

DAPE comments on the draft PA

January 26, 2010

DAPE's members expect that we would be consulting and concurring signatories to any PA, now or in the future, involving the San Francisco Presidio. As stated elsewhere, our ancestors founded the Presidio and members of our families have served there in the Spanish, Mexican, and United States armies. The San Francisco Presidio has a deep cultural significance for us, similar to that recognized for Native Americans and their sites of special import. Our lapse in involvement with Presidio issues is due to the aging and death of a previous generation. There will be no such lapse for years to come.

The hope and patience that we and the general public have placed in the management of the Presidio Trust since its founding was disrupted in 2007 with the CAMP proposal. Suspicion of the Trust's management has replaced that faith and deepened with awareness of other proposals sponsored by the Trust. With the Presidio Trust's announcement that financial sustainability had been achieved, the lack of focus on the national historic and cultural significance became inexcusable. Throughout the years since 2007, the Trust's selective reading of its founding legislation and all other regulatory documents to focus on its power of real estate development has been apparent. The Presidio Trust's basic thrust in this PA is to essentially ask all parties to grant the Trust unrestrained and undefined authority.

We protest the short amount of time allowed to digest and analyze information provided in the January 26, 2010 106 session with the draft PA. Others perhaps have the resources we do not have and can provide more complete analyses. Comparing the 2005 PA and the current draft PA is insufficient. Sorting through the massive number of pages generated over the past years and determining what is relevant is not a trivial exercise.

We applaud the Presidio Historical Association for its intense effort to meet this deadline and incorporate by reference the PHA's objections stated by letter today.

We are commenting on a draft PA which we believe is sufficiently full of errors and so basically flawed as to make analysis of all its provisions a waste of time and effort.

This is apparent from analyzing the draft PA at its very beginning.

The first sentence of the current draft PA begins "Whereas the Presidio Trust (Trust) proposes to amend the planning concept for the Main Post District with the Main Post Update to the Presidio Trust Management Plan (PTMP)."

The process of amendment is by definition dependent on the existence of a previous statement, e.g., plan or bill, with the implication that additions or modifications will correct or better the original.

Nothing in the "Where as" section of the draft Programmatic Agreement clearly points to what document or set of documents define the "planning concept for the Main Post" that is to be amended. In Section II B of the draft PA, on line 278, "the design guide lines for the Main Post District that are included in the 2002 PTMP (pp. 62-69) remain the overarching design guidelines under this agreement." The PTMP pages are not labeled as design guidelines but are titled "Planning Concept." This needs to be referenced properly, citing the source in the "Where as" section and using the exact title in Section II B of the PA. We have observed a similar lack of precision throughout the Trust's efforts.

The Presidio Historical Association, and perhaps others, asked in the August 2009 106 sessions for specific information as to what sections or clauses of the current PA or PTMP would be changed by the new PA. That request has not been satisfied. Absent that information, the consulting parties and the public can only guess at the effects of this PA

by reading the PTMP, PTIP Planning Principles, 2005 PA, and other unidentified documents that will be modified or even eliminated by the current agreement.

The Presidio Trust has never clearly answered what new planning concepts or design principles will guide future project proposals. This is glaringly demonstrated by the time and money wasted by CAMP and the Interfaith Council on inappropriate architectural designs which The Presidio Trust staff then presented to the public. The draft Design Guidelines circulated early in the 106 consultation process have perhaps been abandoned as the document is not mentioned in the draft PA nor is it currently available on the Presidio Trust's Website.

Although we perceive a need to amend the PTMP, nothing in the draft PA addresses the issues which concern us. The current draft PA accomplishes little except to allow for actions we believe detrimental to the integrity of the Presidio. Almost all of the projects described in the MPU and changes made to date since 2007 with the probable exception of the archaeology lab relocation have strong adverse effects and impacts, whether recognized or not by the Presidio Trust.

The draft PA does not amend the PTMP Planning Concept with any overarching principles but rather negates what weak design principles exist in order to accommodate individual specific project details.

We believe that concurrence with this document will result in writing a blank check to the Presidio Trust, providing sufficient authority without possibility of stoppage to revert to any of the apparently abandoned proposals to which we object.

We are confronted with the dilemma of concurring with a document that pre-approves adverse impacts and effects on the Presidio that might allow the Presidio Trust to revert to worse proposals dropped from current discussions or removing ourselves from future consultations by refusing to sign this agreement.

We would be betraying our responsibility to our heritage both as descendants of Alta California and as American citizens to concur with the new PA as it appears in this draft. The smallest amount of training and experience in a business environment would prevent the signing of any such contract with so many undefined terms and unresolved issues.

We could not be expected to passively watch others alter and damage such an important place without voicing loud and sustained public objections. Although we have not polled our members, a number have expressed their willingness to participate in any legal action required to prevent what we perceive as both imminent and future harm to the Presidio. We believe that any such actions would result in great embarrassment to the Presidio Trust. We hope to avoid that.

We have participated in good faith in the NHPA and NEPA processes without feeling that much has been accomplished. Others have responded approvingly to the Trust's claim to have changed in response to the public and the consulting parties. We are less enthused because the basic threats that the Trust's proposals represent are about to be codified in a PA. Although a great amount of effort has been expended over a period of years, we feel that the Trust has been "building castles in the air."

We remain hopeful that the Presidio Trust Board and staff will at least pause in its commercial real estate development and allow discussion leading to generation of a valid plan consistent with this specific and potentially splendid National Park.