F. CULTURAL RESOURCES

THE OLD SEAWALL AND THE NEW SEAWALL

Comments

Impacts on Historic Resources are not Adequately Analyzed in the DEIR. Unbelievably, the DEIR concludes that potentially significant impacts to historic “architectural” resources will not be discussed in the DEIR because the 2007 NOP/Initial Study found that the proposed project would not adversely affect them. The 2007 NOP/Initial Study incorrectly assumed that because “[t]he project site contains no buildings included in, or determined eligible for inclusion in, any federal, State, or adopted local register of historic resources,” the proposed project could not result in any impacts to historic “architectural” resources. This reasoning and its conclusion are flawed for at least three reasons: First, the proposed project must be analyzed for its potentially significant impacts on historic resources within its setting and context. Second, the Old Seawall, which runs through the project site within Seawall Lot 351, has been determined eligible for listing on the National Register of Historic Places and therefore constitutes a historic resource for all purposes of CEQA. Third, the construction of the proposed project must be analyzed for its potentially significant physical damage to historic resources. (Jon Golinger, Telegraph Hill Dwellers) [C.10.44a]

2. The proposed project would have a significant impact on the Old Seawall. Because the Old Seawall is a “historic resource” for all purposes of CEQA, the proposed project’s substantial adverse change in its significance cannot be mitigated.

The DEIR discloses that: “A segment of the Old Seawall runs through the project site within Seawall Lot 351 along The Embarcadero, approximately 10 feet below the ground surface.” The DEIR further reveals that:

“The Old Seawall was determined eligible for listing on the National Register of Historic Places in 1979 under Criterion A as a resource associated with “events that made a significant contribution to the broad pattern of our history” (i.e., for its connection with waterfront infrastructure development). As such, it is deemed a historical resource under CRHR Criterion 1 (Events). It may also be significant under CRHR Criterion 3 (Design/Construction) and Criterion 4 (Information Potential) if the actual construction of the seawall is found to deviate from the BSHC’s detailed construction plans and specifications for the Old Seawall. Deviation (including changes in size, extent, location, of materials) may contribute information to our understanding of the construction of this feature that is not available in the documentary record."

Therefore, the Old Seawall must be considered a “historic resource” for all purposes of CEQA. As admitted by the DEIR, the construction of the proposed project would require the destruction of a significant segment of the Old Seawall causing “the largest disturbance of the Old Seawall to date,” thereby diminishing the overall integrity of the this historic resource. This effect would constitute a substantial adverse change in the significance of this historic resource and, therefore, a significant impact under CEQA, which cannot be adequately mitigated by the mitigation measures M-CP-1a (Archeological Testing, Monitoring and Data Recovery and Reporting) and M-CP-1b (Interpretation) proposed by the DEIR.
III. Comments and Responses
F. Cultural Resources

- Include a description of seawall lots and how they relate to the city’s historic seawall.3
- Include a sketch of the project site and proposed development showing the location of the Old Seawall.
- Because of this substantial adverse change in the significance of an historical resource, the EIR must include project alternatives that avoid this significant impact while accomplishing most of the project objectives.
- Please explain in detail how the project can be re-designed so as to avoid any adverse effect on the Old Seawall and include this in the EIR as a project alternative.

[Footnote 3:] The “seawall” refers to the foundation upon which the waterfront was constructed and consists of a linear embankment of stone, concrete, and wood. The “bulkhead wharf” consists of the pile-supported platform that runs parallel to the seawall between piers and upon which bulkhead buildings, pier entrances and other supporting structures are constructed. The seawall is integrated with the bulkhead wharf to form a continuous, unifying structure. Seawall lots are parcels that are landward of the city’s historic seawall, west of The Embarcadero. (Jon Golinger, Telegraph Hill Dwellers) [C.10.44c]

4. The project’s impacts on Archeological Resources are not adequately analyzed and mitigated. Please address the following questions and comments:
- Include more detailed information as to the exact location of the New Seawall, a contributing resource within the Embarcadero Historic District, in relation to the project site and explain in greater detail why it would or would not be affected by the proposed project’s construction, excavation and pile driving. (Jon Golinger, Telegraph Hill Dwellers) [C.10.44e]

Geologic and Historical features are well mitigated. (Lisa Schreiber) [D.7.14]

Response

Comments express disagreement with the conclusion of the NOP/Initial Study (EIR Appendix A) that the proposed project would not have a significant impact on historic architectural resources. For the purposes of environmental analysis, the EIR appropriately treats “historic architectural resources” separately from “historic archaeological resources,” although both categories of resources are considered “historical resources” for the purposes of CEQA. Historic architectural resources were properly excluded from further study in the EIR. For further clarification, the first two paragraphs on EIR p. IV.C.1 are revised as follows:

A project that may cause a substantial adverse change in the significance of an historical resource is a project that may have significant effect on the environment. This section assesses the potential impacts on historical resources (specifically, archaeological resources that qualify as historic resources under CEQA) resulting from implementation of the proposed project.

For the purposes of this section, the term “cultural resources” is used synonymously with the term “historical resources” as defined by CEQA. Both “historic archaeological resources” and “historic architectural resources” are subset categories of historical resources. These terms are used to distinguish between these types of historical resources in environmental review because of
differing methodologies for identification of resources, and for evaluation and mitigation of impacts.

The Old Seawall is properly treated as a “historic archaeological resource” in EIR Section IV.C, Archaeological Resources, rather than as an historic architectural resource. As a buried subsurface feature, the resource now lacks physical and visual accessibility. Archaeological research and investigative and documentation methods are necessary to study its features, describe its character, evaluate its significance, and mitigate potential impacts on such resources. The historic significance of the Old Seawall is discussed on EIR pp. IV.C.4-IV.C.5 and EIR p. IV.C.12. Potential impacts on this resource are identified on EIR p. IV.C.21:

**Impact CP-4: Project construction activities would disturb the remains of the Old Seawall. (Less than Significant with Mitigation)**

Construction activities within or near Seawall Lot 351 would require complete removal of an approximately 440-foot-long segment of the Old Seawall running through the project site. The Old Seawall is significant under Criterion 1 (Events). The Old Seawall may also be considered potentially significant under Criterion 4 (Information Potential) if its actual construction deviates from the BSHC’s detailed specifications.

The proposed project would cause the largest disturbance of the Old Seawall to date. Previous projects with documented impacts on the Old Seawall include the Muni Metro Turnback Project and the San Francisco Clean Water Project. Future potential development of the Port of San Francisco’s Seawall Lots 320 and 321 at Union Street and The Embarcadero would also impact the Old Seawall. Removal of the segment of the Old Seawall that runs through the project site would diminish the overall integrity of the Old Seawall resource. Since most of this linear feature (running from Union Street to Mission Street) would continue to remain intact, this effect would not materially impair the ability of the resource to convey its association with 19th century waterfront infrastructure development under CRHR Criterion 1 (Events). However, if the actual construction of this segment of seawall underlying Seawall 351 deviates from the detailed BSHC’s specifications, removal of this segment would materially impair the ability of this segment to yield information about the actual construction of the Old Seawall that is not available in the historic record. This effect would be considered a substantial adverse change in the significance of an historical resource and would therefore be a potentially significant impact under CEQA.

With implementation of Mitigation Measures M-CP-1a and M-CP-1b, the proposed project would not cause a substantial adverse change to the significance of this archaeological resource type, if present within the project site.

The EIR concludes that with implementation of Mitigation Measures M-CP-1a and M-CP-1b, the proposed project would not cause a substantial adverse change to the significance of this archaeological resource type. Mitigation Measure M-CP-1a calls for a qualified archaeological consultant to prepare and submit a plan for pre-construction archaeological testing, construction monitoring, and data recovery for approval by the Environmental Review Officer (ERO).
Implementation of the approved plan for testing, monitoring, and data recovery under Mitigation Measure M-CP-1a would ensure that the significance of this resource type, if present within the project site, under CRHR Criterion 4 (Information Potential) would be preserved and/or realized. Archaeological data recovery is acknowledged by CEQA Guidelines Section 15126.4(b)(3)(C) as an appropriate mitigation for avoidance of effects on an archaeological resource, since the integrity of an archaeological resource that is eligible for inclusion in the California Register of Historical Resources under Criterion 4 is not the physical condition of the resource, but the potential information value of the resource to archaeology. To the extent that the potential significance of this resource type, if present within the project site, may be premised on its significance under CRHR Criteria 1 (Events), 2 (Persons), and/or 3 (Design/Construction), Mitigation Measure M-CP-1b calls for a qualified archaeological consultant to prepare and submit a plan for post-recovery interpretation of resources. Implementation of an approved program of interpretation under Mitigation Measure M-CP-1b would preserve and enhance the ability of this resource to convey its significance under CRHR Criterion 1 (Events), Criterion 2 (Persons), and Criterion 3 (Design/Construction).

In response to comments requesting additional information about the seawall lots and the New Seawall, the last paragraph beginning at the bottom of EIR p. IV.C.5 is revised as follows (new text is underlined, deleted text is shown in strikethrough):

**Construction of the New Seawall**

The New Seawall was designed to follow a smooth curve of the shore instead of the angles of the street, to better conform to the Bay’s currents and, thus, reduce shoaling. This new bulkhead was begun in 1877 and today defines the shoreline of San Francisco in the vicinity of the project site along the east side of The Embarcadero. The construction of the New Seawall created new areas of land, “the Seawall Lots.” These are often triangular and irregularly shaped, because of the angle of the intersection of the New Seawall and the City’s street grid. Its final segment was completed in 1916. Sanborn maps from 1887 and 1899 give the first detailed look at the 8 Washington Street/Seawall Lot 351 project site after the New Seawall was completed. The 1887 map shows the project site completely filled in and the New Seawall along the eastern edge of East Street. Washington Wharf, Jackson Wharf, and Pacific Wharf are identified extending out from East Street, east of the project site. The New Seawall is a contributing resource within the Embarcadero Historic District. Located along the east side of The Embarcadero, the New Seawall would not be affected by the proposed project.
OFFSITE HISTORIC ARCHITECTURAL RESOURCES

Comments

1. The proposed project must be analyzed for its potentially significant impacts on historic resources within its setting and context. The DEIR is inadequate, incomplete and biased in its failure to analyze the potentially significant impacts of the proposed project on its immediate environmental setting and context, including Pier 1 and the Ferry Building, which are individually listed on the National Register of Historic Places; the Central Embarcadero Piers National Register Historic District, which includes Piers 1, 1-1/2, 3, and 5 located across The Embarcadero from the project site; and the Port’s Embarcadero National Register Historic District. The EIR must analyze the proposed project’s potentially significant impacts on these historic resources resulting from its conflicts with the City’s General Plan and the Port’s plans and objectives applicable to the project, including the following:

   (a) Conflicts with the Port’s Waterfront Design & Access Element. The EIR must analyze the proposed project’s potentially significant impacts on these historic resources resulting from its conflicts with the Waterfront Design & Access Element as to massing and design character. (See also our comments above relating to the proposed project’s aesthetic impacts, which are included here by reference.)

   • Analyze and discuss how the proposed project acknowledges the massing and street enclosure relationship with these historic resources (the Ferry Building and bulkhead buildings) across The Embarcadero. Explain how the height of the proposed project is “similar” to the historic bulkhead buildings.

   • Analyze and discuss how the character and design of the proposed project reinforces the scale of the historic resources along The Embarcadero. Describe how the project’s proposed “recessed bays” are compatible with the detailing of the historic resources. Are there any bay windows on any of these bulkhead buildings? How are projected awnings consistent with the bulkhead buildings?

   (b) Conflicts with the Port’s Design Objectives. The EIR must disclose and acknowledge the proposed project’s potentially significant impacts on these historic resources resulting from its conflicts with substantially all of the Port’s Design Objectives (set forth in this EIR pages II.21-II.22) which are articulated in the Port’s RFP for this project. The objectives relating specifically to historic resources are the following:

   • “The design of new buildings should respect the character of the Ferry Building.” Disclose and acknowledge the project’s incompatibility with the Ferry Building’s design details and, in particular, with its height, bulk and scale, which impacts the significance of the Ferry Building.

   • “Construct new development which compliments the rich architectural character of the Embarcadero National Register Historic District and is complementary to the architectural features of the pier bulkhead buildings.” Disclose and discuss the design details of the proposed project, in particular, its height and massing in relation to the architectural character of the historic district and bulkhead building, disclosing and acknowledging the project’s conflict with this objective and resulting impact on the significance of these historic resources.

   • “[N]ew development should acknowledge the massing and street enclosure relationship with the bulkhead buildings across The Embarcadero (e.g. bold forms of similar height...)” As the
proposed project is clearly not of similar height or massing as the bulkhead buildings, the DEIR must disclose and acknowledge this impact on the significance of these historic resources.

- “Recognize the visual connection from the Ferry Building and Pier 1 to Coit Tower in a manner that preserves the iconic vista and acknowledges the landmark status of these sites.” As the proposed new building would completely block views to Coit Tower from the Ferry Building and impede views of the Ferry Building from Telegraph Hill, the DEIR must disclose and acknowledge this impact on the significance of these historic resources.

(c) Conflict with General Plan Objective 12, Policy 12.3. The EIR must disclose and acknowledge the proposed project’s potentially significant impacts on these historic resources resulting from its conflicts with General Plan Objective 12, Policy 12.3: “Design new buildings to respect the character of older development nearby.” (Jon Golinger, Telegraph Hill Dwellers) [C.10.44b]

Response

This comment expresses disagreement with the conclusion of the NOP/Initial Study that the proposed project would not have a significant impact on offsite historic architectural resources, like the Ferry Building, Piers 1-5 bulkhead buildings and Coit Tower. The project site contains no historic architectural resources. The project site is in the vicinity of but not within any portion of any historic district. As noted in the NOP/Initial Study on pp. 50-51,

The project site contains no buildings included in, or determined eligible for inclusion in, any federal, State, or adopted local register of historic resources (including Planning Code Articles 10 and 11), pursuant to CEQA Guidelines, Section 15064.5(a)(1) and (2). In addition, there is no evidence that any building on the project site is an historic architectural resource pursuant to CEQA Guidelines, Section 15064.5(a)(3). In the vicinity of the project site, Piers 1, 1-1/2, 3, and 5, across The Embarcadero to the east of the project site, are within the Central Embarcadero Piers Historic District and the Embarcadero Historic District, which are listed on the National Register of Historic Places. Pier 1 is listed on the National Register individually. The project would not result in any substantial adverse change in the significance of these historic resources nor conflict with the preservation of buildings subject to Planning Code Articles 10 or 11. For those reasons, impacts to historic architectural resources will not be discussed further in the EIR.

CEQA Guidelines (Section 15064.5(b)) establish the criteria for assessing a significant environmental impact on historical resources. They state, “[a] project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.” The CEQA Guidelines define “substantial adverse change in the significance of an historical resource” as a “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired” (Section 15064.5(b)(1)). The significance of an historic architectural resource is considered to be “materially impaired” when a
project demolishes or materially alters the physical characteristics that justify the inclusion of the resource in the California Register of Historical Resources, or that justify the inclusion of the resource in a local register (Section 15064.5(b)(2)). The proposed project would not materially alter any of the physical characteristics of any offsite historic architectural resource that convey their historic significance. Visual impacts on views of offsite historic architectural resources (Coit Tower, The Embarcadero Historic District (represented by the nearby Piers 1-5 Bulkhead Buildings), and the Ferry Building) are discussed, identified and evaluated in EIR Section IV.B, Aesthetics. While the proposed project would alter the immediate surroundings of The Embarcadero Historic District, such alteration would not materially impair the historic district or any other historic districts in the vicinity because the proposed project’s buildings would not substantially obstruct existing pedestrian-level views from surrounding street; the project’s building alignment would preserve and frame the view corridor along Washington Street that terminates with The Embarcadero Historic District (Pier 1 Bulkhead Building); the proposed project would open up the Jackson Street alignment on the project site to open a new pedestrian-level view corridor along Jackson Street alignment that would terminate with The Embarcadero Historic District (Pier 3 Bulkhead Building); and the proposed Pacific Avenue Park would align with the Pacific Avenue alignment to open a new view corridor that would terminate with The Embarcadero Historic District (Pier 5 Bulkhead Building). See also Section III.E, Aesthetics, in this Comments and Responses document.

THE BETHEL

Comment

• The DEIR states that “[c]onstruction activities within or near the area along the north side of the Jackson Street alignment and The Embarcadero may disturb the remains of the scuttled ship Bethel.” Please provide a more specific estimated location of the Bethel in relation to the proposed buildings on the project site?

• According to the DEIR, the Bethel “could be eligible for inclusion in the California Gold Rush Shipwreck Thematic Group and is thus eligible for listing in the National Register of Historic Places.” Three other ships may also be present within the project site and would likewise be eligible. Please explain why it would not be feasible to maintain the Bethel in place.

• If the Bethel is in fact present on the site and eligible for listing in the National Register, how is it possible that its destruction by the proposed project “would not cause a substantial adverse change to the significance of this resource” as claimed by the DEIR? The mitigation plan is inadequate to address the potentially significant impacts on this known historic resource.

• Please explain in detail how the project can be re-designed so as to avoid any adverse effect on the Bethel. (Jon Golinger, Telegraph Hill Dwellers) [C.10.44f]
Response

The comment expresses concern for potential impacts on the sunken vessel, the Bethel. Potential impacts on the Bethel, if present on the project site, are discussed and analyzed on EIR p. IV.C.15:

**Impact CP-1: Project construction activities would have the potential to disturb the remains of the Bethel (and possibly other scuttled Gold Rush era ships). (Less than Significant with Mitigation)**

Construction activities within or near the area along the north side of the Jackson Street alignment and The Embarcadero may disturb remains of the scuttled ship Bethel. This feature may be considered significant under all four CRHR criteria: Criterion 1 (Events), Criterion 2 (Persons), Criterion 3 (Design/Construction), and Criterion 4 (Information Potential).

Disturbance or removal of this feature could materially impair the physical characteristics of the resource that convey its association with 19th century trade, waterfront development during the Gold Rush, and the notorious waterfront speculator Frederick Lawson. It would also impair the ability of the resource to embody, and yield important information about, distinctive characteristics of 19th century ship design and construction. These effects would be considered a substantial adverse change in the significance of an historical resource and would therefore be a potentially significant impact under CEQA.

The probable general location of the Bethel, if present within the project site, is discussed on EIR p. IV.C.3. It is estimated that the hulk of the Bethel lies buried roughly midway between Jackson and Pacific Streets, to the east of Drumm Street and to the west of the line of the modern Embarcadero. This estimate places the ship within the northern half of the 8 Washington Street/Seawall Lot 351 project property. A more precise location is not known at this time, and even if known, would not be disclosed in an EIR in the interest of the security of the archaeological resource. It is not known at this time whether it is feasible to preserve the Bethel in place. Preservation in place would depend on the depth and position of the resource within the project site in relation to project features and soils-disturbing construction activities.

With implementation of Mitigation Measures M-CP-1a and M-CP-1b, the significance of the historical resource, under California Register of Historical Resources eligibility criteria, would be preserved by realizing the information potential of the resource, and by preserving and enhancing the ability of the resource to convey its historic and archaeological significance. Archaeological data recovery is acknowledged by CEQA Guidelines Section 15126.4(b)(3)(C) as an appropriate mitigation for avoidance of effects on an archaeological resource, since the integrity of an archaeological resource that is eligible for inclusion in the California Register of Historical Resources under Criterion 4 is not the physical condition of the resource, but the potential information value of the resource to archaeology. Hence, with the mitigation measures described
in the EIR, the impact on an historical resource would be considered less than significant under CEQA. As discussed and analyzed on EIR p. IV.C.15,

Mitigation Measure M-CP-1a calls for a qualified archaeological consultant to prepare and submit a plan for pre-construction archaeological testing, construction monitoring, and data recovery, for approval by the Environmental Review Officer (ERO). Implementation of the approved plan for testing, monitoring, and data recovery under Mitigation Measure M-CP-1a would ensure that the significance of this resource type, if present within the project site, under CRHR Criterion 4 (Information Potential) would be preserved and/or realized.

To the extent that the potential significance of this resource type, if present within the project site, may be premised on its significance under CRHR Criteria 1 (Events), 2 (Persons), and/or 3 (Design/Construction), Mitigation Measure M-CP-1b calls for a qualified archaeological consultant to prepare and submit a plan for post-recovery interpretation of resources. Implementation of an approved program of interpretation under Mitigation Measure M-CP-1b would preserve and enhance the ability of this resource to convey its significance under CRHR Criterion 1 (Events), Criterion 2 (Persons), and Criterion 3 (Design/Construction).

With implementation of Mitigation Measures M-CP-1a and M-CP-1b, the proposed project would not cause a substantial adverse change to the significance of this archaeological resource type, if present within the project site.

POTENTIAL CONSTRUCTION IMPACTS

Comments

3. The proposed project must be analyzed for its potentially significant impacts on historic resources from pile driving, dewatering, and other construction-related impacts. The EIR fails to analyze the potentially significant impacts on nearby historic resources, and on the Old Seawall and the New Seawall (a contributing resource to the Port’s National Register Historic District), resulting from the pile driving and dewatering that will be a part of the construction of the project. As disclosed on page II.20 of the DEIR:

“[T]he proposed buildings would have a pile foundation system supporting a thick mat. The estimated depth of proposed excavation would be as much as 38 feet below the ground at the site of the proposed residential buildings (with excavation of as much as about 40 feet deep for elevator pits), and 2 feet to 4 feet beneath the tennis courts and proposed athletic club building north of Jackson Street. Pile driving would be required; pile lengths would average about 130 feet. Approximately 110,000 cubic yards of soil would be removed from the project site.”

Include a professional assessment of all potential construction impacts to the nearby historic bulkhead buildings, the Old Seawall and the New Seawall, including without limitation, damage that could be caused by the vibration from pile driving and from the impacts of excavation and dewatering the project site during construction. Include proposed mitigation measures for all such potential impacts. (Jon Golinger, Telegraph Hill Dwellers) [C.10.44d]
KNOWN ARCHEOLOGICAL RESOURCES IDENTIFIED ON THIS SITE IN THE DEIR
On page IV.C.12, the DEIR’s archeology consultant, Archeo-Tec, identifies the Gold Rush ship *Bethel* as located under a portion of the site and states that “If discovered, the *Bethel* would be the oldest known (and perhaps most intact) archeological example of an early Canadian built ship (Pg. IV.C.3)”. On page IV.C.11, the archeology consultant states “Significant archeological resources are likely to exist at this site”. The DEIR, goes on to state the proposed project will destroy a portion of city’s original Seawall causing “the largest disturbance of the Old Seawall to date”.

As a result of these DEIR findings, the archeology consultant should now be asked for an estimate of the time required to mitigate the discovery of the *Bethel* and other likely finds (e.g. original Seawall, other Gold Rush ships, original Chinatown). This “likely” work delay should be built into the construction schedule and stated as a range. For purposes of the matrix below (Table 1) we chose a time of two weeks to two months based on anecdotal information from other similar sites. Archeo-Tec, the archeology consultant, should be able to come up with a more precise estimate. *(Brad Paul)* [D.53.5]

Response

A comment asks for information about potential impacts on nearby historic bulkhead buildings and the historic seawalls from excavation and vibration during construction. As explained above, the only historic architectural resources in the vicinity of the project site are Piers 1, 1-1/2, 3, and 5 (see Initial Study p. 51). Pier 1 and Piers 1-1/2, 3, and 5 were developed as separate projects and each of the projects is also individually listed on the National Register of Historic Places. These piers are located across The Embarcadero to the east of the project site, and within the Central Embarcadero Piers Historic District and The Embarcadero Historic District. As concluded in the Initial Study (EIR Appendix A: Initial Study pp. 50-51), the project would not result in any substantial adverse change in the significance of these historic resources nor conflict with the preservation of buildings.

The comment correctly notes that the Old Seawall and the New Seawall are near the project site. The Old Seawall is partially located within the project site along The Embarcadero, while the New Seawall is located east of the project site and defines the existing shoreline (EIR pp. IV.C.5 and IV.C.12). The Old Seawall has been determined eligible for listing on the National Register and is a historical resource (EIR p. IV.C.12); the New Seawall is a contributing resource within the Embarcadero Historic District (EIR p. IV.C.6).

As discussed above, impacts of construction on the Old Seawall are analyzed in Impact CP-4 on EIR p. IV.C.21. The archaeological testing, monitoring, and data recovery program required by Mitigation Measure M-CP-1a would ensure that potential adverse impacts to the scientific and interpretive value of the Old Seawall would be avoided through archaeological data recovery and interpretive documentation prior to installation of piles in the location of the Old Seawall. The EIR explains that construction of the proposed project would result in complete removal of the segment of the structure that runs through the project site. The majority of the Old Seawall would
remain intact and therefore would not lose overall integrity. If archaeological investigations required by Mitigation Measure M-CP-1a determine that the methods used to construct the Old Seawall deviate from the original specifications and therefore provide new information not available in the historic record, removal of this segment would result in a potentially significant impact. Implementation of Mitigation Measures M-CP-1a and M-CP-1b would reduce any significant impacts to less-than-significant levels.

The New Seawall is not located on or adjacent to the project site and would not be directly affected by construction of the proposed project (EIR p. IV.C.6).

As explained in the response in Section III.H, Noise, beginning on C&R p. III.H.2, pile holes would be pre-drilled for the first approximately 30 to 50 feet, then driven an additional approximately 50 to 70 feet in Bay Mud, which is relatively soft and would not propagate vibrations for long distances. Driving piles for the final approximately 10 to 20 or 30 feet into hard sand or rock would be the only activity that could result in notable vibrations at nearby historic structures. The historic Pier buildings are supported primarily on piles over water and would not be expected to be affected by pile driving at the project site. The project contractor would drive several indicator piles in the early phases of excavation, prior to installation of the foundation piles, and could measure vibrations near Piers 1, 1-1/2, 3, and 5, the historic buildings near the project site. If there were evidence of potential for damage as a result of vibrations from pile driving, the contractor could adjust the type of pile used in areas of the site close enough to the historic buildings to minimize damage. This is a typical procedure commonly used when constructing near historic structures. This procedure is included as part of the proposed project. To clarify this, the following text is added to Chapter II, Project Description, on EIR p. 20 as the next-to-last sentence in the first full paragraph (new text is underlined):

Indicator piles would be driven during early portions of the excavation activities prior to installation of the foundation piles. Vibration would be monitored as part of installation of the indicator piles. If there were evidence of potential for damage to Piers 1, 1-1/2, 3 and 5, the historic buildings near the project site, the contractor would adjust the type of pile used in the areas close to these buildings.

Both the Old and New Seawalls are subsurface structures and neither would be substantially affected by vibrations from pile driving in the vicinity. No damage was caused to the New Seawall when piles were driven immediately adjacent to it during the rehabilitation and

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1 Chuck Palley, President, Cahill Contractors, Inc., Memorandum to Pacific Waterfront Partners, LLC, September 8, 2001. A copy of this document is on file as part of Case No. 2007.0030E and available for public review at the Planning Department, 1650 Mission Street, Suite 400.
renovation of Piers 1-5 in the recent past.\textsuperscript{2} As the project site is about 150 feet or more from the New Seawall, piles driven at that distance would not be expected to cause any damage.

A comment requests an estimate of the time required for mitigation in the event that significant archaeological resources are encountered during pre-construction testing or construction. See the response to comments in Section III.B, Project Description, in the subsection entitled “Project Construction / America’s Cup Host and Venue Agreement,” beginning on C&R p. III.B.34, where it is explained that the archaeological investigation and monitoring during the early phases of construction would not substantially affect the overall construction schedule.