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December 27, 2017

Via Electronic Mail and Overnight Mail
San Francisco Planning Department
Attention: Lisa M. Gibson
1650 Mission Street, Suite 400
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Lisa.gibson@sfgov.org

Re: Appeal of Preliminary Mitigated Negative Declaration Regarding Alcatraz Ferry Embarkation Project (Case No. 2017-000188ENV)

Dear Ms. Gibson

This firm represents the City of Sausalito (Sausalito) regarding the above-referenced matter. Pursuant to the Notice of Availability of and Intent to Adopt a Negative Declaration, dated December 6, 2017, and San Francisco Administrative Code section 13.11, subsection (e), Sausalito appeals the San Francisco Planning Department's (City) proposed Preliminary Mitigated Declaration (PMND) for the Alcatraz Ferry Embarkation Project (Project).

SUMMARY OF CONCERNS AND OBJECTIONS

The Project's proposal to provide weekend ferry service between Pier 31 ½ and Fort Baker, located adjacent to Sausalito, will substantially increase pedestrian, bicycle and vehicular traffic along Alexander Avenue (a two-lane arterial road that connects Highway 101, Fort Baker, and Sausalito) as well as in the Marin Headlands and Sausalito. These additional visitors and traffic will exacerbate what are often severe, over-crowded conditions within Sausalito's historic downtown and waterfront, particularly during weekends and peak periods spanning from March through October. The PMND, however, neither analyzes nor mitigates these potentially significant impacts.

Instead, the PMND assumes that all ferry passengers arriving in Fort Baker will remain within Fort Baker as pedestrians and not generate *any* additional traffic or bicycle trips within or outside the park. The PMND therefore imposes no mitigation measures regulating the proposed Fort Baker ferry operations or its resulting impacts. However, these assumptions underlying nearly all of the PMND's less-then-significant impact findings regarding the proposed Fort Baker ferry service are a fallacy; unsupported and unsupportable by substantial evidence. Because, as explained below, substantial evidence supports a fair argument that Fort Baker ferry passengers may cause a myriad of significant environmental impacts, the City may not lawfully approve the PMND under California's Environmental Quality Act (CEQA), and instead must prepare an Environmental Impact Report (EIR) to fully assess the potential direct and indirect impacts of the proposed Fort Baker ferry service. Alternatively, the City and the National Park Service (NPS) may sever the proposed Fort Baker ferry service from the Project.

RELEVANT LEGAL STANDARDS

CEQA was enacted as a means to require public agency decision makers to document and consider the environmental implications of their actions. (Pub. Res. Code § 21000, 21001; *Friends of Mammoth v. Board of Supervisors* (1972) 8 Cal. 3d 247, 254-256.) CEQA contains a substantive mandate that public agencies refrain from approving projects with significant environmental effects if "there are feasible alternatives or mitigation measures" that can substantially lessen or avoid those effects. (Pub. Res. Code § 21002.) CEQA should be interpreted so "as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." (*Friends of Mammoth*, *supra*, at 259.)

Members of the public hold a "privileged position" in the CEQA process. (*Concerned Citizens of Costa Mesa, Inc. v. 32nd District Agricultural Association* (1986) 42 Cal. 3d 926, 936.) CEQA procedures must be scrupulously followed so that the "public will know the basis on which its responsible officials either approve or reject environmentally significant action," and will be able to "respond accordingly to action with which it disagrees." (*Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal. 3d 376, 392.)

"CEQA requires the preparation of an EIR whenever it can *fairly be argued* on the basis of substantial evidence that the project *may* have a significant environmental impact." (Pub. Res. Code §§ 21002.1, 21061; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68, 75.) The CEQA Guidelines define "substantial evidence" in relevant part as:

> Enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached....Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

(CEQA Guidelines, § 15384 (a) and (b).) A "significant effect on the environment" is defined as a substantial, or potentially substantial, adverse change in any of the physical, conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance." (CEQA Guidelines, § 15382.)

THE CITY FAILED TO COMPLY WITH SPECIAL CONSULTATION REQUIREMENTS THAT APPLY TO THIS PROJECT OF STATEWIDE, REGIONAL, OR AREAWIDE SIGNIFICANCE

The Project is one of "Statewide, Regional or Areawide Significance" under CEQA because it would "substantially affect sensitive wildlife habitats including but not limited to riparian lands, wet lands, bays, estuaries, marshes, and habitats for endangered, rare and threatened species..." (CEQA Guidelines, § 15026(b)(5)). (*See e.g.*, PMND pp. 139-140 [managed fish species]; pp. 142-142 [marine mammals]; pp. 144-145 [terrestrial mammals (bats)]; and pp. 145-146 [special status bird species]; *see also*: FEIS for Fort Baker Plan, p. 4-23 ["Provision of ferry service to Fort Baker could increase turbidity and the amount of petroleum pollutants present in Horseshoe Bay resulting in potential adverse impact to water quality...Productivity of marine organisms could decrease as a result of petroleum leakage and increased turbidity, including potential reduction in eelgrass productivity....Increased wave

action within Horseshoe Bay could also increase shoreline erosion and further reduce water quality."].)

Lead agencies responsible for projects of Statewide, Regional or Areawide Significance must consult with "transportation planning agencies" and "public agencies which have transportation facilities within their jurisdiction which could be affected by the project." (Pub. Res. Code § 21092.4(a); CEQA Guidelines, § 15086(a)(5).)

The City was required to consult with Sausalito because it is a public agency with transportation facilities within its jurisdiction which could be affected by the Project. CEQA defines such "transportation facilities" to include "major local arterials and public transit within five miles of the project site...." (Pub. Res. Code § 21092.4(b); CEQA Guidelines, § 15086(a)(5.)[1] Several of Sausalito's major local arterials that *could* be affected by the Project are located well within a five-mile radius of the Fort Baker pier. Accordingly, the City was required to consult with Sausalito for this Project in the same manner as for "responsible agencies." (Pub. Res. Code § 21092.4(a).) Specifically, the City was required to consult with Sausalito before determining which CEQA document to prepare so that Sausalito may assist the City in determining the appropriate environmental document for the Project, and to explain its reasons for recommending whether the City as lead agency should prepare an EIR or negative declaration for the Project. (CEQA Guidelines, § 15096(a) and (b).) The City, however, failed to consult with Sausalito in this manner, and thus failed to comply with CEQA's mandatory notice and public agency consultation requirements. The City therefore may not lawfully approve the PMND for this reason alone.

THE CITY MAY NOT LAWFULLY APPROVE THE PMND UNDER CEQA

A. The PMND Fails To Impose Required Mitigation Measures on the Project

Repeatedly, throughout the document, the PMND concludes that the Project will have no impacts, or less-than-significant impacts, based on the assumption that a certain set of conditions will remain in place throughout the life of the Project, or that the Project will comply with certain "applicable" Federal, state or local requirements or regulations. However, in each such instance, the PMND fails to ensure the existence of such conditions or compliance with applicable legal requirements through mandatory mitigation measures that are enforceable and specify clear performance standards. In fact, the PMND contains in total only 6 mitigation measures, none of which regulate the proposed Fort Baker ferry operations. (PMND, pp. 178-182.) The PMND thus violates CEQA's substantive mandate that lead agencies "provide measures to mitigate or avoid significant effects on the environment that are fully enforceable

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[1] "The statute makes clear that a lead agency's obligations to consult pursuant to Section 21092.4 are not contingent on a finding of significant impacts on particular transportation facilities; rather, a lead agency must consult with those entities whose facilities *could* be affected by the project." (Remy et al., *Guide to CEQA* (11th ed.) (Solano Press 2007), p. 937, n. 12 (citing *Gentry v. City of Murrieta* (1995) 36 Cal. App. 4th 1359, 1387-1388) [interpreting the required level of "effect" under similar CEQA requirement triggering consultation as quite minimal to in order to serve the statutory purpose of fostering interagency consultation.].)

through permit conditions, agreements or other measures." (Pub. Res. Code § 21081.6(b).) "Mitigation measures must be feasible and enforceable." (*Federation of Hillside Canyon Assn. v. City of Los Angeles* (2004) 126 Cal. App. 4th 1180, 1198.)[2] Additionally, as discussed below, because several of the PMND's less-than-significant impact findings are premised on the existence of conditions or future conduct that is not enforceable, all such findings are unsupported by substantial evidence.

The PMND's lack of enforceable mitigation measures is not cured by the NPS' Final Environmental Impact Statement (FEIS) for the Project, dated January 2017. As an initial matter, the City did not provide notice, and does not purport to rely on the FEIS in place of the PMND, as authorized under limited circumstances not applicable here. (CEQA Guidelines §15225(a).)[3] In any event, the FEIS likewise imposes no mitigation measures regulating the potential land use, transportation and circulation, air quality, noise, water quality and hydrology, recreation, or hazardous material impacts resulting from the proposed Fort Baker ferry operations. (FEIS, pp. 78-86.)

Nor may the City avoid CEQA's substantive mandate to impose enforceable mitigation measures on the Project by claiming that NPS is responsible for mitigating impacts resulting from ferry service to Fort Baker. The Court in *Citizens for Quality Growth v. City of Mt. Shasta* (1988) 198 Cal. App. 3d 433,rejected a similar effort by a city to defer mitigation of a project's impacts on wetlands to the Army Corps of Engineers' permit procedures, stating: *"[E]ach* public agency is required to comply with CEQA and meet its responsibilities, including evaluating mitigation measures and project alternatives." (*Id.*, p. 442, fn. 8, citing CEQA Guidelines, § 15020) (emphasis in original).

B. The PMND's Project Description Is Vague and Incomplete

An accurate project description is the *sine qua non* of an informative, legally adequate CEQA document. (*County of Inyo v. City of Los Angeles* (1977) 71 Cal. App. 3d 185, 192.) Without an accurate description on which to base the CEQA analysis, CEQA's objective of furthering public disclosure and informed environmental decision-making is stymied. CEQA thus requires that initial studies/MNDs contain, among other things: (1) a description of the

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[2] All necessary mitigation measures "must be specifically set forth at the time of publication of a mitigated negative declaration in advance of the City's adoption of it." (Pub. Res. Code § 21022; CEQA Guidelines, § 15072(a); *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal. App. 4th 1597, fn. 4.)

[3] Moreover, the preparation of an EIS under the National Environmental Protection Act (NEPA) does not eliminate the responsibility of a lead agency to ensure compliance with CEQA. (*Nelson v. County of Kern* (2010) 190 Cal. App. 4th 252, 279.) Relevant here, a lead agency must ensure, among other things, separate discussion, identification and addition of mitigation measures. (CEQA Guidelines, § 15221.) This requirement is consistent with CEQA's unique *substantive mandate* that public agencies refrain from approving projects with significant environmental effects if "there are feasible alternatives or mitigation measures" that can substantially lessen or avoid those effects. (Pub. Res. Code § 21002.)

project including the location of the project; and (2) an identification of the environmental setting. (CEQA Guidelines, § 15063(d).) Notably, NPS' FEIS for the Fort Baker Plan adopted in 2000 stated that a separate planning process for ferry service to Fort Baker would provide "a detailed description of the physical facilities and operational characteristics (*i.e.*, frequency of trips, size of boats, land-side facilities, etc.) of ferry service at Fort Baker..." (Fort Baker Plan FEIS, p. 4-23.) However, as explained below, the PMND provides none of the promised (and legally required) details regarding the proposed ferry service to Fort Baker.

The PMND states that the Project would provide two roundtrip ferry trips between Pier 31 ½ to Fort Baker on weekends only. It further estimates that the ferry would serve a daily average of 250 passengers, and 40,000 annual passengers. (PMND, pp. 17-18, Table 4.) No analysis or evidence, however, is provided to support these passenger estimates. Instead, they appear to be largely based on the Project's alleged limitation of two per day trips on weekends only. However, the PMND imposes no mitigation measure to ensure that no additional ferry trips will be added throughout the life of the Project. To the contrary, the PMND states that the number of ferry trips under the Project, including those to Fort Baker, "are not expected to grow...." (PMND, p. 17, referencing Tables 3 and 4, both of which include Fort Baker). Moreover, the FEIS for the Project confirms that additional ferry trips to Fort Baker will be provided for special events, conferences and water-based programs. (FEIS, pp. 66-67.) These additional ferry trips referenced in the FEIS are neither disclosed nor analyzed in the PMND.

Additionally, the PMND provides no information regarding the frequency of proposed ferry trips to Fort Baker, the type of ferry vessel(s) or the passenger capacity of ferry vessels that will provide this expanded service. This omitted information – which the Fort Baker Plan FEIS stated would be provided with this analysis – is highly material. For example, the Golden Gate Bridge Highway & Transportation District's (District) Spaulding class vessels serving the San Francisco-Sausalito route (and therefore a likely candidate to provide the expanded ferry service to Fort Baker) can accommodate 750 passengers *per trip* – well in excess of the PMND's estimate of 250 *daily* passengers from two roundtrip segments.

The PMND's estimates regarding total Fort Baker ferry passengers are further vague and incomplete in that they are fixed, based on some unspecified time and unspecified conditions, with no consideration or analysis of the potential for growth in visitors over the life of the Project. As an illustration, the FEIS for the Project explains that future capacity for ferry service to Alcatraz Island is based on "forecasted 20% growth in visitors to the site through 2036." (FEIS, p. 11.) The PMND, however, provides no comparable analysis regarding anticipated visitor growth to Fort Baker over time, nor any analysis of resulting impacts from such growth.

Moreover, the PMND states that no "shuttle service" or bike rentals are currently available to arriving passengers at the Fort Baker pier. (PMND, p. 20.) However, no information is provided regarding the availability or potential future availability of these resources for arriving ferry passengers beyond the immediate vicinity of the Fort Baker pier, such as elsewhere within or just outside the park. Additionally, no information is provided regarding the availability or potential future availability of additional means of transportation at the Fort Baker pier, such as private cars, cars-for-hire (*i.e.*, Uber, Lyft, taxis), charters, vans and

busses, that might transport arriving passengers elsewhere within the park, to nearby parks such as the Marin Headlands and Muir Woods, or to Sausalito.

The PMND's project description is further deficient because it fails to consider the Project "as a whole;" meaning, all phases of project planning, implementation, and operation, including phases planned for future implementation. (CEQA Guidelines, § 15063(a).) Under this CEQA requirement, a lead agency may not limit environmental disclosure by ignoring the development of other activity that will ultimately result from an initial approval. (*See City of Antioch v. City Council* (1986) 187 Cal. App. 3d 1325 [piecemeal review of development of infrastructure for undeveloped site resulting in negative declaration was improper, even though future development of the site would be examined in later EIRs, because infrastructure extension was approved to allow site to be developed].)

Like the facts in *City of Antioch*, the PMND states that the Project's infrastructure improvements, including expanded ferry service to Fort Baker, are intended to facilitate expanded multi-modal visitor access to Fort Baker and beyond. The PMND states: "[t]he proposed project would improve cross-bay connectivity and accommodate existing and future visitor demand for recreational travel to Fort Baker *and the Marin Headlands*, thereby enhancing the Golden Gate National Recreation Area's operational effectiveness." (PMND, pp. 7-8 [emphasis added].) The PMND's "cumulative scenarios" analysis similarly acknowledges that recent plan actions implemented by the NPS include "improving multimodal connections between the Marin Headlands and Fort Baker by improving roadway surfaces and configurations...directional signage and safety." (PMND, p. 25.) The PMND's project description (and the PMND's analysis of potential environmental impacts) therefore should encompass the Project's broader, existing plans to expand multi-modal transportation of visitors to nearby parks and other regional destinations.

Finally, the PMND's description of the Project's environmental setting is incomplete and misleading. A proper description of a project's environmental setting is critical for informed assessment of its potential environmental impacts. (CEQA Guidelines, § 15064(b); *Leonoff v. Monterey County Bd. of Supervisors* (1990) 222 Cal. App. 3d 1337.) The PMND's description of the environmental setting is deficient in at least two respects.

First, the PMND refers to a variety of "operational and physical constraints, including limited parking at Fort Baker." (PMND, p. 20, *see also* Figure 9.) However, no additional information is provided to describe the environmental setting in the vicinity of the Fort Baker pier, such as photographs, maps, plans or diagrams of this Project site. Absent this basic information regarding the Fort Baker pier environmental setting (*i.e.*, the location and capacity for parking, location and capacity for vehicle and/or bus pickups and drop offs, location and capacity for queuing, and location and capacity of access routes for circling the vicinity), the public may not meaningfully assess the Project's potential traffic and circulation impacts adjacent to the Fort Baker pier and along Moore Road resulting from vehicles queueing and/or circling to pick up or drop off ferry passengers.

Second, based on the PMND's erroneous assumption that all Fort Baker ferry passengers would not leave the confines of Fort Baker, the PMND provides a truncated

description of the environmental setting potentially affected by the Fort Baker ferry service, limited to the vicinity immediately surrounding the Fort Baker pier. The PMND's description of the Project's environmental setting therefore is incomplete and inadequate because it must include, at a minimum, Alexander Avenue, the Marin Headlands and Sausalito – each of which will be effected by the proposed Fort Baker ferry service. The PMND's truncated and incomplete description of the Project's environmental setting potentially impacted by the Fort Baker ferry service precludes meaningful public consideration of the Project's potential environmental impacts. For example, the PMND fails to inform the public of the Project's heightened potential to cause significant impacts in Sausalito in light of existing, over-crowded conditions, as described in detail in Sausalito's Second Addendum to the Golden Gate Bridge Highway & Transportation District's 2012 Initial Study/Mitigated Negative Declaration for the Sausalito Ferry Terminal, dated October 4, 2017. (enclosed as **Exhibit A**).

C. The PMND's Analysis of Traffic and Circulation Impacts Is Deficient

The PMND's Traffic and Circulation impacts analysis is limited to the immediate vicinity of the Fort Baker pier and the proposed new pedestrian walkways within the park. The PMND states: "[t]he proposed project would not result in change to roadways or visitors accessing the park by auto, transit, or bicycle. Therefore, the setting discussion is limited to the pedestrian resources." (PMND, p. 64.) Based on the flawed assumption that no Fort Baker passengers will leave the confines of Fort Baker, the PMND concludes that the Project will not generate any additional traffic trips. The PMND thus states: "[t]he proposed project activities at Fort Baker involve no substantial changes to the roadway network and are not anticipated to generate any new vehicle trips on the local roadways. Therefore, the vehicle and circulation impacts at the Fort Baker site and vicinity would also be less than significant." (PMND, p. 71 [emphasis added].) As will be shown, the PMND's assumptions are unsupported and unsupportable by substantial evidence. To the contrary, substantial evidence supports a fair argument that Fort Baker ferry passengers will travel outside Fort Baker throughout the region. Notably, the NPS's FEIS for the Fort Baker Plan states in relevant part:

> Increased visitation at Fort Baker would increase the demand for lodging, restaurant, and other tourist-oriented services in surrounding areas, especially in Sausalito, Tiburon and San Francisco. This business growth, combined with other park improvements, would potentially increase demand for local hotels. (Sedway Group 1980.)

(Fort Baker Plan FEIS, p. 5-4.) Thus, the NPS' prior FEIS alone constitutes substantial evidence supporting a fair argument that Fort Baker ferry passengers will travel beyond Fort Baker to Sausalito and other regional destinations.

The PMND's assumption that Fort Baker ferry passengers will remain within Fort Baker is largely premised on the statements that "no shuttle service" or bike rentals are currently available in the vicinity of the Fort Baker pier to serve arriving Fort Baker ferry passengers. (PMND, pp. 64, 79). However, the PMND imposes no mitigation measures to ensure that either

existing condition at the Fort Baker pier remains unchanged throughout the life of the Project.[4] Moreover, contrary to the PMND's apparent conclusiuon, the unavailability of shuttle bus services for arriving passengers is *not* evidence mitigating the Project's potential impacts, but instead by itself constitutes substantial evidence supporting a fair argument that the Project may have significant environmental impacts. In the absence of available shuttle services, arriving Fort Baker ferry passengers will resort to individual vehicles for hire (*i.e.* Uber, Lyft, taxis) to transport them within and outside the park. The PMND's apparent assumption that the unavailability of shuttle services leaves arriving ferry passengers without vehicle transport simply ignores the realities of the modern, smart-phone carrying world.[5] Fatally, the PMND does not consider, much less mitigate the virtually certain significant impacts resulting from numerous vehicles queueing and circling the vicinity of the Fort Baker pier to pick up or drop off ferry passengers. Nor does the PMND consider, much less mitigate the virtually certain significant impacts resulting from this same parade of vehicles meandering throughout Fort Baker and along Alexander Avenue, transporting ferry passenger/visitors to the Marin Headlands, Sausalito and other regional destinations.

D. Several Of The PMND's Environmental Impact Findings Are Premised On The Flawed Assumption That Fort Baker Ferry Passengers Will Not Leave Fort Baker

The PMND's analysis and findings regarding the Project's potential to cause several additional environmental impacts likewise is premised upon the PMND's flawed assumption that all Fort Baker ferry passengers would remain on foot within the park, and therefore generate no additional traffic trips. The following categories of analysis in the PMND are legally deficient for this reason, among others.

Aesthetics. Because the PMND assumes that all Fort Baker arriving passengers will remain within Fort Baker as pedestrians, the PMND's aesthetic analysis is truncated, and limited in scope to potential scenic vista impacts in the immediate vicinity of the Fort Baker pier resulting from: "[o]perationally, intermittent ferry service to the pier..." (PMND, pp. 39-40.) The PMND therefore provides no analysis of aesthetic impacts on scenic vistas from vehicles queuing and/or circling near Fort Baker pier to pick up and drop off ferry passengers. Nor does it analyze aesthetic impacts on scenic vistas from additional pedestrian, bicycle and vehicular

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[4] Even if existing conditions adjacent to the Fort Baker pier were enforceable for the life of the Project, the PMND does not address, much less impose any constraints on rental bicycle outlets from locating elsewhere within Fort Baker or just outside the park, which would enable Fort Baker ferry passengers to travel by bicycle to nearby parks and Sausalito – exacerbating existing, over-crowded conditions.

[5] Equally puzzling is the PMND's suggestion that Fort Baker ferry passengers' purchase of a roundtrip ticket will constrain visitors to the confines of Fort Baker. Here again, the PMND does not consider, much less account for the likelihood of ferry passengers arriving at Fort Baker on a Saturday ferry, but then returning on a Sunday ferry to allow time for travel to Sausalito and other regional locations. It is equally plausible that Fort Baker ferry passengers will simply forego use of their return ticket and instead purchase a separate return ticket from the Sausalito ferry, or return to San Francisco by private car or other mode of transportation.

traffic from Fort Baker ferry passengers traveling through Fort Baker, along Alexander Avenue, to and within nearby parks such as the Marin Headlands and Muir Woods, and to and within Sausalito's historic downtown and waterfront.

Noise. The PMND's analysis of potential noise impacts from Fort Baker ferry operations likewise is limited in scope to impacts on receptors in the immediate vicinity of the Fort Baker pier resulting from intermittent ferry service. (PMND, pp. 87-88.) The PMND thus provides no analysis of potential noise impacts from vehicles queuing and circling the Fort Baker pier vicinity to pick up and drop off ferry passengers. The PMND similarly fails to analyze potential noise impacts from Fort Baker ferry passengers traveling by various modes of transportation outside of Fort Baker, along Alexander Avenue to nearby parks, Sausalito and other regional destinations.

Air Quality. The PMND's analysis of air quality impacts likewise is premised on the flawed assumption that no vehicle trips will be generated by Fort Baker operations. (PMND, p. 110.) The PMND thus provides no analysis of air quality impacts from increases in vehicular traffic from Fort Baker ferry passengers traveling within the Fort Baker and beyond along Alexander Avenue, to nearby parks, Sausalito and other regional destinations.

Greenhouse Gas Emissions. The PMND's analysis of Greenhouse Gas Emissions likewise is premised on the flawed assumption that "[m]obile source emissions, which represent the bulk of operational greenhouse gas emissions, would, however, all originate from the Pier 31 ½ site; there would be no new ferry trips or vehicle trips originating from Fort Baker as a result of the proposed project." (PMND, p. 117.) The PMND thus provides no analysis of greenhouse gas impacts from idling ferries docked at the Fort Baker pier while passengers load and unload, queuing and circling vehicles picking up or dropping off ferry passengers, or the additional vehicular traffic from Fort Baker ferry passengers traveling to nearby parks, Sausalito and other regional destinations.

Recreation. The PMND's analysis of Recreation impacts likewise is premised on the flawed assumption that "[v]isitors arriving by ferry from the primary embarkation site are not expected to leave Fort Baker so they would not cause an increase in the use of existing parks and recreational facilities in the area." (PMND, p. 120.) The PMND thus provides no analysis of potential recreation impacts from Fort Baker ferry passengers traveling to nearby parks, including the Marin Headlands, Muir Woods, and multiple parks located along Sausalito's historic waterfront – adding to existing, over-crowded conditions.

Public Services. Here too, because the PMND assumes that Fort Baker ferry passengers will not leave Fort Baker, it provides no analysis of the Project's potential impacts on police and fire public services as well as emergency response times resulting from increased pedestrian, bicycle and vehicular traffic along Alexander Avenue, within the nearby parks and Sausalito. (PMND, pp. 127-128.)

E. The PMND Fails To Adequately Analyze Potential Land Use and Regulatory Consistency Impacts

Lead agencies under CEQA must analyze a project's potential to cause significant land use and planning impacts. A project may cause significant land use impacts where, among other things, it conflicts with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project accepted for the purpose of avoiding or mitigating an environmental effect; or conflicts with any applicable habitat conservation plan or natural communities conservation plan. (CEQA Guidelines, Appendix G.)

The PMND concludes that the Project is compliant with all "relevant" regulations under the Clean Water Act, Endangered Species Act, Bay Plan and McAteer-Peetris Act. (PMND, p. 36.) This analysis, however, is incomplete because it fails to consider whether the proposed Fort Baker ferry service complies with applicable legal requirements under the Coastal Zone Management Act (CZMA) (16 U.S.C. § 1451 *et seq.*) and the Marine Mammal Protection Act (MMPA). (16 U.S.C. §§ 1372, 1374.).

The CZMA requires that "each Federal agency activity within or outside the coastal zone that affects any land or water use or natural resource of the coastal zone shall be carried out in a manner which is consistent to the maximum extent practicable with the enforceable policies of approved State management programs." (16 U.S.C. § 1456(c)(1)(C).) A federal agency ensures consistency of its actions with a state management program by submitting a consistency determination to the relevant state agency. (*Ibid.*) After receipt of the consistency determination, the "State agency shall inform the Federal agency of its concurrence with or objection to the Federal agency's consistency determination." (15 C.F.R. § 930.41). The PMND, however, provides no analysis nor evidence of the Project's compliance with the CZMA's requirements.

Under the MMPA, it is unlawful to "take" a marine mammal without a permit. (16 U.S.C. §§ 1372, 1374.) Under this statute, "take" means "harass, hunt, capture, or kill" or attempt to "harass, hunt, capture, or kill." (*Ibid.*) The MMPA defines "harassment" as "any act of pursuit, torment, or annoyance which: (i) has the potential to injure a marine mammal or marine mammal stock in the wild; or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including but not limited to, migration, breathing, nursing, breeding, feeding or sheltering." (*Id.* § 1362(18)(A).)

The PMND acknowledges that construction activity at the Fort Baker pier could annoy marine mammals and cause them to change course to avoid the construction area. The PMND, however, contains no mitigation measures to reduce impacts to marine mammals to less than significant. It provides instead only an "Improvement Measure," which states in relevant part:

> If marine mammals enter the safety zone after pile driving of a segment has begun, *pile driving will continue*. The biologist will monitor and record the species and number of individuals observed, and make note of their behavior patterns. If the animal appears distressed, *and if it is operationally safe to do so,* pile driving will cease until the animal leaves the area.

(PMND, p. 184. [emphasis added]) Thus, although the PMND acknowledges that Project construction activity *will proceed* in many cases, notwithstanding clearly visible annoyance and disruption of marine mammal behavior patterns, the PMND provides no analysis nor explanation regarding why such Project activity would not constitute a "take" under the MMPA.

F. The PMND Fails To Adequately Analyze And Mitigate Potential Hazards, Pollutants and Water Quality Impacts

The FEIS for the Fort Baker Plan previously noted that the provision of ferry service to Fort Baker could increase turbidity and the amount of petroleum pollutants present in Horseshoe Bay resulting in potential adverse impact to water quality. (Fort Baker Plan FEIS, p. 4-23.). The PMND, however, concludes that the Fort Baker ferry service will have less than significant impacts either because the Project will comply with all "applicable" Federal, state and local requirements and regulations; or alternatively, plans will be "developed" to identify and mitigate potential impacts. Both approaches, however, violate CEQA.

The PMND repeatedly finds that the Fort Baker ferry service will have no impacts or less than significant impacts because the Project will comply with "applicable" Federal, state and local requirements and regulations. For example, while the PMND acknowledges that "[f]erry operations have the potential to impact water quality from potential pollutant discharges of hazardous materials, including chemicals and solvents used onboard, boat cleaning and maintenance materials, fuels, bilge or ballast water, sewage from toilets, and gray water, and trash from passengers and visitors," it concludes that such impacts would be less than significant because operations at Fort Baker "would adhere with plans and policies designed to address potential water quality impacts." (PMND, pp. 157-158.) The PMND further states that Project impacts would be less than significant because:

- Vessel fueling would adhere to Coast Guard regulations;
- Any spills would be "cleaned up immediately using spill response equipment as identified in the Spill Prevention Control and Countermeasure Plan;
- Discharges and quantities of ballast water would occur in compliance with "federal and state regulations, including the Vessel General Permit and Ballast Water Management for Control of Nonindigenous Species Act; and
- Sanitary sewage ferries would be subject to the requirements of the MARPOL convention and Section 312 of the Clean Water Act; and
- Due to the proximity of Pier 31 ½ and Fort Baker to the Bay, litter from visitors at the site could potentially enter the bay. The ferry operator would be responsible for implementation of a trash collection and management program, and waste management at both proposed project sites would proceed in accordance with all applicable federal, state and local regulations for waste management disposal."

(PMND, pp158-159.)

The foregoing less-than-significant impact findings, however, are unsupported by substantial evidence and violate CEQA because they are premised on conditions and assumptions regarding the Project's future compliance with legal requirements that are not imposed on the Project as legally enforceable mitigation measures. (*See* PMND, p. 155 [no mitigation measures identified for Hydrology and Water Quality Impacts].) The PMND thus violates CEQA's substantive mandate to impose feasible and enforceable mitigation measures to *ensure* that a project's environmental impacts remain less than significant throughout the life of the project.

Adding to the foregoing legal deficiencies, the PMND's analysis of hazards and water quality impacts also relies on deferred "development" of plans to identify future mitigation measures. For example, the PMND states:

> The Park Service would prepare a Stormwater Pollution Prevention Plan for operations at Fort Baker. The Stormwater Pollution Plan Prevention Plan would identify pollutant sources within the site and provide site-specific best management practices regarding control of sediments in runoff and storage and use of hazardous materials to prevent discharge of pollutants into stormwater.

(PMND, p. 158.) The PMND thus concludes that: "[w]hile the proposed project would result in a minor increase in the number of ferry trips...and would introduce limited ferry service to Fort Baker, *development of required plans* and compliance with regulations as detailed above would ensure that water quality impacts associated with long-term operations of the proposed project would be less than significant." (PMND, p. 159.)

Here, the PMND's reliance on *future* "plans" to be "developed" to mitigate the Project's potential impacts contravenes CEQA's prohibition of "deferred" mitigation. Under CEQA, "formulation of mitigation measures should not be deferred until some future time" as this frustrates review by the public. (CEQA Guidelines, § 15126.4(a)(1)(B); *Gentry v. City of Murrieta*, *supra*, 36 Cal. App. 4th at 1393).

G. The PMND Fails To Adequately Analyze and Mitigate Potential Growth-Inducing Impacts

CEQA requires that lead agencies describe any growth-inducing impacts of the proposed project. (Pub. Res. Code § 21100(b)(5); CEQA Guidelines, § 15126(d).) Lead agencies must discuss the ways in which the project could directly or indirectly foster economic or population growth or the construction of new housing in the surrounding environment. (CEQA Guidelines, § 15126.2(d).) The discussion should also include characteristics of the project that may encourage and facilitate other activities that could have a significant effect on the environment, either individually or cumulatively. The CEQA Guidelines explain that projects, like the Fort Baker ferry service aspect of the Project, that make improvements to infrastructure, are more likely to be growth-inducing. (CEQA Guidelines, §15126.2(d).)

As noted above, the NPS' FEIS for the Fort Baker Plan concluded that the increase of visitors to Fort Baker would cause growth-inducing impacts in the surrounding area, including Sausalito. (Fort Baker Plan FEIS, p. 5-4.) This evidence alone constitutes substantial evidence

supporting a fair argument that the Fort Baker ferry service may cause significant growth-inducing impacts. Yet despite the NPS's previous acknowledgment of potential significant impacts, the PMND provides no analysis whatsoever of the Fort Baker ferry service's potential to cause growth-inducing impacts in Sausalito or elsewhere within the region. (PMND, p. 44.)

CONCLUSION

Because as shown, the PMND's analysis and findings are legally deficient in numerous respects, and because substantial evidence supports a fair argument that the proposed Fort Baker ferry service may cause several significant impacts, the City may not lawfully approve the PMND, and instead must prepare an EIR.

We encourage the City and NPS to consult and work cooperatively with Sausalito henceforth regarding any proposal to expand ferry service to Fort Baker. As shown above, such consultation is required under CEQA. That approach also is consistent with past practice and NPS' previous commitment to Sausalito. The NPS' Record of Decision (ROD) for the Fort Baker Plan and Final EIS adopted nearly two decades ago states that "[t]he NPS is specifically committed to working with the City of Sausalito, Marin County Congestion Management Agency, the Golden Gate Bridge, Highway and Transportation District, Caltrans and the Metropolitan Transportation Commission..." to seek "regional solutions to transportation challenges in the areas surrounding Fort Baker...." (NPS' ROD for Fort Baker Plan and Final Environmental Impact Statement, June 9, 2000, p. 8.)

Sausalito thus requests that the Planning Commission reject the proposed PMND, or alternatively, sever the proposed Fort Baker ferry service from the Project. Sausalito welcomes the opportunity to work collaboratively with NPS and the City to properly and more fully consider, analyze and mitigate potential impacts to Sausalito and the region resulting from an expansion of ferry services to Fort Baker.

Very truly yours,

Arthur J. Friedman
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:484983464.1

cc: Brian Aviles – National Parks Conservancy
Catherine Barner – Golden Gate National Parks Conservancy
Diane Oshima – Port of San Francisco
Julie Moore – SF Planning Department, Staff Contact

EXHIBIT A

LSA

BERKELEY
CARLSBAD
FRESNO
IRVINE
PALM SPRINGS
POINT RICHMOND
RIVERSIDE
ROSEVILLE
SAN LUIS OBISPO

MEMORANDUM

DATE: October 4, 2017

TO: Adam Politzer, City Manager

FROM: Judith H. Malamut, ACIP, Principal

SUBJECT: Second Addendum to the 2012 Initial Study/Mitigated Negative Declaration and 2017 Addendum for the Sausalito Ferry Terminal

1.0. Introduction

The Golden Gate Bridge, Highway and Transportation District (District) proposes to remove the existing ferry landing in Sausalito (City) and build a new ferry landing (Project). On December 14, 2012, the District in its dual capacity as Project proponent and lead agency under California's Environmental Quality Act (CEQA) adopted the Golden Gate Sausalito Ferry Terminal Vessel Boarding Rehabilitation Project Initial Study/Mitigated Negative Declaration (MND) to analyze and identify measures to mitigate the Project's potential environmental impacts. Subsequent to the District's adoption of the MND, the District modified the Project in several respects. To address these Project changes as well as certain identified changed circumstances, the District prepared and adopted an Addendum to the MND on May 26, 2017 (District Addendum).

The Project is located on the shoreline of the City's historic downtown waterfront on lands held by the City as trustee for the State under California's Public Trust Doctrine.[1] The District operates the ferry landing under the authority and pursuant to the terms of a Lease Agreement dated December 1, 1995 between the City as Lessor and the District as Lessee (Lease). Under the terms of the Lease, the District must obtain the City's written consent to the Project. On August 31, 2017, the District submitted the Project to the City for its consent under the Lease.

The City is a Responsible Agency under CEQA because it has discretionary approval authority over the Project. As a Responsible Agency, the City has prepared this Second Addendum to the MND to analyze the Project's potential impacts in light of substantial changes that have occurred with respect to the circumstances under which the Project is to be undertaken arising from significant increases in the volume of ferry passengers with bicycles, primarily during peak periods spanning

[1] See Aerial Photograph of Project area attached as Exhibit 1.

from March through October. While the Project has the potential to cause significant environmental impacts in light of these new circumstances, these potential impacts are reduced to a less-than-significant level with the implementation of the mitigation measure identified herein.

2.0 Project Background and Changed Circumstances

The District operates ferry services between San Francisco and Sausalito in southern Marin County. The proposed Project would increase the size of the existing ferry terminal, in part to facilitate anticipated passenger volume growth in the future. The size of the proposed float would increase from 110' long x 42' wide to 144' long and 49' wide. The size of the gangway would increase from 70' long x 5.9 wide to 90' long x 12' wide.

Subsequent to the District's adoption of the MND in December 2012, substantial changes occurred with respect to the circumstances under which the Project is to be undertaken because of significant increases in the number of ferry passengers with bicycles, primarily tourists, during peak periods primarily spanning from March through October. Based on data provided by the District, in 2012, monthly ferry passengers with bicycles averaged 9,200, with a high mark of 16,469 in July. By 2014, monthly ferry passengers with bicycles averaged 16,007, with a high mark of 29,796 in August.[2] A report prepared by the District dated March 11, 2015 for the City's Joint Planning Commission and Historic Landmark Board Study Session states "during the peak season, weekday highs at Sausalito reach up to 3,500 passengers per day and weekend highs reach up to 6,000 passengers per day. During peak days, 33% to 50% of riders have bicycles, which results in delays associated with loading and unloading of passengers...."[3]

This significant increase in ferry passengers with bicycles has resulted in long queues for the ferry that periodically extend from the ferry pier, southward to El Portal Street, up Tracy Way, then turning the corner to the north and spanning Anchor Street, extending as far as the Spinnaker parking lot.[4] The number of passengers with bikes standing in the ferry queue during a peak day can range from 1,700 to 3,500 people.[5] Passengers arrive as early as 11:00 a.m., with the greatest volume arriving between 1:00 to 4:00 p.m. During peak periods, long queues are common from 2:00 p.m. to 6:00 p.m.

The primary locations of congestion, blocked access, conflicts and safety issues between passengers with bikes waiting to board the ferry, passengers leaving the ferry, pedestrians, mobility impaired citizens, and vehicles, occurs primarily in the following locations:

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2 Golden Gate Ferry Sausalito Bike Counts" chart provided by the District on August 11, 2016 (Exhibit 2).

3 Golden Gate Bridge, Highway and Transportation District Sausalito Ferry Terminal Improvement Project, District report dated March 11, 2015, at p. 3 (Exhibit 3).

4 Yellow Highlighted illustration of extent of Queue at Exhibit 4 and photographs of queue conditions at Project Site from Bicycle Committee Presentation dated February 28, 2017 (Exhibit 5).

5 Fotsch, Deborah. Executive Director of Sausalito Plus and Member of the Sausalito Congestion Management Working Group. 2017. Update on Crowd Management Challenges Related to Tourist Bikes and Ferry Queue, October 3, 2017 (Exhibit 6)

- At the end of the ferry terminal ramp where passengers with bikes block disembarking passengers from turning to the left toward the Downtown and force them to walk through the parking lot creating conflicts and safety concerns with vehicles parking and leaving the lot.

- At the ferry ticket kiosk where passengers with bikes line up to buy ferry tickets blocking the street and sidewalk and the parking lot kiosks.

- On all the sidewalks identified above, and especially along Tracy Way, where the passengers with bikes queue is located and which blocks the sidewalks to such a degree that Sausalito residents and other visitors cannot use the sidewalks and have difficulties passing through the queue as the bikes create a kind of fence-like barrier. Passengers and pedestrians then stand in or walk along the streets (especially Anchor Street) and within the parking lot itself interfering with vehicular and bike circulation.

- At and within the intersection of Tracy Way and El Portal Street as well as Tracy Way and Anchor Street.

- The areas accessible to persons with disabilities at the north and south corners of the parking lot at Tracy Way are completely blocked by the bicyclist queue leading to conflicts, safety issues and confusion for visitors who have parked and want to access the Downtown.

- At the vehicle ingress and egress locations for the parking lot which are often blocked by passengers and within the parking lot itself which becomes congested with disembarking ferry passengers, passengers with bikes cutting through the lot to reach the ticket kiosk, and vehicles entering, exiting and parking within the lot.

Because of the congestion and potential public safety issues identified above, crowd management of ferry passengers has been provided by City Department of Public Works, Sausalito Plus and the City's Police Department. These demands placed on City officials and the City's Police Department reduce the City's ability to provide police and other services to other areas of the City during these peak times. The District has not provided sufficient staff and resources to manage the queues, and has not provided sufficient mitigations to address these changed conditions.[6] The City's Chief of Police, John Rohrbacher, submitted a report dated September 25, 2017 to the City Manager describing the need for improved queue management from the District to mitigate the dangerous situation that exists when the queue spills into the City's adjacent parking lot, blocking traffic, increasing congestion and placing pedestrians in danger.[7]

To reduce the number of passengers with bikes blocking City facilities and through traffic, the City has closed Tracy Way to public access and has been using it to provide bicycle storage and parking. This effort to reduce the passenger bike queue congestion and nuisance on other public facilities,

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[6] Politzer, Adam. City Manager , City of Sausalito. Fotsch, Deborah, Rohrbacher, John. 2017. Personal Communication with Judith Malamut, LSA Associates, Inc. September 26.

[7] Letter dated September 25, 2017 from Chief of Police John Rohrbacher to City Manager Adam Politzer. (Exhibit 7).

has led to the closure of Tracy Way and the elimination of 14 public parking spaces for the City of Sausalito residents, and other facilities (streets, intersections, sidewalks and public parks) continue to be crowded with ferry passengers with bikes. The City has also taken a number of additional steps to manage the congestion created in the downtown area including:

- Adopting regulations to impound bikes in place.
- Establishing a downtown bike parking zone.
- Establishing free bike parking areas in lot adjacent to municipal parking lots including repurposing seating areas along Bridgeway and lot 3.
- Reconfiguration of Parking Lot 1 to increase the queuing area, by eliminating 4 parking spaces and removing the circulation island for exiting cars.
- Reconfiguration of vehicular circulation on El Portal.
- Additional law enforcement officers to cite and enforce bike parking downtown.
- Replacement and ~~end~~ expansion of the downtown public restroom
- Establishment of an ambassador program to direct bicyclist to parking and to the ferry landing.
- Contracting with Sausalito Bike Return to operate a bike return program which utilizes space in municipal lot 1 to operate service.

3.0. Purpose of the Addendum

The City is a responsible agency for the Project under CEQA. Responsible agencies are those public agencies, other than the lead agency, which have responsibility for carrying out or approving a project, or which have discretionary approval power over a project for which the lead agency has prepared an EIR or negative declaration. (Pub. Res. Code § 21069; CEQA Guidelines, § 15381.)

The City is a responsible agency because it has discretionary approval authority for the Project pursuant to its right of consent under the Lease. Additionally, the Project includes both temporary and permanent components located outside of the current leased premises which require a lease amendment and/or encroachment agreements from the City. Finally, the City has discretionary authority over the Project as Trustee for the Project Site under the Public Trust Doctrine.

CEQA Guidelines Section 15096 requires that responsible agencies consider the adequacy of the Project's EIR or negative declaration prior to granting any discretionary approvals. Under Section 15096, subsection (e), if the responsible agency determines that the EIR or negative declaration is not adequate for use by the responsible agency, it must prepare the appropriate level of additional environmental analysis prior to granting any discretionary approvals.

The District's Addendum acknowledges that existing ferry operations at the Project site are "exacerbated by the large number of bicyclists using the southbound ferry (i.e., from Sausalito to

San Francisco), who require additional time and space to load, safely stow, and then offload bicycles."[8] The District's Addendum further explains that "lack of sufficient queueing space at the existing ferry terminal has caused waiting southbound passengers to overflow onto the City of Sausalito's (City) landside ferry plaza and adjacent parking lot." The Addendum further explains that "in order to maintain operating schedule, southbound ferries occasionally leave passengers in Sausalito during peak times..." (*Id.* at p. 2-2). The District's Addendum, however, does not analyze the Project's potential impacts in light of these change circumstances, nor analyze the Project's potential to facilitate increases in the volume of future passengers and therefore exacerbate existing queue and crowd conditions.

This Second Addendum has been prepared pursuant to CEQA Guidelines Section 15164, subsection (b), which provides that a lead agency or responsible agency may prepare an addendum to an adopted negative declaration if only minor or technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred." Section 15162 specifies that "no subsequent EIR shall be prepared for that project unless the lead agency determines ... one or more of the following":

1. Substantial changes are proposed in the project which would require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which would require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete was adopted, shows any of the following:

   (A) The project would have one or more significant effects not discussed in the previous EIR;

   (B) Significant effects previously examined would be substantially more severe than shown in the previous EIR;

   (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

   (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant

[8] Final Sausalito Ferry Terminal Vessel Boarding Rehabilitation Project – Addendum to the Initial Study/Mitigated Negative Declaration, May 2017, at p. 1-2.

effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Although the substantial increases in the number of ferry passengers with bicycles and resulting long queues into the City's adjacent facilities, including streets, sidewalks, promenades, public parks and parking lots, constitutes a substantial change with respect to the Project's circumstances, this change does not require major revisions to the previous MND and District's Addendum. Pursuant to CEQA Guidelines Section 15164, subsection (e), this Second Addendum explains the City's decision to not prepare a subsequent EIR or negative declaration pursuant to Section 15162, analyzes the Project's new, potentially significant impacts in light of changed circumstances at the Project site since the District's adoption of the MND, which were not analyzed in the District's Addendum, and identifies mitigation measures to reduce these new, potential impacts to a less-than-significant level.

4.0 Evaluation of Environmental Impacts

Evidence supplied by the District indicates that the Project encourages and facilitates future increases in the volume of ferry passengers with resulting impacts from the ferry queue and overcrowding conditions. On August 11, 2016, the District acknowledged in a statement provided to the City that "the District's mission is to encourage ferry ridership to reduce traffic along the 101 corridor."[9] The District designed the Project to facilitate and accommodate projected passenger volume growth through the year 2029, premised on 4% ferry passenger growth per year. The District's design calculations assumed at an 85-percentile volume (meaning the anticipated volume would exceed this benchmark 15% of the time) the disembarking and embarking of 920 passengers per trip, which is substantially greater than current conditions.[10] Finally, during the public meeting before the City Council on September 26, 2017, the District's General Manager testified that after the Project is constructed and permanent operations commence, during peak periods ferry vessels still would periodically be forced to depart to maintain the schedule while would-be-passengers remained in the queue.

After reviewing the analysis contained in the MND and the District's Addendum, the Project's potential impacts in light of the change in circumstances would not require new analysis or modifications relating to the following resources categories: Agriculture and Forestry Resources; Air Quality; Geology, Seismicity and Soils; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Hydrology and Water Quality; Mineral Resources; Noise; Population and Housing; Utilities and Infrastructure.

This analysis will focus on impacts related to the following topics

- Aesthetics and Visual Resources
- Land Use and Planning;

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9 Additional Information per City of Sausalito 7-22-16 Request, dated August 11, 2016 at p. 2. (Exhibit 8.)

10 District Response to Questions from City of Sausalito Received June 9, 2016, dated June 16, 2016, at p. 1. (Exhibit 9.)

- Public Services (Police);
- Recreation; and
- Transportation and Traffic.

A. AESTHETICS AND VISUAL RESOURCES

The MND and the District's Addendum analyzed impacts associated with aesthetics and visual resources concerning the construction of the Project, but did not address impacts to visual and scenic resources related to the passengers with bikes in long queues and related crowd congestion. Because of the changed circumstances, scenic vistas of the San Francisco Bay available from the public sidewalks and promenades along the Sausalito waterfront in the vicinity of the ferry landing are currently blocked by the length, character and congestion associated with the queue such that the public cannot access these vantage points. Additionally, the length, duration and character of the queue substantially degrades the existing visual character and quality of the area in the vicinity of the ferry landing including Gabrielson Park. Restricting the physical location of the queue to a designated area would mitigate these impacts to a less-than-significant level. The City therefore has identified the following mitigation measure:

> Mitigation Measure AES-1: Commencing with permanent operations and continually thereafter, the District shall manage the queue for the Ferry Landing, which may span from the Ferry Landing Pier Southward along the side of the existing hedge towards El Portal Street, terminating at El Portal Street (Queue Area). The District shall implement all reasonable and necessary measures to prevent any queue for the Project from extending beyond or outside the Queue Area.

Exhibit 10 shows the location where the passengers and passengers with bikes shall be located per Mitigation Measure AES-1. Implementation of this mitigation measure would confine the queue to a limited and acceptable location and therefore reduce aesthetic impacts to the visual character, scenic vistas and viewpoints to a less-than-significant level.

B. LAND USE AND PLANNING

The MND and the District's Addendum analyzed impacts associated with land use and planning and determined that the Project would not conflict with adopted plans and policies. However, the analysis did not take into account the adverse effects of the increased numbers of passengers with bikes and crowded conditions on existing City uses and facilities including the municipal parking lots, City streets, sidewalks, and public parks, as identified above. The effect of the long passenger queues and congestion is to substantially limit the public's use and availability of these facilities and access to that portion of the City. Implementation of Mitigation Measure AES-1 would reduce these impacts to a less-than-significant level by requiring the District to manage the queue and by confining the queue to a limited and acceptable area.

C. PUBLIC SERVICES

As stated above, the City has been providing public services, and especially police services to manage the overcrowding, congestion and bicyclist, vehicular, pedestrian conflicts associated with the passengers with bikes queue. The MND and District's Addendum identified that the Project would have no impact or a less-than-significant impact related to the Project. As stated above, the Project in concert with the new circumstances would result in substantial adverse physical impacts related to the maintenance of acceptable service ratios and response times to other areas of Sausalito during peak ferry times, as police personnel have needed to be on hand to manage the congestions, conflicts and safety issues related to the long queue. Implementation of Mitigation Measure AES-1 would reduce these impacts to a less-than-significant level by requiring the District to manage the queue and by confining the queue to a limited and acceptable area.

D. RECREATION

The MND and the District's Addendum analyzed effects to recreational facilities and determined that there would be a less-than-significant impact on public parks and open space in the vicinity of the ferry terminal. As demonstrated and described above, the Project in concert with the new circumstances would result in substantial adverse physical impacts on public parks and open space. During peak times, Gabrielson Park, Plaza Vina del Mar, Yee Tock Chee Park as well as the waterfront promenade, open space areas and portions of Sausalito's historic downtown are crowded with waiting ferry passengers. This increased use and deterioration of the existing parks and recreational facilities by ferry passenger overcrowding and attendant litter is a potentially significant Project impact that would be reduced to a less-than-significant level with implementation of Mitigation Measures AES-1 by requiring the District to manage the queue and by confining it to a limited and acceptable area.

E. TRANSPORTATION AND TRAFFIC

The MND and the District's Addendum analyzed the effects of the Project on transportation and circulation and found that there would be a less-than-significant impact related to those topics. However, as detailed above, the change in circumstances related to the increase in ferry passengers with bikes causes conflicts with the effectiveness of the circulation system for all modes of travel in the vicinity of the ferry terminal and the passenger bike queue. City streets (especially, El Portal, Tracy Way, and Anchor Street), intersections, sidewalks, access for persons with disabilities from the parking lot, bike lanes, ingress and egress to and circulation within the parking lot, are all congested by ferry passengers with bikes and not operating effectively during peak times. As stated previously, the City has shut down Tracy Way to through traffic and reconfigured vehicular circulation on El Portal and in Municipal Parking Lot 1 in an attempt to manage the congestion caused by the ferry passengers.

Additionally, the change in circumstances and use of City facilities by ferry passengers has resulted in hazardous traffic, circulation and public safety conditions due to the many physical conflicts and accidents among pedestrians, bicyclists, and drivers associated with the long queue and the spillover

of people and bikes into the streets and intersections and parking lot due to the overcrowded conditions.[11]

Implementation of Mitigation Measures AES-1 would reduce impacts on transportation facilities and service to a less-than-significant level by requiring the District to manage the queue, and by confining it to a limited and acceptable area..

5.0 Conclusion

As a responsible agency for the Project, the City has identified new and potentially significant environmental impacts of the Project in light of changed circumstances arising from the increase in ferry passengers with bikes and the resulting long queues, overcrowding , congestion on City facilities, multi-modal conflicts, public safety issues, and adverse effects on visual resources, land use, public services, recreation, and transportation and traffic. However, implementation of Mitigation Measure AES: 1, supplementing the Project's existing mitigation measures as set forth in the District's Mitigation and Monitoring Program (MMRP) for the Project adopted on December 14, 2012, incorporated herein, would ensure that the Project's impacts are less than significant. The City's supplement to the District's MMRP is provided as Table 1, attached as Exhibit 11.

[11] Rohrbacher, John. City of Sausalito Police Chief. 2017.

EXHIBIT 1

Bay
Humboldt
Gabrielson Park
CITY OF SAUSALITO
MARIN CO CALIF
Anchor
Bridgeway
Ferry Landing
60
100
150
200
Feet
Inn Above Tides

EXHIBIT 2

Attachment C

Ferry Passengers with Bicycles Count

Additional Information per City of Sausalito 7-22-16 Request

GOLDEN GATE FERRY
SAUSALITO SOUTHBOUND BIKE COUNTS

	2012													
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL	AVG
Bikes	4,412	6,022	7,331	10,898	8,547	11,014	16,469	14,960	11,032	8,055	6,833	4,824	110,397	9,200

	2013													
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL	AVG
Bikes	6,231	7,512	11,302	11,177	10,662	14,242	22,697	22,318	15,085	10,428	9,153	9,062	149,869	12,489

	2014													
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL	AVG
Bikes	10,456	8,376	13,459	17,284	15,564 rev. 6/2/15	17,956 rev. 5/28/15	27,653 rev. 5/28/15	29,796 rev. 5/28/15	19,694	13,029	10,861	7,952	192,080	16,007

	2015													
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL	AVG
Bikes	10,240	10,534	17,129	14,799	12,889	14,444	25,393	26,163	16,326	11,227	8,656	5,015	172,815	14,401

	2016													
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL	AVG
Bikes	4,126	7,476	9,569	13,943	14,259	17,077	.	.	.	.	.	.	66,450	11,075

* May '14 slightly rev. due to recount
*June, July, August '14 rev to reflect southbound only

EXHIBIT 3

Golden Gate Bridge, Highway and Transportation District
Sausalito Ferry Terminal Improvements Project

Prepared for the City of Sausalito Joint Planning Commission and Historic Landmark Board
March 11, 2015, Study Session

Introduction

The Golden Gate Bridge, Highway and Transportation District (District), operates Golden Gate Ferry, the largest public ferry transit system on the San Francisco Bay, on two ferry routes connecting Marin County and the City and County of San Francisco: the San Francisco/Larkspur route to central Marin County, and the San Francisco/Sausalito route to southern Marin County. Golden Gate Ferry has a fleet of seven (7) vessels and provides weekday passenger service as well as service on weekends and specific holidays. Special service is also offered from Larkspur to AT&T Park in San Francisco for Giants home games and other sporting and music events.

The District has been operating ferry service since 1970. The ferry boarding structures are nearing the end of their useful life and are in need of replacement. The District is proposing to replace the passenger boarding systems at its three facilities located in Larkspur, San Francisco, and Sausalito with structurally improved, ADA compliant and more operationally efficient boarding facilities. No new ferry service or routes are considered in the project design.

The improvements will allow Golden Gate Ferry to continue providing quality public transit across the San Francisco Bay and ease congestion on Highway 101 by reducing the number of motor vehicles traveling between the North Bay counties and San Francisco. The increased use of public transportation decreases the region's dependence upon automobile transportation, thereby reducing the region's overall fossil fuel usage and associated emissions and improving the environmental sustainability of transportation in the region.

Sausalito Ferry

Golden Gate Ferry currently provides 22 weekday summer crossings and 17 weekend summer crossings between Sausalito and San Francisco. For the fiscal year ending June 30, 2014 (FY14), the Sausalito/San Francisco patronage totals 793,192 riders, a 10.4% increase over the previous FY13 patronage totals. Weekday average ridership was 1,944 and average weekend ridership was 2,758. In 2014, during the peak summer season, ferry sailings from Sausalito to San Francisco carried up to 600 passengers per trip.

In addition to Golden Gate Ferry service, the Blue & Gold Fleet operates ferry service between San Francisco Pier 41 and the Sausalito Ferry Terminal. This provision for Blue & Gold use of the Sausalito Ferry Terminal was mandated by the CPUC Order No. 82-01-02 in 1982. Blue & Gold operates service for passengers, including those with bicycles, and is currently the only ferry service that can accommodate electric bicycles.

Location and Existing Conditions

The proposed project will occur at the location of the existing Golden Gate Sausalito Ferry Terminal, on the eastern waterfront of the City of Sausalito. The existing Sausalito Ferry Terminal is located within the San Francisco North Quadrangle, at approximately 37° 51' 22" N; 122° 28' 39" W. The project site lies east of

the intersection of Bridgeway and El Portal/Anchor Street and is accessible from Bridgeway with connections through El Portal, Anchor Street, Tracy Way, and Humboldt Avenue (see **Exhibit 1**). The project site is owned by the City of Sausalito. The District has constructed and operates the ferry terminal under a long term lease agreement with the City of Sausalito. The 51,402 square foot lease area extends from the landside around the existing pier and into the water, primarily within Marin County Assessor's Parcel Number (APN) 065-073-035, although the southern portion of the lease area extends into APN 065-133-22 (see **Exhibit 2**). The project site comprises 0.495 acre (21,571 square feet) within BCDC's Bay jurisdiction.

The site consists of tidal open waters within the Bay and a small linear area at the landside interface, which contains the concrete pier connecting to the City's landside Ferry Plaza area. This area contains the ticket vending machines, ferry schedule boards, news racks and welcome to Sausalito sign. The remaining landside areas, including tidal stairs and the City's Ferry Plaza are outside the ferry terminal leased area.

Bathymetry within the open waters of the site range from 0 feet MLLW where the terminal meets the shore, to -25 feet MLLW at the eastern end of the float. The shoreline consists of large rock riprap with limited seaweed growth below mean sea level (MSL). There are no eelgrass beds or oyster beds within the project site. A sheer, roughly 15-foot-high concrete wall with a tidal stair cut-out defines the transition between open water, shoreline, and the landside. The landside is developed as the City of Sausalito's Ferry Plaza, a highly used seating and walking area for both residents and tourists.

The existing boarding system consists of a 110-foot long by 42-foot wide steel float, a 70-foot long by 5.5-foot wide steel gangway, and an approximately 96.5-foot long by 8.5-foot wide pile-supported timber and concrete access pier. This access pier connects to a 95-foot-long x 20.5-foot-wide landside pier. The existing boarding system extends from the landside developed areas, over the shoreline, and to the open water where the float is located. The landside pier has a passenger control point that is demarked by a locked gate. Only paying ferry passengers may access the access pier beyond the gate, which is opened by crew members when a vessel arrives at the ferry terminal. **Exhibit 3** is an aerial view of the project site, the existing ferry terminal, and the proposed project footprint. **Exhibit 4** illustrates typical passenger use of the existing ferry terminal, including bicyclists.

Surrounding Uses

The Sausalito Yacht Club and its parking lot are located to the north of the existing Sausalito Ferry Terminal and Ferry Plaza. The City of Sausalito's Ferry Plaza encompasses the shoreline to the west of the terminal. The landscaped shoreline Ferry Plaza contains benches, tidal stairs, educational exhibits, ticket vending machines, ferry schedule signs, and newspaper racks. The Ferry Plaza and a concrete sidewalk extending to the north and the landside pier which extends approximately 95 feet into the water are within a Public Access Easement. A municipal parking lot is located west of the site and the Ferry Plaza. The lot is landscaped with non-native trees and ornamental shrubs. Adjacent to the parking lot is a Chamber of Commerce information kiosk, and the bicycle parking and ferry boarding reservation kiosk. The City of Sausalito's commercial district is located largely along Bridgeway, 300 feet west of the site, continuing to the southwest and northwest. The City of Sausalito's historic district is located to the south and west of the site. The San Francisco Bay Trail is located approximately 300 feet west of the project site and runs along Bridgeway. The closest commercial users are the Inn Above the Tide, Hotel Sausalito, and a row of shops

and restaurants lining El Portal Street, currently a cul de sac serving the businesses and as a drop off for the ferry. To the east of the terminal boarding facility is open water, which is used for ferry operations and recreational activities. Existing conditions in the vicinity and adjacent to the project site are shown in **Exhibits 5** and **6.**

Project Purpose

Replace Aging Facilities to Keep Structurally Sound

The existing Sausalito Ferry Terminal boarding structures are aged and nearing the end of their useful life. The project purpose is to replace the aged structures with new structures designed to the current codes in order to continue providing public transit across the Bay.

Improve ADA Accessibility

The existing Sausalito Ferry Terminal gangways and gangplanks are steep and narrow. The District is proposing to construct the replacement boarding facilities in conformance with the draft Americans with Disability Act (ADA) guidelines for off-shore ferry passenger facilities in order to improve overall accessibility.

Improve Operational Efficiencies

At the existing Sausalito Ferry Terminal, passengers board and disembark through one door on the main (lower) deck of the ferry vessel, and at the existing San Francisco and Larkspur terminals passengers board and disembark through one door on the upper deck of the ferry vessel. Because these terminals board and disembark passengers on different decks, mobility-impaired passengers, passengers with bicycles or with strollers and wheelchair users must move between the decks to disembark. The existing Sausalito boarding facility limits the clear width of the door to 4 feet. The use of one door restricts passenger flow and increases the time for passengers to exit and to enter a vessel.

The District is retrofitting all of its ferry vessels to enable two door boarding and disembarking from the main deck. The width of these doors is eight feet. The proposed new boarding facilities will enable boarding and disembarking of all vessels from the same one level through two eight-foot wide doors.

Standardizing and upgrading the passenger boarding system will eliminate the need for the use of wheelchair lifts, which present their own set of potential problems, and require Ferry staff assistance to keep the lifts operational at all times given the circumstances of the marine environment causing vessel motions. The proposed improvements will eliminate the need to carry bikes and strollers from one deck to another and the resources and time impacts associated with these moves. For example, during the peak season, weekday highs at Sausalito reach up to 3,500 passengers per day and weekend highs reach up to 6,000 passengers per day. During peak days, 33% to 50% of riders have bicycles, which results in delays associated with loading and unloading of passengers where deck to deck transfers of the bikes are required. It currently takes approximately 30 minutes for passengers to disembark and board at Sausalito. It is estimated that the use of two eight-foot wide doors and the construction of the replacement facilities will decrease time of boarding and disembarking the vessel by three times (see **Exhibits 7 and 8).**

Implementing standardized boarding and disembarking from the main deck will eliminate the need for passengers to transfer between the decks, which will improve ferry accessibility for all passengers, including those with disabilities, bicycles and strollers, and will encourage the use of non-motorized transportation options. Standardized boarding at all three Golden Gate Ferry Terminals will minimize confusion and increase comfort of boarding and disembarking for all riders.

Upgrade Emergency Preparedness

The proposed updates to the passenger boarding system are especially important for emergency preparedness to provide ferry sailings during times of emergency or during periods of other public mass transit service disruptions, when the ferries may be one of few transportation options for Bay Area residents. The proposed new boarding facilities are designed to work with other types of ferry vessels.

Proposed Project

New Boarding Facilities

The proposed Golden Gate Sausalito Ferry Terminal new boarding facilities will be located in approximately the same location as the existing facilities and are being proposed to consist of a new 150-foot long by 53-foot wide concrete float, a new 90-foot long by 19-foot wide steel gangway, and a new 96-foot long by 25-foot-wide pile-supported concrete access pier that will connect to the existing landside pier (see **Exhibit 9**). Two donut fenders will be installed at the aft/Bay end of the float to provide protection of the ferries and float. Vessels will be allowed to lay up on either side of the replacement float, just as they operate today with the existing float. The float design allows boarding of only one vessel at a time.

To provide power to the ferry terminal for lighting and electrical pumps, a new transformer is proposed to be installed inland approximately 280 feet west at the corner of Anchor Street near the entrance to the municipal parking lot. The existing ticket vending machines and signs will be relocated from their current location to a location in the southern area of the Ferry Plaza. (see **Exhibit 10 and 11**).

New walkway lighting will be installed on the new float, gangway and pier, and area lighting will be installed on the float. Navigation lighting will be installed on the floats and dolphins.

Temporary Construction Activities

Construction of the replacement facilities at the Golden Gate Sausalito Ferry Terminal will require the use of a temporary terminal in order to maintain ferry service across the Bay. This temporary terminal will be located immediately adjacent to and south of the existing terminal (see **Exhibit 9**). The gangway and float of the existing terminal will be used for the temporary terminal. Access to the gangway will be provided by a temporary 16-foot wide access pier. Passengers will have access to this temporary pier from the existing pier landward of the proposed demolition work needed for the new terminal. The temporary terminal will use the utilities currently available at the terminal. It is expected that the temporary terminal will be in place for approximately 14 months.

Replacement Facility Size

Using a moderate 4% escalation factor of ferry passenger growth per year (note that in the recent years the growth was 7% on average), the maximum demand in the peak summer season in year 2020 is projected to

exceed 700 passengers per trip. The design of the replacement boarding facilities is based, however, not on the projected year 2020 maximum volume of passengers per trip but on the 85-percentile volume for that year (the 85-percentile means that from 100% of trips sorted in the order from the highest to the lowest volume, the passenger volume representing the 85% spot on the list is used for the design).

The Sausalito Ferry Terminal replacement facilities have been designed to comply with the ADA guidelines for off-shore ferry passenger facilities, to carry the projected 85-percentile volume of passengers in year 2020, and to meet the project purpose noted above. As a result, the size of the replacement facilities will be larger than the existing facilities. For example, the slope of the existing 70-foot long gangway reaches 1:9.5 (vertical: horizontal) at low tides. In order to provide for maximum 1:12 slope that comply with ADA guidelines during all tide conditions, the new gangway must be 90-feet long.

Similarly, the width of the existing float does not allow for gangplanks between the float and vessel to be of sufficient length to provide slopes which are do not exceed 1:12. The new float includes 18-foot long gangplanks between the float and vessels which will ensure that the slope does not exceed 1:12 during all tide conditions. The longer gangplanks result in the new float being wider than the existing float. The width of the new float is also driven by the boarding platform located at the center of the float. All District ferry vessels will be modified to include two eight-foot wide doors located on the main deck and positioned 48-feet apart. The 8-foot wide doors and gangplanks (the current width is controlled by 4-foot wide gangplanks) will allow for faster boarding and disembarking and the door locations will allow for standardizing the gangplank locations on the floats. The clear width of the gangplanks will match the door width in order to provide smooth flow of passengers. The gangplanks connect to the boarding platform, which dictates the platform width to be 16 feet in order to accommodate the passengers coming from the two 8-foot wide gangplanks. The two gangplanks and doorways will also allow for separating passengers with bicycles from those without bicycles, which will also improve the flow and speed of boarding and disembarking. The gangplank lengths coupled with the boarding platform width results in the width of the new float increasing from the existing width of 42 feet to the proposed width of 53 feet. The vessel door locations, the boarding platform length, the length necessary to transition from the boarding platform to the gangway (the boarding platform apron), the room necessary for emergency operations, plus the room needed to tie-up the different ferry vessel types all result in the new float requiring a length of 150 feet instead of the 110 feet length of the existing float.

In order to connect the new float and gangway to the landside pier, the project will construct a replacement access pier. The proposed replacement access pier is 96-feet long and 25-feet wide, with two 5-feet by 31-feet belvederes (or "bump-outs") on each side. Instead of replicating the dog-leg configuration of the existing access pier, the new replacement access pier will run on a straight line from the existing landside pier to the gangway. The location of the float and, therefore, the length of the access pier are controlled by the elevation of the bottom of the Bay. The float has been positioned as close to land as possible without it touching the bay bottom during low tides.

Public Access

The proposed project will increase public access to the Bay. The City's Ferry Plaza promenade is a public plaza with benches, educational exhibits, two tidal staircases to access the water, perimeter landscaped vegetation, and lighting with hanging floral baskets. The current public access within the Golden Gate

Sausalito Ferry Terminal is limited to the 95-foot long and 20-foot wide landside pier. The pier has 6 benches in the center of the pier. A chain link gate restricts public access to the existing access pier because this pier is too narrow to allow for both public access and boarding and disembarking of vessels.

The new 96-foot long access pier will connect to the existing 95-foot long landside pier, The access gate will be moved to the end of the new pier, which will increase access onto the Bay for the public, whether for ferry passengers or those simply enjoying the views. The new access pier will have bump-outs on both sides providing space for 2 benches on each side. The bump-outs will provide a space for non-passengers outside of the spaces occupied by passengers queuing and by passengers boarding and disembarking.

The public access plan is shown in **Exhibit 12.** At night, the public access area will be illuminated with downward directed lighting, similar to that shown in **Exhibit 13.**

Discretionary Features

The District has designed the project to comply with design codes, regulatory agency requirements and the District's operational needs. The design includes some discretionary features, which the District is seeking input on from the City of Sausalito. The discretionary design features are color and configuration of the gangway truss, the access control gate and the pier railing. The width of the new access pier may also be considered as it may be decreased from 25 to 21 feet.

Configuration of the Gangway Truss

While the length and width of the gangway cannot be changed, the District proposes three different truss configurations for the City's consideration.

Exhibit 14 shows a truss with an arched top chord. The closed tubular steel truss members provide good protection from the environment, do not readily collect debris as girder designs will, and are consistent with marine facility design. The curved upper chord is located above eye level when walking on the gangway, to allow for better views, and the vertical and diagonal elements are spaced to allow an open look when viewed from the shore.

Exhibit 15 shows a similar steel truss design except that the top chord is lowered. This configuration reduces the profile of the truss, which partially obstructs views when walking on the gangway, but results in a smaller profile when viewed from the shore.

Exhibit 16 shows a standard rectangular steel truss. The overall height of this truss is smaller than the arched trusses, but the closer spacing of the truss members results in a more dense look when viewed from shore.

Configuration of the Access Control Gate

A gate is required to control access between the public access areas and the gangway and float. The District proposes three different gate configurations for the City's consideration.

Exhibit 17 shows a gate design with a curved roof located. The design includes two 8-foot wide roll-up gates and two 3-foot wide emergency exit doors on each side of the gates. The roll-up gates are operationally compact as they do not need space required for operating swing gates. The see-

through metal grating of the doors allows for partial views when the gates are closed. The overhead roof of the gate provides for storage of the roll-up doors, light fixtures and security cameras required at the site. The side emergency doors are necessary in case there is a problem operating the roll-up gates.

Exhibit 18 shows an alternate gate design with two 8-foot wide swing doors. The doors must either swing in or out, which takes up more room when operating as compared with the roll-up gate. The use of swing doors eliminates the need for overhead structure to store the roll-up door but necessitates placement of lighting and security cameras on a pole extending above the gate. Three foot wide emergency doors are included on either side of the swing gates. It is possible to include these doors within the swing gates themselves, thereby reducing the overall width required for framing the doors.

Exhibit 19 shows a variation of the swing-door gate alternative with a curved top element, which visually ties into the gangway curve truss design and allows a place to mount lighting and cameras.

Configuration of the Pier Railing

The District's proposed railing design is also shown in previous **Exhibits 17 through 19.** This railing consists of vertical steel pipe pickets between rectangular support posts and a top. This design matches the existing railing at the Plaza and provides an open look. The District investigated alternate designs, including horizontal stainless steel cables, vertical stainless steel cables, and glass, which are shown on **Exhibits 20 through 23.** The District believes that the vertical steel pipe picket design fits best within the site, is the most durable and provides minimal visual impact when viewed from the shore.

Width of the New Access Pier

The District is proposing that the new access pier be 25 feet wide with two side belvederes and the gate located at the end of the new access pier near the gangway. This pier configuration and width provides sufficient space to allow for more efficient boarding and disembarking of the projected increased ferry ridership while allowing public access on the access pier at all times. While the reduced 21-foot width of the pier with two side belvederes can theoretically accommodate the projected volumes of passengers queuing and disembarking and the non-passenger presence on the pier, the flow of passengers will be subjected to more frequent disruptions because of lack of sufficient refuge space for persons that must suddenly stop or slow down. Reducing the width will only decrease the Bay fill by about 4%, and there is no significantly observable difference between the 25-foot and 21-foot wide piers when viewed from the shore.

Exhibits 24 through **41** present photo-simulations of the existing facility and proposed project from the south looking north, from the north looking south and from the parking lot near the Sausalito Yacht Club.

Exhibits 42 through **44** present photo-simulations of the gate location moved from the end of the access pier to the end of the existing landside pier. The District does not recommend locating the gates at this location since it will restrict public access to the landside pier only and will also result in a larger gate profile when viewed from the shore.

The District is proposing that the gangway truss, the access control gate and the pier railing be painted white as this is a traditional color used for marine type facilities. However, blue, grey or any other color(s) can be used as desired by the City (see **Exhibits 45 and 46**).

The design of the replacement facilities has been minimized to the extent practicable, but the larger facilities are necessary in order to comply with ADA guidelines, improve operations improve passenger safety and public access. The existing and new structure descriptions, dimensions and over-water coverage are summarized in **Tables 1** and **2** below.

TABLE 1: NEW STRUCTURES AND FACILITIES

Structure	Dimensions
Float	The float is constructed of concrete and supports one end of the gangway, and framing above the float deck which provides access to the ferries. The float is 53 feet wide by 150 long and 12 feet deep. The float is held in position by steel pipe guide piles connected to the float by steel collars. Fenders to protect the ferries during berthing are placed on the sides of the float. The float has a total area of 8,385 sq. ft.
Donut Fenders	Two donut fenders are provided beyond the Bay end of the float to protect the ferries from impact with the float. These fenders consist of a rubber bumper that floats with the tide on a steel pipe pile. The donut fenders have a total area of 115 sq. ft.
Gangway framing	The gangway is a 'pony' truss--which means a truss on each side of the walkway--with no horizontal framing at the truss upper chord interconnecting the two trusses. The gangway has a total over-water length of 90 feet and a total width of 19 feet. Each truss is curved with a maximum height of 12 feet in the center and a minimum height of 8 feet on the ends. Total area of the gangway framing over water is 1,800 square feet.
Guardrail	The existing landside pier, new access pier, gangway, framing on the float, and hydraulic gangplanks have a guardrail along their perimeter. The guardrail is approximately 1,015 feet long, 3 inches wide and 3 feet, 6 inches in height. Total area of the guardrail is 3,550 square feet.
Hydraulic power unit	The hydraulic power unit is 11 feet long, 3 feet wide and 8.5 feet tall. Total area of the hydraulic power unit is 33 square feet.
Hydraulic system electrical control cabinet	The hydraulic system electrical control cabinet is 66 inches long, 18 inches deep and 72 inches tall. Total area is 8 square feet.
Gangplank control stations	Each of the four gangplanks has a gangplank control station structure. Each gangplank control structure is 6 inches in diameter and 8.5 feet in height supported on a 1-foot square base plate. Total area of all gangplank control structures is 4.0 square feet.
Gangplank control consoles	Each of the four gangplanks has a gangplank control console. Each gangplank control console is a box 1 foot 3 inches long by 12 inches wide, supported on a 3-inch square tubular post. Total area of all gangplank control structures is 5 square feet.
Platform lift cylinders	There are six platform lift cylinders. Each platform cylinder is 12 inches in diameter and varies in length from 12 feet to 16 feet depending on the boarding platform elevation. Total area of all platform cylinders, including the connection to the boarding platform is 38 square feet.
Access Pier	The new access pier is proposed to be 25 feet wide and approximately 96 feet long. It will be constructed of reinforced concrete. The pier will be supported on 24-inch diameter steel pipe piles. The total area of the pier is approximately 2,700 square feet (public + non-public). As noted above, the pier may be reduced to 21 feet wide for a total area of approximately 2,138 square feet.
Landside electrical equipment on concrete pad	A new transformer is required to provide power to the ferry terminal for lighting as well as the hydraulic pumps located on the float.

The over-water coverage resulting from a directly overhead view of the proposed Sausalito Ferry Terminal is further defined in **Table 2**, below. Areas calculated include the existing terminal, proposed terminal with 25-foot wide pier and 21-foot wide pier, and temporary terminal to maintain service during construction.

TABLE 2
OVER WATER COVERAGE AREA SUMMARY

Terminal	Area (square feet)					Pile Types	Pile Area[3]
	Landside Pier[1]	Access Pier	Gangway	Float[2]	Total		
Existing	1,943	820	402	4,835	8,000	16 - 18" Square Concrete 12 – 12" Square Concrete 8 – 24" Dia. Steel Pipe	73 sf
Proposed 25-foot Wide Pier	1,943	2,700	1,800	8,500	14,943	12 – 18" Square Concrete 15 – 24" Dia. Steel Pipe 5 – 60" Dia. Steel Pipe 2 – 54" Dia. Steel Pipe	204 sf
Proposed 21-foot Wide Pier	1,943	2,138	1,800	8,500	14,381	12 – 18" Square Concrete 15 – 24" Dia. Steel Pipe 5 – 60" Dia. Steel Pipe 2 – 54" Dia. Steel Pipe	204 sf
Temporary[4]	1,500	1,863	402	4,835	8,600	12 – 18" Square Concrete 18 – 12" Dia. Steel Pipe 8 – 24" Dia. Steel Pipe	66 sf

NOTES:

1 Landside Pier is the existing pier from the landside to remain. A portion of this pier is landward of MHW (472 SF) and the other portion is waterside of MHW (1,471 SF) for a total of 1,943 SF. It does not include work on land immediately adjacent to and west of the pier for trenching to provide additional power to the terminal (250 SF).

2 Float area includes the float structure, guide piles with surrounding collars, fenders outboard of the float, and donut fenders (at the new terminal only).

3 Pile Area is already included in the areas shown in 'Terminal Area'. It is repeated here for information only. The pile areas shown include the piles supporting the existing 'Landside Pier' to remain. The Landside Pier is supported on 12 – 18" square concrete piles (21 sq. ft.)

4 The Landside Pier area is reduced from the existing area to account for construction work at the east end of the pier.

Design Criteria

The gangway and ramp slopes and other accessibility features were designed using the U.S. Access Board "Proposed Accessibility Guidelines for Passenger Vessels," and the Port of San Francisco "Access Design of Floating Structures." The gangway was designed in accordance with the American Association of State Highway Officials (AASHTO) Bridge Design Specifications. A coastal analysis was completed to define the environmental characteristics (wind, wave, current) at the site which were then used to design the float and guide piles. The access pier was design using the 2013 California Building Code (CBC). All work done satisfies the CBC.

Approval Status

Environmental Review

CEQA: As lead agency under the California Environmental Quality Act (CEQA), the Golden Gate Bridge, Highway and Transportation District prepared an Initial Study and Mitigated Negative Declaration (IS/MND) for the proposed project. The District found that the project will not result in significant effects to the environment, with incorporated mitigation measures adopted as conditions of approval. The District filed the Notice of Determination with the Marin County Clerk on December 18, 2012.

NEPA: The project was found to qualify for a categorical exclusion under 23 CFR Section 771.118(d)(6) "Facility modernization through construction or replacement of existing components." The District prepared a documented Categorical Exclusion (CE(d)) and found that the project will not induce significant environmental impacts. The U.S Department of Transportation Federal Transit Administration (FTA), as lead agency under the National Environmental Policy Act, concurred with these findings on February 13, 2014.

Resource Agency Consultations

USFWS: In July 2012, FTA submitted a request for concurrence from the U.S. Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act (ESA) that the project will have "no effect" on the California least tern and the southern sea otter, and that the project "may affect, but is not likely to adversely affect" delta smelt. In November 2012, USFWS did not object to the FTA's determination that the project will have "no effect" to the southern sea otter, and concurred that the project will have no effect on the California least tern and that delta smelt will not be adversely affected by the project. In August 2014, the USFWS provided additional clarification that they also concur the project will have no effect on the southern sea otter.

NMFS: Similarly, the FTA submitted a request for concurrence from the National Marine Fisheries Service (NMFS) under the ESA that the project "may affect, but is not likely to adversely affect" the following ESA-listed fish species: green sturgeon, steelhead (Central California Coast DPS), steelhead (California Central Valley DPS), Chinook salmon (Sacramento River winter-run ESU), Chinook salmon (Central Valley spring-run ESU), as well as the humpback whale, and ESA-designated critical habitat. The FTA also requested concurrence under the Magnuson-Stevens Fishery Conservation and Management Act that the project "may affect, but is not likely to adversely affect" essential fish habitat (EFH) including eelgrass beds, in the form of minimal short-term (construction-related) impacts. Lastly, the FTA concluded the project will have "no effect" on Pacific harbor seal, California sea lion, and harbor porpoise under the Marine Mammal Protection Act (MMPA).

Over the course of approximately 10 months following the consultation request, NMFS and the FTA corresponded about project design details, and the FTA provided additional information and clarification (including additional avoidance and minimization measures) as requested by NMFS, to support its review of the consultation request. In November 2013, NMFS concurred with the FTA's determination that, with the District's incorporation of the proposed avoidance, minimization, and mitigation measures, the proposed project is not likely to adversely affect ESA-listed fish species and designated critical habitat.

With respect to EFH for various fish species and including eelgrass beds, NMFS determined that, while the project could adversely affect EFH and eelgrass beds due to temporary construction-related impacts, as well as due to the project's permanent increase in over-water shading, the project does include measures to avoid, minimize, and otherwise offset these adverse effects to EFH. These measures include the project's proposed compensatory mitigation for permanent overwater shading impacts, which includes incorporating the use of light-penetrable materials and a structural orientation to minimize shading effects, as well as contributing funds towards on-site in-kind mitigation efforts focused on eelgrass habitat creation and restoration, to be undertaken by the State Coastal Conservancy. Based on the above project measures to avoid, minimize, and otherwise offset adverse effects to EFH, NMFS had no additional EFH conservation measures to request or provide. Lastly, with respect to the MMPA, NMFS confirmed that there are no major haul-outs or rookeries in the project vicinity, that the ESA-listed humpback whale and Steller sea lion are not expected to occur in the project area, and NMFS determined that the implementation of the proposed avoidance measures for marine mammals (such as the establishment of a 500-meter safety zone for pile driving activities, with a biological monitor empowered to cease work if a marine mammal is observed within the zone), are expected to avoid the take of all non-ESA listed marine mammals.

CDFW: The District requested a consistency determination from the California Department of Fish and Wildlife (CDFW; formerly CDFG) between the federal consultation process under Section 7(a)(2) of the Endangered Species Act (ESA) and Section 2080.1 of Fish and Game Code, for species that are both State and federal-listed. The co-listed species include California least tern, southern sea otter, delta smelt, Chinook salmon (winter-run Sacramento ESU), Chinook salmon (central valley spring-run ESU), humpback whale, and essential fish habitat (EFH) including eelgrass beds. Additionally, the District requested that CDFW concur that the project will have no adverse effect on longfin smelt, which is only listed at the state level. In February 2013, CDFW responded with specific recommendations for the project to reduce environmental effects. The District responded indicating how the recommendations will be addressed. In April 2013, CDFW indicated appreciation for the District's responses and noted that CDFW does not issue concurrence for "no adverse effect" determinations.

SHPO: Pursuant to Section 106 of the National Historic Preservation Act, FTA consulted with the California State Historic Preservation Office (SHPO) in July 2012. FTA requested that SHPO concur with the Area of Potential Effects and a determination of "No Historic Properties Affected." SHPO issued a concurrence with this determination in September 2012.

Permitting

USACE: The District submitted an application which included a Preconstruction Notification (PCN) for a Section 10 Rivers and Harbors Act permit from the U.S. Army Corps of Engineers (USACE) in October 2013. In December 2013, USACE indicated it will consider issuance of a Letter of Permission, upon issuance of a Coastal Zone Management Act (CZMA) Consistency Determination from BCDC and a 401 Water Quality Certification from the San Francisco Bay Regional Water Quality Control Board (RWQCB).

RWQCB: The District submitted an application for 401 Water Quality Certification to the RWQCB in October 2013. In November 2013, the RWQCB indicated that, to complete the application, the District must provide a mitigation proposal for the increased over-water coverage of the project. Based on FTA

coordination with NMFS as described above, the District developed and submitted to the RWQCB a proposal for compensatory mitigation that consists of the contribution of funds towards on-site in-kind mitigation efforts focused on eelgrass habitat creation and restoration, to be undertaken by the State Coastal Conservancy. The District has entered into a Cooperative Agreement with the State Coastal Conservancy to fund these activities. On September 12, 2014, the RWQCB concurred with the mitigation proposal and provided the 401 certification.

BCDC: In April 2013, the District had an early coordination meeting with BCDC regarding the project and the permit application process. The District submitted an application to BCDC for an amendment to Permit No. M94-70 in January 2014. In February 2014, BCDC responded with comments and requests for clarification on the application. The District provided responses to these comments to BCDC in May 2014, and the two agencies met for a site visit in July 2014. The BCDC informed the District that a presentation to the BCDC Design Review Board (DRB) would be required. The District presented the project to the DRB in October 2014. Subsequent to the October 2014 DRB meeting, the District presented to the BCDC Commission for a public meeting in December 2014. The BCDC requested additional information from the District prior to the Commission voting on the permit. The District is working with BCDC to schedule this meeting.

City of Sausalito: The District made several presentations to the City Council between 2010 and 2012. The District briefed the City Council on the project in December 2014. In February 2015, the City Council requested and the District agreed to present the project at a number of public meetings between February and April 2015, after which the Council will decide whether to provide its concurrence with the project. The District has executed a Right of Entry (ROE) permit with the City of Sausalito for the construction of the temporary ferry terminal. The ROE permit will be provided for the construction of the temporary facilities and one piling that is slightly outside the existing lease area. It provides for the temporary facility to be removed once the permanent facilities are constructed and opened for use.

Design Drawings

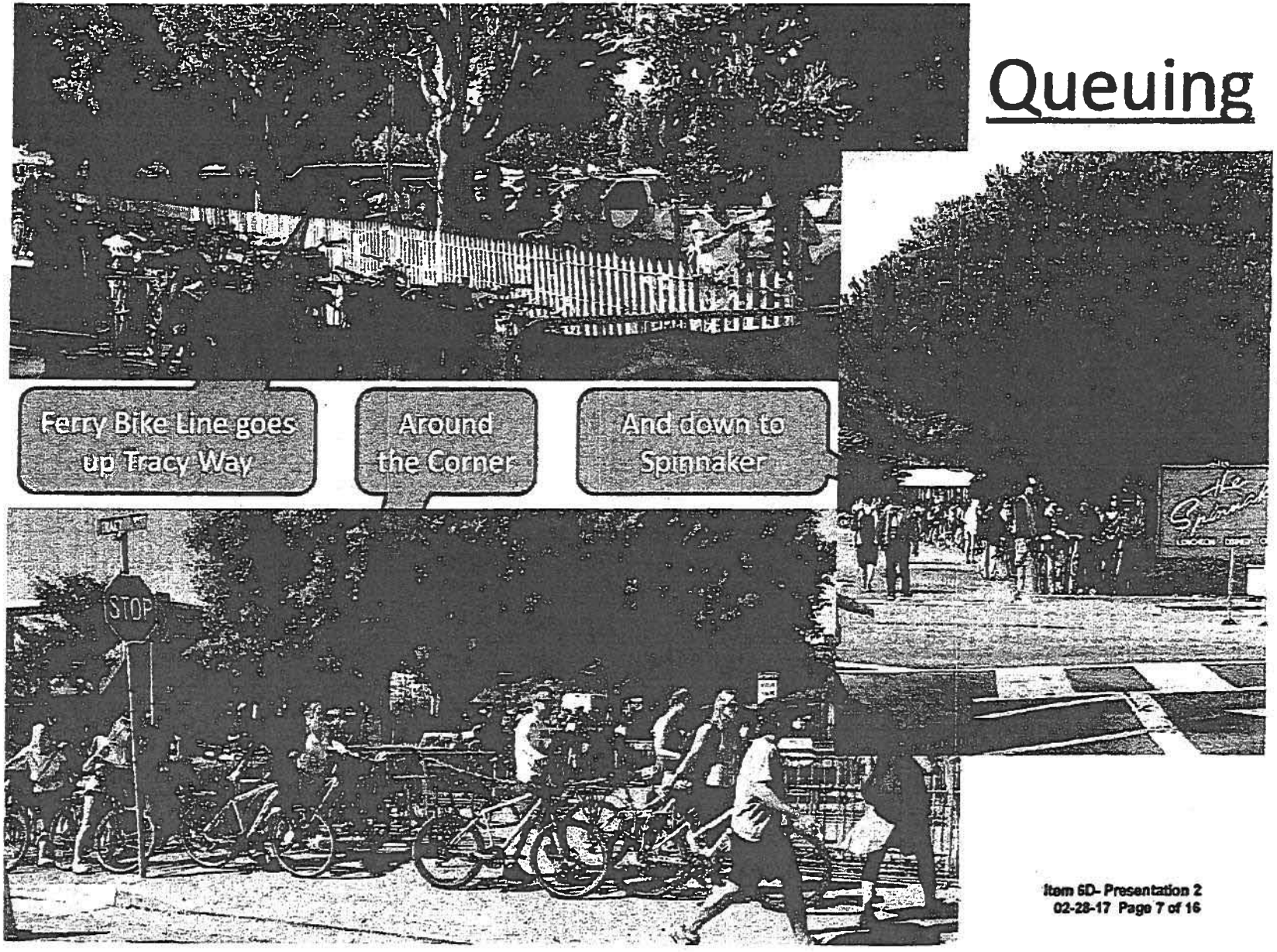
Selected design drawings are included after the Exhibits.

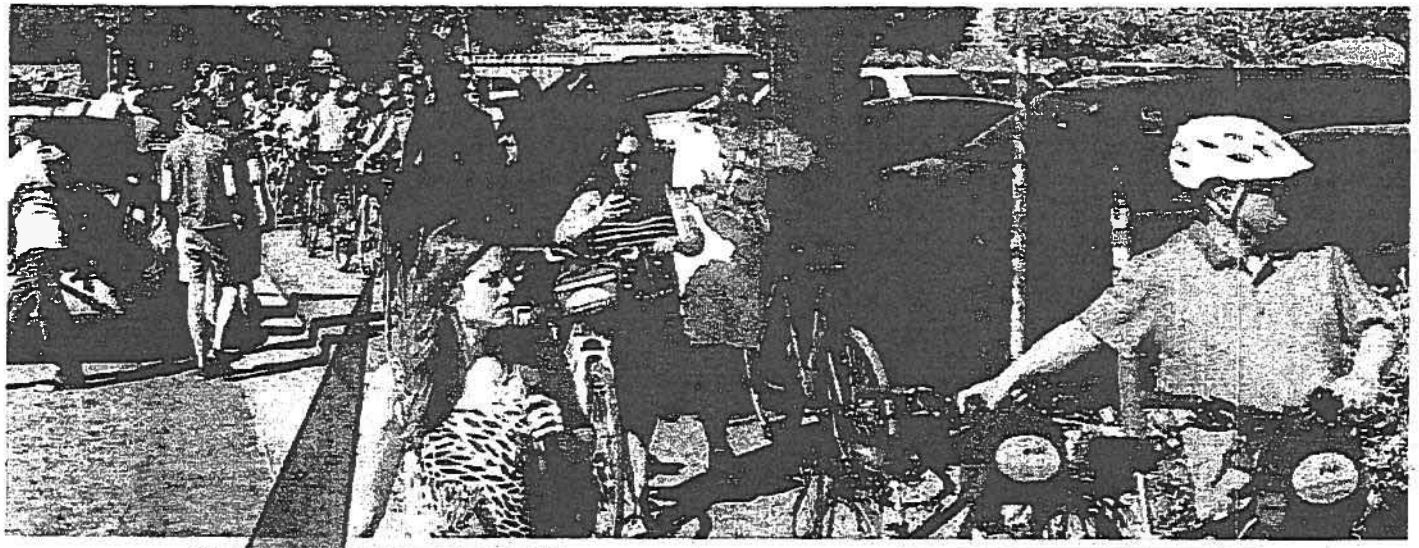
EXHIBIT 4

Bay
Humboldt
Anchor
Bridgeway
Gabrielson Park
Ferry Landing
Inn Above Tides
CITY OF SAUSALITO
MARIN CO. CALIF.

EXHIBIT 5

Queuing


Ferry Bike Line goes up Tracy Way
Around the Corner
And down to Spinnaker
STOP



Anchor Street Sidewalk "Closed"

Tracy Way Sidewalk "Closed"

Queuing

EXHIBIT 6

Sausalito Plus

Update on Crowd Management Challenges Related to Tourist Bikes and the Ferry Queue

1. Crowd Management Days
    a. Late March – Mid-April: School break weeks/weekends
    b. July & August: Friday-Monday, July 4th
    c. September: Saturday & Sunday, Labor Day
    d. October: a few scattered weekend days

2. Tourist Bike Numbers – on Crowd Management Days
    a. 1,700 – 3,500 (as counted from 11-4; numbers can be higher every day)

3. Bike Arrivals
    a. Early arrivers begin showing up at 11:00 am
    b. Largest number of bikes arrive in downtown Sausalito between 1 & 4

4. Queuing Issues
    a. Insufficient help handling queuing
    b. Early arrivers often take ferries back to San Francisco beginning at 1:00 PM
    c. The vast array of bikes (90%) begin gathering in the queuing area at ~ 2:00 - 2:30
    d. Lines going down the sidewalk adjacent to Tracy Way and down Anchor Street begin forming at ~2:00-3:00 PM, continuing often until 6:00 PM
    e. At this point, there are a vast array of bikes in and around the center of El Portal as well
    f. Many bikes interfere with Inn Above Tide access in and out

5. Implications (Safety Issues That Occur)
    a. Loss of the sidewalk adjacent to Tracy Way
        i. Leads to:
            1. Walking in Anchor Street rather than the sidewalk
            2. Walking through the car parking area
    b. Loss of access through the ADA area adjacent to Tracy Way (north and south)
        i. Disables access – especially for those handicapped, but for all
    c. Inability for car parkers to access kiosks to pay
        i. Limits kiosk availability - very frustrating
    d. Tourist bikers in lines for long times – sometimes 1.5 – 2 hours – many with children
    e. Pedestrians forced to walk "IN" Anchor Street – as the adjacent sidewalk is usually full of bikes
    f. Forcing pedestrians coming off a ferry to walk through the Lot 1 car parking area
    g. Bikes going through Lot 1 on a regular basis – to get to the ferry ticket area or go around Lot 1 to get free parking

EXHIBIT 7

SAUSALITO POLICE DEPARTMENT

John Rohrbacher
Chief of Police

Date: September 25, 2017
To: Adam Politzer, City Manager
From: John Rohrbacher, Chief of Police
Subject: Discussion Items Related to Congestion Management at the Ferry Landing

Historically the Ferry Division of the Golden Gate Bridge Highway & Transportation District has been a very active participant as a partner in the Sausalito Police Department's efforts at congestion management and safety in the downtown area and the ferry landing. Under the leadership of Ferry Division Deputy General Manager Jim Swindler, they have been consistently using the lessons learned from previous years to make improvements going forward. Most notably of these is the addition of a crew member on each vessel to assist with the loading and unloading of passengers with bicycles, the addition of a second vessel to service the Sausalito run, and taking tickets from passengers before they reach the vessel doors.

However, there are still a few issues that require attention toward a longer term solution. It is my opinion that queue management, a better reservation system, and the location of the District's ticket machine are the most important. The problems associated with these were present three years ago, remain present now, and are foreseeably going to be problems in the future unless some changes are made going forward and more so during construction of a new float and ferry landing.

The District's ticket vending machine is in the worst possible location as it is right next to the path of travel for vehicles circulating to the exit of Municipal Lot #1. As people line up to purchase a ferry ticket, the line spills into the parking lot and blocks traffic, increases congestion, and places pedestrians in danger. This dangerous situation manifests itself primarily during the months of April through October which is our busiest season for visitors. The ticket machine location is much less of a problem during the remaining months as the ferry passengers are generally regular commuters that do not require the daily use of the ticket machine. To assist the District with solving this seasonal problem, we offered to co-locate a separate ticket vending machine alongside the seasonal ticket vending machines we install for the payment of bicycle parking. We also offered the use of our multi-space ticket machines located in several places in Municipal Lot #1. To date, the District has not taken advantage of either offer. Going forward, both offers still stand.

The issues of queue management and a working reservation system could, and should, be considered jointly. With the goal of better queue management, the District has experimented with several different reservations systems over that last few years. It stands to reason that if an effective and properly managed reservation system were in place, far less ferry passengers with bicycles would need to be in line to board a ferry for the trip back to San Francisco. From my observation, the reservation system from two years ago using boarding numbers issued in groups of 100 seemed to work the best. This year, the District implemented an online ticket purchase option and an online reservation option that was clearly explained in their Summer 2017 *How To Take A Bike On The Ferry* tri-fold brochure for this season. I do not know how

SAUSALITO POLICE DEPARTMENT

John Rohrbacher
Chief of Police

many passengers with bicycles used this online reservation system but from seeing the long passenger queue, it seems not enough to make a difference to reduce the line to board a ferry. The District is once again working in partnership with the Sausalito Chamber of Commerce this year to assist with congestion management related to ferry passengers with bicycles. The online reservation system was included in the Chamber's 2017-2018 Sausalito Visitor Map. With savvy visitors that are comfortable with using their phones for this type of technology, it should have worked better.

Regardless of which reservation system the District puts in place, the supervision of the queue workers is vital to its success. This year, for the first time, it was observed and reported that there was little or no supervision of the few workers on duty and, as a result, the workers were not doing their job but instead were chatting with friends or glued to their phones. If it is accurate to say that the District's union workers are not permitted to supervise non-union workers, then that must be addressed likely with the addition of a non-union supervisor. There were also days with no workers at all. A far more robust work crew is required for a queuing management effort.

I foresee these issues will be significant during the construction phase of the new ferry landing and I expect and hope that the District will make focus on making the changes needed to improve safety and congestion management during this critical and potentially dangerous 18 month period. Improvements that are successful during this time could then be used going forward with a goal of not having to keep trying something new each year.

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EXHIBIT 8

Additional Information per City of Sausalito 7-22-16 Request

On July 22, 2016, the City of Sausalito, via email from Adam Politzer, requested the District provide information on four additional items related to the District's design. The requested information and the District's response to each is as follows:

1. *Please provide to COWI and the City the calculated delay impacts from a more narrow pathway if the gangway and/or boarding platform was reduced from 16' to 14' and from 16' to 12'.*

   A: The District has previously provided information substantiating the 16 foot clear width for the gangway and boarding platform. Refer to the following information that the District submitted to the City for the City's peer reviewer:

   - May 16, 2016 float discussion submittal
   - June 8, 2016 email answering peer reviewer's questions
   - June 16, 2016 submittal answering reviewer's questions
   - June 30, 2016 submittal answering peer reviewer's questions
   - July 15, 2016 email answering peer reviewer's questions

   The District has consistently stated that a 16 foot clear width is the minimum width required for the District to address its operational needs. The District's ferry vessels are being modified to accommodate boarding and unloading from two 8 foot doors. Two 8 foot wide gangplanks will span between the vessels and the boarding platform, necessitating the boarding platform to be 16 feet wide. Reducing the boarding platform and gangway widths to less than 16 feet will cause passenger flow congestion which in turn will increase the ferry turnaround time and result in passengers being left behind as they are today in order to maintain the ferry schedule. The existing facility has varying passenger walkway widths which cause congestion and slowdowns as passengers navigate through the facility. The District's design is intended to eliminate these operational inefficiencies.

   The District notes that compared to other recently completed and proposed ferry terminals on the San Francisco Bay which use vessels with smaller passenger capacities, the 16 foot gangway width for the Sausalito Ferry Terminal improvements project is reasonable.

Ferry Terminal Location	Lead Agency	Status	Gangway Width	Maximum Ferry Capacity
Sausalito	GGBHTD	CEQA complete – Filed NOD in 2012	16 feet	750 passengers
San Francisco - Ferry Building	WETA	CEQA complete – Filed NOD in 2014	10 feet 1 inch	395 passengers[1]
South San Francisco	WETA	Construction complete in 2012	10 feet 1 inch	199 passengers[2]

[1] 395 passengers is the largest passenger capacity ferry vessel in the San Francisco Bay Ferry fleet (operated by WETA). Two ferry vessels with an expected 400 passenger capacity are under construction now and are projected to be completed by late 2016.
[2] The maximum ferry vessel capacity currently operating out of South San Francisco ferry terminal

The District has performed an analysis as requested by the City, and the calculated delays associated with increased ferry turnaround times due to reducing the gangway and boarding platform clear width are listed in the table below. As shown, reducing the width results in an increased turnaround time of up to nearly 5 minutes.

Minimum Passenger Clear Width	Project Goal Turnaround Times		Calculated Typical Turnaround Times		Difference Between Project Goals and Calculated Turnaround Times[1]	
	Target	Max	Typ. Min	Typ. Max	Typ. Min[2]	Typ. Max[3]
16 feet	10 min	15 min	12.6 min	14.6 min	+ 2.6 min	- 0.4 min
14 feet	10 min	15 min	13.5 min	15.5 min	+ 3.5 min	+ 0.5 min
12 feet	10 min	15 min	14.6 min	16.6 min	+ 4.6 min	+ 1.6 min

[1] A positive value indicates there will be a delay in turnaround times due to calculated time greater than project goals

[2] Calculated typical minimum turnaround time – Project target goal turnaround time

[3] Calculated typical maximum turnaround time – Project maximum goal turnaround time

Note that these times assume ideal ferry operational conditions and do not account for slowdowns caused by intentional varying walkway widths (i.e. bottlenecks/choke points). The calculations and assumptions are provided in Attachment A. Recall that the District's previous information to the City's peer reviewer stated that the turnaround time calculations were based on aggressive, ideal situations that do not account for ferry docking delays due to poor weather conditions, passengers not queued and ready to disembark upon ferry landing, safety hazards encountered during the security sweep that require immediate attention, boarding passengers that are not familiar with the boarding procedure, and passengers with limited mobility.

Also, recall that the design of the replacement boarding facilities is based on the projected year 2029 maximum volume of passengers per trip using the 85-percentile volume (the 85-percentile means that from 100% of trips sorted in the order from the highest to the lowest volume, the passenger volume representing the 85% spot on the list is used for the design). This means that 15% of the time, the number of passengers will be greater than those used in the calculations.

As previously stated, the District will not build a defective ferry terminal that does not address the District's operational needs. The District's mission is to encourage ferry ridership to reduce traffic along the 101 corridor. To encourage the use of public transportation, the ferries must provide a reliable, safe, and cost effective alternative to driving.

2. *In order to complete our due diligence on this project the City needs to get the District's passenger counts from 2014, 2015 and 2016 (year to date). Please include the breakdown for bikes and pedestrians per trip for both inbound and outbound passengers.*

A: The District previously submitted March 2014 – March 2015 data to the City in April 2015 in response to requests made during the joint Planning Commission and Historic Landmarks Board April 1, 2015 meeting. For completeness, the passenger counts from January 1, 2014 to July 9, 2016 per ferry trip are attached in Attachment B.

Please note that the District provided additional ferry trips that were not scheduled in order to alleviate some of the crowds at the Sausalito Ferry Landing. These extra trips (denoted with an "E" under the "Source" data column in Attachment B) are significant additional operational costs for the District and cannot be sustained. As stated in previous submittals to the City, the District does not profit from ferry services as they are subsidized with bridge tolls and other revenue means to reduce traffic congestion on the Golden Gate Bridge and reduce vehicle use. Currently, disembarking and boarding at the existing facility is slow, due to a narrow passage way and single door access to the vessel. In order to stay on schedule, boarding must cease at a specified time, often leaving passengers behind while a less-than-full vessel departs. The proposed ferry terminal replacement will allow for full utilization of the ferry vessel capacity due to faster disembarking and boarding of passengers, therefore generally eliminating the need for extra ferry trips.

EXHIBIT 9

Responses to Questions from the City of Sausalito Received June 9, 2016

This serves to respond to the questions sent June 9, 2016 by the City of Sausalito to the District. The questions and answers are intended to facilitate in City of Sausalito's Peer Review of the proposed float dimensions.

1. *Q: The 16.0' clear width of the gangway, fixed landing, boarding apron and boarding platform is based on the ferries having two 8.0' wide doors being used simultaneously (Ref. A: page 3 of 7 second paragraph, Float-Dimension Discussion-Width). Also the 16' central walkway was sized "to accommodate passenger flow from each of the two ferry doors (coming out of the ferry, going into the ferry) being used simultaneously (operational consideration)" (Ref. C: page 5 of 14 first paragraph, Float Width). Please provide quantitative information to support the conclusion that the 16.0' width is needed to accommodate the desired boarding operations. For reference, minimum clear widths for some of the subject elements are: 36" gangway (Ref. B chapter V410.5), 36" fixed landing (Ref. B chapter V410.7.2) and 36" Boarding Apron (Ref. B chapter V405.5).*

   A: The proposed width of the gangway is not driven by ADA access concerns, but by operational needs. Currently, disembarking and boarding at the existing facility is slow, due to a narrow passage way and single door access to the vessel. In order to stay on schedule, boarding must cease at a specified time, often leaving passengers behind while a less-than-full vessel departs. The new facility is designed to increase speed of disembarking and boarding to achieve full utilization of the vessel capacity.

   To determine the appropriate width of the gangway and boarding ramps, the District estimated the volume of passenger growth through year 2029. Using a moderate 4% escalation factor of ferry passenger growth per year (note that in the recent years the growth was 7% on average), the maximum demand in the peak summer season in year 2029 is projected to exceed 700 passengers per trip. However, the design of the replacement boarding facilities is on the projected year 2029 maximum volume of passengers per trip using the 85-percentile volume (the 85-percentile means that from 100% of trips sorted in the order from the highest to the lowest volume, the passenger volume representing the 85% spot on the list is used for the design). Based on this, the ferry passenger count used for the design of the proposed facility is:

   - 408 total passengers disembark from ferry vessel onto facility
   - 512 total passengers board from facility onto ferry vessel (200 out of the 512 total passengers board with bicycles)

   Based on these estimates, designers used "Pedestrian Planning and Design", revised edition, by John J. Fruin, to verify that the proposed facility is able to meet the projected passenger counts, within the current ferry schedule and without leaving queued passengers behind. This document is considered to be standard for ferry facility design. This document presents different level-of-service (LOS) descriptions for walkways and queuing areas. The LOS ranges from A (pedestrians freely chose their own walking speed and have no space restrictions) to F (close and unavoidable contact with others causing physical and psychological discomfort). The information provided for each LOS does not account for passengers with bicycles, so assumptions were made based on observations to determine the applicable LOS criteria for passengers with bicycles. The following LOS requirements for the proposed design were chosen to be consistent with the currently observed conditions at the existing facility:

   - Passengers walking while disembarking: LOS D/E = 10 sf/pax , 20 pfm
   - Passengers walking while boarding: LOS E = 8 sf/pax , 23 pfm
   - Passengers walking with bicycles while boarding: LOS E = 36 sf / pax (4' x 9') , 12 pfm
   - Passengers while queuing (waiting in line): LOS C/D = 7 sf/pax
   - Passengers with bicycle while queuing (waiting in line): LOS C/D = 32 sf/pax (4' x 8')

     Note: sf = square feet; pax = passenger; pfm = passengers per foot width per minute

   Applying the LOS requirements, it was determined that a 16' wide clear path for passengers is the minimum width required to keep the current ferry schedule with the projected passenger counts. This also helps with passenger flow from the two 8' wide ferry doors by not introducing intentional choke points on the float design.

In addition to disembarking and boarding of passengers, the following is taken into consideration when verifying the replacement facility will maintain the current ferry schedule: securing the vessel to the dock, verifying that the doors are securely positioned to be opened, opening the doors, verifying that all passengers are off the vessel and conducting a security sweep of the vessel, and, after the boarding, closing the doors, and tying off the vessel.

The current ferry schedules for the Sausalito Ferry and the District's ferry vessel passenger capacities are found in the document titled "Proposed Float Size Discussion – For City of Sausalito Peer Review" sent to the City of Sausalito from the District in a May 16, 2016 email. As noted in this document, the Spaulding class vessels are the most frequently used vessel by the District at the Sausalito Ferry Landing.

The District does not have the resources to increase the number of trips to and from Sausalito during the peak weekday commute times. When the demand is high in Sausalito on weekends, the District runs additional trips when possible. As described above, the narrowness of the existing facility impedes the use of the ferry vessels at their capacity. The replacement facility will enable this currently unused capacity to be utilized without adding trips.

2. *11.0' feet is provided under the float end of the gangway for: the gangway support frame, maintenance access and the guide pile collars (Ref. A: page 3 of 7 last paragraph, Figure 5, Drawing S1.2). Please clarify if this distance can be optimized.*

   A: This distance has been re-evaluated and optimized to the extent possible. There must be space on the float around the gangway support for safe maintenance access (5.5'). This distance remains 11'.

3. *The fixed landing is 10.0' long (Ref. A: page 3 of 7 last paragraph, Figure 5) whereas the minimum length is 5.0' (Ref. B chapter V410.7.3). Please provide sketches and/or calculations showing that the combination of the tides and transition plates require the fixed landing to be 10' long.*

   A: Please see Attachment 1 for the plan view of the proposed transition plates on the fixed landing. The walking surface of the fixed landing is 8'-8". The gangway transition plate at low water is approximately 2'-3" beyond the fixed landing. The Boarding Apron transition plate is approximately 1'-1" beyond the fixed landing. This results in 3'-4" of required length on the fixed landing. 3'-4" of transition plate length + 5'-4" fixed landing length = 8'-8". The overall dimension of the fixed landing (outside to outside distance of the base plate of the column-deck connection) is approximately 10'.

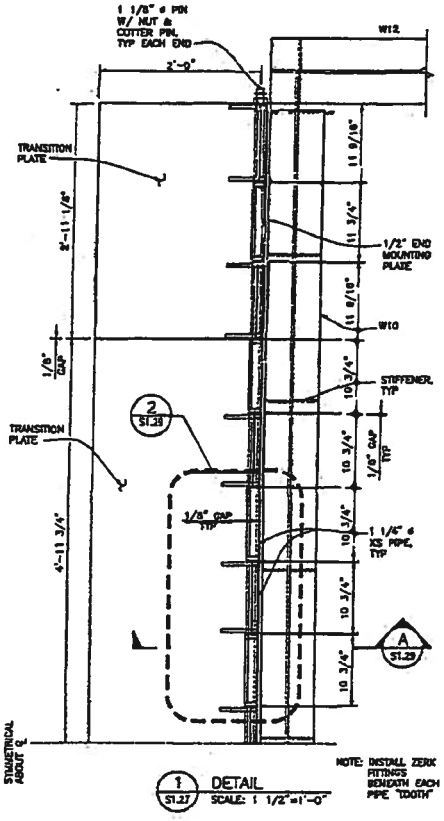
4. *The boarding platform is 79.5' long (Ref. A: page 4 of 7 last paragraph, Figure 6, Drawing S1.2, Float-Dimensions Discussion-Length) whereas the outside-to-outside distance of the vessel doors is 56.0'. Please clarify if the boarding platform length can be optimized.*

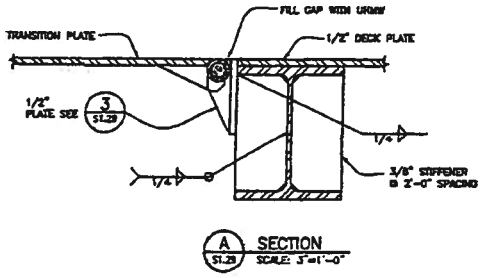
   A: This distance has been re-evaluated and optimized to the extent possible. The center to center spacing between ferry doors is 48' and the clear width door opening is 8' per door, therefore the distance between the clear door opening of both doors is 56'. The remaining 23.5' of the boarding platform length accounts for the sliding gates for the gangplanks, hydraulic lift cylinders, and an employee-only access ramp required to access the aft end of the float for maintenance. Please see page 6, Figure 6 on page 7, Figure 8 on page 8, Figure 9 on page 9 and page 12 of the "Proposed Float Size Discussion – For City of Sausalito Peer Review" document dated 5-16-16 for more information.

5. *15.0' is provided at the end of the float for the guide pile collars, utility boxes and a 6.0' access path (Ref. A: page 5 of 7 first paragraph, Figure 7, Drawing S1.2). Please clarify if this length can be optimized.*

A: This distance has been re-evaluated and optimized to the extent possible. This distance remains 15'.

Attachment 1





A S1.29 SECTION
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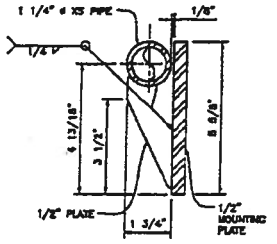

3 S1.29 DETAIL
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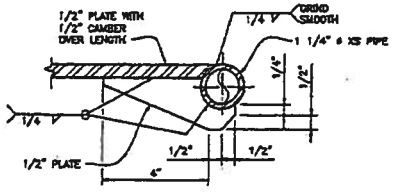

4 S1.29 DETAIL
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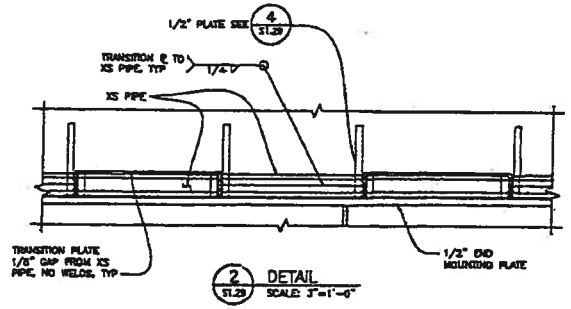
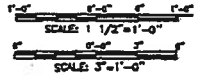


2 S1.29 DETAIL
SCALE: 3"=1'-0"



REV. NO.	SHEET NO.	TOTAL SHEETS

DESIGN	GD	CHECKED	BJ
DRAWN	AB	CHECKED	BO JENSEN PROJECT ENGINEER
QUANTITIES		CHECKED	

ORIGINAL SCALE IN INCHES FOR REDUCED PLANS 0 1 2 3

moffatt & nichol
2185 N. California Blvd., Suite 500
Walnut Creek, CA 94596

REGISTERED CIVIL ENGINEER
07/18/2014
PLANS APPROVAL DATE

NO.	REVISION	BY	DATE

CONTRACT NO. 2011-G-2
CADD FILE 703800_S1.29.dgn
DRAWING NO. S1.29

APPROVED BY
DISTRICT ENGINEER
DATE

PROJECT TITLE
GOLDEN GATE SAUSALITO FERRY TERMINAL IMPROVEMENTS

SHEET TITLE
FLOAT BOARDING APRON DETAIL, SHEET 2

GOLDEN GATE BRIDGE HIGHWAY AND TRANSPORTATION DISTRICT

P:\7038 GGBD Ferry Terminals\Civil\Cadd\Sausalito\703800_S1.29.dgn Jul 18, 2014 - 1:46pm

EXHIBIT 10

Bay
Humboldt
Gabrielson Park
CITY OF SAUSALITO
MARIN CO. CALIF.
Anchor
Ferry Landing
Bridgeway
50
100
150
200
Inn Above Tides

EXHIBIT 11

Table 1: Mitigation Monitoring and Reporting Program

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
A. AESTHETICS AND VISUAL RESOURCES				
The Project in light of changed circumstances has the potential to significantly impact the visual character, scenic vistas and viewpoints at the Project site because of the lengthy queue and related crowd control issues.	**Mitigation Measure AES- 1:** Commencing with permanent operations and continually thereafter, the District shall manage the queue for the Ferry Landing, which may span from the Ferry Landing Pier Southward along the side of the existing hedge towards El Portal Street, terminating at El Portal (Queue Area). The District shall implement all reasonable and necessary measures to prevent any queue for the Project from extending beyond or outside the Queue Area.	District	City Oversight for compliance	Commencement of permanent operations
[Less than Significant with Mitigation]				
B. LAND USE AND PLANNING				
The Project in light of changed circumstances has the potential to significantly impact existing City uses and facilities because of the lengthy queue and related crowd control issues, including Municipal Parking Lot 1, City streets, sidewalks and public parks.	Mitigation Measure AES-1	District	City oversight for compliance	Commencement of permanent operations
[Less than Significant with Mitigation]				
C. PUBLIC SERVICES				
The Project in light of changed circumstances has the potential to significantly impact City public services related to maintenance of acceptable service ratios and response	Mitigation Measure AES-1	District	City oversight for compliance	Commencement of permanent operations

Table 1: Mitigation Monitoring and Reporting Program

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
times to other areas of the City during peak times, as police personnel are needed to be on hand to manage crowd congestion, traffic circulation and safety issues.				
[Less than Significant with Mitigation]				
D. RECREATION				
The Project in light of changed circumstances has the potential to significantly impact recreational facilities on public parks and open spaces along Gabrielson Park as well as the City's historic downtown waterfront because of lengthy queues and crowd control issue that impede use and enjoyment of these facilities and spaces.	Mitigation Measure AES-1	District	City oversight for compliance	Commencement of permanent operations
[Less than Significant with Mitigation]				
E. TRANSPORTATION AND TRAFFIC				
The Project in light of changed circumstances has the potential to significantly impact traffic and circulation as the lengthy queue and crowd congestion interfere with all modes of traffic circulation and parking in the Project site area.	Mitigation Measure AES-1	District	City oversight for compliance	Commencement of permanent operations
[Less than Significant with Mitigation]				

EXHIBIT B

SheppardMullin

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File Number: 56RZ-257264

February 20, 2018

Via Electronic Mail and Hand Delivery

President Hillis
Members of the Planning Commission
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
Lisa.gibson@sfgov.org

Re: Supplement To Appeal of Preliminary/Final Mitigated Negative Declaration For Alcatraz Ferry Embarkation Project (Case No. 2017-000188ENV)

Dear President Hillis and Members of the Planning Commission

On behalf of the City of Sausalito (Sausalito), we provide the following additional comments and evidence to supplement Sausalito's appeal submitted on December 27, 2017 (Appeal) in advance of the Planning Commission's February 22, 2018 Appeal hearing.

SUMMARY OF CONCERNS

As explained in the Appeal, Sausalito's concerns regarding the Alcatraz Ferry Embarkation Project (Project) are limited to its authorization of new ferry service from Pier 31 ½ in San Francisco to Fort Baker, located adjacent to Sausalito, under contracts that may extend for fifty (50) years.

The Project purportedly analyzed in the proposed Final Mitigated Negative Declaration (FMND)[1] consists of: (1) a draft 30-year (plus two additional 10-year options, for a total of 50 years) "General Agreement" between the City and County of San Francisco, operating by and through the San Francisco Port Commission (Port) and the United States Department of the Interior, National Park Service (NPS) (Master Agreement); (2) a draft concession contract between NPS and the selected ferry concessioner (Concession Contract); and (3) a draft lease

[1] The San Francisco Planning Department (SF Planning) issued a Preliminary Mitigated Negative Declaration (PMND) on December 6, 2017. On February 15, 2018, SF Planning issued a revised, Draft Final Mitigated Negative Declaration, supported by SF Planning's Staff Report dated February 15, 2018.

between the Port and the selected ferry concessioner (Port Lease) (collectively referred to herein as the "Project Contracts").[2]

The Planning Commission's task and obligation under California's Environmental Quality Act (CEQA) includes, among other things, to assess whether the proposed FMND accurately describes and adequately analyzes the proposed Project. Here, however, the Planning Commission cannot accomplish this task because the Project Contracts are not included in the Planning Staff's materials regarding this item. This omission further renders it impossible for members of the public to meaningfully consider the adequacy of San Francisco's environmental review regarding the Project's potential impacts, in violation of CEQA's mandatory information disclosure requirements.

Sausalito discovered since filing the Appeal that SF Planning never reviewed, much less analyzed the content of the Project Contracts during its environmental review of the Project and preparation of the FMND. On February 1, 2018, SF Planning responded to Sausalito's request for an explanation regarding why no Project Contracts were produced in response to Sausalito's Public Records Act Request (PRA) as follows:

> The Planning Department only has the Environmental Application describing the project. Whatever Julie [Moore] provided from our files is all we have. **The agreement and contracts between NPS and the Port have nothing to do with our CEQA review**, therefore, we do not have copies of these.

(Attached **as Exhibit A** [emphasis added].) The flaw in this reasoning, of course, is that under CEQA, the "project" refers to the "underlying activity for which approval is being sought," which in this case is the Project Contracts. (*City of Long Beach v. City of Los Angeles* (2018) 19 Cal. App. 5th 465, * 9 (Jan. 12, 2018.) It is impossible for SF Planning to assure the accuracy of the Project's description, and therefore the adequacy of environmental review in the absence of the Project Contracts. This case vividly illustrates the consequences of conducting environmental review in a vacuum, without the benefit of the documents constituting the underlying activity for which approval is being sought.

As explained in greater detail below, the FMND is legally deficient largely because the "project description" does not accurately describe the actual Project as reflected in the Project Contracts. This inaccurate project description consequently distorts and invalidates virtually all of the FMND's environmental analysis regarding Fort Baker ferry service. As examples:

- The FMND's project description states: "[t]rips to Fort Baker would be limited to two per day and would occur on weekends only." (FMND, p. 17.)

  However, there is no limit on the frequency of ferry service to Fort Baker in any of the Project Contracts. To the contrary, the Concession Contract provides that passenger ferry service shall be determined by the Operating Plan that

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[2] On January 31, 2018, NPS released its Prospectus for the Project containing the draft Project Contracts.

NPS may modify at its discretion. (Concession Contract, pp. 4-5.) The Draft Operating Plan similarly contains no limitation regarding the number of ferry trips to Fort Baker. Moreover, not addressed in the FMND, the Project Contracts additionally authorize unlimited charter ferry services to Fort Baker for conferences and other special events. (Concession Contract, p. 4, Draft Operating Plan, p. B-12.)

- The FMND's project description states that a "maximum" of 40,000 visitors per year would travel by ferries to Fort Baker. (FMND, p. 20.) SF Planning Staff's report dated February 15, 2018 for this hearing similarly states: "[a]s defined in the PMND project description, the Fort Baker ferry service would be limited to a maximum of 40,000 passengers annually." (Planning Staff Report, p. 14.) San Francisco's traffic consultant, Fehr and Peers (F&P), therefore analyzed the Project's potential transportation and circulation impacts premised on this alleged "limit" of 40,000 annual passengers. F&P's original report explained that this assumed maximum limit is "based on ferry service that would be limited to two trips day and occur only on weekends," and the "fact that Fort Baker, as a destination by itself, unlikely to draw enough visitors to justify regular service." (**Exhibit B**, p. 10.)

  However, as explained above, the Project Contracts impose no limit on the amount of regular ferry service to Fort Baker, and further authorize unlimited ferry charter service to Fort Baker that was neither described nor analyzed in the FMND. Moreover, the revised FMND now concedes that Fort Baker ferry passengers are not drawn solely by the attractions at Fort Baker itself, but rather additionally by access to the Marin Headlands, other regional parks and Sausalito. (FMND, pp. 121-122.) The assumptions underlying F&P's less than significant impacts findings therefore are unsupported by substantial evidence.

- The FMND's project description states that ferry service to Fort Baker would be provided by a variety of vessels ranging from 125 to 350 passenger capacity. (FMND, p. 17) The FMND's analysis of the Project's impacts accordingly was premised on this assumed vessel size. (Staff Report, p. 14.)

  However, the Draft Operating Plan provides that, at a minimum, the concessioner must provide a total of four (4) passenger vessels: two vessels with a minimum passenger capacity of 700 passengers each; and two vessels with a minimum passenger capacity of 500 persons each. (Draft Operating Plan, p. B-13.) The NPS' Prospectus publication entitled "Business Opportunity," includes this identical description of "Fleet Size and Minimum Vessel Requirements." (**Exhibit C**, p. 16.)

- In apparent recognition of the fact that the Project Contracts impose no limits on bicycles boarding ferries destined for Fort Baker, the FMND's project description was revised to clarify that "there are ***no plans*** to accommodate bicycles on the ferry boats." (FMND, p. 17. [emphasis added]) This revision,

> however, reveals that the FMND's finding that the Project would cause no significant transportation and circulation impacts from bicycles is inaccurate and unsupported by substantial evidence. The FMND and F&P's report explain that the analysis of this potential impact was premised on the false assumption that "the proposed project would not generate any new bicycle trips at the Fort Baker site because ferry passengers will not be permitted to bring bicycles on board ferries from Pier 31 ½....." (FMND, p. 76; *see also* F&P report, **Exhibit B**, p. 53.)
>
> It is entirely foreseeable that bicycles will be allowed to board ferries destined for Fort Baker during the 50-year life of the Project, particularly because of the Project's stated objective to improve "connectivity" to the Marin Headlands and nearby parklands (FMND, p. 121). Impacts from this potential use therefore must be analyzed.

The foregoing examples reveal that the Planning Commission may not lawfully approve the FMND in its current form. (*City of Redlands v. County of San Bernardino* (2002) 96 Cal. App. 4th 398, 406 ["The negative declaration is inappropriate where the agency has failed either to provide an accurate project description or to gather information and undertake an adequate environmental analysis."].) At a minimum, the Planning Commission must impose additional mitigation measures on the Project in response to the foregoing potentially significant impacts, including without limitation, the following:

1. No bicycles shall be permitted on ferries departing from Pier 31 ½ arriving directly or indirectly at Fort Baker. Bicycles shall be permitted, however, on ferries departing at Fort Baker. The departing ferries shall have the capacity to accommodate up to 50 bicycles each.

2. For any ferry arriving in Fort Baker with [*to be provided by Sausalito's traffic engineer*] or more passengers, therefore creating the potential for significant traffic, circulation and public safety impacts in Sausalito from passengers subsequently traveling to Sausalito in private cars for hire, there shall be connecting shuttle service to Sausalito to meet demand. This connecting shuttle service departing from Fort Baker shall be available only for ferry-connecting passengers, and shall be free of charge for these passengers.[3]

3. For any connecting shuttle service provided from Fort Baker to Sausalito, return shuttle service shall be provided from downtown Sausalito to connect with ferries departing from

[3] Sausalito has retained a traffic engineer to determine the appropriate threshold trigger for this mitigation measure. Sausalito's traffic engineer takes issue with F&P's methodology and findings, and has concluded that Fort Baker ferry service may cause several significant transportation and circulation impacts. Sausalito will submit this evidence in the administrative record, adding to the existing evidence supporting a fair argument that the Project may cause significant impacts, in the event that the Planning Commission denies this Appeal.

Fort Baker to San Francisco. These shuttles shall each have the capacity to transport a minimum of 20 bicycles.

4. Commencing with ferry service to Fort Baker, the National Park Service (NPS) shall provide Sausalito with quarterly reports regarding Fort Baker ferry ridership (in-bound and out-bound, including all passenger transport, charter ferries and/or other interpretative cruises), as well as ridership information, pedestrian and bicycles, regarding the connecting shuttle services (in-bound and out-bound).

5. In the event that shuttle/bus or other public transportation link is commenced from Fort Baker to Muir Woods, or any other destination, all such traffic shall be directed exclusively to the Alexander Avenue/101 Northbound on-ramp, and shall not travel through Sausalito.

6. If ferry service from Pier 31 ½ to Fort Baker exceeds 40,000 passengers for any calendar year, NPS and/or the Port of San Francisco (Port) shall fund a study, to be conducted and overseen by Sausalito, on the additional ferry service's potential transportation and/or public safety impact on Sausalito. Based on the findings of the study, NPS and/or the Port shall contribute their fair share to fund infrastructure and other improvements to mitigate impacts identified in the study caused by ferry service to Fort Baker.

SAUSALITO'S REQUEST

Sausalito's Appeal requested that San Francisco either prepare an Environmental Impact Report (EIR) to analyze the Project, or alternatively, sever the proposed Fort Baker ferry service from the Project. As an alternative, however, San Francisco may adopt additional mitigation measures to ensure that the Project's Fort Baker ferry service will have less than significant impacts.

As explained in the accompanying letter submitted by Sausalito Mayor Joan Cox, Sausalito is engaged in discussions with NPS regarding potential mitigation measures to be added to the Project to address the concerns addressed above and others. Sausalito therefore requests that the Planning Commission continue this hearing regarding the Appeal for at least 30 days. This extension would allow time for each of the public agencies and their respective engineers to work collaboratively to draft mitigation measures and employ other strategies designed to cure the FMND's current CEQA deficiencies and therefore resolve Sausalito's concerns. Alternatively, the Planning Commission may simply grant this Appeal and reject the proposed FMND for the Project.

THE OMISSION OF THE PROJECT CONTRACTS VIOLATES CEQA'S MANDATORY PUBLIC DISCLOSURE REQUIREMENTS

San Francisco's failure to disclose the Project Contracts to the public and include them with Planning Staff's materials regarding the Appeal violates CEQA's mandatory public disclosure and public participation requirements by thwarting both the Planning Commission's and the public's ability to meaningfully assess and/or modify the Project to minimize or avoid potentially significant environmental impacts.

"Public participation is an essential part of the CEQA process..." (*Concerned Citizens of Costa Mesa, Inc. v. 32nd District Agricultural Association* (1987) 42 Cal. 3d 929, 935.) "The 'privileged position' that members of the public hold in the CEQA process is based on a belief that citizens can make important contributions to environmental protection and on notions of democratic decision-making." (*Id.* at 936.) "CEQA compels an interactive process of assessment of environmental impacts and responsive project modification which must be genuine. It must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes, and effect of a consistently described project, with flexibility to respond to unforeseen insights that emerge from the process." (*County of Inyo v. City of Los Angeles* (1984) 160 Cal. App. 3d 1178, 1185.) "In short, a project must be open for public discussion and subject to agency modification during the CEQA process. This process helps demonstrate to the public that the agency has in fact analyzed and considered the environmental implications of its action." (*Ibid.*, citing *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68, 86.)

The Planning Commission therefore may not lawfully approve the FMND without first providing both itself and members of the public sufficient notice and opportunity to review and consider the Project Contracts.

SAN FRANCISCO FAILED TO COMPLY WITH SPECIAL CONSULTATION REQUIREMENTS THAT APPLY TO THIS PROJECT OF STATEWIDE, REGIONAL, OR AREAWIDE SIGNIFICANCE

Sausalito demonstrated in the Appeal that San Francisco was required to consult with Sausalito in the same manner as a "responsible agency" because the Project is one of "Statewide, Regional or Areawide Significance," and because Sausalito is a public agency with transportation facilities within its jurisdiction which could be affected by the Project.

SF Planning contends in response that the Project has no such significance because the PMND determined that the Project would have less than significant impacts, and even if the Project had such significance, CEQA's consultation requirements for such projects apply only to the preparation of EIRs rather than negative declarations. (Staff Report, p. 4.) Both contentions, however, are incorrect.

First, contrary to SF Planning's claim, the PMND's finding that the Project's impacts would be less than significant is not relevant to the determination regarding whether a Project qualifies as one of Statewide, Regional or Areawide Significance. CEQA sets a lower threshold,

and defines such projects broadly to include those that "*substantially affect*," among other things, sensitive wildlife habitats, bays and estuaries. Such is the case with the Project here.

Second, contrary to SF Planning's claim, Public Resources Code section 21082.1 expressly imposes on lead agencies the procedural requirements applicable to projects of Statewide, Regional or Areawide Significance in connection with their preparation of EIRs or negative declarations. (Pub. Res. Code § 21082.1, subd. (c)(4)(C).) In fact, SF Planning's interpretation is refuted by CEQA Guidelines section 15096(a) and (b), which explain that San Francisco was required to consult with Sausalito regarding this project of Statewide, Regional or Areawide Significance in part to assist in the determination regarding whether an EIR or negative declaration should be prepared.

Finally, SF Planning contends that it sent Sausalito a Notice of Availability of and Intent to Adopt a Negative Declaration on December 6, 2017. However, Sausalito has no record of receiving this notice.

THE REVISED FMND AND STAFF RESPONSE DO NOT CURE THE NUMEROUS CEQA DEFICIENCIES IDENTIFIED IN THE APPEAL

Sausalito hereby incorporates its Appeal letter dated December 27, 2017. Neither the revised FMND nor SF Planning Staff's February 15, 2018 report cure the deficiencies identified therein. We further address select examples of these remaining deficiencies, without waiver of issues previously raised but not addressed again below.

A. The FMND's Project Description Is Inaccurate And Legally Deficient

As explained above and in Sausalito's original Appeal letter, the FMND's project description is deeply flawed and inaccurate in numerous respects. These inaccuracies likely derive from the fact that SF Planning has never reviewed the Project Contracts, and instead has relied exclusively on NPS's description provided in its application materials. The FMND's inaccurate project description renders the FMND legally inadequate. The court in *City of Redlands*, *supra*, 96 Cal. App. 4th at 404-406 explained:

> An accurate and complete project description is necessary for intelligent evaluation of the potential environmental impacts of the agency's action. Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal...and weigh other alternatives in the balance.

The FMND's project description is further deficient because it fails to describe and consider the project as a whole, including reasonably foreseeable expansion of the project to include transport connections to the Marin Headlands, Muir Woods and/or other NPS destinations. (CEQA Guidelines, § 15063(a).) SF Planning states in response that "CEQA provides that the PMND need not engage in speculative analysis of environmental

consequences for future unspecified development." (Staff Report, p. 11.) That response, however, does not withstand legal scrutiny on this administrative record.

"The fair argument test requires the preparation of an EIR where there is substantial evidence that any aspect of the project, either individually or cumulatively, may cause a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial." (*County of Sanitation Dist. No. 2 of Los Angeles County v. County of Kern* (2005) 127 Cal. App. 4th 1544, 1580; CEQA Guidelines, § 15063(b)(1).) "The finding of 'significance' of an environmental effect requires the evaluation of 'direct physical changes in the environment [that] may be caused by the project and reasonably foreseeable indirect changes in the environment [that] may be caused by the project." (*Id.* at 1581, CEQA Guidelines, § 15064(d).)

"The test for the strength of the nexus between the project and in indirect physical change is whether 'that change is a reasonably foreseeable impact [that] may be caused by the project." (*Ibid.*, citing CEQA Guidelines, § 15064(d)(3).) "Under the fair argument test, the inquiry into what is reasonably foreseeable depends on whether the administrative record contains enough evidence to show a reasonable possibility that a particular [activity] would [occur] in the future. (*Id.* at 1584.) Future direct or indirect project activities are not rendered speculative by virtue prediction. (*Id.* at 1586.) "Predicting the physical changes a project will bring about is an inescapable part of CEQA analysis." (*Ibid.*, citing *Planning & Conservation League v. Department of Water Resources* (2000) 83 Cal. App. 4th 892, 919 [CEQA compels reasonable forecasting].) The CEQA Guidelines further provide that: "[d]rafting an EIR or preparing a negative declaration necessarily involves some degree of forecasting. While forecasting the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can." (CEQA Guidelines, § 15144.)

Here, the administrative record contains more than sufficient evidence of a fair argument demonstrating the *possibility* that the Project may ultimately result in transport connections to Marin Headlands, Muir Woods and other NPS destinations.

- The 2011 Draft Final Alcatraz Ferry Embarkation and Education Site Feasibility Study (May 2011), states: "Given that visitation to Alcatraz Island is limited, the ferry embarkation site is more than just a transit stop....the Embarkation facility has the potential to be developed as a gateway to the GGNRA and the NPS as well as to Alcatraz Island. The offerings at the Embarkation Facility could be expanded in the future, and the Embarkation Facility itself could become a first-class, distinct experience for visitors to the GGNRA." (**Exhibit D**, pp. 1-2-1-3.)

  This same Study states that the Project objectives include: "...providing for the opportunity to connect to other parklands (such as Fort Baker, Fort Mason, and Muir Woods Monument.)" (*Id.*, p. 4-2.)

- On November 10, 2016, San Francisco's CEQA consultant, Anchor QEA, LLC, submitted a memorandum to SF Planning providing the Project's Description. The memo describes the purposes of the Project to include: "....provide a

connection to other Golden Gate National Recreation Area (GGNRA) parklands and orientation to the national park system in general." This memo further states that the Project would provide "convenient transit connections to other GGNRA parklands, such as Fort Baker...." It further states that additional ferry services would "provide visitors the opportunity to visit other parks within the Bay, including the Fort Baker Pier, Angel Island, or other destinations in San Francisco Bay in the future." (**Exhibit E**, pp. 1-3 and 6.)

- The revised FMND now concedes that the Project would increase visitors to Fort Baker, the Marin Headlands and "nearby parklands." (FMND, p. 121.) The vague reference to "nearly parklands" is unexplained. Moreover, while SF Planning's report asserts that Fort Baker ferry arriving passengers would access the Marin Headlands solely by connecting pedestrian trails (Staff Report, p. 15), no evidence is provided to support this conclusory assertion.

Beyond the foregoing evidence affirmatively demonstrating that future transit connections from Fort Baker to other NPS sites are reasonably foreseeable, neither the FMND nor Planning Staff's response provide evidence of any effort by San Francisco, much less the legally required best efforts, to find out all it can from NPS regarding the foregoing reasonable possibilities. Moreover, Sausalito attempted to gather such evidence by submitting a Freedom of Information Act (FOIA) request to NPS. Unfortunately, however, Sausalito's efforts to date have been stymied by NPS' assertion of baseless objections to Sausalito's FOIA request. (**Exhibits F and G**). NPS' conduct thus provides an independent reason for the Planning Commission to continue this Appeal until such time as NPS complies with Sausalito's FOIA request and San Francisco complies with its obligation to use its best efforts to find out all it can regarding future foreseeable Project changes.

Finally, the FMND's description of the Project's environmental setting is legally deficient for the reasons set forth in the Appeal. Revisions to the PMND reflected in the FMND reveal two additional defects. First, as noted above, the FMND and Planning Staff concede that Fort Baker arriving ferry passengers will visit the Marin Headlands. The FMND's description of the project setting, however, provides no information regarding the Marin Headlands. No information is provided regarding the pedestrian trails allegedly linking the two parks (Staff Report, p. 15), including the location, length, condition, and route of such trails, and the extent to which such trails present potential traffic and/or public safety concerns because they require crossing of Alexander Avenue. This omission renders the FMND's description of the Projects' environmental setting inadequate as an informational document. Second, although F&P acknowledges in its supplemental traffic report that the Project may generate as many as 32 new private car trips to deliver passengers to and from Sausalito, the FMND's description of the Project's environmental setting provides no information regarding parking capacity and vehicle queuing/loading capacity at the Fort Baker pier. This omission impedes the ability of the Planning Commission and members of the public to meaningfully assess the Project's potential traffic and circulation impacts, including the ability to devise mitigation measures and/or alternatives.

B. The FMND's Analysis of Traffic and Circulation Impacts Is Deficient

As explained above, F&P's original and supplemental analysis is premised on the FMND's flawed description of the Project as "limiting" Fort Baker ferry service to 40,000 annual passengers, based solely on two roundtrips on weekends only, with no bicycles allowed on board departing ferries. Consequently, F&P's findings of less than significant impacts are unsupported by substantial evidence.

Sausalito's retained traffic engineer has identified several additional inaccuracies and deficiencies in F&P's analysis and findings. For example, F&Ps supplemental traffic analysis concludes that Fort Baker ferry service may generate as many as 32 new private vehicles delivering passengers to and from Sausalito. It further asserts, however, that vehicles returning to the ferry landing to return to San Francisco "would likely arrive over a more dispersed period of time prior to the ferry departure, such that vehicles would not arrive simultaneously, drivers would drop off passengers, and queues would not form." (F&P Supplemental Report, p. 6.) This bare assertion, however is unsupported by analysis, investigation or data. It further defies logic. Contrary to F&P's assertion, returning vehicles are in fact more likely to arrive simultaneously, just prior to the ferry's scheduled departure to San Francisco. Moreover, the FMND provides no information, much less analysis regarding parking capacity, queuing and loading capacity and adjacent street access conditions at the Fort Baker pier. A fair argument thus supports the possibility that Fort Baker ferry service may cause significant traffic and circulation impacts. This is one of several findings that will be further supported in a report prepared by Sausalito's traffic engineer that Sausalito will submit to San Francisco's Board of Supervisors should the Planning Commission deny this Appeal.

Finally, F&P's supplemental traffic report contends that even if traffic from the Fort Baker ferry service were to increase congestion in Sausalito, it would not be considered a significant impact because the City of San Francisco does not use traffic congestion as a metric for assessing transportation impacts. (F&P Supplemental Report, p. 7.) However, San Francisco's policy reflects conditions unique to San Francisco (FMND, p. 65), and thus has no relevance nor application to the Project's potential traffic and circulation impacts on Sausalito. Moreover, even if San Francisco's transportation impacts policy had any application to Sausalito, it is well settled that a public agency may not rely on an adopted threshold of significance as a shield designed to avoid consideration of evidence presented supporting a fair argument that a certain impact may be significant notwithstanding the applicable threshold of significance. (*Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal. App. 4th 98, 111-114.)

C. The FMND's Inaccurate Project Description Invalidates Virtually All Of The FMND's Analysis Regarding Fort Baker Ferry Service

As explained in the Appeal, several of the PMND's findings of less than significant impacts are premised on an inaccurate description of the Project, and therefore are unsupported by substantial evidence. The revised FMND and Planning Staff's report do not cure these deficiencies. Moreover, additional information obtained since the Appeal reveals additional deficiencies in the FMND. We address two such examples.

1. The MND Conceals Significant Construction Noise Impacts Previously Identified By NPS in the FEIS

Table 76 of the FEIS prepared by NPS, copied below, summarized the Project's construction noise impacts on sensitive receptors at Fort Baker. This Table reveals that at the Recreational Use Area along the Fort Baker pier, construction noise would exceed the applicable FTA Daytime Noise Criterion of 100 dBA, reaching a maximum of 108 dBA.

TABLE 76. CONSTRUCTION NOISE FROM FORT BAKER LIMITED FERRY SERVICE

Receptor	Recreational Use Area	USCG Station	Bay Area Discovery Museum
Applicable FTA Daytime Construction Noise Criterion (dBA)	100	100	100
Distance from Outer Boundary of Alternative Site (feet)	0	600	1,150
Existing Noise Level without Project (dBA, L_{dn})	55	55	55
L_{max} Contribution from Construction (dBA)	108	36	0
Predicted Noise Level with Construction (dBA, L_{dn})	108	55	55
Exceeds Applicable FTA Criteria?	Yes	No	No

SF Planning commenced its analysis of this potential impact based on the FEIS, but then modified those findings to support the decision to prepare a negative declaration rather than an EIR. For example, SF Planning and its environmental consultants held a meeting on January 11, 2017 to discuss the CEQA analysis for the Project. The notes from the meeting show that San Francisco's proposed approach to noise impacts was to "review the analysis presented in the EIS to determine whether additional analyses are required for CEQA."

SF Planning accordingly followed the noise approach used in the FEIS, even structuring its impact summary tables in the same way. However, in contrast to the FEIS, the PMND and FMND delete any discussion of the Project's construction noise impacts on the Recreational Use Area. Table 19 (Construction Noise At Fort Baker), copied below, deletes the Recreational Use Area column without any explanation.

TABLE 19
CONSTRUCTION NOISE AT FORT BAKER

Affected Receptor	USCG Station	Bay Area Discovery Museum
Distance from Outer Boundary of Receptor to Outer Boundary of Site (feet)	600	1,150
Existing Daytime Background Noise Level without Project (dBA, L_{eq})	55	55
During Pile Driving		
Predicted Maximum (L_{max}) Construction Noise Level (dBA)	79.7	74.0
Predicted Average Construction Noise Level (dBA, L_{dn})	72.8	67.1
Noise Ordinance Threshold	N/A	
Exceeds Threshold?	No	No
During Loudest Non-Pile-Driving Phase (Site Demolition)		
Predicted Maximum (L_{max}) Construction Noise Level (dBA)	68	62.3
Predicted Average Construction Noise Level (dBA, L_{dn})	62.7	57.1
Noise Ordinance Threshold	Work restricted to daytime hours	
Exceeds Threshold?	No	No

dBA: decibels, A-weighted
L_{dn}: average day/night equivalent sound level
L_{eq}: equivalent continuous sound level
L_{max}: maximum sound level
SFDPW: San Francisco Department of Public Works
USCG: U.S. Coast Guard

(FMND, p. 87.)[4]

Moreover, the FMND's modeling shows that construction noise impacts at Fort Baker would be even greater than was predicted in the FEIS. For example, while the FEIS predicted maximum construction noise levels of 55 dBA at the USCG Station and Bay Area Discovery Museum, the FMND reveals they would be 72.8 and 67.1 dBA, respectively, during pile driving.

[4] Notably, the column identifying "Recreational Use Area" impacts was selectively deleted solely from Table 19, addressing Construction Noise Impacts. This column is reintroduced in Table 20, identifying Operational Noise Impacts, where inclusion of this analysis does not disclose that the Project will exceed the threshold of significance.

This indicates that the significant construction noise impact on the Recreational Use Area will be even greater than disclosed in the FEIS. (Table 19, FEIS, p. 87.)

Table 19 further summarizes the Project's potential construction noise impacts separately as to "Pile Driving," and "Non-Pile Driving." As to the former, the FMND asserts that no threshold of significance applies. (See Table 19 [stating Noise Ordinance Threshold "N/A"].) That approach, however, is unlawful because while a lead agency has discretion to choose an appropriate threshold of significance, it cannot refuse to apply any threshold whatsoever. Here, as shown in the FEIS, Fort Baker is a federal property, and the FTA noise standards should be applied. In fact, the FMND applies the FTA noise standards in the next section analyzing operational noise impacts. (See Table 20, FMND, pp. 87-88.)

As to "Non-Pile Driving" construction noise, Table 19 purports to rely on the County of Marin's Noise Ordinance limiting construction to daytime activities. (See FMND, p. 81.) The FMND contends that by complying with that ordinance, "Non-Pile Driving" construction noise is less than significant. (See Table 19 [stating "Noise Ordinance Threshold" – "Work restricted to daytime hours.") However, compliance with a local noise ordinance does not ensure that a project's CEQA impacts are less than significant. (*See Keep Our Mountains Quiet v. County of Santa Clara* (2015) 236 Cal.App.4th 714, 733 ["compliance with [local noise] ordinance does not foreclose the possibility of significant noise impacts."].)

In summary, the FEIS itself provides substantial evidence of a fair argument that Fort Baker ferry construction noise will have significant impacts on nearby sensitive receptors, thus triggering the requirement to prepare an EIR. It is apparent, however, that the FMND suppresses this information by excluding the data revealed in the FEIS demonstrating this significant impact. Under CEQA, "stubborn problems" must not be "swept under the rug" as this destroys "the integrity of the process." (*Banning Ranch Conservancy v. City of Newport Beach* (2017) 2 Cal.5th 918, 940.)[5]

2. New Information Reveals Additional Recreation Impacts Not Addressed In The FMND

As noted above, the revised FMND now states that the Project would increase visitors to the Marin Headlands and "nearby parklands," but that impacts to these parks would be less than significant. However, this conclusory assertion is unsupported by analysis or supporting evidence. The FMND provides no information regarding these parks. No estimates are provided regarding how many new visitors will visit these parks because of the Project, and by what means. No information is provided regarding the threshold of significance the FMND applied to assess such impacts. Nor is any evidence provided demonstrating how Project

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[5] As an additional and independent legal deficiency, the FMND provides no analysis of potential noise impacts resulting from construction of the Project's pedestrian pathway, notwithstanding the fact that this pathway extends substantially closer to sensitive receptors than the Fort Baker pier.

impacts fall below this threshold. The FMND therefore is legally inadequate as an informational document.

D. The FMND Fails To Adequately Analyze And Mitigate Potential Hazards, Pollutants and Water Quality Impacts

Sausalito explained in its Appeal that the PMND's reliance on compliance with various regulatory requirements and permits to mitigate potential impacts is insufficient because none are imposed as enforceable mitigation measures. Planning Staff responds that mitigation measures are not required where compliance with necessary permits and enforceable regulations is mandatory and will include specific measures designed to mitigate impacts. (Staff Report, p. 24.) Not so. The Project's required compliance with regulatory requirements should be analyzed in the FMND so that the decision makers and members of the public can assess whether compliance adequately mitigates the Project's potential environmental impacts. Moreover, each such regulatory requirement must further be identified as an enforceable mitigation measure, rather than merely as "part of the project." Compression of the analysis of the project's description and necessary mitigation measures into a single issue violates CEQA. (*Lotus v. Department of Transportation* (2014) 223 Cal. App. 4th 645, 656.)

Additionally, the Project's regulatory compliance requirements identified by the Planning Staff largely pertain to Project construction, and therefore do not fully address Sausalito's stated concerns regarding potentially significant impacts resulting from Fort Baker ferry service operations. (Staff Report, p. 24.) Moreover, the FMND and the Staff Report fail to adequately respond to Sausalito's observations that the PMND's reliance on "future plans" to be "developed" to mitigate the Project's potential impacts contravenes CEQA's prohibition of deferred mitigation. The Staff Report simply asserts that the FMND "fully adheres" to CEQA's requirements pertaining to deferred mitigation without addressing the specific examples of unlawful deferred mitigation identified in the Appeal.

CONCLUSION

As explained in Sausalito's Appeal and the accompanying letter submitted by Sausalito Mayor Joan Cox, Sausalito is a proponent and great supporter of regional planning solutions. However, the reduction of impacts on San Francisco and the Golden Gate Bridge cannot result in increased congestion and overcrowding in Sausalito.

Sausalito encourages the Planning Commission to continue the hearing on this Appeal to allow time for this Commission and members of the public to review and comprehend the actual Project as set forth in the Project Contacts. A continuance would additionally allow time for the agencies to work cooperatively in drafting mitigation measures and considering other strategies designed to lessen and avoid potentially significant impacts from Fort Baker ferry construction and operations.

Sausalito welcomes the opportunity to work collaboratively with NPS and San Francisco.

Very truly yours,

Arthur J. Friedman
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:485499734.1

cc: Brian Aviles – National Parks Conservancy
Catherine Barner – Golden Gate National Parks Conservancy
Diane Oshima – Port of San Francisco
Julie Moore – SF Planning Department, Staff Contact

EXHIBIT C

San Francisco Planning Commission Hearing

Audio Transcription

February 22, 2018

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SAN FRANCISCO PLANNING COMMISSION

AUDIO TRANSCRIPTION

HEARING

ITEM #18 - ALCATRAZ FERRY EMBARKATION PROJECT

APPEAL OF THE PRELIMINARY

MITIGATED NEGATIVE DECLARATION

THURSDAY, FEBRUARY 22, 2018

Transcribed by:
Diana Sasseen
CSR No. 13456

Job No. 10040685

PRESIDENT HILLIS: Our next item.

MR. IONIN: Very good, Commissioners. That will place us on Item 18 for Case Number 2017-000188ENV, the Alcatraz Ferry Embarkation Project. This is the appeal of the preliminary mitigated negative declaration.

PRESIDENT HILLIS: Hold on. Before we present, Commissioner Fong.

COMMISSIONER FONG: I just wanted to make an announcement. I've sought the advice of the city attorney that I am not recusing myself from this particular item but have had the pleasure of serving with the Golden Gate National Parks Conservancy, which is one of the parties for this item.

PRESIDENT HILLIS: PRESIDENT HILLIS: Just to make a similar announcement, I also consulted with the city attorney on this because my employer Fort Mason Center is a tenant of the Park Service, which is the project sponsor here; but we decided I can vote and participate on this item.

So we're going to hear first from city staff and then Appellant and then the project sponsor.

UNIDENTIFIED SPEAKER: Correct.

PRESIDENT HILLIS: Correct? Thank you.

Oh, sorry. Go ahead.

MS. GIBSON: I'm Lisa Gibson, environmental review officer, and I'd like to introduce Julie Moore to you. This is her first time before the Planning Commission.

She joined the Planning Department about two-and-a-half years ago. She's a senior planner and she has roughly 20 years of experience prior to joining the Planning Department conducting environmental review under the California Environmental Quality Act. And she has a degree in geology and a master's in ecology. And we're very pleased to have her working on the department.

And this is, again, her first time before the commission and her first appeal of a project; so she's been very fortunate up to this point.

MS. MOORE: Lucky me.

Good afternoon, President Hillis and Members of the Commission.

As you know, I am Julie Moore, Planning Department staff for the Alcatraz Ferry Embarkation Project. Joining me is Wait Whitcliff, principal environmental planner. Members of the project sponsor team are also here. I have the Port of San Francisco and the National Park Service.

The item before you is an appeal of the

preliminary mitigated negative declaration, which I will refer to as the CEQA document, prepared for the proposed Alcatraz Ferry Embarkation Project.

In my presentation I'm going to provide a brief overview of the proposed project, the Park Service will provide more details in its presentation, describe the principle appeal concerns, and respond to concerns in the Appellant's supplemental appeal letter in order to support our recommendation that the Planning Commission uphold the CEQA document.

The San Francisco project site is located on Embarcadero at Pier 31 1/2. The Park Service also plans improvement at the Fort Baker pier in the Golden Gate National Recreation Area approximately two miles south of the City of Sausalito. And these improvements were analyzed as part of the CEQA document.

Portions of the Pier 31 1/2 site are currently used as the Alcatraz ferry embarkation site. The current facility has an existing concession contract which is set to expire in 2018. Under the proposed project, the National Park Service would enter in a long-term agreement with the Port of San Francisco.

The Park Service's selected concessioner and its partner the Golden Gate National Parks Conservancy would renovate the marginal wharf, the Pier 31 and 33

bulkhead buildings, and portions of the shed buildings. The proposed project would provide a combination of indoor and outdoor spaces and amenities for the public.

The project would include new boarding ramps and floats to support the berthing of up to three ferry boats at a time which would accommodate interpreted bay cruises and ferry service to Fort Baker in addition to the existing 18 to 22 Alcatraz ferry trips per day.

Fort Baker is across the bay and under Park Service jurisdiction approximately two miles from Sausalito. Currently no ferries operate to and from Fort Baker. Beginning in 2023 the proposed project would repair and upgrade the existing Fort Baker pier, install a new gangway landing and float, and construct an approximately 1400-foot long pedestrian pathway from the Fort Baker pier to the Bay Area Discovery Museum as well as interpretive signage and maps.

The proposed project would provide limited ferry service on weekends only, a maximum of two ferry trips her day transporting up to 500 passengers on a peak day and 40,000 passengers annually.

A preliminary CEQA document was published on December 6th, 2017, and an appeal was timely filed on December 27th by the City of Sausalito. Sausalito's primary concern is that Fort Baker ferry passengers will

travel outside of Fort Baker and substantially increase pedestrian, bicycle, and vehicular traffic to and from Sausalito's downtown.

The appeal letter also claims a number of additional concerns. The Planning Department's responses to these concerns are discussed in Exhibit A of the Department's appeal response in the commission's packet.

Two days ago on February 20th Sausalito submitted a supplement to its appeal letter. We will briefly respond to new claims within that letter.

Sausalito claims that the CEQA document project description is not accurate for two reasons. First, Sausalito states that the underlying project contracts between the Park Service and the Port of San Francisco do not contain limits on the frequency of ferry service to Fort Baker, whereas the CEQA document indicates that only up to two ferries per day on the weekends would operate with a maximum of 40,000 visitors annually.

In its citation of the concession contract and operating plan, the Appellant ignores a few clauses within the draft operating plan that service to Fort Baker must be in accordance with environmental documents. Sausalito speculates that additional visitors would occur, but provides no substantial

evidence to dispute the accuracy of the CEQA document project description.

The CEQA document project description used the best available information known at this time and accurately describes the project that was submitted for review. The ferry service would be consistent with that proposed in the project description.

Second, Sausalito states that the capacity of ferry service to Fort Baker would convey more passengers than indicated in the CEQA document project description. Sausalito believes that language in the draft operating plan contemplates ferry capacity of 500 and 700 passengers. However, Sausalito is ignoring the language that these size ferries would service Alcatraz, Bay cruises, Angel Island and backup services, not Fort Baker.

In the draft operating plan, Fort Baker service is not mandatory, however, it may be authorized in the future when Fort Baker piers have been completed at which time the concessioner could propose its vessel operations for review.

Again, language in the draft operating plan restricts service to Fort Baker to be in accordance with environmental documents; therefore, the CEQA project description is accurate.

Additionally, in the February 20th letter, the Appellant claims that because project contracts do not impose restrictions on bicycles boarding ferries, it is entirely foreseeable that bicycles would be allowed to board ferries in the future. The Appellant appears to argue that the project description should include a list of everything that the project is not, as well as the describe the project as proposed. This is inconsistent with CEQA requirements.

The project description is clear that no bicycles would be permitted. The Appellant's speculation of future Park Service plans to expand service, provide shuttles to Muir Woods, and to allow bicycles are not included in the project sponsor's project description.

Lastly, Sausalito provides a list of six proposed mitigation measures which they believe should be imposed on the project for purported transportation impacts. The Appellant's primary concern that ferry passengers will leave Fort Baker and travel to Sausalito adding to congestion within Sausalito's downtown and waterfront areas ignores the fact the visitors have a choice of ferry services and that some tourists would prefer to visit Fort Baker's many attractions. These include the Bay Area Discovery Museum, the Cavallo Point

Lodge, the Travis Marina, Battery Yates and the coastal bluffs, the fishing pier, or the walk to the Golden Gate Bridge scenic vista point or explore the nearby trails of the Marin Headlands.

In addition, if visitors wish to travel to Sausalito by ferry, it would be likely easier for these visitors to travel to and from the Embarcadero to Sausalito directly as currently 12 round-trip ferries per weekend day service that route.

So even if one were to conservatively assume that as many as half of all Fort Baker ferry passengers on a peak day would travel to downtown Sausalito by vehicle, supplemental transportation analysis estimates that only 32 new vehicle trips per Fort Baker would occur, a total of 64 vehicles per day. This would represent less than 4 percent of the existing peak traffic volumes on Alexander Avenue in Sausalito and would not result in significant transportation impacts.

Because the Department did not identify any significant impacts on transportation, the Department cannot impose any transportation mitigation measures under CEQA.

The Appellant indicates the environmental document ignores significant noise impacts. First, persons at recreational uses, such as those as Fort

Baker, would not be exposed to noise for sufficient periods of time to result in health impacts and thus are not considered sensitive receptors.

Second, construction noise varies with construction phases and activity, and proposed construction work at Fort Baker would result in noise increases for a limited amount of time. While the proposed construction noise may be an annoyance to recreational users at Fort Baker, it would not be of sufficient duration or frequency as to result in a health impact.

Per CEQA guidelines 15063(b), an Environmental Impact Report is prepared if there is substantial evidence that a project either individually or cumulatively may cause a significant adverse effect on the physical environment. The Appellant failed to provide any substantial evidence that would indicate that the proposed project would have a significant impact on the physical environment necessitating the preparation of an EIR; rather, the CEQA document as amended provides substantial evidence that the proposed project would not result in significant impacts, therefore, preparation of an EIR is not required.

So in conclusion, for the reasons above we do recommend that the Planning Commission adopt the motion

to uphold the preliminary mitigated negative declaration.

This concludes the department's presentation. Thank you.

PRESIDENT HILLIS: All right. Thank you very much.

So next we will hear from the Appellant.

I have speaker cards for Mayor Cox and Mr. Friedman.

Welcome.

MAYOR COX: We brought copies of the materials that we submitted.

PRESIDENT HILLIS: Go ahead.

MAYOR COX: Okay. Good afternoon. I am Mayor Joan Cox. Thank you for allowing us to speak.

I hope you've had an opportunity to review the materials we've submitted in response to Thursday's staff report. We tried to get them in as quickly as possible given the volume of information.

We're here to request one of three things. One, continue the hearing of the Planning Commission to a date that's at least 30 days out; or two, at a minimum adopt the additional mitigation measures that we've listed in our letter; or three, sustain our appeal and prepare the requested EIR, or sever the Fort Baker from

the project.

Continuing the hearing is our preferred approach and we believe it should be the Port's and NPS's preferred approach as well. Unfortunately, as explained in more detail in the follow-up correspondence we transmitted, we believe that the project description in the FMND is inaccurate. We've given you concrete examples of that in writing, and our counsel, Art Friedman, who will speak next, will share some examples with you here today.

What you don't have in your packet and what is not available online are the master agreements upon which first the PMND and now the FMND are based. We believe these two flaws would render legally invalid any approval action you may take today. The inaccurate project description infects and invalidates virtually all of the FMND's environmental analysis with respect to Fort Baker, and we believe the failure to provide you and the general public with the master agreements upon which this environmental document is based prevents you from being able to legally approve the FMND before you today.

As I said in my letter to you, we are very interested and we actually have started, we've met a couple of times with NPS, we're very interested in

collaborating. We provided comments to the environmental documents two years ago. It's unfortunate that when NPS was unable to adopt all of our recommended issues that they didn't come back to us. We didn't receive anything back until December of 2017, which is why -- and we asked for more time to respond then, but we were not granted that additional time. And so we were forced to file this appeal.

We got a revised traffic study last Thursday. We've hired a traffic engineer to address it. But we would like more time to provide you with a balanced response and we'd like more time to try to negotiate an informal resolution with NPS.

So that's our request of you today.

Thank you.

PRESIDENT HILLIS: Thank you.

MR. FRIEDMAN: Good afternoon, and thank you.

My name is Art Friedman, and I do wish to address some of the comments that you've just heard today.

The project that is before you involves several contracts, several complex contracts, including a master agreement between the National Park Service and the Port, as well as a concession contract between the National Park Service and the ferry concessioner as well

as the lease agreement between the Port and the ferry concessionaire. And these documents collectively authorize among many other things ferry service from Pier 31 1/2 to Fort Baker for up to a 50-year period.

The complexity of these documents and the 50-year duration of this project makes it all the more important that the CEQA analysis accurately defines the project and adequately analyzes the project. And that's your task. But unfortunately it's impossible for you to fulfill that task because you don't have those documents as part of the staff report. Even more importantly, nor does the public. The public's a partner in the CEQA process, and they too do not have the project contracts to review and assess whether the environmental review is adequate. And it is highlighted by the comments today of planning staff that says to you, do not concern yourself with this assertion on the part of Sausalito that we have an inadequate project description because they reference to you a clause in one of the contracts that purportedly says there must be consistency with the CEQA analysis.

You don't have that document in front of you, there's not a reference to the clause that's been mentioned, and as a matter of law, it does not at all cure the problem that we've identified.

What the documents say is that there must be compliance with CEQA, meaning the CEQA project, which means that -- let's turn to this first issue of inconsistency.

The project description states that ferry service to Fort Baker would be limited to two weekend round trips. And that is false. If you look at the documents, what it says is that ferry service will be determined by an operating agreement that is at the discretion of the National Park Service. Moreover, not discussing the FMND, the documents also expressly authorize additional charter ferry service unlimited for conferences and other events. It's absolutely not the case that there will be service limited to two weekend trips.

When you have a clause in a document that says you must comply with CEQA, it's the project that there must be compliance with, not whatever content is in a negative declaration. The point of the Planning Commission staff person reinforces our point. The project must be defined in a way that sets in place these mandatory limits. Under CEQA, what is relevant is what is enforceable and what are the terms of the project approvals, in this case the contracts. If it turns out that the environmental review document's

inaccurate, that's irrelevant. Under these contracts there is no limitation of ferries to two weekend trips.

Another problem with the analysis is the size of the passenger vessels. Planning staff says that the reference to 700-person ferries and 500-person ferries apply only to Alcatraz; but the requirements are that the concessionaire must have a minimum of four vessels, two of them 700, two of them 500. So the assumption that there's going to be more vessels means there has to be at least a fifth vessel. Okay?

Moreover, on the question of bicycles, the environmental analysis concludes that there will be no impacts from bicycles leaving Fort Baker to Sausalito because, says the FMND and the traffic report, bicycles are prohibited from boarding the ferries at Fort Baker. In other words, the environmental analysis of low impacts is premised on the assumption that the project documents prohibit bicycles. They do not. The FMND was just revised to concede that at present there are no, quote, plans to allow bicycles, no prohibition, yet the analysis of no impacts is premised on the false assumption that there is a project limitation. That is a fundamental CEQA flaw.

Now, what we have tried to do is work to avoid delays. And so what we've tried to do is we've tried

to come up with solutions to fill the gap or to bridge the gap between the inaccuracies of how the project is described to the realities of what the project is.

So, for example, we have proposed that the project either be modified or there be a condition of approval or a mitigation measure that provides that no bicycles be allowed to board to Fort Baker. That does nothing more than bring into alignment the assumptions of the environmental review with the actual project approvals. There should be no reason to object to that. And that's a critically important feature to protect Sausalito.

In our appeal materials you will see that Sausalito adopted an addendum, and that addendum identified a very severe crisis of congestion with tourists and bicycles in Sausalito. And so we need protection to not have bicycles come from this project over the course of this project into Sausalito. What we have proposed is to bring in alignment the assumptions of environmental review with the project requirements.

Now, another concern of ours has to do with private cars. Our big concern is going to be that passengers coming to Fort Baker after they have utilized some features of Fort Baker will want to use Uber or Lyft to come to San Francisco. A traffic study was

performed that said that that would not be a problem. But the problem is the traffic study assumes no more than two weekend trips of ferries; and that is false. Again, you have a false assumption underlying the traffic analysis.

What we ask is that you continue this hearing for two important reasons. One, so that the people and you can see the contract documents; and number two, so that we with the planning staff can work together, devise solutions to cure the problem and to make sure there's no significant impacts.

PRESIDENT HILLIS: Okay. Thank you, Mr. Friedman, Mayor Cox.

We'll hear from the project sponsor next.

Welcome.

MS. FEIERABEND: Hi. Good afternoon. Thank you all for having us here this evening -- it is almost evening.

My name is Carey Feierabend, I'm the deputy superintendent of Golden Gate National Recreation Area, and I'm here on behalf of Laura Joss, our superintendent who's on leave this week.

So I want to first thank you all for having us here today. And I want to acknowledge my colleagues both from the National Park Service as well as our

partners with the Port and the park's conservancy who are behind the project sponsorship here.

We appreciate the Planning Commission and the Planning Department's thoughtful attention to this very important project to establish a long-term embarkation site for the ferry service out to Alcatraz island. The National Park Service supports keeping the Alcatraz ferry embarkation dock on property managed by the Port of San Francisco, and we've worked very closely over several years now with the port staff to make this a reality.

So the main goal for this project is to establish ferry operations in partnership with the City and County of San Francisco and the Port to and from Alcatraz Island at Pier 31 1/2 on the Embarcadero where we do provide a first-class experience to over one-and-a-half million visitors each year. So we heard earlier discussion about experiences, and that is certainly one of the highlights here.

It's unfortunate that we do have this disagreement with the City of Sausalito who is a long-standing partner to the park who we've worked with for many, many years and this is around this proposal to send two boats from Pier 31 1/2 to Fort Baker on Saturdays and Sundays in the future.

The goal for the limited Fort Baker service is to provide an alternative transit option that would allow some visitors to avoid driving to Fort Baker. Our plans and our contract documents would limit the Fort Baker ferry service to weekend service only, as I mentioned, and carry no more than 40,000 visitors over the entire year.

The National Park Service did complete an environmental impact statement under the National Environmental Policy Act that analyzed limited ferry service to Fort Baker. The process considered substantial input from Sausalito during that process, and the input was on the draft plan. As part of that NEPA process, we also completed consultation about protecting endangered species, being consistent with the Bay Plan, and preserving historic resources.

The Park Service's analysis found the impacts of the limited ferry service to Fort Baker would be less than significant. Although limited ferry service to Fort Baker is analyzed also in the CEQA document and the Park Service's environmental impact statement, the Park Service does not have funding at this time to initiate the necessary upgrades to the Fort Baker pier and does not anticipate having the funds to make these upgrades for several years. In other words, this service would

be in the future.

San Francisco city planning completed a very careful reevaluation of impacts as part of the CEQA process, the summary that was just presented, and came to the same conclusion that the project will not have any significant impacts.

Based on this conclusion, we ask that the commission approve the mitigated negative determination. As you take that action, we would want you to know that the Park Service is committed to continuing to work with the City of Sausalito to find common ground and ideally commemorate that through a separate agreement such as a memorandum of understanding that would really speak to our long-term cooperation, and go that route rather than through adding new mitigation measures or otherwise involving the City of San Francisco and further CEQA planning and analysis. We plan to continue these discussions with our colleagues in Sausalito as soon as possible.

I want to thank you once again for considering this matter and for your support through all of these planning efforts.

Thank you.

PRESIDENT HILLIS: Thank you very much.

We'll open this item up for public comment.

Is there any public comment?

MR. MOORE: Good evening commissioners. I'll be brief. It's been a long day for all of you.

I'm Greg Moore. I'm the president and CEO of the Golden Gate National Parks Conservancy. We are the support organization to the national parks of the Bay Area and a partner in the project under your review today.

I'll just speak to the Alcatraz part of it and begin by saying Alcatraz is a pretty cool place. There are 1.6 million people that go there each year. There would be more if they could fit on the island.

But what's cool about it is how people from the local community, the state, the country, and the world enjoy the beauty, history, and nature of the Bay Area and the quality of visitor experience that they get out there. Tripadvisor ranked Alcatraz as the number one visitor landmark in America just recently.

The other benefits of this project, of course, is Alcatraz is essential to the travel and tourism industry of San Francisco, and Alcatraz is a good community partner with a community access program that provides affordable visits for thousands of school kids and community members each year. Alcatraz deserves a first-class gateway as a national park and a national

historic landmark, and very simply, that is what this project does.

We encourage you to give a positive review to this significant project, a project that improves the city's waterfront, that serves millions of visitors each year to our city, and provides economic benefits to the City of San Francisco.

Thank you very much for your time in considering this.

PRESIDENT HILLIS: Thank you.

Any additional public comment on this item?

Welcome.

MS. NICHOLS: Good afternoon, Commissioners.

My name is Vicky Nichols, I'm a 35-year-plus Sausalito resident. I wasn't going to speak, but since proponents spoke, I thought I need to speak myself.

I agree with the City's evaluation of this. I think that -- and I have great respect for the Park Service. I sit on numerous boards, we work with them all the time.

I think you're hearing that they don't have the funds to do this project right away, so I don't see what it would be delaying to get the information you need. I initially read all the documents from the first go-around, the first letter, and there were some

discrepancies. I'm not up to date with the attorney's review of the last information, but I actually am a planning commissioner too, and I would feel uncomfortable with making a decision with not having all of the agreements in front of me. I think that -- I didn't know what they were going to say, but I think you will find more information then.

So I would urge you to consider at least a continuation. I don't see how it's going to hurt. There's not a project that's directly pending in front of you. You've heard from the Park Service; they don't have the money to do this at the moment anyway. So a little bit more time to get this straight would be, I think, to everyone's benefit.

Thank you.

PRESIDENT HILLIS: Thank you.

Any additional public comment?

Seeing none, we'll close public comment and open it up to commissioners.

Commissioner Moore.

COMMISSIONER MOORE: For clarification, I believe what is in front of us is really the Alcatraz Ferry Embarkation Project on the Embarcadero in San Francisco. The aspect of the Fort Baker ferry is subset to potential other operational aspects of ferry

service expanding into Fort Baker at a frequency which I believe is properly described, but it is not really the major thrust of what is in front of us.

I have watched the Alcatraz Ferry Embarkation Project for a number of years. It has gone through a large amount of work by planning staff, it has gone through a large amount of work by planning staff including the preparation of the draft mitigated negative declaration. And I am personally not concerned that any of the information that the City of Sausalito, with due respect, feel that's missing could not be picked up with a memorandum of understanding because I do believe that the Park Service very clearly describes what they intend regarding Fort Baker and operation there are concerned.

Fort Baker is quite a ways away from Sausalito. It's a corridor which connects the Golden Gate Bridge by way of Fort Baker to Sausalito; it's an already difficult corridor to start with. But I do not believe that two ferries -- two ferry rides could really significantly tip the scale of what may need to be controlled by a completely different set of other circumstances, not to be discussed by us today because there is no solution or any proposal in front of us.

I am comfortable with what's in front of me. I

do believe that just in the spirit of many of the EIRs, as the Department does, I think it is complete and thorough and touches accurately and consistently on those points that we normally examine. I do not see any deviation on its thoroughness. And I am prepared to make a motion to uphold the preliminary mitigated negative declaration.

So that is a motion.

COMMISSIONER MELGAR: Second.

PRESIDENT HILLIS: Thank you.

MS. GIBSON: Commissioners, Commissioner Moore, thank you for your comments.

If I may, Lisa Gibson, environmental review officer. I'd like to respond that what is before the Planning Commission today is your vote on whether to uphold the appeal of the PMND or to uphold our determination that the project will not have any significant environmental effects.

The approval of this project is not before this commission, that will come at a later date for a different commission. And so the project that we've evaluated as part of this environmental review does include a future potential phase of ferry service to Fort Baker. It's reasonably foreseeable and for CEQA purposes, so we did include it, and this environmental

document would allow that future project to receive environmental clearance in the event that that happens.

But before this commission today there is no approval, and that is why it is also not necessary that we have the -- these documents, the contract documents as part of our packet. It will be on the onus of the Port Commission to ensure that any documents that they approve are in concurrence with the project, within the scope of the project that we've evaluated as part of our environmental document today.

PRESIDENT HILLIS: Could I just ask a follow-up question on that?

So at a later date, you know, two ferries are operating and it's successful and people want to continue to go to Fort Baker from Pier 31 1/2, and the Port and the Park Service decide to increase that level of ferry service. What would they have to do to do that from an environmental -- from a CEQA standpoint?

MS. GIBSON: Any action that goes beyond the terms of the project that we described, any additional ferries would require additional review under the approving agency that would be required to approve that additional ferry service. And that would -- our attorney will be able to comment on what agency that would be, but it would not necessarily be coming before

the Planning Department because we wouldn't necessarily have any authority to -- a discussion and action in that regard.

PRESIDENT HILLIS: Yes, Ms. Stacy?

MS. STACY: President Hillis, Kate Stacy from the city attorney's office.

Any future approval action if the lease changed or any of the port documents changed, then certainly the Port would ask for Planning Department's evaluation of what additional CEQA review might be required. It's hard to predict what that CEQA review might entail based on the circumstances at that time, how extensive or how big a change that would be to the lease agreement or the document, but that would be a future evaluation at that time.

PRESIDENT HILLIS: But the City would evaluate whether that would require additional CEQA analysis based on the new scope if they decided to expand beyond what's being studied here.

MS. STACY: That's correct. If there's a discretionary CEQA decision, they would necessarily have to contemplate additional CEQA review.

PRESIDENT HILLIS: Okay. Thank you.

We often have this case where we're not the approval body of the transaction necessarily, but we're

looking at the impact from a CEQA standpoint. I think we're comfortable that -- I agree with Commissioner Moore that that's been analyzed here.

To the extent the scope goes beyond or the project goes beyond at a later date, we'd have to do exactly what we do in other cases. I'm sure the City of Sausalito is faced with this at times also where they adopted a new plan that may entail -- that entails additional CEQA analysis, but the projects aren't necessarily before them at that time.

So I'm comfortable with this. I agree with Commissioner Moore, and I'd support the motion.

Commissioner Richards.

COMMISSIONER RICHARDS: So I'm taking a more neighborly approach. I think on a 50-year contract asking for 30 more days is not a huge burden. It looks like they want to cooperate with us on whatever it is they want to cooperate.

I'm not commenting on the thoroughness of the document, but to save us all the pain and heartache later on, 30 more days seems neighborly, reasonable to me rather than have this go become a bigger issue later in the future.

PRESIDENT HILLIS: Commissioner Fong.

COMMISSIONER FONG: I'm going to support the

motion and have great confidence in our environmental division as we see many, many of these CEQA documents come before us.

I'll try not to speak to the project, but I think that this is a much needed regional solution to our transit problem in the Bay Area, and from an emergency preparedness situation, it's a no-brainer.

So I understand the concerns that Sausalito has, and I do hope that you're able to work out some operational details with them and would highly encourage that.

PRESIDENT HILLIS: Anyway, I think we have to bifurcate the CEQA issues from the policy issues. And so, Sausalito, you may have legitimate policy issues and want to talk to the Park Service about it, but I think it goes beyond our scope of looking at this in the context of CEQA.

MR. IONIN: Commissioners, if there's nothing further, there is a motion that has been seconded to uphold the preliminary mitigated negative declaration.

Shall I call that question?

PRESIDENT HILLIS: Please.

MR. IONIN: On that motion then to uphold the preliminary mitigated negative declaration, Commissioner Fong.

COMMISSIONER FONG: Aye.
MR. IONIN: Commissioner Koppel?
COMMISSIONER KOPPEL: Aye.
MR. IONIN: Commissioner Richards?
COMMISSIONER RICHARDS: No.
MR. IONIN: Commissioner Moore?
COMMISSIONER MOORE: Aye.
MR. IONIN: Commissioner Melgar?
COMMISSIONER MELGAR: Aye.
MR. IONIN: And Commission President Hillis?
PRESIDENT HILLIS: Aye.
MR. IONIN: So moved, Commissioners. That motion passes five to one with Commissioner Richards voting against.
PRESIDENT HILLIS: All right. The Commission is going to take a 10-minute break.
(End of Item 18.)

REPORTER'S CERTIFICATE

I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing electronically-recorded proceedings were transcribed by me to the best of my ability.

I further certify I am neither financially interested in the action nor a relative or employee of any attorney or party to this action.

IN WITNESS WHEREOF, I have this date subscribed my name.

Dated: March 2, 2018

Diana Sasseen
CSR NO. 13456

EXHIBIT D

Parisi
TRANSPORTATION CONSULTING

March 19, 2018

Arthur Friedman
Sheppard Mullin Richter & Hampton LLP
Four Embarcadero Center, 17th Floor
San Francisco, CA 94111-4109

Subject: Alcatraz Ferry Embarkation Project – Fort Baker Impact Analysis

Dear Mr. Friedman:

Pursuant to your request, Parisi Transportation Consulting has investigated the potential transportation and public safety impacts that could result with the addition of ferry service between Pier 31 ½ in San Francisco and Fort Baker as part of the proposed Alcatraz Ferry Embarkation Project (Project). Documents we reviewed include, but are not limited to, the following:

- *Transportation Scope of Work*, Fehr & Peers, May 22, 2017
- *Alcatraz Embarkation Facility – Pier 31-1/2 Circulation Study*, Fehr & Peers, December 4, 2017
- Preliminary Mitigated Negative Declaration, Alcatraz Ferry Embarkation Project, December 6, 2017
- *Appeal of Draft Mitigated Negative Declaration*, Sheppard Mullin, December 27, 2017
- *Response to PMND Appeal Transportation Concerns*, Fehr & Peers, February 8, 2018
- *Draft Final Mitigated Negative Declaration*, Alcatraz Ferry Embarkation Project, February 15, 2018 (FMND)
- *Project Contracts* (Master Agreement, Draft Concession Contract, Draft Operating Plan)

This letter report identifies significant environmental impacts that the Project's FMND did not identify, as well as mitigation measures that should be adopted to reduce these impacts to less than significant levels.

Parisi Transportation Consulting

This analysis was led by David Parisi of Parisi Transportation Consulting. Mr. Parisi is a registered professional Civil Engineer and Traffic Engineer with over 30 years of experience. He is a principal with Parisi Transportation Consulting, a transportation planning and traffic engineering firm with offices in Sausalito and Berkeley. Mr. Parisi, based in Sausalito, has significant knowledge of Sausalito and Marin County transportation conditions. His recent work includes preparation of the City of Sausalito's *South Gateway Complete Street Study* focused on roadways between Fort Baker and downtown Sausalito, and development of Sausalito's Circulation Element update to the City's General Plan.

The following sections present our findings.

The FMND Does Not Properly Describe Fort Baker Ferry Service as Authorized by the Project Contracts, and Therefore Understates the Potential Transportation Impacts from Fort Baker Ferry Service Over the Life of the Project

The Project's proposed Fort Baker ferry service could cause significant multimodal travel, traffic congestion and public safety impacts from the following sources:

- New vehicle trips between Fort Baker and Sausalito from arriving passengers hiring private vehicles, such as Uber and Lyft or other for-hire vehicles;
- New bicycle trips between Fort Baker and Sausalito from ferry passengers arriving with bicycles, or renting bicycles at Fort Baker;
- Increased congestion and related public safety impacts from added vehicle, bicycle and pedestrian traffic from Fort Baker ferry passengers traveling to and from Sausalito's historic downtown waterfront, which is already impacted by extreme congestion and overcrowding, particularly on weekends and during peak tourism months;
- Increased congestion and related public safety impacts from added vehicle, bicycle and pedestrian traffic from Fort Baker ferry passengers traveling to and from Sausalito along Sausalito's already congested and constrained South Gateway corridor (Alexander Avenue, South Street, Second Street and Richardson Street); and
- Future shuttle/bus services connecting with arriving Fort Baker ferry passengers to transport them to Muir Woods or other attractions, traveling through Sausalito.

The FMND and its assessment considered potential impacts described in the first three bullets above, but we disagree with their conclusions as explained below. The Project's analysis did not consider potential impacts described in the last two bullets.

The FMND's analysis of the Project's potential transportation and public safety impacts is based on the premise that the Project's contracts would limit ferry service, in perpetuity, to Fort Baker to

two roundtrips per weekend day, resulting in a typical "off-peak" of 250 persons per day, peak weekend ridership of 500 persons per day, and 40,000 annual passengers. The FMND states: "(t)rips to Fort Baker would be limited to two per day and would occur on weekends only" (FMND, page 17.) Furthermore, the FMND's traffic impacts analysis is based on this assumed limit on Fort Baker ferry service (Fehr & Peers report, December 4, 2017, page 10, and its supplemental traffic impacts analysis report, February 18, 2018, page 4.)

However, there is no limitation in the Project contracts to two ferry roundtrips per weekend day. The draft *Ferry Concessioner Contract* provides that ferry service to Fort Baker shall be governed by the Operating Plan that the National Park Service may modify at its discretion. The current draft documents include no limitation on ferry service to Fort Baker (see *Ferry Concession Contract*, pages 4-5, and *Draft Operating Plan*, page B-12.) These agreements additionally authorize charter ferry service to Fort Baker for conferences and other events which are not considered in the FMND's analysis.

Therefore, the Project's transportation impacts in regard to vehicular traffic, bicycles, pedestrians, shuttles, and loading/unloading could be far more significant than theorized in the Project's transportation analysis, and even greater than discussed in the following sections.

The Project's Fort Baker Ferry Service Could Cause Significant Traffic and Safety Impacts

The supplemental analysis in the *Response to PMND Appeal Transportation Concerns* forecast that if one half of peak day ferry riders were to travel to Sausalito from Fort Baker by vehicle, including via a Transportation Network Company (TNC) such as Uber or Lyft, or other type of for-hire vehicle, there would be no traffic or safety impacts on Sausalito roadways because TNC traffic generation would be low, Sausalito's roadways operate at under-capacity and added trips would not impact roadway safety. Each of these assumptions, however, is incorrect.

The Project's assessment assumed a TNC vehicle occupancy rate of 3.9 passengers per vehicle. When including a driver, the analysis assumed almost five persons per vehicle. This is an unrealistic assumption for trips from and to Fort Baker and appears to be based on trip-to-ferry rates in San Francisco, where customers can use a variety of high passenger capacity travel modes to arrive at the ferry, including mass transit and shuttles.

However, due to the lack of these types of travel modes serving Fort Baker, passenger occupancy rates for TNC type vehicles leaving Fort Baker would likely average no greater than 2.5 passengers per vehicle. In other words, each ferry could generate at least 50 two-way vehicle-trips, or 100 one-way vehicle trips, rather than the 32 two-way vehicle-trips/64 one-way vehicle-trips per ferry assumed in the Project's assessment.

It must be noted that the addition of 100 one-way vehicle-trips per ferry (conservatively estimated by adjusting of the passenger occupancy assumption from 3.9 to 2.5), or even 64 one-way vehicle-trips per ferry as the FMND's supplemental analysis assumes – is premised on

non-existent "limits" on Fort Baker ferry service under the Project contracts – which could result in significant impacts on traffic and multimodal safety. These impacts could occur not only along Sausalito's waterfront streets which were cursorily addressed in the FMND's analysis, but most substantially along the roadways connecting Fort Baker to downtown, i.e., Sausalito's South Gateway streets of Alexander Avenue, South Street, Second Street and Richardson Street. The Project's potential impacts to this key travel corridor were not evaluated in the Project's environmental analysis.

The *South Gateway Complete Street Project* study (attached hereto) was completed in 2016 and funded through a grant from the Metropolitan Transportation Commission. The study was undertaken to evaluate existing circulation conditions along this constrained two-lane route that is characterized by narrow roadway widths, horizontal and vertical curves, limited sight lines, lack of dedicated or continuous bicycle facilities, and gaps in sidewalks. The South Gateway roadways are severely impacted by the mix and volume of multimodal traffic using the corridor, including automobiles, commercial tour buses, public transit vehicles, commercial truck traffic, bicyclists, and pedestrians. Almost all traffic between Fort Baker and Sausalito travels via the South Gateway streets.

The City of Sausalito's South Gateway streets operate at near- to at-capacity conditions during the summer, with up to 15,000 daily users and over 1,800 peak hour users. About two-thirds of the daily volume consists of vehicular traffic, almost another one-third is bicycle traffic, and two to three percent consists of pedestrian traffic.

South Gateway traffic levels are substantially higher than those along Alexander Avenue outside of the City's limits, which the Project's assessment focused on (Alexander Avenue to the north of Bunker Road).

Collision records from 2009 through 2015 show high multimodal collision rates, and among 56 reported collisions on the South Gateway streets connecting Fort Baker to Sausalito, 24 involved a bicycle. In contrast to the FMND's supplemental traffic assessment, the South Gateway Complete Street Project study found that collisions occurred at twice the rate on weekends as compared to collisions on weekdays.

The South Gateway report explains (page 3):

> "Total daily multimodal activity (pedestrians, bicyclists, and automobiles) measured in 2015 ranged between 9,000 and 13,000 users in the spring, and between 12,000 and 15,000 users in the summer. Roughly two-thirds of this daily volume consists of vehicular traffic, almost another one-third is bicycle traffic, and two to three percent consists of pedestrian traffic. **The existing right-of-way along the corridor is generally perceived as too narrow to accommodate these levels of multi-modal traffic concurrently and safely.**

> "There are a number of geometric issues of concern along the corridor, which include narrow roadway widths, limited sight lines, lack of dedicated bicycle facilities, and gaps in pedestrian facilities. The corridor experienced 56 reported crashes between January 2009 and September 2015. Twenty-four of these involved a bicycle, with one-half of these solo bicycle crashes and the other half involving a motor vehicle. Vehicle-involved crashes most commonly involved another parked vehicle, followed by bicycles, other vehicles, and solo crashes."

Therefore, the addition of 100 one-way vehicle-trips per weekend ferry, or even 64 one-way vehicle-trips per ferry as forecast in the FMND, to Sausalito's roadways – and especially along Alexander Avenue, South Street, Second Street, and Richardson Street – could result in significant impacts to traffic operations and multimodal safety. The Project could add traffic to an already congested roadway system that experiences safety issues. Contrary to the Project's assessment, it could also exacerbate existing hazards.

Moreover, as explained above, the number of additional vehicle trips and thus the Project's impacts could be far greater than the foregoing assumptions in light of the fact that the Project imposes no limits on the number of ferries to Fort Baker, and even with no increase in the number of ferries, it is reasonable to assume increases in the number of Fort Baker ferry passengers through the life of the Project. In other words, if ferry passenger levels grow at an average rate of five percent per year for 10 years, this could result in over 150 additional passengers per ferry (above the baseline assumption of 250 passengers) and over 60 additional vehicles (above the baseline of assumption of 100 vehicles) transporting passengers from and to Fort Baker

In order to mitigate the foregoing potentially significant traffic impacts from Fort Baker service to less than significant, the following mitigation measure should be implemented:

> *Upon the* commencement *of ferry service from Pier 31 ½ directly or indirectly to Fort Baker, the National Park Service shall provide at its expense round trip connecting shuttle service between Fort Baker and Sausalito to meet passenger demand utilizing Marin Transit, or successor agency transportation services. Each shuttle shall be powered by environmentally sustainable technology and accommodate bicycles.*

The Project May Cause Significant Bicycle, Pedestrian and Other Congestion Impacts in Sausalito

The FMND and its supplemental traffic assessment concluded that Fort Baker service would have no significant traffic congestion impacts on Sausalito since relatively few ferry passengers would visit Sausalito and because bicycles would not be on board ferries at Pier 31 ½ going to Fort Baker. These assumptions regarding visitor interest to Sausalito are flawed in part because the analysis incorrectly assumed maximum limits on the number of Fort Baker ferries and annual passengers over the life of the Project.

Similarly, the FMND's finding that Fort Baker ferry service will result in no bicycle traffic impacts assumes: "(t)he Project will not generate any new bicycle trips at the Fort Baker site, since ferry passengers will not be permitted to bring a bicycle on board and rental bicycles are not available at the site." (Fehr & Peers report, November 4, 2017, page 53; see also, Fehr & Peers report, February 8, 2018, page 5.)

However, the Project's contracts do not prohibit bicycles from boarding Fort Baker ferries. In fact, the FMND's revised Project description admits this is so by stating that currently there are "no plans" to allow bicycles on board Fort Baker ferries (FMND, page 17). It seems highly likely that bicycles will be allowed on Fort Baker ferries over the life of the Project, particularly given the National Park Service's stated objectives for the Project, which include increased connectivity to the Marin Headlands and other NPS destinations. The added bicycle traffic from Fort Baker service could be substantial. For example, data provided by the Golden Gate Bridge Transportation and Highway District (District) to Sausalito included in Sausalito's *Second Addendum to the 2012 Initial Study/Mitigated Negative Declaration* and *2017 Addendum for the Sausalito Ferry Terminal* reveals that during peak days, 33 to 50 percent of riders on the Sausalito ferry have bicycles (see 2017 Addendum, page 3, citing District Report dated March 11, 2015, page 3).

Furthermore, bicycles would provide users a short connection between Fort Baker and Sausalito via the South Gateway corridor.

As discussed in the previous section, the South Gateway streets operate at near- to at-capacity conditions during the summer and bicycle collisions are prevalent, particularly during weekends when the Fort Baker ferry service is proposed to run. Therefore, the addition of more inbound (i.e., to Sausalito) bicycle trips could result in significant impacts to traffic operations and bicyclists safety along Alexander Avenue, South Street, Second Street, Richardson Street, and other roadways. Contrary to the Project's assessment, it could also exacerbate existing safety hazards.

The added visitors and bicycles to Sausalito caused by Fort Baker service could also worsen and add new significant impacts to Sausalito's historic waterfront and downtown in light of extreme congestion and overcrowding in these areas, largely from visitors and tourists with bicycles during weekends and peak periods, as documented in Sausalito's *Second Addendum to the 2012 Initial Study/Mitigated Negative Declaration* and 2017 *Addendum for the Sausalito Ferry Terminal*, submitted with Sausalito's appeal to the Project's PMND.

The foregoing significant impacts caused by the Project's Fort Baker ferry service could increase over time as the number of Fort Baker ferries and/or number of arriving passengers increase over the life of the Project.

In order to mitigate the foregoing significant multimodal travel, traffic congestion and safety impacts to Sausalito to less than significant, the following mitigation measure should be implemented:

> *The National Park Service shall ensure, by agreement with its ferry concessioners or otherwise, that any ferries authorized by the Project returning or otherwise traveling directly or indirectly from Fort Baker to Pier 31 ½ shall accept and accommodate passengers with bicycles. All ferries departing from Fort Baker destined directly or indirectly to Pier 31 ½ shall have the capacity to accommodate bicycles. In order to facilitate the transport of passengers, including passengers with bicycles, from Fort Baker to Pier 31 ½, the National Park Service shall ensure, by agreement with its ferry concessioners or otherwise, that passengers, including passengers with bicycles, may purchase at Fort Baker one-way tickets authorizing ferry transport from Fort Baker to Pier 31 ½.*

Potential Shuttle Service to NPS Locations Could Cause Significant Impacts

The FMND failed to consider the potential traffic impacts that may result from a future shuttle service connecting arriving Fort Baker ferry passengers to Muir Woods or other NPS sites. However, there is sufficient evidence demonstrating that such future service is foreseeable, and thus should have been analyzed in the FMND. The 2011 *Draft Final Alcatraz Ferry Embarkation and Education Site Feasibility Study* states:

> "Given that visitation to Alcatraz Island is limited, the ferry embarkation site is more than just a transit stop ... the Embarkation facility has the potential to be developed as a gateway to the GGNRA and the NPS as well as to Alcatraz Island. The offerings at the Embarkation Facility could be expanded in the future, and the Embarkation Facility itself could become a first-class, distinct experience for visitors to the GGNRA."

That same study states that the Project objectives include: "providing for the opportunity to connect to other parklands (such as Fort Baker, Fort Mason, and the Muir Woods Monument.)"

The *Preliminary Mitigated Negative Declaration* states that the proposed Project would "improve cross-bay connectivity and accommodate existing and future visitor demand for recreational travel to Fort Baker and the Marin Headlands, thereby enhancing the Golden Gate National Recreation Area's operational effectiveness."

Connecting shuttle buses serving these locations through Sausalito could exacerbate circulation and safety conditions along Sausalito's roadways, including the South Gateway streets, resulting in significant impacts. These significant impacts could magnify over time as the number Fort Baker ferries and/or ferry passengers increased over the life of the Project.

In order to mitigate the foregoing foreseeable potentially significant traffic/circulation/safety impacts to Sausalito to less than significant, the following mitigation measure should be implemented:

> *The National Park Service shall ensure, by agreement with transportation service providers or otherwise that in the event transportation services are offered at Fort Baker to transport arriving Fort Baker ferry passengers to Muir Woods or other National Park Service destinations, all such transportation shall be directed from Fort Baker southward to the Alexander Avenue/Highway 101 on-ramp, and shall not be permitted to drive through Sausalito.*

The Project's Loading/Unloading, Circulation and Queuing Could be Significant

The Project would not include any changes to passenger or commercial loading/unloading infrastructure or procedures at Fort Baker.

The Project's assessment states that the Project would not generate passenger or commercial vehicle loading/unloading demand. The assessment concludes that since there would be no loading/unloading demand then there would be no issues or interference with other travel modes.

However, as discussed previously and within the Project's *Response to PMND Appeal Transportation Concerns* the Project could certainly generate Transportation Network Company and other for-hire vehicular demands, with initially between 32 and 50 vehicles arriving at Fort Baker for an arriving ferry and later for a departing ferry. These vehicles, plus potential shuttle buses, could certainly impact the limited loading/unloading zones along Fort Baker's Center Road and other roadways, and result in vehicle circulation and queuing impacts that could result in safety issues for vehicles, pedestrians and bicyclists.

Implementation of the recommended mitigation measures identified above could reduce the potential significant impacts related to vehicle loading/unloading, circulation and queuing.

In Closing

The proposed Project, which authorizes for as much as 50 years unlimited ferry service from Pier 31 ½ to Fort Baker at the discretion of the National Park Service, may cause several significant traffic, congestion, and public safety impacts in and near Sausalito. The FMND's findings to the contrary are premised on inaccurate descriptions of the Project as reflected in the Project contracts, and failure to consider reasonable growth of Fort Baker ferries and ferry passengers, as well as foreseeable future Project activities over the long life of the Project.

The FMND's analysis of Sausalito's setting and existing conditions also fails to consider the constrained South Gateway corridor through which all multimodal transportation between Fort

Baker and Sausalito must travel. The Project's potential traffic and public safety impacts could be particularly acute and significant in this area. The FMND and the Project should not be approved in the absence of the mitigation measures recommended herein. Alternatively, the Project's proposed Fort Baker ferry service should be analyzed in an Environmental Impact Report.

Sincerely,
Parisi Transportation Consulting

David J. Parisi, PE, TE
Principal

Enclosure: *City of Sausalito South Gateway Complete Street Project*, Parisi Transportation Consulting, January 2016

City of Sausalito South Gateway Complete Street Project

JANUARY 2016

METROPOLITAN TRANSPORTATION COMMISSION

Transportation Authority of Marin

Parisi TRANSPORTATION CONSULTING

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Contents

Executive Summary

The South Gateway Complete Streets study was conducted to evaluate existing circulation conditions and to develop conceptual designs that would improve multimodal access and safety through the South Gateway corridor in the City of Sausalito. The corridor consists of Alexander Avenue, South Street, Second Street, and Richardson Street; it provides a transportation route of regional importance between San Francisco and Sausalito, as well as to other areas of southern Marin. The South Gateway streets are severely impacted by the mix and volume of multimodal traffic using the corridor; these modes include automobiles, commercial tour buses, public transit vehicles, commercial truck traffic, bicyclists, and pedestrians. A large portion of the traffic that Sausalito receives are visitors coming via the Golden Gate Bridge in automobiles and on bicycles.

Total daily multimodal activity (pedestrians, bicyclists, and automobiles) measured in 2015 ranged between 9,000 and 13,000 users in the spring, and between 12,000 and 15,000 users in the summer. Roughly two-thirds of this daily volume consists of vehicular traffic, almost another one-third is bicycle traffic, and two to three percent consists of pedestrian traffic. The existing right-of-way along the corridor is generally perceived as too narrow to accommodate these levels of multimodal traffic concurrently and safely.

There are a number of geometric issues of concern along the corridor, which include narrow roadway widths, limited sight lines, lack of dedicated bicycle facilities, and gaps in pedestrian facilities. The corridor experienced 56 reported crashes between January 2009 and September 2015. Twenty-four of these involved a bicycle, with one-half of these solo bicycle crashes and the other half involving a motor vehicle. Vehicle-involved crashes most commonly involved another parked vehicle, followed by bicycles, other vehicles, and solo crashes.

Initial improvement concepts were developed in consultation with City of Sausalito Public Works staff based on crash concentration and characteristics, and the observed conditions at each location. Design concepts were reviewed with staff over the course of several months. Refined improvement concepts were presented to the Sausalito Pedestrian and Bicycle Advisory Committee (BPAC) in spring and summer 2015. The following are the Staff-Recommended Concepts:

- **Richardson Street, Bridgeway to Second Street:**
  - Install a marked crosswalk at the Richardson Street / Second Street intersection with a pedestrian refuge island and rectangular rapid flash beacons,
  - Install bulb-outs to shorten pedestrian / bicycle crossing distance, and
  - Reconstruct sidewalks and install ADA-compliant curb ramps.

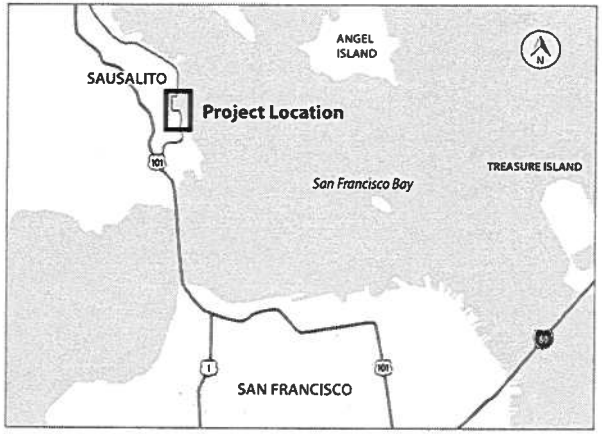
- **Second Street, Richardson Street to South Street:**
  - Install standard pedestrian / bicycle crossing warning signs at marked crosswalks and consider providing flashing beacons if warranted by crossing volumes, and
  - Remove sidewalk obstacles, reconstruct sidewalks, and install ADA-compliant curb ramps.

- **South Street, Second Street to Alexander Avenue:**
  - Widen South Street by about six feet to the north and reconstruct the sidewalk, curb and gutter; extend the southbound bike lane to connect Second Street and Alexander Avenue,
  - Construct a midblock crosswalk with a pedestrian-activated flashing beacon, and
  - Reconstruct sidewalks to eliminate or reduce driveway cross-slopes.

- **Alexander Avenue, South Street to Sausalito City Limits:**
  - Construct a retaining wall on the south side of Alexander Avenue and widen the road four to five feet to the south; widen the sidewalk to five feet wide by widening to the south; avoid impacting the properties at 28 and 64 Alexander Avenue; and retain the shoulder for southbound bicycle traffic.
  - Reconstruct sidewalks to eliminate or reduce driveway cross-slopes at driveways south of 64 Alexander Avenue;
  - Convert Edwards Avenue to emergency access only with a raised barrier and signage, and
  - Install a marked crosswalk at the Alexander Avenue / Edwards Avenue intersection with a pedestrian-activated flashing beacon.

Planning-level estimates for the Staff-Recommended Concepts total to an estimated cost of $1.76 million. If the City of Sausalito moves forward with any or all of these improvements, the City would coordinate project elements with other responsible agencies, study whether the improvements would require more detailed environmental studies, and seek outside funding.

Introduction



PROJECT VICINITY MAP

This South Gateway Complete Street study was initiated by the City of Sausalito in 2015. It was funded through the Transportation Authority of Marin (TAM) and by a grant from the Metropolitan Transportation Commission (MTC).

The South Gateway corridor, which consists of Alexander Avenue, South Street, Second Street, and Richardson Street in the City of Sausalito, is severely impacted by the mix and volume of multimodal trips using the corridor; these include automobiles, commercial tour bus operators, public transit, commercial truck traffic, bicycles, and pedestrians. The existing right-of-way is generally perceived as too narrow to accommodate these multiple modes concurrently and safely. Issues of concern include the skinny roadway widths, limited sight lines, lack of dedicated bicycle facilities, and gaps in pedestrian facilities.

The intent of the study was to identify the deficiencies along the South Gateway corridor and to develop improvement strategies that would enhance the safety and access of users that walk, bicycle, ride transit, and drive through the corridor, making the South Gateway roadways "complete streets".

BACKGROUND

The South Gateway corridor consists of a series of streets that connect the City of Sausalito's downtown waterfront area to Golden Gate National Recreation Area (GGNRA) lands and ultimately the Golden Gate Bridge and the City of San Francisco. It is the only route into Sausalito from the south (San Francisco) for bicyclists and pedestrians, and accommodates thousands of person-trips each day.

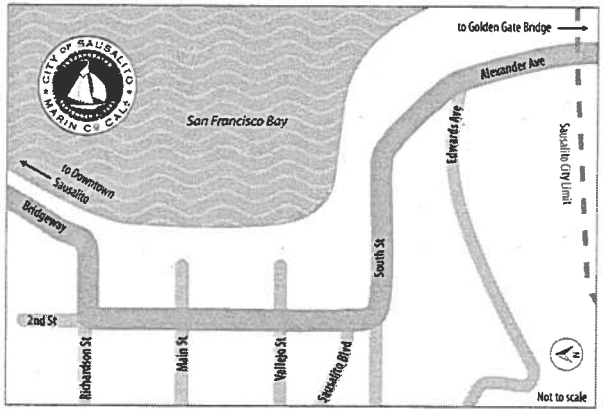
The corridor serves as a major transportation and recreation route for commuters, residents, recreational users and tourists. It is a planned segment of the San Francisco Bay Trail, a planned 500-mile shoreline walking and bicycling path encircling the San Francisco Bay. The corridor is identified for multimodal improvements in the City of Sausalito General Plan, Sausalito Bicycle and Pedestrian Plan, and the Marin Countywide Bicycle Plan.

Alexander Avenue between the City Limits and the Golden Gate Bridge is owned and operated by the Golden Gate Bridge, Highway and Transportation District (GGBHTD). This study would build on recommendations from the Alexander Avenue Planning Study, which was undertaken by the National Park Service (NPS) and the Golden Gate National Recreation Area (GGNRA) in 2012.

PROJECT GOALS

The project's goals are the following:

- Improve roadway geometry deficiencies to meet applicable roadway geometric standards.
- Correct geometric deficiencies that disproportionately affect pedestrians and bicyclists.
- Improve multimodal user safety through measures such as modified vehicular lanes, new bike lanes, new sidewalks or sidepaths, improved lighting, and circulation changes.



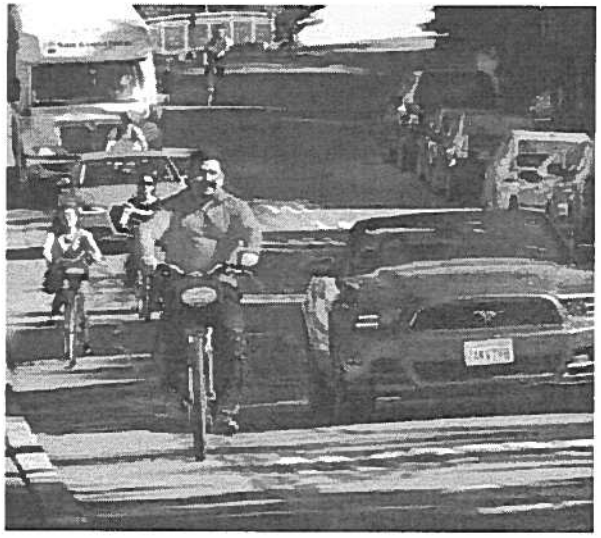
PROJECT STUDY AREA MAP

Data Collection

The data collection process for the South Gateway Complete Street study covered several aspects of the corridor. User counts considered travel mode, direction of travel, time of travel, day of the week, and time of year. Direct counts were supplemented with transit and ferry ridership data, when available, and parking occupancy surveys. Crash data were collected from City of Sausalito police records and California Highway Patrol records.

The physical conditions of the South Gateway corridor were recorded via two topographic surveys, one of which included a boundary survey of property rights-of-way. Additional physical measurements, including street and sidewalk dimensions, compliance to ADA standards for accessibility, and sight distance were collected via a field inspection in early 2015.

The list to the right summarizes the data collected, details of which are presented in the following section.



Multimodal traffic on westbound South Street.

User Counts

Vehicular Traffic Counts

- One weekday and one Saturday 24-hour vehicle count in February 2015.
- One weekday and one Saturday 24-hour vehicle count in August 2015.
- One weekday and one Saturday intersection count at Richardson Street / Second and Alexander Avenue / Edwards Avenue in October 2014.

Bicycle and Pedestrian Counts

- One weekday and one Saturday daytime pedestrian and bicyclist count near the South Street / Second Street intersection in March / April 2015 and August 2015.
- One weekday and one Saturday daytime pedestrian and bicyclist count at the Sausalito–Mill Valley Path (near the US 101 / Bridgeway ramps) in August 2015.

Bus and Ferry Ridership Counts

Golden Gate Transit Bus

- Ridership data provided by Golden Gate Transit for the 2013 / 2014 fiscal year (accessed September 2014).

Bicyclist Ferry Counts

- Golden Gate Ferry Daily Counts, May–October 2015.
- Blue and Gold Fleet One-Day Sample Counts, May / April 2015.
- Blue and Gold Fleet Weekday / Weekend Average Counts, July-Sept. 2015.

Parking Occupancy Survey

- Three-day, midweek, midday (12–1 p.m.) parking survey in April 2015 to measure parking occupancy.
- License plate survey of parked vehicles from April 2014 sample (to determine city of registration).

Physical Conditions Assessment

Land Survey

- A detailed survey showing topographic information, survey monuments, and rights of way for South Street and Alexander Avenue between 115 South Street and the City Limits.
- A topographic survey at the intersection of Second Street and Richardson Street.

Accessibility Survey

- Inspection of sidewalks and crosswalks for compliance to Americans with Disabilities Act standards for accessibility on January 22, 2015.

Crash Records

- City of Sausalito Police Department crash records, 2009–August 2014.
- California Highway Patrol (CHP) Statewide Integrated Traffic Records System (SWITRS), 2009–September 2015.

Existing Multimodal Demand

The South Gateway corridor provides a transportation route of regional importance between Marin and San Francisco. Sausalito receives large volumes of visitor traffic via the Golden Gate Bridge, primarily as automobile and bicycle traffic. Tour buses are allowed on the South Gateway corridor, but only in the northbound (downhill) direction.

Multimodal counts were collected in spring and summer 2015. The counts comprised of 24-hour vehicular counts, and daytime pedestrian and bicyclist counts. The specific details for each mode are presented on subsequent pages.

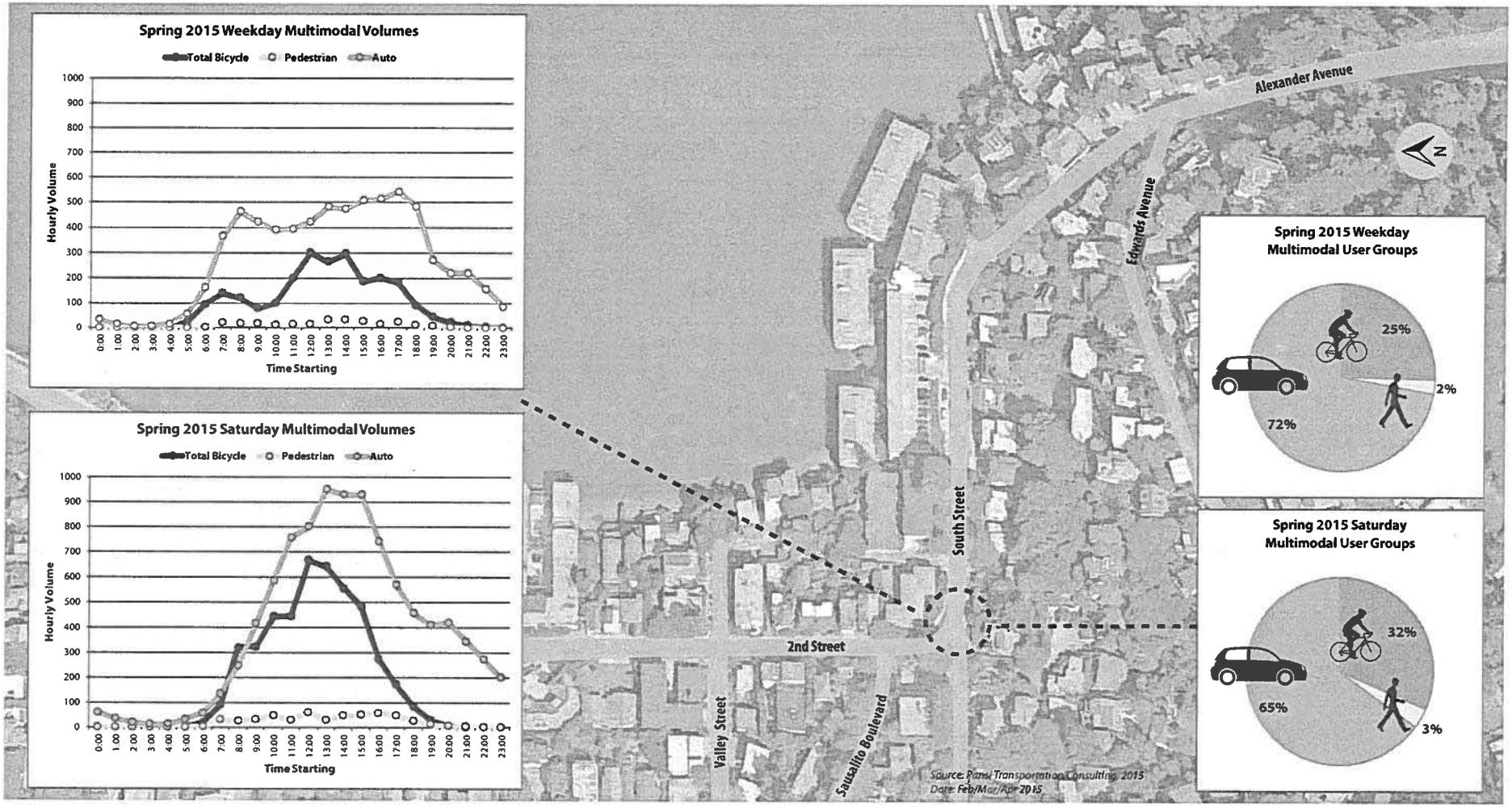
Slight differences in total multimodal demand occur depending on the day of the week and season. The weekday sampled in spring 2015 exhibited traditional commute peak hour patterns among the vehicular traffic, with a peak in the morning commute hours (7-9 a.m.) and a second peak in the mid-afternoon (4-6 p.m.). Bicycle traffic peaked in the early afternoon, which is attributed to tourist bicycle traffic.

The summer weekday and the spring and summer Saturday multimodal demand tended to peak during the early afternoon (1–4 p.m.). Bicycle and vehicular demand appeared to occur concurrently.

In the spring, vehicular traffic represents between 65 and 75 percent of the South Gateway corridor traffic across a 24-hour period. Bicycle traffic makes up most of the remainder, at between 25 and 35 percent of the daily traffic. Pedestrian traffic is around two to three percent of the observed daily traffic.

In the summer, the proportion of vehicular traffic to the other modes drops to between 55 and 70 percent. Bicycle traffic increases to between 25 and 40 percent of the observed daily traffic, and pedestrian traffic increases to between three and four percent.

Eastbound South Street approaching Alexander Avenue.



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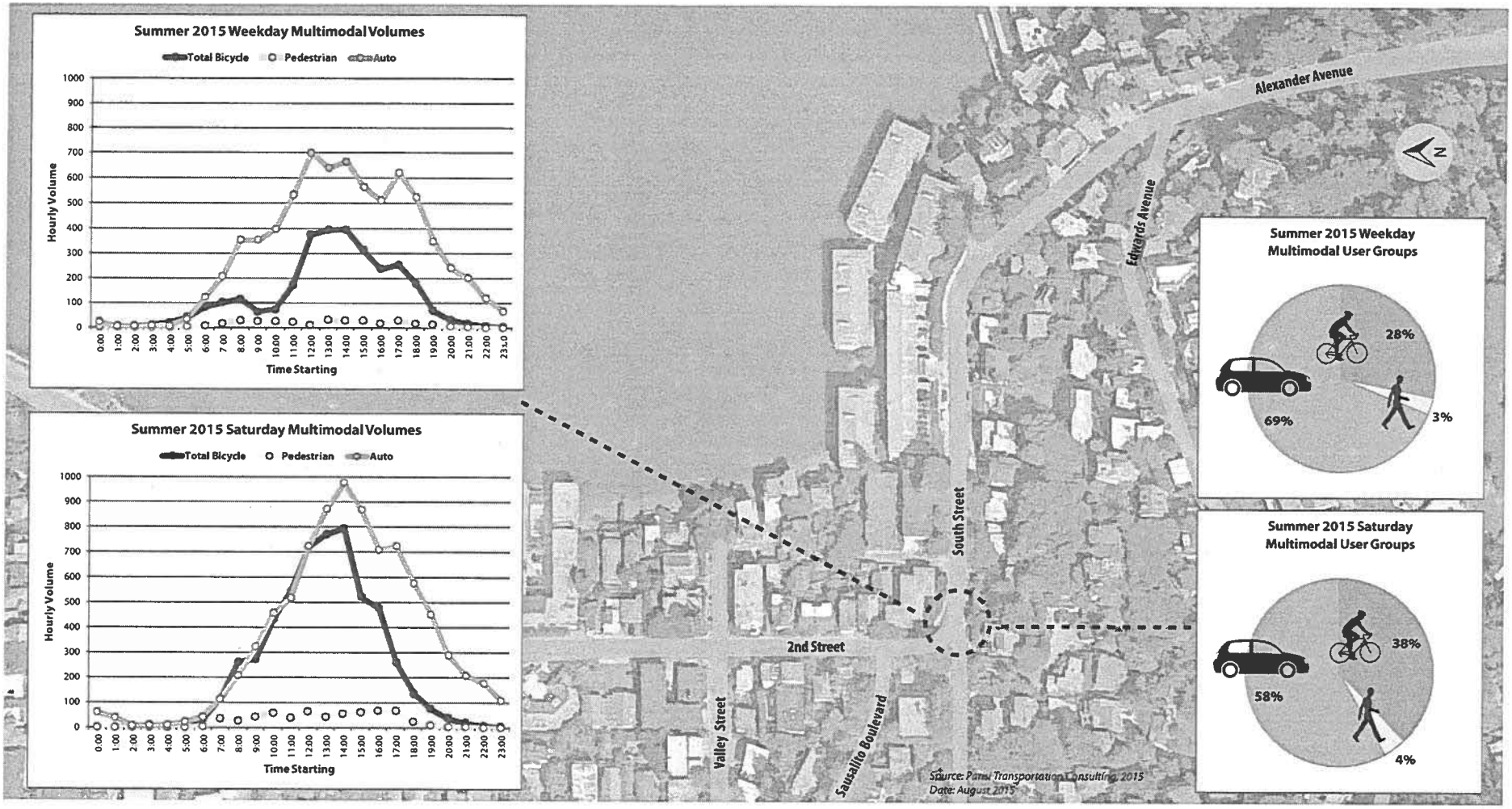
City of Sausalito South Gateway Complete Street Study

SPRING 2015 MULTIMODAL VOLUMES



City of Sausalito South Gateway Complete Street Study

SUMMER 2015 MULTIMODAL VOLUMES

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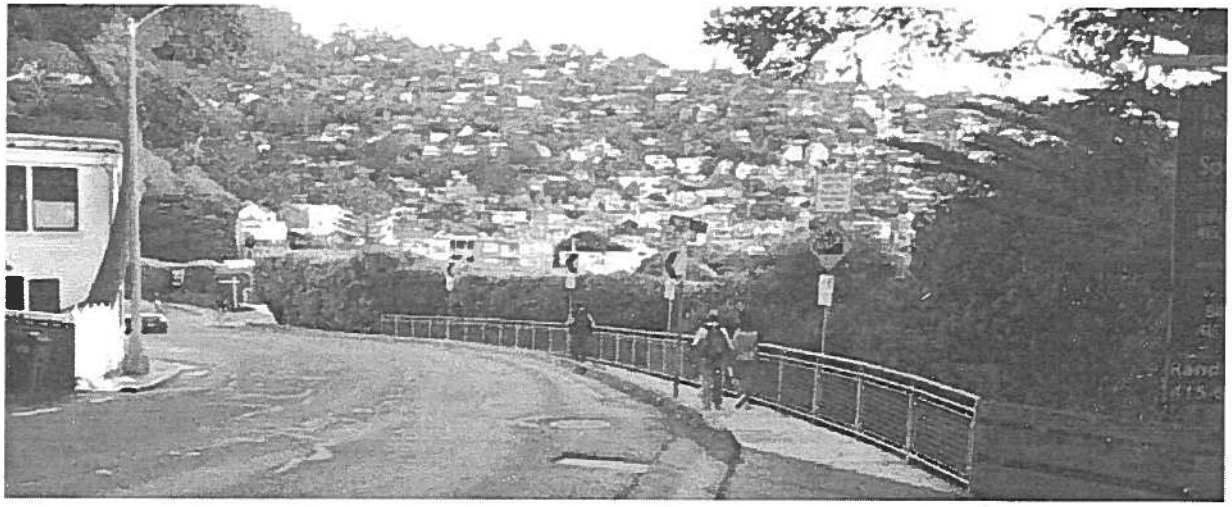
Pedestrians

The South Gateway corridor serves a variety of pedestrian trips, including local residents walking within a neighborhood or to/from Downtown, commuters walking to/from bus stops at Main Street and East Street, and tourists walking from across the Golden Gate Bridge. Weekend pedestrian traffic is noticeably higher than weekdays due to tourist and recreational foot traffic.

There were between 200 and 250 pedestrians counted on a weekday in spring 2015. These volumes increased to between 250 and 300 pedestrians on a weekday in summer 2015. For both counts, the majority of pedestrians (85-90 percent) were observed walking in the northbound / downhill direction from the Golden Gate Bridge into Downtown Sausalito. Pedestrian traffic was nearly double during the Saturday counts in spring and summer 2015, with between 500 and 600 pedestrians counted. As with the weekday counts, most pedestrians (80–85 percent) walked in the northbound / downhill direction into Downtown Sausalito.



Northbound Alexander Avenue approaching South Street

Public Transit Riders

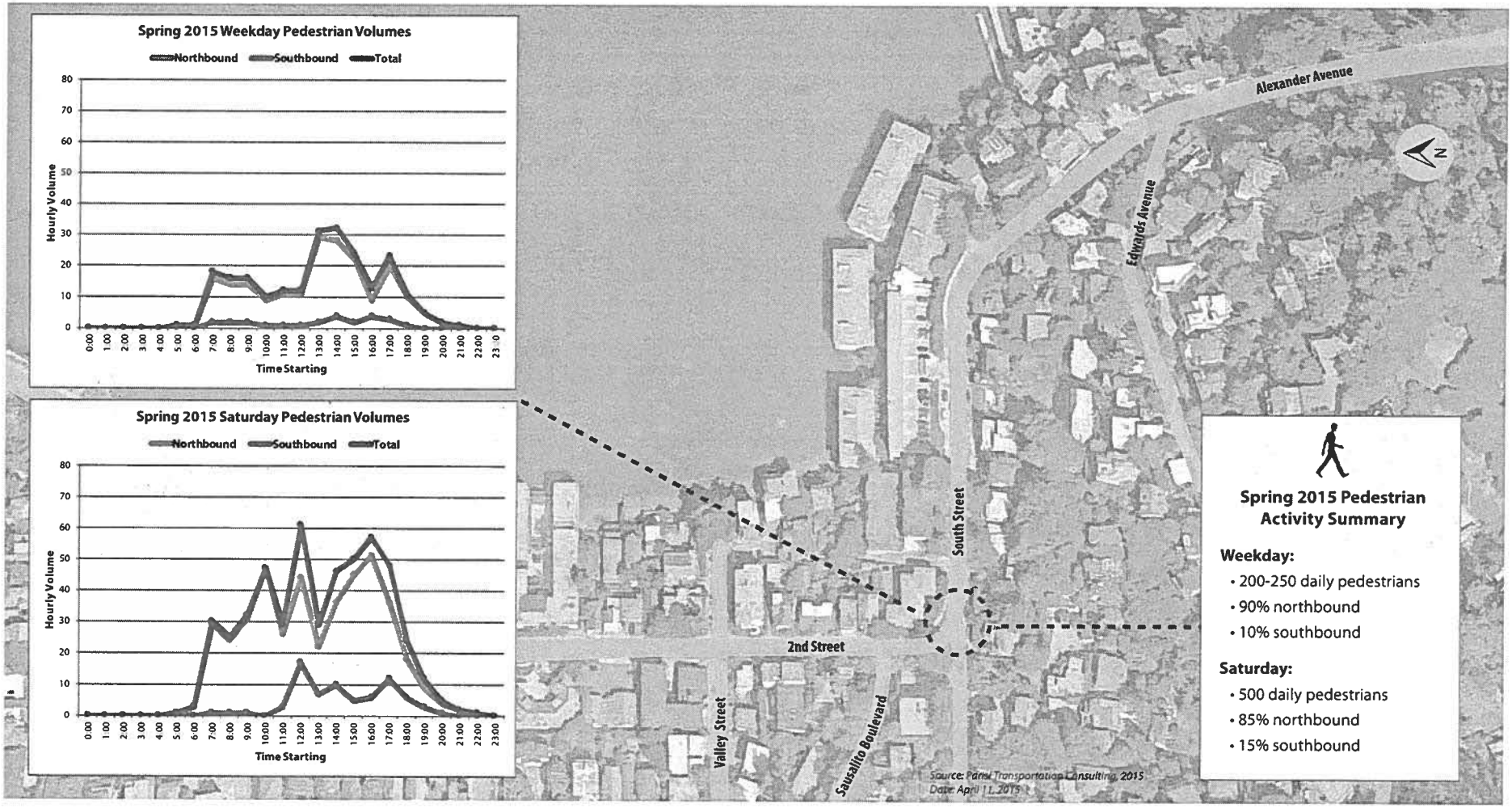
There are two sets of public transit stops serviced by Golden Gate Transit in the South Gateway corridor. One set lies within Sausalito City Limits, at the southwest and northeast corners of Second Street and Main Street. The other set of stops is located south of the city limits at the intersection of Alexander Avenue and East Road.

Transit riders typically access the public transit stops along the South Gateway corridor on foot. There are bike racks with capacity for around four bicycles available to transit riders at the Second Street / Main Street stop. Golden Gate Transit buses typically have the capacity to carry up to two bicycles.

Golden Gate Transit provided ridership data for each of the two stops for the 2013-2014 fiscal year. The stop at Second and Main streets services, on a daily basis, approximately 50 riders in the northbound direction (15 percent boarding / 85 percent alighting) and 90 riders in the southbound direction (85 percent boarding / 15 alighting).

Ridership at the Alexander Avenue and East Road stop, south of city limits) is much lower. Records show that the stop there services seven riders in the northbound direction and seven riders in the southbound direction on an average daily basis.

Golden Gate Transit Stop on southbound Second Street



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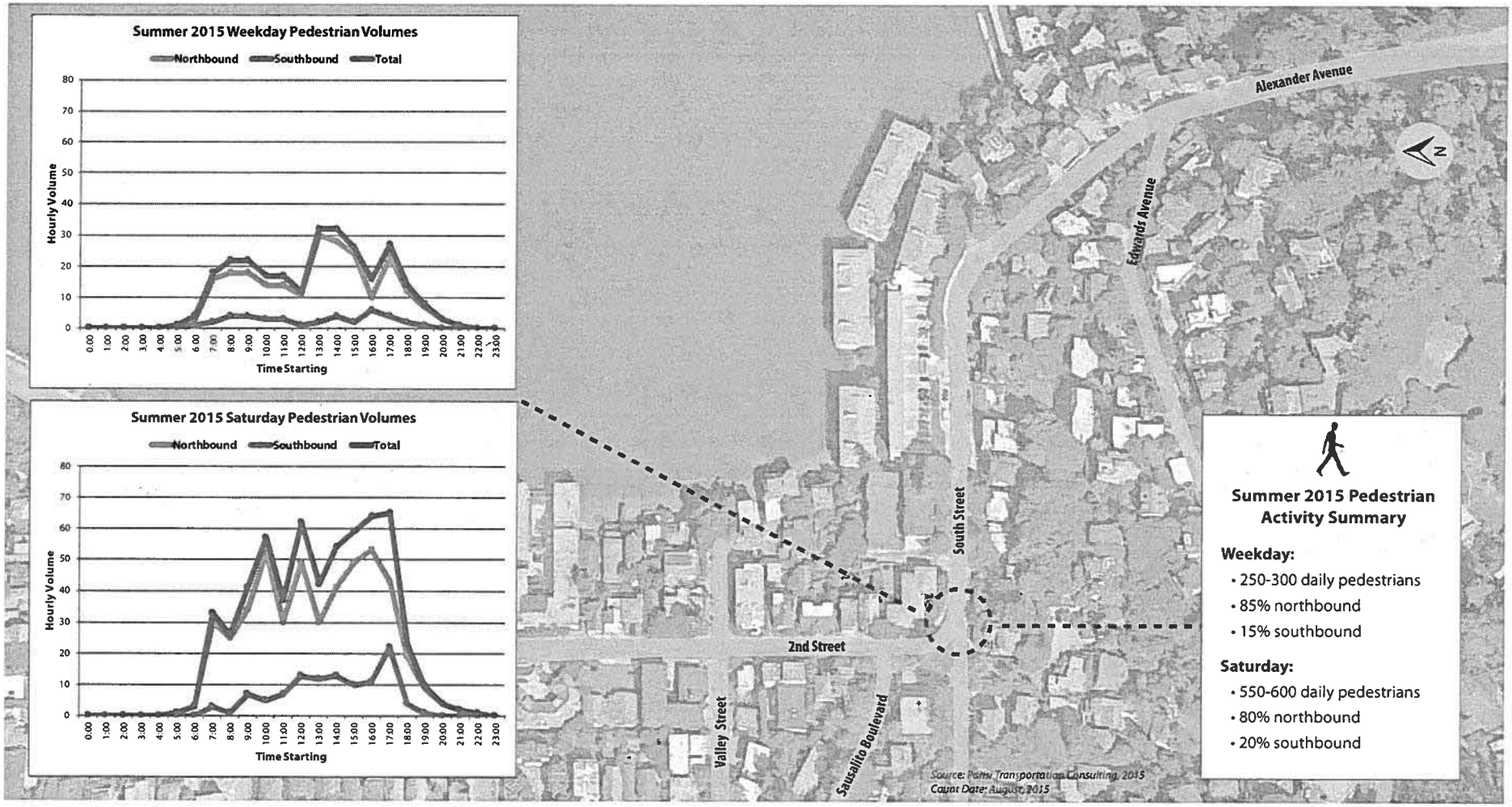
City of Sausalito South Gateway Complete Street Study

SPRING 2015 PEDESTRIAN VOLUMES



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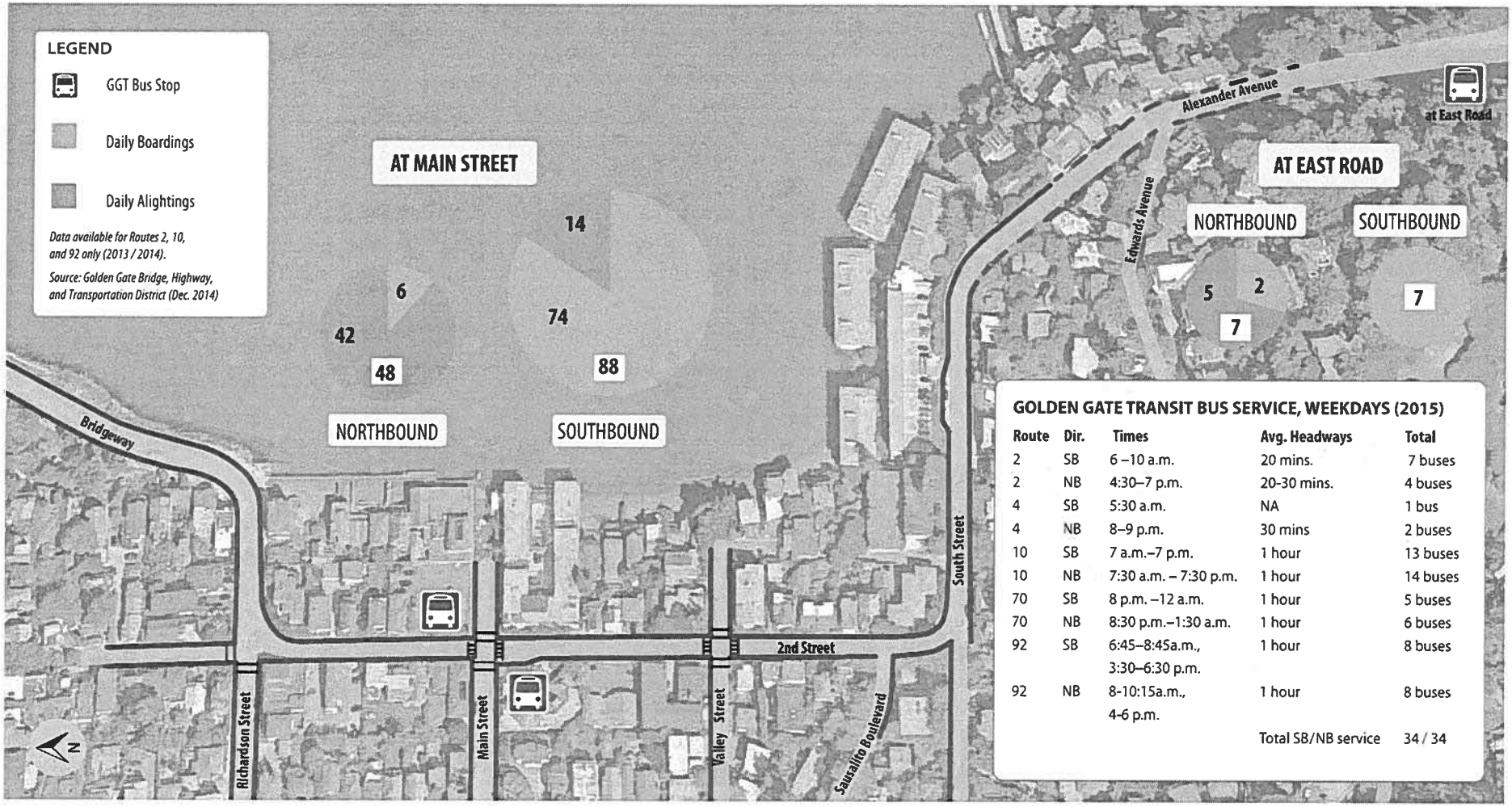
DECEMBER 2015

City of Sausalito South Gateway Complete Street Study

SUMMER 2015 PEDESTRIAN VOLUMES



GOLDEN GATE TRANSIT BUS SERVICE, WEEKDAYS (2015)

Route	Dir.	Times	Avg. Headways	Total
2	SB	6 –10 a.m.	20 mins.	7 buses
2	NB	4:30–7 p.m.	20-30 mins.	4 buses
4	SB	5:30 a.m.	NA	1 bus
4	NB	8–9 p.m.	30 mins	2 buses
10	SB	7 a.m.–7 p.m.	1 hour	13 buses
10	NB	7:30 a.m. – 7:30 p.m.	1 hour	14 buses
70	SB	8 p.m. –12 a.m.	1 hour	5 buses
70	NB	8:30 p.m.–1:30 a.m.	1 hour	6 buses
92	SB	6:45–8:45a.m., 3:30–6:30 p.m.	1 hour	8 buses
92	NB	8-10:15a.m., 4-6 p.m.	1 hour	8 buses
			Total SB/NB service	34 / 34

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City of Sausalito South Gateway Complete Street Study

TRANSIT SERVICE & RIDERSHIP

Bicyclists

On weekdays, the South Gateway corridor is a significant commuter route between San Francisco and Sausalito. It is also a popular recreational and tourist route throughout the week, but especially on weekend days.

People who bicycle through the South Gateway corridor represent a diverse ridership base. They range from regular commuters between Marin and San Francisco, occasional and regular recreational riders, local residents, and tourists making the ride across the Golden Gate Bridge. Because of their varying abilities and comfort levels, bicyclist behavior on the South Gateway corridor also varies, as described in the adjacent rider description.

There were between 2,300 and 2,400 bicyclists counted on a weekday in spring 2015, and nearly 3,000 bicyclists counted on a weekday in summer 2015. Between spring and summer, the majority of bicyclist traffic was in the northbound / downhill direction (70–75 percent). Tourist bicycles represented between 40 and 50 percent of the observed bicycle traffic.

Bicycle traffic was substantially higher during the Saturdays observed in spring and summer 2015. Both seasonal counts showed the Saturday bicycle volume to be nearly double the weekday count. The spring 2015 Saturday count was between 4,500 and 4,600 bicyclists, and the summer 2015 Saturday count was approximately 5,500 bicyclists. There were more recreational bicyclists observed during the Saturday counts than during the week, resulting in a near 50-50 split between tourists and recreational bicyclists.

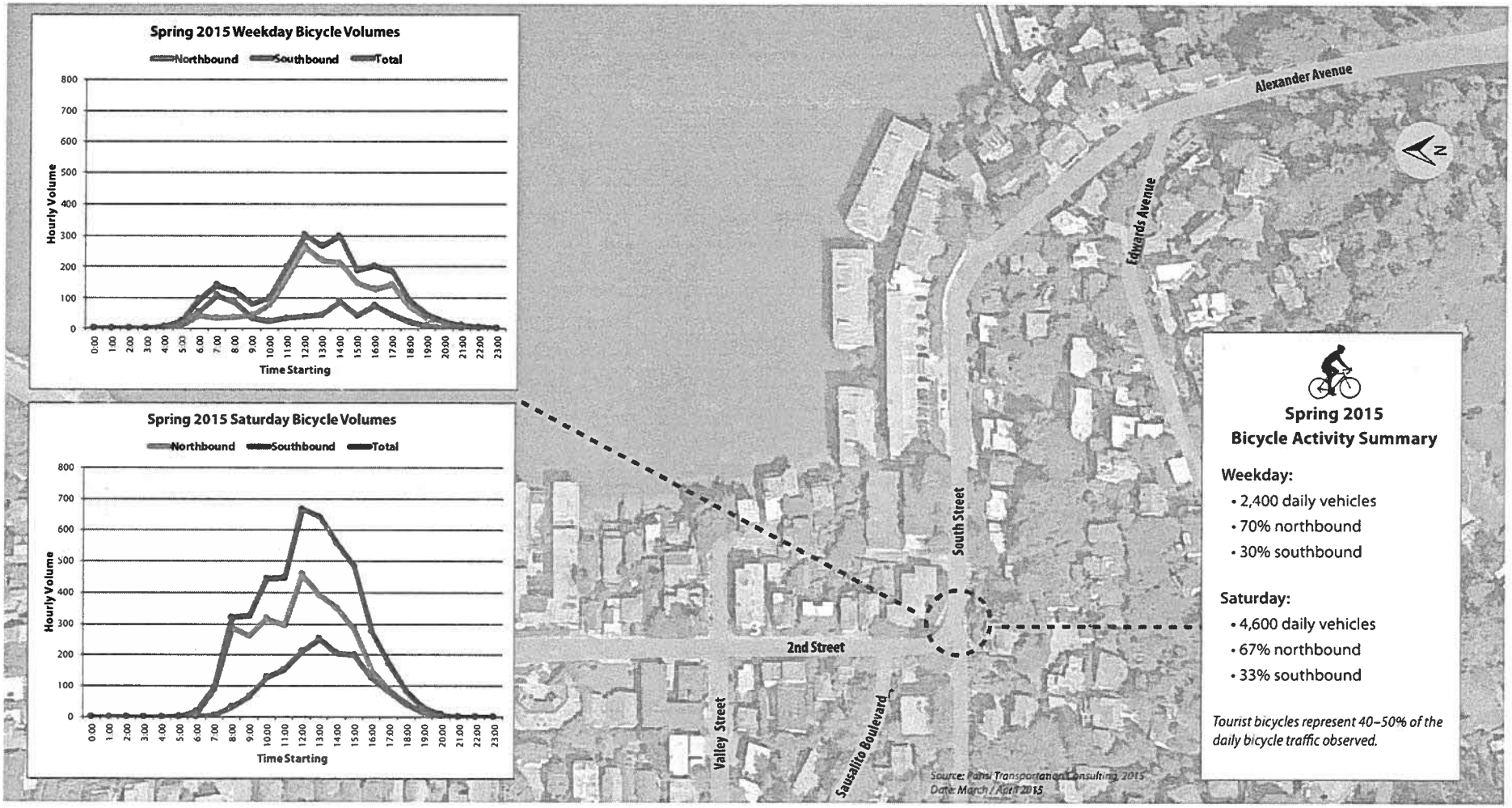
Bicycle traffic in the South Gateway corridor travels predominantly in the northbound / downhill direction. Many bicyclists ride the ferries from Sausalito back to San Francisco. Appendix A contains detailed count information on bicycle ridership on the ferries that service Sausalito. Appendix B contains detailed count information for bicycle ridership at the Mill Valley – Sausalito Path (at Gate 6 Road) to account for riders continuing north of the City.

Tourists/ Casual Riders

- May include novice or infrequent bicycle riders.
- May include young children, teens, and older adults.
- Are generally unfamiliar with features of the route, e.g., sharp turns and steep downhill grades.
- May not be accustomed to shared lane facilities (Class III bicycle routes). May not be comfortable with high speeds and making full use of the traffic lane.
- May walk their bicycles on steep uphill and downhill sections.

Commuters / Recreational Riders

- Are typically regular bicycle riders familiar with shared lane facilities and making full use of the traffic lane.
- Are familiar with the features of the route.
- Are comfortable traveling at high speeds in the downhill direction.
- May keep pace with or exceed the speed of vehicles in the downhill direction.



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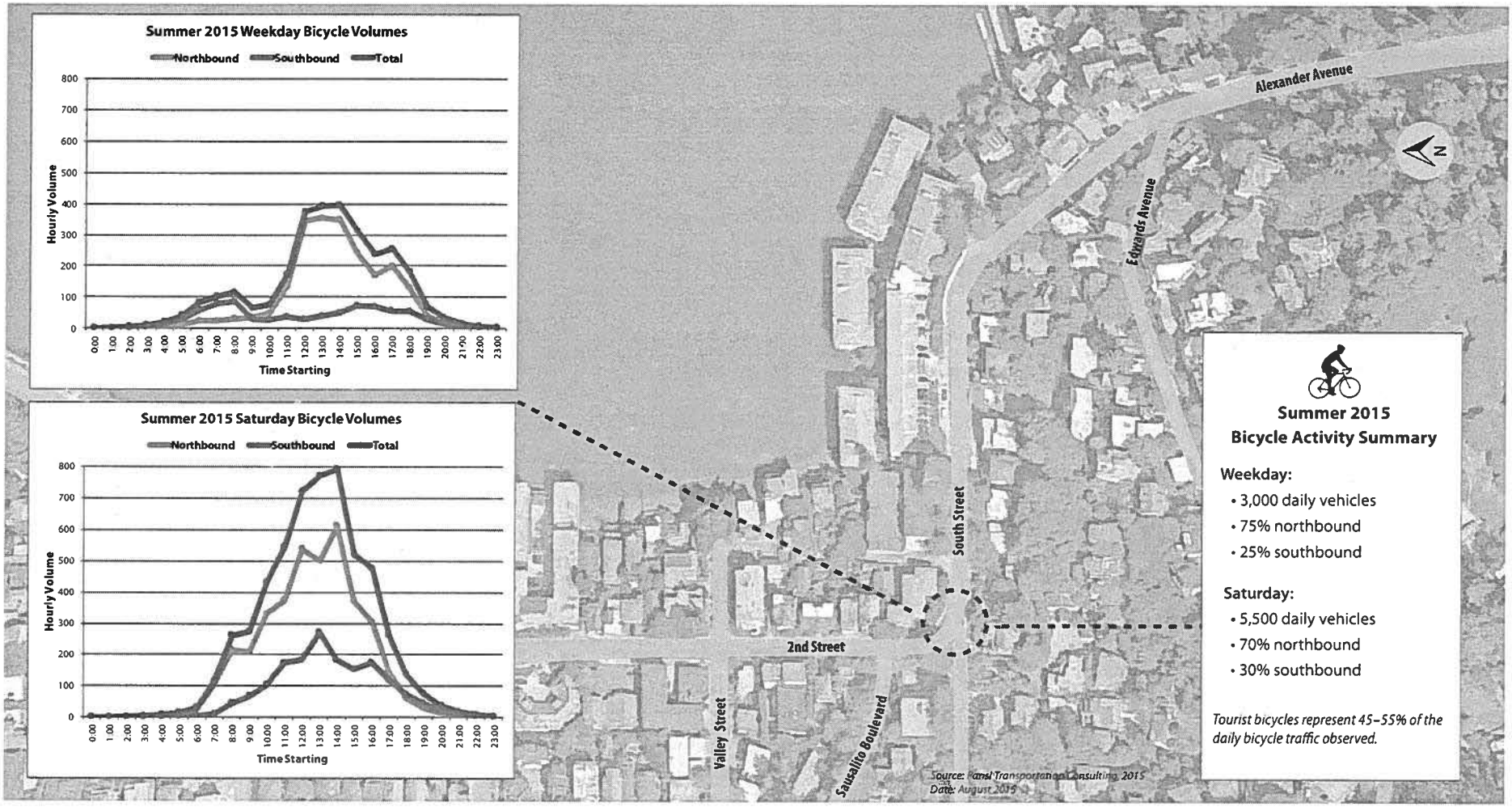
SPRING 2015 BICYCLE VOLUMES



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SUMMER 2015 BICYCLE VOLUMES

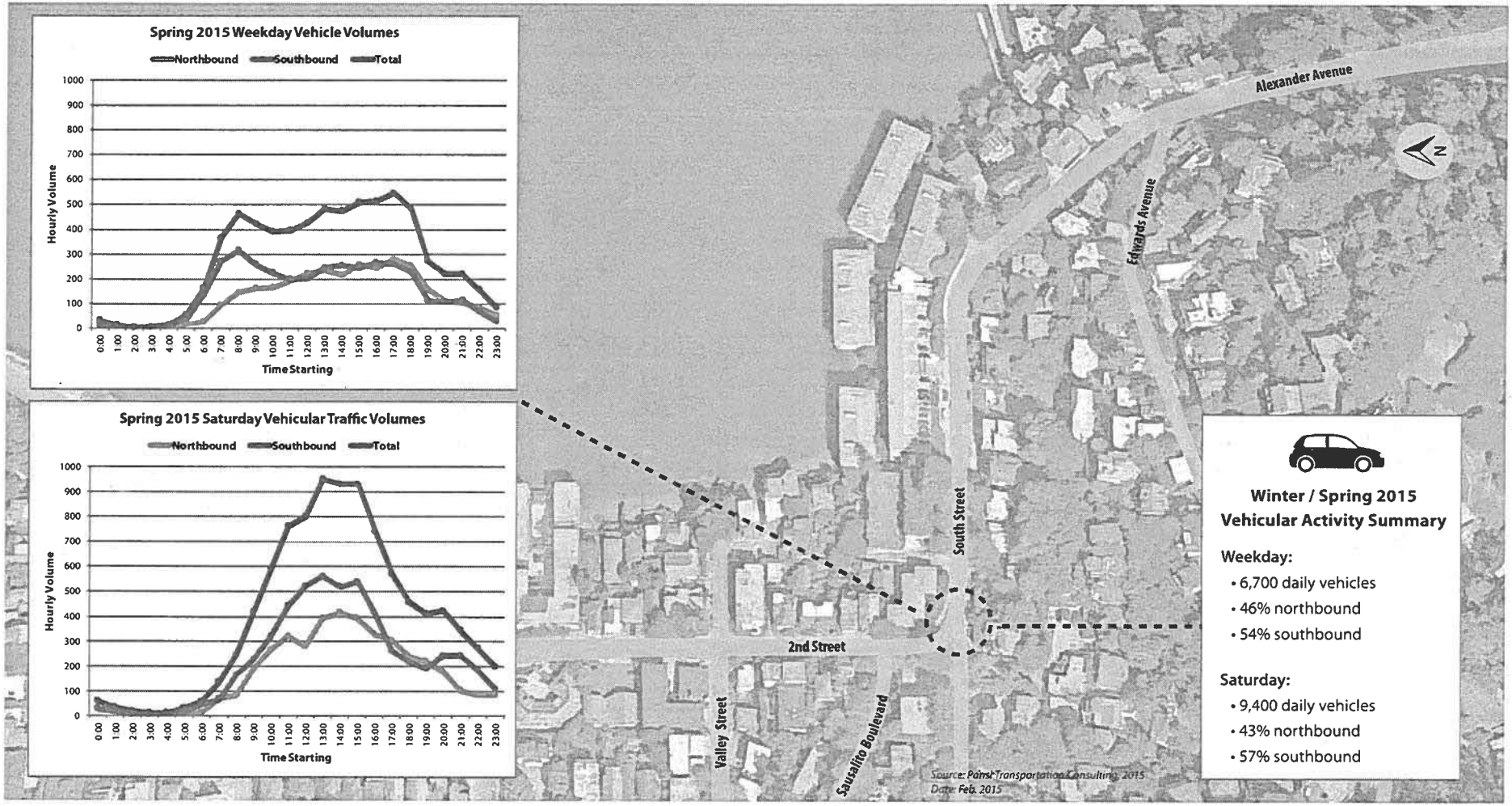
MOTORISTS

Spring 2015 weekday traffic counts showed approximately 6,700 daily vehicles, with a peak hourly volume of between 500 and 600 (5 to 6 p.m.). Summer 2015 weekday traffic was higher than the spring, with a recorded 7,200 daily vehicles and a peak hourly volume of nearly 700 vehicles (12–1 p.m.).

The spring 2015 Saturday traffic counts recorded nearly 9,400 daily vehicles, with a peak hourly volume of 950 vehicles (1–2 p.m.). Traffic activity declined in summer 2015 to approximately 8,500 daily vehicles. The peak summer hourly count was between 950 and 1000 vehicles, and occurred from 2 to 3 p.m.

Tour buses typically make 25 or more one-way trips per day through the South Gateway corridor. They are allowed on northbound (downhill) South Gateway corridor streets, but are required by city ordinance to exit the city via northbound Bridgeway at Highway 101.

Vehicular traffic on South Street, facing east.



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WINTER/SPRING 2015 VEHICLE VOLUMES

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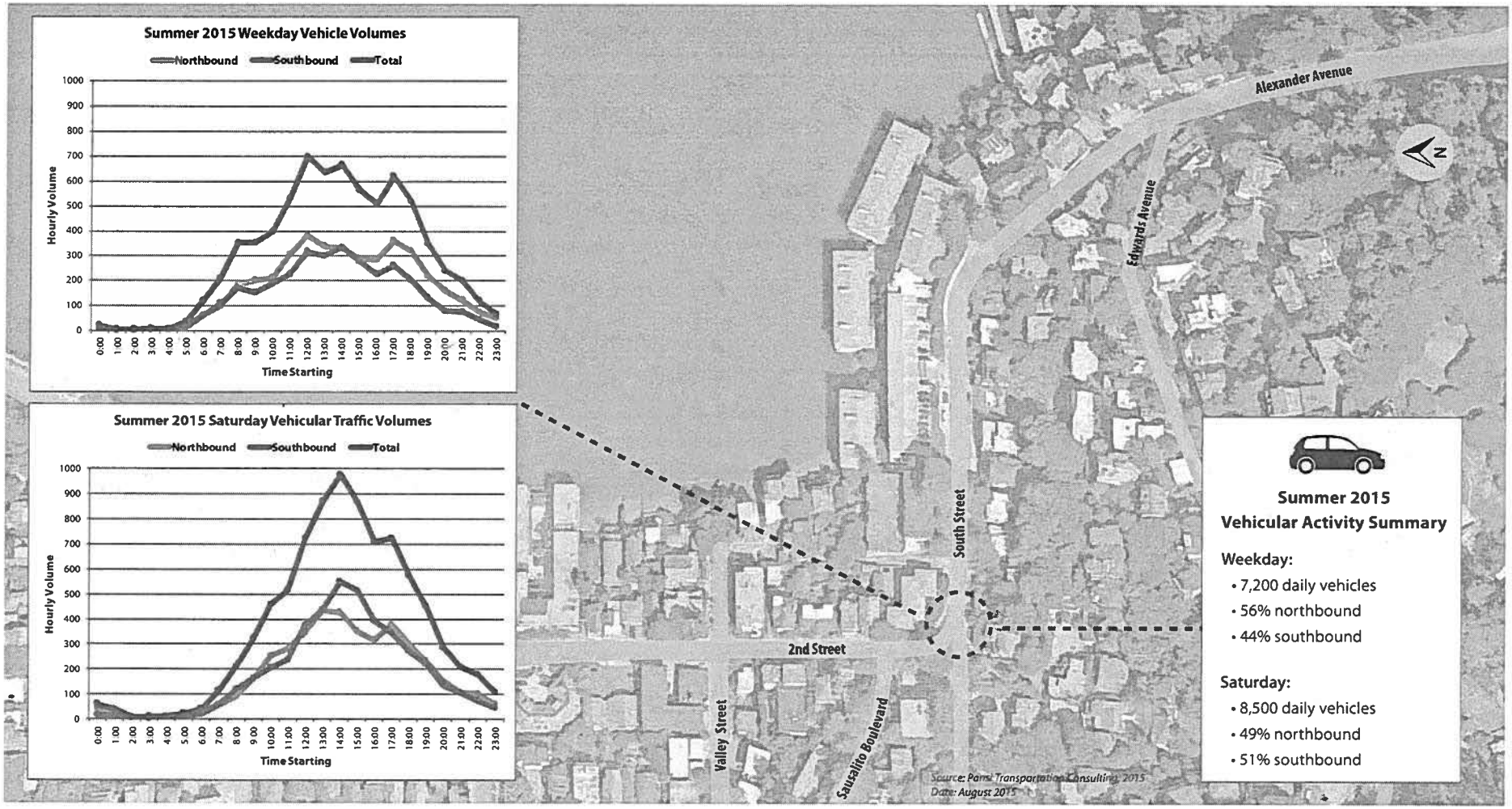

City of Sausalito South Gateway Complete Street Study

SUMMER 2015 VEHICLE VOLUMES

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Existing Conditions Overview

The following section summarizes the physical conditions of the streets comprising the South Gateway corridor. The assessment notes the facilities available to pedestrians, bicyclists, and motorists on each street, and identifies potential barriers to access and/or deficient conditions. A review of reported crashes that have occurred along the South Gateway corridor over the past five years is presented. The section concludes with a summary assessment of "multimodal hotspots" where intermodal conflicts and crashes have been reported.

Pedestrian Facilities

Sidewalks

There are sidewalks present along Richardson Street, Second Street, and South Street. In general, the sidewalks on the north side of Richardson Street are wider than those on the south side (eight feet versus five to eight feet wide). Sidewalks on the west side of Second Street, where there are retail businesses, are wider than those on the east side, which is primarily residential use (five to eight feet versus five to six feet wide). The sidewalks narrow progressively on South Street, where they range between four and five feet on both sides. The sidewalk on the south side of South Street terminates at a raised curb near where South Street transitions into Alexander Avenue. The sidewalk on the north side of South Street transitions onto Alexander Avenue via a laminate board path.

There are driveway curb cuts present on Richardson, Second, and South streets. Nearly all driveways were designed without a level path of travel through or behind the driveway ramp. As such, nearly all sidewalk driveways have cross-slopes in excess of the ADA standard of two percent cross-slope.

Alexander Avenue within the city limits lacks sidewalks. The shoulder on the east side of the street narrows considerably or is not present due to fronting homes and residential driveways. The shoulder on the west side of Alexander is similarly narrow due to the existing hillside. Alexander Avenue outside the city limits has six to eight-foot wide paved shoulders. Pedestrians share this shoulder with bicyclists when walking to/from the bus stop at East Road, Fort Baker and the Golden Gate Bridge.

Curb Ramps and Crosswalks

Second Street is the only segment of the South Gateway corridor where pedestrians have marked crosswalks and curb ramps to cross the major traffic flows. There are marked crosswalks across Second Street at Main Street, and curb ramps from each of the four corners, although none appear to conform to current ADA standards for level landings and ramp slopes.

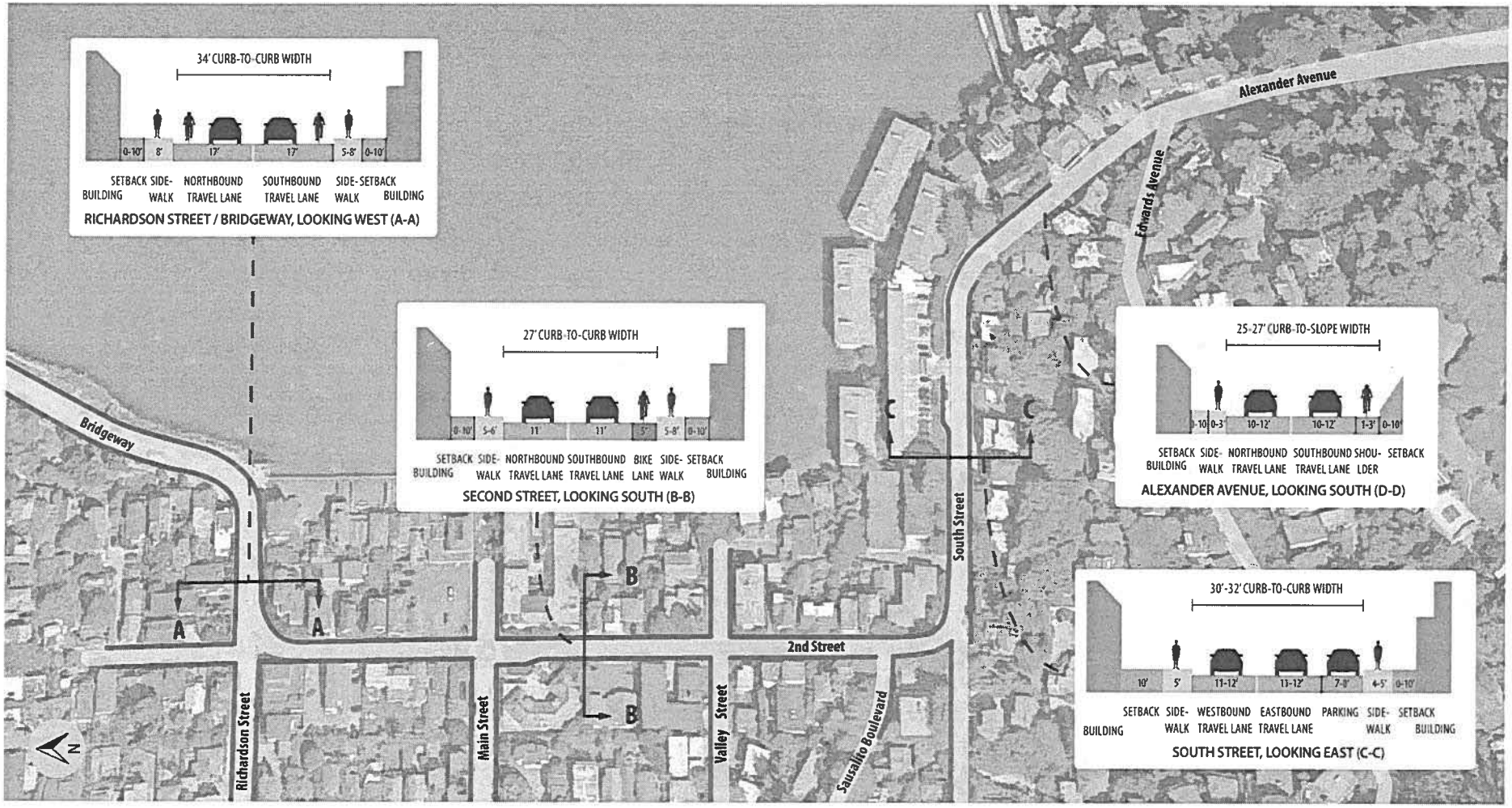
The City installed a marked crosswalk across Second Street at Valley Street in the summer of 2015; however, the northwest and southwest corners currently lack curb ramps.

There are no other marked crossings or curb ramps along the South Gateway corridor streets to facilitate pedestrian movement across the major direction of traffic.

Accessible Path of Travel

Due to the absence of curb ramps and sidewalk obstructions in several locations, people that use wheelchairs or have mobility impairments are limited from traveling on the west side of Second Street between Valley Street and South Street, and from the entire south side of South Street.

The following figures present the typical cross-sections and existing pedestrian infrastructure located on South Gateway corridor streets.



City of Sausalito South Gateway Complete Street Study

TYPICAL ROADWAY CROSS-SECTIONS

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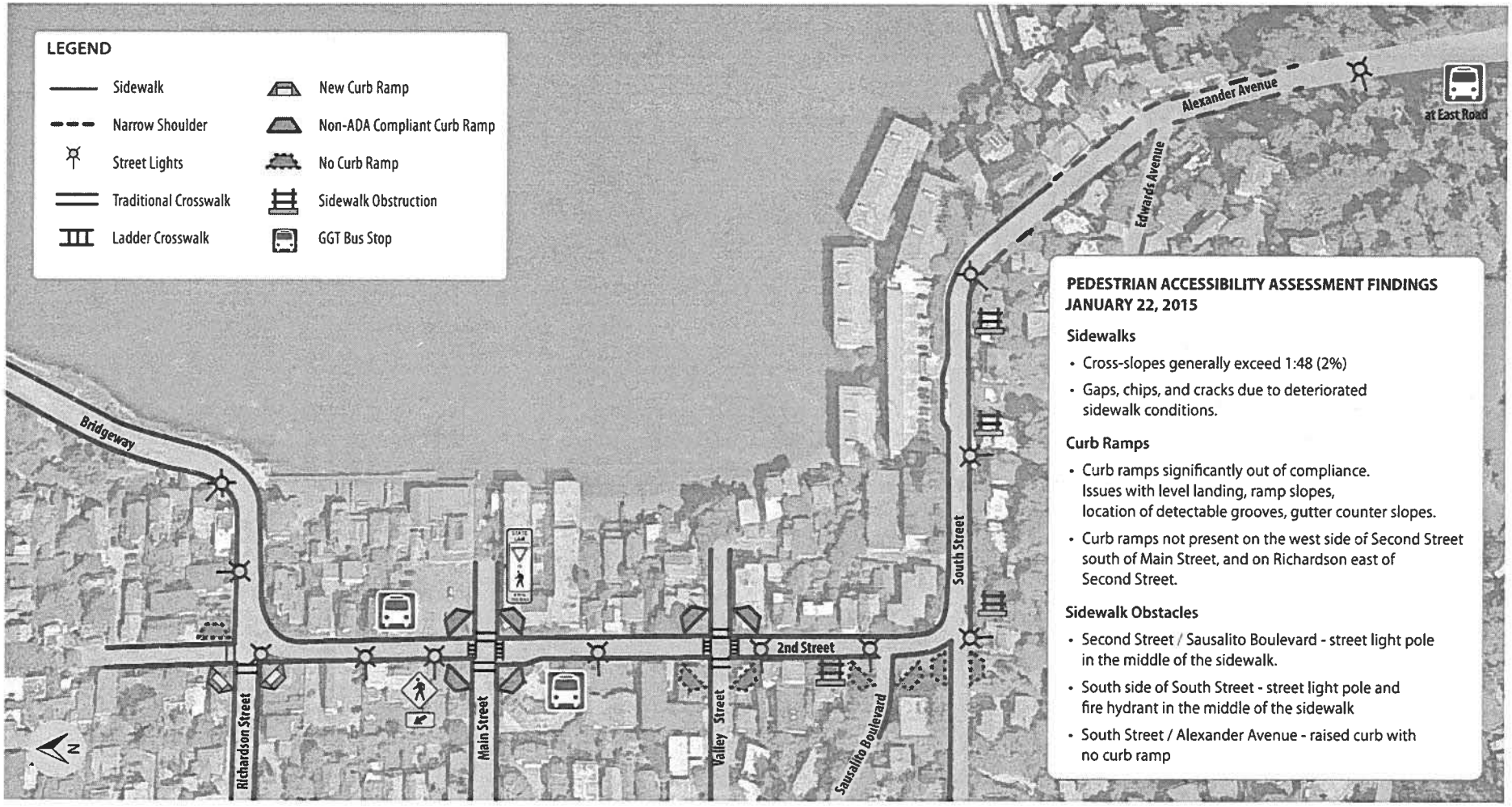

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PEDESTRIAN CONDITIONS

Bicycle Facilities

Bicyclists riding uphill in the southbound direction originate from a shared lane facility (Class III bicycle route) on Bridgeway. The shared lane facility continues onto Richardson Street and the first half-block of Second Street, from which it transitions into an on-street bicycle lane (Class II). The route resumes as a shared lane facility where Second Street meets South Street. The four foot wide roadway shoulder that begins at Alexander Avenue is not a designated bicycle facility, but is frequently used by bicyclists.

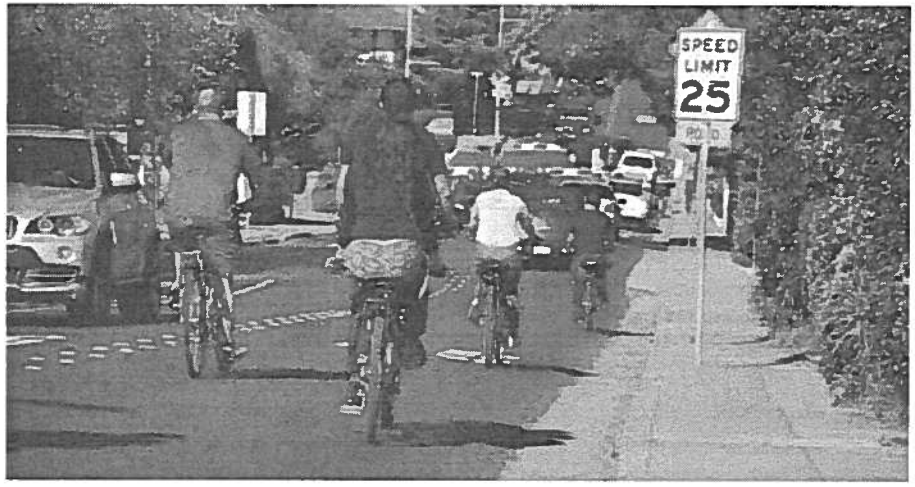
Bicyclists riding downhill in the northbound direction originate from the shoulder on Alexander Avenue outside the city limits. Within city limits, the shoulder on Alexander Avenue is discontinued and bicyclists share the roadway with automobiles. The shared lane condition continues in the northbound direction for the remainder of the South Gateway corridor through South Street, Second Street, Richardson Street, and Bridgeway.

Conflicts between motorists and bicyclists are less frequent in the southbound (uphill) direction due to several reasons. Uphill bicyclists have a dedicated bike lane and a painted shoulder in several sections of the corridor, which allows motorists to pass. Bicyclists are also easier to pass in the uphill direction because of their lower and more consistent travel speed, and tendency to ride in a single file. There are five to six times fewer bicyclists in the southbound direction.

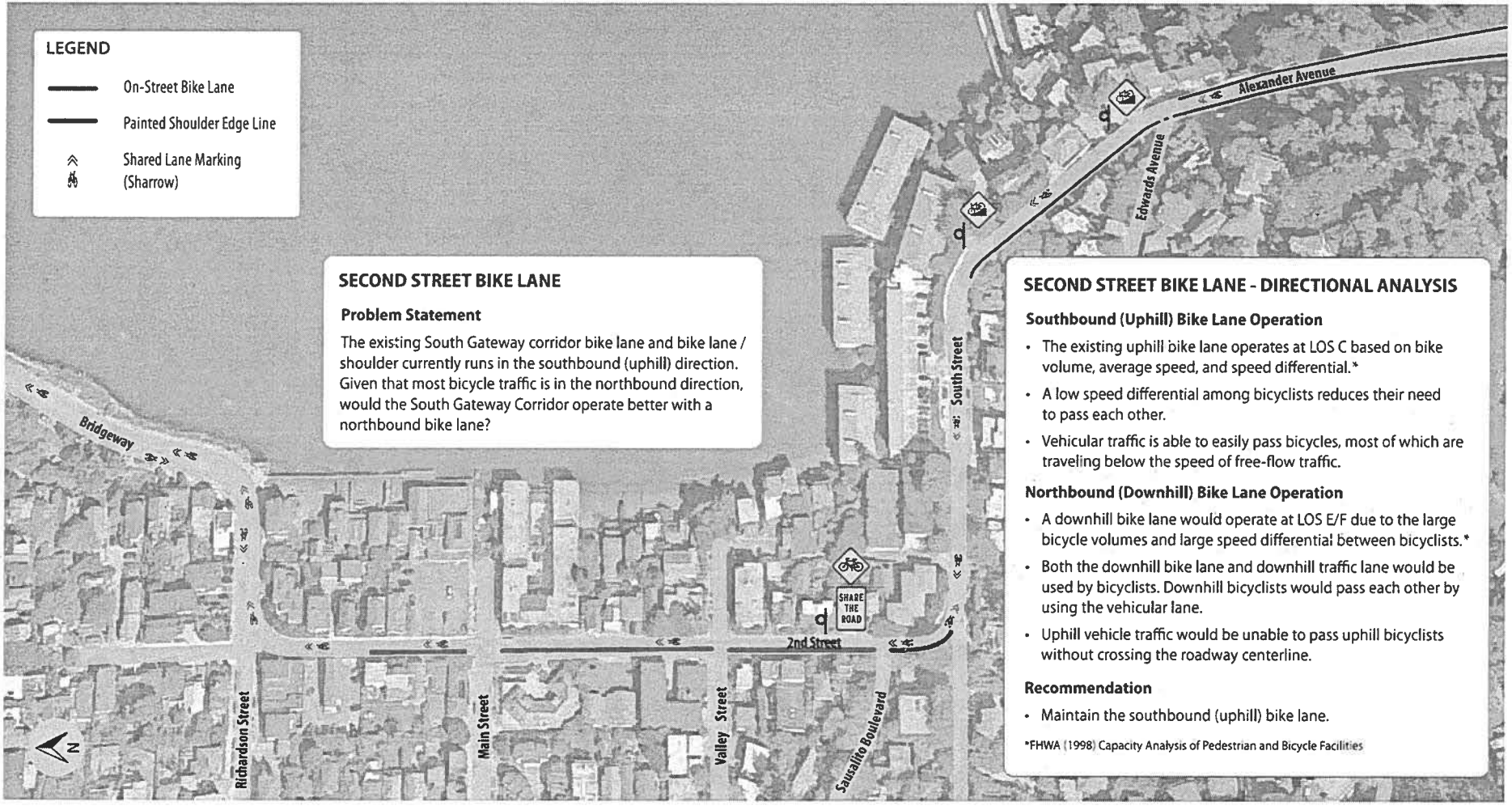
Conversely, conflicts between motorists and bicyclists are more frequent in the northbound (downhill) direction. The predominant flow of bicycle traffic is in the downhill direction, as many tourist bicyclists make a one-way pedaling trip, and later take a ferry back to San Francisco. However, there is no dedicated bicycle facility for the entirety of the downhill route. Although experienced bicyclists can keep pace or exceed the speed of vehicular traffic, there are also inexperienced recreational and tourist riders that are not comfortable traveling at vehicular travel speeds. In general, however, the combination of bicyclists' higher travel speeds and the lack of a dedicated bicycle facility makes passing more difficult, but often less necessary, for motorists.

The following figure illustrates the location of existing bicycle facilities, bicycle-related signage and markings, and a discussion on uphill vs. downhill bike lane operation. The detailed directional bike lane analysis is provided in Appendix C.

Bicyclists riding southbound in the Alexander Avenue striped shoulder.



Bicyclists riding northbound in the Second Street shared lane facility.



SECOND STREET BIKE LANE

Problem Statement

The existing South Gateway corridor bike lane and bike lane / shoulder currently runs in the southbound (uphill) direction. Given that most bicycle traffic is in the northbound direction, would the South Gateway Corridor operate better with a northbound bike lane?

SECOND STREET BIKE LANE - DIRECTIONAL ANALYSIS

Southbound (Uphill) Bike Lane Operation

- The existing uphill bike lane operates at LOS C based on bike volume, average speed, and speed differential.*
- A low speed differential among bicyclists reduces their need to pass each other.
- Vehicular traffic is able to easily pass bicycles, most of which are traveling below the speed of free-flow traffic.

Northbound (Downhill) Bike Lane Operation

- A downhill bike lane would operate at LOS E/F due to the large bicycle volumes and large speed differential between bicyclists.*
- Both the downhill bike lane and downhill traffic lane would be used by bicyclists. Downhill bicyclists would pass each other by using the vehicular lane.
- Uphill vehicle traffic would be unable to pass uphill bicyclists without crossing the roadway centerline.

Recommendation

- Maintain the southbound (uphill) bike lane.

*FHWA (1998) Capacity Analysis of Pedestrian and Bicycle Facilities

Facilities

The South Gateway corridor's roadways have a single vehicular travel lane in each direction. The lanes are 10 to 12 feet wide in most sections, with intermittent shoulders. The entirety of the northbound lane is shared with bicyclists, while segments of the southbound lanes have dedicated bike lanes or striped shoulders that serve as bike lanes.

South Gateway corridor streets are not subject to any stop or signal control at their major approaches, i.e., the predominant direction of traffic. The minor street approaches along the corridor are controlled with stop signs.

Speed limits in the South Gateway corridor are 20 to 25 mph. A vehicle speed survey study was completed for the City of Sausalito in 2014 and included three surveys along the South Gateway corridor: Second Street between Richardson Street and South Street, South Street between Alexander Avenue and Second Street, and Alexander Avenue between East Street and South Street. The Engineering and Traffic Survey study recommended a 20 mph speed limit for reasons of bicyclist and pedestrian safety on Alexander Avenue and South Street, and a 25 mph speed limit on Second Street, per the 85th percentile speed.

Parking

On-street parking is not allowed on Alexander Avenue, the north side of South Street, most of Second Street and the south side of Richardson Street. On-street parking is allowed directly in front of the Golden Gate Market at Richardson Street / Bridgeway (approximately 60 feet, or capacity for three cars), and on the south side of South Street between Second Street and Alexander Avenue (12 space capacity). South Street west of Second Street (outside the South Gateway corridor) has 14 parking spaces. There is a loading zone cut-out on the north side of South Street fronting 100 South Street.

The following figures show the existing vehicular signage and on-street parking supply along the South Gateway corridor.

Second Street facing south. Bike lane in the southbound direction.

South Street facing east. On-street parking allowed on eastbound South Street.

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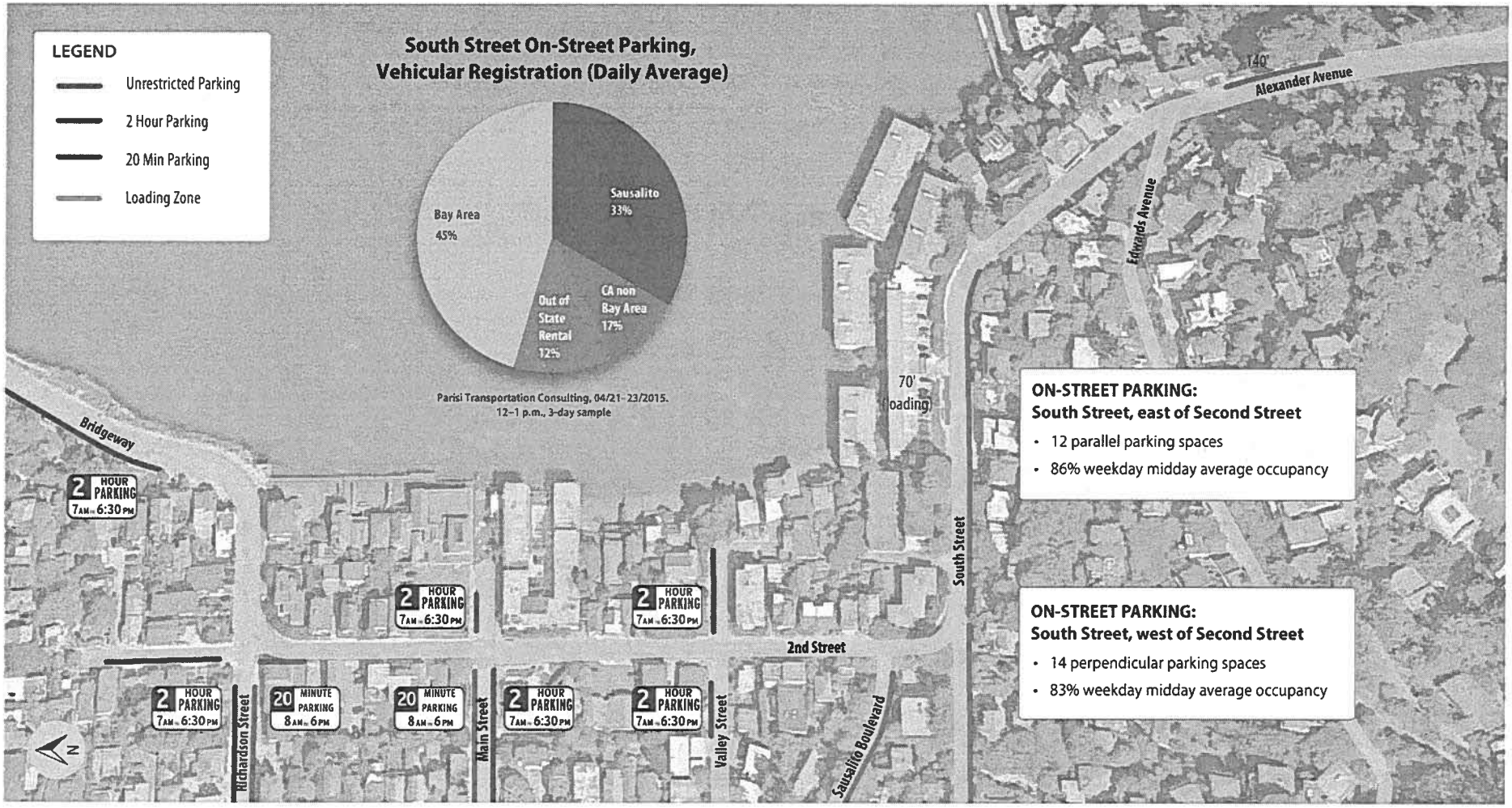
SIGNAGE AND MARKINGS



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2 HOUR PARKING 7AM-6:30PM ON-STREET PARKING

Collisions and Multimodal Hotspots

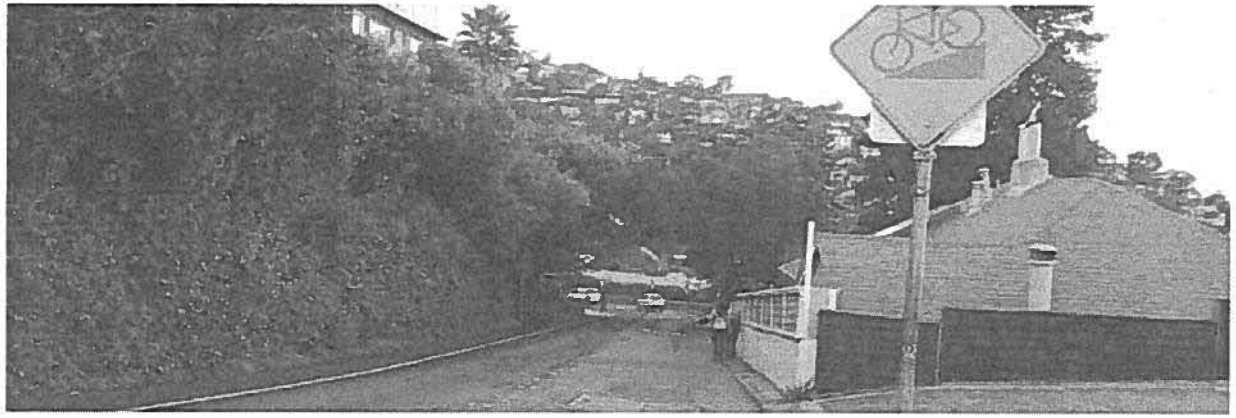
Collision records from 2009 through September 2015 were compiled for the South Gateway corridor streets from records collected by the Sausalito Police Department (2009-2014) and the California Highway Patrol Statewide Integrated Traffic Records System (SWITRS, 2009-2015). Among 56 reported crashes, 24 involved a bicycle. One-half of the bicycle crashes were solo crashes, while the other half involved a motor vehicle. Vehicle-involved crashes most commonly involved another parked vehicle, followed by bicycles, other vehicles, and solo crashes. There were no reported pedestrian-involved crashes during the study period.

Several high crash areas emerged upon mapping the collision records. Second Street is particularly crash-prone with 43 crashes. South Street recorded seven crashes over six years, and Alexander Avenue within the city limits recorded another six crashes.

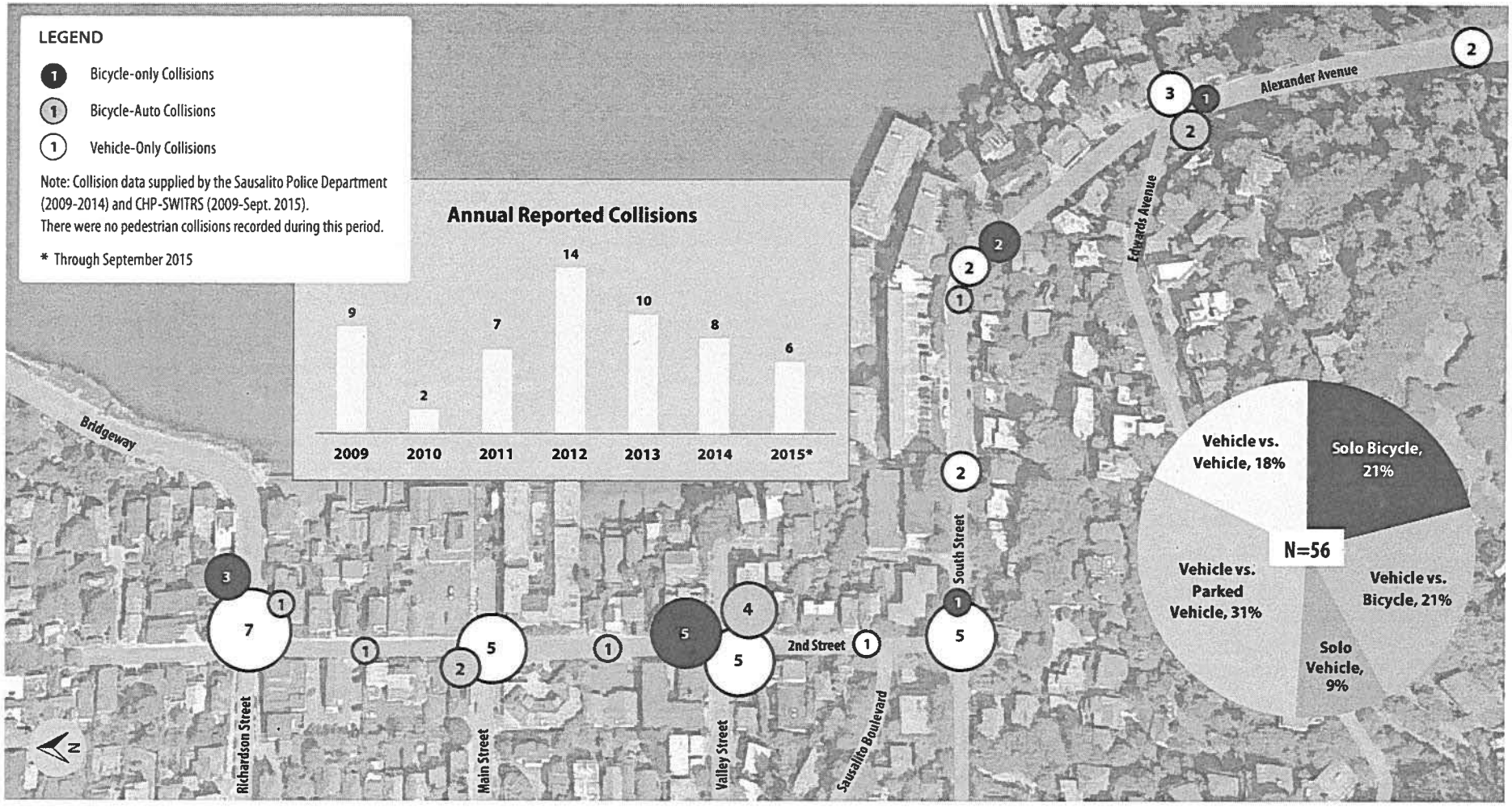
Several "multimodal hotspots" were identified based on the crash concentration, crash characteristics, and the observed conditions at these locations. Although the observed conditions may not necessarily be a recorded cause of a crash at the hotspot, e.g., uncontrolled pedestrian crossings, they may contribute to the complexity of the intersection operations. These multimodal hotspots and the contributing factors were a specific focus when developing improvement concepts, which are presented in the next section.

The Alexander Avenue segment is a particularly constrained area. Appendix D includes a detailed assessment for the section of Alexander Avenue between South Street and the City Limits to identify the existing physical constraints.

Vehicle crossing the centerline to pass bicyclists on northbound South Street.



Pedestrians walking on northbound Alexander Avenue .



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COLLISION HISTORY (2009-2015)

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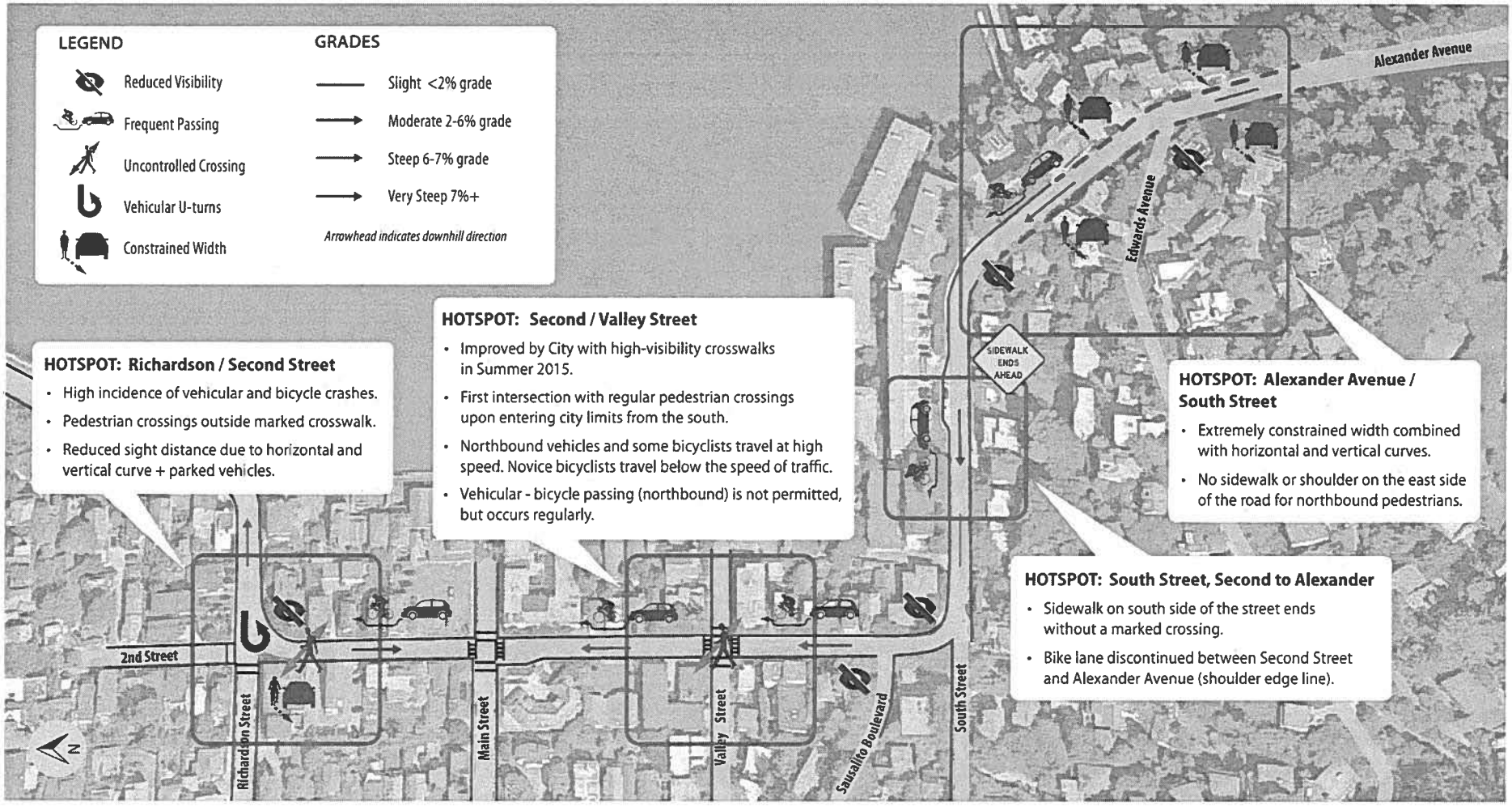

City of Sausalito South Gateway Complete Street Study

MULTIMODAL HOTSPOTS

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Improvement Concepts

This section presents drawings that illustrate the recommended improvement concepts for the South Gateway corridor streets. These plans were developed based on the following methodology:

Existing Conditions Assessment

As presented in the previous section, this study began with a detailed data collection effort to assess the existing use among pedestrians, bicyclists and motorists. Twenty-four hour and peak hour counts were collected on both weekdays and Saturdays in spring and summer 2015. The physical conditions of the South Gateway corridor were assessed through multiple field visits, including an accessibility assessment with a Certified Access Specialist, a topographic survey at Second and Richardson streets, and a boundary survey at Alexander and South streets. Lastly, traffic collisions occurring in the South Gateway corridor over the past six years were analyzed to find common locations and crash factors. These data were combined to identify multimodal hotspots needing safety and access improvements.

Design Development

Initial improvement concepts were developed in consultation with City staff to address issues related to access and safety. Access-related measures address issues like sidewalks needing repair or reconstruction, obstructions in the pedestrian path of travel, and new curb ramps. Safety-related improvements address crash factors identified in the multimodal hotspot analysis; these improvements would alter the existing roadway cross-section and/or introduce new control measures and crossings that do not currently exist. These concepts include treatments like new crosswalks and flashing beacons, new bike lanes, sidewalk gap closures, and roadway widening.

Design Review and Refinement

Design concepts were reviewed with the Sausalito Public Works Department over the course of several months. Refined improvement concepts were presented to the Sausalito Pedestrian and Bicycle Advisory Committee (BPAC) in spring and then again in summer 2015. Recommendations received from staff and the BPAC were used to develop the Staff-Recommended Concepts. Each concept is discussed in detail in this chapter.

No Action Outcome

Expected outcomes from a course of no action for the South Gateway corridor could include:

- Increased illegal behavior by motorists, pedestrians, and bicyclists, such as
  - Vehicular passing of bicyclists on northbound Second Street,
  - Increased numbers of bicyclists illegally riding on the sidewalk,
  - Increased numbers of pedestrians crossing outside marked crosswalks
- Increased frequency and severity of traffic collisions,
- Potential lawsuit for failure to meet Americans with Disabilities Act (ADA) standards for accessible design in the public right-of-way,
- Incongruity with planned improvements for Alexander Avenue by the National Park Service and Golden Gate National Recreation Area.

Additional Design Consideration: Special Setback

The Sausalito Municipal Code calls for establishing special setbacks along designated streets to provide space for light, air, safety, circulation, and visual amenity. Section 10.40.070 E of the Sausalito Municipal Code calls for a 10-foot special building setback line for the roadway segments that make up the South Gateway corridor, namely:

- Alexander Avenue,
- South Street from Alexander Avenue to Second Street,
- Second Street from South Street to Richardson Street, and
- Richardson Street from Second Street to Bridgeway.

Where there would be substantial improvements to properties fronting these roadway segments, the SMC would require setting back buildings by 10 feet, measured at right angles from the property line.

The Staff-Recommended Concepts for the South Gateway, as proposed, would not require any property alterations based on the special building setback requirement.

SEGMENT 1: RICHARDSON STREET, BRIDGEWAY TO SECOND STREET

Staff-Recommended Concept

The following improvements would address existing deficiencies in the sidewalk and curb ramps.

- **Sidewalks:** Reconstruct sidewalks on the north side of Richardson Street to eliminate or reduce driveway cross-slopes in excess of two percent (1:48). Repair sidewalk gaps, chips, and cracks.
- **Curb ramps:** Install new curb ramps at the northeast, northwest and southwest corners of the Richardson Street / Second Street intersection. Correct curb ramp deficiencies such as slopes in excess of 8.33% (1:12), flare slopes in excess of 10% (1:10), and level landing slopes in excess of 2% (1:48).

Furthermore, the Richardson Street / Second Street intersection would benefit from measures to slow traffic, prevent U-turns, and allow for safe pedestrian crossings. The Staff-Recommended Concept would install a marked crosswalk with the following components.

- **Marked crosswalk:** Install high-visibility crosswalk markings.
- **Pedestrian / bicycle refuge islands:** Channelize vehicles on Richardson Street and Second Street, and provide a refuge for crossing pedestrians, by constructing a six-foot wide refuge island with raised curbs.
- **Pedestrian / bicycle crossing warning signs with RRFB:** Provide pedestrian / bicyclist crossing warning signage and pedestrian / bicyclist-activated flashing beacons facing northbound Second Street and westbound Richardson Street to slow approaching traffic.
- **Bulb-out and curb ramps:** Install a bulb out at the southwest corner. Install curb ramps at the southwest and southeast corners within the new crosswalk.

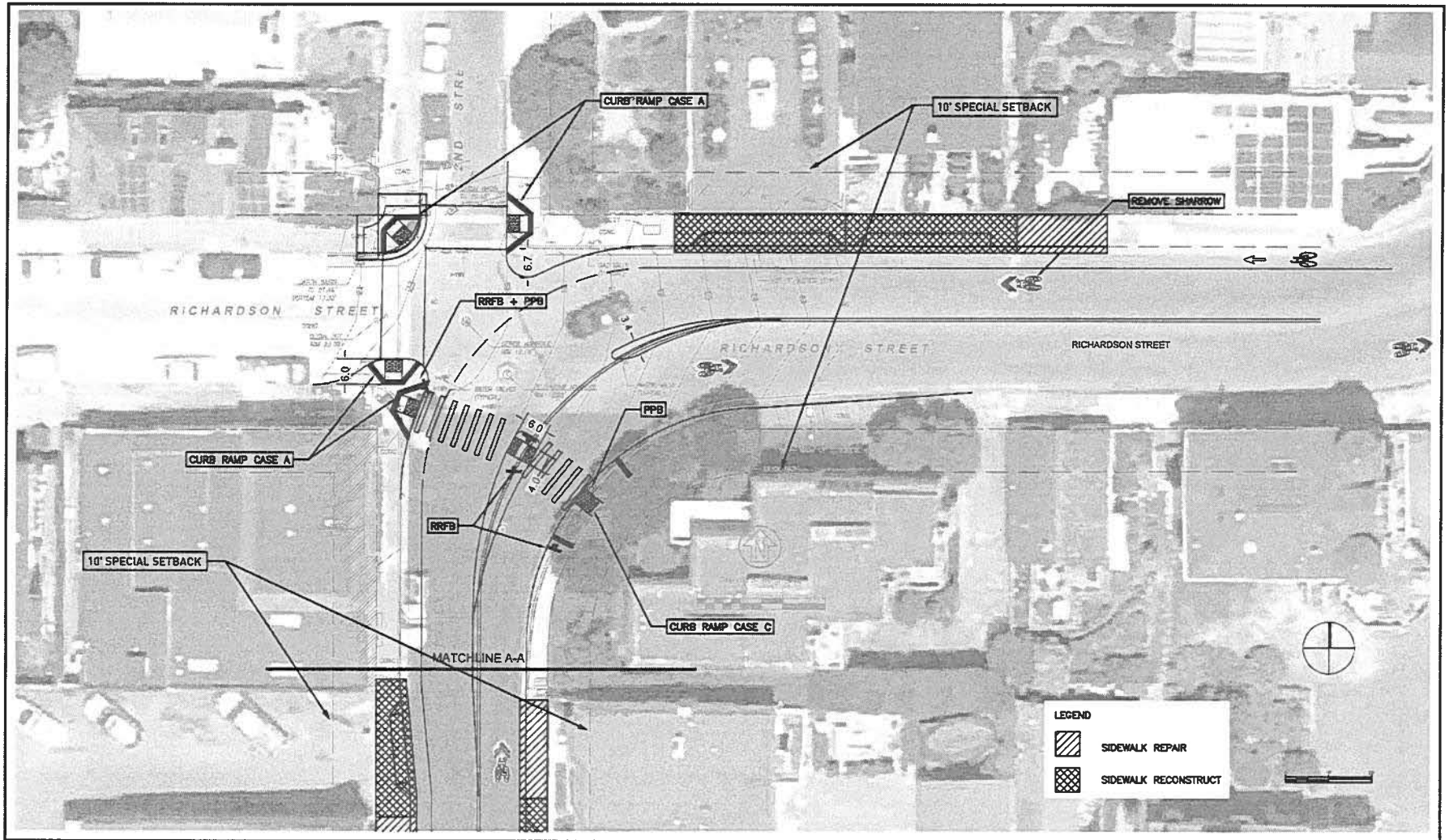
The estimated cost for the Staff-Recommended Concept is $144,000.

CONCEPT NOT RECOMMENDED – RICHARDSON / SECOND STREET ROUNDABOUT

A single lane roundabout able to accommodate a 40-foot bus (90-100-foot inscribed diameter) was found to exceed the available right-of-way at the intersection and would have negatively impacted existing buildings.

CONCEPT NOT RECOMMENDED – RICHARDSON / SECOND STREET ALL-WAY STOP AND TRAFFIC SIGNAL

The traffic volumes from minor street approaches do not satisfy California Manual on Uniform Traffic Control Devices (CA MUTCD) warrants for all-way stop control or signal control.



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SOUTH GATEWAY COMPLETE STREET PROJECT
SECOND STREET / RICHARDSON STREET / BRIDGEWAY, STAFF-RECOMMENDED CONCEPT

REVISIONS

1 OF 4

SEGMENT 2: SECOND STREET, RICHARDSON STREET TO SOUTH STREET

Staff-Recommended Concept

The following improvements would address existing deficiencies in the sidewalk and curb ramps, remove sidewalk obstructions, and improve the existing marked crosswalks.

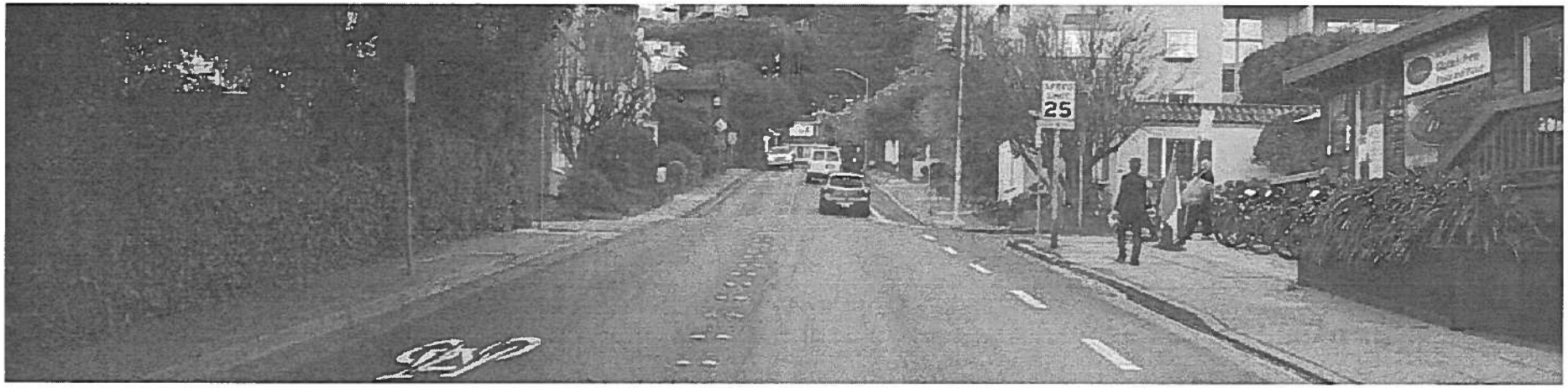
- **Sidewalks:** Reconstruct sidewalks on both sides of Second Street to eliminate driveway cross-slopes in excess of two percent (1:48). Repair sidewalk gaps, chips, and cracks.
- **Curb ramps:** Correct curb ramp deficiencies where curb ramps exist, and install curb ramps where none exist, at the following locations.
  - Northwest, southeast, and southwest corners of Second Street / Main Street.
  - All four corners of Second Street / Valley Street.
  - Northwest and northeast corners of Second Street / Sausalito Boulevard.
  - Northwest corner of Second Street / South Street.
- **Pedestrian / bicycle crossing warning signs:** Provide pedestrian / bicyclist crossing warning signage or supplement existing signage in the northbound and southbound directions of Second Street at its intersections with Main Street and Valley Street. Consider providing flashing beacons if warranted by pedestrian and bicyclist crossing volumes.
- **Sidewalk obstruction:** Relocate existing street light pole at the northwest corner of Second Street / Sausalito Boulevard such that it does not impede the pedestrian path of travel.
- **Bus pull-out (by others):** Construct a northbound bus pull-out at the northeast corner of the Second Street / Main Street intersection, as part of the frontage improvements by an adjacent development. Construct a curb ramp as part of this improvement.

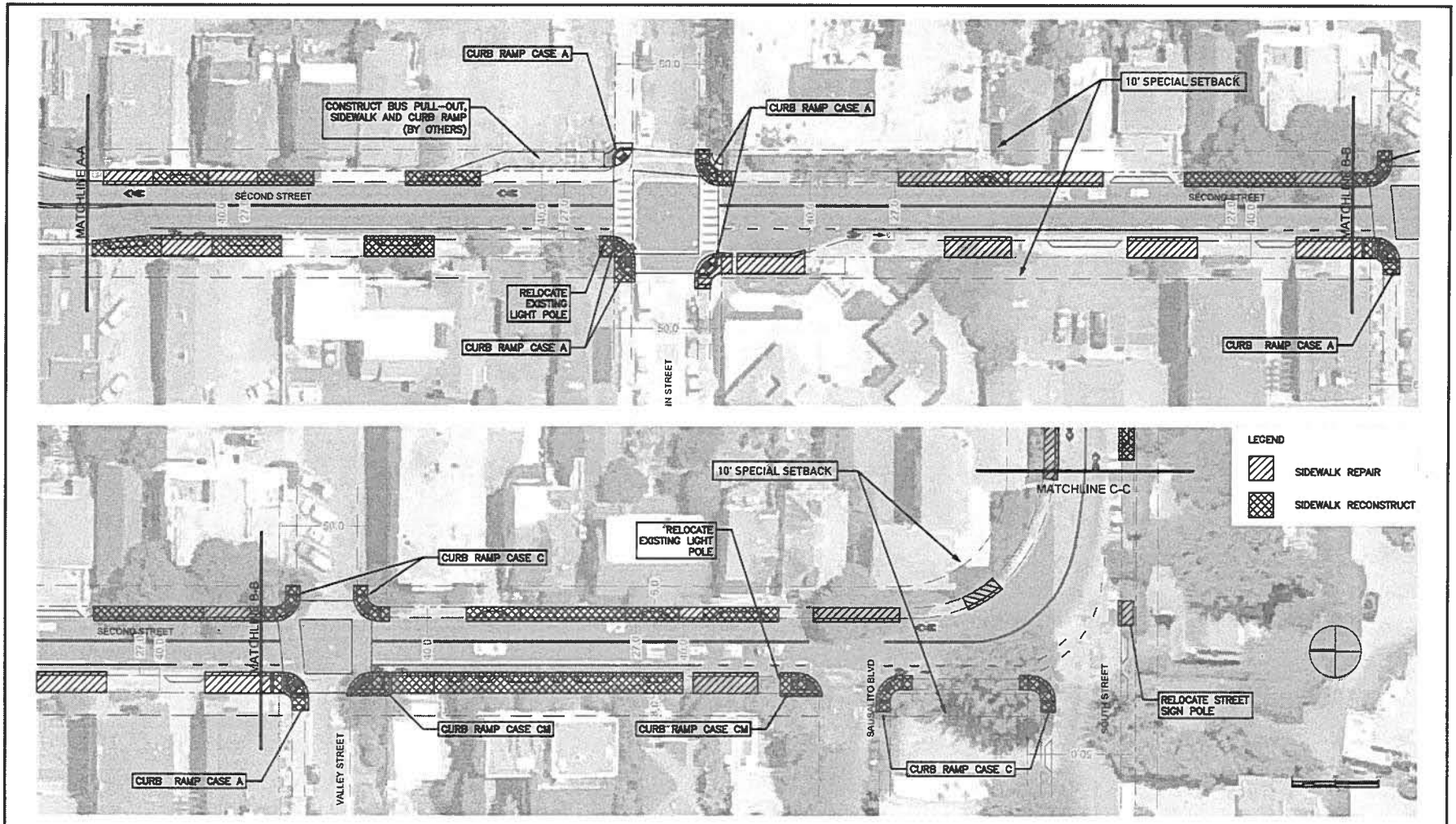
Second Street has as right-of-way width of 40 feet, which is typically arranged as two 11-foot lanes and a five-foot bike lane (27 feet curb-to-curb width), a five-foot sidewalk on the east side, and an eight-foot sidewalk on the west side (40-foot Right of Way). Given the right-of-way constraints and built-out nature of the Second Street corridor, this study does not propose any additional concepts that would alter the existing cross-section.

The estimated cost for the Staff-Recommended Concept is $519,000.

CONCEPT NOT RECOMMENDED – NORTHBOUND ONLY BIKE LANE

Changing the arrangement of the existing bike lane from southbound (uphill) to northbound (downhill) was considered based on the larger share of northbound bicycle traffic. However, this concept was deemed inferior based on the analysis presented in the previous section, which found that a five-foot lane in the northbound direction would be insufficient to handle the volume of northbound bicycle traffic. Eliminating the southbound bike lane would create additional problems for uphill traffic, which would be unable to pass slower uphill bicycle traffic.





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SOUTH GATEWAY COMPLETE STREET PROJECT
SECOND STREET, STAFF-RECOMMENDED CONCEPT

REVISIONS

2 OF 4

SEGMENT 3: SOUTH STREET, SECOND STREET TO ALEXANDER AVENUE

Staff-Recommended Concept

Most of the sidewalks along South Street are four to five feet wide, with no setback from the edge of roadway or parking lane. The residential driveways on the south side of South Street create in cross-slope conditions without an alternative level path behind the ramp apron. Existing street light poles and a fire hydrant obstruct the sidewalk on the south side of the street. The north side of South Street generally conforms to accessibility standards, but the nearest marked crossing across South Street is 600 feet away from mid-block South Street at Valley Street. South Street is a gap in the southbound bike lane that extends between Second Street and the striped shoulder on Alexander Avenue.

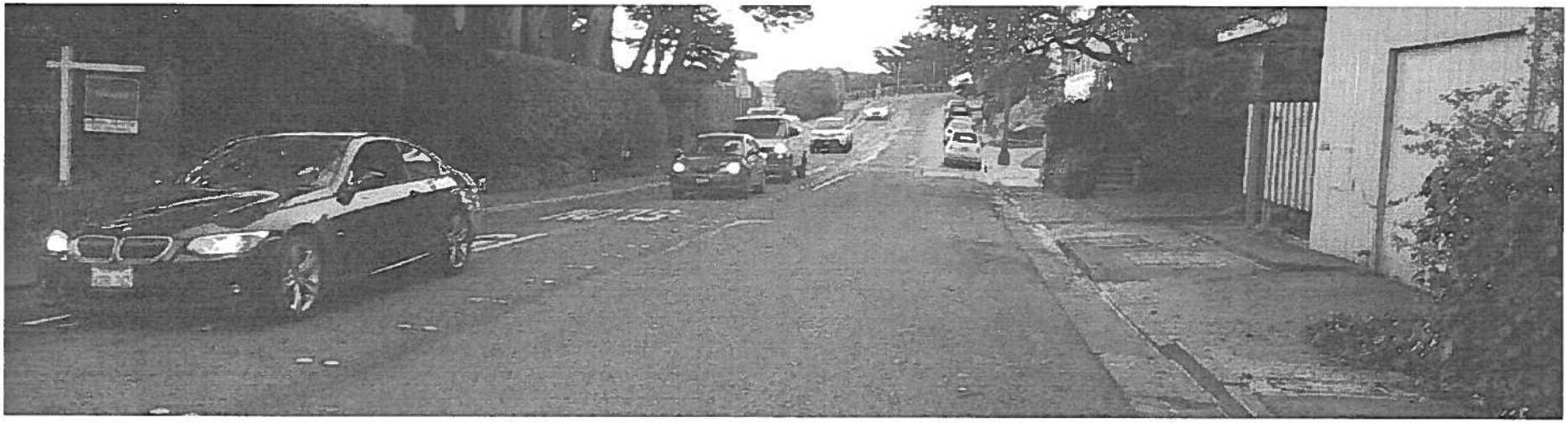
The Staff-Recommended Concept would resolve these issues with the following improvements:

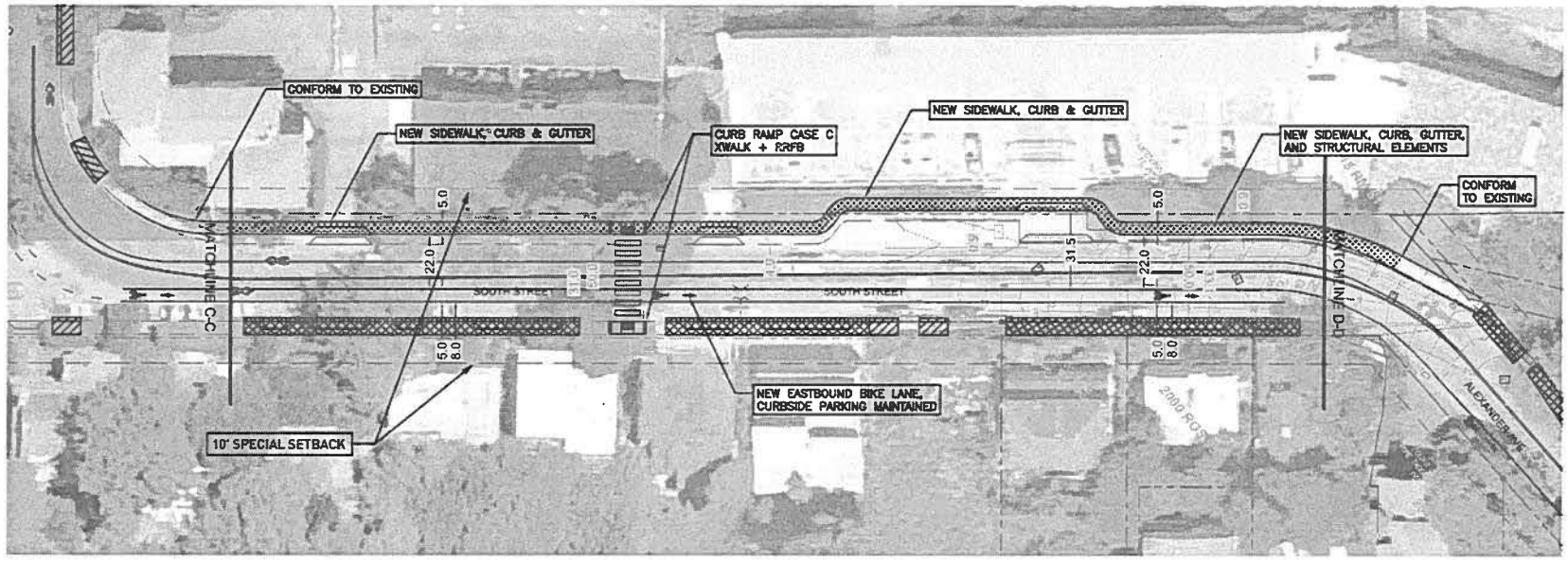
- **Sidewalks:** Reconstruct sidewalks on the south side of South Street to eliminate or reduce driveway cross-slopes.
- **Roadway widening:** Widen South Street by six feet to the north. Reconstruct the existing sidewalk, curb, and gutter on the north side of South Street as part of this roadway widening. Complete the existing southbound bike lane between Second Street and Alexander Avenue.
- **Midblock crosswalk:** Provide a midblock South Street crosswalk to allow pedestrians on the south side of South Street to reach the north side walkway that continues onto Alexander Avenue. The location shown on the conceptual plan has clear sight lines from both directions of South Street and does not conflict with residential driveways.
  - The high-visibility crosswalk would be supplemented with a pedestrian-activated flashing beacon.
  - The midblock crosswalk has the added benefit of signaling to northbound motorists and bicyclists on the South Gateway corridor that there is cross-traffic ahead.

The estimated cost for Staff-Recommended Concept is $445,000.

CONCEPT NOT RECOMMENDED – PARKING REMOVAL FOR EASTBOUND BIKE LANE

An alternate measure to widening South Street to provide a southbound bike lane would be to remove the residential parking allowed on the on the south side of South Street. This concept was not pursued because the curbside parking is highly utilized (80–85 percent daytime occupancy, as presented in the previous section) and there are few alternative parking or loading spaces along the corridor.





LEGEND

- SIDEWALK REPAIR
- SIDEWALK RECONSTRUCT
- NEW SIDEWALK, CURB AND GUTTER

Parisi

CITY OF SAUSALITO | TRANSPORTATION AUTHORITY OF MARIN
SOUTH GATEWAY COMPLETE STREET PROJECT
SOUTH STREET, STAFF-RECOMMENDED CONCEPT

REVISIONS

NO.	DESCRIPTION
1	
2	
3	
4	
5	

DATE 11/23/15 | SCALE 1" = 20'
PPG PROJECT NO. 14035
CLIENT CITY OF SAUSALITO
SHEET NO. 3 OF 4

SEGMENT 4: ALEXANDER AVENUE, SOUTH STREET TO CITY LIMITS

Staff-Recommended Concept

There are multiple deficiencies related to multimodal access on Alexander Avenue. At the north end of Alexander Avenue, the five-foot wide laminate board path south of South Street narrows to a two-foot wide sidewalk behind a slightly raised curb (~two-to-three inches). The path of travel further narrows to a one-foot section abutting a wall. The record of survey finds that the wall and portions of the residential unit (64 Alexander Avenue) are within the public right-of-way.

Farther to the south, the east side of Alexander Avenue is fronted by residential driveways behind a slightly raised curb. These driveways generally fail to meet accessibility standards for pedestrian walkways due to driveway cross-slopes, narrow width, and occasional obstructions (e.g., broken pavement and broken utility box covers). The two residences on the west side of Alexander Avenue, south of Edwards Avenue, are accessed from the southbound Alexander Avenue shoulder. Bicyclists currently use this four-foot striped shoulder as a de facto southbound bike lane.

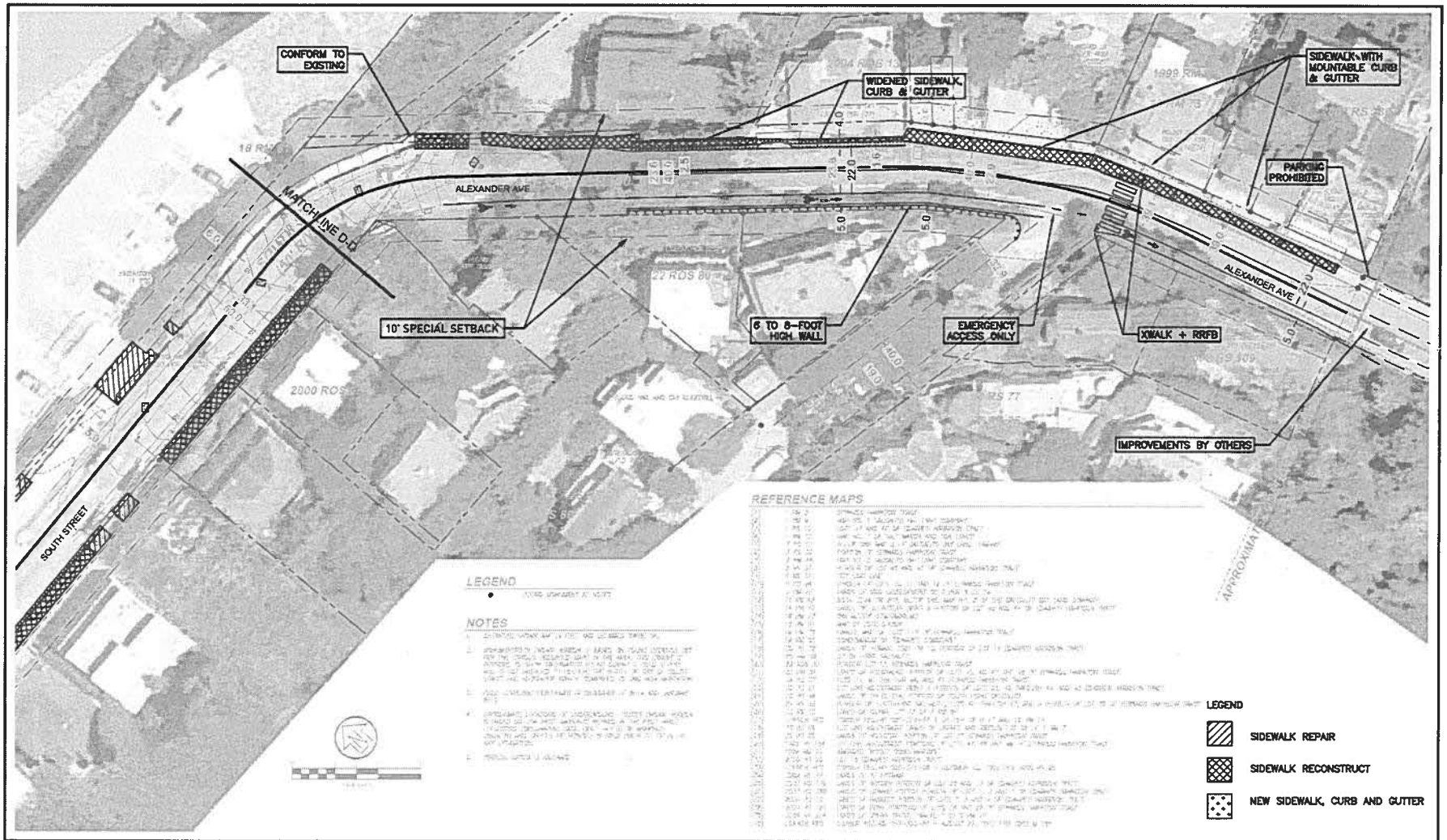
For motorists, traffic approaching Alexander Avenue from Edwards Avenue has extremely limited sight distance due to the horizontal curves and vertical crest at the intersection. Edwards Avenue is already limited to one-way eastbound access.

The Staff-Recommended Concept would resolve these issues with the following improvements:

- **Retaining Wall:** Construct a retaining wall on the south side of Alexander Avenue. Widen Alexander four to five feet to the south. Shift the vehicular lanes and shoulder to the south. Retain the shoulder for southbound bicycle traffic.
- **Sidewalks:** Widen the pedestrian path on Alexander Avenue from the City Limits to South Street. Reconstruct the sidewalk to five feet wide by widening to the south. Avoid impacting the properties at 28 and 64 Alexander Avenue. Eliminate or reduce driveway cross-slopes at driveways south of 64 Alexander Avenue.
- **Convert Edwards Avenue to Emergency Access Only:** Prohibit general vehicular access at the Alexander Avenue / Edwards Avenue with a raised barrier and signage.
- **Marked crosswalk:** Provide a high-visibility crosswalk with a pedestrian-activated flashing beacon at the Alexander Avenue / Edwards Avenue intersection. Provide a supplemental advance warning beacon for southbound (uphill) vehicular traffic.

CONCEPT NOT RECOMMENDED – PEDESTRIAN PATH WIDENING TO THE NORTH

An alternate measure to widening Alexander Avenue to the south with a retaining wall would be to widen the pedestrian path to the north; this concept would impact the properties at 28 and 64 Alexander Avenue, would have significant effects on the properties, and incur substantial acquisition costs.



Parisi

CITY OF SAUSALITO | TRANSPORTATION AUTHORITY OF MARIN
SOUTH GATEWAY COMPLETE STREET PROJECT
ALEXANDER AVENUE, STAFF-RECOMMENDED CONCEPT

REVISIONS

4 OF 4

SAUSALITO PBAC REVIEW

The Sausalito Pedestrian and Bicycle Advisory Committee (PBAC) provided key input during the development of this report.

Existing Conditions Analysis, February 17, 2015.

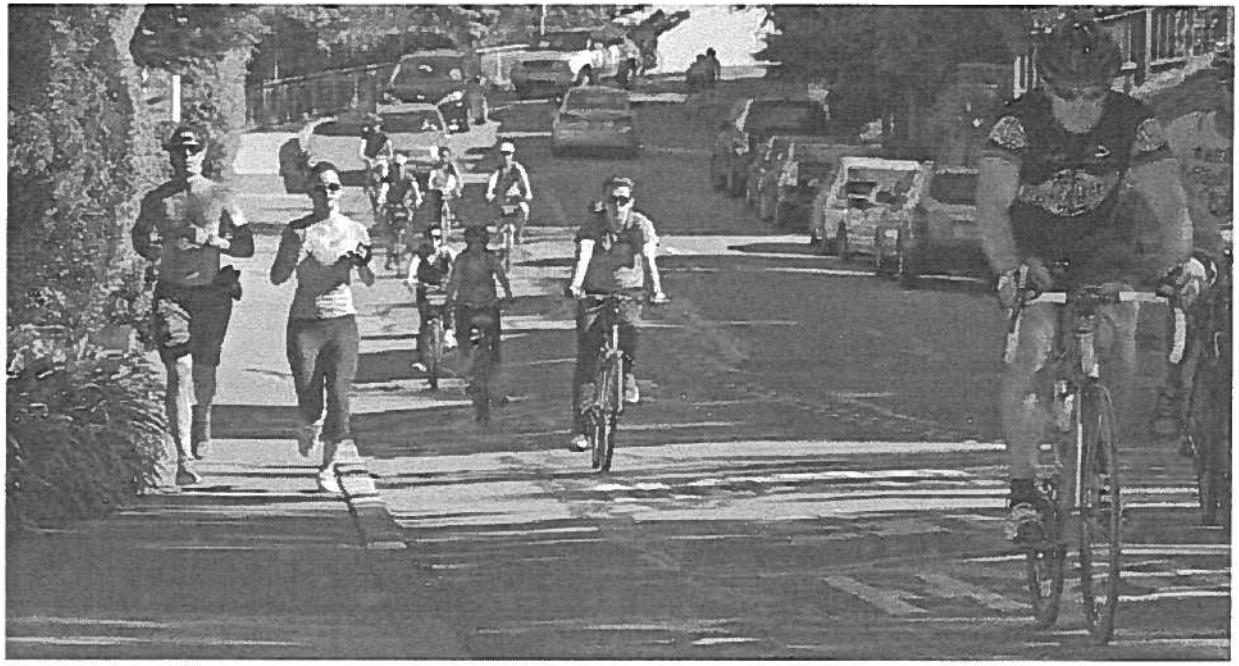
This presentation summarized the physical data collection that occurred in the months prior, including the accessibility assessment, bicyclist demographics based on peak hour samples, collision records through 2014, and preliminary hotspot analysis.

The PBAC directed further study on detailed bicyclist and pedestrian counts, and considerations for a northbound bike lane on Second Street.

Design Alternatives, July 20, 2015.

This presentation summarized the results of detailed multimodal counts collected in March and April 2015 and the improvement concepts presented in this chapter.

The PBAC directed further study on seasonal peak bicycle traffic in addition to the average annual (spring) counts previous collected. PBAC members expressed support for the Staff Recommended Concepts as presented previously in this report.

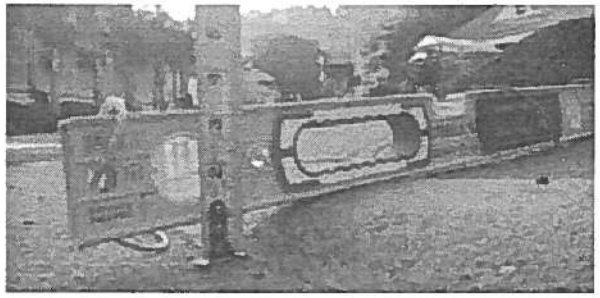


Nearly 1,800 pedestrians, bicyclists, and motorists pass through the South Gateway corridor during the peak hour on summer weekend days.

Planning-Level Cost Estimates

The table to the right presents planning-level cost estimates for the Staff-Recommended Concepts, which total to an estimated $1.76 million. The detailed cost estimates are provided on the following pages. Note that the costs do not include "soft costs", such as those pertaining to:

- Environmental Clearance
- Bonding
- Connection Fees
- Plan Checking Fees
- Agency Fees
- Permits



LOCATION / IMPROVEMENT	SUBTOTAL
Richardson Street, Bridgeway to Second Street	
Staff-Recommended Concept – Sidewalk Rehab, Crosswalk, Bulb-Out and RRFB	$144,000
Second Street, Richardson to South Street	
Staff-Recommended Concept – Sidewalk and Curb Ramp Rehab	$519,000
South Street, Second Street to Alexander Avenue	
Staff-Recommended Concept – Bike Lane Widening, Sidewalk Rehab, Crosswalk, and RRFB	$445,000
Alexander Avenue, South Street to City Limits	
Staff-Recommended Concept – Sidewalk Widening via Retaining Wall	$651,000
TOTAL: Staff-Recommended Concept	**$1,759,000**

Project Cost Estimates

Richardson Street, Bridgeway to Second Street

Staff-Recommended Concept: Crosswalk, Bulb-Out, and RRFB

Prepared by: Parisi Transportation Consulting, November 16, 2015

	CONTRACT ITEMS	UNIT	QUANTITY	PRICE	AMOUNT
1	Mobilization	LS	1	Subtotal	$5,300
				5%	
2	Traffic Control	LS	1	Subtotal	$10,600
				10%	
3	Demolition, Removal and Salvage			Subtotal	$2,800
	Sawcut Pavement	SF	800	$3.50	$2,800
4	Concrete Work and Paving				$72,500
	Sidewalk	SF	800	$25	$20,000
	Curb and Gutter	LF	100	$25	$2,500
	Curb Ramp	EA	2	$7,500	$15,000
	Bulb Out Curb Ramp	EA	2	$15,000	$30,000
	Traffic Splitter Island and Pedestrian Refuge	LS	2	$2,500	$5,000
5	Signs and Pavement Markings				$29,900
	Rectangular Rapid Flashing Beacon Type A (Single Sided)	EA	2	$8,000	$16,000
	Rectangular Rapid Flashing Beacon Type B (Double Sided)	EA	1	$12,000	$12,000
	Crosswalk Striping (Thermoplastic)	SF	300	$5	$1,500
	4" Thermoplastic Striping	LF	400	$1	$400
	TOTAL CONSTRUCTION				$91,200
	DESIGN (PS&E)			18%	$16,500
	CONSTRUCTION ADMINISTRATION			15%	$13,700
	CONSTRUCTION CONTINGENCY			25%	$22,800
	TOTAL PROJECT				$144,200

Second Street, Richardson to South Street

Staff-Recommended Concept: Sidewalk and Curb Ramp Rehab

Prepared by: Parisi Transportation Consulting, November 16, 2015

	CONTRACT ITEMS	UNIT	QUANTITY	PRICE	AMOUNT
1	Mobilization	LS	1	Subtotal	$14,300
				5%	
2	Traffic Control	LS	1	Subtotal	$28,600
				10%	
3	Demolition, Removal and Salvage			Subtotal	$36,500
	Sawcut Pavement	SF	6000	$3.50	$21,000
	Relocate Existing Street Light	EA	2	$7,500	$15,000
	Relocate Existing Street Sign Pole	EA	1	$500	$500
4	Concrete Work and Paving				$248,750
	Sidewalk	SF	6000	$25	$150,000
	Curb and Gutter	LF	950	$25	$23,750
	Curb Ramp	EA	10	$7,500	$75,000
	TOTAL CONSTRUCTION				$328,150
	DESIGN (PS&E)			18%	$59,100
	CONSTRUCTION ADMINISTRATION			15%	$49,300
	CONSTRUCTION CONTINGENCY			25%	$82,100
	TOTAL PROJECT				$518,650

Costs do not include:
- Bonding
- Connection Fees
- Plan Checking Fees
- Agency Fees
- Permits

LEGEND:
LS - Lump Sum
EA - Each
LF - Linear Feet
AL - Allowance
SF - Square Feet

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South Street, Second Street to Alexander Avenue

Staff-Recommended Concept: Crosswalk, Road Widening for Bike Lane + RRFB

Prepared by: Parisi Transportation Consulting, November 16, 2015

	CONTRACT ITEMS	UNIT	QUANTITY	PRICE	AMOUNT
1	Mobilization	LS	1	Subtotal	$11,700
				5%	
2	Traffic Control	LS	1	Subtotal	$23,400
				10%	
3	Demolition, Removal and Salvage			Subtotal	$32,250
	Sawcut Pavement	SF	3500	$3.50	$12,250
	Relocate Existing Street Light	EA	2	$7,500	$15,000
	Relocate Existing Fire Hydrant	EA	1	$5,000	$5,000
4	Earthwork				$12,250
	Clearing and Grubbing	SF	2000	$0.50	$1,000
	Excavation and Grading	CY	225	$50	$11,250
5	Concrete Work and Paving				$176,250
	Sidewalk	SF	3500	$25	$87,500
	Curb and Gutter	LF	700	$25	$17,500
	Curb Ramp	EA	2	$7,500	$15,000
	Install AC Pavement	SF	2250	$25	$56,250
6	Signs and Pavement Markings				$25,500
	Rectangular Rapid Flashing Beacon Type B (Double Sided)	EA	2	$12,000	$24,000
	Crosswalk Striping (Thermoplastic)	SF	300	$5	$1,500
	4"Thermoplastic Striping	LF		$1	$-
8	Right of Way Acquisition				
	TOTAL CONSTRUCTION				$281,350
	DESIGN (PS&E)			18%	$50,700
	CONSTRUCTION ADMINISTRATION			15%	$42,300
	CONSTRUCTION CONTINGENCY			25%	$70,400
	TOTAL PROJECT				$444,750

Alexander Avenue, South Street to City Limits

Staff-Recommended Concept: Sidewalk Widening via Retaining Wall

Prepared by: CSW-ST2*, adjustments by Parisi Transportation Consulting, November 16, 2015

	CONTRACT ITEMS	UNIT	QUANTITY	PRICE	AMOUNT
1	Earthwork (Inclusive of Mobilization & Traffic Control)*	LS	1	Subtotal	$86,200
2	Streetwork (In Place)*	LS	1	Subtotal	$236,900
3	Other Facilities (Retaining Wall & Utilities)*	LS	1	Subtotal	$63,350
4	Supplemental Project - Signs and Pavement Markings				$25,500
	Rectangular Rapid Flashing Beacon Type B (Double Sided)	EA	2	$12,000	$24,000
	Crosswalk Striping (Thermoplastic)	SF	300	$5	$1,500
	TOTAL CONSTRUCTION				$411,950
	DESIGN (PS&E)			18%	$74,200
	CONSTRUCTION ADMINISTRATION			15%	$61,800
	CONSTRUCTION CONTINGENCY			25%	$103,000
	TOTAL PROJECT				$650,950

*See attached: CSW-ST2 Opinion of Probable Construction Costs.

Costs do not include:
- Bonding
- Connection Fees
- Plan Checking Fees
- Agency Fees
- Permits

LEGEND:
LS – Lump Sum
EA – Each
LF – Linear Feet
AL – Allowance
SF – Square Feet

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TRANSPORTATION CONSULTING

Alexander Avenue, South Street to City Limits
CSW-ST2 Opinion of Probable Construction Costs

Date: 08/05/2015
File: 4.1183.00

SOUTH GATEWAY COMPLETE STREETS
ALEXANDER AVENUE, SAUSALITO,CALIFORNIA
OPINION OF PROBABLE CONSTRUCTION COSTS
FOR CITY LIMITS AND SECOND LINE

(Costs do not include: Bonding, Connection Fees, Plan Checking Fees, Agency Fees, or Permits)

	QUANTITY		DESCRIPTION	UNIT PRICE	TOTAL
A. EARTHWORK					
1.	1	L.S.	Mobilization (Allowance)	$25,000.00	$25,000
2.	1	L.S.	Traffic Control	$20,000.00	$20,000
3.	1	L.S.	Demolition/Clear & Grub (Allowance)	$10,000.00	$10,000
4.	570	C.Y.	Excavation	$50.00	$28,500
5.	180	C.Y.	Export and Disposal - Clean Material	$15.00	$2,700
				Subtotal - Earthwork:	$86,200
B. STREETWORK (IN PLACE)					
1.	3,080	S.F.	Asphalt Concrete	$7.50	$23,100
2.	3,080	S.F.	Aggregate Base	$4.20	$12,936
3.	6,220	S.F.	Fine Street Grading (Incl. Handling Utility Trench Spoils)	$1.50	$9,330
4.	440	L.F.	Sawcut Pavement	$3.50	$1,540
5.	410	L.F.	18" Curb & Gutter (Incl. Cushion)	$34.00	$13,940
6.	1,960	S.F.	Conform Pavement	$25.00	$49,000
7.	3,200	S.F.	4" Sidewalk (Incl. Thickened Driveways)	$25.00	$80,000
8.	225	S.F.	Special Pier Supported Sidewalk (Incl. Walkway Below)	$170.00	$38,250
9.	440	L.F.	Striping (Thermoplastic) Four (4) Lines	$20.00	$8,800
				Subtotal - Streetwork:	$236,896
C. OTHER FACILITIES					
1.	98	C.Y.	Retaining Wall (Soil Nail), Concrete	$575.00	$56,350
2.	14	EA.	Raise Utility Boxes to Grade	$500.00	$7,000
				Subtotal - Other Facilities:	$63,350

SUMMARY

A.	EARTHWORK		$86,200
B.	STREETWORK (IN PLACE)		$236,896
C.	OTHER FACILITIES		$63,350
	SUBTOTAL CONSTRUCTION COST		$386,446
	+ SOFT COSTS		
	DESIGN	18%	$69,560
	CONSTRUCTION ADMINISTRATION	15%	$57,967
	+ CONSTRUCTION CONTINGENCY	25%	$96,612
	TOTAL CONSTRUCTION COSTS		$610,585

NOTES:

1. This estimate does not include work north of the curve along Alexander Avenue and other costs not listed above.
2. This estimate does not include specific items which may be required by public agencies during the approval process.
3. This estimate should be used as a guide only and was prepared to an accuracy commensurate with the intent of the client. Actual cost can only be determined by a contract based on final approved plans or actual construction of facilities.
4. The estimate above is based on the plan entitled Alexander Avenue, Additional Improvement Concept 2, South Gateway Complete Street Project, prepared by Parisi Transportation Consulting, dated 5/21/15, as requested by Parisi Transportation Consulting.

Next Steps

The City of Sausalito should provide final direction on the set of improvements to move forward into coordination, environmental clearance, detailed design, and funding.

Coordination

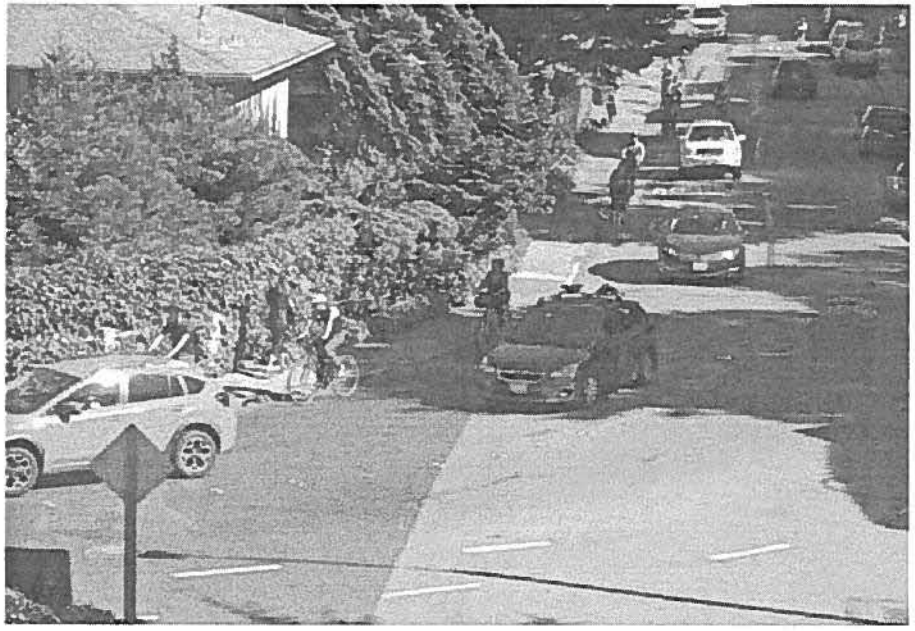
The improvements the City decides to move forward with should be coordinated with improvements on Alexander Avenue by the National Park Service (NPS) and the Golden Gate National Recreation Area (GGNRA), per the Alexander Avenue Planning Study (2012). The NPS and GGNRA would rehabilitate approximately 0.9 miles of existing shoulders to maximize space to accommodate bicyclists, pedestrians and vehicles. The rehabilitation would also include signage and wayfinding, removing and replacing deteriorated pavement, curb and gutters, striping, guardrail, fencing, bus shelters and lighting improvements.

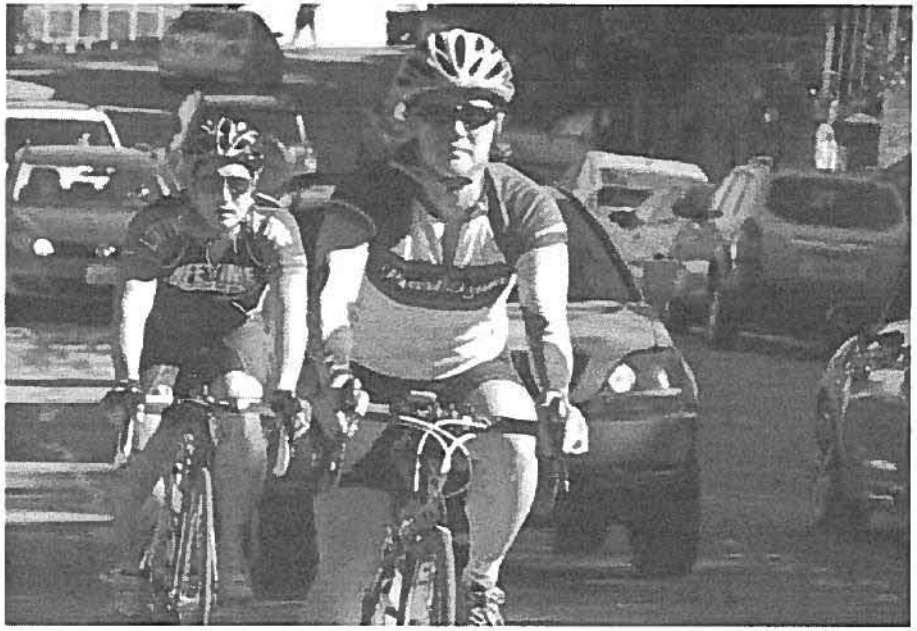
Environmental Clearance

The California Environmental Quality Act (CEQA) governs whether a project is required to undergo environmental review. Some improvements, such as repairs to existing facilities, may be categorically exempt. Other more intensive improvements that may cause a substantial change to the physical environment or scenic resource could require more detailed environmental studies. Note that coordinating improvements with the NPS and GGNRA may trigger a joint National Environmental Policy Act (NEPA) / CEQA review.

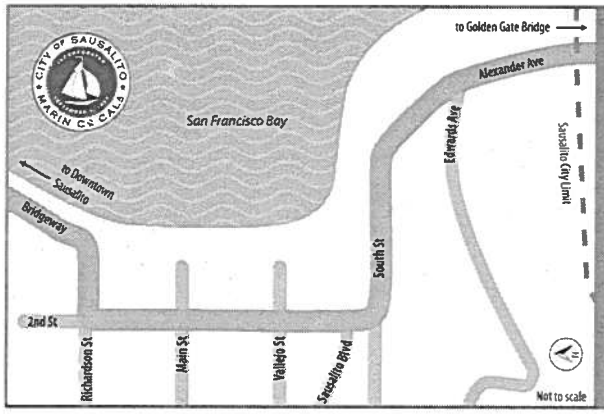
Funding

The Transportation Authority of Marin, the County of Marin, Golden Gate Transit, and the City of Sausalito should seek outside funding for improvements the City decides to pursue. Potential outside funding sources include, but are not limited to, Caltrans Active Transportation Program funds, the MTC-administered Regional Measure 2 funds, and TAM-administered Measure A transportation sales tax funds and Measure B annual vehicle registration fee funds.





Saturday peak hour multimodal traffic, northbound South Street


CITY OF SAUSALITO
MARIN CO. CALIF.
San Francisco Bay
to Golden Gate Bridge
Alexander Ave
Edwards Ave
Sausalito City Limit
to Downtown Sausalito
Bridgeway
South St
2nd St
Richardson St
Main St
Vallejo St
Sausalito Blvd
N
Not to scale

APPENDIX

Appendix A: Ferry Bicycle Ridership

Travelling by bicycle to Sausalito from San Francisco via the Golden Gate Bridge and then riding the ferry back to the city is a popular tourist activity. The following section summarizes trends in ferry ridership by bicyclists on an annual, typical springtime and peak summertime basis.

Annual Trends

The ferry from Downtown Sausalito is a popular alternative for tourists on foot and bicycles to travel back to San Francisco rather than walking or cycling back via the Golden Gate Bridge. Ferry service is provided by Golden Gate Transit and the Blue & Gold Fleet.

As shown in Figure A1, bicycle ridership on the Golden Gate Ferry grew consistently between 2012 and 2014. There was a drop in bicycle passengers starting in spring 2015, which carried into the summer. Annual Blue and Gold Fleet ridership data was not available.

The average annual Golden Gate Ferry bicycle ridership (average across 12 months) was approximately 16,000 passengers for 2014, which was the most recent full year's data. The average monthly bicycle ridership for March and April (15,500 monthly riders) represent the annual average. During the summer months of June to September, the monthly average was approximately 50 percent higher than the annual average. The peak months of July and August experienced ferry ridership 80 percent higher than the annual average.

It is important to note that ferry ridership is not proportional to overall bicycle ridership. Although the ferry ridership in the peak month of August was 80 percent higher than the annual average

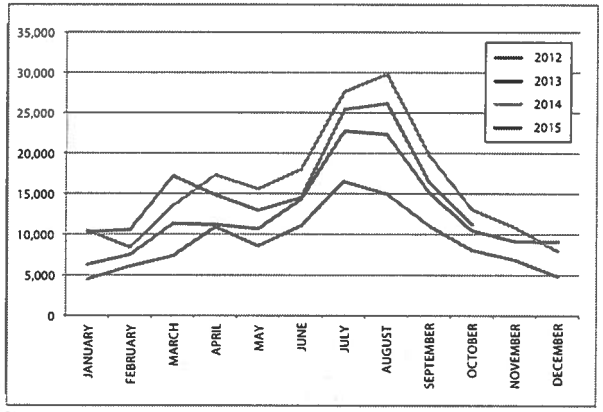


Figure A1: Golden Gate Ferry Monthly Bicycle Counts (Southbound), 2012-2015

Source: Golden Gate Transit, November 2015

(March/April), the overall bicycle activity passing through the South Gateway was only 20 percent higher. There are several reasons for this disproportionality. Tourists represent 40 to 50 percent of the bicycle riders passing through the South Gateway corridor, but are far more likely to ride the ferry back to San Francisco. Ferry ridership is also dependent on the available capacity; both Golden Gate Transit and the Blue & Gold Fleet run more ferries during the summer months.

The following section examines the daily bicycle trends and how they relate to ferry ridership.

Weekday Trends

Many tourists that ride or walk across the Golden Gate Bridge use the ferry service to travel back into San Francisco, which results in northbound (downhill) bicycle volumes that are higher than those in the southbound direction.

Figures A2 and A3 illustrate the relationship between South Gateway bicycle activity and bicycle ferry boardings on a sampled spring Wednesday and summer Thursday in 2015.

On the sampled Thursday in spring 2015, Golden Gate Ferry ran nine ferries and the Blue and Gold Fleet operated five ferries. The total ferry bicycle ridership that day was approximately 650 passengers, which captured approximately 70 percent of the difference between northbound and southbound bicycle traffic (2,200 northbound vs. 800 southbound).

On the sampled Wednesday in summer 2015, Golden Gate Ferry ran 11 ferries and the Blue and Gold Fleet operated seven ferries. The total ferry bicycle ridership that day was approximately 1,300 passengers, which was double the spring bicycle ferry ridership. The ferries captured approximately 95 percent of the difference between northbound and southbound bicycle traffic (3,900 northbound vs. 1,600 southbound).

Some bicyclists that ride through the South Gateway in the northbound direction may also return to San Francisco via the Tiburon Ferry, the Larkspur Ferry, or by taxi.

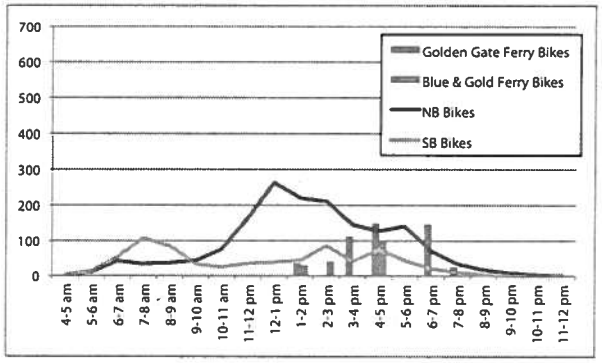


Figure A2: Spring Weekday (Thursdays) Bicycle Traffic vs. SB Ferry Bicycle Passengers

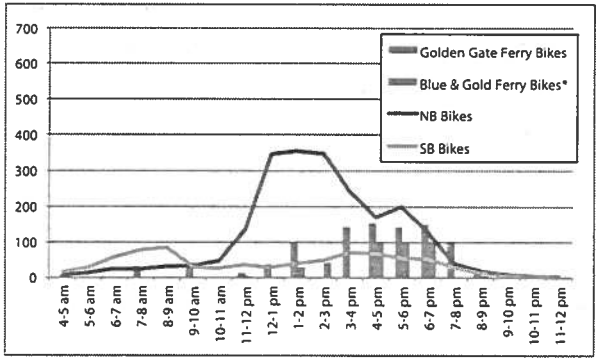
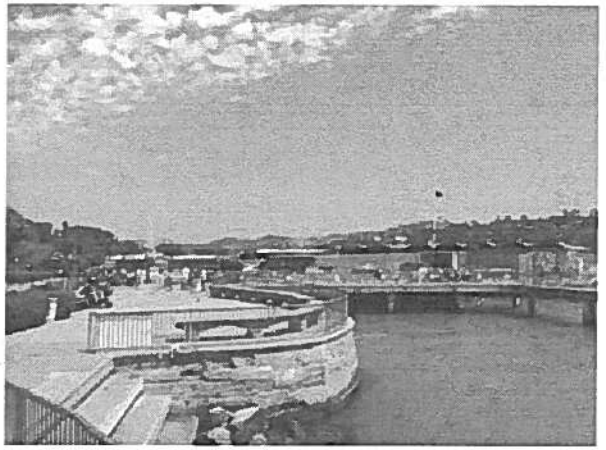


Figure A3: Summer Weekday (Wednesdays) Bicycle Traffic vs. SB Ferry Bicycle Passengers

*Source: Bicycle counts: Parisi Transportation Consulting, 3/26 and 8/19/2015; Ferry ridership: Golden Gate Transit and Blue and Gold Fleet, 3/26 and 8/19/2015; *Blue and Gold Ferry ridership estimated from 3/26 data with adjustment to reflect summer ferry schedule.*



Saturday Trends

Figures A4 and A5 illustrate the relationship on Saturdays between South Gateway bicycle activity and bicycle ferry boardings sampled in spring and summer in 2015.

In spring 2015, Golden Gate Ferry ran eight ferries and the Blue and Gold Fleet operated five ferries. The total ferry bicycle ridership that day was approximately 1,400 passengers, which captured approximately 90 percent of the difference between northbound and southbound bicycle traffic (3,000 northbound vs. 1,500 southbound).

In summer 2015, Golden Gate Ferry ran 10 ferries and the Blue and Gold Fleet operated seven ferries. The total ferry bicycle ridership that day was approximately 1,900 passengers, which was 35 percent higher than the spring Saturday bicycle ferry ridership. The ferries captured approximately 80 percent of the difference between northbound and southbound bicycle traffic (3,900 northbound vs. 1,600 southbound).

As with the weekday condition, some bicyclists that ride in the northbound direction may also return to San Francisco via the Tiburon Ferry, the Larkspur Ferry, or by taxi.

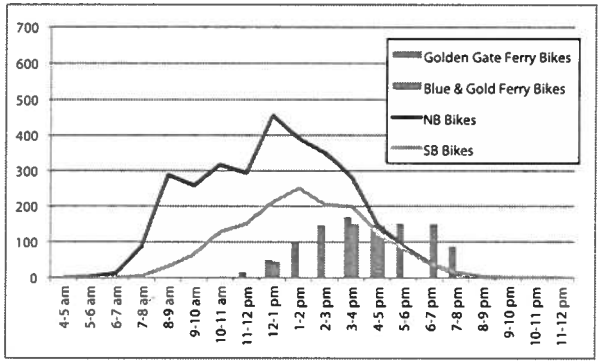


Figure A4: Spring Saturday Bicycle Traffic vs. Ferry Bicycle Passengers

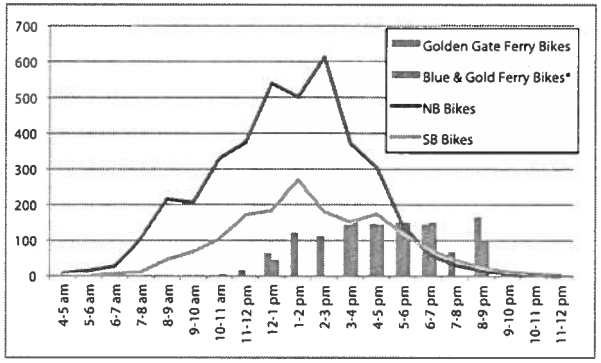


Figure A5: Summer Saturday Bicycle Traffic vs. Ferry Bicycle Passengers

*Source: Bicycle counts, Parisi Transportation Consulting, 4/11 and 8/22/2015; Ferry ridership: Golden Gate Transit and Blue and Gold Fleet, 4/11 and 8/22/2015; *Blue and Gold Ferry ridership adjusted from spring 2015 data to reflect summer 2015 schedule.*

Appendix B: Mill Valley – Sausalito Path Bicycle & Pedestrian Counts

The Mill Valley – Sausalito Path is the north gateway into the City of Sausalito. During the weekdays, it is commonly used by commuter bicyclists from north of Sausalito to travel into San Francisco. The path is also used by tourist and recreational bicyclists riding to and from routes to the north. Some bicyclists take a one-way bicycling trip up the Mill Valley – Sausalito Path and return via the ferry services from the City of Larkspur or Town of Tiburon (or vice versa).

Figures A6 and A7 illustrate the bicycle and pedestrian traffic across 24 hours during a sampled summer weekday and Saturday. On the sampled weekday, there were nearly 1,500 bicyclists and approximately 200 pedestrians observed on the path. Northbound and southbound bicycle traffic was relatively balanced (52 percent NB / 48 percent SB).

The path was nearly twice as busy on the sampled Saturday, with more than 3,000 bicyclists and more than 300 pedestrians counted across a 24-hour period. The Saturday bicycle traffic was more heavily slanted in the northbound direction (58 percent NB / 42 percent SB), indicating more bicyclists taking a one-way trip.

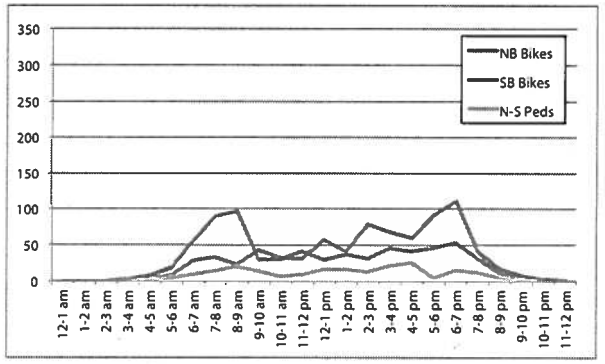


Figure A6: Summer Weekday Bicycle and Pedestrian Traffic

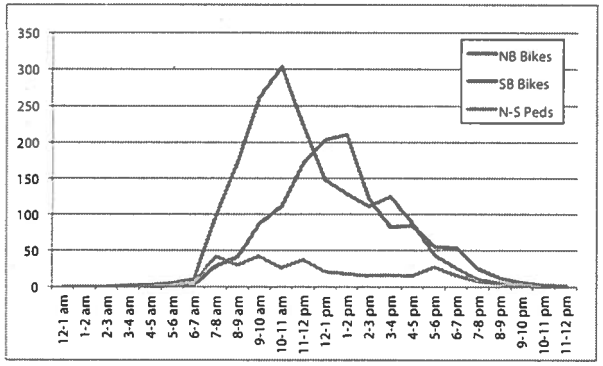


Figure A7: Summer Saturday Bicycle and Pedestrian Traffic

Source: Bicycle counts, Parisi Transportation Consulting, 8/19 and 8/22/2015

Appendix C: Downhill Bike Lane Analysis

The following tables summarize the bike lane capacity analysis referred to in the Bicycle Facilities section of the Existing Conditions Overview. Peak uphill bike traffic is currently less than 300 cyclists per hour and uphill bicyclists travel at relatively low speed that is consistent among most riders. Given these factors, the uphill bike lane on Second Street operates at an estimated bike lane level of service (LOS) C.

If the Second Street bike lane was moved to the downhill direction, the volume of traffic (450-600+ during the peak hour), high mean speed, and large variation between riders would still result in frequent bicycle conflicts. The FHWA methodology predicts a bike lane level of service "F", meaning bicyclists would continue to use the vehicular lane.

Table A1 - South Gateway Daily Hourly Peak Volumes

	Spring		Summer	
	Uphill (SB)	Downhill (NB)	Uphill (SB)	Downhill (NB)
Weekday	110	275	85	355
Saturday	250	450	270	615

Source: Parisi Transportation Consulting, March/April & August 2015.

Table A2 – South Gateway Uphill / Downhill Bike Lane Level of Service Analysis

Bicycle flow rate (bike/h)	Standard deviation a (mph)	Number of Bicycle Conflicts and LOS								
		Bicycle Mean Speed (mph)								
		7.5	8.1	8.8	9.4	10	10.6	11.3	11.9	12.5
200	1	56(B)	52(B)	48(B)	45(B)	42(B)	40(B)	38(A)	36(A)	34(A)
200	2	113(D)	104(D)	97(C)	90(C)	85(C)	80(C)	75(C)	71(C)	68(C)
200	3	169(E)	156(E)	145(D)	135(D)	127(D)	119(D)	113(D)	107(D)	102(D)
300	1	85(C)	78(C)	73(C)	68(C)	63(C)	60(C)	56(B)	53(B)	51(B)
300	2	169(E)	156(E)	145(D)	135(D)	127(D)	119(D)	113(D)	107(D)	102(D)
300	3	254(F)	234(F)	218(F)	203(F)	190(E)	179(E)	179(E)	160(E)	152(E)
400	1	112(D)	104(D)	96(C)	92(C)	84(C)	80(C)	76(C)	72(C)	68(C)
400	2	224(F)	208(F)	192(E)	184(E)	168(E)	160(E)	152(E)	144(D)	136(D)
400	3	336(F)	312(F)	288(F)	276(F)	252(F)	240(F)	228(F)	216(F)	204(F)

Uphill bike lane
low mean speed and low standard deviation

Downhill bike lane
high mean speed and high standard deviation

Source: FHWA (1998) Capacity Analysis of Pedestrian and Bicycle Facilities

EXHIBIT E

CITY OF SAUSALITO

Tom Theodores, Mayor

Adam Politzer, City Manager
420 Litho Street, Sausalito, California 94965
Telephone: 415-289-4100 o WWW.CI.SAUSALITO.CA.US

May 18, 2015

Superintendent
Golden Gate National Recreation Area
Attn: Alcatraz Ferry Embarkation Draft EIS
Fort Mason, Building 201
San Francisco, CA 94123-0022

Re: Comments on the Draft Environmental Impact Statement for Alcatraz Ferry Embarkation Project

To Whom It May Concern:

The City of Sausalito (City) submits these comments on the Draft Environmental Impact Statement (DEIS) for the Alcatraz Ferry Embarkation Project (Project) proposed by the National Park Service (NPS). The DEIS largely addresses the selection of three alternative embarkation sites on the San Francisco waterfront to serve the Park's ferry operations to Alcatraz Island.

NPS proposes, as a mandatory component of the three Project alternatives, Special Ferry Service at Fort Baker (hereafter, Fort Baker Ferry Service). According to the DEIS, the Fort Baker Ferry Service component will involve the development of a ferry berth at Fort Baker and the operation of a ferry for "special events, occasional excursions, or special occasional service" between other NPS parks and the San Francisco waterfront.

No qualification is provided as to what "occasional" means in terms of number of annual excursions, and no upper limit is provided. "Occasional" is later characterized in the DEIS as "intermittent" with trip numbers apparently at a "low level relative to existing activity in the San Francisco] Bay." (DEIS, p. 375.)

Development of the Fort Baker Ferry Service will also involve the virtual re-construction of the existing 1930's era, 400-foot long concrete pier at Fort Baker, which the DEIS describes as having "significant damage and deterioration." (DEIS, p. 62.)

The first step in any such development is adequate review under the National Environmental Policy Act (NEPA). Unfortunately, after a close review of the DEIS, it is apparent that the Fort Baker Ferry Service project component and NPS's environmental review of it in the DEIS is flawed. The DEIS fails to include essential facts necessary to accurately and completely describe the Fort Baker Ferry Service project component; it fails to provide a factual basis for critical conclusions contained in the DEIS; it relies on misleading assumptions; and it understates substantially the potential impacts of the Fort Baker Ferry Service component of the Project.

The City urges NPS to carefully review the comments below and correct the deficiencies identified before moving forward with any further consideration of the Fort Baker Ferry Service

component of the Project. NPS, in particular, must carefully weigh the relative benefits of the Project-based on a full and accurate understanding of the scope and effects of the Project before committing potentially millions of dollars in federal subsidies for water-based transportation from Fort Baker to the San Francisco waterfront. Before irreversibly committing resources to such a project component, NPS owes the public a full, accurate and well-supported analysis of its environmental impacts on Fort Baker and the surrounding environment.

THE CITY, AS A CRITICAL STEWARD OF THE RICHARDSON BAY, HAS A STRONG BENEFICIAL INTEREST IN ENSURING COMPLIANCE WITH NEPA

The City of Sausalito has had a long record of support for the recreational use of Fort Baker. In 1998, the City informed then Superintendent Brian O'Neil of its support for the transfer of Fort Baker from the Army to the National Park Service.

However, that support has also been balanced with the concern that Fort Baker retains its historic heritage. We have urged the NPS to be sure the Fort's facilities are sized in a way that preserves its historic resources and enhances sensitive environmental resources. In turn, NPS substantially reduced the originally proposed size of the conference center/lodge from 350 rooms to a maximum of 225 rooms.

The Project DEIS largely concerns itself with determining which of three piers on the San Francisco waterfront would be the best location for the NPS's ferry operation to Alcatraz Island. However, each of these alternatives includes, without exception, ferry operation from Fort Baker to the San Francisco waterfront and other potential stops at NPS facilities located in San Francisco Bay.

Simply put, we were shocked at this component of the Project. The City is gravely concerned that the Fort Baker-San Francisco leg of the Project foreshadows a significant increase in the intensity of use at Fort Baker. Once having constructed a ferry landing at Fort Baker at considerable cost, it is simply inevitable that pressure will mount for NPS to expand the service from what is now described as "occasional special events" to "regular" ferry service from Fort Baker to the San Francisco peninsula.

Indeed, the DEIS admits as much. The DEIS alludes to a staggering 100,000 annual ferry passenger visits to Fort Baker as part of a "circular route that serves multiple Park Service sites in the Bay." (Transportation and Circulation Study, p. 86.) In a seemingly innocuous statement, but in reality a glaring admission, the DEIS sets a baseline for noise at 14 ferry landings per day at Fort Baker resulting in 28 "events." (DEIS, p. 345.)

As you know, the City is the nearest urban center to Fort Baker. Currently, the City's streets, parking lots and public amenities are under mounting pressure from regional, national and international visitors traveling to Sausalito. The City continues to experience a staggering level of vehicles, bicycles and pedestrian traffic flowing into the Bridgeway corridor. Weekend bicycle traffic, largely arriving via the Golden Gate Bridge, has proved to be especially vexing, making many of our pedestrian walkways nearly impassable. In turn, cyclists often return to San Francisco via the ferry operations embarking from the Sausalito Ferry Landing. However, the number of returning cyclists is now outstripping the capacity of those ferries. Rather than relieve that overcrowding, we believe a ferry landing at Fort Baker will serve to increase visitors and bicycle traffic in Sausalito and further impact our community while also eroding the visitor experience at both Fort Baker and Sausalito.

By failing to logically link the Fort Baker Ferry Service component to the "circular route" component, the DEIS fails to include major developments in and around Marin County in its cumulative impact analysis. These omissions must be remedied and the analysis revised to fully address the cumulative impacts of the Project.

5. The DEIS Does Not Properly Identify or Describe Significant Impacts of the Project

NEPA requires a "full and fair discussion of significant environmental impacts." (40 C.F.R. § 1502.1; *see also* 42 U.S.C. § 4332 (C); 40 C.F.R. §, 1508.7.) This includes analysis of both direct and indirect environmental impacts of the proposed action. (40 C.F.R. § 1508.8.) Direct effects are caused by the action and occur at the same time and place. (40 C.F.R. § 1508.8(a).) Indirect effects are those caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. (*See* 40 C.F.R § 1508.8(b).) Both include "effects on natural resources and on the components, structures, and functioning of affected ecosystems," as well as "aesthetic, historic, cultural, economic, social, or health [effects]." (*Id.*)

Because the DEIS relies on the demonstrably false premise that ferry service to Fort Baker will be "occasional," the DEIS fundamentally fails to address the impacts of the Fort Baker Ferry Service and the surrounding area, thereby ignoring significant environmental, economic and public trust impacts.

a. Land Use

The Fort Baker Ferry Service component would include development of a ferry landing, which will include an extension of the existing pier and includes additional development of landside facilities. As a starting point, the DEIS's land use analysis claims the proposed Fort Baker Ferry Service is "consistent with the general goals of the Fort Baker Plan." (DEIS, p. 247.) At best, this is misleading. NPS promised that ferry service to Fort Baker would be subject to full environmental review when it wrote in the FEIS for the Fort Baker Plan:

> "Detailed information on the type of service (i.e., size of boats, frequency of trips, land-side facilities, etc.) and subsequent environmental effects are unknown at this time. *Future plans for ferry service at Fort Baker would be subject to environmental review in accordance with NEPA, and mitigation would be developed as needed to reduce or avoid significant effects.* Because that analysis has not been prepared, the effectiveness of mitigation measures in reducing potential impacts is also unknown and could be considered potentially significant. Individually, the Proposed Action would have a less-than-significant, and in some instances beneficial, effect on water quality and biological resources. As a result, the Proposed Action would incrementally but not substantially contribute to this potentially significant impact. *The NPS would, however, mitigate the effects of ferry service to the greatest extent possible.* Use of a ferry would provide alternative transportation options for visitors of Fort Baker and would provide beneficial effects on traffic conditions."

(Fort Baker Plan FEIS, October 1999, p. 5-3, emphasis added.)

By making the Fort Baker Ferry Service a mandatory component of the three Project alternatives, the full environmental alternative analysis to such ferry service has been completely short circuited. Indeed, development of a ferry landing at Fort Baker was a central component to the now replaced 1980 General Management Plan for the Golden Gate Recreation Area. The

2. The DEIS Improperly Piecemeals and Segments the Project, Thus Minimizing Impacts and Avoiding Necessary Mitigation

At the core of the DEIS's inadequacy is its surgical-like attempt to carefully characterize Project components as "undefined" when they will occur at Fort Baker and yet, simultaneously evaluate specific aspects of those same so-called "undefined" components when it comes to impacts on the San Francisco waterfront. The "third berth" with its 100,000 annual passengers is fully evaluated for its environmental impacts on the San Francisco peninsula. But two miles away across the San Francisco Bay, the DEIS posits that there are virtually no Fort Baker impacts from these very same ferry operations emanating from the third berth. Indeed, the third berth component with its 100,000 passengers and circular route impacts in Marin County has been piecemealed out of the Project, hiding behind the DEIS's phraseology of "occasional" and "intermittent" ferry service at Fort Baker. Does NPS seriously contend that 100,000 passengers are going someplace other than Fort Baker as these ferries embark on a "circular route" of the San Francisco Bay visiting every other NPS parkland? Simply put, NPS cannot leave analysis of such impacts to future review.

3. The DEIS Fails to Analyze a Reasonable Range of Feasible Alternatives

The purpose of the alternatives discussion in an EIS is to identify ways to reduce or avoid significant environmental effects. (42 U.S.C. § 4332(C)(iii).) NEPA requires the lead agency to "[r]igorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated." (40 C.F.R. § 1502.14(a).)

Here, the DEIS's Alternative analysis fails in its attempt to address NEPA requirements because it makes no attempt to analyze a Project alternative that does not include the proposed Fort Baker Ferry Service. Because such an alternative would eliminate at least some of the environmental impacts of the Project while still fulfilling NPS's primary Project objective for a landing along the San Francisco waterfront, the DEIS's mandated embrace of the Fort Baker Ferry Service component for every alternative is improper and deprives the public and decision-makers of vital information required for an informed analysis.

An alternative that eliminates the Fort Baker Ferry Service is a feasible alternative that would meet the Project's primary objectives, while assuaging the concerns of the City that Fort Baker is taking a critical (and misguided) first step towards daily commercial and heightened weekend ferry operations. Yet the DEIS completely ignores this feasible alternative. The DEIS must be revised to include a reasonable range of alternatives, not just a binary choice between the Fort Baker Ferry Service or No Project.

4. The DEIS Fails to Properly Analyze Cumulative Impacts

Under NEPA, an adequate EIS may not consider a proposed action in isolation, but must consider its cumulative impacts, including the "impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions." (40 C.F.R. § 1508.7.)

Here, the DEIS purports to follow this approach but utterly fails to tie the new ferry landing at Fort Baker to the probable but "undefined" future project identified in the DEIS as the "circular route" generating 100,000 additional passenger visits to NPS parklands, including Fort Baker.

> ferry as an enjoyable experience. The potential to add another (third) berth and promote additional special-event services to the ferry embarkation site would further enhance this opportunity."

(DEIS, p. v.)

While seemingly consistent with the "occasional" Fort Baker ferry service portended in the bulk of the DEIS, this façade simply crumbles when we review the DEIS's technical studies. Buried within the technical study concerning transportation and circulation, the NPS discloses that its San Francisco waterfront embarkation site's "third berth" is expected to accommodate 100,000 annual passengers as part of a "circular" ferry route that takes visitors to a series of NPS parklands, including Fort Baker:

> Although the ultimate use of this third berth is yet undefined, the additional ferry service could be a water taxi or a circular route that serves multiple Park Service sites in the Bay, for example. The Park Service has forecasted that this service would add up to 100,000 additional visitors annually ...."

(Transportation and Circulation Study, p. 86.)

The forecasted 100,000 passenger visits per year to Fort Baker via the "circular route" is, it appears, inadvertently confirmed in the DEIS discussion on noise and vibration. In analyzing noise and vibration impacts at Fort Baker, the DEIS specifically states that a "future (with Project) noise levels" analysis was performed *"based on a conservative estimate of 14 ferries per day."* (DEIS, p. 345, emphasis added). The DEIS further states that "[t]he Fort Baker element of the Project is assumed to accommodate approximately 14 ferry trips, or 28 events per day." (DEIS, p. 324.)

We are compelled to agree with the author. We concur that 14 ferries per day at Fort Baker is a conservative estimate and, to be fair, probably represents the outer limit of daily ferry service to Fort Baker. The technical study estimates that the "third berth" circular route service will generate 390 ferry passengers, on average, each day. However, this is only part of the story. NPS sponsored ferry excursions are subject to substantial peak demand on weekends, particularly Saturdays where demand appears to be more that twofold the average daily rate. Based on these peak demands, it is likely that ferry passenger visits to Fort Baker on a peak Saturday will exceed 1,000 passengers. The NPS's current ferry concessionaire, Alcatraz Cruises, LLC, utilizes a ferry with capacity of 110 passengers for "cocktail" styled excursions which would appear to be consistent with the DEIS's "special event" criteria accorded the "circular route" ferry service envisioned for Fort Baker and other NPS parklands. Assuming 80% to 90% passenger utilization during peak periods, 14 ferry landings during peak days at Fort Baker certainly appears to be in the reasonable range.

Summarizing our review, we believe that the DEIS fails to adequately describe the Project because it falsely characterizes the Fort Baker Ferry Service component as "occasional" when in fact the Fort Baker Ferry Service contemplates 100,000 passenger visits to Fort Baker with ferry service during peak days at as many as 14 ferry landings and 28 "events." (DEIS, p. 324 and p. 345.) The DEIS should be revised to reflect this correction to the Project description.

For nearly 15 years since the transfer of Fort Baker to the NPS, the City has continued to invest in maintaining itself as one of the nation's most visited waterfront communities, drawing two million visitors annually. We believe that maintaining our community's quality of life directly benefits NPS, providing significant nearby amenities to lodge and conference guest at Cavallo.

Accordingly, we believe NPS and the City share a strong mutual interest in the economic vitality of the City's downtown waterfront, and we continue to support responsible use of Fort Baker that will sustain this treasured resource. But the Project proposes a substantial change to Fort Baker with the re-construction of the pier as a ferry landing and the inevitable advent that Fort Baker will become a destination for some 100,000 new visitors each year as one of the "other park sites within the Bay." (DEIS, pp. vii, viii, 48, 56, 61, 305, 309, 314.)

The City and Fort Baker stand to be significantly affected by the proposed Fort Baker Ferry Service component of the Project. Accordingly, the City is vitally interested that the environmental impacts of the Project's Fort Baker components are fully considered and actually mitigated to the fullest extent feasible.

THE DEIS FAILS TO ADEQUATELY AND COMPLETELY COMPLY WITH NEPA

1. The Project Description Does Not Adequately and Completely Describe the Actual Project

An accurate and complete project description, as required by NEPA, enables the public to understand the full scope of the Project and its potential effects on the environment. Here, the Project Description concerning Fort Baker Ferry Service component is incomplete, misleading and under-developed. As a result, it improperly minimizes the potential environmental impacts and artificially narrows the reasonable range of alternatives of the Project.

The Project's description improperly constrains the scope of the actual Project by narrowly defining the Fort Baker Ferry Service component as "[d]eveloping a ferry berth at Fort Baker for special service that could operate for special events, occasional excursions, or special occasional services between other parklands and the primary ferry embarkation site in San Francisco." (DEIS, p viii.)

However, as we drill down into the DEIS and its supporting studies, we learn the DEIS's mantra of "occasional" is seriously misleading. While the DEIS attempts to suggest that "regular" daily ferry service to Fort Baker is foreclosed, the DEIS actually sets the stage for just that level of service (without any attempt to identify or analyze the environmental impacts of such regular service).

Each of the primary alternatives for the San Francisco embarkation site includes a "third berth" component that will be used for cross-bay ferry service to other NPS Parklands – including Fort Baker. According to the DEIS,

> "The Alcatraz ferry embarkation site may provide a valuable opportunity for cross-bay ferry service to other GGNRA parklands. Convenient transit connections to other GGNRA parklands, such as Fort Baker, are currently unavailable from the existing ferry embarkation site. NPS policy promotes alternative transportation access that is energy conserving and convenient, and that provides multiple travel options for visitors. Increasing numbers of park visitors choose to use transit, do not have an automobile, and perceive travel by

FEIS to the Fort Baker Plan, in describing the "Waterfront/Fishing Pier" amenities offered under the then existing 1980 General Management Plan, stated:

> "Wood bulkhead and riprap removed; new sandy beach and urban landscape created (6 acres). *Development of ferry landing and improvements* including railings, benches, comfort stations and fish cleaning stations on pier. Boat launching ramp repaired and resurfaced."

(Fort Baker Plan FEIS, October 1999, p. 2-4, emphasis added.)

Under this same heading, the FEIS to the Fort Baker Plan described the amenities offered by the 1999 Fort Baker Plan by stating:

> "Wooden bulkhead and riprap removed; beach created; road relocated; 6-acre natural landscaped meadow; boardwalk; picnic area. Boat ramp retained; fishing pier improved (fish cleaning stations, railings, benches, information), restrooms provided. 170 parking spaces in three locations to serve waterfront users."

(Fort Baker Plan FEIS, October 1999, p. 2-4)

It is ironic that the Alcatraz Embarkation DEIS would now embrace the Fort Baker Ferry Service as being "consistent" with the Fort Baker Plan approved in 2005 when in fact the Fort Baker Ferry Service with 100,000 passenger visits is actually more "consistent" with the former 1980 General Management Plan it superseded. Indeed, in a November 23, 2004 letter to the San Francisco Bay Conservation and Development Commission titled "Revised Consistency Determination for the Fort Baker Plan," NPS does not even mention ferry service at Fort Baker. The letter does, however, repeatedly reference the "fishing pier" as part of the many critical recreational features at Fort Baker.

In 2005, the NPS pledged to "mitigate the effects of ferry service to the greatest extent possible." The DEIS dishonors this pledge. The DEIS should have honestly evaluated the Fort Baker Ferry Service's consistency with the goals and policies of the Fort Baker Plan and discussed the impacts of losing the pier as a visitor-friendly fishing pier with benches and railing. This use, which we have long considered a community asset and gathering place, will now be converted to another crowded ferry terminal. This intensity of use is simply not consistent with the Fort Baker Plan and the DEIS.

b. Traffic

Because the DEIS has cleverly separated the Fort Baker Ferry Service component of "occasional" ferry service from the 100,000 annual ferry passenger traveling on the "circular route" of NPS parklands including Fort Baker, the DEIS assures us the Project will not have substantial traffic and circulation impacts in Marin County. We disagree. These Project components will generate short-term, construction related traffic. Long-term traffic effects are also inevitable. However, the DEIS fails to even discuss the major roadways near Fort Baker that may be affected when these two Project elements are implemented. Why has this been glossed over? Because the DEIS simply hides behind the implicit vagueness of "occasional," "intermittent" and "special event." The DEIS discussion of traffic must be revised to take into account the 100,000 passenger visits to Fort Baker.

c. Air Quality

Air Quality is an important resource issue in the San Francisco Bay Area and is related to multiple factors, including transportation and circulation. The DEIS should have included an assessment of ambient air quality conditions as well as short-term (*i.e.*, construction) air quality impacts and long-term (*i.e.*, operational) regional air pollutant emissions from the ferry operation at Fort Baker that appears poised to include 100,000 annual visitors. The analysis should have identified sensitive receptors within and in the vicinity of Horseshoe Bay, discuss potential emissions of odors and/or hazardous air pollutants generated by stationary and area sources in the area. Instead, the DEIS simply skipped Fort Baker.

d. Noise and Vibration.

The DEIS appears to correctly analyze noise impact but does so because it explicitly acknowledges the actual level of ferry service to Fort Baker otherwise hidden in the veil of "occasional." The DEIS specifically states that the "future (with Project) noise levels" analysis was performed *"based on a conservative estimate of 14 ferries per day."* (DEIS, p. 345, emphasis added). As a point of reference, 14 ferry landings a day actually exceeds the number of daily ferry landing at the commercial Sausalito Ferry Landing.

e. Geology, Soils and Seismicity

The proposed Fort Baker Ferry Service component includes landside improvements that currently include a pedestrian walkway but could ultimately include parking and transit connections to accommodate the "conservative estimate" of 14 ferry landings per day. The EIS should include a discussion of topographic alteration, land capability and coverage, dredging, soil stability, geologic/geomorphologic hazards and erosion potential and propose adequate mitigation measures (both temporary and permanent) for the eventual landside development components necessary to accommodate peak passenger disembarkments of as many as 1,000 passengers on peak days.

f. Water Quality and Hydrology

The Fort Baker Ferry Service component includes re-construction of the pier at the mouth of Horseshoe Bay and landside facility improvements adjacent to the bay. These project components could also affect existing drainage features in this area. Both pre- and post-construction impacts to these features should have been identified and analyzed in the DEIS. This will include non-point pollution sources from the component of the Project, potential contaminants, proposed source control methods, and proposed temporary and permanent BMPs to address potential impacts on water quality within Horseshoe Bay. The analysis of water-related impacts should have also considered potential motorized watercraft pollutants (*e.g.*, fuel constituents, combustion products) within the bay.

g. Biological Resources: Aquatic and Terrestrial

The DEIS section on aquatic and terrestrial biological resources fails because of the DEIS's insistence that the Fort Baker Ferry Service will be "intermittent and low level relative to existing vessel activity in the Bay." Federal and State endangered wildlife species, which include the Mission Blue Butterfly and host species lupine, among other species and their habitat, are known to inhabit coastal scrub areas at Fort Baker. The City respectfully submits that 14 daily ferry landings, 100,000 annual passengers and the associated development of

Fort Baker should be thoroughly analyzed for its impact on Federal and State endangered wildlife species.

h. Recreation and Visitor Use

The Fort Baker Ferry Landing Project component would, we acknowledge, provide a new tourist amenity at Fort Baker. However, once fully implemented with up to 14 ferry landings during peak days and 100,000 new visitors annually, it will inevitably push aside the fishing use on the pier that is a notable feature of the current Fort Baker Plan. This loss should be disclosed and its impacts evaluated

i. Public Services and Utilities

The public services and utilities section of the DEIS should have evaluated the potential effects of the Fort Baker Ferry Service component on power, solid waste collection and disposal, police services, emergency response (including U.S. Coast Guard) and fire protection services, water treatment and distribution, and wastewater collection using the proper baseline of 14 ferry landings per day and 100,000 additional visitors via the ferry service.

j. Hazardous Materials

The proposed project would involve the transportation of hazardous materials (*e.g.*, fuel, paint) to the project site during construction and operation. The potential for these materials to be released into the environment at Horseshoe Bay should have been evaluated in the DEIS. The potential for site contamination should have been documented in the DEIS, and areas of potential soil or water contamination in the bay should have been described. In addition, the DEIS should have analyzed the potential effects on emergency response plans and fire hazard risks. The DEIS should have included a discussion of safety of passengers, crew, and other users of Horseshoe Bay resulting from the operation of a ferry service at Fort Baker along with proposed mitigation measures.

RECIRCULATION OF A SUBSTANTIALLY REVISED DRAFT EIS IS REQUIRED

For the reasons stated herein, the required analysis of the Project is defective under NEPA, undermining reasoned judgment on the Project and failing the required purposes of that law. (*See Robertson v. Methow Valley Citizens Council,* 490 U.S. 332, 349 (1989) [noting NEPA's purposes are to ensure the agency will have detailed information on significant environmental impacts when it makes its decisions and to guarantee that this information will be available to a larger audience]; 40 C.F.R. §§ 1502.1, 1502.14.) Indeed, the Project DEIS so fundamentally fails to provide the necessary and accurate information required for informed decision-making under NEPA that no reasonable conclusions as to the soundness and value of the Project may be drawn from that document.

An EIS must be recirculated "if a draft statement is so inadequate as to preclude meaningful analysis."(40 C.F.R. § 1502.9 (a).) The DEIS fails because the Project description fails. We must insist that the DEIS be based on a Project description that explicitly acknowledges the 100,000 new visitors at Fort Baker and 14 ferry landings on peak days rather than resorting to vagueness with the use of the word "occasional" to avoid doing the hard work of analyzing impacts at Fort Baker.

The additional data and information that NPS must provide to correct the deficiencies in the DEIS, are significant. The new information may show that previously unanalyzed significant environmental impacts would result from the Project, or that the severity of the identified environmental impacts would be substantially increased unless mitigation measures are adopted. These are all grounds for recirculation. (*See* 40 C.F.R. § 1502.9 (a).) The City looks forward to an opportunity to review a substantially revised and recirculated DEIS.

* * * * *

Thank you for this opportunity to comment on the DEIS and the Alcatraz Ferry Embarkation Project.

Very truly yours,

Tom Theodores, Mayor

Mary A. Wagner, City Attorney

Debbie Pagliaro, City Clerk

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EXHIBIT F

Arthur Friedman

From: CPC-RecordRequest <CPC-RecordRequest@sfgov.org>
Sent: Monday, February 5, 2018 11:30 AM
To: Alex Merritt; CPC-RecordRequest
Cc: Arthur Friedman; Mary Wagner
Subject: RE: IMMEDIATE DISCLOSURE REQUEST: Public Records for the Alcatraz Ferry Embarkation Project, Case No. 2017-000188ENV

Alex,
Please see respond below.

Records Requests
San Francisco Planning Department
1650 Mission Street, Suite 400 San Francisco, CA 94103
Main: 415.558.6378 | www.sfplanning.org
San Francisco Property Information Map

From: Alex Merritt [mailto:amerritt@sheppardmullin.com]
Sent: Friday, February 02, 2018 2:08 PM
To: CPC-RecordRequest
Cc: Arthur Friedman; Mary Wagner
Subject: RE: IMMEDIATE DISCLOSURE REQUEST: Public Records for the Alcatraz Ferry Embarkation Project, Case No. 2017-000188ENV

Just following up on this. When can we expect a response?

Thank you,
Alex

Alexander L. Merritt
415.774.2976 | direct
415.403.6089 | direct fax
amerritt@sheppardmullin.com | Bio

SheppardMullin
Sheppard Mullin Richter & Hampton LLP
Four Embarcadero Center, 17th Floor
San Francisco, CA 94111-4109
415.434.9100 | main
www.sheppardmullin.com

From: Alex Merritt
Sent: Thursday, February 1, 2018 9:47 AM
To: 'CPC-RecordRequest' <CPC-RecordRequest@sfgov.org>
Cc: Arthur Friedman <afriedman@sheppardmullin.com>; Mary Wagner <MWagner@sausalito.gov>
Subject: RE: IMMEDIATE DISCLOSURE REQUEST: Public Records for the Alcatraz Ferry Embarkation Project, Case No. 2017-000188ENV

Thank you for producing these records. We believe, however, that the production is incomplete. The deficiencies include, without limitation:

- Request 1 seeks all agreements constituting the Project, including the long-term agreement between the Port and NPS, all proposed concession contracts, and all contracts related to ferry service. Because these agreements are part of the Project that is being evaluated in the MND, we believe Planning must have copies of these agreements. Can you please explain why they were not produced, or why Planning does not have them?
  -The Planning Department only has the Environmental Evaluation Application describing the project. Whatever Julie provided from our files is all we have. The agreement and contracts between NPS and the Port have nothing to do with our CEQA review, therefore, we do not have copies of these.

- Request 9 seeks a copy of the City's PowerPoint presentation from the January 22, 2018 meeting to the BCDC Design Review Board and Port's Waterfront Design Advisory Committee. I personally attended that meeting and know that the PowerPoint presentation exists. Can you please explain why it was not produced?
  -The Planning Department did not produce any PowerPoint presentation nor did we attend BCDC Design Review Board and Port's Waterfront Design Advisory Committee meeting. Therefore, we do not have this PowerPoint presentation.

- The email production entitled "SGeorge Emails Alcatraz Pier 31.5" is missing the attachments. Can you please re-produce these emails with all attachments.
  The emails and attachments could be accessed via this link: https://files.acrobat.com/a/preview/f596da14-b76f-4600-8624-ad27af216cb3

Alexander L. Merritt
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From: CPC-RecordRequest [mailto:CPC-RecordRequest@sfgov.org]
Sent: Wednesday, January 31, 2018 4:42 PM
To: Alex Merritt <amerritt@sheppardmullin.com>; CPC-RecordRequest <CPC-RecordRequest@sfgov.org>
Cc: Arthur Friedman <afriedman@sheppardmullin.com>; Mary Wagner <MWagner@sausalito.gov>
Subject: RE: IMMEDIATE DISCLOSURE REQUEST: Public Records for the Alcatraz Ferry Embarkation Project, Case No. 2017-000188ENV

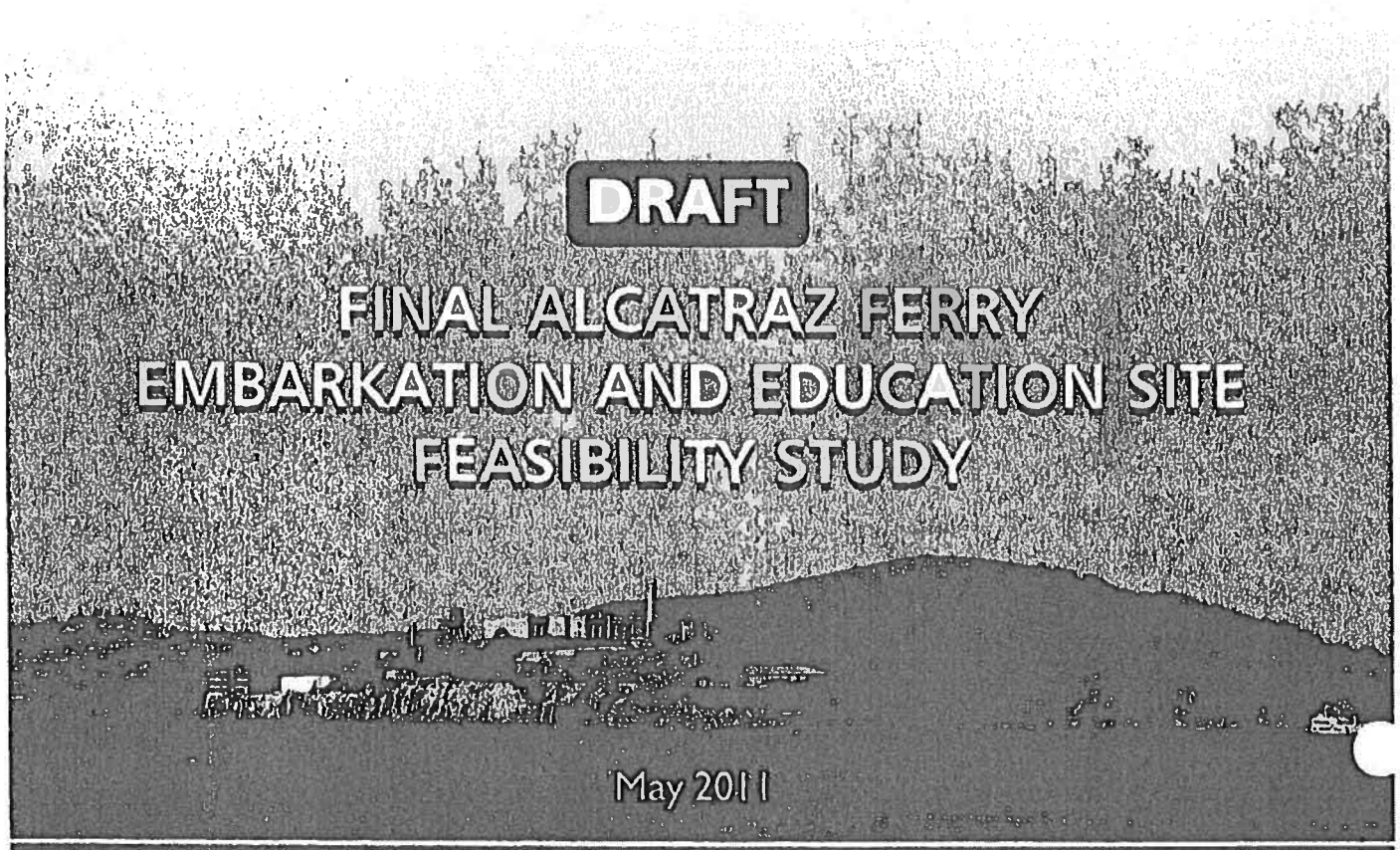
Mr. Merritt,

The complete record was produced including the second request.

Records Requests
San Francisco Planning Department
1650 Mission Street, Suite 400 San Francisco, CA 94103
Main: 415.558.6378 | www.sfplanning.org
San Francisco Property Information Map

From: Alex Merritt [mailto:amerritt@sheppardmullin.com]
Sent: Wednesday, January 31, 2018 9:30 AM
To: CPC-RecordRequest

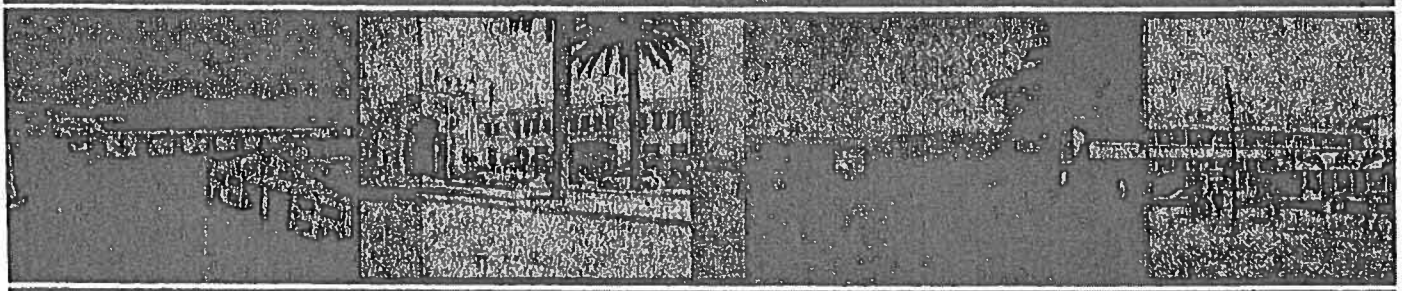
EXHIBIT G



DRAFT

FINAL ALCATRAZ FERRY EMBARKATION AND EDUCATION SITE FEASIBILITY STUDY

May 2011



NPS PMIS GOGA 77160
Document No. 641/107703

Prepared for
National
Park Service
U.S. Department
of Interior

Prepared by URS

Criterion 1d. Site minimizes travel time to Alcatraz Island to less than 15 minutes (critical).

Criterion 1e. Site offers opportunity for incorporating sustainability (value-added).

Criterion 1f. Site has adequate space to support operational activities (storage, deliveries, staff, etc.) (5,500 square feet is critical; 10,900 square feet is value-added).

Criterion 1g. Site ensures availability of administrative parking spaces within one block (five spaces is critical; ten spaces is value-added).

Objective 2. Allow for development of an immediately identifiable, distinct, first-class NPS visitor welcome area. This includes a site that allows a clearly defined sense of arrival, the setting of which is in keeping with a National Park site and an authentic Alcatraz Island experience; a site that ensures that NPS can define all aspects of the visitor experience, from pre-arrival to departure; a site that allows NPS the flexibility to modify and define interpretive materials, indoor and outdoor space, signage, and other features of the site; and a site that accommodates emerging technologies, growth, and visitor needs without unnecessary delays in approvals.

Criterion 2a. Building permit is provided with long-term lease of a non-NPS site that supports permanent installation of exhibits and facilities as deemed necessary by NPS (critical).

Criterion 2b. Facilities dedicated to NPS sole use for the Embarkation Facility (critical).

Criterion 2c. The NPS would have the ability to make required improvements to the exterior of assigned space to create highly visible and identifiable NPS/Alcatraz Island iconic architectural elements (critical).

Criterion 2d. Immediately adjacent uses (current and planned) are compatible with the NPS mission and desired visitor experience (critical).

Criterion 2e. View of Alcatraz Island desirable (a) from Embarkation Facility and (b) immediately after dispatch (value-added).

Objective 3. Provide adequate visitor support space and facilities to offer a comfortable, fully accessible, and welcoming experience, including a portal to the GGNRA that begins to connect visitors waiting for a ferry or visiting the site to the stories of Alcatraz Island, GGNRA, NPS, and the natural and cultural history of the San Francisco Bay Area, while accommodating visitor flow to and through the site without confusion.

Criterion 3a. Adequate space to present desired programming (as detailed in the Space Planning Model[1]), including the ability to develop indoor, covered, and weather-protected space as well as outdoor space (critical and value-added).

Criterion 3b. Other events or nearby land use and related pedestrians or vehicles do not unduly confuse or impede Alcatraz Island visitors (value-added).

Criterion 3c. Capacity for a third berth that could connect visitors to other destinations (value-added).

Objective 4. Ensure convenient alternative access to the Alcatraz Island departure site through a variety of transportation modes, while providing for the opportunity to connect to other parklands (such as Fort Baker, Fort Mason, and Muir Woods National Monument).

[1] The Space Planning Model is described in Section 4.2 and Appendix A. Based on a variety of factors, the model presents the critical and value-added square footage that would be required at each site in order to satisfy NPS goals and objectives for the Embarkation Facility.

EXHIBIT H

operations are used to offset rent for the concessioner's pier leased from the Port, which reduces the amount available for improvements on Alcatraz Island or at other GGNRA parklands.

The Alcatraz ferry embarkation site and associated facilities should serve as a gateway to GGNRA, reflecting the Park Service's identity and providing a quality experience for visitors. Under the current scenario, the condition of the existing embarkation site reduces the quality of the visitor experience. The existing embarkation site is on property that the concessioner has leased from the Port and is outside of GGNRA boundaries. Nevertheless, that embarkation site is the beginning and end point of the transportation services provided to the visiting public, and therefore is an integral part of the visitor services provided under the concession contract. Consequently, the Park Service has an interest in reviewing elements of the embarkation site facilities for purposes of considering their impact on the interpretation of GGNRA to the visiting public (including visitor appreciation and understanding of the resource). These elements include, for example, signs, logos, colors, or other means of demarcating the existing site as the Park Service's official Alcatraz Island departure location. Lack of formal authority, in combination with changing adjacent commercial uses and developments, hinders the Park Service's ability to create a clear sense of identity and quality visitor support services at the Alcatraz ferry embarkation site.

The Alcatraz ferry embarkation site should provide the space, circulation, and interpretive materials to appropriately and effectively orient visitors to Alcatraz Island and GGNRA. NPS policy is to provide public access and opportunities for all to enjoy and to learn about park resources. In its current configuration, space is unavailable at Pier 31½ to provide appropriate interpretive exhibits or an orientation to Alcatraz Island and GGNRA for visitors prior to departing for the island. These interpretive and orientation opportunities are also key for visitors wishing to visit Alcatraz Island but unable to secure reservations. The visitor facility does not currently provide a genuine park portal to GGNRA, and as such, many visitors or aspiring visitors to Alcatraz Island are unaware of the other recreational and educational opportunities provided by GGNRA.

The Alcatraz ferry embarkation site may provide a valuable opportunity for cross-bay ferry service to other GGNRA parklands. Convenient transit connections to other GGNRA parklands, such as Fort Baker, are currently unavailable from the existing ferry embarkation site. NPS policy promotes alternative transportation access that is energy conserving, convenient, and that provides multiple travel options for visitors. Increasing numbers of park visitors choose to use transit, do not have an automobile, and perceive travel by ferry as an enjoyable experience. The potential to add another (third) berth and promote additional special-event services to the ferry embarkation site would further enhance this opportunity.

Project Description

The Project retains the current Alcatraz ferry embarkation site at Pier 31½ and proposes improvements to the existing facility. It would use the historic Pier 31 north and south bulkhead

EXHIBIT I

SheppardMullin

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Arthur J. Friedman
415.774.2985 direct
afriedman@sheppardmullin.com

January 23, 2018

VIA E-MAIL AND FEDEX

Charis Wilson
FOIA Officer
P.O. Box 25287
12795 W. Alameda Parkway
Denver, CO 80225
npsfoia@nps.gov

Re: FOIA Request for the Alcatraz Ferry Embarkation Project

Dear Ms. Wilson:

Pursuant to the Freedom of Information Act,[1] I am writing to request copies of the following public records relating to the Alcatraz Ferry Embarkation Project (Project) proposed by the National Park Service (NPS) within the Golden Gate National Recreation Area in California:

1. All agreements constituting the proposed Project, including without limitation the proposed long-term agreement between NPS and the Port of San Francisco (Port), and all proposed concession contracts relating to Project, including contracts relating to ferry services to be provided as part of the Project.

2. All documents and communications relating to NPS' analysis of potential environmental impacts resulting from the Project's proposal to establish limited ferry service between Pier 31 ½ and the existing Fort Baker pier.

3. All documents and communications relating to NPS' analysis of potential environmental impacts resulting from the Project's proposal to provide interpretive cruises around San Francisco Bay.

4. All documents and communications relating to any existing or future plans, or potential or proposed projects, relating to improvements to the existing Fort Baker pier.

5. All documents and communications relating to any existing or future plans, or potential or proposed projects, relating to ferry service to Fort Baker.

---

[1] 5 U.S.C. § 552.

6. All documents and communications relating to any existing or future plans, or potential or proposed projects, relating to transporting or facilitating the transportation of persons from Fort Baker to the Marin Headlands.

7. All documents and communications relating to any existing or future plans, or potential or proposed projects, relating to transporting or facilitating the transportation of persons from Fort Baker to Muir Woods.

8. A copy of the PowerPoint presentation that the Port, NPS, and/or the Golden Gate National Parks Conservancy presented at the January 22, 2018 joint meeting of the Bay Conservation and Development Commission's Design Review Board and the Port's Waterfront Design Advisory Committee.

9. All documents and communications related to the Project's proposed "Queue 2."

10. All documents and communications related to the Project's proposed interpretive exhibit regarding "GGNRA Trailhead Info."

11. All documents and communications related to the Project's proposed signage at Queue 2 regarding "GGNRA Destinations."

If possible, we would prefer to receive electronic copies of these records via email. We agree to pay any fees associated with this request up to $250.00. If fees will exceed this amount, please contact me for authorization before proceeding with this request.

Thank you in advance for your prompt attention to this matter. If you have any questions, please email me at afriedman@sheppardmullin.com.

Very truly yours,

Arthur J. Friedman
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:485241620.1

EXHIBIT J

United States Department of the Interior

NATIONAL PARK SERVICE
Golden Gate National Recreation Area
Fort Mason, San Francisco, CA 94123

IN REPLY REFER TO:
9.C (GOGA-CP)
NPS-2018-00372

January 30, 2018

Mr. Arthur J. Friedman
Via email: afriedman@sheppardmullin.com
Sheppard, Mullin, Richter & Hampton LLP
Four Embarcadero Center, 17th Floor
San Francisco, California 94111-4109

Dear Mr. Friedman:

We are writing to acknowledge your Freedom of Information Act (FOIA) request, dated January 23, 2018, and have assigned it control number NPS-2018-00372. Please cite this number in any future communications regarding your request. Please note this request has not been perfected as we require additional information from you.

You requested documents *"relating to the Alcatraz Ferry Embarkation Project (Project) proposed by the National Park Service (NPS) within the Golden Gate National Recreation Area in California, including:*

1. *All agreements constituting the proposed Project, including without limitation the proposed long-term agreement between NPS and the Port of San Francisco (Port), and all proposed concession contracts relating to Project, including contracts relating to ferry services to be provided as part of the Project.*
2. *All documents and communications relating to NPS' analysis of potential environmental impacts resulting from the Project's proposal to establish limited ferry service between Pier 31 ½ and the existing Fort Baker pier.*
3. *All documents and communications relating to NPS' analysis of potential environmental impacts resulting from the Project's proposal to provide interpretive cruises around San Francisco Bay.*
4. *All documents and communications relating to any existing or future plans, or potential or proposed projects, relating to improvements to the existing Fort Baker pier.*
5. *All documents and communications relating to any existing or future plans, or potential or proposed projects, relating to ferry service to Fort Baker.*
6. *All documents and communications relating to any existing or future plans, or potential or proposed projects, relating to transporting or facilitating the transportation of persons from Fort Baker to the Marin Headlands.*
7. *All documents and communications relating to any existing or future plans, or potential or proposed projects, relating to transporting or facilitating the transportation of persons from Fort Baker to Muir Woods.*
8. *A copy of the PowerPoint presentation that the Port, NPS, and/or the Golden Gate National Parks Conservancy presented at the January 22, 2018 joint meeting of the Bay Conservation and Development Commission's Design Review Board and the Port's Waterfront Design Advisory*

Committee.

9. *All documents and communications related to the Project's proposed "Queue 2."*
10. *All documents and communications related to the Project's proposed interpretive exhibit regarding "GGNRA Trailhead Info."*
11. *All documents and communications related to the Project's proposed signage at Queue 2 regarding "GGNRA Destinations."*

The FOIA requires that requests describe the records sought with sufficient detail to allow an agency employee familiar with the subject area of the request to locate the records with a reasonable amount of effort. **Your request does not adequately describe the records sought; therefore, we are unable to process it at this time.** If you wish to pursue your request, please provide additional details, such as:

- Date range parameters,
- Key search terms,
- A list of record custodians and/or,
- Limiting the search to electronic records

According to our regulations, if we do not receive your written response clarifying what records you are looking for within 20 workdays from the date of this letter, we will presume that you are no longer interested in pursuing your request, we will not be able to comply with your request, and we will close our file on it. See 43 C.F.R. § 2.5(d).

Fee categories are determined by requester type, of which there are three: commercial use; educational institutions, noncommercial scientific institutions, and representatives of the news media; and other-use requesters. Our regulations require that your FOIA request contain sufficient information for us to determine your proper fee category. **Your request does not fulfill this requirement because you did not specify whom this request is for. We therefore are unable to process your request at this time.** If you wish to pursue your request, please provide us additional information so that we may determine your fee category. According to our regulations, if we do not receive your written response clarifying these points within 20 workdays from the date of this letter, we will presume that you are no longer interested in pursuing your request, we will not be able to comply with your request, and we will close our file on it. See 43 C.F.R. § 2.6(c).

We use Multitrack Processing to process FOIA requests. The Simple track is for requests that can be processed in one to five workdays. The Normal track is for requests that can be processed in six to twenty workdays. The Complex track is for requests that can be processed in twenty-one to sixty workdays. The Exceptional/Voluminous track is for requests requiring more than sixty workdays for processing. The Expedited track is for requests that have been granted expedited processing. Within each track, requests are processed on a first-in, first-out basis. There are currently 13 open FOIA requests ahead of yours, one of which is Exceptional/Voluminous.

As stated, we will not begin processing your request until we receive further information from you. We believe that your request falls into the Exceptional/Voluminous processing track. You may narrow the scope of your request to obtain quicker processing in your currently assigned track or move the request into a faster track (which may have the effect of reducing the cost of

processing your request). If you have any questions about this, please contact us.

You may appeal this response to the Department's FOIA/Privacy Act Appeals Officer. If you choose to appeal, the FOIA/Privacy Act Appeals Officer must receive your FOIA appeal **no later than 90 workdays** from the date of this letter. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

Your appeal must be made in writing. You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL." You must include an explanation of why you believe the NPS's response is in error. You must also include with your appeal copies of all correspondence between you and NPS concerning your FOIA request, including your original FOIA request and NPS's response. Failure to include with your appeal all correspondence between you and NPS will result in the Department's rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer's sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

DOI FOIA/Privacy Act Appeals Office Contact Information
Department of the Interior
Office of the Solicitor
1849 C Street, N.W. MS-6556 MIB
Washington, DC 20240

Attn: FOIA/Privacy Act Appeals Office

Telephone: (202) 208-5339
Fax: (202) 208-6677
Email: FOIA.Appeals@sol.doi.gov

If you have questions about your request, please contact Liz Gill, Planning and Communications Assistant for GGNRA, at (415) 561-7402.

Sincerely,

Dana Polk
Acting Director of Communications and External Affairs

cc: Nancy Hori, Regional FOIA Officer, NPS Pacific West Region

CITY OF SAUSALITO

Tom Theodores, Mayor

Adam Politzer, City Manager
420 Litho Street, Sausalito, California 94965
Telephone: 415-289-4100 o WWW.CI.SAUSALITO.CA.US

May 18, 2015

Superintendent
Golden Gate National Recreation Area
Attn: Alcatraz Ferry Embarkation Draft EIS
Fort Mason, Building 201
San Francisco, CA 94123-0022

Re: Comments on the Draft Environmental Impact Statement for Alcatraz Ferry Embarkation Project

To Whom It May Concern:

The City of Sausalito (City) submits these comments on the Draft Environmental Impact Statement (DEIS) for the Alcatraz Ferry Embarkation Project (Project) proposed by the National Park Service (NPS). The DEIS largely addresses the selection of three alternative embarkation sites on the San Francisco waterfront to serve the Park's ferry operations to Alcatraz Island.

NPS proposes, as a mandatory component of the three Project alternatives, Special Ferry Service at Fort Baker (hereafter, Fort Baker Ferry Service). According to the DEIS, the Fort Baker Ferry Service component will involve the development of a ferry berth at Fort Baker and the operation of a ferry for "special events, occasional excursions, or special occasional service" between other NPS parks and the San Francisco waterfront.

No qualification is provided as to what "occasional" means in terms of number of annual excursions, and no upper limit is provided. "Occasional" is later characterized in the DEIS as "intermittent" with trip numbers apparently at a "low level relative to existing activity in the San Francisco] Bay." (DEIS, p. 375.)

Development of the Fort Baker Ferry Service will also involve the virtual re-construction of the existing 1930's era, 400-foot long concrete pier at Fort Baker, which the DEIS describes as having "significant damage and deterioration." (DEIS, p. 62.)

The first step in any such development is adequate review under the National Environmental Policy Act (NEPA). Unfortunately, after a close review of the DEIS, it is apparent that the Fort Baker Ferry Service project component and NPS's environmental review of it in the DEIS is flawed. The DEIS fails to include essential facts necessary to accurately and completely describe the Fort Baker Ferry Service project component; it fails to provide a factual basis for critical conclusions contained in the DEIS; it relies on misleading assumptions; and it understates substantially the potential impacts of the Fort Baker Ferry Service component of the Project.

The City urges NPS to carefully review the comments below and correct the deficiencies identified before moving forward with any further consideration of the Fort Baker Ferry Service

component of the Project. NPS, in particular, must carefully weigh the relative benefits of the Project-based on a full and accurate understanding of the scope and effects of the Project before committing potentially millions of dollars in federal subsidies for water-based transportation from Fort Baker to the San Francisco waterfront. Before irreversibly committing resources to such a project component, NPS owes the public a full, accurate and well-supported analysis of its environmental impacts on Fort Baker and the surrounding environment.

THE CITY, AS A CRITICAL STEWARD OF THE RICHARDSON BAY, HAS A STRONG BENEFICIAL INTEREST IN ENSURING COMPLIANCE WITH NEPA

The City of Sausalito has had a long record of support for the recreational use of Fort Baker. In 1998, the City informed then Superintendent Brian O'Neil of its support for the transfer of Fort Baker from the Army to the National Park Service.

However, that support has also been balanced with the concern that Fort Baker retains its historic heritage. We have urged the NPS to be sure the Fort's facilities are sized in a way that preserves its historic resources and enhances sensitive environmental resources. In turn, NPS substantially reduced the originally proposed size of the conference center/lodge from 350 rooms to a maximum of 225 rooms.

The Project DEIS largely concerns itself with determining which of three piers on the San Francisco waterfront would be the best location for the NPS's ferry operation to Alcatraz Island. However, each of these alternatives includes, without exception, ferry operation from Fort Baker to the San Francisco waterfront and other potential stops at NPS facilities located in San Francisco Bay.

Simply put, we were shocked at this component of the Project. The City is gravely concerned that the Fort Baker-San Francisco leg of the Project foreshadows a significant increase in the intensity of use at Fort Baker. Once having constructed a ferry landing at Fort Baker at considerable cost, it is simply inevitable that pressure will mount for NPS to expand the service from what is now described as "occasional special events" to "regular" ferry service from Fort Baker to the San Francisco peninsula.

Indeed, the DEIS admits as much. The DEIS alludes to a staggering 100,000 annual ferry passenger visits to Fort Baker as part of a "circular route that serves multiple Park Service sites in the Bay." (Transportation and Circulation Study, p. 86.) In a seemingly innocuous statement, but in reality a glaring admission, the DEIS sets a baseline for noise at 14 ferry landings per day at Fort Baker resulting in 28 "events." (DEIS, p. 345.)

As you know, the City is the nearest urban center to Fort Baker. Currently, the City's streets, parking lots and public amenities are under mounting pressure from regional, national and international visitors traveling to Sausalito. The City continues to experience a staggering level of vehicles, bicycles and pedestrian traffic flowing into the Bridgeway corridor. Weekend bicycle traffic, largely arriving via the Golden Gate Bridge, has proved to be especially vexing, making many of our pedestrian walkways nearly impassable. In turn, cyclists often return to San Francisco via the ferry operations embarking from the Sausalito Ferry Landing. However, the number of returning cyclists is now outstripping the capacity of those ferries. Rather than relieve that overcrowding, we believe a ferry landing at Fort Baker will serve to increase visitors and bicycle traffic in Sausalito and further impact our community while also eroding the visitor experience at both Fort Baker and Sausalito.

By failing to logically link the Fort Baker Ferry Service component to the "circular route" component, the DEIS fails to include major developments in and around Marin County in its cumulative impact analysis. These omissions must be remedied and the analysis revised to fully address the cumulative impacts of the Project.

5. The DEIS Does Not Properly Identify or Describe Significant Impacts of the Project

NEPA requires a "full and fair discussion of significant environmental impacts." (40 C.F.R. § 1502.1; *see also* 42 U.S.C. § 4332 (C); 40 C.F.R. §, 1508.7.) This includes analysis of both direct and indirect environmental impacts of the proposed action. (40 C.F.R. § 1508.8.) Direct effects are caused by the action and occur at the same time and place. (40 C.F.R. § 1508.8(a).) Indirect effects are those caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. (*See* 40 C.F.R § 1508.8(b).) Both include "effects on natural resources and on the components, structures, and functioning of affected ecosystems," as well as "aesthetic, historic, cultural, economic, social, or health [effects]." (*Id.*)

Because the DEIS relies on the demonstrably false premise that ferry service to Fort Baker will be "occasional," the DEIS fundamentally fails to address the impacts of the Fort Baker Ferry Service and the surrounding area, thereby ignoring significant environmental, economic and public trust impacts.

a. Land Use

The Fort Baker Ferry Service component would include development of a ferry landing, which will include an extension of the existing pier and includes additional development of landside facilities. As a starting point, the DEIS's land use analysis claims the proposed Fort Baker Ferry Service is "consistent with the general goals of the Fort Baker Plan." (DEIS, p. 247.) At best, this is misleading. NPS promised that ferry service to Fort Baker would be subject to full environmental review when it wrote in the FEIS for the Fort Baker Plan:

> "Detailed information on the type of service (i.e., size of boats, frequency of trips, land-side facilities, etc.) and subsequent environmental effects are unknown at this time. *Future plans for ferry service at Fort Baker would be subject to environmental review in accordance with NEPA, and mitigation would be developed as needed to reduce or avoid significant effects.* Because that analysis has not been prepared, the effectiveness of mitigation measures in reducing potential impacts is also unknown and could be considered potentially significant. Individually, the Proposed Action would have a less-than-significant, and in some instances beneficial, effect on water quality and biological resources. As a result, the Proposed Action would incrementally but not substantially contribute to this potentially significant impact. *The NPS would, however, mitigate the effects of ferry service to the greatest extent possible.* Use of a ferry would provide alternative transportation options for visitors of Fort Baker and would provide beneficial effects on traffic conditions."

(Fort Baker Plan FEIS, October 1999, p. 5-3, emphasis added.)

By making the Fort Baker Ferry Service a mandatory component of the three Project alternatives, the full environmental alternative analysis to such ferry service has been completely short circuited. Indeed, development of a ferry landing at Fort Baker was a central component to the now replaced 1980 General Management Plan for the Golden Gate Recreation Area. The

2. The DEIS Improperly Piecemeals and Segments the Project, Thus Minimizing Impacts and Avoiding Necessary Mitigation

At the core of the DEIS's inadequacy is its surgical-like attempt to carefully characterize Project components as "undefined" when they will occur at Fort Baker and yet, simultaneously evaluate specific aspects of those same so-called "undefined" components when it comes to impacts on the San Francisco waterfront. The "third berth" with its 100,000 annual passengers is fully evaluated for its environmental impacts on the San Francisco peninsula. But two miles away across the San Francisco Bay, the DEIS posits that there are virtually no Fort Baker impacts from these very same ferry operations emanating from the third berth. Indeed, the third berth component with its 100,000 passengers and circular route impacts in Marin County has been piecemealed out of the Project, hiding behind the DEIS's phraseology of "occasional" and "intermittent" ferry service at Fort Baker. Does NPS seriously contend that 100,000 passengers are going someplace other than Fort Baker as these ferries embark on a "circular route" of the San Francisco Bay visiting every other NPS parkland? Simply put, NPS cannot leave analysis of such impacts to future review.

3. The DEIS Fails to Analyze a Reasonable Range of Feasible Alternatives

The purpose of the alternatives discussion in an EIS is to identify ways to reduce or avoid significant environmental effects. (42 U.S.C. § 4332(C)(iii).) NEPA requires the lead agency to "[r]igorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated." (40 C.F.R. § 1502.14(a).)

Here, the DEIS's Alternative analysis fails in its attempt to address NEPA requirements because it makes no attempt to analyze a Project alternative that does not include the proposed Fort Baker Ferry Service. Because such an alternative would eliminate at least some of the environmental impacts of the Project while still fulfilling NPS's primary Project objective for a landing along the San Francisco waterfront, the DEIS's mandated embrace of the Fort Baker Ferry Service component for every alternative is improper and deprives the public and decision-makers of vital information required for an informed analysis.

An alternative that eliminates the Fort Baker Ferry Service is a feasible alternative that would meet the Project's primary objectives, while assuaging the concerns of the City that Fort Baker is taking a critical (and misguided) first step towards daily commercial and heightened weekend ferry operations. Yet the DEIS completely ignores this feasible alternative. The DEIS must be revised to include a reasonable range of alternatives, not just a binary choice between the Fort Baker Ferry Service or No Project.

4. The DEIS Fails to Properly Analyze Cumulative Impacts

Under NEPA, an adequate EIS may not consider a proposed action in isolation, but must consider its cumulative impacts, including the "impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions." (40 C.F.R. § 1508.7.)

Here, the DEIS purports to follow this approach but utterly fails to tie the new ferry landing at Fort Baker to the probable but "undefined" future project identified in the DEIS as the "circular route" generating 100,000 additional passenger visits to NPS parklands, including Fort Baker.

> ferry as an enjoyable experience. The potential to add another (third) berth and promote additional special-event services to the ferry embarkation site would further enhance this opportunity."

(DEIS, p. v.)

While seemingly consistent with the "occasional" Fort Baker ferry service portended in the bulk of the DEIS, this façade simply crumbles when we review the DEIS's technical studies. Buried within the technical study concerning transportation and circulation, the NPS discloses that its San Francisco waterfront embarkation site's "third berth" is expected to accommodate 100,000 annual passengers as part of a "circular" ferry route that takes visitors to a series of NPS parklands, including Fort Baker:

> Although the ultimate use of this third berth is yet undefined, the additional ferry service could be a water taxi or a circular route that serves multiple Park Service sites in the Bay, for example. The Park Service has forecasted that this service would add up to 100,000 additional visitors annually ...."

(Transportation and Circulation Study, p. 86.)

The forecasted 100,000 passenger visits per year to Fort Baker via the "circular route" is, it appears, inadvertently confirmed in the DEIS discussion on noise and vibration. In analyzing noise and vibration impacts at Fort Baker, the DEIS specifically states that a "future (with Project) noise levels" analysis was performed *"based on a conservative estimate of 14 ferries per day."* (DEIS, p. 345, emphasis added). The DEIS further states that "[t]he Fort Baker element of the Project is assumed to accommodate approximately 14 ferry trips, or 28 events per day." (DEIS, p. 324.)

We are compelled to agree with the author. We concur that 14 ferries per day at Fort Baker is a conservative estimate and, to be fair, probably represents the outer limit of daily ferry service to Fort Baker. The technical study estimates that the "third berth" circular route service will generate 390 ferry passengers, on average, each day. However, this is only part of the story. NPS sponsored ferry excursions are subject to substantial peak demand on weekends, particularly Saturdays where demand appears to be more that twofold the average daily rate. Based on these peak demands, it is likely that ferry passenger visits to Fort Baker on a peak Saturday will exceed 1,000 passengers. The NPS's current ferry concessionaire, Alcatraz Cruises, LLC, utilizes a ferry with capacity of 110 passengers for "cocktail" styled excursions which would appear to be consistent with the DEIS's "special event" criteria accorded the "circular route" ferry service envisioned for Fort Baker and other NPS parklands. Assuming 80% to 90% passenger utilization during peak periods, 14 ferry landings during peak days at Fort Baker certainly appears to be in the reasonable range.

Summarizing our review, we believe that the DEIS fails to adequately describe the Project because it falsely characterizes the Fort Baker Ferry Service component as "occasional" when in fact the Fort Baker Ferry Service contemplates 100,000 passenger visits to Fort Baker with ferry service during peak days at as many as 14 ferry landings and 28 "events." (DEIS, p. 324 and p. 345.) The DEIS should be revised to reflect this correction to the Project description.

For nearly 15 years since the transfer of Fort Baker to the NPS, the City has continued to invest in maintaining itself as one of the nation's most visited waterfront communities, drawing two million visitors annually. We believe that maintaining our community's quality of life directly benefits NPS, providing significant nearby amenities to lodge and conference guest at Cavallo.

Accordingly, we believe NPS and the City share a strong mutual interest in the economic vitality of the City's downtown waterfront, and we continue to support responsible use of Fort Baker that will sustain this treasured resource. But the Project proposes a substantial change to Fort Baker with the re-construction of the pier as a ferry landing and the inevitable advent that Fort Baker will become a destination for some 100,000 new visitors each year as one of the "other park sites within the Bay." (DEIS, pp. vii, viii, 48, 56, 61, 305, 309, 314.)

The City and Fort Baker stand to be significantly affected by the proposed Fort Baker Ferry Service component of the Project. Accordingly, the City is vitally interested that the environmental impacts of the Project's Fort Baker components are fully considered and actually mitigated to the fullest extent feasible.

THE DEIS FAILS TO ADEQUATELY AND COMPLETELY COMPLY WITH NEPA

1. The Project Description Does Not Adequately and Completely Describe the Actual Project

An accurate and complete project description, as required by NEPA, enables the public to understand the full scope of the Project and its potential effects on the environment. Here, the Project Description concerning Fort Baker Ferry Service component is incomplete, misleading and under-developed. As a result, it improperly minimizes the potential environmental impacts and artificially narrows the reasonable range of alternatives of the Project.

The Project's description improperly constrains the scope of the actual Project by narrowly defining the Fort Baker Ferry Service component as "[d]eveloping a ferry berth at Fort Baker for special service that could operate for special events, occasional excursions, or special occasional services between other parklands and the primary ferry embarkation site in San Francisco." (DEIS, p viii.)

However, as we drill down into the DEIS and its supporting studies, we learn the DEIS's mantra of "occasional" is seriously misleading. While the DEIS attempts to suggest that "regular" daily ferry service to Fort Baker is foreclosed, the DEIS actually sets the stage for just that level of service (without any attempt to identify or analyze the environmental impacts of such regular service).

Each of the primary alternatives for the San Francisco embarkation site includes a "third berth" component that will be used for cross-bay ferry service to other NPS Parklands – including Fort Baker. According to the DEIS,

> "The Alcatraz ferry embarkation site may provide a valuable opportunity for cross-bay ferry service to other GGNRA parklands. Convenient transit connections to other GGNRA parklands, such as Fort Baker, are currently unavailable from the existing ferry embarkation site. NPS policy promotes alternative transportation access that is energy conserving and convenient, and that provides multiple travel options for visitors. Increasing numbers of park visitors choose to use transit, do not have an automobile, and perceive travel by

FEIS to the Fort Baker Plan, in describing the "Waterfront/Fishing Pier" amenities offered under the then existing 1980 General Management Plan, stated:

> "Wood bulkhead and riprap removed; new sandy beach and urban landscape created (6 acres). *Development of ferry landing and improvements* including railings, benches, comfort stations and fish cleaning stations on pier. Boat launching ramp repaired and resurfaced."

(Fort Baker Plan FEIS, October 1999, p. 2-4, emphasis added.)

Under this same heading, the FEIS to the Fort Baker Plan described the amenities offered by the 1999 Fort Baker Plan by stating:

> "Wooden bulkhead and riprap removed; beach created; road relocated; 6-acre natural landscaped meadow; boardwalk; picnic area. Boat ramp retained; fishing pier improved (fish cleaning stations, railings, benches, information), restrooms provided. 170 parking spaces in three locations to serve waterfront users."

(Fort Baker Plan FEIS, October 1999, p. 2-4)

It is ironic that the Alcatraz Embarkation DEIS would now embrace the Fort Baker Ferry Service as being "consistent" with the Fort Baker Plan approved in 2005 when in fact the Fort Baker Ferry Service with 100,000 passenger visits is actually more "consistent" with the former 1980 General Management Plan it superseded. Indeed, in a November 23, 2004 letter to the San Francisco Bay Conservation and Development Commission titled "Revised Consistency Determination for the Fort Baker Plan," NPS does not even mention ferry service at Fort Baker. The letter does, however, repeatedly reference the "fishing pier" as part of the many critical recreational features at Fort Baker.

In 2005, the NPS pledged to "mitigate the effects of ferry service to the greatest extent possible." The DEIS dishonors this pledge. The DEIS should have honestly evaluated the Fort Baker Ferry Service's consistency with the goals and policies of the Fort Baker Plan and discussed the impacts of losing the pier as a visitor-friendly fishing pier with benches and railing. This use, which we have long considered a community asset and gathering place, will now be converted to another crowded ferry terminal. This intensity of use is simply not consistent with the Fort Baker Plan and the DEIS.

b. Traffic

Because the DEIS has cleverly separated the Fort Baker Ferry Service component of "occasional" ferry service from the 100,000 annual ferry passenger traveling on the "circular route" of NPS parklands including Fort Baker, the DEIS assures us the Project will not have substantial traffic and circulation impacts in Marin County. We disagree. These Project components will generate short-term, construction related traffic. Long-term traffic effects are also inevitable. However, the DEIS fails to even discuss the major roadways near Fort Baker that may be affected when these two Project elements are implemented. Why has this been glossed over? Because the DEIS simply hides behind the implicit vagueness of "occasional," "intermittent" and "special event." The DEIS discussion of traffic must be revised to take into account the 100,000 passenger visits to Fort Baker.

c. Air Quality

Air Quality is an important resource issue in the San Francisco Bay Area and is related to multiple factors, including transportation and circulation. The DEIS should have included an assessment of ambient air quality conditions as well as short-term (*i.e.*, construction) air quality impacts and long-term (*i.e.*, operational) regional air pollutant emissions from the ferry operation at Fort Baker that appears poised to include 100,000 annual visitors. The analysis should have identified sensitive receptors within and in the vicinity of Horseshoe Bay, discuss potential emissions of odors and/or hazardous air pollutants generated by stationary and area sources in the area. Instead, the DEIS simply skipped Fort Baker.

d. Noise and Vibration.

The DEIS appears to correctly analyze noise impact but does so because it explicitly acknowledges the actual level of ferry service to Fort Baker otherwise hidden in the veil of "occasional." The DEIS specifically states that the "future (with Project) noise levels" analysis was performed *"based on a conservative estimate of 14 ferries per day."* (DEIS, p. 345, emphasis added). As a point of reference, 14 ferry landings a day actually exceeds the number of daily ferry landing at the commercial Sausalito Ferry Landing.

e. Geology, Soils and Seismicity

The proposed Fort Baker Ferry Service component includes landside improvements that currently include a pedestrian walkway but could ultimately include parking and transit connections to accommodate the "conservative estimate" of 14 ferry landings per day. The EIS should include a discussion of topographic alteration, land capability and coverage, dredging, soil stability, geologic/geomorphologic hazards and erosion potential and propose adequate mitigation measures (both temporary and permanent) for the eventual landside development components necessary to accommodate peak passenger disembarkments of as many as 1,000 passengers on peak days.

f. Water Quality and Hydrology

The Fort Baker Ferry Service component includes re-construction of the pier at the mouth of Horseshoe Bay and landside facility improvements adjacent to the bay. These project components could also affect existing drainage features in this area. Both pre- and post-construction impacts to these features should have been identified and analyzed in the DEIS. This will include non-point pollution sources from the component of the Project, potential contaminants, proposed source control methods, and proposed temporary and permanent BMPs to address potential impacts on water quality within Horseshoe Bay. The analysis of water-related impacts should have also considered potential motorized watercraft pollutants (*e.g.*, fuel constituents, combustion products) within the bay.

g. Biological Resources: Aquatic and Terrestrial

The DEIS section on aquatic and terrestrial biological resources fails because of the DEIS's insistence that the Fort Baker Ferry Service will be "intermittent and low level relative to existing vessel activity in the Bay." Federal and State endangered wildlife species, which include the Mission Blue Butterfly and host species lupine, among other species and their habitat, are known to inhabit coastal scrub areas at Fort Baker. The City respectfully submits that 14 daily ferry landings, 100,000 annual passengers and the associated development of

Fort Baker should be thoroughly analyzed for its impact on Federal and State endangered wildlife species.

h. Recreation and Visitor Use

The Fort Baker Ferry Landing Project component would, we acknowledge, provide a new tourist amenity at Fort Baker. However, once fully implemented with up to 14 ferry landings during peak days and 100,000 new visitors annually, it will inevitably push aside the fishing use on the pier that is a notable feature of the current Fort Baker Plan. This loss should be disclosed and its impacts evaluated

i. Public Services and Utilities

The public services and utilities section of the DEIS should have evaluated the potential effects of the Fort Baker Ferry Service component on power, solid waste collection and disposal, police services, emergency response (including U.S. Coast Guard) and fire protection services, water treatment and distribution, and wastewater collection using the proper baseline of 14 ferry landings per day and 100,000 additional visitors via the ferry service.

j. Hazardous Materials

The proposed project would involve the transportation of hazardous materials (*e.g.*, fuel, paint) to the project site during construction and operation. The potential for these materials to be released into the environment at Horseshoe Bay should have been evaluated in the DEIS. The potential for site contamination should have been documented in the DEIS, and areas of potential soil or water contamination in the bay should have been described. In addition, the DEIS should have analyzed the potential effects on emergency response plans and fire hazard risks. The DEIS should have included a discussion of safety of passengers, crew, and other users of Horseshoe Bay resulting from the operation of a ferry service at Fort Baker along with proposed mitigation measures.

RECIRCULATION OF A SUBSTANTIALLY REVISED DRAFT EIS IS REQUIRED

For the reasons stated herein, the required analysis of the Project is defective under NEPA, undermining reasoned judgment on the Project and failing the required purposes of that law. (*See Robertson v. Methow Valley Citizens Council,* 490 U.S. 332, 349 (1989) [noting NEPA's purposes are to ensure the agency will have detailed information on significant environmental impacts when it makes its decisions and to guarantee that this information will be available to a larger audience]; 40 C.F.R. §§ 1502.1, 1502.14.) Indeed, the Project DEIS so fundamentally fails to provide the necessary and accurate information required for informed decision-making under NEPA that no reasonable conclusions as to the soundness and value of the Project may be drawn from that document.

An EIS must be recirculated "if a draft statement is so inadequate as to preclude meaningful analysis."(40 C.F.R. § 1502.9 (a).) The DEIS fails because the Project description fails. We must insist that the DEIS be based on a Project description that explicitly acknowledges the 100,000 new visitors at Fort Baker and 14 ferry landings on peak days rather than resorting to vagueness with the use of the word "occasional" to avoid doing the hard work of analyzing impacts at Fort Baker.

The additional data and information that NPS must provide to correct the deficiencies in the DEIS, are significant. The new information may show that previously unanalyzed significant environmental impacts would result from the Project, or that the severity of the identified environmental impacts would be substantially increased unless mitigation measures are adopted. These are all grounds for recirculation. (*See* 40 C.F.R. § 1502.9 (a).) The City looks forward to an opportunity to review a substantially revised and recirculated DEIS.

* * * * *

Thank you for this opportunity to comment on the DEIS and the Alcatraz Ferry Embarkation Project.

Very truly yours,

Tom Theodores, Mayor

Mary A. Wagner, City Attorney

Debbie Pagliaro, City Clerk

I:\CDD\PROJECTS - NON-ADDRESS\Alcatraz Ferry Embarkation Project\Draft Comment Letter - Alcatraz Ferry Embarkation Project DEIS.docx

EXHIBIT F

Arthur Friedman

From: CPC-RecordRequest <CPC-RecordRequest@sfgov.org>
Sent: Monday, February 5, 2018 11:30 AM
To: Alex Merritt; CPC-RecordRequest
Cc: Arthur Friedman; Mary Wagner
Subject: RE: IMMEDIATE DISCLOSURE REQUEST: Public Records for the Alcatraz Ferry Embarkation Project, Case No. 2017-000188ENV

Alex,
Please see respond below.

Records Requests
San Francisco Planning Department
1650 Mission Street, Suite 400 San Francisco, CA 94103
Main: 415.558.6378 | www.sfplanning.org
San Francisco Property Information Map

From: Alex Merritt [mailto:amerritt@sheppardmullin.com]
Sent: Friday, February 02, 2018 2:08 PM
To: CPC-RecordRequest
Cc: Arthur Friedman; Mary Wagner
Subject: RE: IMMEDIATE DISCLOSURE REQUEST: Public Records for the Alcatraz Ferry Embarkation Project, Case No. 2017-000188ENV

Just following up on this. When can we expect a response?

Thank you,
Alex

Alexander L. Merritt
415.774.2976 | direct
415.403.6089 | direct fax
amerritt@sheppardmullin.com | Bio

SheppardMullin
Sheppard Mullin Richter & Hampton LLP
Four Embarcadero Center, 17th Floor
San Francisco, CA 94111-4109
415.434.9100 | main
www.sheppardmullin.com

From: Alex Merritt
Sent: Thursday, February 1, 2018 9:47 AM
To: 'CPC-RecordRequest' <CPC-RecordRequest@sfgov.org>
Cc: Arthur Friedman <afriedman@sheppardmullin.com>; Mary Wagner <MWagner@sausalito.gov>
Subject: RE: IMMEDIATE DISCLOSURE REQUEST: Public Records for the Alcatraz Ferry Embarkation Project, Case No. 2017-000188ENV

Thank you for producing these records. We believe, however, that the production is incomplete. The deficiencies include, without limitation:

- Request 1 seeks all agreements constituting the Project, including the long-term agreement between the Port and NPS, all proposed concession contracts, and all contracts related to ferry service. Because these agreements are part of the Project that is being evaluated in the MND, we believe Planning must have copies of these agreements. Can you please explain why they were not produced, or why Planning does not have them?
  -The Planning Department only has the Environmental Evaluation Application describing the project. Whatever Julie provided from our files is all we have. The agreement and contracts between NPS and the Port have nothing to do with our CEQA review, therefore, we do not have copies of these.

- Request 9 seeks a copy of the City's PowerPoint presentation from the January 22, 2018 meeting to the BCDC Design Review Board and Port's Waterfront Design Advisory Committee. I personally attended that meeting and know that the PowerPoint presentation exists. Can you please explain why it was not produced?
  -The Planning Department did not produce any PowerPoint presentation nor did we attend BCDC Design Review Board and Port's Waterfront Design Advisory Committee meeting. Therefore, we do not have this PowerPoint presentation.

- The email production entitled "SGeorge Emails Alcatraz Pier 31.5" is missing the attachments. Can you please re-produce these emails with all attachments.
  The emails and attachments could be accessed via this link: https://files.acrobat.com/a/preview/f596da14-b76f-4600-8624-ad27af216cb3

Alexander L. Merritt
415.774.2976 | direct
415.403.6089 | direct fax
amerritt@sheppardmullin.com | Bio

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San Francisco, CA 94111-4109
415.434.9100 | main
www.sheppardmullin.com

From: CPC-RecordRequest [mailto:CPC-RecordRequest@sfgov.org]
Sent: Wednesday, January 31, 2018 4:42 PM
To: Alex Merritt <amerritt@sheppardmullin.com>; CPC-RecordRequest <CPC-RecordRequest@sfgov.org>
Cc: Arthur Friedman <afriedman@sheppardmullin.com>; Mary Wagner <MWagner@sausalito.gov>
Subject: RE: IMMEDIATE DISCLOSURE REQUEST: Public Records for the Alcatraz Ferry Embarkation Project, Case No. 2017-000188ENV

Mr. Merritt,

The complete record was produced including the second request.

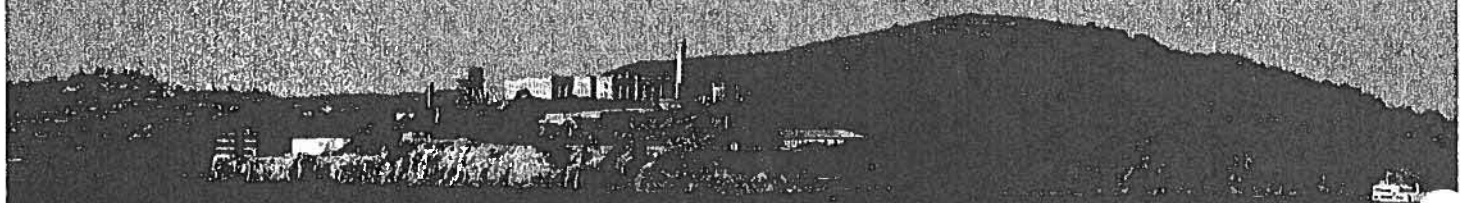
Records Requests
San Francisco Planning Department
1650 Mission Street, Suite 400 San Francisco, CA 94103
Main: 415.558.6378 | www.sfplanning.org
San Francisco Property Information Map

From: Alex Merritt [mailto:amerritt@sheppardmullin.com]
Sent: Wednesday, January 31, 2018 9:30 AM
To: CPC-RecordRequest

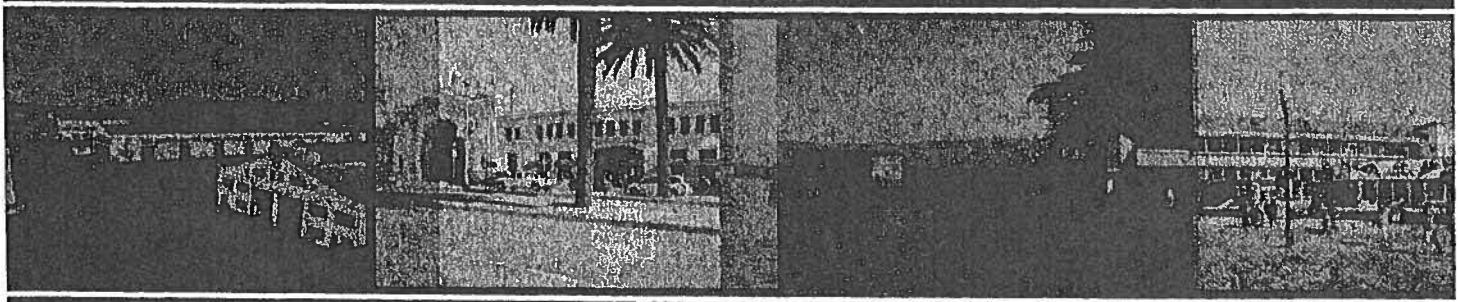
EXHIBIT G

DRAFT

FINAL ALCATRAZ FERRY EMBARKATION AND EDUCATION SITE FEASIBILITY STUDY



May 2011



NPS PMIS GOGA 77160
Document No. 641/107703

Prepared for
National
Park Service
U.S. Department
of Interior

Prepared by URS

Criterion 1d. Site minimizes travel time to Alcatraz Island to less than 15 minutes (critical).

Criterion 1e. Site offers opportunity for incorporating sustainability (value-added).

Criterion 1f. Site has adequate space to support operational activities (storage, deliveries, staff, etc.) (5,500 square feet is critical; 10,900 square feet is value-added).

Criterion 1g. Site ensures availability of administrative parking spaces within one block (five spaces is critical; ten spaces is value-added).

Objective 2. Allow for development of an immediately identifiable, distinct, first-class NPS visitor welcome area. This includes a site that allows a clearly defined sense of arrival, the setting of which is in keeping with a National Park site and an authentic Alcatraz Island experience; a site that ensures that NPS can define all aspects of the visitor experience, from pre-arrival to departure; a site that allows NPS the flexibility to modify and define interpretive materials, indoor and outdoor space, signage, and other features of the site; and a site that accommodates emerging technologies, growth, and visitor needs without unnecessary delays in approvals.

Criterion 2a. Building permit is provided with long-term lease of a non-NPS site that supports permanent installation of exhibits and facilities as deemed necessary by NPS (critical).

Criterion 2b. Facilities dedicated to NPS sole use for the Embarkation Facility (critical).

Criterion 2c. The NPS would have the ability to make required improvements to the exterior of assigned space to create highly visible and identifiable NPS/Alcatraz Island iconic architectural elements (critical).

Criterion 2d. Immediately adjacent uses (current and planned) are compatible with the NPS mission and desired visitor experience (critical).

Criterion 2e. View of Alcatraz Island desirable (a) from Embarkation Facility and (b) immediately after dispatch (value-added).

Objective 3. Provide adequate visitor support space and facilities to offer a comfortable, fully accessible, and welcoming experience, including a portal to the GGNRA that begins to connect visitors waiting for a ferry or visiting the site to the stories of Alcatraz Island, GGNRA, NPS, and the natural and cultural history of the San Francisco Bay Area, while accommodating visitor flow to and through the site without confusion.

Criterion 3a. Adequate space to present desired programming (as detailed in the Space Planning Model[1]), including the ability to develop indoor, covered, and weather-protected space as well as outdoor space (critical and value-added).

Criterion 3b. Other events or nearby land use and related pedestrians or vehicles do not unduly confuse or impede Alcatraz Island visitors (value-added).

Criterion 3c. Capacity for a third berth that could connect visitors to other destinations (value-added).

Objective 4. Ensure convenient alternative access to the Alcatraz Island departure site through a variety of transportation modes, while providing for the opportunity to connect to other parklands (such as Fort Baker, Fort Mason, and Muir Woods National Monument).

[1] The Space Planning Model is described in Section 4.2 and Appendix A. Based on a variety of factors, the model presents the critical and value-added square footage that would be required at each site in order to satisfy NPS goals and objectives for the Embarkation Facility.

EXHIBIT H

operations are used to offset rent for the concessioner's pier leased from the Port, which reduces the amount available for improvements on Alcatraz Island or at other GGNRA parklands.

The Alcatraz ferry embarkation site and associated facilities should serve as a gateway to GGNRA, reflecting the Park Service's identity and providing a quality experience for visitors. Under the current scenario, the condition of the existing embarkation site reduces the quality of the visitor experience. The existing embarkation site is on property that the concessioner has leased from the Port and is outside of GGNRA boundaries. Nevertheless, that embarkation site is the beginning and end point of the transportation services provided to the visiting public, and therefore is an integral part of the visitor services provided under the concession contract. Consequently, the Park Service has an interest in reviewing elements of the embarkation site facilities for purposes of considering their impact on the interpretation of GGNRA to the visiting public (including visitor appreciation and understanding of the resource). These elements include, for example, signs, logos, colors, or other means of demarcating the existing site as the Park Service's official Alcatraz Island departure location. Lack of formal authority, in combination with changing adjacent commercial uses and developments, hinders the Park Service's ability to create a clear sense of identity and quality visitor support services at the Alcatraz ferry embarkation site.

The Alcatraz ferry embarkation site should provide the space, circulation, and interpretive materials to appropriately and effectively orient visitors to Alcatraz Island and GGNRA. NPS policy is to provide public access and opportunities for all to enjoy and to learn about park resources. In its current configuration, space is unavailable at Pier 31½ to provide appropriate interpretive exhibits or an orientation to Alcatraz Island and GGNRA for visitors prior to departing for the island. These interpretive and orientation opportunities are also key for visitors wishing to visit Alcatraz Island but unable to secure reservations. The visitor facility does not currently provide a genuine park portal to GGNRA, and as such, many visitors or aspiring visitors to Alcatraz Island are unaware of the other recreational and educational opportunities provided by GGNRA.

The Alcatraz ferry embarkation site may provide a valuable opportunity for cross-bay ferry service to other GGNRA parklands. Convenient transit connections to other GGNRA parklands, such as Fort Baker, are currently unavailable from the existing ferry embarkation site. NPS policy promotes alternative transportation access that is energy conserving, convenient, and that provides multiple travel options for visitors. Increasing numbers of park visitors choose to use transit, do not have an automobile, and perceive travel by ferry as an enjoyable experience. The potential to add another (third) berth and promote additional special-event services to the ferry embarkation site would further enhance this opportunity.

Project Description

The Project retains the current Alcatraz ferry embarkation site at Pier 31½ and proposes improvements to the existing facility. It would use the historic Pier 31 north and south bulkhead

EXHIBIT I

SheppardMullin

Sheppard, Mullin, Richter & Hampton LLP
Four Embarcadero Center, 17th Floor
San Francisco, California 94111-4109
415.434.9100 main
415.434.3947 fax
www.sheppardmullin.com

Arthur J. Friedman
415.774.2985 direct
afriedman@sheppardmullin.com

January 23, 2018

VIA E-MAIL AND FEDEX

Charis Wilson
FOIA Officer
P.O. Box 25287
12795 W. Alameda Parkway
Denver, CO 80225
npsfoia@nps.gov

Re: FOIA Request for the Alcatraz Ferry Embarkation Project

Dear Ms. Wilson:

Pursuant to the Freedom of Information Act,[1] I am writing to request copies of the following public records relating to the Alcatraz Ferry Embarkation Project (Project) proposed by the National Park Service (NPS) within the Golden Gate National Recreation Area in California:

1. All agreements constituting the proposed Project, including without limitation the proposed long-term agreement between NPS and the Port of San Francisco (Port), and all proposed concession contracts relating to Project, including contracts relating to ferry services to be provided as part of the Project.

2. All documents and communications relating to NPS' analysis of potential environmental impacts resulting from the Project's proposal to establish limited ferry service between Pier 31 ½ and the existing Fort Baker pier.

3. All documents and communications relating to NPS' analysis of potential environmental impacts resulting from the Project's proposal to provide interpretive cruises around San Francisco Bay.

4. All documents and communications relating to any existing or future plans, or potential or proposed projects, relating to improvements to the existing Fort Baker pier.

5. All documents and communications relating to any existing or future plans, or potential or proposed projects, relating to ferry service to Fort Baker.

---

[1] 5 U.S.C. § 552.

6. All documents and communications relating to any existing or future plans, or potential or proposed projects, relating to transporting or facilitating the transportation of persons from Fort Baker to the Marin Headlands.

7. All documents and communications relating to any existing or future plans, or potential or proposed projects, relating to transporting or facilitating the transportation of persons from Fort Baker to Muir Woods.

8. A copy of the PowerPoint presentation that the Port, NPS, and/or the Golden Gate National Parks Conservancy presented at the January 22, 2018 joint meeting of the Bay Conservation and Development Commission's Design Review Board and the Port's Waterfront Design Advisory Committee.

9. All documents and communications related to the Project's proposed "Queue 2."

10. All documents and communications related to the Project's proposed interpretive exhibit regarding "GGNRA Trailhead Info."

11. All documents and communications related to the Project's proposed signage at Queue 2 regarding "GGNRA Destinations."

If possible, we would prefer to receive electronic copies of these records via email. We agree to pay any fees associated with this request up to $250.00. If fees will exceed this amount, please contact me for authorization before proceeding with this request.

Thank you in advance for your prompt attention to this matter. If you have any questions, please email me at afriedman@sheppardmullin.com.

Very truly yours,

Arthur J. Friedman
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:485241620.1

EXHIBIT J

United States Department of the Interior

NATIONAL PARK SERVICE
Golden Gate National Recreation Area
Fort Mason, San Francisco, CA 94123

IN REPLY REFER TO:
9.C (GOGA-CP)
NPS-2018-00372

January 30, 2018

Mr. Arthur J. Friedman
Via email: afriedman@sheppardmullin.com
Sheppard, Mullin, Richter & Hampton LLP
Four Embarcadero Center, 17th Floor
San Francisco, California 94111-4109

Dear Mr. Friedman:

We are writing to acknowledge your Freedom of Information Act (FOIA) request, dated January 23, 2018, and have assigned it control number NPS-2018-00372. Please cite this number in any future communications regarding your request. Please note this request has not been perfected as we require additional information from you.

You requested documents *"relating to the Alcatraz Ferry Embarkation Project (Project) proposed by the National Park Service (NPS) within the Golden Gate National Recreation Area in California, including:*

1. *All agreements constituting the proposed Project, including without limitation the proposed long-term agreement between NPS and the Port of San Francisco (Port), and all proposed concession contracts relating to Project, including contracts relating to ferry services to be provided as part of the Project.*
2. *All documents and communications relating to NPS' analysis of potential environmental impacts resulting from the Project's proposal to establish limited ferry service between Pier 31 ½ and the existing Fort Baker pier.*
3. *All documents and communications relating to NPS' analysis of potential environmental impacts resulting from the Project's proposal to provide interpretive cruises around San Francisco Bay.*
4. *All documents and communications relating to any existing or future plans, or potential or proposed projects, relating to improvements to the existing Fort Baker pier.*
5. *All documents and communications relating to any existing or future plans, or potential or proposed projects, relating to ferry service to Fort Baker.*
6. *All documents and communications relating to any existing or future plans, or potential or proposed projects, relating to transporting or facilitating the transportation of persons from Fort Baker to the Marin Headlands.*
7. *All documents and communications relating to any existing or future plans, or potential or proposed projects, relating to transporting or facilitating the transportation of persons from Fort Baker to Muir Woods.*
8. *A copy of the PowerPoint presentation that the Port, NPS, and/or the Golden Gate National Parks Conservancy presented at the January 22, 2018 joint meeting of the Bay Conservation and Development Commission's Design Review Board and the Port's Waterfront Design Advisory*

Committee.

9. *All documents and communications related to the Project's proposed "Queue 2."*
10. *All documents and communications related to the Project's proposed interpretive exhibit regarding "GGNRA Trailhead Info."*
11. *All documents and communications related to the Project's proposed signage at Queue 2 regarding "GGNRA Destinations."*

The FOIA requires that requests describe the records sought with sufficient detail to allow an agency employee familiar with the subject area of the request to locate the records with a reasonable amount of effort. **Your request does not adequately describe the records sought; therefore, we are unable to process it at this time.** If you wish to pursue your request, please provide additional details, such as:

- Date range parameters,
- Key search terms,
- A list of record custodians and/or,
- Limiting the search to electronic records

According to our regulations, if we do not receive your written response clarifying what records you are looking for within 20 workdays from the date of this letter, we will presume that you are no longer interested in pursuing your request, we will not be able to comply with your request, and we will close our file on it. See 43 C.F.R. § 2.5(d).

Fee categories are determined by requester type, of which there are three: commercial use; educational institutions, noncommercial scientific institutions, and representatives of the news media; and other-use requesters. Our regulations require that your FOIA request contain sufficient information for us to determine your proper fee category. **Your request does not fulfill this requirement because you did not specify whom this request is for. We therefore are unable to process your request at this time.** If you wish to pursue your request, please provide us additional information so that we may determine your fee category. According to our regulations, if we do not receive your written response clarifying these points within 20 workdays from the date of this letter, we will presume that you are no longer interested in pursuing your request, we will not be able to comply with your request, and we will close our file on it. See 43 C.F.R. § 2.6(c).

We use Multitrack Processing to process FOIA requests. The Simple track is for requests that can be processed in one to five workdays. The Normal track is for requests that can be processed in six to twenty workdays. The Complex track is for requests that can be processed in twenty-one to sixty workdays. The Exceptional/Voluminous track is for requests requiring more than sixty workdays for processing. The Expedited track is for requests that have been granted expedited processing. Within each track, requests are processed on a first-in, first-out basis. There are currently 13 open FOIA requests ahead of yours, one of which is Exceptional/Voluminous.

As stated, we will not begin processing your request until we receive further information from you. We believe that your request falls into the Exceptional/Voluminous processing track. You may narrow the scope of your request to obtain quicker processing in your currently assigned track or move the request into a faster track (which may have the effect of reducing the cost of

processing your request). If you have any questions about this, please contact us.

You may appeal this response to the Department's FOIA/Privacy Act Appeals Officer. If you choose to appeal, the FOIA/Privacy Act Appeals Officer must receive your FOIA appeal **no later than 90 workdays** from the date of this letter. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

Your appeal must be made in writing. You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL." You must include an explanation of why you believe the NPS's response is in error. You must also include with your appeal copies of all correspondence between you and NPS concerning your FOIA request, including your original FOIA request and NPS's response. Failure to include with your appeal all correspondence between you and NPS will result in the Department's rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer's sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

DOI FOIA/Privacy Act Appeals Office Contact Information
Department of the Interior
Office of the Solicitor
1849 C Street, N.W. MS-6556 MIB
Washington, DC 20240

Attn: FOIA/Privacy Act Appeals Office

Telephone: (202) 208-5339
Fax: (202) 208-6677
Email: FOIA.Appeals@sol.doi.gov

If you have questions about your request, please contact Liz Gill, Planning and Communications Assistant for GGNRA, at (415) 561-7402.

Sincerely,

Dana Polk
Acting Director of Communications and External Affairs

cc: Nancy Hori, Regional FOIA Officer, NPS Pacific West Region