

To: mainpost@presidiotrust.gov  
From: Amy Meyer

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**Presidio Main Post Comments:  
Main Post Update & Draft SEIS & Draft Finding of Effect/Section 213 report**

I was a member of the Presidio Trust Board of Directors from 1997 – 2003. Having previously served on numerous other park and civic boards and commissions, I could recognize when the full facts of a situation were not being shared with the Board. When I sensed this, I would find the missing information. With these donor-driven projects of the Main Post Update, I believe the Board has missed out on explanations that should have been forthcoming from the staff. Then the Board, which has the ultimate authority, could have seen how its decisions conformed to the requirements of law, policy, and public process.

For example, we should not be considering a new cultural and civic center in the heart of a National Historic Landmark District (NHLD). We have to be considering a project that meets the Secretary's Standards for the Treatment of Historic Properties. We should be considering a "rehabilitation" project with strong "preservation" elements, I doubt that the Board has been instructed in the Secretary's Standards that must apply in the heart of an NHLD, and therefore has lacked the information necessary for informed decisions.

*Rehabilitation standards acknowledge the need to alter or add to a cultural landscape to meet continuing or new uses while retaining the landscape's historic character.*

*Preservation standards require retention of the greatest amount of historic fabric, including the landscape's historic form, features, and details as they have evolved over time.*

The Board should quickly have recognized that Millennium Park in Chicago and Bryant Park in Manhattan were not suitable examples for guiding the future of the Main Post. The San Francisco Planning Commission had to make the Trust aware of the absurdity. The Gluckman design for CAMP should have been rejected in a week, not a year. Did the Trust Board not have the guidance of its Federal Preservation Officer (FPO) or did the Board not use his guidance?

**I will not repeat most comments of the Section 213 report. I am deeply grateful for the report, which so thoroughly illuminates the defects of the Main Post Update (MPU) and draft Finding of Effect (FOE). Consider my agreement with that paper to be incorporated in these comments, without further reference.**

**Summary of the overarching issues within these documents:**

- 1) The collective developments proposed for the Main Post would cause a loss of historic integrity to the entire NHLD.**
- 2) There is no basis for banking square footage for new construction. Legal interpretation affirms otherwise for the Presidio.**
- 3) The Presidio Trust is trying to change the General Objectives of the 2002 Presidio Trust Management Plan through a couple of lines in the 2009 MPU.**
- 4) The changes to the objectives to the Presidio Trust Management Plan (PTMP) through the MPU conflict with the Congressional legislative intent and goals of establishing the Presidio Trust as the manager of Area B of the Presidio.**
- 5) The MPU project does not meet the Secretary of the Interior Standards for Historic Properties, causing an adverse effect.**
- 6) The Presidio Trust does not currently have an adequate and qualified Preservation Officer as required in Section 110 of the National Historic Preservation Act.**

**1) The collective developments proposed for the Main Post would cause a loss of historic integrity to the entire NHLD**

Cumulative impacts of the proposed developments have not been properly analyzed. "Activating" the Main Post within its historic framework will, over time, bring many more people to the Presidio than are there today. The idea that the Main Post is "dead" has been foolishly exaggerated. Who wants to visit an asphalt parking lot?! It takes time, but a national park is forever and the changes, particularly in this historically sensitive situation, must evolve over time. Not only will the other buildings on the Main Parade fill with tenants and bring in more visitors and traffic than presently being analyzed, but we can expect the number of family picnics and festive events on the Main Parade to grow significantly once it is greened. Room must be left for these changes and they will affect where and how many people visit, drive, and park on the Presidio.

The Area of Potential Effect is the whole Presidio, as required by Sec. 106 of the National Historic Preservation Act (NHPA). If the PTMP is changed, it cannot be done district by district. The Main Post Update treats rehabilitation of the Main Post in isolation. Any isolated developments on this scale would be precedent-setting for the whole Presidio. The plan does not take into account the cumulative effects of the proposed developments on visitor carrying capacity, traffic, and parking in the whole Presidio— changes to the whole— and it must.

**2) There is no basis for banking square footage for new construction. Legal interpretation affirms otherwise for the Presidio.**

The Supplement to the PTMP Main Post Update draft SEIS must be reviewed alongside the June 2008 PTMP Main Post Update Draft SEIS. Apparently, the erroneous statement on page 258 of the 2008 dSEIS stands:

*Statutory analysis suggests that a replacement building need not be constructed in the same footprint as the demolished building (that is “one up/one down”). Instead, interpretation of the Trust Act, its legislative history, and past U.S. Army and NPS practices indicate that the Trust can demolish structures and “bank” or hold in reserve the square footage for an indefinite period, drawing upon it later to provide the basis for building additions or new construction throughout Area B of the Presidio.*

Both the GGNRA legislation and the Trust legislation make it clear that this statement is an incorrect interpretation of law, as determined in a case 23 years ago (where I was the point person for the Sierra Club), *Sierra Club v. John O. Marsh*, in the Federal District for the Northern District of California. A 1978 amendment to the legislation establishing the Golden Gate National Recreation Area (P.L. 92-589) reads:

*New construction and development within [the Presidio] . . . of lands under the administrative jurisdiction of a department other than that of the Secretary [of the Interior] is prohibited, except that improvements on lands which have not been transferred to his administrative jurisdiction may be reconstructed or demolished. Any such structure which is demolished may be replaced with an improvement of similar size, following consultation with the Secretary . . .*

This Army was the defendant in this 1986 lawsuit—and they lost. The same section of the law is still in force. At that time the court declared:  
*Had Congress meant to adopt the Army’s interpretation, to the effect that new construction is permitted so long as it doesn’t exceed the square footage of improvements which existed in the Presidio at the time of the adoption of the statute, it would readily have said so. But it didn’t say that. What it said was that the Army can replace a demolished building by one of similar size.*

The Trust Act repeats the same injunction in Section 104 (c )(3)  
*New construction limited to replacement of existing structures of similar size in existing areas of development*

The Trust does not give the specific demolition figure for a building to be replaced by CAMP, nor for the other new buildings and construction additions. The only building large enough to be a demolition credit for CAMP is the Sports Basement, but this alternative was only mentioned and never explored seriously.

### **3) The Presidio Trust is trying to change the General Objectives of the 2002 Presidio Trust Management Plan through a couple of lines in the 2009 MPU.**

There has been a disingenuous attempt, disrespectful of the public's clear support for the general objectives that were adopted in the 2002 Presidio Trust Management Plan (PTMP), to change one of those general objectives. The Main Post Update was done in tandem with development of proposals for three major projects: a contemporary art museum, a lodge and an enlargement of the Presidio theatre. It was illogical from the beginning to try to revise a general objective by conflating that process with a proposed development project. Revision and development proposals should have been considered in two separate processes, completing the update before bringing the projects forward.

A stipulation in the Trust's enabling legislation states the Presidio is to be managed in accordance with the general objectives of the General Management Plan:

*Sec 104 (a) OVERALL REQUIREMENTS OF THE TRUST.— The Trust shall manage the leasing, maintenance, rehabilitation, repair and improvement of property within the Presidio under its administrative jurisdiction using the authorities provided in this section, which shall be exercised in accordance with the purposes set forth in section 1 of the Act entitled "An Act to establish the Golden Gate National Recreation Area... (Public Law 92-589...)... and in accordance with the general objectives of the General Management Plan... approved for the Presidio.*

The fourth 2002 PTMP general objective reads:

*To sustain the Presidio indefinitely as a great national park in an urban setting.*

The general objective of the 2009 Main Post Update (MPU) stated on page 2 differs significantly from its predecessor:

*The Presidio Trust (Trust) is updating the planning concept for the Main Post district of the Presidio of San Francisco. The Main Post Update to the Presidio Trust Management Plan (Update) reflects the land uses and improvements that the Trust intends to pursue in order to establish the Main Post as the cultural and civic center of this unique urban national park.*

These two phrases have profoundly different meaning, and the Trust's new goal was explicitly rejected by the public 7 years ago. The art museum was under discussion by the Trust board for about three years before an August 2007 press conference announced it to the public. There was plenty of time to go through the full public process of updating the 2002 PTMP to see if the public supported it. Instead of building on growing broad support for the Trust after the PTMP was approved, this process and these projects have created severe public distrust in the institution of the Trust and a public relations disaster.

The resulting “preferred alternative” plan makes a mockery of what this National Historic Landmark really is: one of the most important historic sites in the United States. The new general objective distorts and partially erases the historic significance of the heart of the Presidio National Historic Landmark District.

**The Main Post Update and its dependent documents should be rejected. If the Trust would like to discuss further the present general objectives of the PTMP with a view to amending them, it should start over again from the beginning, using a public process independent of any project proposals.**

**4) The changes to the objectives to the PTMP through the MPU conflict with the Congressional legislative intent and goals of establishing the Presidio Trust as the manager of Area B of the Presidio.**

The change to the general objective should have been examined for the validity of its *accordance with the purposes set forth in section 1 of the Act entitled "An Act to establish the Golden Gate National Recreation Area... (Public Law 92-589...)"* as well as with the Act establishing the Presidio Trust, especially these portions of Section 101, which repeat and elaborate upon the above-cited Section 1 of the original Act:

- (1) the Presidio, located amidst the incomparable scenic splendor of the Golden Gate, is one of America's great natural historic sites;*
- (2) the Presidio was the oldest continuously operating military post in the Nation dating from 1776, and was designated a National Historic Landmark in 1962;*
- (3) preservation of the cultural and historic integrity of the Presidio for public use recognizes its significant role in the history of the United States;*
- (4) the Presidio, in its entirety, is part of the Golden Gate National Recreation Area, in accordance with Public Law 92-589*
- (5) as part of the Golden Gate National Recreation Area, the Presidio's significant natural, historic, scenic, cultural, and recreational resources must be managed in a manner which is consistent with sound principles of land use planning and management, and which protects the Presidio from development and uses which would destroy the scenic beauty and historic and natural character of the area and cultural and recreational resources.*

The proposed developments singularly and cumulatively violate all of these sections, as shown in the Section 213 report. The “heart of the Presidio” should bring to public awareness, educate visitors, and illuminate through events and exhibitions these important, lasting historic resources. While existing buildings may be used for a variety of purposes, and may have additional construction in order to make them more useful, there should be no major **new** buildings in the heart of this important place to be used for major unrelated purposes, especially not buildings that would dominate the site.

**5) The MPU project does not meet the Secretary of the Interior Standards for Historic Properties, causing an adverse effect.**

**Adverse Effects of the Specific Project Proposals**

**The contemporary art museum:**

The art museum is the most egregious problem. A wall of glass at the north end would compromise the integrity of the workmanship and materials of the Main Post. The Main Parade would become the front lawn for the museum. “Punched” windows appropriate for the site would be a really bad design for a modern art museum, and that is the only legitimate style on the chosen site. Modern sculpture placed outdoors would be entirely inappropriate if it can be seen from anywhere in the surrounding area and would detrimentally affect the setting, feeling, association and design of the Main Parade.

If the donor is so desirous of bringing his art collection to the Presidio, a superb alternative site exists, as pointed out by numerous individuals and the Section 213 report. In fact, the museum is being cramped by the Main Post site, both in style and program. The Sports Basement site previously designated for a museum in 2002, is in an area with much less historic integrity, and would allow far more freedom of architectural design and the display of outdoor sculpture. Its demolition would also meet the permission for demolition to be replaced by construction; the Sports Basement is the only building large enough for the art museum to replace. The construction of Doyle Drive will start this summer more than a year ahead of schedule. Were the donor to agree to go there, the building and the road could well be finished at about the same time, in 2012.

As with all the other alternatives to the various projects, this alternative was never given full consideration. The heart of an NHLD cannot have an incompatible permanent structure just because the donor wants it there. That is especially compelling when a real and better alternative exists.

**The theatre building:**

The Trust—and the public—cannot afford to lose the largest auditorium space on the Presidio. Dividing the building vertically, internally, would compromise its historic integrity. The proposed building addition is larger than the original building and would compromise views in several directions.

Alternatives exist that have not been explored. The theatre program has been described as primarily for evenings. Space for the three screening rooms should be sought in a nearby historic building that can be shared with the NPS/Trust visitor center to show films to park visitors during the daytime.

**The lodge:**

Construction of new lodge rooms should be explored behind Pershing Hall and on other less visible sites. Buildings 86 and 87 have been mentioned. While I think it is foolish to put hotel rooms next to areas of special events and high

school sports and band practice, it would have less effect on the integrity of the NHLD. But there are other considerations, including traffic effects on the Main and Old Parades. A comprehensive review of the impacts of a lodge is needed. Alternatives in other historic buildings should be examined. At best, which is what we should aim for, new construction would be limited almost entirely to what will make an historic building work well (as with Disney).

#### **Buildings 40 & 41:**

To move them to another site will expose the uniquely valuable El Presidio. To keep them in place will be true to the Main Post of WWII. This requires further Sec 106 consultation.

The loss to historic integrity that each of the main projects would cause have not been fully discussed, and the “matrix” sheet of comparisons between the dFOE and the Section 213 report inaccurately seems to show that the Section 213 report and the dFOE reached similar conclusions. They did not. Most of the pictures in the MPU and dFOE also do not show the full effect of the proposed developments. They only outline the buildings, rather than showing the effect of the mass of the structures and the materials of which they would be constructed on the Main Parade. Many of the pictures that do show solid walls are presented at such a distance that the real effect of a building cannot be calculated—the reviewer of these documents cannot see how the new construction would dominate an area.

What these examples also show is that the Trust did not adequately analyze or present alternatives to these proposals. Tours that showed only the preferred alternative and failure fully to discuss alternatives at any time permeated the long, ugly process we have been through. **My major NEPA comment is that the heart of the environmental process is the study of alternatives and for this entire process the study of alternatives has been an abysmal failure.**

**6) The Presidio Trust does not currently have an adequate and qualified Preservation Officer as required in Section 110 of the National Historic Preservation Act (NHPA).**

**Section 110 (c) of the NHPA is intended to ensure that Federal agencies make informed decisions about historic properties. It reads:**

*The head of each Federal agency shall, unless exempted under section 214 of this Act, designate a qualified official to be known as the agency's "preservation officer" who shall be responsible for coordinating that agency's activities under this Act. Each Preservation Officer may, in order to be considered qualified, satisfactorily complete an appropriate training program established by the Secretary under section 101(h) of this Act.*

The Trust is not exempt.

Sections of the National Historic Preservation Act and the Advisory Council's Regulations that implement Section 106 (36 CFR 800) cannot be mixed and matched. Section 106 of the NHPA describes the responsibilities of the "head of any Federal agency" which is described as the "agency official" in the regulations (36 CFR 800.2(a). Section 110 then describes how the "heads of all Federal agencies shall assume responsibility for the preservation of historic properties which are owned or controlled by such agency." One of the stipulated requirements under Section 110 includes designation of a qualified "Preservation Officer."

Craig Middleton does have several professionals with extensive experience in preservation projects. However, none of these individuals has extensive experience in running a preservation program as described in Section 110 of the NHPA. Jones and Stokes has extensive experience in carrying out complex Section 106 consultations. However, the professionals at Jones and Stokes who are working on the project do not have experience with working in a land management agency and therefore do not have experience in establishing and maintaining the historic preservation program required under Section 110.

The real problem is that the Trust did have a qualified preservation officer and did not listen to him. Ric Borjes was driven out by insistence that he rewrite the 2008 draft Finding of Effect (dFOE) 16 times (as reported by the *LA Times* and personally confirmed). Absent using the guidance of a qualified preservation officer, neither staff nor Board made use of the professional information necessary for informed decisions— as is apparent from what has occurred.