

RESOLUTION NO. 29-2010

Adopted April 6, 2010

AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A PERMIT TO ENTER WITH THE UNITED STATES OF AMERICA, ACTING BY AND THROUGH THE DEPARTMENT OF THE NAVY, FOR A TWO-YEAR TERM TO BUILD AND MAINTAIN A TEMPORARY ACCESS ROAD ON AGENCY-OWNED PROPERTY BEHIND BUILDING 808; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

1. The United States of America, acting by and through the Department of the Navy (the "Navy"), plans to conduct environmental remediation work over the next two years along Crisp Road at the Hunters Point Shipyard Redevelopment Project Area (the "Shipyard"). This work is being completed pursuant to the March 31, 2004 Conveyance Agreement between the Navy and the Redevelopment Agency of the City and County of San Francisco (the "Agency"), which sets forth the framework for the phased clean-up and transfer of the Shipyard. The Navy plans to remove storm and sanitary sewers as part of its larger clean-up efforts.
2. During the excavation, the Navy will need to accommodate the tenants of Buildings 808 and 815 who will be affected by the remediation work. To ensure that these tenants have access to their buildings, and to ensure that the Navy and other approved parties have access to the Shipyard, the Navy desires to construct a temporary access road behind Building 808 on an Agency-owned portion of Parcel A. This temporary access road will provide a detour route around the portion of Crisp Road that will be closed to through traffic.
3. As a result, the Navy has requested a permit to enter from the Agency to construct a gravel road measuring approximately 20 feet by 793 feet (the "Permit to Enter"). Agency staff has used the Commission-approved permit to enter template under the Agency's Permit to Enter Policy as a guide. However, there are two notable exceptions. The proposed Permit to Enter with the Navy will be for a period longer than one year (i.e., two years) and will not involve a fee.
4. The Permit to Enter will commence on April 7, 2010 and terminate on April 6, 2012. The Navy will maintain the temporary access road during the two-year term, and will be required to return the Agency's property back to its original state at the end of the two-year term. No costs will be incurred by the Agency as a result of this proposed action.

5. Authorization of the Permit to Enter with the Navy will allow the use of Agency property for construction of a temporary access road and public use of this road while remediation along Crisp Road is occurring. These activities are categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15304. The minor alteration of land would not cause any significant change in the physical environment.
6. Staff recommends approval of the Permit to Enter with the Navy.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to enter into a Permit to Enter with the United States of America, acting by and through the Department of the Navy, for a two-year term to build and maintain a temporary access road on Agency-owned property behind Building 808, substantially in the form lodged with the Agency General Counsel.

APPROVED AS TO FORM:



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James B. Morales
Agency General Counsel