the notices, prohibitions or directions on any sign posted by the Recreation and Park Commission or the Recreation and Park Department." This Park Code section was enacted in 1981 and has been in force since then.

In conclusion, the SF Forest Alliance Appellant's list of alleged CEQA violations relate either to activities allowed under the 1995 Management Plan or separate projects from the NRMP. The alleged CEQA violations related to other projects, even if true, does not pertain to the adequacy of the EIR for the NRMP.

Issue 8: The SF Forest Alliance Appellant asserts that the greenhouse gas (GHG) calculation methodology in the EIR results in miscalculations of GHG sequestration, partially from project description errors regarding tree removal and replacement and types of trees to be removed. The SF Forest Appellant also claims that the quantification of GHGs does not account for emissions from vehicles and equipment that would be used for the NRMP and that the vegetation sequestration analysis does not account for the carbon that would be released from the removal of approximately 12,000 saplings.

Response 8: The EIR accurately presents tree removal and replacement quantities (See Response 1 above). The EIR evaluated the significance of potential GHG emission impacts primarily based on a qualitative assessment of compliance with the City's Greenhouse Gas Reduction Strategy, and disclosed additional quantitative analysis based on accepted methodologies and protocols. The quantification of GHG emissions does account for emissions from vehicles and equipment and removal of saplings.

The SF Forest Alliance Appeal Letter claims:

1. The Final EIR assumes trees will be replaced on a one-to-one basis in the project area, but this one-to-one replacement is not part of the NRMP. (See Response 1 above.)

2. The Final EIR assumes removed trees will be replaced with trees, while the SF Forest Alliance claims they will be replaced with shrubs and grasslands. (See Response 1 above.)
3. The Final EIR misstates the forest management objectives. (See Response 1 above.)
4. The GHG quantification in the Final EIR does not account for removal of approximately 12,000 saplings.
5. The Final EIR fails to account for GHG emissions from vehicles and equipment used for the project.
6. The Final EIR relies on a GHG calculation methodology that results in miscalculations of GHG sequestration.

In response to concerns 1 through 3 the one-to-one tree replacement, types of trees used as replacement, and Forest Management Objectives, Response 1 above explains that the Final EIR correctly cites the NRMP's proposed one-to-one tree replacement and types of trees to be replaced, which is part of the NRMP project description. The Final EIR also correctly estimates the projected number of trees to be removed and correctly summarizes the Forest Management Objectives in the NRMP.

GHG Analysis

SF Forest Alliance Appellant claims that the GHG quantification does not account for emissions from vehicles and equipment used for the project and that the vegetation sequestration analysis does not account for the carbon that would be released from removal of approximately 12,000 saplings. The Appellant also asserts that the EIR uses its own GHG calculation methodology.

Overview of EIR Analysis

As discussed in the Project Description section above, the Final EIR analyses of the NRMP includes the following general actions:

1. Routine Maintenance
2. Programmatic Projects
3. Laguna Salada Restoration Project at Sharp Park

The EIR contains both a programmatic level of analysis and project-level analysis. Routine maintenance activities and the Laguna Salada Restoration Project are addressed at a project-level, while programmatic activities are addressed at a program level of review. Routine maintenance activities and their associated GHG emissions are expected to be very similar to existing activities undertaken by the Natural Resources Division and would not substantively change with approval of the NRMP (see Draft EIR starting on p. 96 for further details and EIR assumptions regarding routine maintenance). The Laguna Salada Restoration Project is fully described on Draft EIR pp. 97 to 104. Program level activities are large scale capital improvements. These projects have not been developed to a point where project-level environmental review can occur. Additional analysis may occur when a specific programmatic project is proposed and information sufficient for project-level analysis becomes available.

As discussed starting on Draft EIR p. 446, the proposed project's GHG impact was analyzed in the Initial Study for the NRMP. In response to scoping comments received on the Initial Study, the Draft EIR contained additional discussion related to greenhouse emissions. The Draft EIR assessed the proposed project's GHG emissions for the NRMP activities in San Francisco (within 31 of the 32 Natural Areas) qualitatively. The qualitative analysis included a determination of whether the NRMP activities in San Francisco comply with San Francisco's qualified GHG Reduction Strategy, titled *Strategies to Address Greenhouse Gas Emissions in San Francisco*. The Draft EIR found the proposed project to be consistent with the GHG Reduction Strategy and the GHG emissions within the 31 Natural Areas in San Francisco were determined to be less than significant. No comments were received in regards to the qualitative assessment of compliance with the City's GHG Reduction Strategy, which is the City's standard approach to evaluating a proposed project's GHG impacts. For the Sharp Park Natural Area, GHG emissions resulting from the Sharp Park restoration activities were modeled quantitatively and were found to be less than significant. In response to public comments received on the Draft EIR, the RTC included further quantitative analysis primarily to address concerns related to how GHG emissions were quantified.

GHGs from Vehicles and Equipment

The EIR included a quantitative analysis of GHGs that would be emitted as a result of the Laguna Salada Restoration Project, concluding that these emissions would total 1,630 MT CO₂E. This analysis evaluated GHG emissions from the entire construction of the Laguna Salada Restoration project, including vehicles and equipment. With regards to GHG emissions from programmatic projects, as stated on Draft EIR p. 455, the Laguna Salada Restoration Project is expected to be representative of the largest programmatic project that RPD would undertake as part of the NRMP and therefore quantification of GHGs from vehicles and equipment associated with the Laguna Salada Restoration Project would represent a conservative (worst-case) assessment of GHG emissions from large-scale programmatic projects. Further, as stated above, the EIR assessed large-scale capital projects, other than the Laguna Salada Restoration Project, at a programmatic level of environmental review and may require additional analysis pursuant to CEQA when a specific project is proposed. As stated on Draft EIR p. 455, routine maintenance activities would be similar to current activities and thus would not result in a net increase in GHG emissions.

Removal of Saplings

With respect to routine maintenance, removal of saplings during routine maintenance is an existing condition and part of the current practices of the Natural Resources Division. Routine maintenance is expected to remain similar to existing conditions and would, therefore, not represent a change from existing, baseline conditions.

With respect to large-scale programmatic projects, the EIR provides a quantitative analysis of carbon sequestration that would be lost from tree removal activities. This analysis was conducted primarily to address concerns raised in the Initial Study and Draft EIR. The Appellant contends this analysis is faulty because it does not account for carbon sequestration that could be lost from removal of saplings. It is possible that large-scale programmatic projects could include removal of saplings; however, at this point, no specific project is proposed and a specific inventory of saplings that could be removed as part of programmatic projects is unknown. Once a specific programmatic project is proposed, that project may

require additional environmental review. However, as discussed above, the significance of the project's impact on GHG emissions was not based solely on a quantitative analysis, and no such analysis is required by CEQA. Instead, consistent with how the Planning Department evaluates a project's impact with respect to GHG emissions, the project was evaluated for consistency with the GHG Reduction Strategy and found to be consistent with this strategy.

GHG Calculation Methodology

The standard metric typically employed in environmental documents with respect to GHG emissions is to report GHGs emitted on an annual basis (in other words, reported as a sequestration or emission rate), not total amount of carbon sequestered. This metric is consistent with how GHG emissions are quantified under CEQA as recommended by the BAAQMD and other Air Districts in California. The SF Forest Alliance Appellant's claim that by assessing changes in carbon sequestration rates, the EIR does not accurately report the total amount of carbon sequestration that would be lost through tree removal activities. While it may be true that the total amount of sequestered carbon in trees at the end of the 20 year project horizon may be lower than existing levels as a result of replacing large trees of greater biomass with smaller trees, it is important to note that carbon sequestered in trees would not instantaneously be released into the atmosphere, but rather the tree would degrade over time, releasing carbon. Depending upon whether trees are removed offsite and chipped or left in place, the rate at which that carbon would be released into the atmosphere would vary substantially. For example, a tree that is left in place may degrade slowly and some of the carbon would be taken up by other animals and organisms and released into the atmosphere upon degradation of those organisms. It is also important to note that tree removal activities would take place gradually, over the 20 year project horizon and would not occur all at once. Furthermore, tree removal activities would focus on trees that are dead, dying or diseased and consequently are no longer actively sequestering meaningful amounts of carbon. Therefore, carbon that is already sequestered in these trees would likely be released into the atmosphere as part of natural processes, irrespective of the NRMP tree removal activities.

The methods used to quantify GHG sequestration rates from vegetation are based on standard methodology and protocols from expert sources including the U.S. Department of Energy, the U.S. Forest Service, the Intergovernmental Panel on Climate Change, and an emissions estimation model, called CalEEMod.

In conclusion, the EIR analyzed the impacts of the NRMP as they relate to GHG emissions based primarily on a qualitative assessment of compliance with the City's Greenhouse Gas Reduction Strategy, and disclosed additional quantitative analysis based on accepted methodologies and protocols. Assuming that the Appellant's contentions are correct, represent that of an expert, and are based on other accepted methodologies and protocols, the differences in how GHGs from the project are reported (sequestration rates versus total amount of carbon sequestered) is a disagreement among experts in regards to the specific quantitative information provided. As stated in CEQA Guidelines Section 15151, assuming that the comments express the view of a qualified expert, "[d]isagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have looked not for perfection but for adequacy, completeness and a good faith effort at full disclosure."

An EIR is considered adequate if substantial evidence in the record supports the agency's decision that the EIR is adequate, even if there is substantial evidence to the contrary. The Appellants raise no concerns in regards to the qualitative assessment of GHGs in the Final EIR, primarily that the plan is consistent with the Greenhouse Gas Reduction Strategy, which is the threshold for the determination of a less than significant impact from GHG emissions in the Draft EIR.

Issue 9: The Wild Equity Appellant provides comments on the merits of the project, expressing a preference for the full restoration of Sharp Park, in lieu of the proposed Laguna Salada Restoration Project analyzed in the Final EIR and approved by the Recreation and Park Commission. The Wild Equity Appeal Letter also included attachments that request the removal of the Sharp Park Laguna Salada Restoration Project from the EIR.

Response 9: The Wild Equity Appellant's preference for full restoration of Sharp Park is a comment on the merits of the project itself, not on the adequacy of the Final EIR. The question before the Board is whether the Final EIR adequately analyzes the environmental impacts of the project as proposed by the project sponsor, in this case, the SFRPD. Under CEQA, the Final EIR must analyze the project as proposed by the project sponsor – here SFRD. The Final EIR does not dictate what project is brought forth for environmental review by the SFRPD.

The Wild Equity Appellant expresses a preference for the full restoration of Sharp Park. This concern is similar to those received during the public review period for the Draft EIR, and as discussed on RTC p. 4-168, these comments regard the merits of project itself, not on the adequacy of the Final EIR. Certification of the Final EIR by the Planning Commission was not a project approval of any kind and did not preclude the Recreation and Parks Commission from taking another action with respect to Sharp Park or the NRMP. The Recreation and Parks Commission approved the project, including the Laguna Salada Restoration Project on December 15, 2016. Please see Response 10 for a discussion regarding the analysis of a full restoration alternative in the Draft EIR.

While not cited in the Wild Equity Appeal Letter itself, an attachment was included of an April 16, 2015 memorandum to the California Coastal Commission submitted by Peter Baye regarding formulation and assessment of feasible alternatives to wetland dredging. This memorandum pertained to the Pumphouse Project, and is not a comment on the impacts of the proposed project or the adequacy of the EIR. Please see Response 10 for a discussion regarding the analysis of a non-dredging alternative in the Draft EIR.

The Wild Equity Appellant requests to remove Sharp Park from the NRMP Final EIR and included as attachments letters from various organizations supporting such a request. As discussed on RTC page 4-168, the Planning Department is responsible for analyzing the environmental impacts of the project as proposed by the project sponsor, in this case, the SFRPD. Although the lead agency is charged with proposing modifications to a project—in the form of mitigation measures—to reduce or eliminate the project's potential significant impacts, it is not appropriate for a lead agency to propose changes to the project description itself, such as removing the Laguna Salada Restoration Project from the NRMP, and therefore, from the Draft EIR.

As discussed on page 4-168 of the RTC, between the release of the NRMP in 2006 and the development of the EIR, the restoration project at Sharp Park progressed such that it could be reviewed at a project-level rather than a programmatic level. There are policy and operational reasons for including a project-level

analysis of the environmental impacts of the Laguna Salada Restoration Project. As detailed in both the NRMP and the NRMP EIR, habitat improvements at Sharp Park are an integral part of the NRMP itself – they implement all of the general recommendations (GR) that would occur elsewhere within the Natural areas, including, but not limited to, the protection of sensitive species and habitats, typically through the control of invasive plants (GR-1), and also, in the case of Sharp Park, by restricting dogs from habitat for the San Francisco garter snake and California red-legged frog (GR-8c), as well as the management of sensitive species and vegetation series of limited distribution (GR-2). In addition, one of the project objectives, as identified on Draft EIR p 82, is specifically “restore the Laguna Salada wetland complex for the benefit of special status species.” Another project objective, as also identified on Draft EIR p. 82, is to “identify, prioritize, and implement restoration and management actions designed to promote the functioning of San Francisco’s native ecosystem, including the maintenance and enhancement of native biodiversity.” If the Sharp Park component of the NRMP project were to be removed, one of the CEQA project objectives would not be achieved (i.e., restoring the Laguna Salada wetland complex), and the other objective would be achieved to a lesser extent (i.e., implementing restoration activities).

CEQA prohibits piecemealing, or dividing, one project into two or more projects, which can lead to an underestimation of the project’s impacts on the environment. But CEQA contains no prohibition against analyzing two related projects in one EIR. In fact, CEQA provides that “[w]here one project is one of several similar projects of a public agency, but is not deemed a part of a larger undertaking or a larger project, the agency may prepare on EIR for all projects, or one for each project...” (CEQA Guidelines Section 15165.) Thus, it is up to the public agency to determine whether including multiple related, but separate, projects in one EIR is appropriate. The only requirement is that “in either case [the EIR must] comment upon the cumulative effect[s]” of the projects. (*Id.*) Here, combining the analysis of the project-level Laguna Salada Restoration Project with the programmatic analysis of other NRMP activities is consistent with and helps inform the analysis of the NRMP project as a whole.

In conclusion, the Final EIR appropriately analyzed the project proposed by the SFRPD, which included a description of the Laguna Salada Restoration Project. Because the proposed Laguna Salada Restoration Project developed to a level of detail that allowed project-level environmental review, the EIR appropriately analyzed it at a project level. This level of analysis informs public agency decisionmakers and the public of the significant environmental effects of this project, identifies possible ways to minimize the significant effects, and describes feasible alternatives to the project to reduce or eliminate those significant effects. While the Wild Equity Appellant provides reasons why Appellant prefers full restoration to the Laguna Salada Restoration Project, the comments on the merits of the Laguna Salada Restoration Project are not evidence that the Final EIR is inadequate.

Issue 10: The Wild Equity Appellant asserts that the Final EIR failed to evaluate a full restoration alternative.

Response 10: The Final EIR considered a full restoration alternative, and determined that such an alternative is not required to be analyzed.

The Wild Equity Appeal Letter asserts that the Final EIR excludes alternatives, namely a full restoration alternative, and that there is no basis for not including a full restoration alternative. And while not cited in the Wild Equity Appeal Letter itself, an attachment was included of an April 16, 2015 memo to the California Coastal Commission submitted by Peter Baye regarding formulation and assessment of

feasible alternatives to wetland dredging. This memorandum pertained to the Sharp Park Pumphouse Project, and is not a comment on the impacts of the proposed project or the adequacy EIR. A response is provided below for informational purposes.

As described under the Project Background section above, the Recreation and Park Commission endorsed the recommendation of the General Manager to proceed with a project proposal that would expand the footprint of the habitat area into what is currently part of the landscaped golf course, thereby converting 19 acres of the golf course to create restored upland habitat around wetland areas and a habitat corridor between Laguna Salada and Horse Stable Pond. The SFRPD submitted this Laguna Salada Restoration Project to the Planning Department to be analyzed in the Draft EIR, as documented in the August 24, 2011 Memorandum (Draft EIR Appendix J Summary of Changes to the NRMP). As discussed in Response 9 above, the Planning Department, as the lead agency, is responsible for analyzing the environmental impacts of the project as proposed by the project sponsor, in this case, the SFRPD.

Full Restoration Alternative

As discussed on RTC p. 4-565, the Draft EIR considered an alternative to the proposed project that would include restoration of all of Sharp Park (essentially removing the golf course), in Draft EIR Section VII.F, Alternatives Considered but Rejected, pp. 526 to 527. In accordance with CEQA Guidelines Section 15126.6, "... alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the proposed project and could avoid or substantially lessen one or more of the significant effects" and "alternatives shall be limited to ones that would avoid or substantially lessen the significant effects of the project."

Draft EIR p. 526 states that while a public comment on the NOP was received proposing an alternative that would involve full restoration of the entire Sharp Park property, including the elimination of the golf course, it was rejected as a "CEQA alternative" because it is not compatible with the 18-hole layout of the historic golf course. This alternative would, through the elimination of the Sharp Park Golf Course, result in greater significant and unavoidable impacts to cultural and recreational resources and therefore is not required to be analyzed under CEQA.

The Draft EIR did analyze a Maximum Restoration Alternative for Sharp Park that includes more aggressive restoration of the Laguna Salada wetland complex as compared to the proposed project. This alternative would restore an additional five acres of habitat for the California red-legged frog and San Francisco garter snake, for a total of approximately 24 acres of restored habitat. Compared to the proposed project, this alternative would result in additional upland habitat on the northeast edge of Laguna Salada and additional dredging of the Laguna Salada wetland complex water bodies. The Draft EIR (pp. 525-526) determined that the Maximum Recreation and Maintenance Alternatives are the environmentally superior alternatives because they have fewer unmitigated significant impacts than either the proposed project or the Maximum Restoration Alternative.

It should be noted that one of the reasons that both the Maintenance Alternative and Maximum Recreation Alternative would result in less environmental impacts than the proposed project is because these alternatives would not provide a habitat corridor between Laguna Salada and Horse Stable Pond or provide the same degree of upland habitat as the proposed project and Maximum Restoration Alternative. While these features would be beneficial to the San Francisco garter snake and California

red-legged frogs, the construction of the habitat corridor and upland refuge would require augmenting the Sharp Park Golf Course, resulting in further significant and unavoidable impacts to the golf course as a historic resource and a significant impact to the golf course as a recreational resource.

Non-Dredging Alternative

While not cited in the Wild Equity Appeal Letter itself, an attachment was included that suggested a non-dredging project proposal, including water-level management of the lagoon and construction of a low berm or levee bordering the upland side of the lagoon's wetland-upland transition zone, but appears to be a comment on the Pumphouse Project. A similar comment for the Laguna Salada Restoration Project was submitted on the Draft EIR and responded to in the RTC. As stated on RTC page 4-601, the creation of a berm and the maintenance of higher water levels at the lagoon would eliminate more areas of the golf course, which would create additional impacts related to historic resources and recreation. Further, the Maximum Restoration Alternative was designed to maximize restoration activities while allowing the golf course to operate, which would not be achieved with a non-dredging project proposal.

In conclusion, the comments do not raise new issues related to the adequacy of the Final EIR's analysis of CEQA alternatives, and the Final EIR meets the standards for adequacy of an EIR, as set forth in CEQA Guidelines Section 15151.

Issue 11: The Wild Equity Appellant asserts that NRMP activities at Sharp Park constitute a "golf course redevelopment project" and the Final EIR failed to analyze the redevelopment of the golf course.

Response 11: The Final EIR analyzed the impacts of the Laguna Salada Restoration Project on the Sharp Park golf course and determined that the restoration activities would result in a significant impact on the golf course as recreational resource and required a mitigation measure that would relocate one of the affected golf course holes. A specific design of the golf course to accommodate the hole relocation has not been developed and may require additional environmental review. Because design of the golf course is not proposed at this time, analysis of activities would be speculative and is not required under CEQA.

The Wild Equity Appeal Letter asserts that the proposed project is a "golf course redevelopment" project that was identified as A18 in the Restoration Report, and the Final EIR failed to analyze the impacts of this "golf course redevelopment project." The Wild Equity Appeal Letter supports this claim by stating that the Laguna Salada Restoration Project would result in modifications to the golf course, which were not presented in the 2006 NRMP. An attachment to the Wild Equity Appeal Letter expressed concern that the operation of the golf course threatens the endangered San Francisco garter snake.

As described above in the "Development of the Laguna Salada Restoration Project at Sharp Park" section, the SFRPD refined the activities proposed for Sharp Park in the 2006 SNRAMP and developed the Laguna Salada Restoration Project in order to restore habitat for the San Francisco garter snake and California red-legged frog. As stated on p. 260 of the Draft EIR, the Laguna Salada Restoration Project would restore about 19 acres of the Sharp Park Golf Course for habitat. A portion of the golf course is located on the western side of Highway 101, which bisects Sharp Park, and restoration would primarily affect the layout of the golf course holes, including Holes 10, 12, 14, 15, and 18 on the eastern edge of Laguna Salada. The proposed habitat corridor between Horse Stable Pond and Laguna Salada also would be constructed requiring Holes 10 and 13 to be slightly shortened or narrowed and Hole 12 to be closed.

The Draft EIR determined that the closure of Hole 12 as a result of the wetland restoration would result in significant recreation impacts, and Mitigation Measure M-RE-6, to restore the playability of the 18-hole golf course, was identified to reduce recreation impacts to a less-than-significant level (refer to Draft EIR p. 261 and pp. 264 to 269). The Draft EIR also determined that the closure of Hole 12 would result in a substantial adverse change in the significance of the golf course, a historic resource under CEQA. Implementation of Mitigation Measure M-CP-7 which requires documentation of the Sharp Park Golf Course before restoration activities would reduce the magnitude of this impact, but would not sufficiently reduce it to a less than significant level.

The environmental impact of mitigation measure M-RE-6 (restoration of the playability of the 18-hole golf course) was analyzed in the Draft EIR on pp. 264 to 269. It was determined that the significant historic resource impact of Mitigation Measure M-RE-6, regarding the placement of Hole 12, could be reduced to a less-than-significant level if the replacement hole is located west of Highway 1.

Mitigation Measure M-RE-6 requires the SFRPD to coordinate with a golf course consultant with expertise in historic golf course renovation and with specific expertise, if possible, in golf courses designed by Alister MacKenzie to restore the playability of the Sharp Park Golf Course, which would also help reduce historic impacts.

At this time, the SFRPD has not yet retained a golf course consultant to prepare a golf course design that addresses the relocation of Hole 12, in accordance with Mitigation Measure M-RE-6. When a golf course design pursuant to Mitigation Measure M-RE-6 is developed, it may be subject to further review as required by CEQA. Therefore, Wild Equity's claim that the proposed Laguna Salada Restoration Project is a golf course redesign is factually incorrect. The only golf course modifications proposed are those disclosed in the EIR to accommodate the Laguna Salada Restoration Project and those agreed to by SFRPD in compliance with Mitigation Measure M-RE-6. In accordance with CEQA Guidelines Section 15126.4(a)(1)(D), the environmental impacts of M-RE-6 is disclosed in Draft EIR pp. 264 to 269. Therefore, any such analysis of a golf course redesign would be speculative at this point and is not required per CEQA Guidelines Section 15064.

An attachment to the Wild Equity Appeal Letter expressed concern that the operation of the golf course threatens the endangered San Francisco garter snake. The Final EIR analyzes the environmental impacts of the NRMP by comparing the existing physical environmental conditions against the potential physical effects of the proposed project. The existing baseline conditions at Sharp Park include the existing and currently operational Sharp Park Golf Course, and the Final EIR analyzes the impacts of the Laguna Salada Restoration Project on the existing Sharp Park Golf Course and its surroundings. Continued operation of the golf course is an existing, separate activity and, accordingly, is not evaluated in this EIR.

Issue 12: While not cited in the Wild Equity Appeal Letter itself, attachments were included that express disagreement with the EIR's conclusion that the Sharp Park Golf Course retains adequate integrity to be determined a historic resource.

Response 12: The Sharp Park Golf Course was evaluated and determined eligible for the California Register of Historical Resources (CRHR) (and the National Register of Historic Places (NRHP)) as a designed historic landscape. Disagreement among experts regarding the eligibility of the Sharp Park Golf Course as an historic resource does not make the Final EIR inadequate.

The Wild Equity Appeal Letter included a summary of and attachment of a letter from Chris Pattillo of PGA design, Landscape Architects from October 27, 2011 (Pattillo Attachment). This same letter was submitted to the Planning Department during the public review period for the proposed project and is fully addressed in the RTC document. The Pattillo Attachment expressed disagreement with the EIR's conclusion that the Sharp Park Golf Course retains adequate integrity to be determined a historic resource for purposes of environmental impact evaluation under CEQA. The Pattillo Attachment asserts that the golf course no longer reflects the work of Alister Mackenzie and there are few similarities between the course that existed during the period of significance and what remains today.

The Wild Equity Appellant also included as an attachment a link to the Historic Preservation Commission's meeting for the HPC to discuss whether to comment on the adequacy and accuracy of the Draft EIR, noting that two Historic Preservation Commissioners did not agree with the Department's determination that the Sharp Park Golf Course retains sufficient integrity to qualify as an historic resource under CEQA.

As discussed on RTC p. 246, the Planning Department acknowledges that two of the seven members of the San Francisco HPC disagreed with the historic eligibility determination for the Sharp Park Golf Course. The assessment of potential impacts to historic resources at Sharp Park, as presented in the EIR, are based on the analysis and conclusions of the Historic Resource Evaluation Response (HRER) and the Historical Resources Evaluation (HRE) conducted for the proposed project. HRE Section 5.2 (included in EIR Appendix C) provides a full analysis of the historic nature of the Sharp Park Golf Course, including the integrity of the resource and the impacts of the proposed project on the golf course as a historic resource.

Per CEQA Guidelines Section 15064.5(a), historical resources shall include the following:

- 1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code §5024.1, Title 14 CCR, Section 4850 et seq.).
- (2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- (3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code, § 5024.1, Title 14 CCR, Section 4852) including the following:
 - (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

- (B) Is associated with the lives of persons important in our past;
- (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- (D) Has yielded, or may be likely to yield, information important in prehistory or history.

(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code [PRC] sections 5020.1(j) or 5024.1.

The golf course and its associated structures (such as the clubhouse) were evaluated using the criteria for identifying historical resources under CEQA Guidelines Section 15064.5(a)(2)–(3), which provide the criteria from California PRC Section 20524.1. The evaluation was also conducted using the National Park Service (NPS) National Register Bulletin 18, “How to Evaluate and Nominate Designed Historic Landscapes.”

As part of the analysis conducted for the HRE, a records search was conducted of the Northwest Information Center, the National Register of Historic Places, and the California Register of Historical Resources. The HRE states that the Sharp Park Golf Course was not listed on any federal or state registers; this does not indicate that the course is not eligible for listing, rather it indicates that the golf course had not yet been evaluated for historical significance and eligibility for listing on federal or state registers prior to the preparation of the HRE and the EIR.

In conjunction with this EIR, the Sharp Park Golf Course was evaluated and determined eligible for the California Register of Historical Resources (CRHR) (and the National Register of Historic Places (NRHP)) as a designed historic landscape for the reasons detailed in the HRE and described on Draft EIR pp. 207 to 209.

The HRER and EIR acknowledge that alterations to the Sharp Park Golf Course have occurred over time, as is expected with landscape cultural resources. With respect to whether the Sharp Park Golf Course retains historic integrity, the HRE finds: “[a]lthough the course has been modified over time, the golf course is in its historic location and retains much of its historic appearance, except that the ocean is no longer visible from the course. Still present are the lagoon, the east and west locations of the holes, and the fairway, which were all elements of the original design. [Alister] Mackenzie designed the course with interesting challenges for golfers, regardless of their skill level, which is still true of the current course. Man-made features that have been added, such as the seawall, do not diminish the historic integrity of the course because the land and its location were important to Mackenzie’s design; thus, the course is still authentic to Mackenzie’s plan. The course retains its integrity of design, workmanship, and materials, which provide it with a similar sense of feeling and association to its period of significance.”

The HRE, HRER and Draft EIR analysis relative to the Golf Course’s designation as a historic resource provides the required substantiation and documentation, and it was prepared by the City’s Historic Preservation Specialists. It should be noted that the Planning Department received numerous comments both in support of and opposition to the designation of the Sharp Park Golf Course as an historic resource

(see RTC pages 4-232 to 4-249). As stated in CEQA Guidelines Section 15151, assuming that the comments express the view of a qualified expert, “[d]isagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have looked not for perfection but for adequacy, completeness and a good faith effort at full disclosure.” RTC pages 4-246 through 4-249 provides a full summary of the main points of disagreement in regards to the historic designation of the Sharp Park Golf Course.

Issue 13: The Wild Equity Appellant asserts that the Final EIR does not adequately analyze how the proposed Laguna Salada Restoration Project may be affected by future sea level rise and that the Final EIR does not comply with San Francisco’s Sea Level Rise Action Plan because it fails to consider adaptation and retreat alternatives to the proposed project.

Response 13: The Final EIR adequately analyzes the effects of the project on the environment as required by CEQA. There is no requirement for an EIR to consider policy-based alternatives.

The Appellant states that the Final EIR does not comply with San Francisco’s Sea Level Rise Action Plan because it fails to consider adaptation and retreat alternatives and fails to consider an alternative that would protect Sharp Park’s natural ecology from salinity intrusion or other impacts from sea level rise. Additionally the Appellant asserts that the Final EIR did not adequately analyze the impacts to the project from sea level rise.

As stated on page 4-493 of the RTC, the purpose of an EIR is to provide public agencies and the public with detailed information about the effect that a proposed project is likely to have on the environment (PRC Section 21061). CEQA defines “environment” as the “physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, objects of historical or aesthetic significance” (PRC Section 21060.5). Furthermore, “... [an] EIR shall also analyze any significant environmental effects the project might cause by bringing development and people to the area affected. For example, an EIR on a subdivision astride an active fault line should identify as a significant effect the seismic hazard to future occupants of the subdivision. The subdivision would have the effect of attracting people to the location and exposing them to the hazards found there. Similarly, the EIR should evaluate any potentially significant impact of locating development in other areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas)” (CEQA Guidelines Section 151262). The above CEQA requirements are valid only to the extent that the project exacerbates the hazardous condition (*California Building Industry Association v. BAAQMD*, 62 Cal.4th 369 (2015)). The proposed Laguna Salada Restoration Project is intended to restore the marsh complex and associated uplands to protect and enhance the California red-legged frog and San Francisco garter snake habitat; the project would not result in significant environmental effects that would exacerbate sea level rise. Furthermore, the proposed project would not have the potential of attracting people to any existing or future hazardous conditions related to sea level rise.

Cumulative Sea Level Rise Effects

As stated on RTC p. 4-494, the Draft EIR addresses the potential effects of climate change, including sea level rise, on the proposed project. Because global climate change is a cumulative impact (it is the result of impacts of past, present, and reasonably foreseeable projects on the environment), the secondary impacts

of global climate change, including sea level rise are addressed in the cumulative impact discussion (Impact HY-16, Draft EIR pp. 380 to 382). Figure 7, Potential Sea Level Rise near Sharp Park, Draft EIR p. 359, illustrates the potential effects of sea level rise at Sharp Park. Draft EIR pp. 381 to 382 also analyzes cumulative effects due to sea level rise.

As discussed on Draft EIR p. 382, at Sharp Park, sea level rise would increase the base level elevations of Laguna Salada and Horse Stable Pond. Fresh water must continue to discharge to the ocean underground, and in order for this to happen, the elevation of the water table would rise in proportion to the rise in sea level. The freshwater/saltwater interface, which is a zone of mixing, would move inland somewhat. Salinity in Laguna Salada may increase, especially during dry periods when outflow of fresh groundwater from the watershed above Sharp Park is lowest. The magnitude of sea level rise during the project planning period would probably be too small to result in significant erosion of the sea wall, but the effects are difficult to predict.

Salinity Conditions with Sea Level Rise

The Appellant asserts that the EIR fails to consider an alternative that would protect Sharp Park's natural ecology from salinity intrusion resulting from sea level rise. While not cited in the Wild Equity Appeal Letter itself, an attachment was included of a January 5, 2016 Memorandum to the California Coastal Commission submitted by Peter Baye regarding observations of salinity intrusion at the north-western part of Sharp Park resulting from the modification of authorized drainage of Laguna Salada in light of sea level rise. This memorandum addresses salinity intrusion that may be occurring as a result of ongoing pumping operations at Laguna Salada and it is not a comment on the impacts of the proposed project or on the adequacy of the EIR. However, information regarding salinity conditions at Laguna Salada with respect to sea level rise was provided in the RTC and is summarized below.

As summarized on RTC p. 4-495 to 4-496 and as discussed on Draft EIR p. 382, it is expected that the stable fresh water elevation in Laguna Salada would rise in response to a rising sea level, since this is necessary to maintain a positive flow of groundwater to the ocean. This may lead to a number of changes over time, including increased salinity in Laguna Salada. Impact HY-16 (on Draft EIR pp. 381 and 382) addresses the cumulative impacts on salinity conditions with sea level rise and concludes that the proposed project is not expected to contribute in a cumulatively considerable way to any significant cumulative impacts on water resources and sea level rise. While the specific effects of sea level rise on the Laguna Salada Restoration Project are uncertain, because the effects of sea level rise are expected to occur gradually over time and because the NRMP proposes to employ an adaptive management approach, SFRPD would continue to evaluate the environmental conditions at Sharp Park and make management decisions in the future based on those conditions. Although the Final EIR concludes there could be significant impacts from sea level rise on the project, the proposed project would not itself result in a considerable contribution to the cumulative effects of climate change, and this is the key question under CEQA. The Final EIR concludes that the proposed project would result in a less than cumulatively considerable contribution to sea level rise impacts and this conclusion is supported by substantial evidence in the EIR and supporting documents.

San Francisco Sea Level Rise Action Plan

San Francisco released its Sea Level Rise Action Plan (the “Action Plan”) in March 2016. The San Francisco Sea Level Rise Action Plan is the first step towards the development of the Citywide Sea Level Rise Adaptation Plan. The Action Plan identifies a citywide vulnerability and risk assessment as part of the next steps of developing an Adaptation Plan. Vulnerability and risks assessments of the City’s parks and open space have not yet been conducted.

Per CEQA Guidelines Section 15125(d), an “EIR shall discuss any inconsistencies between the proposed project and applicable general plans and regional plans.” An EIR only needs to discuss inconsistencies with applicable plans; it need not develop project alternatives that avoid such inconsistencies, as suggested by the Appellant. The Action Plan is not an adaptation plan and it is unknown at this point what strategies would be proposed in a future adaptation plan and whether or not they would be applicable to Sharp Park. The strategy for managing Natural Areas is based on adaptive management, which is a flexible learning-based approach to managing complex ecosystems so as the adaptation plan is developed, the SFRPD may incorporate any relevant measures into the NRMP in the future. Certification of the EIR does not preclude decisionmakers from taking other actions in the future with respect to Sharp Park that could include sea level rise adaptation and retreat actions.

As discussed on Draft EIR p. 151, policy conflicts do not, in and of themselves, indicate a significant environmental effect within the meaning of CEQA, in that the intent of CEQA is to determine physical effects associated with a project. To the extent that physical environmental impacts of a proposed project may result from conflicts with one of the policies related to a specific resource topic, such physical impacts are adequately analyzed in the EIR within each topic section as required under CEQA.

Issue 14: The Wild Equity Appellant asserts that the Final EIR does not adequately analyze the ongoing pumping operations of Sharp Park with the “golf course redevelopment” project.

Response 14: The ongoing pumping operations are part of the baseline conditions at the project site and would not change with the Laguna Salada Restoration Project or NRMP. There is no “golf course redevelopment project” (See Response 11).

The Wild Equity Appeal Letter asserts that the “golf course redevelopment plan” is not a separate project from ongoing pumping operations and, therefore, the EIR needs to analyze the ongoing pumping operations as part of the Laguna Salada Restoration Project. The Wild Equity Appeal Letter cites to “Anonymous 2012, p. 1” to support this claim, but this was not included as an attachment to the Appeal Letter.

The CEQA analysis provided in the Draft EIR compares the baseline (or existing conditions) at the project site to the potential environmental impacts that would result from construction and implementation of the proposed project. The existing and ongoing pumphouse operations are part of the baseline conditions at the project site and are not a part of the proposed project. Thus, although the existing pumphouse operations inform the project setting and are part of the baseline conditions against which the proposed project’s impacts are measured, the EIR does not and should not evaluate the existing and ongoing operation of the pumphouse in the project-related impact analysis for the proposed project.

The pumphouse operations received a Biological Opinion from USFWS on October 2, 2012. Currently, under existing conditions, the pumps manage water levels in Horse Stable Pond to maintain California red-legged frog habitat, which is also a goal of the proposed project, and to reduce the frequency of flooding of the golf course. This ongoing pumping is part of the baseline conditions and whether or not the Laguna Salada Restoration Project and NRMP are approved and implemented, the SFRPD would continue to use the pumps to manage water levels in Horse Stable Pond.

See Response 11 regarding the Wild Equity Appellant's characterization of the project as a golf course redevelopment project.

Issue 15: The Wild Equity Appellant asserts that the EIR through Mitigation Measure M-BI-6a, Protection of Protected Species during Implementation of the Sharp Park [Laguna Salada] Restoration Project, improperly relies on "take" of the San Francisco Garter snake to reduce project impacts to a less than significant level. Additionally, the Wild Equity Appellant asserts that the EIR fails to analyze the impacts of M-BI-6a on the San Francisco Garter Snake. The Wild Equity appellant asserts that changes to Mitigation Measure M-BI-6a, addressing acid sulfate soils required recirculation of the Draft EIR.

Response 15: The Laguna Salada Restoration Project is intended as a recovery action for the San Francisco garter snake and while Mitigation Measure M-BI-6a focuses on avoidance measures, "incidental take" may be allowed during the regulatory approval process. Additionally, as stated in the EIR, this mitigation measure may be altered by resource agencies during the permit review process, as they deem necessary to protect the species. Thus, Mitigation Measure M-BI-6a would not result in significant adverse impacts on the San Francisco Garter Snake. Additionally, changes to Mitigation Measure M-BI-6a did not require recirculation of the Draft EIR.

The Wild Equity Appeal Letter asserts, in the citation of a court case, that the EIR could not rely on a mitigation measure that authorized the take of a fully protected species under the California Fish and Game Code. Additionally, the Wild Equity Appeal Letter asserts that the EIR did not analyze the impacts of Mitigation Measure M-BI-6a and changes to this mitigation measure that added language addressing acid sulfate soils following the publication of the Draft EIR required recirculation of the Draft EIR.

The case cited by the Appellant involved a large-scale residential development project in northern Los Angeles County and the Court concluded that for such a project, an agency could not authorize incidental take of a fully protected species as a means of mitigating a project's impacts. It was concluded that Fish and Game Code Section 5515 permits the taking of a fully protected species for "scientific research" and that it allowed for the trapping and transplantation of a fully protected species as part of a species recovery program, but not as a development project mitigation.

As stated on Draft EIR p. 293, the purpose of the Laguna Salada Restoration Project is to enhance the Laguna Salada wetland complex to provide higher quality habitat for the fully protected San Francisco garter snake and one of its primary food sources, the California red-legged frog. As such, the Laguna Salada Restoration Project, consistent with the California Fish and Game Code, is intended as a recovery action for the San Francisco garter snake. Thus, the trapping and transplantation of a fully protected species as part of a species recovery program, such as the Laguna Salada Restoration Project, is allowed, unlike for a private development project.

Mitigation Measure M-BI-6a would ensure that measures are taken to avoid impacts to San Francisco garter snakes during construction by the use of silt fencing or exclusion fencing around the project and staging areas and all onsite restoration activities. This measure would reduce temporary construction impacts by avoiding and minimizing impacts to San Francisco garter snakes to the maximum extent feasible. Mitigation Measure M-BI-6a also includes pre-construction activities such as a pre-activity survey to identify snakes and snake habitat. It also includes a worker education program to train all workers on how to identify and avoid harm to San Francisco garter snakes. Prior to construction equipment or vehicles entering the site, vegetation will be cleared by hand equipment to a height of 4 inches and checked for the presence of snakes. Additionally, prior to construction near wetlands and ponds, rodent burrows in the construction areas will be hand excavated in order to ensure absence of snakes and frogs.

No restoration activities would occur between November 15 and April 15 (the breeding season for California red-legged frog and the season when San Francisco garter snakes are inactive in their winter burrows), and a biological monitor would be present during construction activities, in addition to an on-call specialty environmental monitor with a valid 10(a)(1)(A) permit to handle San Francisco garter snakes and relocate them to an area consisting of suitable habitat if needed and if authorized by USFWS and CDFW. Any relocation efforts would be coordinated with the appropriate agency to minimize any adverse effects. With implementation of M-BI-6a, the short-term impacts of the Laguna Salada Restoration Project on the San Francisco garter snake would be less than significant. This mitigation measure may be altered by resource agencies during the permit review process, as necessary.

Prior to implementing the proposed Laguna Salada Restoration Project, the SFRPD would consult with CDFW and USFWS and prepare a Biological Assessment and would need to obtain a Biological Opinion and incidental take permit from the USFWS and CDFW pursuant to the California and federal Endangered Species Acts. If an incidental take permit is not granted, the project may not be able to move forward as proposed.

The EIR concluded that the proposed project would not result in any significant unavoidable biological resources impacts related to California red-legged frogs or San Francisco garter snakes. The Appellant fails to show that the extent of incidental take anticipated to result from the proposed project would result in any significant biological resources impact related to California red-legged frogs or San Francisco garter snakes that cannot be mitigated by the proposed mitigation measures.

Acid Sulfate Soils

As discussed on RTC p. 4-369, on November 22, 2013, Fugro Consultants (Fugro) collected shallow sediment samples from four locations (one on the west side of Laguna Salada, two at Horse Stable Pond, and one in the connecting channel). The purpose of the sediment sampling and analyses was to evaluate the potential for acid sulfate soil conditions in advance of planned soil and vegetation removal. The sediment samples collected by Fugro were then analyzed by Tetra Tech for the Pumphouse Project. Page 3 of the Tetra Tech memorandum concluded that "There is no indication that acid sulfate soils are found within the upper 3 feet of sediments, which is the depth proposed for sediment and vegetation removal. The sulfate concentrations found near the surface of the sediment cores in all cases reflect sources from the surrounding land use activity." Page 3 further concludes that "Nothing in the sediment analysis showed any naturally-occurring biological reason that excavation of sediments could cause elevated pH

levels, therefore if elevated pH levels do occur they would likely be evidence of an artificial deposit of material that can elevate pH if allowed into the water column.” These reports were provided to the USFWS and CDFW. A representative for USFWS reviewed the information submitted and concurred with the methods and conclusions of the report.

As stated in RTC p. 4-369, in an abundance of caution due to the unlikely event that anoxic conditions materialize, to ensure potential impacts to California red-legged frogs and San Francisco garter snakes are mitigated to a less-than-significant level, pertinent aspects of the Sharp Park Pumphouse Final Mitigated Negative Declaration (FMND) Mitigation Measure M-BIO-2b, Protection of Special-Status Species and Water Quality from Acid Sulfate Soils and Other Components, p. 124, have been incorporated into Draft EIR Mitigation Measure M-BI-6a, Protection of Protected Species during Implementation of the Sharp Park [Laguna Salada] Restoration Project, p. 326. This modification to the mitigation measure was made between the publication of the Draft EIR and the publication of the RTC document, and such modifications and refinements to both project descriptions and mitigation measures are not only common during the environmental review process, but are encouraged to reduce the impacts of a proposed project following public review.

Here, with the revisions to the mitigation measure, Pumphouse FMND Mitigation Measure M-BIO-2b and NRMP EIR Mitigation M-BI-6a are now consistent with one another, which further support a consistent implementation effort. Recirculation of an EIR after the close of a Draft EIR comment period is only required when new information shows that new significant environmental impacts or a substantial increase in the severity of a significant impact identified in the Draft EIR will result, when an EIR is “so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded” or where a “feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, *but the project’s proponents decline to adopt it.*” (CEQA Guidelines Section 15088.5(a) (emphasis added)). Here, the changes to Mitigation Measure M-BI-6a do not change any of the conclusions in the Draft EIR and do not constitute significant new information that requires recirculation of the Draft EIR under CEQA (California PRC Section 21092.1) or the CEQA Guidelines (14 CCR Section 15088.5). — Further, and most importantly, the changes improve the efficacy and consistency of the mitigation measure with the Pumphouse Project, and the Recreation and Park Commission adopted them as a condition of project approval. Thus, recirculation was not required under CEQA Guidelines Section 15088.5.

CONCLUSION:

The Appellants have not raised any new issues relative to the project’s physical environmental impacts that were not previously addressed in the Draft EIR and/or in the Responses to Comments document or at the EIR certification hearing, and as discussed above, the analysis and conclusions of the Final EIR are supported by substantial evidence in the record. Moreover, Appellants have not provided substantial evidence in support of their own arguments regarding the adequacy and accuracy of the Final EIR. Argument and speculation alone are not substantial evidence under CEQA. Even if the Appellants had provided substantial evidence that contradicts the analysis and conclusions of the Final EIR, the agency’s adequacy determination remains valid when the EIR is based on substantial evidence in the record. The Final EIR and supporting documents provide such substantial evidence.

For the reasons stated above, the Planning Commission's certification of the EIR complies with the requirements of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code. The Department, therefore, recommends that the Board uphold the Commission's decision to certify the EIR and deny the appeal.

Attachment A: December 15, 2016 EIR Errata



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: December 15, 2016
TO: Planning Commission
FROM: Melinda Hue and Jessica Range, Environmental Planning
RE: Errata to the Environmental Impact Report for the Natural Resources Management Plan (formerly the Significant Natural Resources Area Management Plan) Planning Department Case No. 2005.0912E

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Following publication of the Response to Comments document for the Natural Resources Management Plan, the Recreation and Parks Department proposed modifications to the Project Description with respect to proposed actions at the Sharp Park Natural Area with the intent of emphasizing the preferred use of soil spoils for habitat restoration purposes and identifying the other disposal sites required for excess spoils as equal disposal options. The revisions to the Project Description remove specific reference to use of the spoils to raise the elevation of certain golf course holes and to clarify potential re-use locations. The Environmental Planning Division of the Planning Department has analyzed the proposed revisions to the Project Description and determined that the proposed modifications to the Project Description would not result in new significant environmental impacts or substantially increase the severity of a significant impact identified in the Draft EIR, and no new mitigation measures would be necessary. Further, these modifications to the project description and additional revisions to the EIR as shown below, do not change any of the conclusions in the Draft EIR and do not constitute significant new information that requires recirculation of the Draft EIR under the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21092.1) and the CEQA Guidelines (14 California Code of Regulations Section 15088.5).

The following are additional Staff-initiated text changes that will be added to Chapter 5.B, Staff-Initiated Changes, and incorporated into the Final EIR. Deletions are marked with ~~strikethrough~~ and additions are noted with double underline.

The text on Draft EIR pp.99-102, last paragraph, has been changed as follows:

Some areas that are currently open water within Laguna Salada and Horse Stable Pond would be deepened by one to three feet, and parts of the eastern portions of the lagoon and pond shorelines, as well as the connector channel, would be excavated to restore open water habitat and to ensure that ample edge habitat consisting of open water/emergent vegetation interface would persist for the foreseeable future. Excavation of accumulated sediments and encroaching wetland plants would result in the conversion of vegetated wetlands to open water habitat. This deepening would be conducted using excavating equipment positioned along the shore of the two water bodies. Up to 60,000 cubic yards of

material would be excavated; of this, approximately 40,000 cubic yards would be used on-site and approximately 20,000 cubic yards would be stockpiled or spread at the Sharp Park rifle range site or disposed of at the Sharp Park organic dump. Excavated dredge spoils appropriate for use as golf course substrate materials would be used on-site to raise the elevation of Holes 10, 14, 15, and 18 and to create the upland habitat on the east edge of Laguna Salada. Prior to on-site use of dredged material, the sediments to be removed as part of the wetland restoration project would be tested for elevated concentrations of sulfides and other characteristics to determine whether the sediments would serve as soils suitable for supporting desired vegetation. If the sediment proves unsuitable, it would be placed in a ~~nonsensitive~~ non-sensitive location or treated to render it capable of supporting the desired vegetation. Treatment may include spreading and mixing the dredged material with native soil to avoid concentrating acidic soils or adding lime to neutralize acidic soils. Excavated dredged soils appropriate for on-site re-use would be used to create upland habitat on the east edge of Laguna Salada. Any additional sediment would be re-used at non-sensitive locations, which include the Sharp Park Rifle Range, the Sharp Park green waste facility, and the Sharp Park golf course in locations where the character-defining features of the course would not be adversely impacted. Excavation of the eastern portions of the lagoon, pond and the connector shoreline would convert up to six acres of freshwater marsh, willow scrub, and wet meadow wetland habitat to open water habitat.

Figure 3 of the Draft EIR p. 101 has been modified to emphasize that on-site sediment from Laguna Salada will be used to create upland habitat proposed by the project, remove reference to raising certain golf course fairways, and to include the location of the Green Waste Facility and Rifle Range (both proposed locations for sediment re-use) within the extent of the figure. These modifications are shown in hatched yellow and yellow call-outs on the attached revised Figure 3.

The text on Draft EIR pp. 221-222, last paragraph has been changed as follows:

Impact CP-6. Implementation of the Sharp Park restoration activities that include raising holes 10, 14, 15, and 18 would not result in a substantial adverse change in the significance of the Sharp Park Golf Course, a historic resource under CEQA. (less than significant)

As discussed in Section V.D.2, Sharp Park Golf Course meets the criteria for listing on the NRHP and CRHP for its significance under Criteria A and C for listing on the CRHR under Criteria 1 and 3. At Sharp Park, excavated dredged spoils appropriate for use as golf course substrate materials ~~would~~ may be used on-site to raise Holes 10, 14, 15, and 18 and to create upland habitat on the east edge of Laguna Salada.

The text on Draft EIR p. 453, in Table 19, has been changed as follows:

**Table 1
Regulations Applicable to the Proposed Project**

Regulation	Project Requirement
Mandatory Recycling and Composting Ordinance (Environment Code, Chapter 19)	Minor quantities of solid waste and recyclable material would be generated during the management of the Natural Areas. Unless it can be used to create wildlife habitat, all large woody debris generated by the Natural Areas Program would be composted in Golden Gate Park; vegetation debris from Sharp Park would be disposed of at the Sharp Park organic dump <u>green waste facility</u> . The wood chips may be used to suppress understory invasive vegetation or could be used as beneficial mulch on other revegetation projects in the Natural Areas. Also, large tree trunks may be left on site if they provide habitat value, or they may be used for recreational or maintenance purposes within the Natural Area.
San Francisco Green Building Requirements for construction and demolition debris recycling (SF Building Code, Chapter 13C)	Minor quantities of solid waste and recyclable material would be generated during the management of the Natural Areas.
San Francisco Clean Contractors Ordinance (Ordinance 70-07)	Clean Contractors on public works construction projects that take 20 days or more to complete must reduce vehicle emissions that contribute to GHG accumulation by (1) using a blend of at least 20 percent biodiesel in off-road vehicles and construction equipment and (2) using construction equipment with engines that meet Tier 2 standards or use best available control technology.

Attachment:

- Letter from San Francisco Recreation and Parks Department re. Modification to Natural Areas Management Plan Project Description and Figure 3 in the Draft Environmental Review Document, Planning Department Case No. 2005.0912E

Attachment:

**Letter from San Francisco Recreation and Parks
Department re. Modification to Natural Areas Management
Plan Project Description and Figure 3 in the Draft
Environmental Review Document, Planning Department
Case No. 2005.0912E**



Edwin M. Lee, Mayor
Philip A. Ginsburg, General Manager

Date: December 14, 2016

To: Melinda Hue and Jessica Range, Environmental Planning
San Francisco Planning Department

From: Stacy Bradley, Deputy Director of Planning

Subject: Modification to Natural Areas Management Plan Project Description and Figure 3 in the Draft Environmental Review Document, Planning Department Case No. 2005.0912E

Following publication of the Response to Comments document for the Natural Resources Management Plan, we have proposed modifications to the Project Description with respect to proposed actions at the Sharp Park Natural Area with the intent of emphasizing the preferred use of soil spoils for habitat restoration purposes and identifying the other disposal sites required for excess spoils as equal disposal options. Specifically, the revisions listed below to the Project Description remove specific reference to use of the spoils to raise the elevation of certain golf course holes and clarify potential re-use locations.

The text on Draft EIR pp. 99-102, last paragraph, has been changed as follows:

Some areas that are currently open water within Laguna Salada and Horse Stable Pond would be deepened by one to three feet, and parts of the eastern portions of the lagoon and pond shorelines, as well as the connector channel, would be excavated to restore open water habitat and to ensure that ample edge habitat consisting of open water/emergent vegetation interface would persist for the foreseeable future. Excavation of accumulated sediments and encroaching wetland plants would result in the conversion of vegetated wetlands to open water habitat. This deepening would be conducted using excavating equipment positioned along the shore of the two water bodies. Up to 60,000 cubic yards of material would be excavated; ~~of this, approximately 40,000 cubic yards would be used on-site and approximately 20,000 cubic yards would be stockpiled or spread at the Sharp Park rifle range site or disposed of at the Sharp Park organic dump.~~ Excavated dredge spoils appropriate for use as golf course substrate materials would be used on-site to raise the elevation of Holes 10, 14, 15, and 18 and to create the upland habitat on the east edge of Laguna Salada. Prior to on-site use of dredged material, the sediments to be removed as part of the wetland restoration project would be tested for elevated concentrations of sulfides and other characteristics to determine whether the sediments would serve as soils suitable for supporting desired vegetation. If the sediment proves unsuitable, it would be placed in a ~~nonsensitive~~ non-sensitive location or treated to render it capable of supporting the desired vegetation. Treatment may include spreading and mixing the dredged material with native soil to avoid concentrating acidic soils or adding lime to neutralize acidic soils. Excavated dredged soils appropriate for on-site re-use would be used to create upland habitat on the east edge of Laguna Salada. Any additional sediment would be re-used at non-sensitive locations, which include the Sharp Park Rifle Range, the Sharp Park green



waste facility, and the Sharp Park golf course in locations where the character-defining features of the course would not be adversely impacted. Excavation of the eastern portions of the lagoon, pond and the connector shoreline would convert up to six acres of freshwater marsh, willow scrub, and wet meadow wetland habitat to open water habitat.

We also propose to change Figure 3 of the Draft EIR p. 101 to emphasize that on-site sediment from Laguna Salada will be used to create upland habitat proposed by the project, remove reference to raising certain golf course fairways, and to include the location of the Green Waste Facility and Rifle Range (both proposed locations for sediment re-use) within the extent of the figure. These modifications are shown in hatched yellow and yellow call-outs on the attached revised Figure 3.

Please contact me to let me know if you need future clarification.

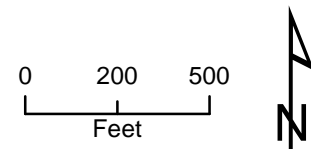
Attachment:

Modified Version of Figure 3 in DEIR



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Laguna Salada Restoration Features



Pacifica, California

Attachment B: Recreation and Park Commission Resolution

No. 1612-012

RECREATION AND PARK COMMISSION
City and County of San Francisco
Resolution No. 1612-012

RESOLUTION ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE NATURAL RESOURCES MANAGEMENT PLAN

WHEREAS, The San Francisco Recreation and Park Department manages 32 Natural Areas that are scattered mostly throughout the central and southern portions of San Francisco and constitute approximately four percent of the total city area; one natural area is in Pacifica; and

WHEREAS, The Natural Areas managed by San Francisco Recreation and Park Department (“SFRPD”) range in size from less than one acre to almost 400 acres and include such popular locations as Twin Peaks and portions of Glen Canyon Park; and

WHEREAS, In the late 1990s, the SFRPD initiated a Natural Areas Program to protect and manage these Natural Areas; and

WHEREAS, The SFRPD recognizes the need for a Management Plan to guide activities on properties owned or maintained by the SFRPD through its Natural Resources Program; and

WHEREAS, Over the course of several years, the SFRPD developed the Natural Resource Management Plan (“NRMP” or “Project”), with the final draft plan published in February 2006; and

WHEREAS, The NRMP contains detailed information on the biology, geology, and trails within 32 Natural Areas, 31 in San Francisco and one (Sharp Park) in Pacifica; and

WHEREAS, The NRMP is intended to guide natural resource protection, habitat restoration, trail and access improvements, other capital projects, and maintenance activities over the next 20 years; and

WHEREAS, The NRMP delineates the acreage within each Natural Area into management area categories based on the management priority; and

WHEREAS, The NRMP prescribes both general management activities that apply to all Natural Areas and management activities specific to each Natural Area; and

WHEREAS, The NRMP identifies a number of goals with respect to conservation and restoration, education, research, stewardship, recreation, and monitoring goals; and

WHEREAS, Recommended actions identified for each Natural Area are intended to meet the overall goals of the NRMP and may include, but are not limited to, habitat restoration, removal of invasive species, tree removal, erosion control, trail closure, relocation or

creation, and closure or reduction of dog play areas; and

WHEREAS, On April 22, 2009, the Planning Department determined that an Environmental Impact Report (“EIR”) was required under the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.*, to analyze the environmental impacts of the proposed NRMP and provided public notice of that determination by publication in a newspaper of general circulation; and

WHEREAS, The Planning Department held a public scoping meeting on May 12, 2009 and May 14, 2009 in order to solicit public comment on the scope of the proposed Project’s environmental review; and

WHEREAS, On August 31, 2011, the Planning Department published the Draft Environmental Impact Report (“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; and

WHEREAS, On August 31, 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; and

WHEREAS, Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on August 31, 2011; and

WHEREAS, The Planning Commission held a duly advertised public hearing on said DEIR on October 6, 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 October 31, 2011; and

WHEREAS, On April 27, 2012, the Planning Department opened a second public review and comment period for the DEIR, and provided public notice in a newspaper of general circulation of the availability of the second public review and comment period; this notice was mailed to the Planning Department’s list of persons requesting such notice. The period for acceptance of written comments ended on June 11, 2012; and

WHEREAS, The Planning Department prepared responses to comments on environmental issues received at the public hearing and in writing during the first 61-day public review period and the second 45-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; and

WHEREAS, This material was presented in a Comments and Responses document, published on November 16, 2016, distributed to the Planning Commission and all parties who commented on the DEIR, and made available to others upon request at the Planning Department; and

WHEREAS, A Final Environmental Impact Report (hereinafter “FEIR”) has been prepared by the Planning 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; and

WHEREAS, Project EIR files have been made available for review by the Planning and Recreation and Park Commissions and the public, and these files are available for public review at the Planning Department at 1650 Mission Street, Suite 400, and are part of the record before the Commission; and

WHEREAS, On December 15, 2016, the Planning Commission reviewed and considered the information contained in the FEIR and found 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 and certified the FEIR as adequate, accurate, and complete; and

WHEREAS, The Recreation and Park Commission has reviewed and consider the FEIR and the Mitigation Monitoring and Reporting Program (MMRP), (attached hereto as Attachment 2); now therefore be it

RESOLVED, That the Recreation and Park Commission adopts the CEQA findings, including a statement of overriding considerations, (attached hereto as Attachment 1) as though fully set forth herein; and be it

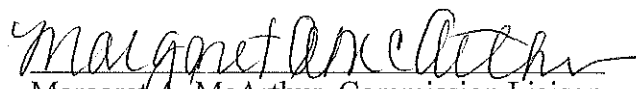
FURTHER RESOLVED, That the Recreation and Park Commission adopts the MMRP and imposes all mitigation measures contained therein as conditions of Project approval; and be it

FURTHER RESOLVED, That the Recreation and Park Commission approves the NRMP, which prescribes both general management activities that apply to all Natural Areas and management activities specific to each Natural Area, including, but not limited to habitat restoration, removal of invasive species, tree removal, erosion control, trail closure, relocation or creation, and closure or reduction of dog play areas.

Adopted by the following vote:

Ayes	5
Noes	0
Absent	1

I hereby certify that the foregoing resolution was adopted at the Joint meeting of the Recreation and Park Commission and the Planning Commission held on December 15, 2016.


Margaret A. McArthur, Commission Liaison

Attachment C: Planning Commission Motion 19825



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion NO. 19825

HEARING DATE: DECEMBER 15, 2016

Case No.: **2005.0912E**
Project Address: **Significant Natural Resource Areas Management Plan¹**
Zoning: N/A
Block/Lot: 31 Natural Areas in San Francisco and Pacifica (various parcels)
Project Sponsor: San Francisco Recreation and Parks Department
Stacy Bradley – (415) 575-5609
stacy.bradley@sfgov.org
Staff Contact: Melinda Hue – (415) 575-9041
melinda.hue@sfgov.org

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ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED SIGNIFICANT NATURAL RESOURCE AREAS MANAGEMENT PLAN.

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the final Environmental Impact Report identified as Case No. 2005.0912E, the "Significant Natural Resource Areas Management Plan" (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 April 22, 2009.
 - B. The Department held a public scoping meeting on May 12, 2009 and May 14, 2009 in order to solicit public comment on the scope of the Project's environmental review.
 - C. On August 31, 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

¹ The Significant Natural Resource Areas Management Plan, or SNRAMP, is now referred to as the Natural Resources Management Plan; however, to maintain consistency between the Draft EIR and the RTC document, the term SNRAMP will continue to be used.

Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice.

- D. On August 31, 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, 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 August 31, 2011.
2. The Commission held a duly advertised public hearing on said DEIR on October 6, 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 October 31, 2011.
 3. On April 27, 2012, the Department opened a second public review and comment period for the DEIR, and provided public notice in a newspaper of general circulation of the availability of the second public review and comment period; this notice was mailed to the Department's list of persons requesting such notice and to neighborhood groups registered with the Department at that time. The period for acceptance of written comments ended on June 11, 2012.
 4. The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the first 61-day public review period and the second 45-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 Comments and Responses document, published on November 16, 2016, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.
 5. 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.
 6. Project EIR 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.
 7. On December 15, 2016, the Commission reviewed and considered the information contained in 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.
 8. The project sponsor has indicated that the presently preferred alternative is the Significant Natural Resources Area Management Plan.

9. The Planning Commission hereby does find that the FEIR concerning File No. 2005.0912E: Significant Natural Resources Area Management Plan reflects the independent judgement 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 that would require recirculation of the document pursuant to CEQA Guideline Section 15088.5, and hereby does CERTIFY THE COMPLETION of said FEIR in compliance with CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code.
10. The Commission, in certifying the completion of said FEIR, hereby does find that the project described in the Environmental Impact Report and the project preferred by the project sponsor, described as the Significant Natural Resources Area Management Plan in FEIR would have the following significant unavoidable environmental impacts, which cannot be mitigated to a level of insignificance:
- A. A significant project specific and cumulative impact on Sharp Park Golf Course, a historic resource under CEQA, due to modification of golf holes for restoration activities;
 - B. A significant cumulative impact on recreation in dog play areas (DPAs) within Natural Areas due to increased use resulting from the reduction of dog play areas by the project and potentially by the National Park Service's (NPS) Dog Management Plan within the Golden Gate National Recreation Area (GGNRA);
 - C. A significant cumulative impact on biological resources within Natural Areas DPAs due to increased use resulting from the reduction of dog play areas by the project and potentially by the NPS Dog Management Plan within the GGNRA; and
 - D. A significant project-specific and cumulative impact on air quality from activities such as trail construction, hillside stabilization, erosion control, and tree removal.
11. 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 December 15, 2016.


Jonas P. Ionin
Commission Secretary

AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
NOES: Moore
ABSENT: None
ADOPTED: December 15, 2016