

**Arc Ecology • San Francisco Baykeeper
California Native Plant Society, Yerba Buena Chapter
Clean Water Action
Nature in the City • Planning and Conservation League
Presidio Environmental Council • San Francisco for Reasonable Growth
San Francisco Neighborhood Network
San Francisco Tomorrow • San Francisco Transit Riders Union
San Francisco League of Conservation Voters
Sierra Club • The Bay Institute
Telegraph Hill Dwellers • Treasure Island Wetlands Project
Turtle Island Restoration Network**

August 25, 2011

Bill Wycko, Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Comments to Draft Environmental Impact Report - The 34th America's Cup Races and James R. Herman Cruise Terminal and Northeast Wharf Plaza (SF Planning Case No. 2010.0493E)

Dear Mr. Wycko,

On behalf of the Environmental Council, we submit the attached comments on the Draft Environmental Impact Report (EIR) for the 34th America's Cup Races (AC34) and James R. Herman Cruise Terminal and Northeast Wharf Plaza (Proposed Project), released July 11, 2011. In order to maintain an effective, balanced and unified voice for environmental- and community-based concerns, the Council is comprised of environmental, neighborhood and community organizations, most of which are listed in this letter. Many of our organizations are developing and submitting individual comments which we also endorse and support. Our member organizations are committed to a successful and sustainable America's Cup event.

We appreciate the opportunity to provide these comments, which serve to inform the preparation of the Final EIR and assist San Francisco in maintaining its aggressive review and approval schedule for the Proposed Project. We have been working with the City's team for the last six months and appreciate the opportunity to have been involved extensively from an early date. We also appreciate the amount of work that has been conducted in a very compressed period and look forward to continuing our efforts to work with the City's team to improve the environmental documents and the City's preparations for the event. At the same time, and you've heard this from others, we feel both concern and some frustration that we have not received feedback from our earlier efforts to engage in the process, nor are most of the concerns we've expressed in several venues reflected in the DEIR as released.

We have three broad areas of concern;

1 The document, massive as it is, still lacks necessary information in many regards, and repeatedly understates the impacts of the race events on the City and the Bay. This is reflected in issues that span from understating impacts on the Bay itself to understating likely impacts on locations like Inspiration Point where observers are likely to gather, to understating impacts on the Muni system and its riders. This consistent understatement of impacts leads directly to inadequate and under-funded mitigation measures, the unnecessary inconveniencing of visitors and locals alike, and serious effects on our unique natural and historic environment.

2 The document references many implementation plans as mitigation for identified and unidentified impacts. Yet none of the plans have been finalized, those that are available are vague and contain few mandatory actions, and many are not yet available even in draft form. We understand that these implementation plans are one tool for accommodating the short time frame for environmental review; but if the plans are not included in the DEIR, then the document itself must specify those required elements within each plan that will mitigate the identified impact. Without this information, neither we as readers nor you as planners can know what the proposed mitigations are, determine their adequacy or ensure their funding.

3 The document is seriously flawed in its attempt to combine the short-term event with the long-term development of the Cruise Terminal and the as yet undetermined development rights that will be granted to the Event Authority. In particular, the long-term development projects that are triggered by the Host and Venue Agreement can only be studied on a programmatic level, along the lines of the 1995 Waterfront Land Use Plan EIR, using a use pallet that assumes maximum use of each site, and guided by existing development agreements and public trust restrictions. Yet this document makes the mistake of assuming that impacts can be identified and mitigated on a project level when the project locations and boundaries, much less the projects themselves, have not yet been defined. The approach taken in this document is not necessary to prepare for the America's Cup event, and runs the risk of delaying needed approvals.

The goal of CEQA is to provide adequate and complete information to both the public and decision makers about the impacts of a proposed project and how to avoid and mitigate them. The City's attempt to plan for the project concurrent with the CEQA analysis has produced a deeply flawed document that cannot provide the assistance needed, and runs the risk of delaying the project.

Our organizations have consistently pledged to assist the City in its efforts to host a successful and sustainable America's Cup event. We can only do that if you allow us to help you. We continue to stand ready to provide you with additional information and assistance in finalizing this document.

Sincerely,




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