4. RESPONSES TO COMMENTS

This section provides summaries of all the comments received, along with written responses. See Section 2 for a description of methodology and organization, and Section 6 for an index of commentors and responses.

4.1 PURPOSE AND NEED (PN)

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CLARIFYING THE DEFINITION AND SCOPE OF PTMP

PN-1. *Relationship of PTMP to Other Laws and Plans*

Several commentors ask the Trust to clarify the relationship of the Plan to laws and other plans that govern or guide the Trust in Area B. One commentor asks the Trust to address the consistency of the Draft Plan with the Presidio Trust Act, the 1972 GGNRA Act, the NPS' Organic Act, the Presidio's status as a National Historic Landmark District, and the 1994 GMPA. Another commentor asks the Trust to provide a chart outlining the components of all binding laws and plans.

Response PN-1 – A general overview of the principal laws and guidelines governing the Presidio Trust and Area B activities is provided in a discussion of Background attached to the Final Plan (Appendix B). Specific provisions of law binding on the Trust and its activities include the Trust's enabling legislation – the Presidio Trust Act. The Trust Act directs the Trust to manage the property under its administrative jurisdiction in accordance with the purposes set forth in Section 1 of the Golden Gate National Recreation Area Act (GGNRA Act) and the general objectives of the General Management Plan Amendment (GMPA). In addition, the Trust is required to comply with the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA). Numerous other laws also govern specific activities of the Trust within Area B. The most significant federal laws and Executive Orders bearing on the Final Plan and its future implementation are listed and briefly discussed in Section 5.2 (Compliance with Relevant Environmental Laws and Executive Orders) of the EIS. The Final Plan is consistent with these laws and guidelines.

The Presidio Trust, first and foremost, is bound by the law establishing the Trust – The Presidio Trust Act (Title I of Public Law 104-333, as amended, 16 U.S.C. Section 460bb appendix). The Trust Act was Congress' response to a number of competing public policy goals, including concern for the preservation and management of an extraordinary place, concerns about the high costs of the Presidio in relation to other units in the National Park System, the need to reduce the costs of the Presidio to the federal government, and the desire that the Presidio should be retained within the GGNRA rather than sold as federal surplus property. The legislation therefore devised a means to preserve and protect a nationally significant cultural and natural resource while reducing costs to the federal government.

The requirements imposed on the Trust by the Trust Act differ significantly from those that NPS must meet in managing property under its administrative jurisdiction. For example, first, the Trust must manage its portion of the Presidio in such a way as to become financially self-sufficient by 2013 – that is, to generate sufficient revenue to fund the operating and long-term capital and maintenance costs for the Presidio without continuing federal appropriations after 2012. If the Trust is not successful in meeting this goal

by the deadline, the 1,168 acres will revert to the General Services Administration for disposal (Trust Act Section 104(o)). Section 104(n) of the Trust Act further requires the Trust, in selecting tenants, to give primary emphasis to those that enhance the financial viability of the Presidio and facilitate the cost-effective preservation of historic buildings. In adopting this criterion, the House Committee on Resources noted that it was "concerned that strict adherence to potential tenants targeted in the Presidio general management plan would result in leases that are substantially below market value and which would seriously undermine the financial viability of the Trust."

The unique provisions of the Trust Act must be read together with the Trust Act's requirement to manage the properties under its administrative jurisdiction in accordance with the purposes of the Act establishing the GGNRA and in accordance with the "general objectives" of the GMPA. The purposes of the GGNRA Act are clear and are stated in its preamble as follows: "In order to preserve for public use and enjoyment certain areas of Marin and San Francisco Counties, California, possessing outstanding natural, historic, scenic, and recreational values, and in order to provide for the maintenance of needed recreational open space necessary to urban environment and planning, the Golden Gate National Recreation Area is hereby established. In the management of the recreation area, the Secretary of the Interior shall utilize the resources in a manner which will provide for recreation and educational opportunities consistent with sound principles of land use planning and management. In carrying out the provisions of this Act, the Secretary shall preserve the recreation area, as far as possible, in its natural setting, and protect it from development and uses which would destroy the scenic beauty and natural character of the area" (16 U.S.C. 460bb). These purposes are also reprinted in the Overview section and Chapter Four of the Final Plan. The Final Plan is, and its specific implementation projects will be, consistent with the general purposes of the GGNRA Act, which direct the utilization of the Presidio resources "in a manner which will provide for recreation and educational opportunities consistent with sound principles of land use planning and management." It must be preserved "as far as possible, in its natural setting" and protected from "development and uses that would destroy the scenic beauty and natural character of the area." The Final Plan strikes this balance by calling for increased open space, decreased building space, the preservation and enhancement of important resources, such as the National Historic Landmark District and requiring compliance with quantitative, qualitative, and procedural constraints designed to ensure that physical changes are in keeping with the park's character.

By comparison, the general objectives of the GMPA, another important guidepost for Trust activities, are not precisely identified either within the text of the GMPA itself (i.e., no list of "general objectives" appears in the document) or by Congress in the Trust Act. In 1989, Congress designated the Presidio for closure as a military base. When the Army departed, jurisdiction over the Presidio was transferred to the NPS. The NPS prepared the GMPA, a building-specific general management plan for the 1,490-acre post. Since the Trust assumed administrative jurisdiction of 1,168 acres of the Presidio on July 1, 1998, it has used the GMPA as its foundational plan. The Trust set forth its interpretation of the general objectives of the GMPA in its Board Resolution No. 99-11 dated March 4, 1999 (General Objectives). These are reprinted in the Overview section and Chapter Four of the Final Plan. The Final Plan provides a policy framework to guide future decisions in furtherance of the General Objectives.

The Trust's planning process embraced significant policies and plan elements from the GMPA while also proposing that it be updated and otherwise changed in important respects. The Final Plan retains and updates many of the resource planning principles from the 1994 GMPA, and embraces many of its land use concepts. Changes reflect the Trust Act requirements, other changes in conditions since the GMPA was adopted, and the Trust's management approach. The GMPA will remain the governing plan for Area A, and will be administered by the NPS.

The Organic Act, enacted in 1916, created the NPS and contains policies related to NPS activities and jurisdiction. The Organic Act does not pertain to the Presidio Trust.

PN-2. ***Relationship of PTMP to Plans for Other Parks***

One commentor asks the Trust to explain why the Trust's Plan for Area B of the Presidio is unprecedented in the National Park System and whether any other park has a financial self-sufficiency mandate. One commentor "regrets" that the Presidio must become self-sufficient, suggesting the requirement is an "albatross," and asks the Trust to fight to overturn the decision.

Response PN-2 – In 1996, Congress recognized the Presidio as a site with unique circumstances requiring unique solutions and institutional arrangements. Understanding the reasons for creation of the Presidio Trust is important to the understanding the Trust's Plan for Area B of the Presidio and

to an understanding of why no other park in the National Park System has a financial self-sufficiency mandate.

The 1,490-acre park is distinctive in that it contains 768 buildings (of which 730 are in Area B and 432 of these are historic), including two hospitals, barracks, offices, warehouses, a golf course, a bowling alley, a former public health service hospital, and nearly 1,100 single-family housing units and many other residential accommodations, as well as a cemetery. Determining future uses of the Presidio has been a complex undertaking because of the highly varied mix of historic and non-historic buildings at the site and because of the substantial long-term finances needed to rehabilitate, preserve, and maintain the cultural and natural resources and infrastructure.

The Department of the Interior (DOI) developed early budget projections estimating the annual operating budget for the Presidio, exclusive of capital expenditures needed for infrastructure upgrades, at between $34 to $45 million per year – more than Yellowstone, Yosemite, Glacier, Great Smoky Mountains and Blue Ridge Parkway national parks combined. By comparison, the annual operating budget of $17 million for the entire 2.2 million acres of Yellowstone Park, the next most expensive national park, is less than half of the monies needed for the Presidio. Congress was unwilling to commit federal monies requested by the NPS; instead Congress showed a willingness to create an innovative public-private entity which would be charged with the long-term protection and maintenance of the Presidio.

Congress enacted Section 103 of the Omnibus Parks and Public Lands Management Act of 1996, Public Law 104-333, 110 Stat. 4097 (Trust Act), creating the Presidio Trust. The Trust is a federal government corporation established for the purpose of managing the leasing, maintenance, rehabilitation, and improvement of the non-coastal portions of the Presidio in accordance with the purposes of the GGNRA Act and the General Objectives of the GMPA. The NPS continues to manage the coastal areas. The Trust Act is law, and although its merits can be debated, it forms the legal basis for the Trust's jurisdiction, establishing the requirement for financial self-sufficiency by 2013. It would be inappropriate for the Trust or any other federal agency to advocate overturning the law, or to create a management plan that assumed the law would be changed.

Further description as to how and why the Presidio is different from other national parks and why most of the Presidio is under the administrative jurisdiction of the Trust rather than the NPS is in the background discussion attached to the Plan (Appendix B). The basic reorientation of the Presidio from a military post to the park was made by Congress in enacting the Trust Act. The Act is an inimitable compromise enacted by Congress to protect the natural and cultural values of a magnificent base and now national park. These circumstances and distinctive setting are sufficiently unique such that the Trust does not believe that the Trust Act or its implementation can be used as precedent for other units of the National Park System.

The Plan's unique aspects derive both from the history and physical attributes of the former military base and the Presidio Trust Act, which requires that the facilities within the former military base generate sufficient revenue to fund capital improvements and park operations. Approximately 650 building sites, structures and objects within the Presidio are listed on the National Register of Historic Places as being properties which contribute to a NHLD. No other unit within the National Park System approaches this number of useable historic structures. The combination of many useful and historic former military structures, in a natural setting in close proximity to a major urban center, has to a great degree introduced one-of-a-kind elements into the planning process for the Presidio.

PN-3. ***Relationship of PTMP to NPS Management Policies***

The NPS encourages the Trust to adopt NPS management policies to prevent impairment of national park resources. (The status of the Presidio as a national park creates a public expectation for a higher level of planning, preservation and provision of public access than that of other public lands. Specific directives are codified in the NPS's Management Policies, which are framed by the intent of protecting resources against impairment that could result from changes in land use or development.)

Response PN-3 – While the Trust shares the goal of preservation of park resources, NPS management policies and the no-impairment standard (which stems from the Organic Act) apply only to the NPS. Congress did not require the Trust's adherence to these policies and standard when it enacted the Presidio Trust Act giving the Trust general management direction. In developing the Plan, the Trust derived general policies and goals (planning principles) directly from the GMPA principles, and those principles in their inception derive from the NPS management policies. The Trust's planning

principles deviate from this NPS guidance only so far as necessary to clarify issues and reflect the differences between the Trust's statute, organization and mission. For a discussion of consistency of the PTMP with the Organic Act, refer to Response PN-1. For a discussion of consistency of the PTMP planning principles with the GMPA concepts and principles, refer to Response LU-1.

PN-4. ***Amendment to the GMPA or New Plan***

A few commentors ask the Trust to clarify the effect of the Plan, specifically, whether the Plan amends the GMPA or replaces the GMPA for Area B. One commentor asks why an amendment to the GMPA had not been made before adopting the Plan. The same commentor suggests that the GMPA should only be revised or changed by the NPS.

Response PN-4 – While the Trust continues to adhere to the general objectives of the GMPA, the Plan updates and replaces the GMPA as the governing document for Area B. The PTMP itself, of course, has grown out of the GMPA. The 1994 GMPA will continue to be administered by the NPS for Area A, and will remain the management plan for that zone.

Commentors inquire whether, in developing the Plan, the Trust rejected the GMPA in all respects. The answer is, simply, no. When Congress split the jurisdiction of the Presidio between Area A under NPS jurisdiction and Area B under Trust jurisdiction, the Trust attempted to use the 1994 GMPA as originally adopted by NPS to guide its actions. Congress had given the Trust some flexibility with respect to the GMPA by requiring that the Trust follow only its "general objectives." Nevertheless, controversy arose when the Trust was unable to follow the GMPA in all of its exacting detail, and the question was raised whether or not the Trust was following the GMPA. It should be noted that during the period when the NPS administered the entire Presidio, following every detail of the GMPA proved infeasible, and the NPS undertook projects at variance with that document. Examples include the decision to accommodate the Presidio Fire Department through an addition to the historic Fire Station (Building 218), and the O'Reilly Avenue Officer Family Housing, which converted multiple buildings designated for lodging in the GMPA to offices.

In 1999, the Trust agreed to undertake additional comprehensive planning for the area of the Presidio under Trust jurisdiction. Among the goals to be achieved by committing to revisit the 1994 GMPA was to identify and clarify the Trust's approach to implementing the GMPA and its general objectives.

In the course of the PTMP planning process, the Trust has proposed changing the GMPA in certain important respects. But, the PTMP is not a wholly new plan – the Trust developed the Plan by starting from the GMPA and borrowing most of its planning principles and many of its land use elements. Differences between the GMPA and PTMP reflect the range of new and different factors that must be considered by the Trust as a result of intervening historical developments, including passage of the Trust Act.

The GMPA was not amended prior to the PTMP, because prior to the creation of the Trust, NPS saw no need to change the plan it had just recently adopted. Once Congress enacted the Trust Act, the Trust worked to implement the GMPA in a manner consistent with Trust Act goals and requirements. As it became clear that there was a need to clarify the Trust's Presidio-wide approach to conditions that had changed since finalizing the GMPA and as the public asked the Trust to make clear its own priorities, the Trust agreed to undertake this PTMP planning process to revisit and update certain elements of the 1994 plan.

It is proper for the Trust, rather than the NPS, to have undertaken this planning process to change the GMPA for Area B, because Congress established the Trust as the agency with jurisdiction over that portion of the Presidio. As such, it is appropriate for the Trust to articulate within its own planning document the management policies that will guide its actions in furtherance of the general objectives of the GMPA.

Under Section 104(c) of the Trust Act, Congress designated the Trust as a successor in interest to NPS for purposes of NEPA. The effect of this provision is to afford the Trust the benefit of the environmental analysis undertaken by NPS in support of the GMPA. NEPA requires only that the Trust analyze environmental impacts that were not previously or adequately analyzed in the GMPA EIS, from which the PTMP EIS is tiered. This process allows efficient consideration of changed conditions and offers the public

opportunity for further review and comment on differences between the two plans and their projected impacts.

PN-5. ***Programmatic or Implementation Plan***

A few commentors ask the Trust to clarify whether the Plan is a programmatic plan or an implementation plan, noting an apparent inconsistency between describing the Plan as a "comprehensive land-use, transportation, and program plan" (page 2, Draft Plan) versus an "implementation plan subject to periodic updates" (page xi, Draft Plan). In raising this issue, commentors suggest that the lack of specificity and flexibility built into the Draft Plan was inconsistent with the moniker "implementation plan" because, as a conceptual land use document, the Draft Plan was "simply too vague to implement" and could not therefore be called an "implementation" plan.

Response PN-5 – The Plan is a programmatic, general plan, and the Trust acknowledges the public confusion that was created as a result of the name of the Draft Plan. The Trust's use of the term "implementation" in the title of the Draft Plan was meant to connote implementation of the Presidio Trust Act, the enabling legislation that created the Trust. The Trust never made clear this intent behind the use of the term "implementation" in the name of the Plan and the name was widely misunderstood by reviewers of the Plan. Therefore, in response to these comments, the Trust has changed the name of the Plan from the Presidio Trust Implementation Plan (PTIP) to the Presidio Trust Management Plan: Land Use Policies for Area B of the Presidio (PTMP). In addition, any language in the Plan overview and elsewhere describing it as an "implementation plan" has been deleted and changed to explain that PTMP is a general plan that sets a land use and policy framework from which future decisions will be made. Similarly, the PTMP EIS is a programmatic EIS from which future environmental analysis may be tiered.

The Trust believes the public's confusion was also created in part because, in the NPS planning context, an "implementation plan" implies a type of plan that follows from a general management plan and is therefore more detailed, site-specific, and capable of on-the-ground implementation without need of further decision-making. See National Park Service's Director's Order #2: Park Planning. Creation of an "implementation plan" as understood by the NPS was never the Trust's intent as part of the PTMP planning process. Rather, PTMP was intended to be and remains a general policy, land use and transportation framework that will guide the Trust's future decision-making about site-specific projects and opportunities when they arise.

In raising this issue, some commentors sought to understand the degree to which there would be more specific proposals with additional public involvement and review after finalizing the PTMP. This aspect of the comment is addressed under the responses to Public Involvement comments. Other commentors sought to understand whether the Trust should be preparing a supplemental EIS to the 1994 GMPA EIS as opposed to a new programmatic EIS independent of the GMPA. This aspect of the comment is addressed under the responses to EIS Process comments.

CLARIFYING THE STATEMENT OF NEED FOR PTMP

PN-6. ***Provide a Strong Statement of Need for the PTMP***

The NPS criticizes the Trust's statement of need for the Plan as failing to provide a strongly supported justification of need. Other commentors ask that the Trust provide clear reasons for "rejection of the GMPA," a plan that represented a consensus over many years of work, and address the apparent inconsistency of proposing to change a GMPA-based alternative when it would meet the Trust's requirements for financial self-sufficiency. They also suggest that any change to the GMPA is inconsistent with the statutory goals in Sections 101(5) and (7) of the Trust Act of protecting the Presidio's resources and minimizing cost to the federal government, and ask the Trust to address this apparent inconsistency in its statement of need.

Some commentors express general confusion as to whether the Trust is proposing to embrace the objectives of the GMPA or abandon them. The City and County of San Francisco (CCSF) Planning Department comments that the statement of need should not be so narrowly drawn as to focus primarily on achieving a financial strategy but should embrace more fully the key objectives of the GMPA such as protecting resources, providing quality programs, and allowing public enjoyment of park resources. The CCSF Planning Department also comments that the key objectives of the GMPA were nowhere stated in the text of the PTMP and that therefore the Trust had failed to meet the need (stated on page 8 of the Draft EIS) to bring the GMPA

concepts and principles into conformity with the Trust Act. The CCSF Planning Department further notes that the degree to which the complete vision and mission of the GMPA is accomplished by an alternative should be one of the criteria for evaluation and selection of alternatives. Another commentor asks the Trust to state the need for "abandoning the GMPA's objectives, including the objectives of minimizing new construction, attracting mission-related tenants, relying on tenants – in concert with NPS – to provide public interest programs, and committing to a modest level of overall activity and visitation." Another commentor asserts that an adequate statement of purpose and need must "specifically contrast and compare the programmatic purpose of PTIP and the GMPA" so as to adequately compare whether program alternatives "meet or fail to meet the program purpose." The commentor therefore suggests that the Trust prepare a matrix emphasizing contrasts or changes in policy between the PTMP and the GMPA.

Response PN-6 – NEPA requires a brief discussion of the need for a proposed action. In the context of a Plan, the statement of need identifies and describes why the existing circumstances are inadequate and need to be changed. The Trust offers three general reasons for proposing to update the 1994 GMPA for Area B of the Presidio and discusses each in detail in the first section of the EIS: (1) adoption of the Trust Act, (2) intervening conditions, and (3) new policies and management approaches of the Trust as successor to the NPS, which together provides a sufficient statement of the need, consistent with NEPA's requirements, for proposing to update the 1994 GMPA for Area B of the Presidio.

The need for change is not premised, as some comments suggest, upon a need to "reject the GMPA." It is based rather upon the three general reasons outlined above and discussed in the first section of the EIS. The Trust makes clear in the need statement that it proposes to retain "as much as practicable from the GMPA." In addition, the EIS analyzes an alternative – the No Action Alternative (GMPA 2000) – which would implement the GMPA with as few changes as possible and still meet the requirement for financial self-sufficiency. This alternative, while not preferred by the Trust, has not been "rejected," as no final decision will be reached until the environmental review process is concluded and the Trust adopts a Record of Decision (ROD). The ROD will contain an explanation as to the basis of the Trust's decision, summarizing how the alternative selected meets the stated purpose and need for the project.

These commentors speculate that the Trust will not adopt the No Action Alternative (GMPA 2000), and argue that it should be embraced because it assures financially self-sufficiency, and the Trust has not singled out financial results as the sole planning objective. On the contrary, the Trust has also articulated objectives relating to resource protection objectives, allowing public enjoyment of park resources, the provision of quality programs, and housing, transportation, and many other issues. These planning objectives are included within an expanded statement of plan objectives in Section 1.3 of the EIS. Objective 5, "Consistency with Existing Plans and Policies," states the Trust's intent to embrace many of the planning principles and land use elements of the GMPA, along the lines suggested by the CCSF Planning Department. As noted in responses above, the Trust Act specifically references the general objectives of the GMPA, and the Trust's Plan would provide a policy framework for implementation decisions aimed at achieving those objectives. Nothing in the Trust Act binds the Trust to every specific of the GMPA or precludes update and replacement.

The General Objectives of the GMPA appeared in the Draft Plan, and are included twice in the Final Plan: in the Overview and in Chapter Four. The Trust declines the CCSF Planning Department's suggestion to evaluate alternatives based on "the degree to which the complete vision and mission is accomplished by an alternative should also be one of the evaluation criteria." It is the "general objectives" of the GMPA which the Trust is obligated to pursue, and this legal requirement must be met by any and all alternatives, and therefore would not provide useful differential criteria. The mission of the Trust under the Trust Act is not to implement the GMPA's vision of solving the world's most critical problems; it is to protect and preserve the Presidio's resources for enjoyment by future generations of park visitors. The Trust believes the vision of the GMPA limits tenant selection to mission-based tenants, and that this limitation may conflict with the Trust Act's tenant selection and resource protection mandates. Therefore, the Trust does not want to limit the consideration of alternatives to only those that embrace the GMPA's vision of turning the Presidio into a center to solve the world's most critical environmental, social, and cultural problems. This "global center"

vision is one of the key elements proposed for change in this planning process, and in response to comments, this change is described explicitly in the Overview of the Final Plan.

In assessing the need for change, many commentors appear to assume that achieving self-sufficiency is the primary or sole basis for proposing a plan update. They assert that if the GMPA itself will meet the goal, there is no adequate statement of need for changing the GMPA. Moreover, they seem to suggest that if a GMPA-based alternative can be made financially self-sufficient, then there is no justifiable reason to consider a plan update or other reasonable alternatives. These reviewers may have read the statement of need too narrowly. Financial self-sufficiency is one important condition of the Trust Act that must be met, but is not the sole mission of the Trust or the sole basis upon which alternatives for change are being developed. Furthermore, there are an infinite number of ways to achieve financial self-sufficiency, and the Trust is entitled to consider whether one approach to self-sufficiency may be better suited than another when considered in the overall context of the Trust's mission, policies, and management considerations.

All alternatives analyzed in the EIS would change the 1994 GMPA for the reasons outlined in the statement of need, such as the need to comply with the new tenant selection criteria of the Trust Act and the need for the Final Plan to encompass the management style and approaches of the Presidio Trust rather than the NPS.

The fact that the 1994 GMPA had public support when it became final in 1994 does not obviate the need to consider changes to that plan in 2002. It is well understood by the Trust that Congress' creation of a wholly-owned federal public corporation to manage lands and meet financial objectives largely without government support within a national park context was controversial and met with resistance from elements of the public. Some who wholeheartedly supported the 1994 GMPA have never supported the Trust. Other reluctant supporters of the Trust are still averse to changing the GMPA. Nevertheless, Congress spoke in 1996 when it changed the approach for the Presidio and created the Trust to carry forward the change. It makes sense for the Trust to assess through the PTMP planning process whether the pre-existing plan for the Presidio meets the Trust's new needs and considerations.

The Trust disagrees that its proposal to change the 1994 GMPA is inconsistent with the congressional findings in Sections 101(5) and (7) of the Trust Act. In fact, the congressional findings in these two sections juxtapose key elements that the Trust's planning proposals seek to balance. On the one hand, the Trust seeks to manage the Presidio's significant resources "in a manner which is consistent with sound principles of land use planning and management, and which protects the Presidio from development and uses which would destroy the scenic beauty and historic and natural character of the area and cultural and recreational resources[.]" On the other hand, the Trust seeks to achieve these resource protection goals while "minimiz[ing] cost to the United States Treasury and mak[ing] efficient use of private sector resources." Each of these goals is encompassed within the "Objectives of the Plan Update" articulated in Section 1.3 of the Final EIS. The language from Trust Act Section 101(5) is nearly identical to that in Section 1 of the GGNRA Act, which is part of the Trust's first objective of achieving consistency with Trust Act resource mandates. The concept in Trust Act Section 101(7) is encompassed within the objective of achieving financial self-sufficiency. Nevertheless, in response to this comment, the Trust's statement of objectives has been modified to include the language from Trust Act Section 101(7) within the Trust's second objective of achieving consistency with Trust Act financial mandates.

There exists no requirement that an adequate statement of purpose and need include a side-by-side comparison between the GMPA and the Final Plan or any other alternative being considered. First, the whole statement of purpose and need is to be "brief" (40 CFR Section 1502.13) (Indeed, CEQ originally proposed a one-page limit.) Second, such a comparison is, in fact, the purpose of the EIS process, and the Trust has compared all alternatives, including the Final Plan, with the GMPA-based alternative. The key differences between the GMPA and the Final Plan have therefore been fully identified in the Final EIS. The Final Plan would constrain new construction, ensuring an overall reduction in square footage and compatibility with the NHLD, seek a diversity of tenants based on criteria including reference to the general objectives of the GMPA, encourage delivery of public programs by the NPS, tenants, and others, and result in a modest level of overall activity. To the extent that these represent changes to the GMPA, the EIS analyzes the environmental effects of

these changes and the PTMP provides discussion in Chapter Four related to these Plan elements.

PN-7. *Provide Clarification of Specific Elements of the Statement of Need for PTMP*

The NPS also seeks clarification of a number of specific statements within the EIS statement of need for the PTMP. Specifically, the NPS comments that the premature departure from the Presidio of the Sixth U.S. Army provides no justification for the Trust to depart from the GMPA, and asks the Trust to provide data supporting financial loss from this change. The NPS also asks the Trust to document loss of income from the NPS-inherited tenants or remove this rationale from the statement of need. NPS also asks the Trust to address why sufficient flexibility in the selection of tenants cannot be achieved through amendment of the GMPA, as was done in the Letterman Complex EIS process, rather than by adopting the PTMP. Lastly, the NPS among others ask the Trust to address why a higher upper square footage limit is needed as compared to the GMPA.

Response PN-7 – The Trust mentioned the early departure of the Sixth U.S. Army as among changed conditions justifying the need to consider changes to the GMPA. The NPS assumes this change is irrelevant to the plan update unless it accounts for a financial loss. The extent of financial contribution that the Army would have made had it stayed at the Presidio is unknown. The GMPA assumed relatively low rents from Army occupants; so, the Army's departure might, in time, improve the likelihood of receiving more rent from other tenants who may now or in the future occupy what would have been Army space. The change is nonetheless an important one whatever the long-term rental income, the Army's presence provided an element of stability which its departure ended. It is rational, therefore to consider changing elements of the existing GMPA to reflect a change of this scope.

Furthermore, the Army's departure is relevant for more than just financial reasons. As noted in the need statement, the Army would have occupied 30 percent of the Presidio's building space, including about half of the available housing. This change is therefore fully relevant; from it arises the need to change the assumptions about what type of user will occupy the 30 percent of space that otherwise would have been occupied by the Sixth U.S. Army under the GMPA. Thus, the departure of the Army creates a need and an opportunity to revisit land use assumptions, tenant selection priorities, housing occupancy policies and other Plan elements affecting 30 percent of the Presidio's building space. The Trust is therefore retaining the discussion of the departure of the Sixth U.S. Army despite NPS' suggestion to remove it unless it accounted for a financial loss.

The NPS asks that unless the Trust can document the loss of income from NPS-inherited tenants, that the Trust delete any mention of early NPS leases that provided for minimal long-term revenues. Any leases, whether they are NPS-concluded leases or Trust leases, that have come into effect since the GMPA became final are a relevant financial factor to consider in assessing the need for change. The existence of low or zero-rent leases in particular is relevant to a consideration of whether these types of leases remain appropriate and the proportion of these type of leases that the Presidio can sustain while still achieving its other mandates and goals. In response to this comment, the Trust has retained the mention of low-rent leases as among the circumstances that need to be revisited as part of a proposed plan change, but has also broadened the text of the need statement to encompass all pre-existing leases as among circumstances that need planning consideration.

The NPS suggests that the need for flexibility offers little justification for considering changes to the GMPA, and suggests instead that the Trust merely amend the GMPA, as it did with the Letterman Digital Arts Center (LDAC) project, each time the Trust needs the flexibility to select a tenant that differs from what was prescribed in the GMPA. The suggested approach would be impractical given the time involved in serially amending the GMPA, and the need for the Trust to quickly lease buildings and generate revenue to support the park. Amending the GMPA for the LDAC project took over two years. During that time, the Trust confronted the GMPA presumption that only certain types of tenants would be permissible, there was a measure of public controversy centered upon the Trust not finding the type of mission-enhancing tenant called for in the GMPA. It is this aspect of the GMPA that was one of the factors which led the Trust to undertake the current planning process and to pursue an updated management plan with additional flexibility. The financial imperative of reaching self-sufficiency by 2013 and supporting the park indefinitely after that does not afford the time to go through the

cumbersome process of amending the GMPA each time a site-specific or building-specific assumption of the GMPA must be changed. Furthermore, it is inappropriate for the Trust to rely upon the GMPA tenant selection strictures when the Trust Act has imposed additional statutory tenant selection criteria.

The NPS suggests that if flexibility is needed in the upper square footage limit, the EIS' statement of need should address this issue. As a threshold matter, the purpose of a need statement is not intended to justify any single characteristic of any single alternative. The EIS presents a range of alternatives, none of which would increase building space in the park above existing levels, and some of which would reduce the amount of space, but to a lesser extent than proposed in the 1994 GMPA. A purpose and need statement in the Presidio context is to set forth the Trust's underlying purposes and the needs described above, to which it is responding. They include a need "to remain flexible in managing its resources for the long term," to "apply market principles and balance market opportunities and conditions with the programmatic and resource goals of the plan," to "more adequately address… market changes that could occur over time," to "consider other options such as alternate uses or a change in location," to consider "a different approach to leasing or financing that better addresses existing market opportunities or realities," to consider "revised land use concepts for the Presidio that can accommodate changing opportunities and market conditions," to "manage its portion of the Presidio in such a way as to become financially self-sufficient in both the short and long term." These reasons support reconsideration of the total building square footage needed in the Presidio over the long term.

CLARIFYING THE PURPOSES/OBJECTIVES OF PTMP

PN-8. ***State the Goals/Objectives for PTMP***

The NPS comments that both the Plan and the EIS should include a statement of the goals of the PTMP and that the Plan should explain the relationship between the goals and the objectives.

Response PN-8 – The main goals of the PTMP planning process are stated in Section 1.3 of the EIS and are referred to as "Objectives of the Plan Update" rather than as "goals." Ten Plan objectives are stated and each is briefly discussed. It is these objectives against which the final selection of a plan alternative will be assessed. Because the text of the EIS already states the objectives of the planning process, this text is not duplicated in the Final Plan. Instead, the Final Plan articulates an extensive policy framework with "planning principles," "planning guidelines," and other statements of intent that could be understood as "goals" of the Trust. Many of these goals derive from the principles and land uses in the GMPA, which itself did not include explicit "objectives."

PN-9. ***Clarify Specific Objectives of PTMP***

A number of commentors offer comments on specific PTMP objectives stated by the Trust.

- *Flexibility:* Commentors variously suggest that the PTMP objective of increasing flexibility is either unnecessary or inappropriate. Other commentors note that flexibility as an objective is appropriate, and that PTMP should be developed as a general plan and broad policy framework that maintains the flexibility to respond to future economic and market conditions.

- *Resource Protection:* The NPS and other commentors ask that the purposes of PTIP be restated so that the goal of resource protection is as strongly worded as that of achieving planning flexibility.

- *Visitor Enjoyment:* One commentor suggests that the entire purpose of any change to the Presidio plan be to enhance the visitor's enjoyment of the purity of its beauty and its military significance. Other comments support objectives that would make the park more vibrant and give both locals and visitors more reasons to visit the park.

- *Scale:* Commentors suggest that the scale of the Plan should be a primary objective, and that the Trust should identify and pursue open space as a primary goal and minimize built space, employees, and housing units. Other comments suggest that the Trust has set a goal of commercial development beyond its need and that the Plan's objective is to turn the Presidio into a business park.

Response PN-9 –

Flexibility: The Trust agrees with those commentors who recognize that increased flexibility is an appropriate objective for a comprehensive plan update and is therefore retaining this as an objective of the planning process articulated in Section 1.3 of the EIS. A plan that places undue restrictions on the Trust's land use and management decisions risks raising inconsistent, unnecessary, and unmanageable hurdles to the Trust's mission. Increased flexibility in leasing, building occupancy, and capital formation are some of the key areas in which the Trust has experienced problems in implementing the 1994 GMPA. As an example, some members of the public stridently disagreed with the Trust's selection of a digital art-related user for the 23-acre Letterman Complex site even though no research and education user as called for in the GMPA emerged from the marketplace. Critics argued that the GMPA limited tenants to those whose organizational mission was to solve the world's most critical environmental, social, and cultural problems. This interpretation of the GMPA has in part been the impetus to consider planning alternatives that build in a greater degree of management flexibility. To ensure that buildings can be rehabilitated and leased, and that revenues can be generated to support the park, the Trust needs a plan with the flexibility to, as the commentor notes, "respond to future economic and market conditions."

Resource Protection: The request to restate the goal of "resource protection" as strongly as "flexibility" suggests that the Trust presented the objectives for the plan update with a weighting of some form and also confuses objectives of the planning process with those of the plan itself. Each of the objectives described in Section 1.3 of the EIS are elements that the Trust intends the Final Plan, once selected, to meet. They derive in part from the Trust Act, the Trust's statutory mission, and in part from the Trust's policy perspective on how the Presidio should be managed. Objective 4, "Consistency with Planning Principles," expresses the Trust's desire to adopt a plan update that contains planning principles which express essential management objectives. These objectives encompass the goal of resource protection demonstrating the Trust's broad policy commitment to protect the varied resources of the Presidio.

Visitor Enjoyment: Although the Trust agrees that visitor enjoyment should be an important objective of the Plan, the Trust cannot, as was suggested by one commentor, make it the sole objective of the plan update. The objectives of the planning process listed in EIS Section 1.3 of the EIS encompass the goal of enhancing visitor enjoyment in many different aspects. As an example, by statute, the Trust must meet the purposes of the GGNRA Act, which include protecting the scenic beauty of the Presidio. In response to the commentors suggestion, an expanded discussion has been added to EIS Section 1.3 of the EIS under the heading "Programs" to emphasize that the Trust is seeking an update that will embrace a broad notion of the events, activities and land uses that bring people to the park. This objective of the Trust is expressed more fully in the planning principles within Chapter One of the Final Plan and reprinted in the Final EIS, Appendix B.

Scale: Contrary to assertions otherwise, the goal of the plan update is not to overdevelop the Presidio or to turn it into a "business park." The building resources within the Presidio are the primary and long-term means by which the Trust will create open space and preserve the treasured natural and cultural resources of the park. Different planning alternatives propose different balance between open space and built space. The Trust understands that some commentors would prefer a plan that maximizes open space and minimizes built space. To add this as an objective would be to assume the end result and to preclude a number of reasonable options from consideration.