# 1 Adequacy of the Significance Threshold

## 1.1 Threshold Did Not Follow CEQA Adoption Process or Meet Requirements

The Master Response states that "the City, as lead agency, is permitted discretion in establishing significance thresholds and determining how to apply these thresholds in varying settings, so long as it is based on substantial evidence and the application does not foreclose consideration of potentially significant impacts."

It continues by pointing out that the City of Burlingame had adopted a significance threshold of 10% wind speed reduction "over large portions of the windsurfing transit routes or primary board sailing areas." In adopting this significance threshold, the City of Burlingame provided an opportunity for public review and comment.

While there was apparently no public comment and this standard was adopted by the City of Burlingame, no such standard has been adopted or considered by the City of Brisbane, which is the lead agency for this Project. It is unclear why the general public and the City of Brisbane should not be afforded the same opportunity to cooperatively establish the most appropriate wind impact standard.

While these Comments do not speak specifically to the decision made by the City of Burlingame, for the present Project and DEIR, the adoption of this 10% wind speed reduction threshold for the current DEIR is inappropriate because there is not "substantial evidence" that the application of this standard would not "foreclose consideration of potentially significant impacts."

As shown repeatedly in these Comments, based on an actual survey of users of this site that corresponds to the professionally operated and maintained CPSRA Sensor [35], wind speed reductions even in the range of 5% would have very large impacts. Furthermore, the Analysis conducted for this DEIR does not even examine substantial portions of the true area that would be most impacted by the proposed Project.

In other words, there is substantial evidence that the application of this standard WOULD foreclose consideration of potentially significant impacts. The evidence to the contrary presented in the DEIR Analysis is incomplete and inconclusive.

## 1.2 Wind Turbulence Component Arbitrarily Dismissed

Considering wind turbulence in addition to wind speed reduction was dismissed in the Master Response because "the lack of an established standard for ascribing changes in turbulence to an effect on wind-related recreational activities make it a less appropriate and effective method for determining the significance of wind impacts." If there is no known criteria for evaluating the impact then the responsibility of the DEIR is to determine what that appropriate criteria is or justify why the current body of research, methods, surveys, or resources is insufficient to establish such a criteria.

There are ready models to bridge the gap between wind turbulence intensity and wind gust factors (and corresponding lull wind speeds), for which a windsurfing impact criteria can be established based on a survey of the users of the site or through other means. What minimum efforts were made to try and establish such a connection and criteria that included turbulence and why these efforts failed are unexplained and unclear.

## 1.3 Absolute Required Operating Conditions Not Identified

These Comments emphasize that the important criteria is not the wind speed reduction or turbulence intensity. These are intermediate factors that contribute to the continued viability of the site. The important quantity in these Comments are the availability of the Resource, herein referred to as Sailable Days, defined by Required Conditions that exist today and that are relative to the specific CPSRA Sensor, which has been operated for many years and is universally known by users of this Resource as the single best representative for sailing conditions at CPSRA.

Relative wind speed reductions tell the public nothing about the ultimate impact on the site. Absolute operating conditions need to be first defined such as was done with the 34th America's Cup Regatta minimum and maximum racing standards relative to the local sensors operated by the same company that operates the CPSRA Sensor [29], [28].

Sensitizing impacts to the historic CPSRA Sensor data with a consistent set of Required Conditions for Sailable Day is a reasonable and practical method for translating the wind speed reduction and turbulence intensity increase to a quantity of importance, namely Sailable Days.

The Master Response does not address such a specific quantity as Sailable Days, it does not address any attempt to establish something like meaningful Required Conditions for use of the Resource in terms of an independently operated long-term sensor such as the CPSRA Sensor, and it does not address the attempt to employ reasonable empirically validated methods of incorporating turbulence intensity into the discussion. All of these things are done in these Comments.

## 1.4 Evidence of "No Impact" Does Not Consider Substantial Resource Area

Finally, the Analysis in the DEIR does not even report on large sections of the CPSRA or the Practical Sailing Area. The Analysis makes numerous problematic assumptions in methodology highlighted in these Comments that we claim understate the true impact. Notwithstanding possible underestimation, the results as reported when considering the true Practical Sailing Area that is of paramount importance to the Resource, large portions of the Resource would be affected based on the DEIR Analysis.