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| **DIRECTORS**  **Betsy Morris - President**  **Jay Corrales**  **Linnie Gavino**  **Drew Hubbell**  **Roger Lewis**  **John Lomac**  **Mildred “Chica” Love**  **Nick Marinovich**  **Anthony Mendiola**  **Brian Mooney**  **Deanna Spehn**  **Mike Stepner**  **Susan Riggs Tinsky**  **Jay Turner**  **Diego Velasco** | March 31, 2013  San Diego Unified Port District  Attn: Wileen Manois,  Environmental and Land Use Management Department  3165 Pacific Highway  San Diego, CA 92101-1128  Dear Ms. Manois:  The purpose of this letter is to provide comments on the Draft Environmental Impact Report for the “B” Street Pier Mooring Dolphin Project (UPD #EIR 2012-09, SCH#2012041059).  As a general comment, the security requirement associated with a Cruise Ship creates a less than welcoming environment when a ship is docked. The large expansive area of the “B” Street Pier offers a potential for a unique destination area for visitors and local residents, consistent with one of the important goals of North Embarcadero, revitalization of our Waterfront. The cruise ship terminal is an inconsistent use for the North Embarcadero as a welcoming porch to San Diego, given inaccessibility due to traffic and security when ships are docked.  Our comments are made in the context of a prior Position Paper submitted to the Port District on February 1, 2012 regarding North Embarcadero (attached). A synopsis of the key points as it relates to the Mooring Dolphin is as follows:  1. Proposals to approve individual projects such as the Mooring Dolphin Project encourages piecemeal planning without full consideration of an integrated planning approach within the North and South Embarcadero Planning areas. To quote from the February 1, 2012 letter: “All projects on public tidelands extending south from the airport to the Tenth Avenue Marine Terminal should be looked at on a comprehensive, land use basis, not chipped away at via piecemeal planning efforts.”  2. The application and development of the Mooring Dolphin project lacked transparency and real citizen input. With minimal public notice the Port applied to the State Lands Commission for approval of the project. The letter to the State Lands Commission States: “The proposed project is very important to the future of San Diego’s Cruise Ship business.”  3. The “B” Street Pier offers a significant alternative development scenario for North Embarcadero. To quote from the February 1, 2012 letter” The “B” Street Pier, because of its size and location, offers the potential for a unique non-cruise ship use that could provide a unique anchor destination with revenue generating potential for the North Embarcadero. With the start of Phase I and the County Administration Waterfront Park, we have a unique  yet to be fully defined opportunity for enhancement of the North Embarcadero experience. The walling off of access associated with Homeland Security requirements as relates to the cruise ship industry is a liability, not an asset for the area. Also and very importantly, the vast space of the “B” Street Pier could be considered as partial mitigation for the loss of views resulting from the Broadway Cruise Ship Terminal.”  In light of these prior concerns, the focus of our comments is on the Project Alternative Discussion, which we feel is incomplete in addressing all project alternatives.  **SUMMARY AND RECOMMENDATIONS**  The Mooring Dolphin Project EIR does not sufficiently address Project Alternatives. As such real potential alternatives to accommodate the long term cruise ship needs in the context of the overall comprehensive North Embarcadero Planning is short changed. The Port of San Diego should step back and put this project on hold until there is a comprehensive study of long term cruise ship locations as well as consideration of alternative uses of the “B” Street Pier which would better serve the needs of North Embarcadero.  **INADEQUATE ANALYSIS OF PROJECT ALTERNATIVES**  Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Environmental Impact Reports (EIRs) are required to “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives” (14 CCR 15126.6(a)). An EIR “must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation” (14 CCR 15126.6(a)).  The alternatives discussion is required even if these alternatives “would impede to some degree the attainment of the project objectives, or would be more costly” (14 CCR 15126.6(b)). The inclusion of an alternative in an EIR does not constitute definitive evidence that the alternative is in fact “feasible.” The final decision regarding the feasibility of alternatives lies with the decision maker for a given project who must make the necessary findings addressing the feasibility of alternatives for avoiding or substantially reducing a project’s significant environmental effects (California Public Resources Code Section 21081; see also 14 CCR 15091).  Chapter 7 Alternatives indicates that the primary objectives of the project are as follows:  1. Improve existing cruise ship berthing capabilities **at the B Street Pier** (emphasis added) so that it can provide safe and secure berthing for longer cruise ships.  2. Help maintain a competitive position in the west coast cruise ship industry by being able to accommodate longer cruise ships up to 1,135 feet in length, which are replacing cruise ships of lesser length that can currently be accommodated at the existing B Street Pier.  3. Help the District regain cruise business lost during the economic downturn, and retain current cruise business, in order to provide economic and employment benefits to the District and the region.  There were four alternative locations southwest of the San Diego Convention Center, Harbor Island, Tenth Avenue Marine Terminal (TAMT), and west of Broadway Pier that were initially reviewed on what appears to be a cursory basis. The EIR on Page 7-2 states: “The District has determined that detailed analysis of these alternative locations was not warranted because they would not avoid or substantially lessen any of the significant impacts of the Proposed Project and/or would not be feasible for several reasons.”  The EIR states the following reasons for rejection of these alternatives:  Basin Southwest of the Convention Center. The Convention Center alternative site would meet the project objectives of helping to maintain a competitive position in the west coast cruise industry and helping the District to retain current cruise business and regain lost business, since it would allow for longer cruise ships to berth in San Diego. However, it would not meet the project objective of improving existing cruise ship berthing capabilities at B Street Pier to provide safe and secure berthing for longer cruise ships.  Further, the EIR states: This alternative site would not be suitable for cruise berthing and terminal facilities due to its location within an existing contaminated sediment mediation site completed pursuant to the RWQCB-issued Cleanup and Abatement Order for the former Campbell Shipyard. In addition, the economic cost of constructing new cruise ship berthing and terminal facilities in this alternative location, as well as the time needed to obtain required regulatory approvals, would likely cause this location to be infeasible. (emphasis added) Although the Board of Port Commissioners will make the final determination regarding feasibility, the factors discussed indicate that this alternative location may not be feasible.”  Harbor Island Alternative. For virtually the same reasons cited above (eg. “B” Street Objective of Expansion and cost) this alternative is also rejected from further consideration. “This alternative location would not avoid or substantially lessen any significant impacts of the Proposed Project. Instead, the Harbor Island location would introduce all of the activities and environmental impacts associated with cruise ship operations such as traffic, air quality, and noise into an area that already is highly developed, thereby creating significant impacts in a new location. In addition, the impacts associated with the construction of entirely new cruise ship berthing and terminal facilities would be far greater than the Proposed Project in terms of air quality, GHG emissions, land use, and noise.” It is also stated: “This alternative location would also be inconsistent with the California Coastal Act (Article 7, Industrial Development, Section 30260), which states that “Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division.”  Tenth Avenue Terminal. Like the two alternatives above, the EIR states the infeasibility due to cost and “B” Street Expansion goals, this alternative is also rejected from further consideration. The EIR also states the relationship of the Tenth Avenue Terminal to the Working Waterfront and the need to have this site available for the possible deployment of military activities, as it is one of 17 “strategic ports” by the U.S. Department of Transportation Maritime Administration.  Broadway Pier. Similar concerns regarding cost and viability related to the need to expand the “B” Street Pier are cited. Importantly, the EIR states: “Because the existing cruise terminal facilities on Broadway Pier can only handle up to 2,600 embarking and 2,600 disembarking passengers per day, the pier would likely need to be upgraded and the cruise terminal facilities expanded to accommodate the 6,000 embarking and 6,000 disembarking passengers per day that could be handled at B Street Pier under the Proposed Project. However, because the existing Broadway Pier is substantially smaller than B Street Pier (130 feet wide versus 400 feet wide), there would not be sufficient room to expand the cruise terminal facilities at Broadway Pier to accommodate more passengers without creating aesthetic and land use impacts that would not occur with the Proposed Project. Expanding the existing Broadway Pier cruise ship terminal would likely conflict with the District and Coastal Commission-approved public access uses (i.e., “Promenade” and “Park/Plaza” PMP land use designations) on the pier, and construction of a taller structure would result in increased visual impacts.  Rather than look at these alternatives, the EIR focuses on the following which are largely minor modifications or no project alternative:  **No Project Alternative.** Under the No Project Alternative, no physical modification of the project site would occur.  **Floating Pier Alternative.** Under the Floating Pier Alternative, a retractable floating pier would be attached to the end of B Street Pier and could be extended as needed for the berthing of longer cruise ships (up to 1,135 feet in length) on the pier’s north side. The floating pier would be similar in length and function as the Proposed Project. When not being used, the floating pier could be retracted and secured alongside the west end of B Street Pier.  **No Catwalk Alternative.** Under the No Catwalk Alternative, the mooring dolphin would be installed in the same location as the Proposed Project; however, there would be no catwalk structure attaching the mooring dolphin to the B Street Pier. Instead, a dinghy would be used to travel between the pier and the mooring dolphin.  **IMPACT OF EXCLUSION OF REAL ALTERNATIVES TO A “B” STREET ALTERNAIVE TO EXPANSION OF CRUISE SHIP ALTERNATIVES**  By not having in depth consideration of alternatives to the Mooring Dolphin Project, the public was not offered the opportunity to consider potential environmental and policy benefits of a location other than the “B” Street location. In particular the areas of Land Use/Water Compatibility and Transportation/Traffic could not be fully considered in the context of the overall planning and future development of North Embarcadero.  Now is the time to step back and consider the real wisdom of this significant investment of dollars in light of the decline in Cruise ship activity. In fact, the EIR provides the actual data to back up this point as indicated in the table below:  Table 1: Summary of Existing San Diego Cruise Ship Activity (2007-2011)   |  |  |  |  | | --- | --- | --- | --- | | Year | Annual Passengers | Annual Ship Days | Annual Ship Calls | | 2007 | 810,395 | 183 | 237 | | 2008 | 921,360 | 195 | 255 | | 2009 | 845,787 | 174 | 223 | | 2010 | 505,394 | 117 | 150 | | 2011 | 300,887 | 90 | 106 |   As mentioned by C3 at the last Port meeting, the Port should stop processing piecemeal projects until studies (e.g. parking, infrastructure) are completed.  Thank you for consideration of these comments.  Sincerely,  Betsy Morris, President  Citizens Coordinate for Century 3 |