



Making San Francisco Bay Better

June 12, 2009

California Department of Transportation
111 Grand Avenue
P.O. Box 23660
Oakland, California 94623-0660

ATTENTION: Jeff Jensen, Office Chief

AND

San Francisco County Transportation Authority
100 Van Ness Avenue, 25th Floor
San Francisco, California 94102

ATTENTION: Leroy L. Saage, PE, Doyle Drive Project Manager

SUBJECT: Consistency Determination No. CN 2-08

Ladies and Gentlemen:

On February 14, 2008, the California Department of Transportation and the San Francisco County of Transportation submitted a description of the project and requested that the Commission concur that the proposed project is consistent with its Amended Coastal Zone Management Program for San Francisco Bay. The Commission concurs with the determination of the California Department of Transportation and the San Francisco County of Transportation that seismically retrofit, use and maintain the roadway along an approximately 1.6-mile-long, 105-foot-wide section of Doyle Drive/Highway 101, at the southern approach to the Golden Gate Bridge, between the Merchant Road and Girard Road access ramps, in the Golden Gate National Recreation Area's Presidio, in the City and County of San Francisco, is consistent with the Commission's Amended Management Program for San Francisco Bay.

The Commission's Letter of Agreement for the subject consistency determination is attached. If you should have any questions regarding the attached Letter of Agreement or need any further assistance, please contact Karen Wolowicz of my staff at 415/352-3669 or karenw@bcdc.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Will Travis', is written over a series of horizontal lines that serve as a guide for the signature's placement.

WILL TRAVIS
Executive Director

WT/KW/ra

Enc.

cc: U.S. Army Corps of Engineers, Attn: Regulatory Functions Branch
San Francisco Bay Regional Water Quality Control Board,
Attn: Certification Section
Environmental Protection Agency
Federal Highway Administration, Attn: Lanh Phan
Presidio Trust, Attn: Michael Boland



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**LETTER OF AGREEMENT FOR CONSISTENCY
DETERMINATION NO. CN 2-08**

June 12, 2009

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ATTENTION: Jeff Jensen, Office Chief

AND

San Francisco County Transportation Authority
100 Van Ness Avenue, 25th Floor
San Francisco, California 94102

ATTENTION: Leroy L. Saage, PE, Doyle Drive Project Manager

Ladies and Gentlemen:

I. Agreement

A. The San Francisco Bay Conservation and Development Commission agrees with the determination of the California Department of Transportation and the San Francisco County Transportation Authority that the following project is consistent with the Commission's Amended Management Program for San Francisco Bay:

Location: Along an approximately 1.6-mile-long, 105-foot-wide section of Doyle Drive/Highway 101, at the southern approach to the Golden Gate Bridge, between the Merchant Road and Girard Road access ramps, in the Golden Gate National Recreation Area's (GGNRA) Presidio, a Waterfront Park/ Beach Priority Use Area as designated by Bay Plan Map No. Four, in the City and County of San Francisco.

Description: Seismically retrofit, use and maintain the roadway to include the following: (1) an approximately 1,804-foot-long, at-grade roadway, East of the Golden Gate Bridge toll plaza; (2) an approximately 1,279-foot-long, 66- to 115-foot-high viaduct located between the Park Presidio Interchange and the San Francisco National Cemetery; (3) an approximately 213-foot-long at-grade roadway; (4) an approximately 853-foot-long Battery Tunnel with landscaping above the tunnel; (5) an approximately 1,214-foot-long, at-grade roadway with a 13- to 26-foot-high berm along the north side to shield the roadway from park visitors; (6) an approximately 1,017-foot-long Main Post Tunnel with landscaping above the tunnel; (7) an approximately 394-foot-long, 10-foot-high causeway; (8) an approximately 1,460-foot-long, at-grade roadway; and (6) reconfiguration of the Park Presidio

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Interchange at the west end of Doyle Drive and the South Doyle Drive exit. The northbound roadway will consist of two 11-foot-wide lanes, one 12-foot-wide lane, one 10-foot-wide outside shoulder, and one 4-foot-wide inside (along the median) shoulder in both directions. The southbound roadway would be configured similarly and include an additional 11-foot-wide lane from the Park Presidio Interchange to Lyon Street. An approximately 122- to 146-foot-wide median will be between the north- and south-bound roadways.

B. This agreement is given based on the information submitted by or on behalf of the Department of Transportation and the San Francisco County of Transportation in their letter dated February 14, 2008.

II. Special Conditions

The authorization made herein shall be subject to the following special conditions:

A. Specific Plans and Plan Review

1. **Plan Review.** No work whatsoever shall be commenced pursuant to this authorization until final precise site, demolition, engineering, architectural, grading, public access, landscaping, and best management practices plans and any other relevant criteria, specifications, and plan information for that portion of the work have been submitted to, reviewed, and approved in writing by or on behalf of the Commission. The specific drawings and information required will be determined by the staff. To save time, preliminary drawings should be submitted and approved prior to final drawings.
 - a. **Site, Architectural, Grading, and Landscaping Plans.** Site, demolition, architectural, grading, public access, and landscaping plans shall include and clearly label property lines, grading, details showing the location, types, dimensions, and materials to be used for all structures, irrigation, landscaping, drainage, seating, parking, signs, lighting, fences, paths, trash containers, utilities and other improvements.
 - b. **Engineering Plans.** Engineering plans shall include a complete set of contract drawings and specifications and design criteria. The design criteria shall be appropriate to the nature of the project, the use of any structures, soil and foundation conditions at the site, and potential earthquake-induced forces. Final plans shall be signed by the professionals of record and be accompanied by:
 - (1) Evidence that the design complies with all applicable codes; and
 - (2) Evidence that a thorough and independent review of the design details, calculations, and construction drawings has been made.
 - c. **Preliminary and Final Plans.** Plans submitted shall be accompanied by a letter requesting plan approval, identifying the type of plans submitted, the portion of the project involved, and indicating whether the plans are final or preliminary. Approval or disapproval shall be based upon:

- (1) completeness and accuracy of the plans in showing the features required above, particularly property lines, existing and proposed public access improvements, and any other criteria required by this authorization;
- (2) consistency of the plans with the terms and conditions of this authorization;
- (3) the provision of the amount and quality of public access to and along the shoreline and in and through the project to the shoreline required by this authorization;
- (4) consistency of the plans with the recommendations of the Design Review Board;
- (5) assuring that appropriate provisions have been incorporated for safety in case of seismic event; and
- (6) assuring that appropriate elevations have been met to prevent overtopping, flooding, and 100-year storm events in all public access areas.

Plan review shall be completed by or on behalf of the Commission within 45 days after receipt of the plans to be reviewed.

2. **Conformity with Final Approved Plans.** All work, improvements, and uses shall conform to the final approved plans. Prior to any use of the facilities authorized herein, the appropriate design professional(s) of record shall certify in writing that, through personal knowledge, the work covered by the authorization has been performed in accordance with the approved design criteria and in substantial conformance with the approved plans. No noticeable changes shall be made thereafter to any final plans or to the exterior of any constructed structure, outside fixture, lighting, landscaping, signage, landscaping, or parking area, without first obtaining written approval of the change(s) by or on behalf of the Commission.
3. **Discrepancies between Approved Plans and Special Conditions.** In case of any discrepancy between final approved plans and Special Conditions of this authorization or legal instruments approved pursuant to this authorization, the Special Condition or the legal instrument shall prevail. The permittees are responsible for assuring that all plans accurately and fully reflect the Special Conditions of this authorization and any legal instruments submitted pursuant to this authorization.
4. **Appeals of Plan Review Decisions.** Any plan approval, conditional plan approval or plan denial may be appealed by the permittees or any other interested party to the Design Review Board or, if necessary, subsequently to the Commission. Such appeals must be submitted to the Executive Director within 30 days of the plan review action and must include the specific reasons for appeal. The Design Review Board shall hold a public hearing and act on the appeal within 60 days of the receipt of the appeal. If subsequently appealed to the Commission, the Commission shall hold a public hearing and act on the appeal within 90 days of the receipt of the subsequent appeal.

B. Public Access Areas and Trails

1. **Restoring Access Areas and Paths.** At project completion, all public access trails existing as of the date of this consistency shall be maintained, replaced, or enhanced to conditions that are equal to or better than those existing at the time of issuance of

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this consistency determination. Adequate signage shall be installed to inform park users of all new and existing public access areas and trails.

2. **Minimizing Construction Interruptions.** The Department of Transportation shall make every effort to minimize closures and impacts to existing public access areas adjacent to Doyle Drive during project construction. Every effort shall be made to keep the existing public access areas affected by work described in the consistency determination open to the public after 5 p.m. and on weekends, whenever possible. The existing public access areas affected by authorized work may be closed temporarily to the public during part or all of the construction for public safety. Any public paths closed temporarily due to construction activities authorized shall be clearly identified on signs notifying the public of suitable detour(s). In addition, signs shall be installed at all affected public access entrances informing the public of why the road or path is closed, when the road or path is open, possible detours, and when project construction will be completed.

C. Construction Best Management Practices

1. **Debris Removal.** All construction debris shall be removed to and disposed at an authorized location outside the jurisdiction of the Commission. In the event that any such material is placed in any area within the Commission's jurisdiction, the permittee, its assigns, or successors in interest, or the owner of the improvements, shall remove such material, at its expense, within ten days after it has been notified by the Executive Director of such placement.
2. **Construction Operations.** All construction operations shall be performed to prevent construction materials from falling into the Bay and Crissy Marsh. In the event that such material escapes or is placed in an area subject to tidal action of the Bay, the permittee shall immediately retrieve and remove such material at its expense.

III. Findings and Declarations

A. On February 14, 2008, the Department of Transportation and the San Francisco County Transportation Authority submitted a description of the project and requested that the Commission concur that the project is consistent with its Amended Coastal Zone Management Program for San Francisco Bay.

The project to seismically retrofit Doyle Drive will be funded by the Federal Highway Administration and involves a similar activity, as defined by Commission Regulation Section 10601(e)(3) to the placement of small amounts of inert inorganic fill that would not have a significant adverse effect on present or possible future maximum feasible public access to the Bay or on the environment as defined by Commission Regulation Section 10601(b)(1). Overall, the project will preserve existing recreational opportunities at and to the waterfront. Additionally, the retrofitted highway would pass partly underground, reducing the highway's impact on the Presidio and providing an opportunity to develop a new, approximately 6.0-acre public park area above the proposed Main Post Tunnel. This new 6.0-acre park area will provide a direct pedestrian connection from the Presidio's Main Post area to Crissy Field. The retrofitted project will also result in extending public transit (bus) bays along both sides of Richardson Avenue.

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At project completion, access between areas separated by Doyle Drive will be different but equal to existing access between these areas, yet a variety of vehicle roads and recreational trails in the vicinity of the project will be closed for varying lengths of time during project construction. The Construction Traffic Management Plan has not yet been completed, but the Department of Transportation intends to keep the public informed about construction-related vehicle traffic impacts (e.g., road closures and detours) using outreach tools, e.g., press releases, websites, signage, and public service announcements. According to the Department of Transportation, recreational trails would experience short-term, intermittent closures during low traffic periods only, and alternative recreational trail routes would be provided. Special Conditions have been included to ensure that all roadway and trail closures are adequately signed and noticed, that alternative routes are provided, that once construction is complete that similar or superior public access areas and trails to those existing at the date of this consistency determination are provided, and that best construction management practices are used.

According to the Department of Transportation, the park experience will be enhanced, as portions of the roadway will be in tunnels or shielded from view by berms. Views of the Bay for vehicles driving through the proposed tunnels and along the at-grade roadway (between the tunnels) where a berm alongside the north-edge shoulder will be constructed will be obstructed, but the Department of Transportation maintains that the benefits of road reconfiguration to park users outweighs the loss of views from vehicles on Doyle Drive, that the road will be much safer than the existing Doyle Drive, and that the newly configured Doyle Drive will also afford superb view.

B. An environmental review conducted by the Department of Transportation to seismically repair, maintain and use the approximately 1.6 mile long section of Doyle Drive resulted in approval of an Environmental Impact Report/ Statement under the California Environmental Quality Act (CEQA) and the National Environmental Protection Act (NEPA) on October 14, 2008.

C. The Commission, pursuant to the Coastal Zone Management Act of 1972, as amended (16 USC Section 1451), and the implementing Federal Regulations in 15 CFR Part 930, is required to review Federal projects within San Francisco Bay and agree or disagree with the Federal agency's determination that the project is consistent with the Commission's Amended Coastal Zone Management Program for San Francisco Bay. This letter constitutes such review and comment.

D. Pursuant to Regulation Section 10620, the project was listed with the Commission on May 7, 2009.

Executed in San Francisco, California, on behalf of the San Francisco Bay Conservation and Development Commission on the date first above written.



WILL TRAVIS
Executive Director
San Francisco Bay Conservation and
Development Commission

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cc: U.S. Army Corps of Engineers, Attn: Regulatory Functions Branch
San Francisco Bay Regional Water Quality Control Board,
Attn: Certification Section
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Federal Highway Administration, Attn: Lanh Phan
Presidio Trust, Attn: Michael Boland