



Final Environmental Impact Report

CANDLESTICK POINT–HUNTERS POINT SHIPYARD PHASE II DEVELOPMENT PLAN PROJECT

Volume VI: Final EIR Comments & Responses (Letter 87 through Section G)

SAN FRANCISCO REDEVELOPMENT AGENCY
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San Francisco Redevelopment Agency
One South Van Ness Avenue, Fifth Floor, San Francisco, California 94103, and

City and County of San Francisco Planning Department
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Comments & Responses

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■ Letter 87: San Francisco Bay Trail (1/12/10)

1 of 6



Letter 87

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CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M.E.A.

January 12, 2010

Stanley Muraoka
San Francisco Redevelopment Authority
One South Van Ness, Fifth Floor
San Francisco, CA 94103

Mr. Bill Wycko
Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479

**Subject: Candlestick Point—Hunters Point Shipyard Phase II Development
Plan DEIR**

Dear Mr. Muraoka and Mr. Wycko:

The Bay Trail Project is a nonprofit organization administered by the Association of Bay Area Governments (ABAG) that plans, promotes and advocates for the implementation of a continuous 500-mile bicycling and hiking path around San Francisco Bay. When complete, the trail will pass through 47 cities, all nine Bay Area counties, and cross seven toll bridges. To date, slightly more than half the length of the Bay Trail alignment has been developed.

Within the City and County of San Francisco, 13 of 28 miles of shoreline path are complete, with the majority of this mileage located on the northern waterfront. The current adopted Bay Trail alignment on the southern waterfront is located inland of Hunters Point Shipyard as shoreline access has been historically prohibited. The redevelopment of the Shipyard represents an unparalleled opportunity for the people of San Francisco and the region to regain access to their shoreline via a comprehensive system of parks and open spaces, and a fully connected and continuous Bay Trail.

Our comments on the document will focus on the following sections of the DEIR:

87-1

Administered by the Association of Bay Area Governments
P.O. Box 2050 • Oakland California 94604-2050
Joseph P. Bort MetroCenter • 101 Eighth Street • Oakland California 94607-4756
Phone: 510-464-7935
Fax: 510-464-7970

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- Transportation and Circulation
- Recreation
- Aesthetics
- Project Description

↑
87-1
cont'd.

Transportation and Circulation

Bay Trail System Designations

The Bay Trail consists of “planned” and “adopted” segments, and of “existing” and “proposed” segments. Planned segments have not yet been officially adopted into the Bay Trail system by the organizations’ Steering Committee, but are identified on Bay Trail maps and in literature as they are a logical location for a future trail based on known development plans. Hunter’s Point Shipyard and various railroad alignments throughout the region are prime examples of segments that are classified as “planned” but not “adopted”.

↑
87-2

While the existing vs. proposed designation is self-explanatory, it is important to note that the overarching goal of the Bay Trail project is a Class I, fully separated, multi-use pathway. In certain instances where such a facility is truly infeasible, Class II bike lanes and sidewalks can be considered “complete” Bay Trail if determined appropriate by Bay Trail staff, steering committee, and the local jurisdiction in charge of the project. Page III.D-19 of the DEIR with the heading “San Francisco Bay Trail” properly identifies the Bay Trail as consisting of paved multi-use paths, dirt trails, bike lanes, and sidewalks, but incorrectly states that “...city streets signed as bike routes” are a part of the Bay Trail system. A Class III bike route is never considered “complete” Bay Trail.

On October 12, 2006, the Bay Trail Steering Committee approved staff’s recommendation to make minor adjustments to the Bay Trail alignment in southern San Francisco. The reason for the change was to make the Bay Trail’s alignment consistent with the City’s bike route in this area. From north to south, the current adopted Bay Trail alignment is as follows: Illinois to Third to Phelps to Palou to Keith to Carroll to Fitch (Walker) to Gilman. All of these segments are currently “proposed” as no bike lanes or Class I facilities exist on these streets. The DEIR properly notes that this inland route is currently designated as proposed Bay Trail only because shoreline access through the Shipyard has been infeasible until now. This route will be (happily) removed from the Bay Trail system once a Class I path through the entirety of the site has been constructed.

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87-3

Streetscape Improvements

Under the heading “Streetscape Improvements” on pg III.D-45, the document states that Harney Way, Innes, Palou, Gilman, Ingerson and Jamestown Avenues “...would serve as primary routes for pedestrians, bicyclists, transit riders, and drivers”, and goes on to say that “Specific streetscape treatments would vary depending on existing right-of-way and traffic demands”. If these roadways, carrying significantly increased vehicular loads as a result of the proposed project are to be “primary routes” for bicycles and pedestrians, the streetscape improvements cannot be dependent upon ROW and

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87-4
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3 of 6

vehicular needs. It is the responsibility of the project proponent to make all of the above-referenced streets safe for bike and pedestrian travel, and this must include Class I or II bike lanes and sidewalks of sufficient width to accommodate and encourage non-motorized trips.

87-4
cont'd.

Yosemite Slough and Yosemite Slough Bridge

The current Bay Trail alignment in this area is along the shoreline adjacent to the Yosemite Slough Restoration Project, and the Bay Trail has funded trail construction by way of a \$172,000 grant to the California State Parks Foundation. The DEIR makes reference to incorporating the Bay Trail into the Yosemite Slough Bridge. It is important to note that this does not reflect our current, planned, or adopted alignment, and as will be discussed further in the Aesthetics section of this letter, the Bay Trail Project has serious reservations regarding the bridging of the Slough. Please remove reference to the Bay Trail as part of the Yosemite Slough Bridge in the Final EIR.

87-5

It is unclear why the Yosemite Slough, which the project proposes to bridge, is not part of the study area. Multiple aspects of the Slough will clearly be impacted by the proposed bridge. Further, the purpose of a DEIR is to examine alternatives. What alternatives to bridging the Slough were analyzed? If no stadium is built, the Yosemite Slough Bridge will presumably serve only Bus Rapid Transit (BRT). Please provide a detailed analysis of subsidy per rider should the Bridge only support this one single user group.

87-6

Football Stadium

Table III.D-6 "Projected Football Game Day Trip Generation by Mode" does not list bicycle or pedestrian modes in its projections. With a projected increase of 25,000 residents in the immediate vicinity as a result of the project, and the construction of a world-class multi-use waterfront pathway seamlessly connected to the City's existing and proposed bicycle network, people are sure to arrive by bike and by foot. As referenced elsewhere in the report, bike parking is integral to game days at AT&T Park. Please revise the table in the FEIR to appropriately reflect the number of spectators arriving by bike or by foot via the Bay Trail and other bike/pedestrian facilities, and what tools the project proponent will employ to actively encourage spectators to arrive by non-motorized means.

87-7

As referenced above, a main purpose of CEQA review is the evaluation of alternatives. Please describe in the FEIR how the Bay Trail alignment would change in the absence of the stadium.

87-8

Bay Trail and Blue Greenway

Pg. III.D-50 discusses the Bay Trail, the Blue Greenway, and Bicycle Circulation Improvements. It is important to note that the purpose of the Blue Greenway is to link the Bay Trail along the Southeastern waterfront to existing and proposed Water Trail launch sites. The Bay Water Trail is a planned network of launch sites and facilities around the nine-county San Francisco Bay shoreline for human-powered watercraft.

87-9

4 of 6

While SF Bay Water Trail Plan has not been officially adopted and is currently undergoing environmental review, the Final EIR should discuss the draft plan and where proposed water trail sites will be incorporated. Wind Meadow and Northside Park are suggested locations that the FEIR should evaluate.

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87-9
cont'd.

Also in this section (pg. III.D-50) the document states that "Bicycle lanes would be provided along major roadways, consistent with City guidelines..." Please identify in the Final EIR what constitutes a "major roadway" where Class II bicycle lanes will be provided.

Completion of Bay Trail at Yosemite Slough

The Bay Trail Project is pleased to see that the Candlestick Point-Hunter's Point Shipyard Project proposes to complete the Bay Trail at Yosemite Slough as referenced on pages III.D-50 "Bay Trail, Blue Greenway, and Bicycle Circulation Improvements" and again on page III.D-137 under the heading "Impact TR-42: Stadium 49ers Game State Park Access Impacts". It is also encouraging that while listed under the heading of an impact, the DEIR does not propose completion of the trail at Yosemite Slough as a mitigation, but an integral part of the Project Description thereby assuring ABAG and the public that the Yosemite Slough Bay Trail will be constructed as part of the project irrespective of final plans for the stadium.

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87-10

Recreation

The Recreation section discusses the Bay Trail and shows a detailed map of its location in Figure III.P-2. As referenced above, neither planned, proposed, nor adopted Bay Trail alignments include the Yosemite Slough Bridge and the Bay Trail Project has serious reservations regarding a bridge over the slough. Please remove reference to the Bay Trail as part of the bridge. As referenced above in the Transportation and Circulation Section, completion of the Bay Trail around Yosemite Slough is part of the Candlestick-Hunter's Point Shipyard project. Please note its location around the perimeter of Yosemite Slough on the "Proposed Parks and Open Space" figure as Proposed Bay Trail.

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87-11

Land Swap

Table III.P-2 shows the proposed land swap between California State Parks and the developer, and the proposed swap is also shown in Figure III.P-3. However, the figure indicates that a large amount of City park land is also being removed from the area, but no discussion regarding this loss could be found in the document. In the Final EIR, please provide a detailed discussion of the removal of this public resource.

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87-12

Project Description

Phasing

Figure II-17 "Proposed Building and Parks Construction Schedule" indicates that a large portion of the HPS development will be complete by 2017, with sizeable tracts facing the

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87-13
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south basin not scheduled for completion until 2025, and portions of Candlestick State Park not complete until 2029. It is our understanding that the current facilities at Candlestick Point will remain and be accessible to the public in the interim, and that portions marked in brown on this figure will include a complete, open and accessible Class I multi-use Bay Trail. If this is not the case, please clarify in the Final EIR.

The Bay Trail Project fully appreciates the level and amount of remediation work that is required to make this site habitable. However, the timeline for completion of the areas in yellow on Figure II-17 essentially prevent a through connection for the Bay Trail for an additional 8 years after completion of the trail in areas shown in brown. As a continuous alignment is of paramount importance to the Bay Trail, we urge the developer to construct and maintain an interim Bay Trail path along the southwestern edge of the completed sections of the project, facing the south basin. It is understood that fencing would be required to keep the public out of the areas marked in yellow that will be undergoing remediation and shoreline repair work.

The large scale Mission Bay development slightly to the north of the HPS project was pursuing a similar phased development approach to their large-scale construction project several years ago. That project agreed to provide an interim path through a future phase parcel. Today, that path is a critical connection for hundreds of residents and employees on a daily basis. It is not possible to overstate the importance of an interim path to ABAG's San Francisco Bay Trail Project.

Connections to the Bay Trail—North and South

The Bay Trail in Brisbane, immediately adjacent and south of the proposed project, is located on Sierra Point Parkway. The connection from existing Bay Trail at Candlestick SRA to proposed Bay Trail on Sierra Point Parkway will be made via the new Harney Way Interchange. Current plans shown in the DEIR indicated that a Class I fully separated multi-use path on the south side and a Class II bike lane on the north side will be a part of the newly configured interchange. Regardless of the final configuration, it is of the utmost importance that a seamless, safe, and direct connection between Bay Trail segments in both counties is made through this area.

To the north of the project, there is an adopted, proposed segment of Bay Trail on Hudson Street. While it is our understanding that this segment will be constructed by a separate project, please describe in the FEIR how a seamless connection to this segment of Bay Trail will be made.

Aesthetics

Page III.E-58 "Aesthetics" under Environmental Setting, Impacts and Mitigation Measures states that "The Yosemite Slough Bridge would change the appearance of a portion of the Slough, with the addition of a bridge structure and roadway approaches....The bridge would replace some views of open water as seen from nearby locations". The paragraph closes with the statement that "Overall, the bridge would not substantially damage a resource that contributes to a scenic public setting."

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87-13
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87-14

6 of 6

While Yosemite Slough does not currently consist of a scenic park-like setting, its restoration is currently underway. Once fully restored with a continuous Bay Trail alignment around its perimeter, this portion of the Candlestick Point State Recreation Area will be an important parkland resource for an extremely park-poor community. To determine that placing a bus lane and game-day traffic bridge over the slough, thus blocking views of the Bay from a shoreline park, will have no impact to aesthetics and needs no mitigation is incorrect. Please identify appropriate mitigation for this significant impact to a visual resource in the FEIR.

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87-14
cont'd.

Conclusion

The Association of Bay Area Governments and the San Francisco Bay Trail Project appreciate the opportunity to comment on this important document. While it may be too early to discuss specific Bay Trail widths within the project area, the developer should bear in mind that the 12-foot path with 2-foot shoulders referenced in the Bay trail guidelines are *minimum* recommended widths, and that the type and intensity of use expected to occur within a development of this size likely calls for much more generous widths.

87-15

As referenced above, it is extremely important to the Bay Trail Project that an interim path around the first phase of development as shown in brown on figure II-17, Section II.F "Development Schedule" be constructed as part of the project. A high-quality shoreline Bay Trail will be completed through nearly 50% of the site by 2017. The Project should connect this important piece of site infrastructure to a temporary path along the perimeter of the completed parcels shown in brown and connecting to bike and pedestrian facilities outside the project area with connections to the Bay Trail around Yosemite Slough. Such progressive construction phasing will demonstrate Lennar's commitment to sustainability, non-motorized transportation, and would give proper recognition of the public's significant underlying interest in this long-shuttered waterfront resource belonging to the people of San Francisco and the region.

The Bay Trail Project intends to remain actively involved in the pursuit of an interim path and welcomes continued collaboration with the City of San Francisco, Lennar Urban and the Bay Conservation and Development Commission in this mission. If you have questions or comments regarding the Bay Trail, please do not hesitate to contact me at (510) 464-7909 or by e-mail at maureeng@abag.ca.gov.

Sincerely,



Maureen Gaffney
Bay Trail Planner

■ Letter 87: San Francisco Bay Trail (1/12/10)

This letter is identical to Letter 31 (Comments 87-1 through 87-15 are identical to Comments 31-1 through 31-15). Both letters are dated January 12, 2010, and both were jointly submitted to the Agency and the San Francisco Planning Department. Therefore, the responses to this letter are contained in the Responses to Comments 31-1 through 31-15 and are not repeated here.

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Letter 88: Porter Sumchai, Ahimsa (12/11/09)

1 of 15



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Letter 88

Agency for Toxic Substances
and Disease Registry
Atlanta GA 30333

RECEIVED

JAN 13 2010

DEC 11 2009

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M E A

Ahimsa Porter Sumchai, M.D.
236 West Portal Avenue
San Francisco, California 94127

Dear Dr. Sumchai:

Thank you for your January 29, 2009, email to the Agency for Toxic Substances and Disease Registry (ATSDR) regarding your concern for the residents and the children attending the schools or daycare centers within one mile of the Hunters Point Shipyard in San Francisco, California. In your email you indicated your concern is due to the level of asbestos that has been detected at a community air monitor adjacent to a residential complex on Donahue Street between December 28 and December 30, 2008. You requested that ATSDR reopen its investigation concerning the potential exposure of the community to naturally occurring asbestos released during the grading and earthmoving activities conducted by Lennar. This letter is sent to describe how your request was reviewed.

As described in our letter dated February 11, 2009, ATSDR conducts public health assessment activities to determine whether people have been, or are currently being exposed to hazardous substances released into the environment from a hazardous waste site. ATSDR then evaluates whether the exposure is harmful, or potentially harmful, and should therefore be stopped or reduced. It is important to note that ATSDR's public health assessment activities are not able to determine the cause of an individual's disease, or identify whether a particular exposure caused a disease. Additionally, ATSDR is a non-regulatory agency and does not conduct investigations of the actions taken by other state, local or federal agencies.

ATSDR worked with the California Department of Public Health (CDPH) and U.S. Environmental Protection Agency (EPA) to review your request and determined that additional ATSDR public health assessment activities would not provide any information beyond that presented in the previous health consultation conducted by our partners in public health at CDPH. The documentation and findings for this health consultation are included in the CDPH September 10, 2007, letter to ATSDR and ATSDR's September 20, 2007, letter to Dr. Bhatia of the San Francisco City and County Department of Public Health. Both of those letters are included with this letter.

Briefly, the 2007 CDPH evaluation identified that some of the reported asbestos concentrations at the monitoring locations were above the regulatory thresholds set by the Bay Area Air Quality Management Board (BAAQMD). While any exposure to the community may be thought to increase the cancer risk for the residents, it is not possible to accurately quantify the risk because the currently available tools and limited data have so many inherent uncertainties. Medical follow-up or screening is not recommended because there are no valid tests to identify past or current exposures or predict whether the exposures would cause future disease. However, ATSDR continues to support the recommendations made by CDPH to reduce dust generation and therefore the potential

88-1

Page 2 – Mr. Sumchai

exposure of the community to dust and asbestos released to the air at the construction site.

As described in the CDPH report, regulatory thresholds were set at asbestos levels that would only marginally increase the risk of cancer if the level was continuous for a 70-year lifetime. Occasional exceedances of the regulatory threshold for asbestos in air would not be expected to measurably increase the predicted lifetime risk of cancer for persons living nearby and breathing that air. Dust in the community may contain asbestos from weathering of rocks containing naturally occurring asbestos, Lennar operations, or other historical grading or earth moving activities conducted in this area. This dust may pose an increased risk to people if their normal activities generate significant quantities of dust into the air that they subsequently breathe. Some simple practices such as wetting an area to reduce dust generation outside and using wet cleaning methods for regular household cleaning inside, can reduce these exposures and associated risks. ATSDR has developed fact sheets giving suggestions for communities in areas of naturally occurring asbestos on how to minimize potential exposures. These fact sheets are also enclosed with this letter. If you desire, we can provide you with additional copies if they would be helpful in your community.

Through this letter we are sharing your continued concerns about the asbestos levels measured at the fence line with our colleagues at EPA, CDPH, BAAQMD, and the City of San Francisco Department of Public Health. ATSDR recommends that you continue to work with BAAQMD to address your concerns about migration of dust and asbestos from the Lennar construction site.

Thank you for forwarding your concerns to ATSDR. If you have any additional questions regarding ATSDR's process to review this petition request or would like additional copies of the enclosed factsheets, please contact CAPT Susan Neurath, ATSDR Petition Coordinator, at (770) 488-3368 or email at SNeurath@cdc.gov.

Sincerely,



William Cibulas Jr., Ph.D.
CAPT, U.S. Public Health Service
Director
Division of Health Assessment and Consultation

Enclosures

cc:

Mr. Mark Ripperda, EPA
Ms. Dana Barton, EPA
Ms. Marilyn Underwood, CDPH
Mr. Richard Lew, BAAQMD
Ms. Amy Brownell, City of San Francisco Department of Public Health



88-1
cont'd.



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Agency for Toxic Substances
and Disease Registry
Atlanta GA 30333

FEB 11 2009

Ahimsa Porter Sumchai, M.D.
236 West Portal Avenue
San Francisco, California 94127

Dear Dr. Sumchai:

Thank you for your January 28, 2009, email to the Agency for Toxic Substances and Disease Registry (ATSDR) regarding your concern for the community residents and the children attending one of the schools or daycare centers within one mile of the Hunters Point Shipyard, Parcel A, in San Francisco, California. In your email you indicate your concern is due to the level of asbestos that has been detected at a community air monitor adjacent to a residential complex on Donahue Street between December 28 and December 30, 2008. This letter is sent to confirm our receipt of your petition request and provide information about how your request will be addressed.

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, also known as Superfund), Congress provided ATSDR with the authority to conduct certain public health assessment activities following a request from a community member. The ATSDR Petition Program is designed to identify whether a community member's request is a question that can be evaluated by ATSDR.

ATSDR conducts public health assessment activities such as 'public health assessments' and 'health consultations' to determine whether people have been, or are currently being exposed to hazardous substances released into the environment from a hazardous waste site. ATSDR then evaluates whether the exposure is harmful, or potentially harmful, and should therefore be stopped or reduced. This evaluation is based on the available environmental monitoring data typically gathered by the U.S. Environmental Protection Agency (EPA) or the state environmental regulatory agency. It is important to note that ATSDR's public health assessment activities are not able to determine the cause of an individual's disease or identify whether a particular exposure caused a disease.

We will begin by working with the California Department of Public Health (CDPH), San Francisco Department of Public Health (SFDPH), and other relevant state and federal agencies to gather the most current information related to your specific concern. Once we have gathered the available environmental sampling data we will review it to determine if the data is of sufficient quantity and quality to evaluate whether neighboring residents are exposed to harmful levels of environmental contaminants released at the facility. We will send you a second letter to describe the information we reviewed and to advise you as to whether additional public health assessment activities will be necessary and appropriate to address your concerns.

88-1
cont'd.

4 of 15

Page 2 – Ahimsa Porter Sumchai, M.D.

Thank you for forwarding your concerns to ATSDR. If you have any additional questions regarding ATSDR's process to review this petition request, please contact CAPT Susan Neurath, ATSDR Petition Coordinator, at (770) 488-3368 or email at SNeurath@cdc.gov.

Sincerely,



William Cibulas Jr., Ph.D.
CAPT, U.S. Public Health Service
Director
Division of Health Assessment and Consultation



88-1
cont'd.

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Hunters Point Shipyard
Historical Radiological Assessment

Section 3 – Site Identification and Description

TABLE 3-5 SCHOOLS LOCATED WITHIN A 1-MILE RADIUS OF HPS				
School	Address and Telephone No.	Age Range (Years)	Program Times	No. of Children in Program
Bret Harte Elementary School	14035 Gilman Avenue (415) 330-1520	5 to 10	8:40 – 2:20	350
Bret Harte Pre-K to 5 th Grade	950 Hollister Avenue (415) 330-1545	3 to 9	7:00 – 6:00	215
Burnett Nursery & School-Age	1520 Oakdale Avenue (415) 695-5660	3 to 10	3-5 years full day 1-5th Half day	Pre-K: 48 K to 5th: 136
Caheed Infant Daycare	1030 Oakdale Avenue (415) 821-1300	0 to 3	Full day	35 (licensed for 45)
Dr. Charles R. Drew Elementary	59 Pomona Street (415) 330-1526	5 to 10	K; 8:35 – 1:45 1-5; 8:35 – 2:40	260 Pre-K; summer
Frandelja Enrichment Center	950 Gilman Avenue (415) 822-1699	6 weeks to 4 years, 9 months	6:30 – 6:00	70
George Washington Carver Elementary	1360 Oakdale Avenue (415) 330-1540	4 years, 9 months, to 10 years	8:20 – 2:40	320 - 340
Gloria R. Davis Middle School	1195 Hudson Avenue (415) 695-5390	11 to 14	10:00 – 7:00	182
Bayview Beacon (Gloria R. Davis Middle School)	1195 Hudson Avenue (415) 695-5416	6 to 18	7:30 – 4:30 9:00 – 3:00 (summer only)	90
Head Start	125 W. Point Road (415) 824-4686	3 to 5	Full Day	30
Ideal Daycare	1523 La Salle Avenue (415) 821-7269	Newborn to 10	7:00 – 5:30	14
Karen's Family Day Care	1547 Innes Avenue (415) 282-7383	0 to 5	Full day	6
Lucy Harber Academy	1744 Palou Avenue (415) 826-2194	2.5 to 12	7:00 – 6:00	12
Malcolm X Academy	350 Harbor Road (415) 695-5950	5 to 12	7:45 – 6:00	300 – day 120 -after school
Martin Luther King Child Care	200 Cashmere Street (415) 821-7000	2.5 to 8	7 – 5:30	63
Kipp Bayview Academy	1060 Key Avenue (415) 467-2522	9 to 10	7:45 – 5:00	86

88-1
cont'd.

Muhammad University of Islam 195 B Kiska Rd



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Agency for Toxic Substances
and Disease Registry
Atlanta, GA 30333

September 20, 2007

Rajiv Bhatia, M.D., M.P.H.
Director of Occupational and Environmental Health
1390 Market Street
Suite 910
San Francisco, California 94102

Dear Dr. Bhatia:

On July 17, 2007, you requested that the Agency for Toxic Substances and Disease Registry (ATSDR) respond to concerns related to grading operations at Hunter's Point Shipyard (HPS) Parcel A in San Francisco. As you know, ATSDR funds the California Department of Public Health (CDPH), Site Assessment Section (SAS), to assist us with work within the State of California. The CDPH provided a written evaluation of your request on September 10, 2007. This evaluation is enclosed.

ATSDR concurs with the essential findings, conclusions, and recommendations made by CDPH regarding asbestos and dust levels. There was clear evidence that levels of asbestos exceeded mandated thresholds at both the fence line and in the community. The concentrations of dust could not be interpreted because of the sampling methods. It is reasonable to conclude that levels of dust and asbestos were similar during the months when sampling did not occur. The exposures did result in some increased risk for community residents, although it is not possible to quantify this risk. Medical follow-up or screening is not recommended because there are no valid tests to identify current exposures or predict developing future disease.

Public health follow-up should focus on effective efforts to further reduce exposures and to monitor and verify that these reductions occur. These steps are outlined in the CDPH letter.

You and the Bay Area Air Quality Management District have taken many steps to protect the public from the dust and asbestos generated during work activities at HPS Parcel A. ATSDR and CDPH support your efforts and are committed to helping you address the issues we have raised.


88-1
cont'd.

7 of 15

Page 2 – Rajiv Bhatia, M.D., M.P.H.

Please feel free to contact CAPT Susan Muza at (415) 947-4316; via email at Muza.Susan@epamail.epa.gov or me at (404) 498-0004; via email at TSinks@epa.gov if you have comments or concerns.

Sincerely,



Thomas Sinks, Ph.D.
Deputy Director, National Center for Environmental
Health/Agency for Toxic Substances and Disease
Registry

Enclosure:
Letter from CDPH

cc:
Dr. Rick Kreutzer, CDPH
Ms. Karen Henry, USEPA, Region 9
Mr. Clancy Tenley, USEPA, Region 9
Dr. Tina Forrester, ATSDR, Division of Regional Operations (DRO)
CAPT Susan Muza, ATSDR, DRO

88-1
cont'd.

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Subject: FYI : Lennar Found in Violation for the 4th Time!

From: Rolandgarret@aol.com

Date: Thu, August 23, 2007 4:45 pm

To: Aaron.Peskin@sfgov.org ([more](#))

Priority: Normal

Options: [View Full Header](#) | [View Printable Version](#) | [Download this as a file](#)

According to OOHs science, not OOHs regulations, there are no safe levels of exposure to asbestos.

In April 1980. The National Institute for Occupational Safety and Health (NOSH) -Occupational Safety and Health Administration (OOHS) Asbestos Work Group Wrote a paper titled: WORKPLACE EXPOSURE TO ASBESTOS Review and Recommendations , DHHS (NIOSH) Public:ltion No. 81-103. On page 25 in this report it states:

"Second, all levels of asbestos exposure studied to date have demonstrated asbestos related disease, and a linear relationship appears to best describe the shape of the dose-response curve. These considerations led the committee to conclude that there is no level of exposure below which clinical effects do not occur. Third, the absence of a threshold is further indicated by the dramatic evidence of asbestos-related disease in members of asbestos worker households and in persons living near asbestos-contaminated areas. These household and community contacts involved low level and/or intermittent casual exposure to asbestos. Studies of duration of exposure suggest that even at very short exposure periods (1 day to 3 months) significant disease can occur." <http://www.cd.c.gov/niosh/pdfs/97-162-b.pdf>

Under the Precautionary Principle Ordinance, www.sfenvironment.com/aboutus/innovative/pp/sfpp.htm, the Board of Health is required to abide by OSHA science -- not the OSHA regulations, which are always a compromise between business and science. The City and Country of San Francisco and the San Francisco Health Department's plan, for asbestos removal at the Lennar construction site, has been in continuous and ongoing violation of this San Francisco law. Lennar Corporation has now been found in violation of even the San Francisco Health Department's non safe-level safety requirements for the fourth time!

Lennar has knowingly put citizens of Hunters Point and the citizens of San Francisco at risk, which is a felony.

How come they do not get a 'three strikes and your out' does not apply to Lennar?

San Francisco City and County
Newsom, Mayor
Department of Public Health
Mitchell H. Katz, ,Director of Health

Gavin

Environmental Health Section
M.D.,M.P.H.
1390 Market Street, Suite 210
Environmental Health
San Francisco, Ca 94102
Phone (415) 252-3800
Fax (415) 252-3875

Rajiv Bhatia,
Director of

ARTICLE 31
NOTICE OF VIOLATION
for August 17, 2007

88-1
cont'd.

August 20, 2007
Kofi Bonner
Lennar/BVHP, L.L.C.
49 Stevenson St., Suite 600
San Francisco, CA 94105

Dear Mr. Bonner:
Based on inspections conducted on Friday, August 17, 2007, the San Francisco Department of Public Health (SFDPH) is issuing a Notice of Violation to Lennar/BVHP, LLC.

SFDPH staff conducted the inspection between 2:45 and 4:30 pm on August 17th, 2007 at the Hunters Point Shipyard Parcel A to verify compliance with your approved Article 31 Dust Control Plan. The area of the violation was the soil storage area behind Building 808 and the haul roads going to and from that soil storage area. The inspector observed trucks and other equipment dumping and spreading soil behind Building 808 on the hilltop portion of Parcel A.

The inspector observed two conditions that constitute independent violations of the approved Dust Control Plan: (1) dust crossing the property boundary to Navy property without effective measures of control (Sections 6.2.1) and (2) visible dust for over 90 minutes without effective measures of control (Section 6.2.2). According to Section 6.2.1., dust crossing the property boundary without immediately implemented effective measure of control constitutes a violation of your Dust Control Plan. The inspector observed visible dust crossing the property boundary between Parcel A and Navy Property and the emissions source (dusty roads and trucks driving on dusty roads).

Section 6.2.2., requires visible dust from soil disturbance or excavation to be effectively controlled within 90 minutes. The inspector observed the site for over 90 minutes. Although limited efforts to control dust, including watering, occurred in the area of the violation, these efforts were not successful in controlling the visible dust within the time required period required by the Plan. According to the Plan, the actions resulting in dust emissions should have been stopped within this time period until effective control practices were implemented.

Immediate Action Required

Although Lennar/BVHP LLC has been in compliance with the Article 31 dust control plan over the last seven months, the findings of the August 17th inspection result in the Fourth Notice of Violation on the Dust Control Problems for Lennar/BVHP LLC since the mass grading began in April 2006.

We are therefore requiring that Lennar / BVHP LLC shall suspend all dust generating activities at the project for at least forty-eight hours in order that you can establish work practices that will prevent future recurrences.

Your efforts may include a review of the incident for the causes of compliance failure and training of all relevant employees and subcontractors on the requirements of the Dust Control Plan. Lennar shall notify SFDPH when they will be restarting the work effort and describe actions they are taking to prevent future violations. We ask that Lennar send a letter no later than the end of the work suspension period (a minimum of forty-eight hours, or longer, if Lennar so chooses) of the actions that were taken during this review period including at a minimum:

1. Results from the review of incident;
2. Any new work practice procedures implemented by Lennar or its contractors.

In addition, SFDPH intends to use this forty-eight hour time period to establish an SFDPH Dust Control Plan monitor to provide enhanced and ongoing surveillance of the project. The monitor shall be supervised by SFDPH staff and the costs for this monitor shall be billed to Lennar based on the mechanism established in the

August 20, 2007
Kofi Bonner
Lennar/BVHP, L.L.C.
49 Stevenson St., Suite 600
San Francisco, CA 94105

Dear Mr. Bonner:
Based on inspections conducted on Friday, August 17, 2007, the San Francisco Department of Public Health (SFDPH) is issuing a Notice of Violation to Lennar/BVHP, LLC.

SFDPH staff conducted the inspection between 2:45 and 4:30 pm on August 17th, 2007 at the Hunters Point Shipyard Parcel A to verify compliance with your approved Article 31 Dust Control Plan. The area of the violation was the soil storage area behind Building 808 and the haul roads going to and from that soil storage area. The inspector observed trucks and other equipment dumping and spreading soil behind Building 808 on the hilltop portion of Parcel A.

The inspector observed two conditions that constitute independent violations of the approved Dust Control Plan: (1) dust crossing the property boundary to Navy property without effective measures of control (Sections 6.2.1) and (2) visible dust for over 90 minutes without effective measures of control (Section 6.2.2). According to Section 6.2.1., dust crossing the property boundary without immediately implemented effective measure of control constitutes a violation of your Dust Control Plan. The inspector observed visible dust crossing the property boundary between Parcel A and Navy Property and the emissions source (dusty roads and trucks driving on dusty roads).

Section 6.2.2., requires visible dust from soil disturbance or excavation to be effectively controlled within 90 minutes. The inspector observed the site for over 90 minutes. Although limited efforts to control dust, including watering, occurred in the area of the violation, these efforts were not successful in controlling the visible dust within the time required period required by the Plan. According to the Plan, the actions resulting in dust emissions should have been stopped within this time period until effective control practices were implemented.

Immediate Action Required

Although Lennar/BVHP LLC has been in compliance with the Article 31 dust control plan over the last seven months, the findings of the August 17th inspection result in the Fourth Notice of Violation on the Dust Control Problems for Lennar/BVHP LLC since the mass grading began in April 2006.

We are therefore requiring that Lennar / BVHP LLC shall suspend all dust generating activities at the project for at least forty-eight hours in order that you can establish work practices that will prevent future recurrences.

Your efforts may include a review of the incident for the causes of compliance failure and training of all relevant employees and subcontractors on the requirements of the Dust Control Plan. Lennar shall notify SFDPH when they will be restarting the work effort and describe actions they are taking to prevent future violations. We ask that Lennar send a letter no later than the end of the work suspension period (a minimum of forty-eight hours, or longer, if Lennar so chooses) of the actions that were taken during this review period including at a minimum:

1. Results from the review of incident;
2. Any new work practice procedures implemented by Lennar or its contractors.

In addition, SFDPH intends to use this forty-eight hour time period to establish an SFDPH Dust Control Plan monitor to provide enhanced and ongoing surveillance of the project. The monitor shall be supervised by SFDPH staff and the costs for this monitor shall be billed to Lennar based on the mechanism established in the

88-1
cont'd.



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Subject: FYI: Lennar Found in Violation for the 4th Time!
From: Rolandgarre@aol.com
Date: Thu, August 23, 2007 4:45 pm
To: Aaron.Peskin@sfgov.org (more)
Priority: Normal
Options: View Full Header | View Printable Version | Download this as a file

According to OOHs science, not OOHs regulations, there are no safe levels of exposure to asbestos.

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Lennar has knowingly put citizens of Hunters Point and the citizens of San Francisco at risk, which is a felony.
How come they do not get a 'three strikes and your out' does not apply to Lennar?

San Francisco City and County
Newsom, Mayor
Department of Public Health
Mitchell H. Katz, Director of Health

Environmental Health Section
M.D. M.P.H.
1390 Market Street, Suite 210
Environmental Health
San Francisco, Ca 94102
Phone (415) 252-3800
Fax (415) 252-3875

ARTICLE 31
NOTICE OF VIOLATION
for August 17, 2007

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ARTICLE 31
NOTICE OF VIOLATION
for August 17, 2007

88-1
cont'd.

**CFC Position Statement on
Air Quality in Bayview Hunters Point and
Potential Adverse Health Effects on Residents**

A memo from Dr. Mitchell Katz from the SF Department of Public Health dated Dec. 1 2006 states that "Article 31 gives SFDPH authority to monitor and manage airborne dust at the Shipyard redevelopment to assure that exposure standards are met and, if problems occur, take corrective actions up to and including ordering all construction activities to cease." It also states that "our Department has a longstanding commitment to protecting the health of the Bayview Hunters Point community" and "please let me know if there is anything else I or the Department can do to provide environmental assurance for the Redevelopment Process or to communicate our collective efforts to the residents". CFC would like to make a number of comments and suggestions to the DPH and the public regarding this issue.

1. A DPH memo from Amy Brownell dated Nov. 30, 2006 noted that no particulate data was acquired for more than 2 months (May-June 2006) and no asbestos monitoring data was acquired for more than 3 months in 2006. While it is gratifying to note that DPH did issue a notice of violation to Lennar who in turn fired the subcontractor CH2M Hill in charge of performing this monitoring, it is somewhat suspicious that there was not air quality monitoring data for such an extended period of time which somehow happened to coincide with major construction activities in Parcel A which included grinding of a major hillside containing serpentine rock,
2. DPH has not divulged, disclosed, nor adequately explained air quality data to the public. Proper communication should include full disclosure of all asbestos and other air quality monitoring data as well as placing such data in the appropriate context to facilitate understanding of such data by the public. To date, there has not been a single DPH communication to the public that has disclosed asbestos monitoring data (usually done on a daily basis).
3. Dr. Ahimsa – add more recent data documenting repeated violations of asbestos limit as well as numerous data gaps. One could also ask here if DPH is doing their job by simply issuing notices of violation and whether or not their actions should be extended to fining Lennar and shutting down operations until asbestos levels have abated.
4. While DPH has stated that the "BAAQMD action levels for asbestos are set to trigger corrective action before potentially hazardous conditions develop" (i.e. enforcing the 16,000 fibers per cubic centimeter limit) and has stated in public on several occasions that asbestos levels in the air are safe, a number of experts in the area of asbestos monitoring and the EPA have noted that there is **no safe level of exposure to asbestos** and any exposure to any level of asbestos can be potentially harmful, especially for children and elderly people [find and cite EPA reference to support this assertion].

88-1
cont'd.

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5. DPH as not adequately enforced asbestos dust mitigation plans as required by Cal EPA Air Resources Board regulations (www.arb.ca.gov/toxics/atcm/asb2atch.htm?PF=Y). This includes installation of track out measures, enforcement of a maximum 15 mph speed limit, suspending operations when wind speeds are high enough to result in dust emission crossing the property line and covering trucks with tarps.
6. consider adding some info on rock characterization and composition.
7. DPH has neither acquired nor divulged other air quality monitoring data. This should include not only asbestos monitoring data, but particulate matter and toxic metals as well. The serpentine rock formations in Parcel A are known to contain manganese, chromium, lead, and arsenic at concentrations ranging from part-per-million to percent levels. DPH staff should conduct an objective scientifically valid and peer-reviewed study of all of these potentially harmful substances in air samples collected in and around Parcel A to more fully evaluate potential exposure.
8. Given that the 2-3 month gap in asbestos and particulate monitoring data occurred during major construction activities including grinding of a major hillside containing serpentine rock in Parcel A, and that coincided with numerous residents raised concerns and complaints about adverse health effects including trouble breathing, skin rashes, etc., it is not unreasonable to assume that there is a correlation here. Nevertheless DPH has been unwilling to perform any exposure assessments on the residents to date. Despite assertions to the contrary by DPH, such an assessment can and indeed should be done to address community concerns.

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Subject: FYI : Lennar Found in Violation for the 4th Time!

From: Rolandgarret@aol.com

Date: Thu, August 23, 2007 4:45 pm

To: Aaron.Peskin@sfgov.org ([more](#))

Priority: Normal

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Gavin

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Rajiv Bhatia,
Director of

ARTICLE 31
NOTICE OF VIOLATION
for August 17, 2007

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cont'd.

August 20, 2007
Kofi Bonner
Lennar/BVHP, L.L.C.
49 Stevenson St., Suite 600
San Francisco, CA 94105

Dear Mr. Bonner:
Based on inspections conducted on Friday, August 17, 2007, the San Francisco Department of Public Health (SFDPH) is issuing a Notice of Violation to Lennar/BVHP, LLC.

SFDPH staff conducted the inspection between 2:45 and 4:30 pm on August 17th, 2007 at the Hunters Point Shipyard Parcel A to verify compliance with your approved Article 31 Dust Control Plan. The area of the violation was the soil storage area behind Building 808 and the haul roads going to and from that soil storage area. The inspector observed trucks and other equipment dumping and spreading soil behind Building 808 on the hilltop portion of Parcel A.

The inspector observed two conditions that constitute independent violations of the approved Dust Control Plan: (1) dust crossing the property boundary to Navy property without effective measures of control (Sections 2.1) and (2) visible dust for over 90 minutes without effective measures of control (Section 6.2.2). According to Section 6.2.1, dust crossing the property boundary without immediately implemented effective measure of control constitutes a violation of your Dust Control Plan. The inspector observed visible dust crossing the property boundary between Parcel A and Navy property and the emissions source (dusty roads and trucks driving on dusty roads).

Section 6.2.2, requires visible dust from soil disturbance or excavation to be effectively controlled within 90 minutes. The inspector observed the site for over 90 minutes. Although limited efforts to control dust, including watering, occurred in the area of the violation, these efforts were not successful in controlling the visible dust within the time required period required by the plan. According to the plan, the actions resulting in dust emissions should have been stopped within this time period until effective control practices were implemented.

Immediate Action Required

Although Lennar/BVHP LLC has been in compliance with the Article 31 dust control plan over the last seven months, the findings of the August 17th inspection result in the Fourth Notice of Violation on the Dust Control Problems for Lennar/BVHP LLC since the mass grading began in April 2006.

We are therefore requiring that Lennar / BVHP LLC shall suspend all dust generating activities at the project for at least forty-eight hours in order that you can establish work practices that will prevent future recurrences.

Your efforts may include a review of the incident for the causes of compliance failure and training of all relevant employees and subcontractors on the requirements of the Dust Control Plan. Lennar shall notify SFDPH when they will be restarting the work effort and describe actions they are taking to prevent future violations. We ask that Lennar send a letter no later than the end of the work suspension period (a minimum of forty-eight hours, or longer, if Lennar so chooses) of the actions that were taken during this review period including at a minimum:

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In addition, SFDPH intends to use this forty-eight hour time period to establish an SFDPH Dust Control Plan monitor to provide enhanced and ongoing surveillance of the project. The monitor shall be supervised by SFDPH staff and the costs for this monitor shall be billed to Lennar based on the mechanism established in the

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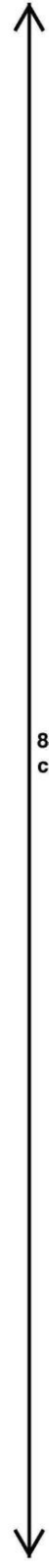
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■ Letter 88: Porter Sumchai, Ahimsa (12/11/09)

Response to Comment 88-1

The comment letters do not directly comment upon the adequacy of the Draft EIR or the information contained therein. No response is required. The information provided will be forwarded to the decision-makers.

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■ Letter 89: Da Costa, Francisco (1/12/10)

1 of 4

Letter 89

----- Forwarded message -----

From: Francisco Da Costa <fdc1947@gmail.com>

Date: Tue, Jan 12, 2010 at 5:37 PM

Subject: Ohlone Press Release - Ohlone put SF Planning Department on notice.

To: Francisco Da Costa <fdc1947@gmail.com>

Muwekma Ohlone, other Ohlone, Ohlone supporters put SF Planning Department on notice:

<http://www.indybay.org/newsitems/2010/01/12/18635068.php>

Francisco Da Costa

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Ohlone supporters hold PRESS RELEASE at SF City Hall and put SF Planning on notice.... Page 1 of 3



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San Francisco | Racial Justice

Ohlone supporters hold PRESS RELEASE at SF City Hall and put SF Planning on notice.
 by Francisco Da Costa
 Tuesday Jan 12th, 2010 5:18 PM

Ohlone supporters held a Press Release on the steps of San Francisco City Hall and put the SF Planning Department on notice. It is simply wrong to release a 400,400 page document better known as a Draft, Environmental Impact Report (EIR) and not notify the Ohlone the First People of San Francisco - better known as the Muwekma Ohlone. Others on the list that uphold First People cultural resources. This is clearly mentioned in California Senate 18 and basic planning processes.



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Today's Press Release was organized on the steps of City Hall by Jaron Brown who is a lead organizer in the Bayview Hunters Point and works for People Organized to Win Employment Rights (POWER). The podium and sound system was sponsored by Supervisor Chris Daly's office and we thank him for it.

Various Ohlone from all over the Bay Area and beyond were present and so were many Native Americans from Tribes all over this Nation. It was a pleasure to see the Muwekma Ohlone Tribal Chair, Rosemary Cambra present today. Rosemary Cambra made it very clear for all those present that the Muwekma Ohlone had jurisdiction over San Francisco and that she fully cognizant of the Rights of the Muwekma Ohlone over matter of cultural resources and land use.

Today's Press Release was to notify the San Francisco Planning Department that has failed to abide with

89-1



<http://www.indybay.org/newsitems/2010/01/12/18635068.php>

1/13/2010

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Ohlone supporters hold PRESS RELEASE at SF City Hall and put SF Planning on notice.... Page 2 of 3

California Senate Bill 18 and notify not only the Muwekma Ohlone but several other Tribes and entities on the list to be notified by protocol.

Today's Press Release showed a sense of UNITY in this matter - where the City and County of San Francisco thought not to respect the Ohlone and now know that this type of behavior will not be tolerated.

The San Francisco Planning Department has been put on notice and if better sense prevails - the SF City Planning Department will do what is possible to correct this blatant - injustice. Send an apology to the Muwekma Ohlone and to those that are on the list to be notified and were not notified.

The Draft, Environmental Impact Report (EIR) impacts over 1200 acres of land - directly and indirectly. The plan calls to bring in over 30,000 new constituents and has no sound Transportation document. This Draft, EIR has not adequately address Quality of Life issues.

However, what is most lacking and apparent is the lack of respect for the First People and especially the Muwekma Ohlone that has Patrimonial Jurisdiction over all of San Francisco.

We thank the other Ohlone, other Native American Tribes, our ardent supporters for standing with us together - to bring respect and justice to all First People. But, also in this case where some folks think they can get away with murder in broad daylight.

We thank the many speakers who were very articulate. The many First People leaders who took time off to come and speak and do justice to this great cause. The many organizations and their leaders who were present to show solidarity. Leaders from all walks of life and nationalities.

This Draft, EIR some 4,400 pages is rife with mistakes, maps with misinformation, as I mentioned earlier a poor Transportation Document. There are huge areas that are not characterized and the area being a Superfund Site that portion of Hunters Point Shipyard that is nine-five percent landfill must be reviewed in detail.

Of importance is that over six Shellmound - Sacred Burial Grounds are found in the immediate area that the ill conceived Draft, EIR covers.

15 more in the area less than a quarter mile radius - known Shellmounds and all connected. The Draft, EIR makes little of this very sensitive cultural concern - and this time around the SF Planning Department will have to answer the questions that will be posed to the SF Planning Department. For all practical purposes the Draft, EIR is illegal and does more injustice than justice.

The statement made today by the keepers of the Patrimonial Jurisdiction clearly mentioned that the time of silence is over - we can easily muster numbers and put a stop to any illegal project - deemed illegal to those that know better. Enough is enough.

The Ohlone have been here for over 10,000 years and San Francisco Planning Department, the SF Mayor's Office of Economic Development, the SF Redevelopment Agency better pay attention to protocol and more, respect those that this land belongs to. In this case the Muwekma Ohlone.

Here are some photographs:

<http://www.flickr.com/photos/franciscodacosta/sets/72157623074413551/show/>

Francisco Da Costa
Director
Environmental Justice Advocacy

<http://www.flickr.com/photos/franciscodaco...>

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cont'd.
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Ohlone supporters hold PRESS RELEASE at SF City Hall and put SF Planning on notice.... Page 3 of 3

TITLE	AUTHOR	DATE
wait huh?	candace	Wednesday Jan 13th, 2010 3:08 PM

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<http://www.indybay.org/newsitems/2010/01/12/18635068.php>

1/13/2010

■ Letter 89: Da Costa, Francisco (1/12/10)

Response to Comment 89-1

Refer to Master Response 1 (SB 18) for a discussion of consultation with the Native American community under SB 18.

Response to Comment 89-2

With respect to hazardous conditions at the Project site, including conditions related to the former landfill, Section III.K (Hazards and Hazardous Materials) of the Draft EIR fully analyzes and discloses potential impacts related to hazardous materials resulting from construction and/or operation of the Project. The commenter makes a general statement about mistakes, misinformation, and areas that are not characterized, but does not provide any specific comments; therefore, a specific response cannot be provided.

Response to Comment 89-3

Draft EIR Section III.J pages III.J-17 through -19 discuss potential prehistoric shellmound sites that could be affected by the Project. Potential effects on such sites and mitigation measures to avoid significant adverse effects are discussed on pages III.J-36 through -42. Refer also to Master Response 1 (SB 18) for a discussion of consultation with the Native American community under SB 18 and to Master Response 2 (Potential Native American Burial Sites).

Response to Comment 89-4

The comment regarding Ohlone tribe concerns on the Project is not a direct comment on the content or adequacy of the Draft EIR.

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■ Letter 90: Hunters Point Shipyard Citizen's Advisory Committee (1/12/10)

1 of 6

Letter 90

From: Christine Johnson <chrisjohn04@gmail.com>
To: Stanley.Muraoka@sfgov.org, Thor Kaslofski <Thor.Kaslofsky@sfgov.org>, "dr. veronica hunnicutt" <vhunnicu@ccsf.edu>
Date: 01/12/2010 04:25 PM
Subject: Hunters Point CAC Comments on the EIR

Good afternoon,

Comments to the EIR are attached as a PDF. Please let me know if you need the word version.

Thanks,

Christine Johnson



Hunters Point CAC CAC_EIR_Review_Jan_2010_Final.pdf

2 of 6

From: Christine Johnson <chrisdjohn04@gmail.com>
To: Stanley.Muraoka@sfgov.org, Thor Kaslofski <Thor.Kaslofsky@sfgov.org>, "dr. veronica hunnicutt" <vhunnicu@ccsf.edu>
Date: 01/12/2010 04:29 PM
Subject: Re: Hunters Point CAC Comments on the EIR

Actually. Here is the word version. I know you will need it.

On Tue, Jan 12, 2010 at 4:25 PM, Christine Johnson <chrisdjohn04@gmail.com> wrote:

Good afternoon,

Comments to the EIR are attached as a PDF. Please let me know if you need the word version.

Thanks,

Christine Johnson
Hunters Point CAC



CAC_EIR_Review_Jan_2010_Final.doc

MEMORANDUM

TO: STANLEY MURAOKA, SAN FRANCISCO REDEVELOPMENT AGENCY
FROM: CHRISTINE JOHNSON, HUNTERS POINT CITIZENS ADVISORY COMMITTEE
SUBJECT: QUESTIONS AND COMMENTS REGARDING PHASE II ENVIRONMENTAL IMPACT REVIEW
DATE: JANUARY 12, 2010
CC: BILL WYCKO, SAN FRANCISCO PLANNING DEPARTMENT
CC: THOR KASLOFSKY, SAN FRANCISCO REDEVELOPMENT AGENCY

Below is a list of comments and questions regarding the Joint Project Phase II Environmental Impact Review. These comments/questions were gathered from myself, other members of the CAC, and public who attended a workshop on the EIR held by the CAC on December 22, 2009. Minutes and audio transcripts from that meeting are available from the CAC Site Office. This document is not all inclusive and many CAC members may also submit individual comments and questions.

Thank You,

Christine Johnson
Secretary, Hunters Point Citizens Advisory Committee

QUESTIONS/COMMENTS ON THE PHASE II EIR

A. Comment on the overall structure of the document and implementation of alternatives

- a. The EIR has been presented as a document that is meant to address all reasonable and foreseeable environmental impacts of the proposed Project and its variants/alternatives. Such a thorough review is meant to mitigate costly and timely delays of future environmental reviews in case of a change in the proposed Project. In addition, having a thorough analysis of the environmental impact of the alternatives to the proposed Project allows all stakeholders to make an informed decision about implementing an alternative should the opportunity arise. However, the way that the document is presented actually makes it harder for the lay reader to make an apples-to-apples comparison of the various project alternatives/variants. By grouping together the impacts of all the aspects of the proposed project followed by the impacts of all aspects of the alternatives, and so on, it is hard to make a side-by-side comparison between, say, the impacts of the proposed transportation plan in the proposed Project and the Project Alternative #2 with no Yosemite Slough Bridge.
- b. Also, although it has been stated, the document structure does not help the reader easily imagine how various aspects of project variants and alternatives could be integrated into the Proposed Project. As an example, under what circumstances would the Utilities Variant be integrated? Could some aspects of the variant be integrated but not others (say moving/upgrading the wastewater treatment plant)? The document does not lend itself to easily answering that question. This is particularly important in the event that the plan for a new stadium does not come to fruition and an alternative plan for the space must be implemented.
- c. Could the document preparers comment on the structure of the document and also discuss under what circumstances various aspects of the project alternatives might be integrated into the proposed project.

90-1

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B. Population and Employment

- a. There is no mention of the potential for direct and indirect Residential Displacement due to differences in the employment sectors offered within the Project Area. Employment is frequently mentioned in terms of jobs but there is no breakdown of the types of employment that will be provided, especially the education/skill level that will be needed. The decidedly economic impact of the education/skill level of the employment being offered becomes an environmental one as the jobs one can get determine where one can afford to live. It is here that the structure of the document becomes a problem. It is hard to determine what the different levels of employment will be across the Proposed Project and its alternatives/variants since the employment section is spread across the document and grouped by Project. Can the document preparers comment on the potential of the employment mix to affect residential displacement? Should employment mix be considered an impact in the document?

90-2

C. Transportation Questions

- a. There has been some concern from CAC members about the projected service delivery of transit and the projected use of transit strategies, particularly during the build-out phase of the redevelopment (next 29 years). The EIR does not present any sort of information about the phasing of the transportation plan. What will transit delivery and the transportation mode split look like in 5 years? 10 years?
- b. Impact TR-26 of Section III.D defines Significant and Unavoidable impacts to T-Third transit operations due to traffic congestion in the Project area. However, elsewhere in the document (pg III.D-99) in the Transit Operating Plan, there is mention of extending T-Third service from one car to two car service. It seems that improving service of the T-Third is integral to maintaining the desired mode split and optimal traffic levels. It also seems that perhaps the answer is not extension of the trains but more frequent service. Have the Project Planners considered this?
- c. For transit operation impacts, a repeated mitigation method is to purchase additional transit vehicles as needed to meet demand with financing from Project revenues to the City and "other funding sources". Has this potential cost been forecasted? Is it feasible to assume this could be a mitigation method for multiple transit lines in the Project area within the same period of time?
- d. Employee TDM programs and Employer strategies (Compressed workweeks, etc) are mentioned as support strategies to help achieve the optimal traffic demand/ mode split (III.D-54/55). Have the projected use of these strategies been quantified in any way that would allow planners to measure the potential impact on transit service delivery/traffic congestion/ transit mode split? In other words, is there now a way to determine the difference in transportation and circulation with and without the use of the listed support strategies?
 - i. The same question applies to the use of Carpool/Vanpools and Carshare Services. These are related since they are also transportation support strategies that are not 100% under the control of developer or the City.
- e. For most of impacts listed in Section III.D (Transportation Circulation), there are lots of listed impacts in which the Level of Significance After Mitigation will become SU. (Significant and Unavoidable Impact). If these impacts are expected to exceed the defined significance criteria and cannot be eliminated, can those impacts could at least be reduced through operations or implementations. For instance, TR-5 could be addressed by re-signaling at certain intersections in which the Level of Service could be at least maintained. For TR-12, will potential widening of the on-ramp locations help alleviate the impact?
- f. In Alternative 3 [Reduced CP-HPS Phase II Development; San Francisco 49ers Stay at Existing Candlestick Park Stadium; Limited State Parks Agreement; Yosemite Slough Bridge Serving Only

90-3

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Transit, Bicycles, and Pedestrians] how will BRT bus breakdowns on the bridge be handled without causing interruptions to service given no other traffic lanes?

- g. Is it possible to provide BRT service across the Yosemite Slough Bridge in a single-lane alternative-headway configuration if there are also auto traffic lanes?
- h. The transportation element does not include a local jitney-type service as an interim [and perhaps even permanent] local transit connection service other than aforementioned mention of carshare/vanshare services. Does this preclude such a service from being developed — both as a local business opportunity and as an early-adopter amenity?
- i. Won't the very low level of service projected for the Evans/3rd Street intersection and 3rd Street in general negatively impact the marketing potential of the Hunters Point Shipyard R&D areas without auto access via the Yosemite Slough bridge?
- j. Since the South Bay and West Shore communities are served by a number of event venues, why is the traffic generation assumed to be the same for other events as for football games, which draw substantially from the South Bay?
- k. Is Bay barging considered for transporting excavation, landfill, and other materials, and if not why not?
- l. How will the parking demand be changed (not just level of demand but location) by the circulation strategies for the Proposed Project. For example, which arteries will see increased/decreased parking demand? This will affect the availability of parking for existing residents.
- m. What mitigation methods are being implemented to improve quality of life for residents along Innes Avenue, which is envisioned to be a major artery in the Proposed Project circulation strategy.
- n. For NO-6 at page ES-42, if the Level of Significance After Mitigation will become SU, are other less tangible strategies such as using landscape features as buffer for screening noise, limiting heavy commercial vehicles/traffic through certain residential areas etc.

90-3
cont'd.

D. Effects of Light and Glare

- a. In Section III.E there is no mention of the lighting/glare effects for the overall skyline when both the proposed stadium and the current baseball stadium (Pac Bell Park) are simultaneously in use. Has this been investigated?

90-4

E. Shadow Guidelines

- a. For Section III. F (Shadows), there should be more assertive or aggressive design guidelines to be implemented so that the quality of any public open spaces/parks will be maintained. For instance, no public open spaces/parks should be located north of any man-made structure in order to optimize the usage of direct light. The notion behind the design of any open spaces/parks should be consistent to the fundamental of the sustainable design principles in terms of (at least) orientation. At a larger scale, the selection/design of the open spaces/parks should be carefully executed to promote pedestrian orientated activities with acceptable human comfort level (wind, shadow, wayfinding, etc)

90-5

F. Wind Effects

- a. How appropriate is it to use wind data from SFO for modeling wind patterns in southeast San Francisco?

90-6

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G. Biological Resources

- a. In section III.N-60, the mitigation bank is mentioned as a backstop for the loss of wetlands and jurisdictional waters. How does this bank work and what mandates where/when mitigation credits are used?

90-7

H. Recreation

- a. Why is no mention made of the Arts District in the plan for Hunters Point Shipyard Phase II? Will its absence from the EIR keep it out of the DDA?
- b. Why is Natural Edge/Riprap a proposed treatment for the Grasslands Ecology Park? A natural edge is not riprap and vice-versa.

90-8

I. Utilities

- a. There is no mention in any of the alternatives of residential use of gray/recycled water, something frequently mentioned in context with the Sustainability Plan. Does the exclusion of this from the EIR prevent its inclusion in the development?

90-9

J. Variants

- a. For the R+ D Variant, please discuss the phasing of transit service delivery. How does it differ from phasing for the proposed project?

90-10

K. Land Use Question (not related to a specific section)

- a. Approximately 100,000 gsf of real estate has been set aside for community serving uses. The land uses have not been fully fleshed out but the potential uses envisioned include police/fire stations, schools and other social service agencies. Is there anything in the EIR that would preclude community serving land being used for urban agriculture? Perhaps there could be an opportunity to provide local farming opportunities on the site.
- b. Related. Are there any land uses that are specifically excluded due to EIR language? For example, could the project include a power plant or hospital? What are the limits?

90-11

■ Letter 90: Hunters Point Shipyard Citizen's Advisory Committee (1/12/10)

Response to Comment 90-1

Chapter VI (Alternatives) provides several tables that make these comparisons. Table VI-12 (Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives), pages VI-173 through VI-179, identifies the significant and unavoidable impacts of the Project and identifies whether any of the alternatives lessens or avoids those impacts. The table identifies whether the alternatives result in the same (=), lesser (<), or greater (>) impacts as compared to the Project. The table also provides the level of significance for the Project and the Alternatives after the implementation of all feasible mitigation measures. In addition, because this EIR includes variants to the Project, any one of which could be approved instead of or in combination with the Project, Table VI-13 (Comparison of the Significant and Unavoidable Impacts of the R&D Variant (Variant 1) to Each of the Alternatives) through Table VI-17 (Comparison of the Significant and Unavoidable Impacts of the 49ers/Shared Stadium Variant (Variant 5)) identify the significant and unavoidable impacts of the variants and identify whether any of the alternatives lessens or avoids those impacts. The tables identify whether the alternatives result in the same (=), lesser (<), or greater (>) impacts as compared to the variants. The table also provides the level of significance for the Project and the variants after the implementation of all feasible mitigation measures. Due to the number of Project impacts that are presented across the Project, the variants, and alternatives, the tables are the most concise way to present this information. These summary tables provide a meaningful way to compare the most important environmental impacts (i.e., those that cannot be addressed by mitigation measures) across the Project, variants, and alternatives.

For the commenter's example, comparing the Project, with 52 significant and unavoidable transportation impacts, with Alternative 2, which does not contain a bridge and also results in 52 significant and unavoidable transportation impacts, a broad brush comparison can be done that each option results in a similar number, if not magnitude, of transportation impacts. While some transportation impacts may be reduced by eliminating a bridge, other impacts would occur without a bridge.

Response to Comment 90-2

The potential for direct and indirect residential displacement due to differences in the employment sectors offered within the Project Area is not an environmental impact under CEQA. Residential displacement in the CEQA context means that residents are physically removed from their current residence to allow for development or the development indirectly causes displacement that otherwise would not have occurred. Pages III.C-21 and III.C-22 of the Draft EIR disclose that no residents would be displaced as the residents of Alice Griffith would reside in reconstructed units, and there are no housing units on HPS Phase II. The Project would result in an in-migration of residents, not an out-migration.

The breadth of jobs offered by the Project is not expected to cause existing residents to move from the Bayview; it is expected that existing residents would continue to live in the Bayview; they will either continue working at their present job, wherever that may be, or they could potentially accept a job offered by implementation of the Project. As reflected in the EIR, the existing employment for the Project site is 529 jobs, whereas once the Project is implemented, it is expected that there would be 10,730 jobs. The

Project would result in a substantial increase in employment opportunities at the Project site. Refer to Response to Comment 64-1.

Response to Comment 90-3

Responses to the commenter's transportation questions are provided in the same order as presented in the comment.

A. Projected Service Delivery of Transit. Phasing of transit improvements is shown in Table 2 on page 31 of the Project Transportation Study, included as Appendix D of the Draft EIR. A more detailed roadway and transit service timing and phasing plan would be provided as part of the Project's Infrastructure Plan, which would be included in the Project's DDA. The Project would be implemented in four overlapping phases, with transportation infrastructure improvements (both transit and roadway) linked to the development phases. The majority of development and infrastructure improvements would be completed by the end of the second phase, which has a scheduled completion date of 2023.

B. T-Third Operations. SFMTA plans for service improvements on the T-Third, which are assumed in the Draft EIR, include expected frequency increases from the existing 8-minute peak hour frequencies to 6-minute frequencies. This improvement is primarily associated with the planned Central Subway Project, and not as a result of the Project.

Impacts TR-21 through TR-27 identify significant impacts to transit routes serving the study area that may experience increased delays due to Project-related traffic generation increases. With the exception of Impact TR-25, mitigation measures have been identified that would improve transit travel times and reduce the magnitude of Project-related impacts, although not to less than significant levels in all cases. Refer to Master Response 8 (Transit Mitigation Measures) for greater detail and supporting graphics to illustrate the specific proposals for mitigation measures intended to reduce transit delays. Because this conclusion is based on a series of assumptions regarding Project and regional traffic increases, as the Project builds out, the Project Applicant is required to conduct a feasibility study of these measures in coordination with SFMTA and other relevant City agencies to determine whether the physical improvements are, in fact, necessary, and whether they are feasible and ultimately desirable to the City. If physical improvements are warranted and feasible, they would be implemented and the purchase of new transit vehicles may not be necessary. However, based on conditions at the time, if they would not reduce Project impacts to transit travel times to less than significant levels, the Project Applicant may be required to purchase new vehicles to allow Muni to maintain proposed headways (albeit at lower travel speeds due to congestion).

C. Mitigation Measures Requiring Additional Transit Vehicles. The costs for the additional vehicles required as part of mitigation measures have been estimated. The Project is estimated to generate enough funds through the combination of General Fund revenues (e.g., on-street parking revenues, parking sales tax, and highway user taxes) to pay for capital and operating costs to both implement the phased improvement program, and to cover the cost of the additional vehicles needed to maintain proposed headways. The purchase of new vehicles, if required, and the associated timing would be coordinated with SFMTA.

D. Proposed TDM Measures. Although the proposed TDM measures and carpool/vanpool/carshare services provide an important toolbox of measures that encourage walking, bicycling, and transit use, the analysis does not make specific adjustments in the travel demand forecasts based on individual measures.

The travel demand analysis is based on a combination of local, regional, and national travel behavior studies and adjustments are based only on those elements where statistically significant relationships have been identified. To date, the body of research on the effectiveness of TDM measures, including promotion of carpooling, vanpooling, and carshare services, has not identified adequately valid and statistically significant relationships between those elements and travel behavior, including their effects on mode choice. Therefore, the analysis is relatively conservative in that it does not account for the enhanced level of TDM measures proposed by the Project relative to other developments in San Francisco, the Bay Area, and nationally.

E. Operational Improvements. The comment suggests that operational improvements, such as signal timing adjustments, could at least reduce the magnitude of Project impacts at study intersections. Although the analysis assumes some minor improvements to traffic signal timings, it conservatively does not assume major changes in signal operations. SFMTA regularly monitors and adjusts traffic signal timings as conditions warrant. It is reasonable to assume that by year 2030, particularly with the high level of development anticipated in the southeastern portion of San Francisco, traffic signal timings will continue to be monitored and adjusted as suggested by the commenter, and traffic levels of service may be somewhat better than reported in the Draft EIR. However, this would not be required as part of mitigation since SFMTA already performs this function and will continue to do so in the future.

The comment also suggests that widening the on-ramps listed in Impact TR-12 may alleviate the impacts related to freeway merge sections. On-ramp widening was determined to be infeasible because doing so would exacerbate cumulative impacts to freeway mainline operations, and freeway widening was not considered feasible. Impacts to on-ramp merge sections as identified in Impact TR-12 would remain significant and unavoidable.

F. Alternative 3 (Reduced CP-HPS Phase II Development; San Francisco 49ers Stay at Existing Stadium; Limited State Parks Agreement; Yosemite Slough Bridge Serving Only Transit, Bicycles, and Pedestrians). The commenter questions how BRT bus breakdowns on the bridge would be handled without causing interruptions to service if there is only one lane per direction on the bridge. In this Alternative, similar to the Project, the Yosemite Slough bridge would contain two BRT lanes, one in each direction. In the rare circumstance that a vehicle breaks down on the bridge, BRT vehicles would be able to maneuver into the opposing lane and pass the disabled vehicle.

G. Alternative Yosemite Slough Bridge with a Single Travel Lane. The bridge is proposed to provide two BRT lanes, one in each direction, whether there is a new NFL stadium (and the associated 40-foot promenade/game day-only traffic lanes) or not. Given the proposed peak period frequencies of five-minutes, and the expected travel time across the bridge (between Carroll Avenue and Shafter Avenue) of over two minutes, providing only a single lane would very likely result in delays to the BRT service since vehicles in one direction would frequently arrive during the period when vehicles were traveling across the bridge in the opposing direction.

H. Jitney Service. Local jitney service is not included as part of the Project or its Transportation Plan. However, this type of service would not be precluded by the Project. Jitneys are regulated through the Police Code (Section 1150 – Jitney Permits), and a new jitney route would need to be applied for through the Police Department Permit Bureau and approved by the Police Commission and Board of Supervisors.

I. Marketing Potential of HPS R&D Without Yosemite Slough Bridge and Poor Operating Conditions on Third Street. Refer to Response to Comment 17-1, which describes that the Project's Infrastructure Plan will require that the bridge be closed to autos except on football game days, and that the Infrastructure Plan could only be amended by the Board of Supervisors. The issue of the effect of poor intersection level of service on the marketing potential of R&D uses in Hunters Point Shipyard is not an environment issue requiring CEQA analysis.

J. Geographic Distribution of Secondary Event Patrons. As noted in the Draft EIR, trip generation and geographical distribution of trips associated with secondary events at the new stadium would vary depending on the type of event. The analysis assumes similar distribution of trips for secondary events as was identified for NFL games at the proposed stadium because it represents a common distribution pattern for a regionally significant event held in this part of San Francisco.

K. Use of Barges during Construction Activities. As indicated on page III.D-68 of the Draft EIR, approximately 40 percent of the required import fill materials for the Project would be brought into the Project site via barge.

L. Project Parking Demand. Impact TR-35 describes the parking impacts associated with the Project. As shown in Table III.D-21, the Project would result in a shortfall of at least 2,316 spaces. As a result, it is possible that some drivers may seek parking in adjacent Bayview residential and industrial areas to the west. However, as noted in the Draft EIR, if parking is found to exceed supply in the existing Bayview residential area, the City's residential parking permit program could be introduced to the area to help ensure availability of parking for local residents. The extent of spillover into the nearby industrial and residential neighborhoods to the west would be limited by the existing topography (e.g., steep grades due to the Bayview Hill), the distance between the Project site and available parking supply, and concerns related to safety in the industrial area.

In San Francisco, parking supply is not considered a permanent physical condition, and changes in the parking supply would not be a significant environmental impact under CEQA, but rather a social effect. Since the City does not consider parking shortfalls to be a significant impact, no mitigation is required.

M. Innes Avenue. Intersections along Innes Avenue were projected to operate within acceptable standards and no specific traffic-related mitigation measures were required for locations on Innes Avenue. The Draft EIR does include mitigation measure MM TR-2, which would require the Project to implement a robust Transportation Demand Management plan to reduce overall auto traffic generation of the Project and minimize the Project's contribution to cumulative significant impacts.

Mitigation measure MM TR-17 would require implementation of the Project's transit operating plan, which would benefit residents of Innes Avenue in two ways. First, this robust transit operating plan would reduce the amount of Project-generated auto traffic that would otherwise be generated. In fact, the analysis forecasts that approximately 20 percent of all person-trips would be made via transit. Without the transit operating plan, these trips would likely occur via autos, many of which would travel on Innes Avenue. The second benefit of this increased transit is that residents along Innes Avenue would, themselves, get better access to transit, including frequent service on the 44-O'Shaughnessy, 48-Quintara-24th Street, and the new HPX, which would include stops along Innes Avenue before traveling non-stop to Downtown San Francisco.

Finally, although not part of any mitigation measure, the Project would also make improvements to Innes Avenue, including new and improved sidewalks, new Class II bicycle lanes, and better transit service, including express bus service to Downtown San Francisco via the HPX.

N. Noise Impacts. Landscaping would be provided along the improved roadways; however, Caltrans research has shown that ordinary landscaping along a highway accounts for less than 1 dBA reduction (Hendriks, 1998). In order to provide effective noise reduction, vegetation would have to have a height that extends at least 16 ft above the line of sight between source and receiver, must be at least 100 ft wide and dense enough to completely obstruct a visual path to the source to attenuate traffic noise by 5 dBA. Limiting heavy commercial vehicles through residential neighborhoods would also serve to reduce isolated increases of noise caused by the noisier engines and heavier chassis; however, the total increase in passenger vehicle trips would be the main source of increased ambient roadway noise, as on average, commercial vehicles account for less than 10 percent of vehicle trips that would occur in the Project vicinity.

Response to Comment 90-4

As described on page III.E-81, third paragraph, of the Draft EIR, the geographic context for cumulative light and glare impacts is "...the area covered by the BVHP Redevelopment Plan, the HPS Redevelopment Plan, and the BVHP Area Plan (of the City's General Plan), as development in these Plan areas could affect the same scenic vistas analyzed for the Project..." Giant Stadium is located approximately 6 miles north of the Project site, and would not contribute to cumulative impacts.

Response to Comment 90-5

The comment contains opinions regarding design guidelines for the Project to maintain quality of open space, including a suggestion that all open space be south of man-made structures, to reduce shadow impacts on the open space. The comment is not a direct comment on the content or adequacy of the Draft EIR.

Because the sun crosses the southern part of the sky in midday periods, open space with no or relatively shorter buildings to the south would experience reduced shading, compared to open space with taller buildings to the south. Section III.F (Shadows) describes Project shading effects on existing and proposed open space at Candlestick Point and Hunters Point Shipyard Phase II. As shown in Figure III.F-1 (Existing and Proposed Parks and Open Space), open space would be arrayed in a range of locations and overall size, such as new parks within Candlestick Point arrayed within the street grid, and new waterfront open space at HPS Phase II. The open space would be integrated within the overall urban design plan and structures would not, and could not, all be north of open space. However, the range of shadows described in Section III.F would not create significant adverse effects on the use of open space. The design guideline suggested in the comment to place all new structures north of open space would not be necessary or feasible, and would conflict with other Project goals of integrating open space within the new development at Candlestick Point and HPS Phase II.

Draft EIR Chapter II (Project Description), Section II.E.2 (Parks and Open Space Plan), pages II-24 through II-34, describes the range of parks or open space to be developed, how the open space would be distributed throughout Candlestick Point and HPS Phase II and features, and facilities contemplated at each park that would be intended to enhance public open space and recreational uses. The parks, as noted on Draft EIR pages II-28 to II-29 would be distributed throughout the site:

Overall, the Project would provide a substantial increase in the amount of developed, useable, high-quality parks, recreational facilities, and open space within the Project site. The Project would create a continuous network of interconnected recreational opportunities, promoting the use of the existing parks, such as the CPSRA, as well as the 239.7 acres of new parks, sports fields, and active urban recreation uses. The Project would provide a network of pedestrian and bike pathways that would connect Project uses to the adjacent neighborhoods and would ensure unrestricted public access to the parks and open space on the Project site and the Bay shoreline. Enhanced connectivity of on-site and off-site facilities and new neighborhood parks would allow integration of new and existing facilities into the citywide park network. The proposed bicycle and pedestrian pathways would facilitate dispersal of future demand, which would help to reduce the potential for localized physical deterioration. The improved connectivity would also direct regional users to proposed “destination” parks, parks designed to accommodate regional demand. In addition, the Project would provide a continuous series of waterfront parks from the northernmost part of HPS Phase II to the southernmost part of Candlestick Point.

Response to Comment 90-6

Draft EIR Section III.G, Wind, pages III.G-1 to III.G-2 includes setting information on existing wind conditions in the Project site and vicinity. The text notes that long-term wind data are available from records from above the old Federal building in San Francisco’s Civic Center, San Francisco International Airport (SFO), and from HPS. Draft EIR page III.G-2 notes that SFO wind data establishes directional patterns but that the “dominant wind direction is known to shift with locations around the Bay, including the Project site.” The Draft EIR wind analysis is thus based on relevant wind data from local and regional sources, and takes into account Project-specific conditions, such as topography. The analysis does not rely only on SFO wind data. Further, as described in revised mitigation measure MM W-1a, the Redevelopment Agency would conduct wind review of high-rise structures above 100 feet.

Response to Comment 90-7

The commenter asks how a mitigation bank might be used to provide mitigation for Project impacts and what mandates where and when mitigation credits are used. One option for mitigating impacts to jurisdictional habitats on this Project would be the purchase of credits in a bank that has already created or restored habitat of a type that would be impacted by the Project, and that can sell credits to entities requiring mitigation. Regulatory agencies such as the USACE and RWQCB have to approve such banks, and as part of the approval process, these agencies specify the service area for the bank (i.e., the geographic area in which projects can use credits from the bank). If the purchase of credits in a mitigation bank were used to compensate for Project impacts to wetlands, for example, the applicant would purchase the sufficient credits from the bank to satisfy the mitigation acreage requirement specified by MM BI-4a.1, and the bank would use those funds for the management and monitoring of wetlands that it has already created.

Response to Comment 90-8

The Arts District is mentioned in the Draft EIR on pages II-14, II-18, and II-19 in Chapter II (Project Description). Further, provisions for the artists’ space are included in the Community Benefits Agreement, which would be attached to and made part of the Disposition and Development Agreement, a legally binding document that would be subject to approval by the Agency Commission.

The Grasslands Ecology Park is located on the southern shoreline of Hunters Point, on Navy Parcels E and E-2, and adjacent to the Navy's water parcel, Parcel F. The Navy is responsible for clean-up of these sites and as part of the clean-up work will construct improvements of the shoreline edge to protect the land from erosion. Navy-proposed treatments include both construction of tidal wetlands and construction of riprap slope protection.

With respect to why natural edge/riprap is a proposed treatment for the Grasslands Ecology Park, Section III.H (Recreation) does not provide a description of a "natural edge/riprap" proposed as part of the Grasslands Ecology Park; however, Chapter II (Project Description) on page II-58 of the Draft EIR does identify shoreline improvements (specifically, tidal habitat) at the natural edge/riprap of the Grasslands Ecology Park. The use of the term "natural edge/riprap" refers to the location of the appropriate parcels, and not the associated habitat modifications. As described in the footnotes of Table II-13 on page II-58 of the Draft EIR:

Tidal Habitat: Take advantage of sloped surface (or reduce slope where needed) to install aquatic plants and create new tidally-exposed habitat

Further, Section III.N (Biological Resources) also describes how shoreline improvements can facilitate the creation of tidal habitats, as described in Impact BI-4b on page III.N-64 of the Draft EIR:

... the CP/HPS Project would add soil or other materials on the outboard side of the revetment to facilitate the creation of tidal salt marsh in several areas along the southern shoreline of HPS by reducing the revetment's slope and providing a more suitable substrate for colonization by wetland vegetation.

Response to Comment 90-9

Refer to Response to Comment 65-24 regarding recycled water.

Response to Comment 90-10

Refer to Response to Comment 90-3 for a discussion of the proposed phasing of transit service for the Project. Refer also to Master Response 8 (Transit Mitigation Measures) for details regarding implementation of proposed mitigation. With the Project, the Housing Variant (Variant 2) would be implemented in four overlapping phases, with transportation infrastructure improvements (both transit and roadway) linked to the development phases. The majority of development and infrastructure improvements would be completed by the end of the second phase, which has a scheduled completion date of 2023.

Response to Comment 90-11

Community gardens, or growing fruits and vegetables for human consumption in native soil, are not allowed now in certain areas of HPS Phase II covered by some of the RODs already issued by the Navy. Urban agriculture in native soil would likely be precluded in other areas for which RODs have not yet been issued. The Redevelopment Plan amendments for HPS Phase II propose to address this issue. The EIR assumes certain types of uses, and the HPS and BVHP Redevelopment Plan amendments reflect the types of uses proposed for the Project and specifically prohibit certain uses that would be incompatible with planned uses. The Bayview Hunters Point and Hunters Point Shipyard Redevelopment Plans contain several mixed-use districts, each referred to as a "District" or "Land Use District." Allowable land uses

within each District will be those that are consistent with the character of the District as described in the Redevelopment Plans. The specific uses identified in the Redevelopment Plans for each District illustrate the appropriate scope and nature of permitted uses. Community gardens could be permitted in Candlestick Point provided that they are consistent with the objectives of the Bayview Hunters Point Redevelopment Plan. Community gardens could be permitted on the Hunters Point Shipyard, provided that they use aboveground planters that include impermeable separation between planter soil and the ground below and otherwise comply with applicable environmental restrictions.

As to whether any land uses would be excluded due to EIR language, the air quality analysis in the EIR in Section III.H (Air Quality), under Impact AQ-6, analyzes potential stationary sources of toxic air contaminants, and MM AQ-6 requires that each facility with sources of TAC emissions will limit their emissions such that residential cancer risk and chronic non-cancer hazard index evaluated at the facility boundary does not exceed 10 in one million or 1.0, respectively. If these thresholds are exceeded at the boundary, an analysis will be required to show the facility, in conjunction with all other TAC emitting facilities in the R&D areas, will not cause these thresholds to be exceeded at the nearest residential locations. Any type of facility wishing to locate in the Project area, even if allowed by the land use plan, would be required to satisfy this mitigation measure.

■ Letter 91: California State Parks (12/23/09)

Letter 91 represented the California State Parks draft comment letter on the Draft EIR (dated December 23, 2009). After the close of the comment period, California State Parks requested removal of its draft letter from the Comments & Responses document and, instead, requested that responses are only provided to its final comment letter, which is dated January 12, 2010. The California State Parks final comment letter is provided in this Comments & Responses document as Letter 86. Letter 91 is intentionally omitted from this document.

[This page is intentionally left blank.]

■ Letter 92: National Football League (1/12/10)

1 of 2

Letter 92

From: "Ludwig, Deborah" <Deborah.Ludwig@nfl.com>
To: <stanley.muraoka@sfgov.org>
Cc: <Michael.Cohen@sfgov.org>
Date: 01/12/2010 03:08 PM
Subject: Draft EIR, Candlestick Point-Hunters Point Shipyard Phase II

Please see attached regarding the Candlestick Point-Hunters Point Shipyard Phase II draft EIR.

Regards,

Deborah Ludwig
Assistant to Neil Glat
National Football League
280 Park Avenue
New York, NY 10017
P: 212.450.2459
F: 212.847.1742



Draft EIR, Candlestick Point-Hunters Point Shipyard Phase II.PDF

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NATIONAL FOOTBALL LEAGUE

January 12, 2009

Mr. Stanley Muraoka
Environmental Review Officer
San Francisco Redevelopment Agency
One South Van Ness Avenue, Fifth Floor
San Francisco, CA 94103

Neil Glat
Senior Vice President
Corporate Development

RE: Draft EIR, Candlestick Point-Hunters Point Shipyard Phase II

Dear Mr. Muraoka:

At this juncture in the City's project review process, we wanted to write to respectfully emphasize the importance of some of the traffic and parking infrastructure improvements that are currently planned as part of a proposed new stadium project for the San Francisco 49ers at the Hunters Point Shipyard site. Please note that any such stadium project would remain subject to executing necessary agreements with the 49ers and approval of the League membership.

The ability of NFL game attendees to quickly enter and exit a stadium site on gameday has a significant impact on overall fan enjoyment. The following are some of the infrastructure improvements that we would deem critical to providing access to the Hunters Point Shipyard site:

- A Yosemite Slough Bridge;
- A new US 101/Harney Way interchange;
- Adequate number of parking spaces in proximity to the stadium that are accessible in all weather conditions; and
- Public transit infrastructure sized for gameday access.

The feasibility and necessity of the above improvements have been reviewed by our stadium consultant, ICON Venue Group. We hope that all of the improvements in the current plan, including these specific infrastructure improvements, meet with the City's approval and remain an integral part of the overall stadium project plan.

Sincerely,

Neil Glat

cc: Mayor Gavin Newsom
Michael Cohen

92-1

280 Park Avenue, New York, NY 10017 Tel 212.450.2024 Fax 212.847.1739

■ Letter 92: National Football League (1/12/10)

Response to Comment 92-1

The comment notes the National Football League's opinion that the Yosemite Slough bridge, the US-101/Harney Way interchange, adequate parking supply, and improved public transit infrastructure are critical elements to providing a new stadium in Hunters Point Shipyard. The comment is noted and no response is required.

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Letter 93: California State Lands Commission (1/12/10)

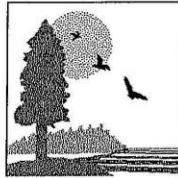
1 of 4

Letter 93

STATE OF CALIFORNIA

ARNOLD SCHWARZENEGGER, *Governor*

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



PAUL D. THAYER, *Executive Officer*
(916) 574-1800 FAX (916) 574-1810
California Relay Service From TDD Phone 1-800-735-2929
from Voice Phone 1-800-735-2922

Contact Phone: (916) 574-1900
Contact FAX: (916) 574-1885

January 12, 2010

File Ref: SCH# 2007082168

Stanley Muraoka
San Francisco Redevelopment Agency
One South Van Ness Avenue
San Francisco, CA 94103

Subject: Candlestick Point, Hunters Point Shipyard Phase II

Dear Mr. Muraoka:

The staff of the California State Lands Commission (CSLC or Commission) has reviewed the Draft Environmental Impact Report (DEIR) for the Candlestick Point-Hunters Point Shipyard Phase II. Under the California Environmental Quality Act (CEQA), the San Francisco Redevelopment Agency (Agency) is the lead agency and the CSLC is a Responsible and/or Trustee Agency for any and all projects that could directly or indirectly affect sovereign lands, their accompanying public trust resources or uses, and the public easement in navigable waters. In this project, we are both a Responsible and Trustee Agency.

93-1

The Candlestick Point – Hunters Point Shipyard Phase II Development Plan Project (Project) proposes development on approximately 702 acres of waterfront lands within the City and County of San Francisco. The Project includes a mixed-use development with a range of residential, retail, office, research and development, civic and community uses, and parks and recreational open space. The Project also includes a new stadium for the San Francisco 49ers National Football League team, a 300-slip marina, and improvements to the Candlestick Point State Recreation Area.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands in trust for the benefit of all people of the State for statewide Public Trust purposes, which include waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation and open space. The CSLC has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable rivers, sloughs, lakes, etc. The CSLC has certain residual and review authority for tide and submerged lands legislatively granted in trust to local jurisdictions (Public Resources Code Section 6301 and Section 6306).

93-2

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Stanley Muraoka

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Portions of the Project area within the Candlestick Point involve sovereign tide and submerged lands under the direct jurisdiction of the CSLC. These sovereign lands are currently leased to the California State Parks for the Candlestick Point State Recreation Area. Other portions of the Project area within Candlestick Point involve sovereign tide and submerged lands, which have been granted, in trust, to the City and County of San Francisco (Grantee), pursuant to the Burton Act (Chapter 1333, Statutes of 1968, as amended).

Hunters Point Shipyard involves lands that were historic uplands and lands that were formerly tide and submerged lands. The State Lands Commission asserts a sovereign public trust claim in portions of the Hunters Point Shipyard. The Shipyard was closed by the United States in 1974 and pursuant to a 2004 conveyance agreement with the Agency, the United States Navy has conveyed a portion of the Shipyard to the Agency and has agreed to transfer the remainder to the Agency following remediation of hazardous materials. Pursuant to Chapter 203, Statutes of 2009, any State interest remaining in the lands at Hunters Point Shipyard have been granted, in trust, to the Agency.

The Grantee and the Agency, as trustee, of these sovereign trust lands must ensure that the specific uses proposed on lands impressed with the public trust in the Project are consistent with the provisions of the relevant granting statutes and the common law Public Trust Doctrine. As general concepts, uses, such as residential development, are inconsistent with the Public Trust Doctrine as such a use is not water-dependent and results in the privatization of public property. General commercial, recreational, office and retail uses are also uses inconsistent with the Public Trust Doctrine, as such uses generally serve the local citizenry and are not water-dependent, water-related or visitor serving. In addition, general civic/cultural uses, community parks, including dog parks, and athletic/sports fields are uses inconsistent with the Public Trust Doctrine, as such uses are also not water-dependent or water-related and cater to the local community and do not serve the regional or statewide general public.

As stated in the DEIR and as provided for in Chapter 203, Statutes of 2009, implementation of the Project will require the Commission to consider and approve a land exchange between the Commission, the Agency, the developer and the California State Parks. In addition, in conjunction with a land exchange, California State Parks will be required to obtain a lease from the Commission for use of public trust lands within Candlestick Point for the State Recreation Area.

Representatives of the San Francisco Redevelopment Agency, the developer, California State Parks staff, CSLC staff, and the Office of the Attorney General are currently negotiating the terms of a possible land exchange, as contemplated by Chapter 203, Statutes of 2009. Also, Commission staff has met with public interest groups and individuals regarding such an exchange. Chapter 203, Statutes of 2009 authorizes the land exchange for Hunters Point and Candlestick Point, provided all required findings can properly be made. While the DEIR recognizes that any exchange must be considered and approved by the CSLC, Commission staff believes that the



93-2
cont'd.



3 of 4

Stanley Muraoka

Page 3

January 12, 2010

DEIR should recognize, for informational purposes, that negotiations are ongoing regarding a possible land exchange at Hunters Point Naval shipyard and Candlestick Point.

93-2
cont'd.

Staff's specific comments on the DEIR are as follows:

1. Page II-23 (Marina) indicates a possible future need for maintenance dredging. Dredging would require a lease from the State Lands Commission pursuant to Section 11 of Chapter 203, Statutes of 2009. When appropriate the developer should apply to the Dredged Material Management Office (DMMO). The DMMO is a joint program of the San Francisco Bay Conservation and Development Commission, San Francisco Bay Regional Water Quality Control Board, California State Lands Commission, the San Francisco District U.S. Army Corps of Engineers, and the U.S. Environmental Protection Agency. Under this program dredging applicants are only required to complete one application for their dredging project. The application may be found at the DMMO website at <http://www.spn.usace.army.mil/conops/applications.html>.
2. Page II-31 (New Parks HPS Phase II): According to the proposed plan, various parks within the Phase II development would offer a full range of passive and active uses. Uses would include community gardens, basketball, tennis, and volleyball courts, shade pavilions, children's playground, and restroom. It is unclear where these parks will be located in relation to where the public trust lands are proposed to be as depicted in the final public trust configuration diagram of Chapter 203, Statutes of 2009. Therefore as general concepts and as stated above, programmed uses such as the community garden, basketball, tennis and volleyball courts, and children's playground are not uses consistent with the Public Trust Doctrine. Such uses of public trust lands are municipal in nature and are primarily for the benefit of local residents without any nexus or connection to water related commerce, navigation, or fisheries. It is important to stress that uses of public trust lands must serve a statewide or at least a regional benefit and caution must be taken so as to not confuse purely local or municipal benefits with public trust benefits. Any proposed parks with programmed uses, as described above, should be situated on lands that are not impressed with the public trust.
3. Figure III.B-6 Proposed Land Use Plan shows some retail uses that may be located on public trust lands. While Commission staff understands that details of any proposed retail use are currently unknown, it is important to stress that any retail use on public trust lands must be consistent with the public trust and directly promote trust uses, be directly supportive and necessary for trust uses, or accommodate the public's enjoyment of trust lands. Examples include, but are not limited to, watercraft rentals, bait shops, fishing supplies, hotels, restaurants, cafes, and parking facilities.

93-3

93-4

93-5

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Stanley Muraoka

Page 4

January 12, 2010

Please contact Grace Kato, Public Land Management Specialist, at 916-574-1227, for information concerning our jurisdiction and leasing requirements. If you have any questions concerning the environmental review, please contact Eric Gillies at (916) 574-1897.

Sincerely,



Marina R. Brand, Acting Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
G. Kato, CSLC
Jennifer Lucchesi, CSLC
E. Gillies, CSLC

■ Letter 93: California State Lands Commission (1/12/10)

Response to Comment 93-1

The comments are acknowledged and commenter accurately describes the general land uses of the Project, as well as the jurisdiction and authority of the State Lands Commission (CSLC). Section III.B of the Draft EIR, pages III.B-8 and III.B-9 describe the public trust lands within the Project site.

Response to Comment 93-2

In response to this comment, page III.B-10, first paragraph, of the Draft EIR is revised:

Project Consistency: The Project includes both trust consistent and trust inconsistent uses; they will be distributed consistent with the final Trust map approved in Senate Bill 792. A trust exchange agreement will be approved as part of the Project consistent with the final Trust map. Negotiations with the CSLC are ongoing.

Response to Comment 93-3

This comment contains general information about the application process for maintenance dredging, and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. The comment will be forwarded to the decision makers for their consideration prior to approval or denial of the Project. Refer to mitigation measure BI-12b.1 on page III.N-90 of the Draft EIR, which describes the requirements of the DMMO process and Long-Term Management Strategy.

Response to Comment 93-4

While the specific uses of various park lands have not been determined, all development on lands impressed with the Public Trust will be consistent with the Trust. In particular, parklands proposed for Public Trust lands would offer water-oriented recreation focused on San Francisco Bay, thus providing statewide benefit. Municipal, or neighborhood, park programming would be limited to non-Trust lands.

Response to Comment 93-5

Refer to Response to Comment 93-4 regarding consistency of land uses with Public Trust. Refer to Section III.B (Land Use and Plans) of the Draft EIR for a discussion of the relationship of the Project with trust land requirements. Page III.B-10 of the Draft EIR states “The Project includes both trust consistent and trust inconsistent uses; they will be distributed consistent with the final Trust map approved in Senate Bill 792. A trust exchange agreement will be approved as part of the Project consistent with the final Trust map.”

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■ Letter 94: Harvey, Carol (1/12/10)

1 of 1

Letter 94



carol harvey
<carolharveysf@yahoo.com>
01/12/2010 04:59 PM

To joy.navarrete@sfgov.org
cc

Subject Elizabeth Carol Harvey sent a DEIR response to you at 4:55
p.m. on Tuesday, January 12, 2010

My response was entitled: "With Sea Level Rise Predicted To
Double and a Very Big Earthquake Due, How Practical Is The
SFRA Draft EIR?"

My stats are:

Carol Harvey
Presidio Gate Apartments
Apt. 306
2770 Lombard St.
San Francisco, CA 94123
Phone: 415-771-2814

Thanks, Joy.

***no wise words.
just good thoughts.***

carol

94-1

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■ Letter 94: Harvey, Carol (1/12/10)

Response to Comment 94-1

Refer to Master Response 8 (Sea Level Rise) for a comprehensive discussion of the sea level rise documents reviewed, the levels of sea level rise taken into account for various Project components, and the plan to provide flood protection if higher levels of sea level rise occur. Refer to Master Response 6 (Seismic Hazards) regarding the interaction of earthquakes and sea level rise, and refer to Master Response 7 (Liquefaction) for a discussion of sea level rise effects related to liquefaction.

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■ Letter 95: Koepf, Ernie (1/12/10)

1 of 2

Letter 95



Ernie Koepf
<nearshoreguy@hotmail.com>
>
01/12/2010 10:09 AM

To <bill.wycko@sfgov.org>
cc
Subject EIR response Candlestick-Bayview-Hunters Point regarding herring spawn site near Yosemite Slough

Dear Mr. Wycko,

It has been brought to my attention that the development of the Candlestick-Bayview-Hunters project will include a automobile bridge over Yosemite Slough and that this bridge will be supported by three hundred pilings.

The area around Yosemite Slough is a herring spawn site that is frequently visited by returning schools during the months of December, January and February. In light of this I would request that you consider the following;

1. Pilings should be concrete or should be sheeted in ABS plastic to facilitate the survival of herring eggs that may be deposited on the surfaces of the pilings (if they are seaward of the high tide mark in that vicinity). Un-sheated creosote soaked pilings are unacceptable and toxic to the eggs of fish that utilize them for egg deposition.
2. Placement of pilings should not occur during the spawning

95-1



2 of 2

season of herring during the months of December through February.

↑
95-1
cont'd.

Thank you for your consideration of these requests on behalf of the members of our association and the resource of San Francisco Bay herring.

Ernie Koepf, President
San Francisco Bay Herring Fishermen's Association

172 Duncan Way
Oakland, Ca. 94611
650 678 7124
nearshoreguy@hotmail.com

Your E-mail and More On-the-Go. Get Windows Live Hotmail Free. [Sign up now.](#)

■ Letter 95: Koepf, Ernie (1/12/10)

This letter is identical to Letter 37 (Comment 95-1 is identical to Comment 37-1). Therefore, the response to this letter is contained in Response to Comment 37-1 and is not repeated here.

[This page is intentionally left blank.]

■ **Letter 96: Fox, Jill (1/12/10)**

1 of 4

Letter 96

From: "Jill Fox" <ibjill@comcast.net>
To: <stanley.muraoka@sfgov.org>
Date: 01/12/2010 08:22 AM
Subject: Comments on HPS EIR

Attached are comments on the Hunters Point Shipyard and Candlestick Park Environment Impact Report from Cab Covay and Jill Fox. Thank you for this opportunity to comment. Please contact me if you have any questions. I would appreciate an acknowledgement of receipt of this, if possible.

Jill Fox
911 Innes Avenue
San Francisco 94124

415 420-9887 (cell)



Covay and Fox comments on HPS EIR.doc

2 of 4

CAB COVAY & JILL FOX

January 12, 2010

To Whom It May Concern,

We are the owners and residents of 911 Innes Avenue in San Francisco writing in response to the Environmental Impact Report for the Hunters Point Shipyard Candlestick Park project.

Our home is on the north side—the India Basin side—of the Hunters Point Shipyard approximately ½ mile from the old main gate. Our house has been lived in continuously since 1874.

We are asking that the HPS plan better reflect true community needs and desires, that a new EIR be performed to correct process flaws and take into account HPS design changes desired by the community, and that this EIR redo be an area-wide EIR to include other community developments. We feel that EIR impacts and mitigations must match the phases of the development so that something positive can happen for our neighborhood in our lifetimes rather than India Basin taking on all of the burden of a freeway to the Shipyard, without getting anything in return. We also have specific Quality of Life, Transportation, Open Space, Utilities, and Historic Preservation concerns.

We would like to see specific plan corrections and / or suggested mitigations for the issues we raise in your response to comments and we would like adequate time to comment on your response.

We feel this EIR process is flawed because:

- Poor timing, right during the winter holidays made comment a burden
- Comment period very short for such a long document
- No direct outreach to the adjacent community about the severe negative impacts
- No public meetings where a lay person could ask questions
- No easy-to-read summary or other form of communication besides a dense written document

We think a true community process of understanding the HPS plan and this document needs to take place so that regular people can understand what is happening to our neighborhood because of the greed of the Shipyard development.

96-1

We feel the EIR itself is flawed because it is based on a bad plan:

The HPS plan lacks services and amenities for new and existing community members for at least until full built out over 25 years from now, yet the EIR assumes people will have these needs and not have to travel to find them.

96-2

The idea of 1 private car per household is unrealistic and doesn't match the existing car use. The neighborhood does not have the services and amenities – food store, school, library, recreation center, entertainment, coffee place – that most San Franciscans enjoy. We have to drive for everything. This lack will remain for many years during the HPS phase in and the EIR needs to be presented in phases.

96-3

The Citizen's Advisory Committee did not include a representative of the India Basin community (despite frequent requests) until after this plan was adopted. This lack meant that the needs of his community were not considered.

96-4

Despite this lack of representation we and our neighbors attended many public meetings about HPS, sharing the need for a cohesive design plan of the existing and new communities, the desire that it meet

911 Innes Avenue San Francisco 94124 415 285-9211 IBJill@Comcast.net

Page 1 of 3

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CAB COVAY & JILL FOX

service and amenity needs, the need for a school and other community services, and creative solutions to transit issues. NOT A SINGLE IDEA WE PRESENTED WAS INCLUDED IN THIS PLAN.

96-4
cont'd.

EIR needs to consider all neighborhood developments:

The rebuilding of Hunters View, in-fill developments adjacent to the Shipyard and especially the Planning Department and Redevelopment Agency plans for Area C must be considered in any EIR for the Shipyard. This piecemeal approach that is happening now is unfair to existing residents and is just plain dumb. We fear that all of the mitigation impacts will be forced on the last EIR to go through – Area C –while the real elephant in the neighborhood – the Shipyard – gets off without doing anything for the existing community on the north side.

96-5

Quality of Life

The HPS plan is a general taking of our street and sidewalk; will cause an unfair increase in traffic and the particle dust that cars, buses, and trucks bring; produces night light that is detrimental to migrating birds we enjoy seeing; and will negatively impact both our property value and, more importantly, our free and fair use of our property including:

96-6

- Access to our home to bring in basic supplies
- Ability to grow our own food in our own yard
- Street safety
- Street trees
- Decrease in light and air and increase in noise and particulate pollution
- Electro-magnetic pollution from more power lines running in front of our home

Transportation

The HPS street plan does not blend well with the existing community and this lack of good planning makes an unsafe situation for both existing and new residents. Most especially, Innes Avenue is being burdened with all of the traffic and no benefits.

96-7

- As stated earlier, the idea of 1 private car per household in the new development is unrealistic for at least the first 25 years of the development and doesn't match the existing neighborhood car use
- Removing parking on Innes Avenue is unfair because there are no alternative streets for parking and many homes were built without garages. What compensation is being made for this taking?
- Narrowing the sidewalks along Innes Avenue means the removal of more than 50 thriving street trees. What compensation is being made for this taking?
- Lack of a median, removal of street parking, and removal of street trees does not fit the San Francisco Better Streets Plan
- Lack of a median, removal of street parking, and removal of street trees encourages speeding. Why is Innes being made a freeway for new residents?
- Jerrold Avenue should be made a through street and not a silly pocket park so that it can provide at least some alternative to Innes Avenue. When the inevitable collision occurs on Innes Avenue and all traffic is blocked, how will emergency vehicles get to HPS?
- Mitigation thoughts must include Hudson Avenue as an alternative – especially as a Class 1 commuter bike and pedestrian path that can connect from Cargo Way through India Basin and into the Shipyard, which will take the bike lanes off of Innes and restore parking, median, and street trees
- Other alternative transit options—water taxi, a shuttle to the light rail, and space for future transit ideas including a people mover—must be part of the plan from the beginning and must include stops in India Basin

911 Innes Avenue San Francisco 94124 415 285-9211 IBJill@Comcast.net

4 of 4

CAB COVAY & JILL FOX

Open Space

- The EIR needs to address how open space will be programmed for new and existing residents and visitors. If ownership is by the Planned Use Development (or owner cooperatives), how will the surrounding community be able to access this park space?
- What mitigation is being made to the existing publicly-owned parks for the increase in dog, children, and other park users?
- The EIR needs to explain the shadow impact of tower buildings on the Bay Trail and other new and existing open space.
- Where in the EIR is mention of the impact of the tower lights and other lights on the dark night sky and, specifically, the impact this may have on migrating birds?
- Where in the EIR are the towers impact on the existing community's light and air?
- We did not see in the EIR the answer to this riddle: If the existing approximately 66 acres of Recreation and Park Department's Candlestick Park is torn down and replaced with homes, but a new football stadium is not built on the Shipyard (and instead the space designated for the football stadium becomes more homes or an industrial park), what happens to that 66 acres of publicly-owned property? What mitigation to the people of San Francisco, and especially this community, is being made for this land grab of the 'Stick'?

96-8

Utilities

- Can you explain how all the new development will get water? Is there going to be another water line built to serve this community, and where will it go? We already have horrible water pressure and can't imagine thousands of more users and the impact that will have on the existing community.
- Can you explain how all the new development will get electricity? We already have multiple utility lines running on multiple poles through our neighborhood and are concerned with both the visual and electro-magnetic pollution they cause. Are we to expect even more wires?
- Can you explain how all the new development will get cable, internet, and other utilities? Right now these, too, run on power poles through our neighborhood. Are there more coming?
- Can mitigation for the northern neighborhood include complete utility undergrounding? How many times is Innes Avenue going to be torn up without undergrounding the power lines?

96-9

Historic Preservation

We feel it is very important to retain all of the historic building that are left in the Shipyard (including the crane) to use as anchors for a maritime historic district. This historic district should include both the Shipyard and India Basin historic sites, with a huge emphasis on the boat building and shipbuilding that took place in this community for more than 150 years. Photographs of buildings does not mitigation make. If any historic buildings must be removed, mitigation should be payment into a Historic Preservation Fund for the preservation of other buildings in this historic community as well as for improvements and education and other programming so that this rich history can be shared for many years to come.

96-10

Thank you for this opportunity to comment on the EIR. We look forward to your response.

Cab Covay and Jill Fox

911 Innes Avenue San Francisco 94124 415 285-9211 IBJill@Comcast.net

Page 3 of 3

■ Letter 96: Fox, Jill (1/12/10)

Response to Comment 96-1

Refer to Response to Comment 1-1 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

In addition to the public hearings on the Draft EIR, page ES-7 describes the other opportunities for providing public comment prior to publication of the Draft EIR:

The Agency and the City filed the NOP with the California Office of Planning and Research, State Clearinghouse, as an indication that an EIR would be prepared. In turn, the State Clearinghouse distributed the NOP to public agencies and interested parties for a 30-day public review period beginning August 31, 2007. In addition, the NOP was also sent to organizations, companies, and/or individuals that the Agency and the City believed might have an interest in the Project. The purpose of the public review period was to solicit comments on the scope and content of the environmental analysis contained in the Draft EIR. In addition, in order to solicit further comments on the scope and content of the environmental analysis to be included in the EIR, the Agency and the City held two public scoping meetings.

In addition, as stated in Response to Comment 85-5, in terms of the planning process for the Project, Section I.B (History of the Planning Process), which is presented on pages I-1 through I-4 of the Draft EIR, describes a planning process that has occurred over three decades and has included hundreds of community meetings and other forms of public outreach.

Lastly, an Executive Summary was published as Volume I of the Draft EIR, which totaled only 134 pages, and was prepared to provide an easy-to-read summary of the entire contents of the Draft EIR.

Response to Comment 96-2

Refer to Response to Comment 48-3 regarding the selection and analysis of alternatives. As described in Chapter II (Project Description, Section II.F Development Schedule), pages II-50 through II-80, of the EIR, each major phase of Project development would include a mix of uses, including residential, recreational, and neighborhood-serving retail. Figure II-16 (Proposed Site Preparation Schedule) and Figure II-17 (Proposed Building and Parks Construction Schedule) show that Alice Griffith Housing would be rebuilt first beginning in 2011. The new stadium would be completed by 2017. The first parks would be constructed at Alice Griffith and around the 49ers football stadium in the same timeframe. As shown in Figure II-17, the HPS Village Center (neighborhood retail) and the CP Center (regional retail) would be built by 2023 (13 years from now). Infrastructure and park development would occur along with building development, and would provide upgraded facilities and recreational uses at each increment of development.

Refer to Section B (Project Refinements) and Section F (Draft EIR Revisions) of this document, which describes changes to the Phasing Plan for the Project, and provides text and figure changes to the Draft EIR, respectively. Specifically, Figure II-16 and Figure II-17 have been revised to reflect that development activities would occur 1 to 2 years later than originally planned.)

Response to Comment 96-3

Limiting the number of permitted off-street parking spaces for residential uses to a maximum of one parking space per unit is consistent with the City's Transit First Policy and the San Francisco Planning Code. In order to encourage use of alternative modes of travel, including walking, bicycling, and transit, by Project residents and visitors, each major phase of Project development would include a mix of uses, including residential and neighborhood-serving retail, as described in Response to Comment 96-2 above. In addition, the transit phasing plan has been designed to encourage transit-oriented travel patterns from the early stages of Project implementation.

Impact TR-35 identified a projected parking shortfall associated with the proposed maximum residential parking ratio. However, as noted on page III.D-124 of the Draft EIR, as part of its "transit first" policy, the City and County of San Francisco does not require that the supply of parking spaces equal the peak demand. Consequently, as noted in the Draft EIR, even though the Project would likely provide the maximum number of spaces permitted, the supply may not be sufficient to meet peak demands.

However, because the parking supply is not considered a permanent physical condition, and also due in part to the City's Transit First Policy, the impact associated with the projected parking shortfall is considered less than significant.

Response to Comment 96-4

The Draft EIR evaluated existing and future public service levels (police, fire, schools, and libraries) in Section III.O Public Services. With regard to police services, "as the Project identifies community service use areas that could be used for police services, and as police services are not tied to a specific station, the SFPD would be able to maintain acceptable levels of police service" (Draft EIR page III.O-12). With regard to fire protection services, "construction of a new SFFD facility on land designated for community-serving uses on the Project site would allow the SFFD to maintain acceptable response times for fire protection and emergency medical services. Construction of 100,000 gsf of community facilities, which could include a new SFFD facility, has been included as a component of the Project" (Draft EIR page III.O-22). With regard to the provision of new schools, while existing neighborhood schools have capacity for Project students, "it is likely that a 12 percent Citywide overcapacity of SFUSD as a result of citywide population growth in 2030 would occur" (Draft EIR page III.O-31). "SFUSD could choose to address its potential future shortfalls in capacity through a wide range of options, including shifting students to other facilities, beginning year-round schools, and/or increasing the use of portable classrooms." "The school impact fees paid pursuant to SB 50 would go toward maintaining or improving school facilities to accommodate growth in school attendance." Finally, with regard to library services, "the new SFPL branches, which would all be completed upon build-out of the Project, would accommodate increased demand from the Project. No additional library facilities would be required to accommodate development proposed in the Project" (Draft EIR page III.O-37). No impacts were identified for public services and no mitigation is required.

Response to Comment 96-5

Reasonably foreseeable projects, such as those planned for Area C, were considered in the cumulative projects for the Project. The analysis of cumulative impacts in each technical section of the Draft EIR

accounted for reasonably foreseeable and planned projects in Area C. The Project has included all feasible mitigation measures for impacts of the development of HPS Phase II.

Response to Comment 96-6

The commenter suggests that increasing traffic (and associated effects) on Innes Avenue is a “taking.” Streets are owned and maintained by the City of San Francisco and are considered public facilities. The impacts associated with Project-generated traffic increases at key areas throughout the study area were analyzed and described in the Draft EIR, and the Project would not impede access to existing properties along Innes Avenue.

It should also be noted that intersections along Innes Avenue and Evans Street from the Project boundary to and including Jennings Street were analyzed and are expected to operate acceptably in all three study peak hours in year 2030 with the Project. All streets and street improvements have been designed to accommodate the increased traffic in a safe and practical manner; crosswalks would be clearly marked and signalized intersections would have pedestrian signage to facilitate safe crossing of streets.

The Project would provide a number of streetscape improvements, including sidewalk bulb-outs, cross walks, curb ramps, street trees and planting, bus shelters, and other site furnishings and pavement treatments that would visually tie together the project with Bayview neighborhood.

Night lighting would not be detrimental to migratory birds, which are accustomed to flying through urban areas. Refer to the discussion under Impact BI-20a and Impact BI-20b in Section III.N (Biological Resources), which deals with impacts of artificial lighting on birds. Mitigation measures are included to reduce the impact to less-than-significant levels. The shadows cast by the Project’s new structures would not eliminate sunlight from falling on adjacent properties; refer to Figures III.F-3 through III.F-8 in Section III.F (Shadows) for illustration of how the shadow moves throughout the day. Refer to Section III.H (Air Quality) for a comprehensive analysis of particulate emissions and air quality impacts. As all utilities for the Project would be undergrounded, there would be no electromagnetic pollution from additional power lines in front of the commenter’s home as a result of the Project.

Response to Comment 96-7

Refer to Response to Comment 96-3 for a discussion of proposed parking supply, and Responses to Comments 35-1 and 35-2 for a discussion of development phasing. As discussed in that response, the impacts associated with the removal of on-street parking were identified and discussed in Impact TR-36 in the Draft EIR. As noted in the Draft EIR, this loss of on-street parking is considered less than significant and no mitigation is required. On Innes Avenue the Project would displace about 51 parking spaces between Earl Street and Hunters Point Boulevard. The parking demand on Innes Avenue is low, and the demand would be accommodated along other portions of Innes Avenue or on other streets in the area. At some locations, residents and visitors would have to park further between their parking space and destination; however, this is not considered a significant impact. On-street parking spaces are publicly owned and not for the sole use of adjacent uses, and therefore, removal of on-street spaces are not considered a taking.

The Project would not narrow sidewalks on Innes Avenue compared to their existing width, and therefore would not be removing any street trees. New sidewalks would be as wide as or wider than existing sidewalks along the roadway.

The guidelines of San Francisco's Better Streets Plan were consulted throughout the planning of the Project streets and sidewalks. In some cases, and specifically Innes Avenue, constraints in topography, transportation engineering, and abutting land uses resulted in proposed sidewalk widths narrow than the idealized suggestions of the Better Streets Plan. In the case of Innes Avenue, constraints resulted in proposed sidewalks that, while American Disabilities Act-compliant (ADA), are narrower than the suggested minimums from the Better Streets Plan.

Street trees would be provided along the portion of Innes Avenue that would be improved as part of the Project. In general, median divided roadways allow for higher, not lower, travel speeds. Therefore, the lack of a median on Innes Avenue would not necessarily encourage speeding, as stated by the commenter.

Extending Jerrold Avenue is not proposed as part of the Project. The analysis indicates that intersections along Innes Avenue would operate acceptably and no mitigation is required.

Innes Avenue is expected to be over 60 feet wide. If a collision were to occur, it is unlikely that it would block the entire width of the street such that emergency vehicle access to the Hunters Point Shipyard area via Innes Avenue would be blocked. However, if such an event were to occur, there are multiple routes through which vehicles and emergency vehicles could reach the HPS, including Palou Avenue and Arelious Walker Avenue via the Yosemite Slough bridge.

The analysis found that intersection operations, pedestrian circulation, and bicycle circulation along Innes Avenue would experience less than significant impacts due to the Project and therefore, no mitigation is required. Proposals to provide bicycle and/or pedestrian routes on Hudson Avenue are not included as part of this Project; however, they are not precluded from being included as part of additional analysis of the separate India Basin/Area C project.

The Project's transit operating plan has been studied in detail by SFMTA and others. The proposed plan is expected to provide a substantial improvement to the existing transit service in the area and is expected to be adequate to serve the Project. The Project's transit plan would also provide substantial improvements to transit serving the India Basin area, including frequent service on the 44-O'Shaughnessy, 48-Quintara-24th Street, and the new HPX, which would include stops along Innes Avenue before traveling non-stop to Downtown San Francisco.

Response to Comment 96-8

All of the parks and open space areas proposed for the Project and illustrated in Figure III.P-2 would be open to the public. The Draft EIR discusses the general proposed programming of new open space and CPSRA, all of which will be publicly owned. The specific programs for individual parks would be determined following future public process, including the CPSRA General Plan Amendment process.

As discussed in Impact RE-2, and Response to Comment 47-28, while usage of existing parks will increase, new parks, improvements to CPSRA, and operations and maintenance funding will prevent deterioration of these facilities. No mitigation is required.

Refer to Impact AE-7, beginning on page III.E-69, for a discussion of the aesthetics of the Project's potential light and glare, and to Impact BI-20a, beginning on page III.N-108, for a discussion of its impact on migratory birds.

Refer to Responses to Comments 86-8 and 47-48 for discussion of shadow impacts on CPSRA.

Refer to Response to Comment 31-12, which states the Candlestick Park stadium site does not provide public outdoor recreation opportunities; therefore, its demolition and redevelopment as part of the Project will not cause significant environmental impacts related to loss of recreational facilities.

Response to Comment 96-9

With regard to water distribution and connection, the Project will include a new on-site system that is connected to the City's low-pressure water system. As described on page II-45, there is a "...need for increased flow capacity from the City water distribution system to meet the required system performance criteria" and the Project would implement system improvements. The City has confirmed that there is capacity in the off-site system to accommodate the water demand of the Project, as identified on page III.Q-16 "... existing and projected future water supplies could accommodate estimated future water demand, including the Project" PG&E or the SF PUC will provide electrical power. All utility electrical, cable, internet, and communication cables would be located on the Project site within an underground joint trench network, as described on pages III.Q-60 and III.Q-61. The system would serve Candlestick Point and HPS Phase II, and not specifically the neighbors on Innes Avenue. It is unknown how often Innes Avenue would be torn up in the future to accommodate utility infrastructure but all work in the streets is regulated by the Department of Public Works under the City's street excavation permit program, which controls the nature of all street work.

Response to Comment 96-10

As discussed in Draft EIR Chapter II (Project Description), page II-23, the Project would retain structures in this NRHP-eligible Hunters Point Commercial Drydock Historic District, including Drydocks Nos. 2 and 3, and Buildings 104, 204, 205, and 207. Impact CP-1b (Impact of Hunters Point Phase II), pages III.J-33 to -34, notes that the Project would have less than significant impacts on the NRHP-eligible district. Section III.J also identified a larger CRHR -eligible Hunters Point Commercial Drydock and Naval Shipyard Historic District, shown on Figure III.J-2, page III.J-23, that would include Buildings 208, 211, 224, 231, and 253. The Project would demolish those buildings, and as stated in the Draft EIR, this would be an unavoidable significant adverse impact on the CRHR-eligible district. The NRHP-eligible resources would remain and would continue to be part of the NRHP-eligible Hunters Point Commercial Drydock Historic District.

As noted in the comment, mitigation measures MM CP-1b.1 and MM CP-1b.2, pages III.J-34 to -35, requiring documentation of the CRHR-eligible resources before demolition, would reduce but not avoid the significant effect on CRHR-eligible resources.

Refer to Section F (Draft EIR Revisions) of this document, discussing Subalternative 4A (CP-HPS Phase II Development Plan with Historic Preservation Alternative) that would retain the structures in the

CRHR-eligible Hunters Point Commercial Drydock and Naval Shipyard Historic District, and would avoid significant adverse effects on historic resources.

Chapter II (Project Description), page II-23, states that the Re-gunning pier and crane would remain at Hunters Point Shipyard as part of the Project. The India Basin area, north of Hunters Point Shipyard, is not part of the Project. Preservation of historic resources at India Basin would be considered under the separate planning and environmental review process under way for the India Basin Shoreline Plan, as noted on Draft EIR page I-8.

■ Letter 97: Brightline Defense Project (1/12/10)

1 of 2

BRIGHTLINE DEFENSE PROJECT

1028A Howard Street
San Francisco, CA 94103
415-252-9700 Fax 415-252-9775
www.brightlinedefense.org

Letter 97

January 12, 2010

Bill Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street
San Francisco, CA 94103

Stanley Muraoka
Environmental Review Officer
San Francisco Redevelopment Agency
One South Van Ness Avenue, Fifth Floor
San Francisco, CA 94103

Dear Mr. Wycko and Mr. Muraoka:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (“EIR”) for the Candlestick Point-Hunters Point Shipyard Phase II Development Plan (“the Project”).

Brightline Defense Project is a civil rights public policy advocacy non-profit that focuses on environmental justice and community development, particularly in the green jobs sector. Our work is centered on improving the quality of life in Southeast San Francisco with a focus on creating a sustainable Bayview-Hunters Point for many generations to come.

Please consider the following suggestions for inclusion in the Final EIR for the Project:

Section III.C Population, Housing, and Employment

At page III.C-24 the report should include an approximate number of the “temporary construction-related jobs” to be created by the Project, broken down by trade and, to the extent possible, by Project phase. The Final EIR should also break down the work by job hour to give an accurate depiction of the actual number of construction jobs to be created by this Project.

97-1

Section III.D Transportation and Circulation

Section III.H Air Quality

Section III.S Greenhouse Gas Emissions

The Draft EIR fails to consider one of the most powerful tools to mitigate impact to transportation and transportation-associated pollutants and greenhouse gas emissions: local hiring. Local hiring, or the practice of mandating a portion of jobs to be performed by qualified residents living in proximity to a particular job site, can also be called “green hiring” because of its positive impact on the environment. While local hiring is often used as a community development tool to leverage a city’s public works investment to create jobs in underserved communities, the positive environmental impacts of local hiring should not be understated.

97-2

2 of 2

Jobs created in and around a project site reduce negative impacts on transportation, air quality, and greenhouse gas emissions. The reduction in vehicle emissions associated with medium- and long-range commutes will positively impact not only the residents of Bayview-Hunters Point, but other neighboring communities along commuting pathways.

The Redevelopment Agency has proposed to implement a local-hiring policy through a Project Labor Agreement that would guarantee a certain percentage of construction job hours for qualified residents of the Bayview and Southeast San Francisco. Redevelopment projects typically have a goal of 50% hiring from the surrounding community, while San Francisco Administrative Code Section 6.22(G) sets a goal that San Francisco residents should perform at least 50% of the job hours on projects such as this.

Therefore, the report should use the job data determined for “temporary construction-related jobs” as requested herein to determine both of the following:

- The impact of local community hiring, with 50% of the “temporary construction-related job hours” being performed by residents of zip codes 94124, 94107, and 94134 on Impacts TR-1, AQ 1-3, and GC-1.
- The impact of San Francisco resident hiring, with 50% of the “temporary construction-related job hours” being performed by residents of the City and County of San Francisco on Impacts TR-1, AQ 1-3, and GC-1.

We encourage both the Planning Department and Redevelopment Agency to make a base-line determination of the transportation, air quality, and greenhouse gas emission impacts of past projects of this magnitude which have not met a 50% local hiring goal. The Final EIR can therefore include an evaluation of the level of environmental improvement the people of Bayview-Hunters Point and surrounding areas expect to see if failed “good-faith” local hiring efforts of the past give way to actual results, whether in terms of 50% local community hiring or 50% San Francisco resident hiring.

To the extent that the Final EIR can also incorporate the positive impact that twenty years of construction job creation in Bayview-Hunters Point will have on the sustainability of this vibrant, diverse, and important community you will both have gone beyond even our expectations.

We appreciate you taking these comments into consideration and ensuring that sustainable development is an inherent part of the City and County of San Francisco’s planning process and implementation.

Sincerely,



Joshua Arce
Executive Director

↑
97-2
cont'd.

■ Letter 97: Brightline Defense Project (1/12/10)

Response to Comment 97-1

Comment is noted. The construction employment set forth in Section III.C (Population, Housing & Employment) of the Draft EIR is an estimate based on conceptual build-out of the Project. Table III.C-8 on page III.C-13 of the Draft EIR, which has also been revised in Section F (Draft EIR Revisions) to reflect development activities occurring 1 to 2 year later than originally planned, illustrates the maximum number of construction workers per year, for Candlestick Point and Hunters Point Shipyard separately and combined. It would not be accurate at this time to calculate the specific trade hours that will be required, as that will depend in large part on final Project design, finishes selected, and other design parameters. For purposes of a CEQA analysis, the maximum number of construction jobs has been estimated sufficiently to allow a meaningful analysis of the impacts of increased employment on the site, both temporary and permanent. No further details need be specified for environmental clearance.

Response to Comment 97-2

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. The comment will be forwarded to the decision makers for their consideration prior to approval or denial of the Project.

As part of the Community Benefits Agreement, the Project applicant will contribute to a workforce development fund that will be used for workforce development programs designed to create a gateway to career development for residents of District 10. Subject to the fiscal and other provisions of the City's Charter, the City intends to match the Workforce Contribution in services and programs for workforce development in the BVHP Area. The city is also developing an Employment Opportunity Program for the Project. The detailed specific information requested by the commenter about other past projects is not available and is not necessary for an adequate CEQA document on the Project.

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■ Letter 98: US Department of the Navy (January 12, 2010)

Letter 98 represented the US Department of the Navy's draft comment letter on the Draft EIR (dated January 12, 2010). After the close of the comment period, the US Department of the Navy requested removal of its draft letter from the Comments & Responses document and, instead, requested that responses are only provided to its final comment letter, which is dated January 14, 2010. The US Department of the Navy final comment letter is provided in this Comments & Responses document as Letter 101. Letter 98 is intentionally omitted from this document.

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■ Letter 99: City/County Association of Governments of San Mateo (1/12/10)

1 of 2

Letter 99

From: "Tom Madalena " <tmadalena@co.sanmateo.ca.us>
To: Stanley.Muraoka@sfgov.org
Cc: "Sandy Wong" <slwong@co.sanmateo.ca.us>
Date: 01/12/2010 04:14 PM
Subject: Candlestick Point-Hunters Point Shipyard Phase II Development Plan (Project)

Mr. Muraoka,

Attached please find the comment letter from the City/County Association of Governments (C/CAG) of San Mateo County for the Candlestick Point-Hunters Point Shipyard Phase II Development Plan (Project).


Regards,

Tom

Tom Madalena
C/CAG of San Mateo County
650-599-1460 direct
650-361-8227 fax



Candlestick Point-Hunters Point Shipyard Phase II Development Plan (Project) Comment Letter.pdf

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2 of 2

C/CAG
CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park • Millbrae
Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

January 12, 2010

Stanley Muraoka
Environmental Review Officer
One South Van Ness Avenue, 5th Floor
San Francisco, CA 94103

RE: Candlestick Point-Hunters Point Shipyard Phase II Development Plan (Project)

Dear Mr. Muraoka:

The Congestion Management Agency (CMA) function is specified through State law and the City/County Association of Governments (C/CAG) is the designated CMA for San Mateo County. Thank you for the opportunity to review and comment on the Draft Environmental Impact Report.

As stated in the Draft Environmental Impact Report the Project will result in significant and unavoidable impacts on traffic and transit operations. C/CAG recognizes the efforts of the required Transportation Demand Management (TDM) Plan that is to be approved as part of the Disposition and Development Agreement (DDA). However, the project will still have significant and unavoidable impacts upon San Mateo County roadways. C/CAG recommends additional mitigation for these impacts that will occur in San Mateo County and that the San Francisco County Transportation Authority (SFCTA) coordinate with C/CAG when developing the mitigation for San Mateo County roadways.

Because the Bi-County Transportation Study effort is still underway with no final determination yet, C/CAG requests that Project Applicant shall contribute fair share to other transportation improvement mitigations. These transportation improvement mitigations are to be identified by C/CAG, in San Mateo County to mitigate traffic impacts on the San Mateo County transportation system from the Candlestick Point-Hunters Point Shipyard Phase II Development project, should the mentioned Bi-County Transportation Study fail to do so.

Regards,



Tom Madalena
C/CAG of San Mateo County
650-599-1460 direct
tmadalena@co.sanmateo.ca.us

99-1

■ **Letter 99: City/County Association of Governments of San Mateo
(1/12/10)**

Response to Comment 99-1

The Draft EIR identifies significant Project impacts to facilities in San Mateo County, and where feasible, identifies mitigation measures to which the Project should contribute. The commenter notes that the Bi-County study is currently the mechanism through which the Project's fair share contribution to roadway improvements in San Mateo County, and in southern San Francisco, shall be determined. If the Bi-County Study is terminated prior to identification of required mitigations and adoption of fair share funding obligations, revised mitigation measures MM TR-6 and MM TR-8 allow for the use of an equivalent mechanism or process for the City and County of San Francisco, the SFCTA, the Redevelopment Agency, and the City of Brisbane to determine the respective fair shares of Project costs, including amounts to be contributed by Project Applicant.

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■ Letter 100: Shaffer, Linda (1/12/10)

1 of 3

Letter 100

From: Linda Shaffer <shaffer.linda@sbcglobal.net>
To: Stanley.Muraoka@sfgov.org
Date: 01/12/2010 04:47 PM
Subject: Comments on HPS/CP DEIR

Mr. Muraoka,

Attached are a few comments on section III.P in the DEIR. I meant to get them to you today in person, but last night I got bit by the flu bug. I hope it is acceptable to send these comments via email.

Linda Shaffer
1407 De Haro St.
San Francisco CA 94107



DEIRletter.doc

2 of 3

Jan. 9, 2010
1407 De Haro St.
San Francisco, CA 94107

Stanley Muraoka
Environmental Review Officer
San Francisco Redevelopment Agency
One South Van Ness Avenue, Fifth Floor
San Francisco CA 94103

Dear Mr. Muraoka;

I wish to submit three comments regarding the Draft EIR for the Hunters Point Shipyard/
Candlestick Point Redevelopment Project. All pertain to section III.P: Recreation.

Comment #1:

The draft EIR is inadequate because it uses a lower standard for evaluating an element of the plan than it should -- a standard that, if held to, could result in less park space per 1000 residents in this Bayview Hunters Point redevelopment project, than that currently enjoyed by the residents of other, more affluent San Francisco neighborhoods.

Stating that “the City does not have an adopted parkland-to-population ratio standard” (III.P, p. 11), the decision is made to use 5.5 acres of parkland per 1000 population as an adequate measure of parkland supply within the project area. This ratio was apparently chosen because that was “...the per capita supply of public open space within the City... at the time of the General Plan’s adoption [in] 1986” (III.P, p. 11).

Yet on page 1 of III.P, we find that on Jan. 1, 2008, the ratio of acres of publicly-accessible parks and recreational facilities per 1000 residents for the city of San Francisco as a whole was 7.1. I would argue that this is the standard that should have been used. Why use a lower standard for this project?

Comment #2:

The draft EIR is inadequate because it fails to provide sufficient neighborhood park space in the Candlestick Point part of the Project area.

The benchmark ratio chosen underlies the analysis pertaining to Impact RE-2 (Deterioration or Degradation of Existing Parks and Recreational Facilities), the heart of section III.P.

The main question is whether or not the Project would cause the deterioration of existing parks and recreational facilities through overuse, or result in the need for new parks and facilities. In attempting to answer the question, we find the following:

“Overall, the Project would provide approximately 336 acres of new and/or improved park land and recreational facilities to accommodate the estimated build-out population of approximately 24,465 residents within the Project site...” This would yield “a ratio of about 13.7 acres of parkland per 1000 residents within the Project site”. Including 10,730 expected daily employees in the population yields a ratio of “9.5 acres per 1000 employees/residents.” (All quotes from III.P, p. 29).

100-1

100-2

3 of 3

Both ratios are greater than the benchmark 5.5 acres/1000 population; therefore, the report concludes its discussion of Impact RE2 as follows: "Overall, the increase in the resident and daytime population of the Project site would not lead to substantial physical deterioration or degradation of existing facilities, nor would it result in the need for new or expanded facilities. The Project would, therefore, not cause a significant impact and no mitigation is required." Stated in plain English: there would be a sufficient supply of parkland.

Since the ratios noted above (13.7 and 9.5) are also both higher than 7.1, the benchmark I think should have been used, changing the benchmark would not by itself affect the adequacy of the EIR. HOWEVER, consider what happens if one separates the two pieces of the Project, and calculates acres of parkland per 1000 population for each part.

HPS Phase II --	Planned Acres of parkland: 231.6
	Projected Population at Build-out: 6,175
	Acres per 1000 population: 37.5
Candlestick Point --	Planned Acres of parkland: 104.8
	Projected Population at Build-out: 18,290
	Acres per 1000 population: 5.7

First, there is quite a discrepancy! Second, although each of these ratios is greater than 5.5, the ratio for Candlestick Point alone is less than 7.1, the ratio I think should have been used. Furthermore, note that only 8.1 acres of the 104.8 at Candlestick Point represents true neighborhood parkland. The rest is the reconfigured Candlestick Point State Recreation Area. As wonderful as that resource will be, I do not see that it will function well as a place where neighborhood children can play. Therefore, I believe there needs to be mitigation in the form of increased neighborhood parkland in the Candlestick Point area.

Comment #3:

Section III.P of this EIR is inadequate because it does not consider construction impacts on Biological Resources.

In the analysis of Impact RE-1 (Construction of Parks, Recreational Uses, and Open Space) on p. 12, reference is made to several other sections of the EIR which contain "discussion of project-related construction impacts". There is no reference to section III.N (Biological Resources). Surely, there would be construction related impacts to plants and animals, some of which could be significant?

Much of this project is admirably designed, and the redevelopment is certainly badly needed. I hope these comments will help make the project even better than it already is.

Sincerely, Linda Shaffer
Representative serving on PROSAC from District 10
Member, Board of Directors, California Native Plant Society, Yerba Buena Chapter
Member, Sierra Club

100-2
cont'd.

100-3

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■ Letter 100: Shaffer, Linda (1/12/10)

Response to Comment 100-1

Refer to Response to Comment 47-29 for a discussion of the standard of significance used for determining the Project's impacts on recreational facilities.

Response to Comment 100-2

Refer to Response to Comment 84-45 for a discussion of the Draft EIR's analysis of the entire Project site.

Response to Comment 100-3

The commenter states that in the discussion of Project-related construction impacts in Impact RE-1 (Construction of Parks, Recreational Uses, and Open Space), there is no reference to Section III.N (Biological Resources). In response to this comment, the second sentence of the last paragraph in Impact RE-1 on page III.P-12 of the Draft EIR is revised as follows:

Construction activities associated with the proposed parks and recreational facilities are considered part of the overall Project. A discussion of Project-related construction impacts, including those associated with the construction of parks and recreational facilities, is provided in the applicable sections of this EIR, including Section III.D (Transportation and Circulation), Section III.H (Air Quality), Section III.I (Noise), Section III.J (Cultural Resources and Paleontological Resources), Section III.K (Hazards and Hazardous Materials), ~~and~~ Section III.M (Hydrology and Water Quality), and Section III.N (Biological Resources). ...

All construction-related impacts to biological resources would be reduced to a less-than-significant level, in some cases with the implementation of the identified mitigation measures.

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■ Letter 101: US Department of the Navy (January 14, 2010)

1 of 7



DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE WEST
1455 FRAZEE RD, SUITE 900
SAN DIEGO, CA 92108-4310

Letter 101

Ser BPMOW.PJM/0223

JAN 14 2010

Mr. Stanley Muraoka
Environmental Review Officer
San Francisco Redevelopment Agency
One South Van Ness Avenue, Fifth Floor
San Francisco, CA 94103



Dear Mr. Muraoka:

Thank you for the opportunity to comment on the San Francisco Redevelopment Agency's Draft Environmental Impact Report (DEIR) for Candlestick Point-Hunters Point Shipyard (HPS) Phase II, of November 12, 2009.

As you know, the Navy administers the HPS property, and conducts the Installation Restoration program under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This office reviewed the content of the DEIR for accuracy and consistency with the Supplemental Environmental Impact Statement, which is being prepared in accordance with the National Environmental Policy Act. Our comments are enclosed.

The Navy would like to further discuss certain statements in the DEIR which may be inconsistent with our programs. To coordinate future discussions or to ask any questions, please contact Mr. Patrick McCay at (619) 532-0906.

Sincerely,

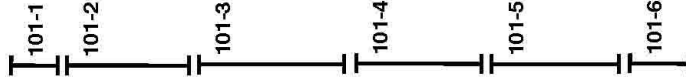
DOUGLAS GILKEY
Base Closure Manager
By direction of the Director

Enclosure: (1) Department of the Navy Comments on the DEIR

Comment Matrix for Candlestick Point – Hunters Point Shipyard Draft EIR

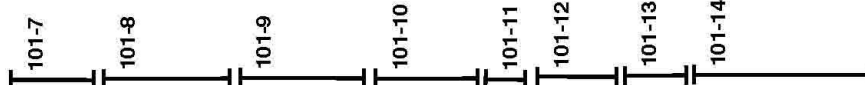
TITLE OF DOCUMENT Draft Environmental Impact Report, Candlestick Point – Hunters Point Shipyard Phase II	DATE January 12, 2010
COMMENTOR Department of the Navy	ORGANIZATION OF COMMENTOR U.S. Department of the Navy Base Realignment and Closure Program Management Office

PAGE NO.	PARA-GRAPH	LINE NO.	FIGURE NO.	TABLE NO.	RECOMMENDED CHANGES/COMMENTS/QUESTIONS
ES.	Global				All comments on the body of the EIR also apply to the corresponding section of the executive summary.
III.J-18	Section CA-SFR-12	2			The Draft EIR states, "More recently, Hamusek-McGann et al. identified the likely location of the site in HPS." This sentence should be changed to incorporate the predictive model that the authors used to make their determination. The sentence should be changed to "More recently, Hamusek-McGann et al. used an archaeological predictive model to identify the likely location of the site in HPS."
III.J-19	Section CA-SFR-13	2			The Draft EIR states, "More recently, Hamusek-McGann et al. have spotted the likely location of the site in HPS." The use of the word spotted indicates that the authors actually observed the site. This sentence should be changed to incorporate the predictive model that the authors used to make their determination. The sentence should be changed to "More recently, Hamusek-McGann et al. used an archaeological predictive model to identify the likely location of the site in HPS."
III.J-19	Section CA-SFR-14	2			The Draft EIR states, "More recently, Hamusek-McGann et al. identified the likely location of the site in HPS." This sentence should be changed to incorporate the predictive model that the authors used to make their determination. The sentence should be changed to "More recently, Hamusek-McGann et al. used an archaeological predictive model to identify the likely location of the site in HPS."
III.J-19	Section CA-SFR-11	2			The Draft EIR states, "More recently, Hamusek-McGann et al. identified the likely location of the site inside HPS." This sentence should be changed to incorporate the predictive model that the authors used to make their determination. The sentence should be changed to "More recently, Hamusek-McGann et al. used an archaeological predictive model to identify the likely location of the site in HPS."
III.J-21	Para 3				Perhaps it's worth mentioning that the Navy is currently completing a NIR Nomination and HAER documentation for the HP Commercial Drydock Historic District pursuant to the MOA.



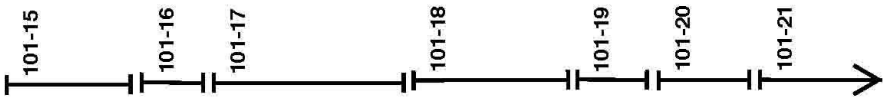
Comment Matrix for Candlestick Point – Hunters Point Shipyard Draft EIR

PAGE NO.	PARA-GRAPH	LINE NO.	FIGURE NO.	TABLE NO.	RECOMMENDED CHANGES/COMMENTS/QUESTIONS
III.J-21	Para 3				The Draft EIR states that "associated wharves and seawalls" are contributors to the HP Commercial Drydock HD. These features are not being included in the NRHP Nomination and were not called out in the 1997 JRP study. This statement should be removed.
III.J-24	Para 3	3			The Draft EIR generalizes that both historic districts, the NR-eligible Commercial Drydock HD and Naval Shipyard HD, "encompasses a range of buildings from each of the three primary periods of significance" whereas only the CA-eligible Naval Shipyard HD spans all three periods. This clarification should be made to that a reader does not get the impression that the Commercial Drydock HD also spans all three periods.
III.K					CERCLA Hazardous Substances: The document incorrectly states in several locations that CERCLA regulates releases of hazardous materials. That is not correct. CERCLA addresses releases of hazardous substances. The State of California has its own State law definition of "hazardous materials" that is broader than CERCLA "hazardous substances" and is an inappropriate term to use to describe the CERCLA cleanup program.
III.K.2	Scope of Analysis	1			The first sentence under the Scope of Analysis heading states that contaminated HPS sites were caused by "former Navy operations." That is not a correct statement. A substantial portion of the contamination was caused by a Navy tenant named Triple A Machine Shop, Inc. who occupied a portion of the installation from 1976 to 1986.
III.K-9	Para 1				The description of radiological activity at HPS should be reviewed to make sure it is consistent with RASO's HRA.
III.K-11	Para 2	1			The first sentence of the second paragraph on p. III.K-11 is incorrect. The Navy typically doesn't need to prepare an RI for all IR sites at its facilities; therefore, check and verify that the Navy prepared an RI for all HPS sites for accuracy.
III.K-11					The report states at the bottom of p. III.K-11 and top of p. III.K-12 that the Navy has completed the RI/FS process for all parcels except for E and E-2. That is not correct. Navy has not completed the FS for Parcel F.
III.K-15	Para 2				The report states in the first sentence of the second full paragraph on p. III.K-15 that a revised remedy for Parcel B was documented in a "ROD Amendment". The title of the document was designated as an "Amended ROD". Also, the third sentence incorrectly states that the methane and mercury source removals were conducted pursuant to the revised remedy in the ROD. That is not correct; those cleanups were conducted as separate CERCLA removal actions with their own Action Memorandum decision documents.



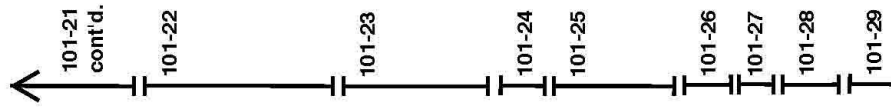
Comment Matrix for Candlestick Point – Hunters Point Shipyard Draft EIR

PAGE NO.	PARA-GRAPH	LINE NO.	FIGURE NO.	TABLE NO.	RECOMMENDED CHANGES/COMMENTS/QUESTIONS
III.K-17	Para 2				The report misstates CDPH's role in the second-to-last sentence in the second full paragraph on p. III.K-17. CDPH is not the decision maker that decides if rad impacted sites should be cleared for unrestricted release. That decision will be made by the Navy and EPA pursuant to the FFA and concurred upon by DTSC and RWQCB as FFA signatories; FFA approval will be in the form of RACR approval.
III.K-17	Para 2				The EIR indicates that the rad ICs are potentially applicable to an area deep beneath B-140, but the Navy's ROD states that B-140 will be "free released" by the Navy, similar to the sewers and storm drains.
III.K-32	Para 1				The discussion of "Transfer after Completion of Cleanup at HPS" includes some generalities that are not accurate. In the second sentence of the first paragraph under this heading, the report states that, "In conveying property that is completely remediated, the Navy documents its findings in a Finding of Suitability to Transfer (FOST)." The Navy can transfer property when it demonstrates and EPA concurs that the remedy is "operating properly and successfully" (OPS) even though remediation is not complete (e.g., for groundwater remediation). The second to last sentence in the paragraph includes the same inaccuracy.
III.K-32					The discussion of "Transfer Before Completion of Cleanup (Early Transfer) at HPS Phase II" also includes some generalities and inaccuracies. The fourth bullet point at the bottom of page III.K-32 appears to describe the requirements of CERCLA Section 120(h)(3)(C)(i)(IV) as an assurance by the federal government. That provision of the law requires a finding by EPA and is not an assurance. A separate assurance by Don that all necessary response action will be taken is required by CERCLA Section 120(h)(3)(C)(ii)(III).
III.K-33					The fourth bullet point at the top of page III.K-33 incorrectly indicates that "oversight activities" will be completed by the transferee. CERCLA Section 120(h)(3)(C) does not mention oversight.
III.K-33, K-36, K-86, etc.					Recent discussions with the City suggest that the "radiologically-impacted area around Building 140" may be excluded from early transfer, along with Sites 7/18. This is not reflected in the DEIR and more coordination is needed.
III.K-56					This discussion appears to identify Navy CERCLA remedial actions (including Institutional Controls (ICs)) as CEQA mitigation measures. Other impact evaluations later in the draft EIR do the same. The Navy's CERCLA decisions are not subject to CEQA. Furthermore, CEQA requires that the project proponent (the City) ensure that mitigation measures are implemented.



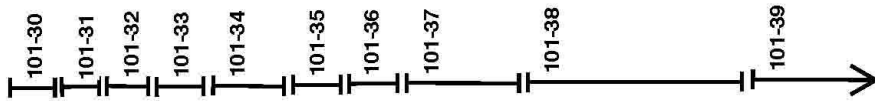
Comment Matrix for Candlestick Point – Hunters Point Shipyard Draft EIR

PAGE NO.	PARA-GRAPH	LINE NO.	FIGURE NO.	TABLE NO.	RECOMMENDED CHANGES/COMMENTS/QUESTIONS
					The City should clarify that CERCLA response actions are not part of their CEQA proposed action and state on the record that response to releases of hazardous substances are addressed separately by the federal government under CERCLA and the NCP. The Navy would like to further discuss and resolve this issue with the City.
III.K-77-78					The EIR states that a CERCLA removal action will be conducted at Parcel E and E-2 to remove "rad" material from the bridge site. This may not be consistent with the Navy's CERCLA program and the Navy would like to further explore and resolve this issue with the City to better understand the City's proposal. Also, in the discussion of mitigation measure MM HZ-9, it appears that the City is considering the CERCLA removal action as mitigation. See previous Navy comment raising concern about the City's approach to mixing CEQA and CERCLA.
III.L-15					Under the Liquefaction section, no mention is made of the Navy's Parcel E-2 Liquefaction Report (a technical memo), which could be used to strengthen this section. The report indicates that "there is little or no risk of large translational movements," but should cite the reference for this. In the vicinity of the landfill, which is of particular interest to the community, citing the Liquefaction Report could be used to quantify the lateral and vertical spreading under a magnitude 7.9 seismic event.
III.L-55					Recommend citing the Parcel E-2 Liquefaction Report when discussing settlement as the cause of seismic events or increasing surface load.
III.M	General				The discussions of the Yosemite Slough Bridge are fine for this section but the Navy needs more specifics on the impact of the road construction to the north of the proposed bridge and its impact on the cover proposed for the rad-impacted area in the panhandle section of Parcel E-2. Navy uncertain that the probable remedy and the proposed road construction are not in conflict. Need more discussion with the City reps to resolve.
III.N-9	3				Revise "One of these wetlands, in the southwestern portion of HPS Phase II, consists of pools that pools are shallow basins that lack drainage outlets."
III.N-21	1				Revise "However, because they tend to gather... is discussed here as a sensitive species."
III.N-22	3				"This striking recovery is due in large measure to the ban on the use of DDT in many places." Clarify that this is a pesticide that has been banned throughout the U.S.
III.N-26	4				Change to "Using the likelihood of occurrence definitions provided in Table III. N-5, this species is "known to occur within the Study Area."



Comment Matrix for Candlestick Point – Hunters Point Shipyard Draft EIR

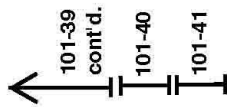
PAGE NO.	PARA-GRAPH	LINE NO.	FIGURE NO.	TABLE NO.	RECOMMENDED CHANGES/COMMENTS/QUESTIONS
III.N-28	1				Change to "The only special-status bat species potentially occurring with in the Study Area."
III.N-28	4				Change to "Because the larval forms of oysters are free-floating in the bay, and the large population known south of the Study Area..."
III.N-32	2				"Fall-run Chinook salmon is the most abundant ESU, documented to comprise about 80..." Is there a reference since it states that it is "documented"?
III.N-53	5				"... 10,000 net new trees..." Is there a list of possible trees? Make sure it will be nothing invasive.
III.N-60; 68	3; 3				Is it necessary to provide exact minimum mitigation ratios for MM BI-4a.1 and 3 when the exact mitigation ratios are yet to be determined in the permit process?
III.N-68	4				Revise "...and implementing construction BMPs to reduce and/or prevent impacts to on waters of the United States..."
III.N-132				III.N-5	Monarch Butterfly, Habitat and Seasonal Distribution in California: Change to "...early in the season, adults sip nectar from plants including dogbane..."
III.N-78	3				MM BI-7b proposes enhancement of raptor foraging habitat, however, this measure appears to be part of the HPS Phase II project rather than a mitigation measure in response to an impact from the actual project. We believe that mitigation is not an appropriate term, since the enhancements are actually part of the project.
III.N-87	2				While the Navy agrees that specific mitigation requirements may successfully be established through the USACE permit process (See MM BI-4a.2), however, compensatory mitigation may be inappropriate if connected with compliance with Section 7 of the Endangered Species Act. Only those actions that minimize or avoid incidental take within the action area should be presented by Federal Agencies (e.g. Navy or USACE) as mitigation measures or accepted as terms and conditions related to incidental take statements in Biological Opinions. Compensatory (i.e. offset) mitigation is neither appropriate or required by the ESA (50 CFR §402.14 (i)(1)(ii and iv), and §402.14 (i)(2), and USEFWS and NMF'S Consultation Handbook of March 1998.
III.N-113	4				While the Navy agrees that specific mitigation requirements may successfully be established through the USACE permit process (See MM BI-4a.2), however, compensatory mitigation may be inappropriate if connected with compliance with Section 7 of the Endangered Species Act. Only those actions that minimize or avoid incidental take within the action area should be presented by Federal Agencies (e.g. Navy or USACE) as mitigation measures or accepted as



7 of 7

Comment Matrix for Candlestick Point – Hunters Point Shipyard Draft EIR

PAGE NO.	PARA-GRAPH	LINE NO.	FIGURE NO.	TABLE NO.	RECOMMENDED CHANGES/COMMENTS/QUESTIONS
					terms and conditions related to incidental take statements in Biological Opinions. Compensatory (i.e. offset) mitigation is neither appropriate or required by the ESA (50 CFR §402.14 (i)(1)(ii and iv), and §402.14 (i)(2), and USFWS and NMFS Consultation Handbook of March 1998
III.N-133				III.N-5	An extra line is dividing "Mollusks"
III.N-134				III.N-5	Change "Longfin Smelt" to "Longfin smelt"



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■ Letter 101: US Department of the Navy (January 14, 2010)

All of the comments provided in this letter are exactly the same as the comments provided in Letter 98; however, where this letter was submitted as the “final” letter by the US Department of the Navy, Letter 98 represents a “draft” letter. For that reason, full responses are provided in this letter.

Response to Comment 101-1

As requested by the commenter, all comments made to the body of the Draft EIR text that would also apply to the Executive Summary will also be made to the Executive Summary.

Response to Comment 101-2

The comment clarifies the references to the Hamusek-McGann, et al., report cited in Section III.J, pages III.J-18 and -19. The following underlined text changes update the reference:

CA-SFR-12

Site CA SFR 12 is a shellmound, recorded by Nelson as Site #391 on the south side of Hunters Point. More recently, Hamusek-McGann et al. used an archaeological predictive model identified to identify the likely location of the site in HPS.²⁴¹

CA-SFR-13

Recorded by Nelson as Site #392, site CA-SFR-13 may be located at the eastern end of Hunters Point.²⁴² More recently, Hamusek-McGann et al. used an archaeological predictive model have spotted to identify the likely location of the site in HPS.²⁴³ Hamusek-McGann et al. report that based on historical maps the probable location of this site would have placed it at the original shoreline where Drydock 4 was later built. Due to extensive excavations that occurred during construction of the drydock Hamusek-McGann et al. assume that CA-SFR-13 was destroyed; however, as with other sites that were later determined to be wholly or partially intact, such as CA-SFR-7, CA-SFR-17, and CA-SFR-140, this site might also present intact discoveries.

CA-SFR-14

Site CA-SFR-14 is probably a mound, recorded by Nelson as Site #392a on the northeast end of Hunters Point. More recently, Hamusek-McGann et al. used an archaeological predictive model have identified to identify the likely location of the site in HPS.²⁴⁴

CA-SFR-11

Site CA-SFR-11 is a shell midden recorded as Nelson's Site #390 on the south side of Hunters Point.²⁴⁵ More recently, Hamusek-McGann et al. used an archaeological predictive model have identified to identify the likely location of the site inside HPS.²⁴⁶

Response to Comment 101-3

Refer to Response to Comment 101-2 regarding references to the Hamusek-McGann, et al., report cited in the Draft EIR.

Response to Comment 101-4

Refer to Response to Comment 101-2 regarding references to the Hamusek-McGann, et al., report cited in the Draft EIR.

Response to Comment 101-5

Refer to Response to Comment 101-2 regarding references to the Hamusek-McGann, et al., report cited in the Draft EIR.

Response to Comment 101-6

Refer to Response 34-6, clarifying that the Navy is completing the NRHP listing process for the Hunters Point Commercial Drydock Historic District identified in 1998.

Response to Comment 101-7

The comment clarifies structures identified as part of the Hunters Point Commercial Drydock Historic District on page III.J-21, third paragraph, as shown below in strike-through text:

The Office of Historic Preservation Directory of Properties in the Historic Property Data File included Drydocks 2 and 3 and ~~associated wharves and seawalls~~, pump houses (Buildings 205 and 140), the western portion of Drydock 1, the Gatehouse (Building 204), and the Paint and Tool Building (Building 207) as the only structures on HPS considered eligible for listing on the NRHP, consistent with the findings of the 1997 JRP report and the subsequent SHPO concurrence. No other buildings or structures had previously been evaluated for listing on the CRHR.

Response to Comment 101-8

Draft EIR page III.J-24, paragraph three, describes the potential CRHR-eligible Hunters Point Commercial Drydock and Naval Shipyard Historic District and does not describe the NRHP-eligible Hunters Point Commercial Drydock Historic District. The potential CRHR-eligible Hunters Point Commercial Drydock and Naval Shipyard Historic District does encompass a range of buildings from each of the three primary periods of significance for HPS: early drydocks, Navy use in World War II, and radiological research in the World War II and post-war periods.

The Draft EIR is correct as written.

Response to Comment 101-9

The comment accurately points out that the term “hazardous substance” as defined in CERCLA is narrower than the term “hazardous material” as defined on page III.K-4 in the Draft EIR. Most notably, the term “hazardous substance” under CERCLA does not include petroleum, and the term “hazardous material” as used in the draft EIR (and several state and federal statutes) does include petroleum, as well as all “hazardous substances” as defined in CERCLA. Because the cleanup program the Navy is required to implement under the Federal Facilities Agreement encompasses both “hazardous substances” under CERCLA and petroleum under federal and state underground storage tank cleanup and water quality laws, the Draft EIR uses the broader term “hazardous materials” to refer to the materials addressed by the cleanup program. In any instance in the Draft EIR where specific CERCLA requirements (e.g., the requirements of CERCLA Section 120(h)(3) specifying the requirements for transfer of property with releases of hazardous substances) are referenced as applying to “hazardous materials,” the reader should be advised that those requirements do not apply to petroleum releases.

Response to Comment 101-10

The comment is correct in that a portion of the contamination was caused not by the Navy but by Triple A Machine Shop. As is pointed out on page III.K-9 of the Draft EIR:

HPS was decommissioned in 1974. In 1976, the Navy leased the site to Triple A Machine Shop (Triple A), which was subsequently indicted and convicted for illegal disposal of hazardous substances at Hunters Point. In 1986, Triple A's 10-year lease expired and was not renewed. The Navy is responsible for addressing hazardous material releases resulting from Triple A's activities.

The first sentence on page III.K-2 has been revised as follows:

There are substantial ongoing remediation programs at known hazardous material release sites at portions of the Project site from former Navy operations, Triple A Machine Shop, Inc., and/or its lessees throughout HPS Phase II. ...

Response to Comment 101-11

The comment appears to be incorrect. The Historical Radiological Assessment, Volume II, Use of General Radioactive Materials, 1939–2003, Hunters Point Shipyard states (page 1-1, end of second paragraph), “Volume I [of the HRA] concluded that berthing of and work on nuclear-powered ships at HPS resulted in no adverse effects on the human population or the environment.” This statement implies that the Navy did, in fact, service nuclear powered warships at HPS. No change has been made to the Draft EIR text.

Response to Comment 101-12

The comment is correct in that a RI may not have been prepared for each and every IR and Site Identification (SI) site. Some IR or SI sites may not have required further investigation. The first sentence of the last full paragraph on Draft EIR page III.K-11 has been revised as follows:

After the site identification process, the next step under the Navy's program is the preparation of Remedial Investigation (RI) reports for ~~all~~ the IR sites and other locations of concern in each parcel. ...

Response to Comment 101-13

The comment is incorrect; there is a Final FS for Parcel F, which is dated April 30, 2008. No change has been made to the Draft EIR text.

Response to Comment 101-14

The title of the document is *Amended Parcel B Record of Decision*, and it is typically referred to as the “Amended ROD.”

The second portion of this comment is incorrect. The Parcel B Amended ROD states, under Section 12.1.1 (Summary of the Rationale for the Amended Selected Remedy, Soil), “Soil will be excavated in selected areas where COCs exceed remediation goals. These areas include the methane and mercury sources areas as well as other, smaller areas where metals (lead) or organic chemicals exceed remediation goals.” No change has been made to the Draft EIR text.

Response to Comment 101-15

The referenced text in the Draft EIR accurately reflects DTSC's practice of relying upon the decisions of CDPH about clearance of radiologically impacted sites. The comment accurately states that this practice is not reflected in the Federal Facilities Agreement, which specifies that the decision makers are Navy and USEPA with concurrence from RWQCB and DTSC.

Response to Comment 101-16

The most current field data indicates that an IC may not be necessary or applicable for the deep piping beneath Building 140. However, "free release" is not yet assured. No change has been made to the Draft EIR text.

Response to Comment 101-17

Property transfer will be documented in a FOST when remediation is complete (which includes when the remedy is operating properly and successfully) or in a FOSET before it is complete, as currently described in the Draft EIR on page III.K-32. No change has been made to the Draft EIR text.

Response to Comment 101-18

The fourth bullet on page III.K-32 under the Early Transfer subheading has been revised to describe the "finding by the Federal government" per CERCLA Section 120(h)(3)(C)(i)(IV).

Response to Comment 101-19

The fourth bullet on page III.K-33 has been revised to omit the term "oversight activities" and make any other necessary adjustments to the text to be consistent with CERCLA Section 120(h)(3)(C). It has been revised as follows:

- All remedial investigations, ~~and~~ response actions, ~~and oversight activities~~ will be completed by the transferee notwithstanding the transfer of the property.

Response to Comment 101-20

Although it is possible that the radiologically impacted area around Building 140 could be excluded from early transfer, no such decision has yet been made, and no revision to the Draft EIR text is warranted at this time.

Response to Comment 101-21

The Navy is mistaken that the Draft EIR identifies the Navy CERCLA remedial actions as CEQA mitigation measures. Further, the Draft EIR does not identify the Navy's CERCLA decisions as subject to CEQA. Page III.K-2 expressly states:

The remediation program at HPS Phase II is being carried out under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and through a 1992 Federal Facilities Agreement (FFA) between the Navy and federal and state regulatory agencies. ... these

ongoing remediation activities are not part of the Project. Thus, the goal of this EIR is not to assess the adequacy or impacts of the Navy's remediation actions. ...

The Draft EIR does address any actions that would be taken not by the Navy but by other parties implementing the Project. Page III.K-2 also states:

... However, this EIR does evaluate the potential impacts of certain limited remedial activities proposed to be conducted in conjunction with development activities, as described below.

Instead of identifying the Navy's CERCLA remedial actions as mitigation measures, the Draft EIR requires compliance with any restrictions that may be imposed on the property by the Navy under its remedial action program. Page III.K-3 states:

The mitigation measures set forth in this section require the Project to be consistent with any requirements imposed as part of these (the Navy) remediation programs, and the federal, state, and local laws governing those remediation programs. For example, if such laws require institutional controls such as land use covenants that prohibit certain activities or types of land uses on portions of the Project site or require the preparation and implementation of a Risk Management Plan (RMP), the mitigation measures set forth below impose the same requirements. Similarly, the mitigation measures require the Project to be implemented consistent with the terms of any property transfer document, e.g., if the Navy transfers ownership or leases portions of HPS Phase II prior to completion of remedial activities, the mitigation measures require the transferee to comply with all applicable activity and use restrictions set forth in the lease or deed.

Response to Comment 101-22

The Draft EIR, appropriately, conservatively assumes that the bridge would be constructed prior to transfer of Parcels E and E-2 and, therefore, before the Navy has addressed all radiological hazards on these parcels. The text and mitigation measure MM HZ-9 are designed to identify possible impacts that could occur in such an event and mitigation that would avoid a significant impact as a result of the presence of radiological materials within the bridge construction area. To clarify the text, the following language will be added to page III.K-77 after the first paragraph under Impact HZ-9:

It is expected that construction of the bridge would occur in the early phase of the Project, likely before the Navy completes remediation of Parcels E and E-2. This section describes the impacts that could occur under such a scenario due to the presence of radiological materials and the actions that would be taken to address the presence of radiological materials within the bridge construction area.

MM HZ-9 does not consider a Navy CERCLA removal action as CEQA mitigation. Rather, MM HZ-9 requires the Agency or Project Applicant to take action to avoid an impact identified under CEQA. Obviously, any action taken by the Agency or Project Applicant at the HPS site concerning the handling of hazardous substances must satisfy all regulatory requirements, including CERCLA, but MM HZ-9 does not establish what action the Navy may need to take under the FFA to comply with its own, separate CERCLA responsibilities.

Response to Comment 101-23

In response to the comment, page III.L-15 of the Draft EIR has been revised:

Based on existing data, there is little or no risk of large translational movements.^{386a,386b} Design-level liquefaction studies, which are further described in mitigation measures ~~MM GE-4~~ MM GE-5a,

would address five general types of localized potential hazards, and provide treatment methods, including the following:

^{386a} ENGEO, 2009.

^{386b} Engineering/Remediation Resources Group, Inc. and Shaw Environmental, Inc., *Remedial Investigation/Feasibility Study Report for Parcel E-2, Hunters Point Shipyard, San Francisco, California, February 2009.*

Response to Comment 101-24

In response to the comment, page III.L-55 of the Draft EIR has been revised:

... Extensive Young Bay Mud deposits are predominant in Parcels D and E. The rate of settlement of the Young Bay Mud from the load of the artificial fill is now very small, but any increase in loads, whether resulting from placement of new fill or the construction of buildings, would initiate a new cycle of consolidation settlement. ^{417a,417b} ...

^{417a} ENGEO, 2009.

^{417b} Engineering/Remediation Resources Group, Inc. and Shaw Environmental, Inc., 2009.

Response to Comment 101-25

As explained in Response to Comment 101-22, it is assumed that the bridge work would be completed before the Navy has transferred Parcel E-2 to the Agency and it is acknowledged that any work done in the area under such a circumstances will require the approval of the Navy and the regulatory agencies. MM HZ-9, which addresses impacts associated with construction on Navy-owned property states:

MM HZ-9 ... The City/ Agency shall not undertake any activity or approve any Project Applicant activity on Navy-owned property until the Navy and other agencies with approval authority have approved a workplan for the activity. ...

Response to Comment 101-26

In response to the comment, the third sentence in the third paragraph, Section III.N (Biological Resources), page III.N-9, has been revised as follows:

... One of these wetlands, in the southwestern portion of HPS Phase II, consists of pools that ~~pools~~ are shallow basins that lack drainage outlets. ...

Response to Comment 101-27

In response to the comment, the second sentence in the first paragraph, Section III.N (Biological Resources), page III.N-21, has been revised as follows:

... However, because they tend to gather in winter roosting sites along the California coast in relatively few locations, roost sites that are used traditionally by large numbers of individuals are considered sensitive biological resources and, thus, this common butterfly is discussed here as a sensitive species. ...

Response to Comment 101-28

In response to the comment, the third sentence in the last paragraph, Section III.N (Biological Resources), page III.N-22, has been revised as follows:

... This striking recovery is due in large measure to the ban on the use of DDT (a synthetic pesticide) in many places, including the United States. ...

Response to Comment 101-29

In response to the comment, the first sentence in the last paragraph, Section III.N (Biological Resources), page III.N-26, has been revised as follows:

Using the likelihood of occurrence definitions provided in Table III.N-5, this species is “known” to occur within the Study Area. ...

Response to Comment 101-30

In response to the comment, the first sentence in the first paragraph, Section III.N (Biological Resources), page III.N-28, has been revised as follows:

The only special-status bat species ~~likely to occur~~ potentially occurring within the Study Area is the western red bat (*Lasius blossevillii*). ...

Response to Comment 101-31

In response to the comment, the third sentence in the last paragraph, Section III.N (Biological Resources), pages III.N-28 and III.N-29, has been revised as follows:

... Because ~~of~~ the larval forms of oysters are free-floating in the Bay, and a large population exists south of the Study Area at Oyster Point Marina,⁷²⁹ native oysters are likely present on suitable substrate throughout the Study Area.

Response to Comment 101-32

In response to the comment, the second sentence in the first full paragraph, Section III.N (Biological Resources), page III.N-32, has been revised as follows:

... Fall-run Chinook salmon is the most abundant ESU, documented to comprise about ~~80%~~ 80% percent of the Sacramento Basin stock ~~in the early 1980s~~ over the past 10 years of available data.^{741a} ...

^{741a} California Department of Fish and Game, Fisheries Branch, Anadromous Resources Assessment, 2009. Chinook Salmon Escapement – All Runs. February 18.

Response to Comment 101-33

A list of possible tree species to be planted on the Project site is provided in Appendix N3 of the Draft EIR (Draft Parks, Open Space, and Habitat Concept Plan). Specifically, examples of native trees and shrubs and examples of site-appropriate non-native species that provide food or structural resources that are particularly valuable to native wildlife are provided on pages 71 and 72 of the plan.

Response to Comment 101-34

As discussed in Impact BI-4a, Impact BI-4b, and Impact BI-4c on pages III.N-59, III.N-65, and III.N-68 of the Draft EIR:

Direct removal, placement of fill into, or hydrological interruption of federally or state-protected wetlands and other waters that would result in a net loss of these areas would be considered a significant impact. However, any alterations of, or discharges into, jurisdictional waters and wetlands must be in conformance with the CWA (via Sections 404 and 401 certification) and Section 10 of the Rivers and Harbor's Act, as applicable. These regulations are designed to ensure, among other things, that there is no net loss of wetlands and that water quality is maintained ...

Therefore, although exact mitigation ratios will be determined through the permitting process, the minimum mitigation ratios provided in MM BI-4a.1 and MM BI-4c are to ensure that the Project does not result in a net loss of wetlands or jurisdictional/regulated waters.

Response to Comment 101-35

In response to the comment, the first sentence of the last paragraph, Section III.N (Biological Resources), page III.N-68, has been revised as follows:

Mitigation measures MM BI-4a.1 and MM BI-4a.2 (first discussed in Impact BI-4a) would be implemented to reduce the effects of construction-related activities to wetlands by mitigating for the temporary and permanent loss of the wetlands and jurisdictional waters through avoidance of impacts, requiring compensatory mitigation (i.e., creation and/or restoration), obtaining permits from the USACE, SFRWQCB, BCDC, and other agencies as applicable that are designed to protect wetlands and jurisdictional waters, and implementing construction BMPs to reduce and/or prevent impacts to ~~on~~ waters of the United States, including wetlands and navigable waters...

Response to Comment 101-36

This comment suggests minor text revisions that do not affect the analysis or conclusions of the Draft EIR. No text change is required.

Response to Comment 101-37

Since the various components of the Draft Parks, Open Space, and Habitat Concept Plan are currently in draft form and have not been finalized as part of the final plan, requiring enhancement measures identified in MM BI-7b will ensure that specific standards associated with enhancement of raptor foraging habitat would occur.

Response to Comment 101-38

Compensatory mitigation is appropriate to mitigate potentially significant impacts to less than significant levels under CEQA. It is understood that the Navy will consult with the USFWS and NMFS in accordance with Section 7 of the Federal Endangered Species Act regarding the potential effects of its actions, including future land conveyance, on federally listed species. However, different standards apply to Section 7 consultation and CEQA analysis. Under Section 7, the federal agency needs only to avoid jeopardizing the continued existence of a listed species, whereas under CEQA, the goal is to mitigate impacts to less than significant levels.

Response to Comment 101-39

This comment is the same as Comment 101-38. Refer to Response to Comment 101-38 for a discussion of the appropriateness of compensatory mitigation as it relates to compliance with CEQA.

Response to Comment 101-40

This comment suggests a minor text revision would not affect the analysis or conclusions of the Draft EIR. No text change is required.

Response to Comment 101-41

In response to the comment, Section III.N (Biological Resources), Table III.N-5, page III.N-134, has been revised as follows:

Longfin Smelt

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■ Letter 102: Literacy for Environmental Justice (1/12/10)

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Letter 102

Literacy for Environmental Justice
800 Innes Avenue #11
San Francisco, CA 94124

Mr. Stanley Muraoka
Environmental Review Officer
San Francisco Redevelopment Agency
1 South Van Ness Avenue, Fifth Floor
San Francisco, CA 94103

Mr. Bill Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street
San Francisco, CA 94103

RE: Public Comments on the November 12, 2009 Candlestick Point-Hunters Point Shipyard Phase II Development Plan Project Draft EIR

Literacy for Environmental Justice (LEJ) is an environmental education and youth empowerment organization located in the Bayview Hunters Point neighborhood of San Francisco. Bayview Hunters Point (BVHP) is predominantly a low-income community of color, which has historically served as the dumping ground for San Francisco's most toxic industries. The mission of Literacy for Environmental Justice is to foster an understanding of the principles of environmental justice and urban sustainability in our young people in order to promote the long-term health of our communities. LEJ trains youth from Bayview Hunters Point to become authorities and activists in environmental health research, education, and advocacy; sustainable foods production, marketing, and nutrition education; and environmental conservation, restoration, and horticulture. Our youth programs combine education sessions with action-based projects, drawing concrete linkages between human health, the environment, and urban quality of life:

* The *Bay Youth for the Environment Program* operates a native plants nursery at Candlestick Point State Park Recreational Area, and is the primary supplier of plant stock to two major restoration projects on San Francisco Bay; including the *Yosemite Slough Restoration Project*.

* Interns in the *Youth With A Plan* -- an environmental health and justice program contribute a strong youth voice to the redevelopment of southeast San Francisco.

* LEJ also spearheads the restoration and stewardship at *Heron's Head Park* (formerly Pier 98). Through the efforts of thousands of community volunteers, we've transformed a brownfield into one of the most vibrant wetlands on the southern bay front shoreline. Each year we host some 1,200 school-age youth at the park for free site-based environmental education programs that link science curricula to real-life environmental health and justice issues.

* We're in the final stages of constructing *The EcoCenter at Heron's Head Park*, a 1,500-square-foot environmental education facility that will model alternative energy and waste water technologies and be San Francisco's first 100% "off-grid" building. Situated at the foot of the former PG&E Hunters Point Power Plant — closed in 2006 after years of community advocacy — the EcoCenter is a success story that will empower youth to act for environmental health and justice.

Youth With A Plan is LEJ's newest program and brings youth engagement to the public process involving the redevelopment of the Hunters Point Shipyard and Candlestick Park. LEJ recruited youth ages 14-17 from area schools to participate in the Youth With A Plan program. These

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paid youth interns were educated about the history of BVHP and this joint redevelopment project, in the context of the standards and practices of urban development. During their first eight weeks, the youth learned about city planning; case studies of other redeveloped communities and attended BVHP public meetings addressing environmental conservation, city planning, redevelopment, safety, community design, and transportation. LEJ youth then convened a community panel of longtime leaders of the Bayview Hunters Point community at the Waden Branch of the San Francisco Public Library. Youth led this meeting which included a presentation and Q&A on their experience living, working, educating, and advocating in the Bayview and their hopes for the community's future. This event generated public engagement around the Youth With A Plan project, formed inter-generational connections between elders and upcoming leaders.

Our goal is to support youth in the community and find effective ways to include youth input into public policy decisions. Our public comments for the draft environmental impact report resulted from a survey created by youth for youth. The surveys were completed by youth who live, work or attend schools in Supervisorial District 10. We have identified four areas that we believe should be addressed in the DEIR. These areas are transportation, housing, youth development and education, and access to parks and open space.

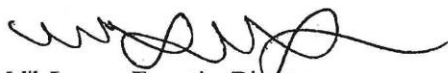
The survey asked youth to answer two key questions:

- 1) *What do youth need to thrive here in Bayview/Hunter's Point?*
- 2) *How can the redevelopment of the southeast San Francisco support youth education and health?*

Through our process, 78 surveys were completed. The youth surveyed ranged from age 11 to age 20, with an average age of 15.6. Of the youth surveyed, 66.2% were female. The youth surveyed belonged to the following race/ethnicity groups: 33.8% were Asian/ Pacific Islander, 29.9% were African American/Black, 31.2% were Latino/Hispanic, 2.6 % were White/Caucasian, 2.6% reported more than one race. 60.3 % of the youth surveyed live in District 10, of these 57% live in Hunters Point, 13% live in Candlestick Point/Executive Park. 11% live in Potrero Hill, 15% live in Visitacion Valley.

Out of a total of 42 questions asked on the survey, Youth With a Plan have selected the top questions and responses that we believe are important for City Officials and planners to know in order to properly address the needs of youth in District 10. We have found that safety is a reoccurring concern for youth in District 10 and should be addressed during the evaluation of impacts on the Candlestick Point-Hunters Point Shipyard Phase II Development Plan Project Draft Environmental Impact Report. What follows below are additional comments gathered from youth by LEJ via this program.

Respectfully Submitted By,


Malik Looper, Executive Director
Literacy for Environmental Justice


Rachel Russell, Program Manager
Youth With A Plan

102-1
cont'd.

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**Public Comments on the November 12, 2009 Candlestick Point-Hunters Point Shipyard
Phase II Development Plan Project Draft EIR**

TRANSPORTATION

Safety on transportation is a major concern for youth. An astounding 97.1 % of youth have witnessed a crime while on MUNI/school bus. 89.6 % of the youth surveyed ride MUNI. 73.1 % of the youth surveyed feel unsafe riding MUNI or the school bus in District 10 communities.

How many youth have witnessed a crime while on MUNI/school bus?

- 97.1% of youth surveyed have witnessed a crime while on the MUNI or a school bus

Out of youth riding MUNI/school bus in the following neighborhoods (3rd Street, West Point, Harbor, Oakdale, Alice Griffith/Double Rock, Visitation Valley, Potrero Hill, or Candlestick Park/Executive Park), how many feel unsafe?

- 73.1% of the youth surveyed feel unsafe riding the MUNI or a school bus in the following neighborhoods (3rd Street, West Point, Harbor, Oakdale, Alice Griffith/Double Rock, Visitation Valley, Potrero Hill, or Candlestick Park/Executive Park)

How many kids ride MUNI?

- 89.6% of youth surveyed ride the MUNI

Out of the youth surveyed, how many have witnessed sexual harassment while on the MUNI or school bus?

- 34.2% of the youth surveyed have witnessed sexual harassment while on the MUNI or school bus

COMMENT: *We believe that safety of youth on transportation should be addressed.*

HOUSING

During our survey we asked youth if they live near a toxic producing location. We considered near to be any location that is close enough to be considered a concern to one's health. 73.2% of youth surveyed live near one or more toxic-producing location (auto repair shop, dry cleaners, freeways and/or a gas station). 23% of youth surveyed live near a power plant, waste treatment facility or the Hunters Point Naval Shipyard. We also found that of the youth living near a current or past toxic-producing location 46.8% have a family member or is dealing with chronic health issues such as asthma, cancer diabetes or heart disease.

Auto repair shops, dry cleaners, freeways and gas stations all produce toxic chemicals. How many youth live near one of these toxic-producing locations?

- Auto repair shops, dry cleaners, freeways and gas stations all produce toxic chemicals.
73.1% of youth surveyed live near one of these toxic-producing locations

How many youth live near a power plant, a waste treatment plant or the Hunters Point Naval Shipyard?

- 23.9% of youth surveyed live near a power plant, a waste treatment plant or the Hunters Point Naval Shipyard

102-2

102-3

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PARKS AND OPEN SPACE

Safety is also a concern for youth at their local parks. Only 44.1% of youth surveyed feel safe at their local park. 85.2% of youth surveyed have witnessed a crime at the park they visit.

How many actually go to their local park (the nearest one)?

- 78.9% of youth surveyed actually go to their local park (the one nearest to their home)

How many youth have witnessed a crime at the park they visit?

- 85.2% of youth surveyed have witnessed a crime at the park they visit

How many youth feel safe at their local park?

- 44.1% of youth surveyed feel safe at their local park

COMMENT: *We believe that the need for safe local parks and open space should be addressed.*

102-5

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■ Letter 102: Literacy for Environmental Justice (1/12/10)

Letter 102 (and its attachment entitled *Public Comments on the November 12, 2009 Candlestick Point-Hunters Point Shipyard Phase II Development Plan Project Draft EIR*) were also provided as an attachment to Letter 83, and they have been bracketed in the same manner. Therefore, responses to this letter reference Letter 83.

Response to Comment 102-1

This comment contains introductory, closing, or general background information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. No response is required.

Response to Comment 102-2

Refer to Response to Comment 83-2 for discussion of safety concerns related to increased transit ridership.

Response to Comment 102-3

Refer to Response to Comment 83-3.

Response to Comment 102-4

This comment does not provide a direct comment on environmental issues or the content or adequacy of the Draft EIR. No response is required.

Response to Comment 102-5

Refer to Response to Comment 83-5.

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Letter 103: San Francisco Bay Conservation and Development Commission (1/12/10)

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Letter 103



January 12, 2010

Stanley Muraoka
San Francisco Redevelopment Agency
One South Van Ness Ave, Fifth Floor
San Francisco, California 94103

SUBJECT: Candlestick Point-Hunters Point Shipyard Phase II Project
(SCH No.: 2007082168)
(BCDC Inquiry File No. SF.SB.6613.14; BCDC File No. CN 1-99)

Dear Mr. Muraoka:

On November 12, 2009, the San Francisco Bay Conservation and Development Commission (Commission) staff received the Draft Environmental Impact Report (DEIR) for the Candlestick Point-Hunters Point Shipyard Phase II Development Plan Project at a 702-acre site comprised of two primary areas, the 421-acre Hunter's Point Shipyard Phase II site (Shipyard or HPS) and the 281-acre Candlestick Point (Candlestick) site located in the City and County of San Francisco. The DEIS/R analyzes five alternatives, including the No-Project alternative, and the proposed Project (Project).

103-1

The Project, which is the focus of the DEIR, would involve the phased-development (through Year 2029) of two currently separate sites that would ultimately function as one integrated area comprised of nine districts and including the following improvements: 10,500 residential units; a 300-slip marina; a new bridge at Yosemite Slough; a replacement public housing facility; a new/replacement 69,000-seat stadium; 885,000 square feet of retail space; over 2.5 million square feet of office/research and development space; a 150,000-square-foot hotel; a 75,000-square-foot performance center; and a 225,000-square-foot artist's facility. Proposed parks and open space area would total 336 acres. Other proposed activities include demolishing existing structures, raising and grading existing site elevations with imported and on-site material, reinforcing and stabilizing the shoreline, and installing or improving site infrastructure.

The Commission itself has not yet reviewed the DEIR. The staff comments below focus primarily on the above-described Project and are based on the McAteer-Petris Act (Cal. Gov't Code § 66600 *et seq.*), the Commission's *San Francisco Bay Plan* (Bay Plan), the *San Francisco Bay Area Seaport Plan* (Seaport Plan), the Commission's federally-approved management plan for the San Francisco Bay, and the federal Coastal Zone Management Act (16 U.S.C. § 1451 *et seq.*; "CZMA").

Commission Jurisdiction Under State and Federal Law

The Commission's jurisdiction under state law as it applies to the Project includes all tidal areas of the Bay up to the line of mean high tide (MHT) or to the inland edge of wetland vegetation in marshlands, and all areas formerly subject to tidal action that have been filled since September 17, 1965 (which may apply to the Project site, as indicated on Page III.K-8 of the DEIR), and a shoreline band extending 100 feet inland from and parallel to the Bay. Please note that this information in Section III.B, p. 13 of the Final EIR (FEIR). The Commission also has jurisdiction over priority use areas designated in the Bay Plan at the Project site. Within the Commission's jurisdiction, authorization is required for construction, dredging, fill placement, land subdivisions, and substantial changes in use.

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Stanley Muraoka
San Francisco Redevelopment Agency
January 12, 2010
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Pursuant to the federal CZMA, the Commission is required to review federal projects within its jurisdiction and agree or disagree with the federal agency's determination that a project is consistent with its laws and policies. In March 1999, the Commission issued a Letter of Agreement for Consistency Determination No. CN 1-99 to the Department of the Navy (Navy) for the transfer and reuse of the Hunter's Point Shipyard to the City and County of San Francisco and the San Francisco Redevelopment Agency. Other activities covered by CN 1-99 are identified in the *Environmental Impact Statement/Report for the Disposal and Reuse of Hunters Point Shipyard* (October 1998), including maritime activities at the Shipyard consistent with the port priority use area designated in the Bay Plan, and environmental response actions (e.g., initial remediation of contaminated sediments) that meet the requirements of the CZMA and the Commission's laws and policies.

103-3

The Project would be subject to the Commission's permit application review and authority under state law, and also its federal consistency review and authority under CZMA for activities not previously authorized in Consistency Determination No. CN 1-99. Section II.K of the DEIR, which addresses hazardous materials and remediation at the Project site, states that investigation and remediation activities are already occurring at various Shipyard parcels. From reviewing the DEIR, these initial activities appear to be consistent with CN 1-99. However, other activities appear to require additional Commission authorization, including: demolishing buildings, Piers B and C, Drydocks 5-7, and infrastructure (e.g., stormwater and sewer lines) and installing shoreline improvements (discussed in Section III.K of the DEIR), e.g., the construction of an approximately 1,400-foot-long shoreline revetment system and associated features (e.g., a temporary coffer dam, water-filled tube, and sheet piles) and placing capping material at a submerged area of the Shipyard. (The revetment/capping effort, which as a result of early transfer by the Navy would likely be carried out by the Project proponents, would require a Commission permit. Page ES-5 and Table II-16 of the DEIR, which refers to Bay Plan and Seaport Plan amendments and BCDC permits needed to implement the Project, should also mention (in the FEIR) additional federal consistency authorization.)

103-4
103-5

The DEIR states that approximately 98 acres of the Project site would be located within the Commission's 100-foot shoreline band jurisdiction. It is not clear whether this figure includes these areas where the Navy would conduct activities not previously authorized in CN 1-99. If not, the FEIR should provide a revised figure. Lastly, the Commission's federal consistency authority also applies to activities carried out or funded by the federal government within priority use areas in their entirety, including priority use areas extending beyond the 100-foot shoreline band. Therefore, the FEIR should provide additional information about improvements at Candlestick Park which would be grant-funded by the U.S. Department of Interior.

103-6

Commission Policy Issues

Priority Use Areas. A 55-acre section of the Shipyard site—specifically the area between the south edge of Dry Dock 4 and J Street to the south—is currently designated for port priority use in the Commission's Bay and Seaport Plans. Section III.B of the DEIR correctly states that implementation of the Project would require an amendment to the Bay and Seaport Plans. The Bay Plan also designates a portion of the Candlestick site for waterfront beach/park priority use whose boundaries would be reconfigured under the Project as part of an agreement with California State Parks and Recreation (State Parks). Section III.B of the DEIR states that "the Project [as it relates to Candlestick Point] is consistent with the intent of the Bay Plan," but does not state that a Bay Plan amendment is needed to change the existing boundaries of the waterfront beach/park priority use area—a point that should be clarified in the FEIR. According to the DEIR, the Project would result

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Stanley Muraoka
San Francisco Redevelopment Agency
January 12, 2010
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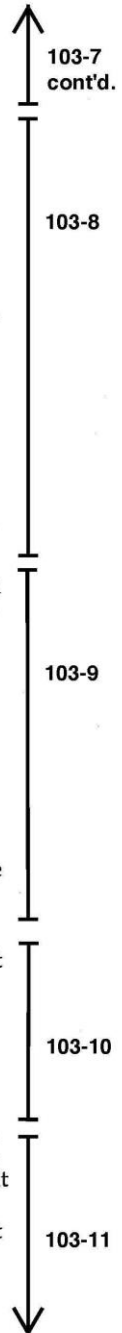
in a 23.5-acre reduction of the existing State park boundaries. As part of the Bay Plan amendment process, the Project proponents would need to demonstrate that the decreased area would not compromise or reduce its value as a park/beach facility.

Bay Fill. Section 66605 of the McAteer-Petris Act sets forth criteria for Commission authorization of Bay fill including that the fill serve a water-oriented use or is a minor amount for public access and improving shoreline appearance, that the fill is the minimum necessary, that there is no upland alternative, and the fill would minimize adverse effects on the Bay. Fill may only be authorized in land at which the project proponent holds valid title. (The FEIR should note that a public trust land exchange agreement from the State Lands Commission would need to be obtained to file a permit application or consistency determination with the Commission. In the absence of title or land exchange, any entity which owns property in the Bay—or shoreline band—proposed for development would need to be a party to the application process with the Commission.) Bay fill also needs to be constructed in accordance with sound safety standards—which, pursuant to the Bay Plan Safety of Fills Policy No. 1, is evaluated by the Commission’s Engineering Criteria Review Board. The FEIR should also note that work at piers predating the Commission’s establishment in 1965, which would involve the replacement of all or a substantial portion of a pier deck, additional coverage of the Bay, significant extension of the life of the structure, or a substantial change in use of the structure, is considered work within the Commission’s Bay jurisdiction; proposed work that would not result in significant changes or size at such piers is considered work in the Commission’s 100-foot shoreline band jurisdiction.

Various activities associated with the Project would involve Bay fill including: the construction of an 81-foot-wide, 902-foot-long bridge supported by 32 columns and abutments across Yosemite Slough; the development of a 300-slip marina, and two concrete sheet-pile breakwaters totaling 1,650 feet; the redevelopment of Drydocks 2 and 3 to establish Heritage Park; public access facilities (e.g., boardwalks, fishing piers, overlooks); repairs or replacement of piles at existing wharves; and the repaving of existing piers. The Project would also involve shoreline improvements and stabilization including: placing rip-rap, rock buttresses (at existing drydocks and along the submarine docks), wave berms, concrete block mats, and replacing seawalls, bulkheads, and piers (e.g., the Re-Gunning Pier) with sloped-edged shoreline treatment. According to the DEIR, existing Bay coverage would also be removed, e.g., Piers B and C, and portions of Drydocks 5-7, Piers 1-3, and the Re-Gunning Pier (Berths 16-20). (Page III.E-13 of the DEIR states that “[Yosemite] Slough is not within the Project site.” Because the Project includes the construction of a bridge at the mouth of the slough, this statement is misleading and should be clarified in the FEIR.)

Section III.B, p. 15 of the DEIR suggests that fill associated with the Project would be consistent with the Commission’s policies regarding Bay fill. As previously stated, the Commission’s authorization of new fill in the Bay is contingent on various factors, including whether an alternative exists at an upland location or involving less fill, and whether the proposed fill minimizes harmful effects on Bay resources. From reviewing the DEIR in its entirety, it is not evident at this time that the proposed bridge across Yosemite Slough meets the fill “tests” presented in the Commission’s law.

From reviewing the text and disparate tables (e.g., in Sections II.F, III.K and III.N) in the DEIR, it is clear that the Project would result in a net increase in Bay fill. However, it is extremely difficult to determine the precise quantities. Therefore, the FEIR should include a single comprehensive table (or related series of tables under different development scenarios) associated with the Project that identifies existing fill proposed for removal and proposed new Bay fill, including at all areas below the MHW line, below the inland edge of wetland vegetation, piers, and/or all areas



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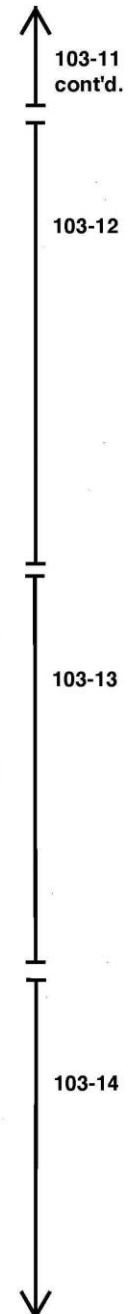
Stanley Muraoka
San Francisco Redevelopment Agency
January 12, 2010
Page 4

formerly subject to tidal action that have been filled since September 17, 1965. Further, the table should categorize the fill as: solid (cubic yards), and pile-supported, cantilevered or floating (square feet).

We understand the difficulty providing precise net fill quantities at this early date since Project details could change. However, at a minimum, the proposed bridge at Yosemite Slough would result—not including the solid fill for bridge pilings and abutments—in approximately 1.7 acres of fill in the Bay: a significant amount of coverage particularly for a facility where the large majority of its coverage is needed to serve vehicles accessing the new stadium only twelve days a year. Further, Chapter VI of the DEIR analyzes various alternatives to the Proposed project, including several that would not involve the construction of a new bridge and yet would meet a majority of the basic project objectives (identified on p. VI-3). For example, Alternative 2 does not include the new bridge and differs from the Project mainly because of game day traffic impacts. Moreover, Alternative 2 would result in a reconfiguration of and significant improvements to the Candlestick Park area that are similar to the Project—unlike Alternatives 4 and 5, which do not include a new bridge and also would not result in the park improvements envisioned under the Project or Alternative 2. Further, Alternatives 2, 4, and 5 would result in a significant reduction in the quantity of fill proposed under the Project and, hence, an overall reduction in the biological and scenic resource impacts. In the event a feasible alternative exists involving less fill in the Bay and fewer resource impacts, the Commission could not find the Project fully consistent with its laws and policies regarding fill—a point that the FEIR should address.

Safety of Fills and Sea Level Rise. The Bay Plan policies regarding safety of fills state, in part, that, “[t]o prevent damage from flooding, structures on fill or near the shoreline should have adequate flood protection including consideration of future relative sea level rise as determined by competent engineers.” Additionally, the policies state that, “[t]o minimize the potential hazard to Bay fill projects and bayside development from subsidence, all proposed development should be sufficiently high above the highest estimated tide level for the expected life of the project or sufficiently protected by levees...” The policies also recommend: “[l]ocal governments...with responsibilities for flood protection should assure that their requirements and criteria reflect future relative sea level rise and should assure that new structures and uses attracting people are not approved in flood prone areas or in areas that will become flood prone in the future, and that structures and uses that are approvable will be built at stable elevations to assure long-term protection from flood hazards.” Lastly, the Bay Plan policies regarding recreation state, in part, “[t]o enhance the appearance of shoreline areas, and to permit maximum public use of the shores and waters of the Bay, flood control projects should be carefully designed and landscaped and, whenever possible, should provide for recreational uses of channels and banks.”

According to the DEIR, proposed building structures located away from the immediate shoreline were designed to accommodate a 36-inch sea level rise (by 2075) combined with a 100-year flood zone, while the perimeter system was designed to accommodate a 16-inch rise in current sea level by 2050. As proposed, the Project includes a 9.6-mile trail and a variety of other public amenities directly adjacent to the shoreline. The Commission’s Bay Plan policies regarding public access state, in part, that all fill projects “should increase public access to the Bay to the maximum extent feasible” and, further, that public access areas should be maintained over time. The DEIR states that beyond 2050, the Project would employ “adaptive management” strategies along the perimeter system, and that “...public access improvements have been designed with a development setback to allow any future increases in elevation to accommodate higher SLR [sea level rise] values...” Figures II-23 to II-27 of the DEIR illustrate how the perimeter system would change to adapt to future a sea level rise. Unfortunately—partly due to illegibility and the scale of the drawings—it is difficult to assess precisely how these adaptations would appear. However, it



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can be assumed that over time, levees would need to be raised and, likely, widened at the base, thereby partly or entirely obstructing the public's view of the Bay from inland areas, encroaching upon and reducing the area devoted for public use, and impacting the overall public access experience. In light of these potential impacts on the access area, the Project proponents should consider alternative Project designs (e.g., a wider setback between the perimeter system and developed areas) and/or different adaptation strategies that would accommodate a rising sea level without compromising the size or quality of the dedicated public access area.

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103-14
cont'd.

Transportation. Section III.D of the DEIR states that "there are no state transportation regulations applicable to the Project." The Bay Plan, however, contains Transportation Policies, which apply to the Project. Relevant policies include Bay Plan Transportation Policy No. 1, which states, in part: "[i]f any additional bridge is proposed across the Bay, adequate research and testing should determine whether feasible alternative route, transportation mode or operational improvement could overcome the particular congestion problem without placing an additional route in the Bay..." Further, Bay Plan Transportation Policy No. 3 states, in part: "[i]f a route must be located across the Bay...the following provisions should apply [including] bridges should provide adequate clearance for vessels that normally navigate the waterway beneath the bridge..." Lastly, the Bay Plan Transportation Policy No. 4 states, in part, "[t]ransportation projects should be designed to maintain and enhance visual and physical access to the Bay and along the Bay shoreline." Pursuant to these policies, the FEIR should state whether the proposed design would provide adequate clearance for vessels and how the pile-supported structure would affect visual access of the Bay particularly for visitors at the adjoining shoreline. Bay Plan Transportation Policy No. 5 relates to ferry terminal development. An earlier version of the Project included a new terminal, which is no longer proposed. The FEIR could possibly discuss how a ferry terminal might relieve congestion at the site on game days and possibly eliminate the need for a new bridge at Yosemite Slough.

103-15

Appearance, Design and Scenic Views. Page III.E-47 to -48 of the DEIR cites Bay Plan policies regarding appearance, design and scenic views applicable to the Project, but omits Policy No. 6, which relates to new bridges and their effect on views of the Bay from the structure itself and from nearby areas and should be included in the FEIR. The text and figures contained in Section II.E provide a general understanding of how existing views would be affected by the Project. The DEIR states that the illustrations "do not show all possible views of the Project site." However, for the Commission to accurately assess the way in which views of the Bay and shoreline "from public areas" at the site and nearest public roads would be "provide[d], enhance[d], or preserve[d]," additional drawings would be necessary. Specifically, the Commission needs images that illustrate immediate views of the Bay and shoreline from the perspective of visitors (e.g., pedestrians, cyclists) at public areas throughout the Project site. Images at a significantly smaller scale than those provided in Section II.E would also be needed. Further, it would be helpful if drawings were prepared to illustrate views of the Bay from public access areas if proposed future "adaptive management" strategies to adapt to a rising sea level were implemented.

103-16

The Project would involve constructing clustered developed areas with buildings of varying densities and heights (up to 420-foot-tall). Understandably, final architectural details of these structures are not yet available. The above-cited Bay Plan policies state, in part, that shoreline development "should be built in clusters" to allow "frequent" views of the Bay and shoreline, and that "towers, bridges or other structures near or over the Bay should be designed as landmarks that suggest the location of the waterfront when it is not visible especially in flat areas"—preliminary drawings that illustrate such design features would be useful to include in the FEIR.

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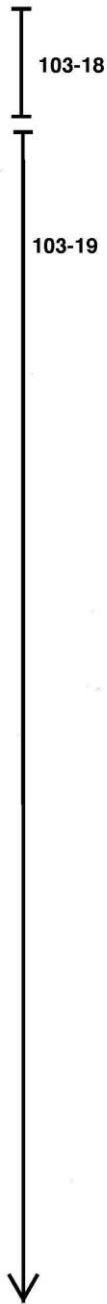
Figure III.E-24 shows that the proposed bridge at Yosemite Slough would clearly impact views of the Bay from the adjacent shoreline. The FEIR should also address how the Bay and its shoreline would appear to those using the proposed bridge, including how any proposed guardrails or other bridge design features may affect Bay views.

Biological Resources. Page III.N-45 of the DEIR cites the Bay Plan policies regarding fish, other aquatic organisms, and wildlife. This section should be expanded to cite—or reference—other relevant Bay Plan policies regarding: Tidal Marshes and Mudflats (Policy Nos. 1, 2, 3, 5, and 6); Subtidal Areas (Policy Nos. 1 and 2); Protection of the Shoreline (Policy Nos. 2 through 4); and Mitigation.

Table III.N-4 of the DEIR presents the area of tidal marsh and Section 404 “other waters” (which include mudflats) that would be directly impacted by the Project. In summary, at the Candlestick site, the construction of shoreline improvements and the placement of sediment for marsh or beach enhancement associated with the Project would result in the permanent loss of 0.29 acres of tidal marsh and 4.34 acres of other waters, and temporarily impact 0.01 acres of salt marsh and 0.64 acres of other waters. At the Shipyard site, marina construction, shoreline improvements, slope stabilization, etc., would permanently impact 0.08 acres of tidal marsh and 20.26 acres of other waters, and temporarily impact (during construction) 0.01 acres of tidal marsh and 0.85 acres of other waters. Shipyard activities would also shadow approximately 0.08 acres of other waters. At Yosemite Slough (on- and off-site), 0.04 acres of tidal marsh and 0.36 acres of other waters would be permanently impacted while 1.28 acres of other waters would be temporarily impacted. In addition, at the Slough, approximately 0.96 acres of other waters would be impacted by shadow. As stated earlier, it is difficult to determine whether these fill quantities are definitive since, as explained in Chapter III.N, estimates could change depending on schedules and plans for site remediation, habitat restoration/mitigation, and new bridge construction. As stated earlier, the FEIR should provide as precise an estimate as possible of proposed fill amounts, type of fill, and the uses proposed on fill.

According to the DEIR, the primary impact to wetland and “other waters” would result from constructing shoreline improvements and placing of material at the foreground of these structures to address erosion and flooding concerns. Chapter III-N should also state that all projects involving placement of material below the MHW line or below the existing inland edge of wetland vegetation would need to be consistent with the Commission’s laws and policies regarding Bay fill (as discussed earlier). The FEIR proposes measures to mitigate potential impacts to jurisdictional wetlands including complete avoidance to the “maximum extent practicable” and, if necessary, mitigation and monitoring developed in coordination with, among others, BCDC. The FEIR states that the areas proposed for filling located bayward of shoreline improvement structures would be designed and constructed to facilitate colonization by marsh vegetation, and thus be “self-mitigating” (p. III.N-59 and III.N-64). Because of the time involved for restoration and the uncertainties of long-term success, the loss of functioning habitat to fill activities typically requires mitigation—where areas larger than impacted areas are restored.

The FEIR addresses impacts associated with shading related to the proposed bridge at Yosemite Slough. Table III.N-4 indicates that these impacts would total 0.96 acres of “other waters.” The bridge, however, would cover an area of approximately 1.7 acres and because of proximity to the water would appear to result in far greater shading impacts than shown in Table III.N-4. The FEIR states the shaded area “would not result in a complete loss of functions and values” of affected aquatic habitat, and proposes to mitigate the effects of shading at a ratio of



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0.5:1. Due to the likelihood that little vegetation would likely grow beneath the bridge and that the productivity of organisms living in the shaded area beneath the structure would be significantly lower than current conditions, this mitigation ratio appears insufficient to offset the impacts.

Approximately 2.0 acres of eelgrass beds exist within the Project boundaries, which could be directly impacted by proposed shoreline improvement work and indirectly impacted by the release of sediment related to construction activities. Eelgrass is an extremely important and sensitive species in the Bay, and efforts to restore it have had limited success. The Bay Plan policy regarding subtidal areas No. 2 states specifically that eelgrass beds "should be conserved," and filling or changing these areas should only be allowed if there's no feasible alternative or the project provides "substantial public benefits"—the FEIR should include this point.

According to the DEIR, up to 675 pilings would be driven in constructing the proposed marina and up to 20 columns supported by steel piles—activities that could impact fish and marine mammals. Proposed mitigation measures (MM BI-9b) discuss, among other things, employing vibratory hammers, "if feasible," to minimize this potential impact. It is not clear that the pile-driving activity and the use of vibratory hammers would be subject to the advice and recommendations of the resources agencies, including NOAA Fisheries. Pursuant to the Bay Plan policies regarding fish, other aquatic organisms, and wildlife (Policy No. 4), for proposed projects with a potential adverse impact on special-status species, the Commission would consult with the resource agencies and consider their recommendations (including use of the vibratory hammer, if needed to minimize impacts). The Project proponents should take this into consideration in the Project design and planning phase.

The DEIR states that other Project activities (e.g., marina construction, shoreline and bulkhead improvements, bridge construction, etc.) could result in direct and indirect impacts to special status fish species, namely green sturgeon, Chinook salmon, Central Valley steelhead, longfin smelt, and Pacific herring, and a loss of up to 26 acres of designated Essential Fish Habitat (ESH) at some locations. Proposed mitigation measures include avoidance, compensatory mitigation, implementation of construction debris recovery plan, and the creation of open water areas resulting from removal of existing Bay fill. Please clarify whether mitigation measures would include compliance with the LTMS construction work windows for the Bay for the affected fish species. As previously mentioned, proposed activities in the Commission's jurisdiction would need to be consistent with the Bay Plan policies regarding, among other things, fish, other aquatic organisms, and wildlife.

Lastly, if possible, the FEIR should: (1) quantify the area of mudflats impacted by the Project—separating them from the Section 404 "other waters" category; (2) correct information noted in Section III.N specifically that BCDC is a State agency and not a "Regional" governmental body; and (3) provide greater design detail regarding stormwater treatment wetlands and biofiltration ponds proposed at the Bayview Gardens North area, any proposed buffer areas (p. II-34) located between existing or restored habitat and public access areas, and the southeastern corner of the Shipyard site where piers would be removed for purposes of creating roosting habitat. Lastly, if possible, it would be helpful to clarify the status of the planned Yosemite Slough Restoration project particularly in terms of schedule and how bridge construction might affect this area.

Recreation and Public Access. Page III.P-9 correctly refers to the Bay Plan policies regarding recreation. In addition, this section should refer to the Bay Plan policies regarding public access and the Bay Plan Map No. 5 that contains specific notes about waterfront park/beach development of the Candlestick area. Bay Plan policies regarding public access—in addition to those previously mentioned—state, in part, that access should "be provided in and through every new development in the Bay or on the shoreline," be designed using the Commission's *Public*

103-19
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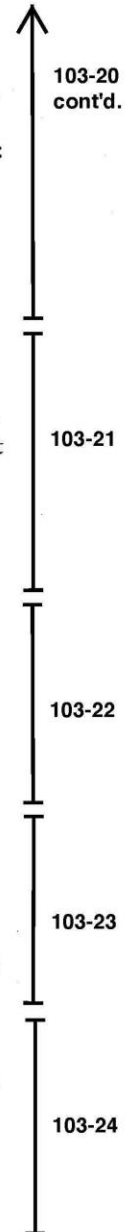
Access Design Guidelines and pursuant to the advice of the Commission's Design Review Board, "encourage diverse Bay-related activities and movement to and along the shoreline," be conveniently located near parking and public transit, "permit barrier free access for the physically handicapped...and include an ongoing maintenance program," and "to prevent significant adverse effects on wildlife." The Bay Plan Map No. 5 states that in developing the Candlestick site: "[s]ome fill may be needed. Preserve fishing, camping, picnicking, windsurfing, hiking and viewing opportunities. Potential water trail camping site. Provide signage regarding fish consumption advisories for anglers." Bay Plan Map No. 5, which currently identifies part of the Shipyard site as a port-priority use area, states: "Develop shoreline park and integrate with Candlestick Point State Recreation Area, consistent with San Francisco redevelopment plan. Potential water trail camping site. Some fill may be needed."

The Project would result in new and improved park and open space areas, and also a reconfiguration of the existing Candlestick state park boundaries. At completion, the Project would include approximately 336 acres of park and open space areas, 104.8 acres at Candlestick and 231.6 acres at the Shipyard. These figures include a variety of neighborhood parks and a 91.6-acre area used as waterfront recreation areas, and a sports field complex and a multi-use lawn that would double as a parking lot on stadium game and event days. These sites are intended to serve the projected population for the Project: 24,465 residents and 10,730 employees. The FEIR should clarify whether the area dedicated for parks and open space takes into account the demands of visitors besides residents and employees, e.g., those attending events at the stadium and performance center, hotel guests, and retail customers as well as visiting the state park.

In October 2009, the Commission's Design Review Board (DRB) reviewed the Project and provided preliminary feedback regarding the design and layout of proposed public access and recreational facilities. The DRB also considered whether the Project would provide adequate and attractive public access with adequate connections to and along the shoreline, maintain and preserve the visual quality of the Bay and shoreline, be adequately designed to address sea level rise effects on access areas, and incorporate interim access improvements prior to project completion in 2029. Some of these issues have already been raised in this letter, others have not and are discussed further below.

The Project would be implemented in phases with portions of the Shipyard's northern shoreline implemented during Phase 1, the remaining areas at the Shipyard site and the portions of the northern shoreline at the Candlestick site implemented during the first three phases 3, and the Candlestick peninsula constructed during the final phase. In light of the phased construction approach and consequent long term delay in implementing the entire suite of proposed access improvements, the FEIR should address whether implementation of an interim access plan (e.g., a informal shoreline path) would be feasible.

Almost one-third of the area proposed for parks and open space area is planned for use as a sports field complex and a multi-use lawn, which would also serve as a parking lot on stadium game and special event days. The FEIR should specify the number of days during which this area would be used for parking and any measures to off-set the loss of this area for recreational purposes. In addition, the FEIR should clarify if the sports field complex and the multi-use lawn would be available to the general public free-of-charge. Further, the FEIR should clarify if all neighborhood parks at the Project site would remain open to the general public or would be restricted for use in any manner.



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The DEIR states that the residential and non-residential parking demand associated with the Project would be for 21,233 vehicles and that 18,917 spaces would be provided as a part of the Project resulting in about 2,300 fewer spaces than what is actually needed. The DEIR does not identify parking areas or spaces dedicated to users of the public access areas at the Project site. Because the demand for off-street parking would likely be high, the FEIR should clarify whether parking for shoreline public access areas would be provided, how such parking spaces would be policed to assure their availability for shoreline users and, if not, where users of these areas would be expected to park.

103-25

The Bay Plan recreation policies state partly that marina development "should include public amenities, such as viewing areas, restrooms, public mooring docks or floats and moorages for transient recreational boaters, non-motorized small boat launching facilities, public parking, [and] substantial physical and visual access..." The FEIR should clarify whether the proposed marina would include such facilities. As noted in the Bay Plan policies, new marinas should be developed at sites that do not "tend to fill up rapidly with sediment." The DEIR states that maintenance dredging would be needed over time but does not provide estimated quantities—a point that should be clarified, if possible, in the FEIR. (Please note that the remediation measures described on Page III.K-83 would likely require Commission authorization—preceded by review by the Dredged Material Management Office (DMMO); this section should be corrected to state that the DMMO is not a permitting entity.)

103-26

Water Quality. The DEIR identifies various activities, including remediation, dredging, construction (earth moving, grading, and excavation), and operational work at the Project site that could result in impacts, including erosion, turbidity, etc. The DEIR states that strategies to mitigate potential water quality impacts include the preparation of a Stormwater Pollution Prevention Plan (SMPPP), the application of Best Management Practices (BMPs), and certification by the San Francisco Bay Regional Water Quality Control Board (RWQCB). The Commission's Bay Plan Water Quality Policy No. 2 states, in part, that "[w]ater quality in all parts of the Bay should be maintained... and...protected from all harmful or potentially harmful pollutants," and, further, that the RWQCB's recommendations provide "the basis for carrying out the Commission's water quality responsibilities." Pursuant to this policy, the RWQCB certification would need to be obtained in order for the Commission to file a permit application or federal consistency determination.

103-27

Thank you for providing the Commission staff with the opportunity to comment on the Project. We realize that the project is in the early design stage and would be happy to meet with the Project proponents to discuss potential changes that may come about through the DEIR process, the Commission's policies, permit or federal consistency procedures, etc. Please contact me with any questions at (415) 352-3613 or jaimem@bcd.ca.gov.

Sincerely,



JAIME MICHAELS
Coastal Program Analyst

JM/ra

cc: State Clearinghouse

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■ Letter 103: San Francisco Bay Conservation and Development Commission (1/12/10)

Response to Comment 103-1

The comment is acknowledged. No response is required.

Response to Comment 103-2

The comment is acknowledged. No response is required.

Response to Comment 103-3

The comment is acknowledged. No response is required.

Response to Comment 103-4

The comment is acknowledged. The Navy, with some exceptions, is subject to the “federal consistency” requirements of Section 307 of the federal Coastal Zone Management Act of 1972. In this regard, the Commission concurred in the Navy’s 1999 consistency determination for the transfer and reuse of the Shipyard. The Navy is preparing a SEIS addressing the effects of changes in the proposed transfer and reuse of the Shipyard. The SEIS should provide the basis for any new or modified consistency determination by the Navy. Neither the City nor the Agency is required to make the consistency determination. Further, Table II-16, page II-80, includes BCDC as a permitting agency for the Project.

Response to Comment 103-5

Refer to Response to Comment 103-4 regarding federal consistency. In response to this comment, Table ES-1, page ES-5, and Table II-16, page II-81, are revised to add a third bullet under “Bay Conservation and Development Commission.”

- Reviews Project land use plan for federal consistency under the Coastal Zone Management Act for activities not previously authorized in Consistency Determination No. CN 1-99.

Response to Comment 103-6

Figures II-18, II-19, and II-20 of the Draft EIR, which are located in Chapter II (Project Description) on pages II-66, II-67, and II-68, respectively, all show the lateral extent of shoreline improvements. In some of these areas, the Navy would separately be conducting remediation work, as further described in Section III.K (Hazards and Hazardous Materials) of the Draft EIR and in Master Response 9 (Status of the CERCLA Process). To the extent that any work on the Project site is carried out or funded by the federal government, it would be subject to the requirements of NEPA. The Navy is preparing an SEIS for the Hunters Point portion of the Project site, and if there is any other federal nexus related to construction or operation of the Project, such as issuance of a Section 404 permit, the appropriate environmental clearance would be obtained by the prevailing federal Lead Agency prior to taking action to approve permits or to grant funds, for example.

In terms of improvements that could occur at CPSRA, regardless of funding source, page II-33 of the Draft EIR states that:

At the CPSRA, ecological enhancements would be identified during the CDPR community planning process and CPSRA general plan update described above ...

In terms of other improvements, again, regardless of funding source, page III.B-11 similarly states that:

The ongoing CPSRA General Plan Amendment process would evaluate previously recommended uses and determine future uses and facilities to serve the local and statewide visitor to the park.

The Draft EIR did describe the process the CPSRA would undergo for evaluating and programming improvements; however, funding for those improvements, particularly the use of grant funding, is entirely within the jurisdiction of the CDPR and does not affect the analysis or conclusions of this Draft EIR.

Response to Comment 103-7

The comment correctly states that Bay Plan amendments will be required to delete Port Priority Use designation at the Shipyard and also to modify the Park Priority Use designation at Candlestick Point. While there will be a reduction in the total acreage of the CPSRA, much of the present area of the CPSRA is undeveloped. Further, much of that area is also not included within the present Park Priority Use designation. The Project will incorporate the rest of the CPSRA into the Park Priority Use area, and the proposed uses are consistent with Policy 20 on Bay Plan Map 5. In addition, the Project will provide long-term funding and other consideration to enhance the CPSRA, including improvement of the undeveloped areas. Therefore, the decrease in area would not compromise or reduce the value of the CPSRA as a park/beach facility.

Response to Comment 103-8

The comment correctly states the requirements of the Commission's permit regulations. With respect to the need for a land exchange agreement in connection with the Commission's requirement for proof of legal interest, Commission counsel has determined that under Appendix F of the Commission's regulations, the Conveyance Agreement between the Navy and Agency for the Shipyard meets the proof of legal interest requirements in the *McAteer-Petris Act* and provides a sufficient legal interest in the underlying property to carry out the Project and comply with any conditions that the Commission may require as part of its approval of a permit at the Shipyard. With respect to the Candlestick Point area, Section 31.5(c) of SB 792 provides that:

Notwithstanding any other provision of law, the requirement of subdivision (g) of Section 66605 of the Government Code and of Section 11721, Appendix F of Title 14 of the California Code of Regulations, that an applicant for a BCDC permit demonstrate adequate legal interest in the underlying property shall be deemed satisfied if the agency submits in a form acceptable to BCDC an agreement authorized by Section 23 or 26 of this act, provided the agreement is fully executed, all parties with an interest in the property are parties to the agreement, and the terms of the agreement allow the applicant to undertake the proposed construction and uses for which the permit is sought.

It is anticipated that such an agreement will be in place at the time of any BCDC permit application in the Candlestick area.

Response to Comment 103-9

Refer to Master Response 3 (Impacts of the Project on Yosemite Slough [Biological Resources]) with regard to Project boundary determinations relative to the Yosemite Slough.

Response to Comment 103-10

Pages III.B-13 through III.B-15 provides an analysis of how the Project is consistent with the Commission's policies regarding Bay fill. The final decision in this regard rests with the Commission and will be made as part of the Project's permitting process. Specifically, Page III.B-15 of the Draft EIR states that:

The Project is also consistent with the Bay Plan policies to minimize Bay fill and to preserve the shoreline for uses that are regionally important, water-oriented uses needing or historically located on shoreline sites, such as ports, water-related industry, water-related recreation, airports, and wildlife refuges. The Project involves minimal filling associated with the Yosemite Slough bridge, a marina and improvement of the existing shoreline, waterfront bulkhead, piers and seawall structures. The Project includes improved access to the shoreline through shoreline improvements, open spaces and a waterfront promenade. ...

Response to Comment 103-11

With respect to the commenter's understanding that the Project would result in a net increase in Bay fill, the Shoreline Improvements section of Section II.F.2 (Site Preparation and Earthwork/Grading), page II-56, of the Draft EIR states that:

The net effect of the proposed shoreline improvements would be to increase the land surface area by approximately 0.42 acre at Candlestick Point and reduce the land surface area by approximately 8.51 acres at HPS Phase II.

This statement reflects the amount of bay fill and new bay resulting from the project, 0.42 acre of Bay fill at Candlestick Point and 8.51 acres of new bay created at HPS Phase II. Additionally, Table II-3 (Proposed Land Use) discusses the amount of new Bay or Bay fill resulting from shoreline improvements, the positive change in shoreline indicating Bay fill and the negative change indicating creation of new Bay. In response to the comment, the text of Table II-13, footnote d, has been revised as follows:

d. These numbers represent an average estimated change in the shoreline at the specified location. A positive number indicates an increase in the shoreline (bay fill); and a negative number indicates a decrease in the shoreline (creation of bay).

As the commenter points out in Comment 103-12 there is difficulty in providing precise net fill quantities at this early date since Project details could change slightly. The net increase in Bay being provided by the Project through shoreline improvements serves as evidence of the Project's goals to provide no off site mitigation and to minimize bay fill to the maximum extent possible.

Further, the Draft EIR acknowledges the need to adhere to BCDC policies related to Bay Fill, and has attempted to do so at this preliminary level. The Applicant, the City, and the Agency also recognize that each phase and specific shoreline location along the Project's boundary along the Bay will need to be approved by BCDC, and are committed to doing so. As a part of this commitment the applicant has met with BCDC several times and will continue to work with the BCDC on Project issues.

Response to Comment 103-12

Page III.B-15 of the Draft EIR states:

The Project is consistent with the intent of the Bay Plan as it relates to the Candlestick Point area. The Project would provide park improvements, and on-going funding for park operation and maintenance. The ultimate configuration of improvements to various areas of the CPSRA would be determined by the ~~CPDR~~CDPR but the Project would not preclude a water trail camping site or fishing, windsurfing, hiking and viewing opportunities. The inclusion of the Yosemite Slough bridge would not conflict with the Bay Plan's policy regarding additional bridges over the Bay, which aims to preserve the visual impact of the large expanse of the Bay. Expansive views of the Bay would remain from numerous vantage points, even with inclusion of the bridge over the neck of the slough.

The Project is also consistent with the Bay Plan policies to minimize Bay fill and to preserve the shoreline for uses that are regionally important, water-oriented uses needing or historically located on shoreline sites, such as ports, water-related industry, water-related recreation, airports, and wildlife refuges. The Project involves minimal filling associated with the Yosemite Slough bridge, a marina and improvement of the existing shoreline, waterfront bulkhead, piers and seawall structures. The Project includes improved access to the shoreline through shoreline improvements, open spaces and a waterfront promenade. ...

With respect to the Project's inconsistency with the Bay Plan's biological resources policies, a summary of the Bay Plan policies related to wildlife, wetlands, and other biological resources are provided in the Regulatory Framework in Section III.N (Biological Resources) on pages III.N-45 and III.N-46:

Policies Concerning Fish, Other Aquatic Organisms and Wildlife in the Bay, Tidal Marshes and Tidal Flats Around the Bay, and Subtidal Areas in the Bay

The SFBCDC shall protect native fish species, other aquatic organisms, other listed wildlife species and their specific habitats under the California Endangered Species Act or federal Marine Mammal Protection Act within the Bay's tidal marshes, tidal flats, and subtidal habitat. To the greatest extent feasible, specific habitats such as tidal marsh, tidal flats, and subtidal habitats shall be conserved, restored, and increased. Specific habitats that are needed to conserve, increase or prevent the extinction of any native species, species threatened or endangered, species that the CDFG has determined are candidates for listing as endangered or threatened under the California Endangered Species Act, or any species that provides substantial public benefits, should be protected, whether in the Bay or behind dikes. In reviewing or approving habitat restoration programs the SFBCDC should follow the recommendations in the Baylands Ecosystem Habitat Goals and provide a diversity of habitats for native aquatic and terrestrial plant and animal species. For projects that may adversely affect an endangered or threatened plant, fish, other aquatic organism or wildlife species the SFBCDC should consult and give appropriate consideration to the recommendations of the California Department of Fish and Game and the US Fish and Wildlife Service or the National Marine Fisheries Service and not authorize projects that would result in the "taking" of any plant, fish, other aquatic organism or wildlife species listed as endangered or threatened pursuant to the state or federal endangered species acts, or species that are candidates for listing under the CESA, unless the project applicant has obtained the appropriate "take" authorization from the US Fish and Wildlife Service, National Marine Fisheries Service or the California Department of Fish and Game. However, the SFBCDC may permit a minor amount of fill or dredging in wildlife refuges, shown on the Plan Maps, necessary to enhance fish, other aquatic organisms and wildlife habitat or to provide public facilities for wildlife observation, interpretation and education.

In consideration of these and other policies protecting biological resources, an analysis of the effects of Project construction activities on wetlands (including tidal marshes, tidal flats, and non-tidal marshes) and jurisdictional waters is provided in Impacts BI-4a, BI-4b, and BI-4c of the Draft EIR. Mitigation measure

MM BI-4a.1 on page III.N-60 of the Draft EIR explicitly states that wetlands and jurisdictional waters shall be avoided to the maximum extent practicable, and that permits shall be obtained only where avoidance of existing wetlands and drainages is not feasible:

MM BI-4a.1 Wetlands and Jurisdictional/Regulated Waters Mitigation for Temporary and/or Permanent Impacts. Wetlands and jurisdictional waters shall be avoided to the maximum extent practicable for all Project components. For example, any measures taken to improve the existing shoreline of Candlestick Point or HPS Phase II for purposes of flood control, erosion control, or repair or stabilization of existing structures shall minimize the amount of fill to be placed in jurisdictional areas.

Where avoidance of existing wetlands and drainages is not feasible, and before any construction activities are initiated in jurisdictional areas, the Applicant shall obtain the following permits, as applicable to the activities in question: ...

Therefore, the Draft EIR provides analysis demonstrating that the Project would be consistent with the Bay Plan. However, the commenter correctly states that if the Commission determines that a feasible alternative exists involving less fill in the Bay, the Commission could not find the Project fully consistent with its laws and policies regarding fill.

Response to Comment 103-13

Comments noted. The Project would be required to adhere to Bay Plan policies related to flooding, public access, and sea level rise for the safety of fills, and the Project has been designed to do so. Moreover, each phase and specific shoreline location along the Project's boundary along the Bay will need to be approved by BCDC, thereby ensuring compliance with the Bay Plan's policies.

Response to Comment 103-14

Refer to Response to Comment 103-13.

Response to Comment 103-15

In response to the comment, the text in Section III.D (Transportation and Circulation), under the State heading, page III.D-27, has been revised as follows:

~~There are no state transportation regulations applicable to the Project.~~ The San Francisco Bay Plan was prepared by the San Francisco Bay Conservation and Development Commission (BCDC) pursuant to the McAteer-Petris Act of 1965 which established the Commission as a temporary agency to prepare an enforceable plan to guide the future protection and use of San Francisco Bay and its shoreline. The Bay Plan contains the following transportation policies that are relevant to the Project:

- Transportation Policy 1: Because of the continuing vulnerability of the Bay to filling for transportation projects, the Commission should continue to take an active role in Bay Area regional transportation and related land use planning affecting the Bay, particularly to encourage alternative methods of transportation and land use planning efforts that support transit and that do not require fill. The Metropolitan Transportation Commission, the California Department of Transportation, the California Transportation Commission, the Federal Highway Administration, county congestion management agencies and other public and private transportation authorities should avoid planning or funding roads that would require fill in the Bay and certain waterways.

- Transportation Policy 2: If any additional bridge is proposed across the Bay, adequate research and testing should determine whether feasible alternative route, transportation mode or operational improvement could overcome the particular congestion problem without placing an additional route in the Bay and, if not, whether a tunnel beneath the Bay is a feasible alternative.
- Transportation Policy 3: If a route must be located across the Bay or a certain waterway, the following provisions should apply:
 - The crossing should be placed on a bridge or in a tunnel, not on solid fill.
 - Bridges should provide adequate clearance for vessels that normally navigate the waterway beneath the bridge.
 - Toll plazas, service yards, or similar facilities should not be located on new fill and should be located far enough from the Bay shoreline to provide adequate space for maximum feasible public access along the shoreline.
 - To reduce the need for future Bay crossings, any new Bay crossing should be designed to move the largest number of travelers possible by employing technology and operations that increase the efficiency and capacity of the infrastructure, accommodating non-motorized transportation and, where feasible, providing public transit facilities.
- Transportation Policy 4: Transportation projects on the Bay shoreline and bridges over the Bay or certain waterways should include pedestrian and bicycle paths that will either be a part of the Bay Trail or connect the Bay Trail with other regional and community trails. Transportation projects should be designed to maintain and enhance visual and physical access to the Bay and along the Bay shoreline.
- Transportation Policy 5: Ferry terminals should be sited at locations that are near navigable channels, would not rapidly fill with sediment and would not significantly impact tidal marshes, tidal flats or other valuable wildlife habitat. Wherever possible, terminals should be located near higher density, mixed-use development served by public transit. Terminal parking facilities should be set back from the shoreline to allow for public access and enjoyment of the Bay.

A discussion of how the Project relates to each of these five policies is provided below:

Transportation Policy 1 generally states that applicable agencies should avoid new fill in the Bay to provide new transportation facilities. For the reasons stated below, the fill proposed for the proposed bridge should meet permitting requirements.

Transportation Policy 2 generally states that if a bridge is proposed, adequate research and testing should be conducted to determine whether an alternate route or operational improvement would overcome the particular congestion problem without placing a new route in the bay. Refer to Master Response 4 (Purpose and Benefits of the Yosemite Slough Bridge) for discussion of alternative solutions that have been evaluated and determined to provide much lower level of service for bicycles, pedestrians, and transit compared to the bridge. Also refer to Response to Comment 47-109 for discussion of feasibility of tunnel under Yosemite Slough.

Transportation Policy 3a states that if crossing must be provided, it should be in a bridge or tunnel not on fill. It would be prohibitively costly to tunnel under the neck of the slough for a BRT crossing due to the relatively short length (less than 1,000 feet) of the crossing. In addition, a tunnel would require more extensive approaches than an aboveground bridge, which could create additional environmental impacts or increase the severity of impacts identified for the Project.

Transportation Policy 3b states that bridges should provide adequate clearance for vessels that normally navigate the waterway. Refer to Response to Comment 86-12 that describes the bridge's clearance, which would be adequate for recreational paddle craft including canoes and kayaks, which are the only watercraft that would navigate the upper reaches of the Yosemite slough.

Transportation Policy 3c states that toll plazas and service facilities should not be on fill. No toll plazas or service facilities are proposed as part of the Yosemite Slough bridge.

Transportation Policy 3d states that new crossings should be designed to maximize crossing capacity to reduce the need for new crossings. The bridge would accommodate high-frequency transit connections (five-minute frequencies during peak hours) across Yosemite Slough. If additional transit service were required, it could be provided on the bridge without the need to construct a new crossing either through increased frequencies or additional, higher-capacity vehicles.

Transportation Policy 4 states that transportation projects should be designed to maintain and enhance visual and physical access to the Bay and along shoreline. The proposed facility would enhance access along the shoreline by providing a more direct connection across the slough, and would also provide direct connections to the San Francisco Bay Trail. The bridge would accommodate Bay Trail crossings such that users would not have to cross BRT routes.

Transportation Policy 5 relates to ferry terminal construction, which is no longer part of Project). However, the Project does not preclude a ferry terminal, which if added, would relieve congestion on roadways and transit crowding.

Response to Comment 103-16

The Project Applicant will provide all images, drawings, and other information that BCDC requires for permitting purposes at the time of permitting. The level of detail included in the EIR is sufficient for CEQA purposes.

In response to the comment, text on page III.E-47, under the San Francisco Bay Plan heading between Policy 4 and Policy 8, of the Draft EIR has been revised to include Policy 6, as follows:

Policy 6 Additional bridges over the Bay should be avoided, to the extent possible, to preserve the visual impact of the large expanse of the Bay. The design of new crossings deemed necessary should relate to others nearby and should be located between promontories or other land forms that naturally suggest themselves as connections reaching across the Bay (but without destroying the obvious character of the promontory). New or remodeled bridges across the Bay should be designed to permit maximum viewing of the Bay and its surroundings by both motorist and pedestrians. Guardrails and bridge supports should be designed with views in mind.

Refer to Responses to Comments 31-5, 47-34, 47-36, 47-46, 47-57, 47-73, and 47-75 for discussion of the proposed bridge and its aesthetic impacts on views and the Yosemite Slough. Response to Comment 47-76 also contains additional simulations of the proposed Yosemite Slough bridge from four additional reference points.

There are no graphics illustrating the appearance of potential adaptive management strategies for sea level rise. However, the Draft EIR, page III.E-58, states, about the shoreline at Candlestick Point and HPS Phase II: “The proposed shoreline improvements would improve the aesthetic quality of the shoreline...reducing erosion, including marsh plantings where appropriate, and removing debris. These improvements would represent a beneficial impact of the development, improving the overall visual character of the shoreline.”

Response to Comment 103-17

Draft EIR Figure IV-13, Figure IV-14, Figure IV-15, and Figure IV-16 provide illustrations of tower locations. Figure III.E-11 through Figure III.E-30 provide numerous simulations of the visual character of the Project. Architectural renderings are not required for the EIR process. When the Project is presented to BCDC, preliminary drawings that illustrate the goals of the design policies will be presented by the Project applicant.

Response to Comment 103-18

Refer to Response to Comment 47-46 for additional simulations of the proposed bridge. The commenter requested views from the bridge; not every view could be represented in the views of the Project site. However, more than 30 images are presented in Section III.E (Aesthetics) to document the existing conditions and future conditions with the Project. Final architectural renderings are not required for the EIR process. The bridge design may be addressed by the Commission in its consideration of the bridge permit.

Response to Comment 103-19

The quantitative estimates of the temporary and permanent impacts on the waters of the Bay and the potential mitigation measures for these impacts are the most precise available at this stage of Project design. As the commenter notes, these could change. However, the final assessment of these impacts on the Bay under the Commission’s policies, including any additional mitigation requirements, rests with the Commission and will be made during the permitting process. Therefore, all of the issues raised by the commenter will have to be fully addressed in the course of the Commission’s review of the Project.

Refer to Response to Comment 103-12 for a discussion of the Bay Plan policies related to wildlife, wetlands, and other biological resources that were provided in Draft EIR.

Refer to Response to Comment 103-11 on the proposed fill quantities.

Refer to Response to Comment 101-34 for a discussion of how the Project ensures no net loss of wetlands or jurisdictional/regulated waters.

With regard to mitigation measure MM BI-9b, the commenter correctly states that consideration of recommendations made by resource agencies (i.e., use of pile-driving devices) would be considered by the City/Agency and the Commission.

With regard to the in-water construction work window identified in MM BI-12a.1 on page III.N-89 of the Draft EIR, this window would be applicable to special-status fish species such as green sturgeon, Chinook salmon, Central Valley steelhead, longfin smelt and Pacific herring. In response to this comment, the

following text has been added to Section III.N (Biological Resources) of the Draft EIR, specifically to the discussion of mitigation for Impact BI-11a (page III.N-86):

... Implementation of mitigation measures MM BI-12a.1 and MM BI-12a.2 would reduce effects of construction activities on special-status fish by avoiding in-water construction during periods when sensitive species are most likely to be present in waters of the Project site and by educating construction personnel regarding measures to be implemented to protect fish and their habitats. Implementation of these mitigation measures would minimize any adverse effects on aquatic habitat of special-status fish, ...

In response to this comment, the following text has also been added to the discussion of mitigation for Impact BI-11b (first full paragraph on Draft EIR page III.N-87) and Impact BI-11c (last paragraph on page III.N-87):

... Implementation of mitigation measure MM BI-12a.1 and BI-12a.2 would reduce effects of construction activities on special-status fish by avoiding in-water construction during periods when sensitive species are most likely to be present in waters of the Project site and by educating construction personnel regarding measures to be implemented to protect fish and their habitats. Implementation of these measures would reduce potential adverse effects on special-status fish species to less-than-significant levels.

The commenter correctly notes that BCDC is a State agency and not a Regional government body. This correction has been made to the Regulatory Framework of Section III.N (Biological Resources).

Refer to Master Response 3 (Impacts of the Project on Yosemite Slough [Biological Resources]) for a discussion of shading impacts of Yosemite Slough bridge, and potential impacts on the Yosemite Slough Restoration Project.

Response to Comment 103-20

Public access will be provided all along the shoreline as part of the Project, and will be developed at a pace consistent with the build-out of the Project. The Bay Plan standards will be met. The proposed uses at the CPSRA are consistent with Policy 20 on Plan Map 5.

Response to Comment 103-21

The Draft EIR's analysis includes only residents and people employed on the Project site in its parkland-to-population ratios. The existence of other potential park users does not, however, undermine its conclusions. Initially, the parkland-to-population ratio is a standard measure representing total use. Every park receives some use from people outside the local population, but analyses of the impacts of such use, including the analysis in the current San Francisco General Plan, adopted in 1986, generally use the type of ratio used here. Moreover, for the reasons discussed in Response to Comment 84-45, the Draft EIR's conservative analysis likely overstates the effective population of the Project site. The additional users mentioned by the commenter are unlikely to increase actual use beyond the level provided in the analysis. Moreover, the Draft EIR acknowledges at page III.P-32 that there will be an increase in CPSRA visits by people from outside the Project site, and concludes that this increased use will not cause significant impacts.

Response to Comment 103-22

The comment is acknowledged. No response is required.

Response to Comment 103-23

Refer to Response to Comment 31-13 regarding shoreline access during construction.

Response to Comment 103-24

The multi-use lawn and playing field areas would be used for parking for San Francisco 49er home games (between 10 and 12 days annually). The number of further special events at the stadium that would require the parking area is not known at this time. However, such events would be few enough that the reduction of parkland on these days would not be significant in the context of the entire Project site and the entire year. The multi-use lawn and other parks will be open to the public, subject to those types of restrictions, such as hours of operation, applicable to parks generally. The sports fields similarly will be available to the public, although a reservation system will be required. The details of park management have not been determined yet.

Response to Comment 103-25

Impact TR-35 describes the parking impacts associated with the Project. As noted by the commenter, and as shown in Table III.D-21, the Project would result in a shortfall of at least 2,316 spaces. As a result, it is possible that some drivers may seek parking in adjacent Bayview residential and industrial areas to the west. However, as noted in the Draft EIR, if parking is found to exceed supply in the existing Bayview residential area, the City's residential parking permit program could be introduced to the area to help ensure availability of parking for local residents. The extent of spillover into the nearby industrial and residential neighborhoods to the west, as well as the parking areas for public access to CPSRA, would be limited by the existing topography (e.g., steep grades due to the Bayview Hill), the distance between the Project site and available parking supply, and concerns related to safety in the industrial area.

The location of parking areas for public access to the CPSRA have not been determined, however, the locations and number of spaces would be developed in consultation with State Parks. The SFMTA is responsible for parking enforcement activities on San Francisco Streets, while State Park Peace Officer Rangers are responsible for a variety of enforcement activities in California State Parks.

In San Francisco, parking supply is not considered a permanent physical condition, and changes in the parking supply would not be a significant environmental impact under CEQA, but rather a social effect. Since the City does not consider parking shortfalls to be a significant impact, no mitigation is required.

It should be noted that mitigation measure MM TR-38 requires the stadium operators to develop and maintain a Transportation Demand Management Plan for the stadium. One required element of that plan, as indicated on page III.D-133 of the Draft EIR is for the stadium operator to work with CPSRA to develop measures to ensure that game day spectators do not park in CPSRA day use parking lots.

Response to Comment 103-26

The marina amenities are outlined on page II-23 of Chapter II (Project Description) of the Draft EIR:

The marina would include up to 300 slips accessed by a series of gangways and floating docks. Guide piles would horizontally restrain the floating docks. Each slip would include potable water, electrical,

cable television, and telephone connections. The marina would provide sewage pump-out stations at each slip or at a central pull-up station. Landside improvements adjacent to the marina could include parking, restroom facilities, a classroom to teach sailing, and a harbormaster's office.

With respect to maintenance dredging, page II-23 of the Draft EIR discloses that:

... Maintenance dredging would be required in the future to maintain adequate clearance.

At this time, the precise quantities of dredged material resulting from routine operation are not known; however, any such activities would be subject to review by the Dredged Materials Management Office (DMMO). While the DMMO does not issue a permit, per se, the office oversees the approval process. Page III.K-83, the last sentence of bullet a, b, c, and d is revised to reflect their review authority:

- a. ... ~~A-Review by the DMMO permit~~ would likely be required.
- b. ... ~~A-Review by the DMMO permit~~ would likely be required.
- c. ... ~~A-Review by the DMMO permit~~ would likely be required.
- d. ... ~~a-review by the DMMO permit~~ would likely be required.

Response to Comment 103-27

Strategies to mitigate Project water quality impacts are described in mitigation measures MM HY-1a.1 (Storm Water Pollution Prevention Plan: Combined Storm Sewer System), starting on page III.M-58 of the Draft EIR; MM HY-1a.2 (Storm Water Pollution Prevention Plan: Separate Storm Sewer System), starting on page III.M-61, MM HY-1a.3 (Groundwater Dewatering Plan), starting on page III.M-65; MM HY-6a.1 (Regulatory Stormwater Requirements), starting on page III.M-82; MM HY-6a.2 (Recycled Water Irrigation Requirements), starting on page III.M-84, MM HY-6b.1 (Limitations on Stormwater Infiltration), on page III.M-88; MM HY-6b.2 (Industrial General Permit), starting on page III.M-89; and MM HY-6b.3 (Clean Marinas California Program), on page III.M-91 of the Draft EIR.

Per the State and local regulatory requirements described starting on page III.M-33 of the Draft EIR, implementation of the mitigation measures does not require certification by the San Francisco Bay Regional Water Quality Control Board (SFRWQCB); however the mitigation measures would assure compliance with the Water Quality Control Plan for the San Francisco Bay Basin, and would reflect the policies, recommendations and decisions of the State Water Resources Control Board and the SFRWQCB. The only SFRWQCB certification required for the Project is a Clean Water Act (CWA) Section 401 Water Quality Certification or Waste Discharge Requirements, for the placement of fill material or other physical changes to waters of the State, as described on page III.M-31 of the Draft EIR. The CWA Section 401 Water Quality Certification or Waste Discharge Requirements would be obtained through the Joint Aquatic Resources Permit Application process described on page III.M-44, at which time BCDC input would be incorporated into the permitting process.

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■ Letter 104: Da Costa, Francisco (1/13/10)

1 of 1

Letter 104

From: Francisco Da Costa <fdc1947@gmail.com>
To: John Rahaim <john.rahaim@sfgov.org>, Stanley Muraoka <Stanley.Muraoka@sfgov.org>, Fred Blackwell <fred.blackwell@sfgov.org>, Bill Wycko <bill.wycko@sfgov.org>, Joy Navarrete <Joy.Navarrete@sfgov.org>, "Gavin. Newsom" <gavin.newsom@sfgov.org>, Michael Cohen <michael.cohen@sfgov.org>, Tiffany Bohee <tiffany.bohee@sfgov.org>, Ron Miguel <rm@well.com>, Linda Avery <Linda.Avery@sfgov.org>, Lawrence Badiner <larry.badiner@sfgov.org>, Espanola Jackson <EspanolaJackson@sbcglobal.net>, Rosemary Cambra <muwekma@muwekma.org>, Matt Dorsey <Matt.Dorsey@sfgov.org>, David.Chiu@sfgov.org, SFBOS BOS <board.of.supervisors@sfgov.org>, BOS BOS <supervisors@sfgov.org>, SecretaryState Bowen <Secretary.Bowen@sos.ca.gov>
Date: 01/13/2010 08:52 AM
Subject: The Ohlone met on the steps of City Hall to protest the Draft, EIR linked to Hunters Point Shipyard and Candlestick Point.

I am informing you that the Ohlone and the Tribal Chair of the Muwekma Ohlone met on the steps of SF City Hall to protest the Draft, EIR linked to Hunters Point Shipyard and Candlestick Point.

This is not the last time you will hear about this issue.

The SF Planning Department has not followed protocol and one blatant example is California Senate Bill 18. It was simply wrong - NOT to outreach to the Muwekma Ohlone that have Patrimonial Jurisdiction and others on the list provided by similar processes followed - before:

<http://www.indybay.org/newsitems/2010/01/12/18635068.php>

Francisco Da Costa

104-1

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■ Letter 104: Da Costa, Francisco (1/13/10)

Response to Comment 104-1

Refer to Master Response 1 (SB 18) for a discussion of the process required by SB 18 and the process undertaken for this Project.

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■ Letter 105: Da Costa, Francisco (1/18/10)

1 of 1

Letter 105

From: Francisco Da Costa <fdc1947@gmail.com>
To: "Michael J. Lythcott" <mlythcott@e2inc.com>
Date: 01/18/2010 09:25 AM
Subject: Wilma Subra Comments

Michael:

Wilma Subra's comments provide some hope to the community. The reason being she is a Scientist. She has focused on the tip on the iceberg and as you know that there is more. This is a good start and we must hurry to save lives - especially that of our children and elders.

Proposition P passed in the year 2000 by over 87% - mandated the Hunters Point Shipyard be cleaned to the highest standards. The U.S. Navy polluted the area and they must clean it up. No capping and no short cuts. We want the entire Watershed cleaned up. This a mandate backed by the Muwekma Ohlone that I represent and who were not notified of the Draft, EIR linked to the Hunters Point Shipyard and Candlestick Park:

www.muwekma.org

www.hunterspointnavalshipyard.com

In the interim we need focused meetings in the community to educate people about Quality of Life issues. The hospitals have empirical data on the early deaths of so many individuals - among them children in a higher proportion - linked to the very toxic air, and high levels of contaminated soil - much of it radiological in nature. Depleted Uranium was first tested at Hunters Point Naval Shipyard. Hundreds of radiated animals buried all over the Shipyard. Thousands of tons of Methane Gas spewing in the air. One ton of Methane Gas equals twenty two tons of Carbon Dioxide:

<http://www.franciscodacosta.com/media/t/TASC-Comments-1-12-10.pdf>

**Francisco Da Costa
Director
Environmental Justice Advocacy**

**4909 Third Street
San Francisco, CA 94124**

105-1

105-2

105-3

105-4

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■ Letter 105: Da Costa, Francisco (1/18/10)

Response to Comment 105-1

With respect to hazardous conditions at the Project site, refer to Section III.K (Hazards and Hazardous Materials) of the Draft EIR, as well as Master Response 7 (Liquefaction), and Master Response 9 (Status of the CERCLA Process), Master Response 10 (Pile Driving through Contaminated Soil), Master Response 11 (Parcel E-2 Landfill), Master Response 12 (Naturally Occurring Asbestos), Master Response 13 (Post-Transfer Shipyard Cleanup), Master Response 14 (Unrestricted Use Alternative), Master Response 15 (Proposition P and the Precautionary Principle), Master Response 16 (Notification Regarding Environmental Restrictions and Other Cleanup Issues), and Master Response 17 (Enforcement of Environmental Restrictions and Mitigation Measures), which also discuss hazardous materials, cleanup to unrestricted use (Proposition P), HPS radiation cleanup and restrictions, containment remedies (capping versus removal), status of the HPS CERCLA process, process for decisions and responsibility for cleanup, and notification regarding restrictions, contaminations, and releases or violations of mitigation measures.

Response to Comment 105-2

Refer to Response to Comment 65-2 for a description of the noticing process relative to release of the Draft EIR. In addition, the Draft EIR was made available on the City's website, as well as at the Planning Department and Agency offices, as described on page I-10 of the Draft EIR.

This comment also provides links to two websites: one, the official homepage of the Muwekma Ohlone California Indian tribe, and the second, a website supported by San Franciscan's for our City's Health with information about the Hunters Point Naval Shipyard. No response is required.

Response to Comment 105-3

Refer to Response to Comment 1-1 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR. Refer to Response to Comment 85-5 regarding the three-decade planning process for the Project which has included hundreds of community meetings and other forms of public outreach.

Refer to Section III.H (Air Quality) of the Draft EIR for a discussion of potential impacts related to toxic air contaminants. Refer also to Section III.K (Hazards and Hazardous Materials) of the Draft EIR for a discussion of hazardous materials at the Project site, including contaminated soil. The specific impact discussions that address the potential for encountering contaminated soil include Impacts HZ-3, HZ-3a, HZ-3b, HZ-18, HZ-18a, HZ-18b, BI-15a, BI-15b, UT-6, UT-6a, and UT-6b. Refer also to Master Response 5 (Health of the Bayview Hunters Point Community) for a discussion of health outcomes in the Bayview community.

Response to Comment 105-4

The comment is acknowledged. No response is required.

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■ Letter 106: Da Costa, Francisco (1/18/10)

1 of 1

Letter 106

From: Francisco Da Costa <fdc1947@gmail.com>
To: Wilma Subra <subracom@aol.com>, Krissy Russell-Hedstrom <krissy@e2inc.com>, "Michael J. Lythcott" <mlythcott@e2inc.com>, Lisa Fasano <LFasano@baaqmd.gov>, J Broadbent <jbroadbent@baaqmd.gov>, Jackson Lisa <Jackson.Lisa@epamail.epa.gov>, Michael Cohen <michael.cohen@sfgov.org>, Fred Blackwell <fred.blackwell@sfgov.org>, Tiffany Bohee <tiffany.bohee@sfgov.org>, Dennis Herrera <CityAttorney@sfgov.org>, Leland Yee <leland.yee@sen.ca.gov>, Tom Ammiano <tom.ammiano@asm.ca.gov>, SecretaryState Bowen <Secretary.Bowen@sos.ca.gov>, Mark Ripperda <Ripperda.Mark@epa.gov>, BCDC BCDC <info@bcdc.ca.gov>, EPA Region9 <r9.info@epa.gov>, Karen Henry <Henry.Karen@epamail.epa.gov>, Lisa Zayas-Chien <lisa.zayas-chien@sfgov.org>, "Gavin. Newsom" <gavin.newsom@sfgov.org>, Mitch Katz <mitch.katz@sfgov.org>, Amy Brownell <Amy.Brownell@sfdph.org>, Ben Rosenfield <Ben.Rosenfield@sfgov.org>, David Chiu <David.Chiu@sfgov.org>, Chris Daly <Chris.Daly@sfgov.org>, Ron Miguel <rm@well.com>, Christian Holmer <mail@csrsf.com>, Christina Olague <c_olague@yahoo.com>, John Rahaim <john.rahaim@sfgov.org>, Bill Wycko <bill.wycko@sfgov.org>, Stanley Muraoka <Stanley.Muraoka@sfgov.org>, Willie Ratcliff <Publisher@sfbayview.com>
Date: 01/18/2010 11:30 AM
Subject: The U.S. Navy and its dubious plans with Early Transfer.

The U.S. Navy and its dubious plans with Early Transfer:
<http://www.indybay.org/newsitems/2010/01/18/18635572.php>
Francisco Da Costa

106-1

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■ Letter 106: Da Costa, Francisco (1/18/10)

Response to Comment 106-1

The comment is acknowledged. No response is required.

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Letter 107: Muwekma Ohlone Indian Tribe (1/12/10)

1 of 11

Letter 107



MUWEKMA OHLONE INDIAN TRIBE

OF THE San Francisco BAY AREA REGION

'Innu Huššištak Makiš Mak-Muwekma "The Road To The Future For Our People"

January 12, 2010

TRIBAL CHAIRPERSON
ROSEMARY CAMBRA

TRIBAL VICE CHAIRPERSON
MONICA V. ARELLANO

TRIBAL COUNCIL
HENRY ALVARES
JOANN BROSE
GLORIA E. GOMES
ROBERT MARTINEZ, JR.
RICHARD MASSIATT
SHELIA SCHMIDT
CAROL SULLIVAN
EARL THOMPSON (TRES)
FAYE THOMPSON-FREI

TRIBAL ADMINISTRATOR
NORMA E. SANCHEZ

Mr. Stanley Muraoka
San Francisco Redevelopment Agency
San Francisco Planning Department
City and County of San Francisco
1650 Mission St., Suite 400
San Francisco, Ca. 94103-2479

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Dear Mr. Muraoka:

Thank you for contacting our Tribal office with regards to the Draft Environmental Report (EIR) for the Candlestick Point-Hunters Point Shipyard Phase II Development Plan Project. Although your letter is dated January 5, 2010, the envelope is post marked January 8, 2010. The letter and accompanying CD which I received today, states that "[p]ublic comments will be accepted from November 12, 2009, to 5:00 PM on January 12, 2010." The timing of delivery of your letter and draft EIR (CD) and the close of the comment period makes response in a timely fashion most ridiculous and does not adhere to "good faith" effort on the Planning Department's part under SB 18's Tribal Consultation.

107-1

Both your letter and the CD (Draft EIR) do not provide us any information about the location of any of our ancestral cemetery and/or village site locations, thereby limiting our ability to offer our input and concern even though the document does briefly describe several of the sixteen sites that are "located in or within a quarter-mile of the Project site." Nonetheless, we believe that in addition to the sites already identified there is the possibility of unreported/unrecorded sites located within the proposed redevelopment area.

107-2

Therefore, we are recommending that any proposed construction within this redevelopment area should be carefully evaluated prior to any construction and construction activities be monitored. Should any of our ancestral remains and/or cultural resources be encountered, then our Tribal leadership wants to be fully informed and engaged in the cultural resources management process. Furthermore, these ancestral cemetery sites should then be **preserved and protected from destruction**.

Given the historic adversarial relationship between the archaeological community and our Tribe, we just do not trust most archaeological firms. The work conducted by the majority of archaeological firms has been meaningless to our Tribe. They have absolutely no understanding about our people, our Tribe, our history and heritage. The proof of this statement lies in the fact that your own consultants fail to mention our Tribal existence in the present EIR. Furthermore, there is no mention of Muwekma Ohlone (Park) Sanctuary on Islais Creek in this EIR as far as we can tell. This we call the "politics of erasure" meaning the deliberate attempt to remove our Tribe as stakeholders.



The following sites have been identified within a quarter-mile of the redevelopment project area: CA-SFR-3, CA-SFR-7, CA-SFR-8, 9, CA-SFR-10, CA-SFR-11, CA-SFR-12, CA-SFR-13, CA-SFR-14, CA-SFR-15, CA-SFR-16, CA-SFR-17, CA-SFR-18, CA-SFR-110, CA-SFR-124 and the Thomas-Hawes Mound.

The following are some of our additional concerns:

- 1) Other unreported/unrecorded archaeological sites may obviously exist within the larger locality as well. Over the years our Tribe has had to conduct salvage archaeology on our ancestral cemetery sites that were either unreported in recent years or impacted by construction projects dating back to the 1960s through the 1980s. For example in the cases of sites CA-SCL-38 and CA-SCL-134 located in Santa Clara County during more recent construction burials were found adhering to the bottom of black top parking lot pavement, while others were integrated in cement matrix poured to support fence posts and retaining walls, and others just simply truncated by previous backhoe trenching operations. In both of these cases none of these burials were reported at the time when they were originally encountered decades ago.
- 2) Given the above, we would like to ask your Planning Department about what kind of **predictive model** is your environmental/cultural resource management firm implementing as part of this EIR process in order to predict the potential additional presence of any of our ancestral cultural resources within or adjacent to the Area of Potential Impact?

Based upon the limited information that we have provided above, it appears to us that the proposed scope work may indeed have **potential** adverse impacts on subsurface ancestral cultural resources and/or ancestral remains. As in the many cases that have happened so many times in the past, our Tribe does not want to find itself in the position of interfacing with the "good old boy" archaeological mitigation process. Our Tribe wants to be kept fully informed whenever any of our ancestral remains or sites are encountered. As the documented aboriginal, historic and previously **Federally Recognized** Tribe of this area we also want to be responsible for the stewardship for our ancestors and heritage sites.

Historical and Legal Background on the Muwekma Ohlone Tribe

As the San Francisco Planning Department already knows the Muwekma Ohlone Tribe is comprised of all of the surviving lineages who are aboriginal to the San Francisco Bay region and whom were missionized into Missions Dolores, Santa Clara and San Jose. Our Tribe became Federally recognized through the Congressional Homeless California Indian Appropriation Acts of 1906 and 1908 and later years, and our Tribe was identified as the Verona Band of Alameda County by the Indian Service Bureau and the Reno, and later, Sacramento Agencies between 1906 to 1927. Our family heads enrolled with the BIA under the 1928 California Indian Jurisdictional Act and all of our enrollment applications were approved by the Secretary of Interior. Our families once again enrolled with the BIA during the second (1948-1957) enrollment and during the third (1968-1970) enrollment periods and those applications were also approved by the Secretary of Interior as well.

The Yelamu Ohlone Tribal Group of the San Francisco Peninsula and Marriage Ties to the East Bay Ohlone Tribal Groups

The Yelamu tribal group of Ohlone Indians controlled the region comprising the City and County of San Francisco. According to the comprehensive mission record and ethnogeographic studies conducted by anthropologist Randall Milliken, it appears that the first four people from Yelamu were baptized by Father Cambon, and the others of the tribe were baptized by Fathers Palou and Santa Maria between



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1777 - 1779. Apparently the first converts from the "*rancheria de Yalamu*" into Mission Dolores also had relations with the neighboring rancherias (villages) of Sitlintac (located about 2.6 miles northeast of Mission Dolores), Chutchui, Amuctac, Tubsinte, and Petlenuc all located within the present boundaries of San Francisco. Sitlintac and Chutchui were located in the valley of Mission Creek. Amuctac and Tubsinte were established in the Visitation Valley area to the south. The village of Petlenuc may have been near the location of the Presidio.

The Ohlone people from the Yelamu territory, as well as other tribal groups to the south, and across the East Bay, were missionized into Mission Dolores between the years 1777 to 1787. According to Fathers Palou and Cambon, the *Ssalsones* (the Ohlone tribal group located on the San Mateo Peninsula to the south), were intermarried with the Yelamu and they called the Yelamu "*Aguazios*" which means "Northerners".

Based upon genealogical information derived from the Mission Dolores records, the Yelamu Ohlone people of San Francisco were intermarried with other Ohlone tribal groups to the south and across the East Bay (i.e., Contra Costa), prior to contact with the Spaniards. For example, Fathers Palou, Cambon and Noriega over a period of time baptized the family of a Yelamu chief or *capitane* named Xigmacse (a.k.a. Guimas) who was identified by Palou as the "Captain of the village of this place of the Mission". Father Cambon recorded two of Xigmacse's wives, Huitanac and Uittanaca (who were sisters) as coming "from the other shore to the east at the place known as Cosopo".

Recently some scholars have suggested that the ending "-cse" on a man's name (as in the case of Captain Xigmacse) served as an appellation of distinction or preeminence, thus identifying that person as a chief or one of distinguished status and high lineage. In another case of cross-Bay intermarriage between tribal groups involved a Yelamu woman named Tociom. Tociom had a daughter named Jojcote who according to Father Cambon was "born in the mountains to the east on the other side of the bay in the place called by the natives Halchis". The place called "Halchis" is the territory of the **Jalquin** Ohlone Tribe located within the greater Hayward/San Leandro/southern Oakland region.

It was into this complex and rapidly changing world that a young Jalquin Ohlone man named Liberato Culpecse, at the age of 14 years old (born 1787) was baptized on November 18, 1801 at Mission Dolores, along with other members of his tribe. Seven years later in 1808 **Liberato Culpecse** had married his first wife Catalina Pispisoboj and she died three years later on October 16, 1811. After the death of his wife, Liberato was allowed to move to the Mission San Jose region, where he met his second wife, **Efrena Quennatole**. Efrena who was **Napian/Karquin** Ohlone was baptized at Mission San Jose on January 1, 1815. Father Fortuny married Efrena and Liberato on July 13, 1818. Liberato Culpecse and Efrena Quennatole had a son named Jose Dionisio (Nonessa) Liberato and a daughter, Maria Efrena. Both Jose Dionisio and Maria Efrena married other Mission San Jose Indians and they had children (who included members of the **Guzman** and **Marine** lineages) who later became the Elders of the historic Federally Recognized Verona Band (Muwekma) community during the mid 19th and 20th centuries. The direct ancestors of the Muwekma resided at the following East Bay rancherias: San Leandro/San Lorenzo, Alisal (Pleasanton), Del Mocho (Livermore), Niles, Sunol, and later Newark.

Jose Guzman was one of the direct ancestors of the families enrolled in our Tribe. Jose was probably one of the last knowledgeable participants of the 1870 Ghost Dance which was centered around the Pleasanton/Niles rancherias. In 1930 Harrington recorded 27 songs from him (Harrington Notes). Harrington noted that "Inf's padrasto went to S. Juan when muchachon (sp?) and brot (sic) many Juan, Antoniano and other songs. He was good cantor and bailador" (Notes:277). Apparently Jose Guzman accompanied his stepfather to San Juan Bautista and San Antonio and learned many of their religious ceremonial songs such as Tura, Hiwei, Kuksui and other songs.

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During the interviews with Harrington, Jose talked about various family relations who went to live and work on the west bay and peninsula. Jose said that his "Uncle was good fustero [turner/carpenter], went to live at San Mateo... He was a strong man. Inf. had a brother, said when he left he might never return " (Harrington Notes:23).

During the 1890's Mary Sheldon Barnes from Stanford University photographed and interviewed a Doloreño Indian man named **Pedro Evencio** and his son Joe Evencio. Barnes wrote: "There lives in San Mateo, an old Indian, Pedro Evencio by name, the last of all the gentle race who once filled the Santa Clara Valley with the smoke of their rancherias; the last of the all (sic) the Indians born and bred at the Mission Dolores" (The Stanford Sequoia III, 1894:277-279). Some of this information along with photos taken by Barnes and also appears in Stanger's South From San Francisco (1963). Stanger wrote that:

"**Indian Joe's** grandfather was baptized as a child at the Mission (Dolores?) and became a neophyte named Evencio Gessmon, the latter probably being his native Indian name. In manhood he was made Headman of the neophytes at San Mateo and lived until after 1846. His son, Indian Joe's father, was Pedro Evencio, born in the 1820's and killed by a train in about the year 1900. He is shown in a photograph of the 1890's living in a neat shack in San Mateo and appears to have been a man of character and personality" (1963:31-32).

Pedro Evencio and his family were listed on the **1880 Census for San Mateo County, Township 1**. He was identified as **Pedro Abencio**, age 58, (b. ca. 1822), Indian, Farm Laborer; Mary, wife, age 58, Indian; Mary, daughter, age 25, Indian; Refuga, daughter, age 16, Indian; Paul Jose, son, age 22, Indian is crossed out [he was residing elsewhere]; Thomas, son, age 5, Indian. All were born in California. The family was living next to a farmer named Louis Doff and family from France.

Living nearby in the **Millbrae Township** in San Mateo was Pedro's son, **Jose Abencio**. He was listed as Jose Abencio, age 22, [b. ca. 1858], Indian, and working as a stableman for Peter Leyton, who was a hotel proprietor originally from Holland.

Joe Evencio was identified on the **1900 Census** living in the City of San Mateo. He was identified as **Joe Evencio**, age 40, born March 1860, Black, laborer and single. Joe was listed as a roomer residing house of C. C. Moore, an engineer from New York and his family.

Another Muwekma/Verona Band lineage were the Binocos (aka Vinoco or Ynoco). Jose Binoco's sister Ambrosia had married Jose Guzman in 1881. Their mother Rita was raised by the Amestes family living in the San Mateo area. In 1930 Jose Binoco registered with the BIA.

Jose Binoco (BIA Application # 8419) was enrolled on **October 8, 1930**. The application indicates that he was born October 8, 1842, 86 years old (although Harrington interviewed him in 1929 and he indicated that he was 55 years old) and a full-blooded Indian. Jose was apparently in frail condition in Fairmont hospital in San Lorenzo. He stated that he was a widower and BIA Examiner, Fred Baker indicated that he was too old to answer questions about who his wife was. His father was identified on his BIA application as Francisco and his mother's name was Rita.

Francisco Binoco and Rita were married around 1859. Based upon the 1900 Census which identified Jose Binoco as Indian, age 42, (born ca. 1858). It appears that their first child was Jose Binoco. According to St. Joseph's Church (located in San Jose) baptismal records Jose Binoco was born in 1859. The reason why Jose Binoco was baptized at St. Joseph's was perhaps Francisco and Rita were residing on the Amestes Rancho on the West Bay or on the Alviso Rancho:

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1859 Oct 12, #204, Page 41, **Jose Domingo Ynoco (Binoco) (Indio)**

Born: -1858/59
Father: Francisco Ynoco
Mother: Maria Rita
Godparents: Juan Miranda and Maria de Carena

Jose Domingo was listed on the **1880 Census, Murray Township** as a laborer, age 27 (b. ca. 1853) in California . He was working on the farm of Thomas Pierce from Wales.

Francisco and Rita had three more children by 1863: Maria Esperanza; Francisco (Jr.) and Ambrosia:

1860 Jun 15, #43, Page 9, **Maria Esperanza (Indiana)**

Born: -1860
Father: Francisco (Binoco)
Mother: Rita Santos
Godparents: Silvanio Soto & Paula Berdugo (Paula Verdugo)
Note: Paula was Avelina Cornates' godmother

1861 Jul, #152, Page 31, **Franciscus (Indian)**

Born: May, 1861
Father: Francisco (Binoco)
Mother: Rita (Indicus) [Indians]
Godparents: Jose Higuera & Maria

1864 Jan 10, # 311, **Ambrosia* (Indian)**

Born: Dec 8, 1863
Father: Francisco (Binoco)
Mother: Rita
Godparents: Jose Maria Castillo & **Maria Aurora Castillo***

***Note:** Rita Suliej was Ambrosia's mother. Joe Guzman and Angel Colos informed Harrington that her Indian name was *Shale-u* or *Salle-u*. (Harrington notes).

After the death of **Jose Guzman's** first wife Agustia Lasoyo, he then married Ambrosia Binoco in 1881:

1881 May 20, Page 107, **Joseph Guzman & Ambrosia Vinoco**

"Joseph Gusman (viudo) Angustia N. felius Abencte Guzman Y Petra (Indians)" con Ambrosia Vinoco filia Francisco Vinoco & Rita N. (Indians) residentes in Pleasanton....Witness: Antonio Gonzales and Maria N. (Indians)"

1880 Census, June 19th Jose Binoco was listed as **Jose Beno**, Indian, age 25, Laborer; Raphaela, Indian, wife, age 22, keeping house; Melvina (Alta Gracia?), Indian, daughter, age 6 (born 1874), Joseph (faint on the census, but is Joseph), Indian, son, 11 months (July). The family was living at Alisal and living next to Thomas Inigo and his family and several houses away from John Arbios.

As mentioned above, **Jose Binoco** appeared on the **1900 Census** as Indian, age 42 and born in 1858 (**1900 Census, Murray Township**, page 70A). His occupation was listed as "Servant" and he was residing on the land of **Jean Arbios**, "the Frenchman" in Sunol, who Jose Guzman and Maria Colos were alluding to, when Harrington interviewed them in 1925.

In 1903 **Jose Binoco** appeared as a godparent with Susanna Flores (Nichols) for Rafael Marine and Avelina Cornates' last child, Joseph Rafael:

1903 Jun 21, Page 29, **Joseph Rafael Marino** (of Indian Birth) [St. Augustine]

Born: Apr 25, 1903
Father: Rafael Marino
Mother: Abalina Marina
Godparents: Josephus Binocho (Binoco) & Susanna Flores (Nichols)

Jose Binoco was also listed as **Joe Wenoco** on **Kelsey's 1905-1906 Special Indian Census** for Pleasanton. Five years later, on November 5, 1910, he was interviewed along with Jose Guzman, by C. Hart Merriam. Merriam wrote:

“Joe Benoko, and his father before him, lived at Sunol rancheria and belong to the Han-ne-su tribe. He is not sure however as to whether or not the Han-ne-su territory reached westerly from the San Joaquin valley to near Sunol, or his father's people moved into the Sunol country from the valley” (1967:368).

J. P. Harrington also tried to interview Jose Binoco during the 1920's, but did not obtain any detailed cultural information. He probably felt like Dolores Marine Galvan did, "thought he asked too many questions". However, Jose Guzman and Angela Colos did provide cultural and historical information about the Binocos:

“Miguel Pastor told Binoco to dance once the lole and Binoco tried but made bad go of it. But Binoco's father was a good dancer” (37:671).

Jose Binoco was listed on the **1920 Census, Pleasanton, Washington Township**. He was listed as a hired-man, age 70. Jose was working for Jean Sallsberry, from France and living on **Happy Valley Road** near the Crittenden Tract and not far from the Guzman household and the Alisal Rancheria. This was probably the same Frenchmen that Jose Binoco was working for mentioned in the Harrington notes.

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Another **Doloreño (Mission Dolores neophyte)** was one of the direct ancestors of the **Marine** lineage who was mentioned above was **Liberato Culpecse** from the **Jalquin Ohlone** tribal group whom occupied the East Bay areas of south Oakland, San Leandro, San Lorenzo, Hayward, Castro Valley and adjacent lands. It was into the complex and rapidly changing world of the emergent Hispanic Empire, that Liberato Culpecse, at the age of 14 years old (born 1787) was baptized on November 18, 1801 at Mission Dolores, along with other members of his tribe. Seven years later in 1808, Liberato Culpecse had married his first wife Catalina Pispisoboj and she died three years later on October 16, 1811.

After the death of his wife, Liberato was allowed to relocate to the Mission San Jose region, where he met his second wife **Efrena Quennatole**. Efrena Quennatole who was **Napian/Karquin Ohlone** was born in 1797 and baptized at Mission San Jose on January 1, 1815 at the age of 18 years. Father Fortuny married Liberato and Efrena (who by then was a widow) on July 13, 1818.

Liberato Culpecse and Efrena Quennatole had a son named **Jose Liberato Dionisio** (a.k.a. **Liberato Nonessa**). Liberato and Efrena later had a daughter named **Maria Efrena**. Both Jose Liberato Dionisio and Maria Efrena married other Mission San Jose Indians. Liberato Dionisio's second wife was **Maria de Jesus** who was the daughter of **Captain Rupardo Leyo (Leopardo)** and was the younger sister of **Captain Jose Antonio**. Liberato Dionisio and Maria de Jesus had several children including **Francisca Nonessa Guzman**, born May 7, 1867. Maria Efrena had married an Indian man named **Pamfilio Yakilamne** (from the **Ilamne** Tribe of the Sacramento Delta region) and they had several children including their youngest daughter **Avelina Cornates (Marine)**. During the late 19th and early 20th centuries, **Francisca Nonessa Guzman** and **Avelina Cornates Marine** became two the founding matriarchs of the present-day Guzman and Marine lineages. They, along with the other tribal families, comprised the historic **Federally Recognized Verona Band** tribal community residing at the following

East Bay rancherias: San Lorenzo, Alisal (Pleasanton), Del Mocho (Livermore), El Molino (Niles), Sunol, and later Newark.

Avelina Cornates Marine was born in November 1863 and baptized at Mission San Jose on January 17, 1864. By the late 1880s she had met and married **Raphael Marine**, who came to the United States from Costa Rica, but oral tradition indicates that he was originally from Sicily. Avelina Cornates and Raphael Marine had together nine living children by 1903, six of whom have surviving descendants who are presently enrolled in the Muwekma Tribe.

In the 1880s, the Hearst family purchased part of the Bernal Rancho containing the Alisal Rancheria and Mrs. Hearst permitted the 125 Muwekmas living at Alisal to remain on the land, and even employing some of them to do her laundry. During the early part of the 20th century, the Muwekma Ohlone Indians (later identified as the Verona Band by the BIA) became Federally Recognized and appear on the Special Indian Census conducted by Agent C. E. Kelsey in 1905-1906. Concurrently, during this period of time, Mrs. Phoebe Hearst was responsible for funding the fledgling Department of Anthropology at U.C. Berkeley. Dr. Alfred L. Kroeber, one of the early pioneering anthropologists, became known as "the Father of California Anthropology" interviewed some of the knowledgeable speakers of the Indian languages amongst the Mission San Jose Indians in the East Bay. Tribal Elders were also interviewed by Jeremiah Curtin, Edwin Gifford, C. Hart Merriam, James Alden Mason and John Peabody Harrington.

Shattering the Myth that the Ohlones were Never Federally Recognized

In 1989 our Tribe sent a letter to the Branch of Acknowledgement and Research in order to have our Acknowledged status restored. After eight years in the petitioning process, and after the submittal of several thousand pages of historic and legal documentation, on May 24, 1996 the Bureau of Indian Affairs' Branch of Acknowledgment and Research (BAR) made a positive determination that:

Based upon the documentation provided, and the BIA's background study on Federal acknowledgment in California between 1887 and 1933, we have concluded on a preliminary basis that the Pleasanton or Verona Band of Alameda County was previous acknowledged between 1914 and 1927. The band was among the groups, identified as bands, under the jurisdiction of the Indian agency at Sacramento, California. The agency dealt with the Verona Band as a group and identified it as a distinct social and political entity.

On December 8, 1999, the Muwekma Tribal Council and its legal consultants filed a law suit against the Interior Department/BIA – naming Secretary Bruce Babbitt and AS-IA Kevin Gover over the fact the Muwekma as a previously Federally recognized tribe it should not have to wait 20 or more years to complete our reaffirmation process.

In 2000 – D.C. District Court Justice Ricardo Urbina wrote in his Introduction of his Memorandum Opinion Granting the Plaintiff's Motion to Amend the Court's Order (July 28, 2000) and Memorandum Order Denying the Defendants' to Alter or Amend the Court's Orders (June 11, 2002) that:

"The Muwekma Tribe is a tribe of Ohlone Indians indigenous to the present-day San Francisco Bay area. In the early part of the Twentieth Century, the Department of the Interior ("DOI") recognized the Muwekma tribe as an Indian tribe under the jurisdiction of the United States." (Civil Case No. 99-3261 RMU D.D.C.)

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On October 30, 2000, response by the Department of Interior's Branch of Acknowledgment and Research/Tribal Services Division of the Bureau of Indian Affairs to Justice Urbina's Court Order regarding the Muwekma Ohlone Tribal enrollment and descendency from the previous Federally recognized tribe, BIA staff concluded:

"... . When combined with the members who have both types of ancestors), **100% of the membership is represented.** Thus, analysis shows that the petition's membership can trace (and, based on a sampling, can document) its various lineages back to individuals *or to one or more siblings of individuals* appearing on the 1900, "Kelsey", and 1910 census enumerations described above."

On July 25, 2002, Congresswoman Zoe Lofgren issued her "Extension of Remarks" on the floor of the House of Representatives stating:

"The Muwekma Ohlone Indian Tribe is a sovereign Indian Nation located within several counties in the San Francisco Bay Area since time immemorial.

"In 1906, the Tribe was formally identified by the Special Indian Census conducted by Indian Agent C. E. Kelsey, as a result of the Congressional Appropriation Act mandate to identify and to purchase land for homeless California Indian tribes.

"At this time, the Department of Interior and the Bureau of Indian Affairs federally acknowledged the Verona Band as coming under the jurisdiction of the Reno and Sacramento Agencies between 1906 and 1927.

"The Congress of the United States also recognized the Verona Band pursuant to Chapter 14 of Title 25 of the United States Code, which was affirmed by the United States Court of Claims in the Case of Indians of California v. United States (1942) 98 Ct. Cl.583.

"The Court of Claims case judgment instructed the identification of the Indians of California with the creation of Indian rolls. The direct ancestors of the present-day Muwekma Ohlone Tribe participated in and enrolled under the 1928 California Indian Jurisdictional Act and the ensuing Claims Settlement of 1944 with the Secretary of the Interior approving all of their enrollment applications.

"Meanwhile, as a result of inconsistent federal policies of neglect toward the California Indians, the government breached the trust responsibility relationship with the Muwekma tribe and left the Tribe landless and without either services or benefits. As a result, the Tribe has suffered losses and displacement. Despite these hardships the Tribe has never relinquished their Indian tribal status and their status was never terminated.

"In 1984, in an attempt to have the federal government acknowledge the status of the Tribe, the Muwekma Ohlone people formally organized a tribal council in conformance with the guidelines under the Indian Reorganization Act of 1934.

"In 1989, the Muwekma Ohlone Tribal leadership submitted a resolution to the Bureau of Indian Affairs' Branch of Acknowledgment and Research with the intent to petition for Federal acknowledgment. This application is known as Petition #111. This federal process is known to take many years to complete.

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“Simultaneously, in the 1980’s and 1990’s, the United States Congress recognized the federal government’s neglect of the California Indians and directed a Commission to study the history and current status of the California Indians and to deliver a report with recommendations. In the late 1990’s the Congressional mandated report – the California Advisory Report, recommended that the Muwekma Ohlone tribe be reaffirmed to its status as a federally recognized tribe along with five other Tribes, the Dunlap Band of Mono Indians, the Lower Lake Koi Tribe, the Tsnungwe Council, the Southern Sierra Miwuk Nation, and the Tolowa Nation.

“On May 24, 1996, the Bureau of Indian Affairs pursuant to the regulatory process then issued a letter to the Muwekma Ohlone tribe concluding that the Tribe was indeed a Federally Recognized Tribe.

“In an effort to reaffirm their status and compel a timely decision by the Department of the Interior, the Muwekma Ohlone Tribe sued the Bureau of Indian Affairs. The Court has mandated that the Department issue a decision this year. That decision is expected in early August.

“Specifically, on July 28, 2000, and again on June 11, 2002, Judge Ricardo Urbina wrote in his Introduction of his Memorandum Opinion Granting the Plaintiff’s Motion to Amend the Court’s Order (July 28, 2000) and Memorandum Order Denying the Defendants’ to Alter or Amend the Court’s Orders (June 11, 2002) affirmatively stating that:

‘The Muwekma Tribe is a tribe of Ohlone Indians indigenous to the present-day San Francisco Bay area. In the early part of the Twentieth Century, the Department of the Interior (“DOI”) recognized the Muwekma tribe as an Indian tribe under the jurisdiction of the United States.’ (Civil Case No. 99-3261 RMU D.D.C.)

“I proudly support the long struggle of the Muwekma Ohlone Tribe as they continue to seek justice and to finally, and without further delay, achieve their goal of their reaffirmation of their tribal status by the federal government. This process has dragged on long enough.

“I hope that the Bureau of Indian Affairs and the Department of Interior will do the right thing and act positively to grant the Muwekma Ohlone tribe our rights as a Federally Recognized Indian Tribe. The Muwekma Ohlone Tribe has waited long enough; let them get on with their lives as they seek to improve the lives of the members of this proud tribe. To do anything else is to deny this tribe Justice. They have waited patiently and should not have to wait any longer.”

On September 30, 2008 the US District Court in Washington, D.C. handed the Muwekma Tribe another victory against the Department of Interior with regards to our reaffirmation as a Federally Recognized tribe. Judge Reginald B. Walton opined:

“... These arguments, and the explanation from the Department giving rise to them, seemingly cannot be reconciled with the Court’s September 21, 2006, memorandum opinion. ...

“... **The Court rejected both of these arguments.** It dismissed the defendants’ “hand-waving reference to ‘highly fact-specific determinations,’” which, in the Court’s estimation, “[did] not free the defendants” of their obligation to justify the decision to treat the plaintiff differently from Ione and Lower Lake based on the administrative record for the plaintiff’s petition. ...

“... **Having rejected all of the defendants’ arguments on the issue of similarity of circumstances,** the Court proceeded to find that “the Department . . . ha[d] never provided a clear and coherent explanation for its disparate treatment of [the plaintiff] when compared

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with Ione and Lower Lake,” nor had it ever “articulated the standards that guided its decision to require [the plaintiff] to submit a petition and documentation under Part 83 while allowing other tribes to bypass the formal tribal recognition procedure altogether.”...

“... Here, the Department’s explanation and the defendants’ arguments in defense of that explanation and in support of summary judgment in their favor **would appear to run afoul of the law of the case established in this Court’s prior memorandum opinion.** The Court concluded, implicitly if not explicitly, that the plaintiff is similarly situated to Ione and Lower Lake, and remanded the case to the Department for the sole purpose of ascertaining a reason as to why the plaintiff was treated differently. Yet, the defendants do not even acknowledge that their arguments are inconsistent with the law-of-the-case, let alone provide a “compelling reason to depart” from it.

“... **The Court rejected that argument,** explaining that “[w]hat matter[ed] . . . [was] whether the Department sufficiently justified in the administrative record for [the plaintiff’s] tribal petition its decision to treat [the plaintiff] differently from Ione and Lower Lake.”

“... The Court remanded this case to the Department so it could explain why it treated similarly situated tribes differently, **not so that it could construct post-hoc arguments** as to whether the tribes were similarly situated in the first place. **It certainly did not remand the case so that the Department could re-open the record, weigh facts that it had never previously considered, and arrive at a conclusion vis-à-vis the similarity of the plaintiff’s situation to those of Ione and Lower Lake that it had never reached before.**

The Court would therefore be well within its discretion to reject the defendants’ arguments outright, grant the plaintiff summary judgment with respect to its equal protection claim, and bring this case to a close. ... [Emphasis added]

In conclusion, while our Tribe is awaiting a final decision from the U.S. District Court in Washington, D.C. or a settlement agreement with the Department of Interior about our restoration status, we nonetheless, are continuing to exercise our sovereignty and authority as a Recognized Tribe. Therefore, I would once again thank you for contacting our Tribal office with regards to the proposed redevelopment projects located in San Francisco, however because of the efforts in the past by public agencies of excluding our legal history as a previously Federally Recognized Tribe, as well as dismissing our concerns about projects directly involving our ancestral village and cemetery sites, our Tribe would like for this project to include in its ethnographic section **accurate** and **updated** historic and legal information about our Tribe in your forthcoming Final Reports.

Based upon the information and concerns stated above, the area within and surrounding the proposed project parcels do indeed have deep historic significance and cultural meaning to our Tribe. Furthermore, our Tribe **does not** want to find itself in the position of being disenfranchised and caught-up in the “good old boy” archaeological mitigation process again. We insist on being contacted whenever any of our ancestral cemetery or village sites are either threatened or discovered by construction activities. We insist on being full participants in this planning process and also on any recovery program regarding our ancestral burials.

In the past we have been very troubled by the generic treatment in EIRs about our Tribe’s history and heritage, which is usually fraught with myths, stereotypes containing much outdated and undernourished information, and usually cited from either Malcolm Margolin’s interpretive fantasy The Ohlone Way, and/or Richard Levy’s section “Costanoan” in the Handbook on North American Indians, Vol. 8, 1978.

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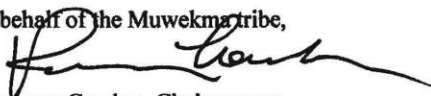
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Furthermore, in most, if not all, of the EIRs there is deliberate effort to expunge the existence of our Tribe from the historical record. Have you ever wondered why on the one hand your department has to follow the guidelines under SB18 and contact Native American tribal groups as part of a consultation process and yet those documented tribal groups are a non-entity on the Final Report? This is what we mean by "politics of erasure."

Should you have any additional questions or would like to obtain primary documentation, please contact our Tribal office at 408-434-1668 or my cell phone at 408-914-5797 and I will be happy to interact with your staff. Finally, I insist on obtaining a copy of the Final Report for this project and we insist that this letter be part of the Tribal consultation record.

Your researchers can obtain useful information from Milliken's publications as well as from our website www.muwekma.org. Should you have any additional questions or would like to obtain primary documentation, please contact our tribal office and we shall consider your request. Finally we would like to obtain a copy of the cultural resource section of your report.

On behalf of the Muwekma tribe,



Rosemary Cambra, Chairwoman

Cc:
Muwekma Tribal Council
Cultural Resources File
SF Planning Department Candlestick Park/Hunters Point

↑
107-3
cont'd.

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■ Letter 107: Muwekma Ohlone Indian Tribe (1/12/10)

Response to Comment 107-1

The comment refers to a Planning Department letter dated January 5, 2010.¹²⁴ That letter, as discussed in Master Response 1 (SB 18) is part of City and County of San Francisco outreach with Native American groups related to the General Plan changes proposed as part of the Project; that consultation is not part of the EIR process. The Planning Department letter included a CD of the Draft EIR as information. The November 12, 2009, to January 12, 2010, dates refer to the Draft EIR public review, not the Senate Bill 18 (SB 18) consultation steps.

Refer to Responses to Comments 1-1 and 85-5 with regard to the extension of the Draft EIR comment period and the opportunities to provide public comment on the EIR. Refer to Master Response 1 (SB 18) with regard to consultation with the Native American community under SB 18.

Response to Comment 107-2

Draft EIR Section III.J (Cultural Resources and Paleontological Resources), pages III.J-2 through -5 discusses the prehistoric context, the presence of indigenous Native American peoples, identified as the Ohlone (Costanoan) people. The Draft EIR, pages III.J-17 through -19, then notes and describes the sixteen known prehistoric Native American sites within, or within 0.25 mile of, the Project site. For reasons of confidentiality, the locations of the sites are identified only generally. The Draft EIR concludes that the Project could have potential adverse effects on such Native American sites, as noted in Impact CP-2a, page III.J-36; Impact CP-2b, page III.J-40; and Impact CP-2, pages III.J-40 to -41. The Draft EIR also recognizes that the other potential resources may be present, in addition to identified sites. With regard to HPS Phase II, Impact CP-2b, Draft EIR page III.J-40, states:

Moreover, previous archaeological investigations have shown that prehistoric archaeological sites in the HPS Phase II site tend to be located along the original shoreline. Therefore, it is possible that Project-related construction activities may encounter previously unknown archaeological resources.

The Draft EIR identifies the Project effects and mitigation measures that would avoid significant adverse effects on such sites. Mitigation measure MM CP-2a, Section III.J, pages III.J-36 through -39, provides for a series of steps, for implementation of the Project Archaeological Research Design and Treatment Plan (ARDTP), including preconstruction testing under the direction of a qualified archaeologist, to identify potential cultural resources. The measure requires that all work and reporting by the archaeologists shall be under the further direction and approval of the City's Environmental Review Officer (ERO).

Refer to Master Response 1 (SB 18) with regard to consultation with the Native American community under Senate Bill 18 (SB 18), and to Master Response 2 (Potential Native American Burial Sites), with regard for the potential for disturbance of Native American burial sites on the Project site. As discussed in Master Response 1, the City is undertaking outreach, separate from the EIR process, intended to elicit a full understanding of concerns that Native American tribes and organizations have about the Project, how

¹²⁴ Letter from San Francisco Redevelopment Agency and San Francisco Planning department to Rosemary Cambra, chairperson, Muwekma Ohlone Indian Tribe, regarding availability of the Candlestick Point–Hunters Point Shipyard Phase II Development Plan Project Draft EIR, January 5, 2010.

the concerns may be addressed, and any other suggestions or recommendations the Native American tribes or organizations may have. Those suggestions or recommendations may include the use of specific research methods at Native American archaeological sites.

The identification of potential prehistoric sites in the ARDTP is not based on a formal predictive model but on the informal predictive model used by the Planning Department MEA Prehistoric Period Archeo GIS Project that employs prior documentation and historical ecology data. Such cultural resources could be present at or near known sites, or elsewhere at the Project site. The ARDTP, as discussed above, relies on the information of known sites, but also includes measures to be implemented should Project development uncover or disturb previously unknown cultural resources.

The comment refers to the Muwekma Ohlone (Park) Sanctuary at Islais Creek. An area on the north shoreline of Islais Creek east of Third Street, about two miles north of Hunters Point, had been improved by community groups. That site is owned by the Port of San Francisco and is now secured, not accessible to the public, and does not provide open space. The area is not a prehistoric or historic Native American cultural resources site. The Project would have no effect on that area.

Response to Comment 107-3

The comments contain information on the history of the Muwekma Ohlone tribe and its legal status as a Native American tribe and are not direct comments on the content or adequacy of the Draft EIR. No response is required.

■ Letter 108: Hunters Point Shipyard Citizen's Advisory Committee (12/18/09)

1 of 7

Letter 108



THE MAYOR'S HUNTERS POINT SHIPYARD CITIZEN'S ADVISORY COMMITTEE

BVHP SHIPYARD SITE OFFICE PHONE: 415.822.4622
P. O. BOX 882403 FAX: 415.822.4840
SAN FRANCISCO, CA 94188 EMAIL: SANFRANCISCOCAC@AOL.COM

December 18, 2009

Mayor Gavin Newsom
City Hall, Room 200
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Agency Commissioners
San Francisco Redevelopment Agency
One South Van Ness Avenue 5th Floor
San Francisco, CA 94103

Dear Commissioners and Mayor Newsom,

The Hunter's Point Shipyard Redevelopment Citizen's Advisory Committee (CAC) would like to voice their support for remediation strategies that maintain a naturalized shoreline in the Hunter's Point Shipyard and Candlestick Point Joint Redevelopment Project Area. It has been brought to our attention by residents of India Basin that hard riprap is the current remediation strategy for Sites 7 and 18 in Redevelopment Area Parcel B, commonly known as Buck's Beach. This remediation strategy would limit future public uses of the shoreline and would be damaging to the current and future shoreline habitat. Ideally, we would advocate for the sites to be transferred to Parcel F to allow more time for study but we understand that the process is very far along and such a change could cause delay in the project schedule. However, we believe that there is some flexibility in the wording of the ROD that would allow for a different remediation strategy without the need for further study. We hope that the Navy will consider utilizing a remediation strategy that will be less disruptive.

The CAC has consistently been focused on ensuring the Hunter's Point Shipyard development is a livable community that not only provides a great environment for San Francisco residents but also serves as a draw for residents of the greater Bay Area. Accessible and recreationally useful shoreline areas are an important part of reaching that goal.

Attached is a selection of email correspondence that has been forwarded to us regarding the shoreline issue. We hope that this issue can be resolved with the best interests of the environment and current and future residents.

Sincerely,

Dr. Veronica Hunnicutt
Chair, Hunters Point Shipyard Redevelopment Citizen's Advisory Committee

Cc:



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Michael Cohen, San Francisco Mayor's Office of Economic and Workforce Development
Tiffany Bohee, San Francisco Mayor's Office of Economic and Workforce Development
Fred Blackwell, San Francisco Redevelopment Agency
Thor Kaslofski, San Francisco Redevelopment Agency
Lara Urizar, United States Navy
Keith Forman, United States Navy
Ryan Miya, California Department of Toxic Substances Control
Ross Steenson, San Francisco Bay Regional Water Quality Board
Amy Brownell, San Francisco Department of Public Health
Michael McGowan, Arc Ecology
Kristine Enea, India Basin Neighborhood Association
Jeff Austin, Lennar Urban
Office of Congresswoman Nancy Pelosi
Office of US Senator Barbara Boxer
Office of US Senator Dianne Feinstein

Attachments (1)

Page 2 of 2

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Attachment:

Email correspondence regarding a request for alternative remediation strategies on Parcel 7.

>From: "Mike McGowan" <mikemcgowan@arceceology.org>
>To: "Urizar, Lara L CTR OASN (I&E), BRAC PMO West" <lara.urizar.ctr@navy.mil>, "Kristine Enea" <kristine@indiabasin.org>
>Cc: "Mike McGowan" <mikemcgowan@arceceology.org>, <ripperda.mark@epa.gov>, "Ryan Mya" <rmiva@dtsc.ca.gov>, <RStenson@waterboards.ca.gov>, "Brownell Amy" <Amy.Brownell@sfdph.org>, "Saul Bloom" <saalbloom@arceceology.org>, "Kito, Melanie R CIV NAVFAC SW" <melanie.kito@navy.mil>, "Forman, Keith S CIV OASN (I&E) BRAC PMO West" <keith.s.forman@navy.mil>, "Hamman Michael" <mhamman@igc.org>, "Cohen Michael" <michael.cohen@sfgov.org>, "corinne woods" <Corinnewoods@cs.com>, "Paul Nixon" <pnixonsf@yahoo.com>, "Marcia" <marcia.dale.lewint@me.com>
>Date: November 30, 2009 10:37:50 AM PST
>Subject: HPS B IR7: no new ROD, just new draft RD?
>
>Ms. Urizar,
>Thank you for your patience in responding to our concerns. However, there are still some points of disagreement.
> The scientific evidence does not seem to require a hard riprap armor at IR7. Because of its permanent negative impact to the ecology of the bay and shoreline, riprap should be avoided if at all possible.
> I believe the language in the ROD says something like "such as a riprap revetment." I don't believe it requires it. The selection of the riprap in the remedial design was based on, in my opinion, lack of a fair evaluation of the living shoreline option despite requests from the public. The ROD may not need amending, just redo the draft RD.
> It appears that the diagram of the hybrid living shoreline in the report comparing revetment:sheetpile:living shoreline would be a good plan to move forward with for a revised draft RD, with slight modifications to reduce the cost of the breakwater. As it is already prepared and very similar to the revetment diagram, there should be no substantial delay.
> there will be sediment excavated at the shoreline no matter which alternative is constructed; the differences in tonnage don't seem extreme, especially if a right-sized breakwater saves time and reduces costs substantially over the riprap approach.
> Parcel E may or may not be a candidate for a living shoreline due to groundwater concerns. Thank you for clarifying that a living shoreline will be considered here. What about the small beach in the northeast corner of B where riprap is now being proposed, just as at IR7? Shouldn't a living shoreline be considered here, too?
>
>Correction: The reference to SFO not being appropriate for San Francisco wind data is in the Candlestick-HPS Draft EIR, not in the Moffatt & Nichol report. Sorry for the mistake.
>
>Regards,
>Mike
>
>
>-----Original Message-----
>>From: "Urizar, Lara L CTR OASN (I&E), BRAC PMO West" <lara.urizar.ctr@navy.mil>
>>Sent: Nov 30, 2009 9:29 AM



108-1
cont'd.

4 of 7

>>To: Kristine Enea <kristine@indiabasin.org>
>>Cc: Mike McGowan <mikemcgowan@arceecology.org>, ripperda.mark@epa.gov, Ryan Mya <rmiva@dtsc.ca.gov>, RStenson@waterboards.ca.gov, Brownell Amy <Amy.Brownell@sfdph.org>, Saul Bloom <saulbloom@arceecology.org>, "Kito, Melanie R CIV NAVFAC SW" <melanie.kito@navy.mil>, "Forman, Keith S CIV OASN (I&E) BRAC PMO West" <keith.s.forman@navy.mil>, Hamman Michael <mhamman@igc.org>, Cohen Michael <michael.cohen@sfgov.org>, corinne woods <Corinnewoods@cs.com>, Paul Nixon <pnixonsf@yahoo.com>, Marcia <marcia.dale.lewint@me.com>
>>Subject: RE: HPS B IR7 wind: SF calls SFO data unsuitable

>>
>>Kristine,
>>The Navy, with regulatory involvement, carefully evaluated the options for addressing the contamination at the Site 7 shoreline. The shoreline revetment was first introduced in the Technical Memorandum in Support of a Record of Decision Amendment (TMSRA) in 2007. The Proposed Plan was sent to the public in June 2008, and the Navy held a public meeting in July 2008 in order to gather public input regarding the remedy. Based in input received during this process, the Navy presented the final cleanup decision in the Amended Parcel B ROD. This ROD was signed by the Navy and regulators nearly a year ago, in January of 2009. Once this ROD was signed, the Navy was required to move forward in the CERCLA process towards building the remedy - this included preparing a very detailed Remedial Design.

>>
>>I realize you know the CERCLA steps that the Navy went through; however, it is important for you and the rest of the community to understand the time and effort the Navy has gone through in order to comply with CERCLA. It is too late in the process to expect the Navy to change the remedy, or manipulate parcel boundaries for special interests. Due to the potential presence of radionuclides at Sites 7 and 18, the Navy has agreed to install the remedy (including the shoreline revetment) at these sites before property transfer to the City and County of San Francisco. Additionally, the Navy is not allowed, post-ROD, to transfer any square footage from one parcel into another and place it on a different timeline. The Navy has 15 months to initiate a remedy once a ROD has gone final, and that clock cannot be stopped due to the Navy changing parcel boundaries.

>>
>>Once again, we encourage you to refocus your efforts on the Parcel E shoreline, which is not as far along in the CERCLA process (it is in the Feasibility Study stage right now). The Navy plans to evaluate a natural shoreline remedy in the Draft Final FS for Parcel E. Thank-you.

>>
>>Lara Urizar, P.G.
>>Project Manager
>>Hunters Point Shipyard
>>619-532-0960 (phone)
>>619-532-0983 (fax)

>>
>>-----Original Message-----
>>From: Kristine Enea [mailto:kristine@indiabasin.org]
>>Sent: Wednesday, November 25, 2009 15:45
>>To: Urizar, Lara L CTR OASN (I&E), BRAC PMO West
>>Cc: Mike McGowan; ripperda.mark@epa.gov; Ryan Mya; RStenson@waterboards.ca.gov;



108-1
cont'd.

5 of 7

Brownell Amy; Saul Bloom; Kito, Melanie R CIV NAVFAC SW; Forman, Keith S CIV OASN (I&E) BRAC PMO West; Hamman Michael; Cohen Michael; corinne woods; Paul Nixon; Marcia
>>Subject: Re: HPS B IR7 wind: SF calls SFO data unsuitable

>>

>>Hi Lara,

>>

>>Please understand that we are not lobbying for Buck's Beach as an exercise in "keeping you honest." Every party involved in the cleanup has lobbied at some point for a living shoreline there, including the Navy. We have seen the Navy take creative approaches with respect to many other aspects of the cleanup, and we are asking for the same here. Let's not short-change the community in the name of adherence to process. The taxpayers are asking you to save Buck's Beach.

>>

>>The Navy has not indicated any objection to transferring several other parcels early, prior to installing a cover, to save the City the cost of removing that cover and installing another one in the form of a building or a road. Wouldn't that be possible for the small stretches of sand at Buck's Beach?

>>

>>We have also suggested re-assigning Buck's Beach into Parcel F to allow time for further study. Couldn't this administrative transfer take place now, and the analysis for a living shoreline at Buck's Beach be conducted at the same time as for the shoreline at Parcel E?

>>

>>Please advise, thanks.

>>Kristine

>>

>>

>>Kristine Enea

>>kristine@indiabasin.org

>>

>>

>>

>>On Nov 25, 2009, at 3:13 PM, Urizar, Lara L CTR OASN (I&E), BRAC PMO West wrote:

>>

>>> Mr. McGowan,

>>> I appreciate your interest in the Navy's cleanup of HPS. And while it is an excellent exercise to keep us honest, it is unfortunately too late in the CERCLA process at Parcel B. The Final Amended ROD for Parcel B was signed in January 2009, the Remedial Design will go final within weeks, and remedial action activities will begin in Spring 2010.

>>>

>>> Furthermore, the Navy strongly believes that we are doing the right thing to be protective of human health and the environment. The shoreline revetment at Site 7 will cover sediment with PCBs, PAHs, pesticides, metals, and potentially radionuclides.

>>>

>>> You assert that changing this component of the remedy at this point would not delay implementation of the remedy. However, a change of this magnitude would at the very least result in the Navy having to prepare an Explanation of Significant Differences (ESD) to the Amended ROD (estimate 9 months), rewriting the Remedial Design report (estimate another 6 to 9 months), and costing taxpayer money reworking a robust and protective remedy. Furthermore, eliminating the shoreline revetment would result in the need to excavate much sediment from the shoreline and

108-1
cont'd.

6 of 7

backfill with clean imported soil that would then require a great deal of operation and maintenance in perpetuity. The Navy feels its efforts would be much better spent if focused on upcoming projects, most notably the Parcel E shoreline.

>>>

>>> Finally, the Navy will move ahead to construct the remedy detailed in the Amended ROD and Remedial Design. However, please keep in mind that once the property is transferred, you can work with the City to get the shoreline remedy changed if you still feel that it is a worthwhile effort. Thank-you.

>>>

>>> Lara Urizar, P.G.

>>> Project Manager

>>> Hunters Point Shipyard

>>> 619-532-0960 (phone)

>>> 619-532-0983 (fax)

>>>

>>>

>>>

>>> -----Original Message-----

>>> From: Mike McGowan [mailto:mikemcgowan@arceecology.org]

>>> Sent: Wednesday, November 25, 2009 14:08

>>> To: Urizar, Lara L CTR OASN (I&E), BRAC PMO West

>>> Cc: ripperda.mark@epa.gov; Ryan Mya; RStenson@waterboards.ca.gov;

>>> Amy.Brownell@sfdph.org; saulbloom@arceecology.org;

>>> kristine@indiabasin.org; Kito, Melanie R CIV NAVFAC SW; Forman, Keith

>>> S CIV OASN (I&E) BRAC PMO West

>>> Subject: HPS B IR7 wind: SF calls SFO data unsuitable

>>>

>>> Ms. Urizar,

>>> There was an interesting reference in Moffatt & Nichol (2009) that discusses the San Francisco Planning Department standards for measuring wind for development projects. The planning department decided that SFO was not suitable as a source of wind data because it is far from the city and because topographic channeling near SFO converts the synoptic westerly winds to northwesterly. City Planning requires site-specific wind measurements, and in some cases, wind tunnel testing of building designs.

>>>

>>> To summarize several emails and technical reports and observations:

>>> Using SFO wind data, a 3 ft wave might be possible from the northeast of the IR7 shoreline, if a 40 mph wind blew continuously for at least an hour from that direction. Building a riprap revetment to withstand the 3 ft wave would be a conservative approach to preventing erosion.

>>>

>>> However, the 3 ft wave would break in shallow water before reaching the revetment and much of its erosive energy would be neutralized. Moreover, the hypothetical 40 mph wind would not blow for the entire fetch used in the estimate due to turbulence downwind of the Bay Bridge. Furthermore, site specific wind observations at IR7 and nearby are different from those at SFO in being quite a bit slower and coming from different directions, proportionally much less time from the northeast. In addition, using SFO data as a proxy for site-specific data is questionable. The settings of the two locations do not appear especially similar and San Francisco Planning Department guidance states that SFO wind data are not suitable for modeling wind in San



108-1
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Francisco.

>>>

>>>> The technical basis for needing riprap needs to be re-evaluated because a living shoreline approach, if adequate to prevent erosion, would be superior in terms of visual appeal, public access, and habitat value for the bay. I believe a hybrid living shoreline could be implemented at IR7 for less cost and without major changes to existing plans. These changes should not delay implementation of the remedy.

>>>

>>>> Regards,

>>>> Mike

>>>

>>>

>>>> Michael F. McGowan, Ph.D.

>>>> Arc Ecology

>>>> 4634 Third Street

>>>> San Francisco, CA 94124

>>>> 415 643-1190 X-308

>>>> 415 643-1142 FAX

>>>> mikemcgowan@arcecolology.org

>>

>

>

>Michael F. McGowan, Ph.D.

>Arc Ecology

>4634 Third Street

>San Francisco, CA 94124

>415 643-1190 X-308

>415 643-1142 FAX

>mikemcgowan@arcecolology.org



108-1
cont'd.

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■ Letter 108: Hunters Point Shipyard Citizen's Advisory Committee (12/18/09)

Response to Comment 108-1

The comments in this letter concern the remediation strategy for Installation Restoration (IR) Sites IR-07 and IR-18 in Redevelopment Area Parcel B in the vicinity of Buck's Beach, which, as stated on pages III.K-17 through -18 of the Draft EIR, are subject to remediation by the Navy prior to transfer to the City/Agency. The various e-mail exchanges attached to the comment letter discuss the Navy's process for selecting the remediation strategy as well as the status of the Navy's cleanup. For Parcel B, The Navy has completed the preliminary investigation, site inspection, remedial investigation, feasibility study, and proposed plan, and issued an initial Record of Decision (ROD) in 1997, prepared a remedial design, and proceeded with remedial action implementation. After a decade of work and additional study, it developed a revised remedy. The Navy issued an amended ROD in 2009.

As noted in Master Response 9 (Status of the CERCLA Process), the Navy has completed the remedial design (RD) for Sites IR-07 and IR-18, an area of fill in the northwestern area of the parcel. This RD includes plans for remediation of near-shore sediments and construction of a protective revetment along the shore of San Francisco Bay in IR-07. The method of remediation is determined through the CERCLA process. Even if Sites IR-07 and IR-18 are subject to an early transfer, the Navy must complete remediation of these two specific sites in accordance with the strategies determined in the CERCLA process prior to transfer. Therefore, the selection of specific strategies for and/or remediation process for Sites IR-07 and IR-18 is outside the control of the Lead Agencies and the Project Applicant.

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Letter 109: San Francisco Building and Construction Trades Council (1/4/10)

1 of 1

Letter 109

San Francisco Building and
1188 FRANKLIN STREET • SUITE 203
SAN FRANCISCO, CA 94109
EMAIL: mike@sfbctc.org



Construction Trades Council
TEL. (415) 345-9333
FAX (415) 345-9449
www.sfbuildingtradescouncil.org

*A Century of Excellence
in Craftsmanship*

LARRY MAZZOLA
President

MICHAEL THERIAULT
Secretary - Treasurer

JOHN O'ROURKE
KEN OKU
Vice Presidents

4 January 2010

Mr. Rick Swig
President
San Francisco Redevelopment Commission
One South Van Ness Avenue, 5th Floor
San Francisco, California 94103



**Re: Adequacy of the Draft Environmental Impact Report for the
Candlestick Point – Hunters Point Shipyard Phase II Development Plan Project;
Bayview Hunters Point and Hunters Point Shipyard Redevelopment Project Areas**

Dear President Swig:

On behalf of the San Francisco Building and Construction Trades Council, I have reviewed the summary of the aforementioned document and urge you to act immediately to move this project forward.

The Draft Environmental Impact Report (DEIR), released on 12 November 2009, concludes that the proposed development of Candlestick and Hunters Points will "create a mixed-use community with a wide range of residential, retail, office, research and development, civic and community uses, and parks and recreational open space," thereby improving degraded urban areas with numerous environmental protections and enhancements.

We believe the document is adequate and no further delays for public comment are necessary.

You are well-acquainted with the development's economic benefits. The DEIR's analysis confirms that its land use and design will protect and enhance natural resources in a way consistent with the resource policies of the *San Francisco General Plan* and with all City environmental policies, regulations and laws. It considers alternatives to the development but rejects them for clear, convincing reasons. What remains is the development as proposed. The Southeast of the City needs it. So do we in the Trades.

Please move swiftly to its entitlement.

Sincerely,

Michael Thériault
Secretary-Treasurer

Cc: Darshan Singh, Vice President
London Breed
Miguel Bustos
Francee Covington
Leroy King

109-1



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■ **Letter 109: San Francisco Building and Construction Trades Council
(1/4/10)**

Response to Comment 109-1

This letter is in support of the Project and makes no specific comment on environmental issues or the content or adequacy of the Draft EIR.

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Letter 110: Singer, Sam (1/5/10)

1 of 1

Letter 110

FW: Media clip re: Hunters Point - T anoo! Mail

http://us.mc1127.mail.yahoo.com/mc/showmessage?si=110-000167&id=...



FW: Media clip re: Hunters Point
From: "Jason Barnett" <jason@singersf.com>
To: jennrcastro@yahoo.com



Tuesday, January 5, 2010 11:03 PM

received by
Rev. A. Walker
@ 1/5/10 hg.

EPA report: Shipyard project minimizing dust

By John Coté - San Francisco Chronicle, January 5, 2010

For years, critics of the plan to redevelop the Hunters Point Naval Shipyard have said the project is kicking up toxic dust and causing residents to have nosebleeds, headaches and other health problems. But a draft of a federal report obtained by The Chronicle found the project has effective safeguards in place to minimize asbestos exposure.

The report by the Environmental Protection Agency is the latest in a string that have found the project to be safe, despite lawsuits, a record fine and more than three years of heated public hearings as activists seek to halt the work.

The draft report found that monitoring procedures are effectively minimizing "dust generation and limiting asbestos exposure." The EPA also saw "no reason to suspend or stop the construction project," which calls for 10,500 homes to be built over two decades in an ambitious effort to transform the city's southeastern waterfront.

The EPA's analysis is a vindication of sorts for Mayor Gavin Newsom, who has pushed the project. Newsom was hounded on the campaign trail during his failed gubernatorial bid by followers of Nation of Islam minister Christopher Muhammad who contend the project is sickening residents. The local Nation of Islam chapter has a school nearby.

"After more than three years, Minister Christopher Muhammad has still failed to generate a single shred of reputable scientific evidence that the construction on phase one of Hunters Point shipyard was harmful to the surrounding community," said Michael Cohen, head of the mayor's economic development office. "The fact that Barack Obama's EPA has joined the long list of federal, state and local agencies that agree there is no reason to stop this project is important because of the Obama administration's strong commitment to environmental justice."

Still skeptical

Not everyone is convinced of the latest findings, saying that the project is spreading naturally occurring asbestos that is causing health problems among nearby residents. Asbestos, a fibrous mineral, is sent airborne when earth is broken and graded for construction. Long-term exposure can cause cancer.

Marie Harrison, a Bayview-Hunters Point resident and organizer with Greenaction, questioned the EPA's testing methods, especially since individual residents were not screened.

"I would love to believe that they did this, I really truly would. But if I'm going to believe anything, I've got to see it," Harrison said. Leon Muhammad, dean at the local Nation of Islam school, refused to comment on the EPA report. Christopher Muhammad could not be reached.

The EPA's study looked at existing data from 10 monitors around the 75-acre first-phase site. The monitors work like vacuums, sucking air into a small canister, which contains a filter that is analyzed at a lab. The agency also reanalyzed 34 filters from "some of the worst-case situations" using a more detailed method.

It found that the "oversight of the project is appropriate" and that the standard local officials use actually resulted in a more conservative approach than the EPA method, the draft report said.

The city's public health chief, Mitch Katz, has repeatedly testified that the construction is safe, and the city's efforts have been backed by the state Department of Health Services and U.S. Centers for Disease Control and Prevention.

Fine and lawsuits

However, regrading the site for construction hasn't come without problems.

The Bay Area Air Quality Management District fined Lennar Urban, the developer partnering with the city, \$515,000 in September 2008 - the largest fine in the district's history for a dust violation - for failing to properly monitor the air, maintain stations for washing dust off vehicles and contain dust from roadways out of the worksite.

According to air district officials, there was missing data from May through July 2006 after one of Lennar's consultants failed to properly calibrate monitoring equipment.

But the air district maintains that there was no evidence "of any kind of definitive health hazard," said spokeswoman Lisa Fasano.

Two former Lennar employees also sued the company in March 2007, alleging the company violated state law by retaliating against them for raising questions about the dust problems at the construction site. They also claim that they were victims of racial discrimination.

The lawsuit was settled out of court in January 2008 after Lennar failed to get it dismissed, records show. Representatives on both sides declined to comment on the amount.

A second lawsuit, filed in June on behalf of more than a dozen children who live or go to school in the neighborhood, contends Lennar "on many occasions" failed to stop work despite asbestos levels far exceeding the cut-off threshold. A trial is set for July.

Sam Singer, a Lennar spokesman, called the lawsuit "without merit."

Singer Associates, Inc.
140 Second Street, 6th Floor | San Francisco, CA 94105
V: (415) 227-9700 | F: (415) 348-8478
singer@singersf.com | www.singer-associates.com

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of 1

1/5/2010 3:00 PM

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■ Letter 110: Singer, Sam (1/5/10)

Response to Comment 110-1

This letter is a copy of a media clip from the San Francisco Chronicle and makes no direct comment on environmental issues or the content or adequacy of the Draft EIR. Refer to Master Response 12 (Naturally Occurring Asbestos) for a discussion of naturally occurring asbestos and dust minimization.

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■ Letter 111: San Francisco Organizing Project (1/5/10)

1 of 1

Letter 111

*Rec'd @
1/5/10 hys*

SFOP Talking points for Public Hearings 2010

- My name is _____ and I am a leader with the San Francisco Organizing Project at (Congregation/School)
- SFOP is a faith-based, grassroots organization that works in over 30 congregations and schools representing 40,000 San Franciscans to develop community leaders and grassroots campaigns. SFOP has a broad-based constituency and our leaders influence public officials to make better decisions about important issues that affect us all -- health care, affordable housing, neighborhood safety, workforce development and education.
- We are a member of the PICO National Network, a coalition of over 50 organizations like ours across the country. Together we are working to build leadership within our congregations, neighborhoods and families to make the changes that our communities need.
- SFOP's long-time Bayview members True Hope COGIC and Providence Baptist Church, in addition to the several affiliate congregations and schools in the District, have organized and won many initiatives for safer streets, youth programs, employment opportunities and affordable housing over the last 25 years.
- As you know, SFOP is a member of the Alliance for District 10 – made up of SFOP, SF ACORN and the SF Labor Council. In May 2008, we signed a historic community benefits agreement with the Lennar Corporation to insure that the families of our congregations and schools in Bayview and Vis Valley will really benefit from the exciting development that is in the works. We are supportive of the project because, working with the City and with Lennar, we will be able to bring roughly 3,500 units of affordable rental and home ownership housing and \$17 million in funding for jobs and job training for local residents.
- From the agreement, we have more than doubled the required amount of affordable housing to be built in the development. In addition, the workforce contribution -- \$8.5 from Lennar to be matched by \$8.5 million of City funds—is unprecedented. We will use this funding in a coordinated strategy targeted at ending the high unemployment and thus the violence that plagues our neighborhoods.
- Thank you for supporting this project – your approval will help us bring these much needed resources to our community.

111-1

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■ Letter 111: San Francisco Organizing Project (1/5/10)

Response to Comment 111-1

This is a handout of talking points for 2010 public hearings on the Project. These comments were raised in oral comment on January 5, 2010. Refer to Response to Comment SRFA2-14.

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■ Letter 112: San Francisco Chamber of Commerce (1/5/10)

1 of 2

Letter 112

Received @
1/5/10 hrg



SAN FRANCISCO
CHAMBER OF COMMERCE *Where smart business starts.*

January 5, 2010

Mr. Rick Swig
President
San Francisco Redevelopment Agency
One South Van Ness Avenue 5th Floor
San Francisco, CA 94103



Re: Adequacy of the Draft Environmental Impact Report for the
Candlestick Point – Hunters Point Shipyard Phase II Development Plan Project;
Bayview Hunters Point and Hunters Point Shipyard Redevelopment Project Areas

Dear President Swig:

The San Francisco Chamber of Commerce urges no further delays in the comment period for the above noted DEIR. The document adequately discusses the impacts of the development project, and it's important to move forward with the response to comments as soon as possible.

The Draft Environmental Impact Report (DEIR) prepared for the City and County of San Francisco and released on November 12, 2009 concludes that the proposed development of Candlestick Point-Hunters Point Shipyard will create new neighborhoods, improve degraded urban areas and implement a range of environmental protections and improvements. We believe the document is adequate and no further delays for public comment are necessary.

The 702 acre project area of underutilized land will revitalize the Bayview-Hunters Point community by providing increased business and employment opportunities; housing options at a range of affordability levels; improved public recreation and open space amenities; an integrated transportation, transit and infrastructure plan; and other economic public benefits, all of which would collectively have no net negative impact on the City's General Fund.

Potential environmental effects by the development and methods of mitigation are analyzed in the document. Further it confirms the project land use and design elements will protect and enhance natural resources, ensure consistency with the relevant resources policies of the *San Francisco General Plan*. Sustainability practices will be incorporated into the design of these features. The project is designed to protect and enhance the City's natural resources (including wildlife habitat and open space), and ensures the incorporation of high environmental standards consistent with City policies, regulations and laws.

112-1

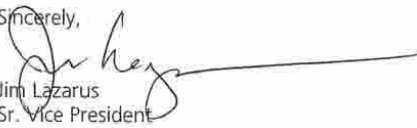
235 Montgomery St., 12th Flr., San Francisco, CA 94104 • tel 415 392 4520 / fax 415 392 0485

2 of 2

The DEIR includes consideration of alternatives to the development as authorized by San Francisco voters, including additional locations for a proposed football stadium, alternative transit routes and varying housing densities. These alternatives were rejected for "one or more factors, including (1) they did not reduce significant environmental effects; (2) they did not achieve most of the basic Project objectives; and/or (3) they were not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors."

The Chamber urges the City agencies to proceed with the review and comment period and move swiftly on the entitlements of this historic project.

Sincerely,



Jim Lazarus
Sr. Vice President
San Francisco Chamber of Commerce

Cc: Darshan Singh, Vice President
London Breed
Miguel Bustos
Francee Covington
Leroy King

↑
112-1
cont'd.

■ Letter 112: San Francisco Chamber of Commerce (1/5/10)

Response to Comment 112-1

This comment letter describes the benefits and key features of the Project, briefly describes the alternatives addressed in the Draft EIR, states that the Draft EIR is adequate, and urges that there be no further delay in the comment period for the Draft EIR. Refer to Response to Comment 1-1 for a discussion of the Draft EIR public review period. The letter does not contain direct comments on environmental issues. No further response is required.

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■ Letter 113: San Francisco Housing Action Coalition (1/5/10)

1 of 2



Letter 113

Rec'd 1/5/10
con. hrg
995 Market Street
Suite 1525
San Francisco, CA 94103
415 541 9001 tel
415 431 2468 fax
info@sfhac.org
www.sfhac.org

January 5, 2010

Mr. Rick Swig, President
San Francisco Redevelopment Agency Commission
One South Van Ness Avenue, 5th Floor
San Francisco, CA 94103

Re: Adequacy of the DEIR for the Candlestick Point/Hunters Point Shipyard Phase II Development Plan Project

Dear President Swig and Members of the Commission:

The San Francisco Housing Action Coalition (SFHAC) is a 10-year-old non-profit that has become a centrist voice for smart growth, transit-oriented development and more solutions to housing affordability.

The SFHAC has for years been a strong supporter of the Candlestick Point/Hunters Point Shipyard Development Project. The opportunity to put this valuable land to higher use for the benefit of the entire City must not be treated lightly. The SFHAC urges no further delays for the Candlestick Point/Hunters Point Shipyard project. The draft environmental review document (DEIR) adequately discusses the impacts of the development project. It is vitally important that we move forward with the response to comments as soon as possible.

The DEIR released on November 12, 2009 concluded that the proposed development of Candlestick Point/Hunters Point Shipyard would create new neighborhoods, improve degraded urban areas and implement a range of environmental protections and improvements. We concur entirely.

The 702-acre project will revitalize the Bay View-Hunters Point community by converting underutilized land into increased housing options at a range of affordability levels; improved public recreation and open space amenities and other important public benefits.

Key features and benefits of the this project include:

- The replacement of the Alice Griffith public housing development without displacing any current residents.

113-1

The San Francisco Housing Action Coalition advocates for the creation of well-designed, well-located housing, at ALL levels of affordability, to meet the needs of San Franciscans, present and future.

2 of 2

Mr. Rick Swig
January 5, 2010
Page Two

- The creation of 10,500 new homes with 32 percent priced below market rate. Affordability of this level is highly unusual in San Francisco.
- The creation of more than 300 acres of new parks and open space, including major improvements and funding for the Candlestick Point State Recreation Area.

The DEIR has considered various alternatives to the proposed development. These alternatives have been rejected because they did not reduce significant environmental effects; they did not achieve most of the basic Project objectives; and they were not capable of being accomplished within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

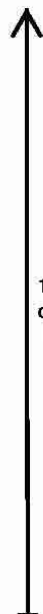
The SFHAC would like to note that this project has been thoroughly vetted by the voters of San Francisco and their views on the merits of this project are clear.

The SFHAC supports this important project and urges its speedy approval so real improvements can be made to our housing stock, open space and to revitalizing a deserving community.

Sincerely,

Tim Cole, Executive Director

Cc: Darshan Singh, Vice President
London Breed
Miguel Bustos
Francee Covington
Leroy King



113-1
cont'd.

■ Letter 113: San Francisco Housing Action Coalition (1/5/10)

Response to Comment 113-1

This letter is in support of the Project and makes no specific comment on environmental issues or the content or adequacy of the Draft EIR.

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■ Letter 114: Hamman, Michael (1/5/10)

1 of 1

Letter 114

From: Michael Hamman <mhamman@igc.org>
To: Stanley Muraoka <Stanley_Muraoka@ci.sf.ca.us>, Stanley Muraoka
<Stanley.Muraoka@SFGOV.ORG>
Date: 01/05/2010 06:20 PM
Subject: Shipyard EIR

Stan:

I have been going over Section Q as regards water, and I am unable to find any analysis of the possible impacts on the local domestic water pressure. The separate high pressure fire supply system, AWSS is analyzed and mitigations for the adverse effect are recommended. But I can not find a discussion of the local domestic delivery system, i.e. the pipes that serve India Basin. As you know the water pressure is very very low out here (Even the water department considers it marginal but for some residents the delivered pressure is actually BELOW the allowed minimum). Since the shipyard plans to use the existing distribution system, i.e. pipes won't that further lower the pressure? Did anyone look at this question? let me be clear I am not talking about the supply of water, there was plenty of discussion as to how the PUC has sufficient capacity, but I question the ability of the existing pipes to "deliver" the necessary pressure. Please let me know if I missed this somewhere. Thanks,

--
Michael Hamman
mhamman@igc.org

114-1

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■ Letter 114: Hamman, Michael (1/5/10)

Response to Comment 114-1

Refer to Responses to Comments 35-5 and 96-9 for a discussion of the water distribution and delivery system, including impacts on local domestic water pressure.

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■ Letter 115: Da Costa, Francisco (1/10/10)

1 of 5

Letter 115



Linda Avery/CTYPLN/SFGOV

01/11/2010 10:34 AM

To: Joy Navarrete/CTYPLN/SFGOV@SFGOV

cc:

Subject: Fw: Muwekma Ohlone and Patrimonial Jurisdiction - the Draft-EIR linked to the Hunters Point Shipyard and Candlestick Point.

for inclusion in the comments of the DEIR

Linda D. Avery-Herbert

Director of Commission Affairs
SAN FRANCISCO PLANNING COMMISSION &
SAN FRANCISCO HISTORIC PRESERVATION COMMISSION
1650 MISSION STREET - SUITE 400
SAN FRANCISCO, CA 94103-2414
TEL: 415.558.6407 - FAX: 415.558.6409
WEBSITE: www.sfgov.org/planning

----- Forwarded by Linda Avery/CTYPLN/SFGOV on 01/11/2010 10:33 AM -----



Francisco Da Costa
<fdc1947@gmail.com>
01/10/2010 08:20 AM

To: Francisco Da Costa <fdc1947@gmail.com>

cc:

Subject: Muwekma Ohlone and Patrimonial Jurisdiction - the Draft-EIR linked to the Hunters Point Shipyard and Candlestick Point.

The Muwekma Ohlone and Patrimonial Jurisdiction - the fake Draft, EIR linked to the Hunters Point Shipyard and Candlestick Point:

<http://www.indybav.org/newsitems/2010/01/10/18634866.php>

Francisco Da Costa

115-1

2 of 5

SF Planning Department has no clue about the Muwekma Ohlone and Patrimonial Jurisdiction. : Indyb... Page 1 of 4

<http://www.indybay.org/newsitems/2010/01/10/18634866.php>

San Francisco | Health, Housing, and Public Services

SF Planning Department has no clue about the Muwekma Ohlone and Patrimonial Jurisdiction.

by Francisco Da Costa

Sunday Jan 10th, 2010 7:58 AM

The San Francisco Planning Department are in denial that the First People of San Francisco really do exist. When, the Tribal Chair of the Muwekma Ohlone, Rosemary Cambra appeared before the SF Planning Department and Espanola Jackson requested that she address the SF Planning Department Chair, Ron Miguel was polite enough to accommodate the Muwekma Tribal Chief. Her short address was to the point - the Muwekma Ohlone are here and the City and County of San Francisco must address pertinent issues relevant to the Draft, EIR and the Muwekma Ohlone presence today and participation in all matter pertinent - now and in the future.

115-2



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[original image \(3264x2448\)](#)

GREED knows no bounds and those that want to exploit every single inch in San Francisco to build homes and facilities - think nothing of Open Space and healing.

The Concrete Jungle they have created where once lay - pristine rivers, lakes, hills, wet-lands and animals, birds, fish, and other living beings - all healthy and what is more bountiful has been compromised. The look at what surrounds them and in their ignorance want to pollute more.

The Ohlone have lived in what we call the Bay Area for over 10,000. We have carbon dated artifacts that reveal this

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SF Planning Department has no clue about the Muwekma Ohlone and Patrimonial Jurisdiction. : Indyb... Page 2 of 4

fact. Further the Shellmounds stand today - intact in some places - and point to a people happy and prosperous - until the strangers came with their diseases and evilness.

The "stranger" that looks for any and every opportunity to steal, rape, and make money at any cost. Remember is was legal to kill a Native American up until 1924 and for a measly five dollars fetch money for a scalp. That was not too far long ago - but, today many forget these barbaric deeds and atrocities that cry to heaven for justice.

Edicts were sent by California Governors to kill Native Americans and steal their land. These facts are recorded of those that committed these EVIL deeds and their off-spring want to hear little of these facts - today. Today, the least the San Francisco Planning Department, the SF Board of Supervisor, the Mayor, Gavin Newsom can do is outreach to the Muwekma Ohlone and afford them to tell them the truth - about a history that is replete with atrocities of the worst order.

Imagine being a stranger in your own land. Now, imagine those that stole the land - insulting you to your face while trying to diplomatic. An EIR is there to address adverse impacts but of paramount importance is who owns the land on whose terms and what do some strangers think of Patrimonial Jurisdiction?

The recently Draft, EIR that was released fails to acknowledge the Muwekma Ohlone who were Federally Recognized until 1927. At that time they were illegally removed by one L.A. Dorrington - a Bureau of Indian Affairs Agent. This case is at the Supreme Court and should be adjudicated as and when the Department of Interior - stops stalling and answers the questions - posed by the Supreme Court Judge.

One can read the brief to this case at: <http://www.muwekma.org/>

Here is San Francisco John Rahaim the Director of SF Planning, the Zoning Administrator, Lawrence Badiner, the majority of the SF Planning Commissioners are nonchalant and care less about the issues of the First People.

One Commissioner is particular could not care less - SF Planning Commissioner Michael J. Antonini.

Another Commissioner purports that all of Hunters Point Naval Shipyard is solid ground. Little does he know that nine-five percent of Hunters Point Shipyard is land-fill. Still less about Shellmounds the Sacred Burial Grounds of the Ohlone.

Once at Hunters Point Shipyard stood two hills. These hills contained Sacred Remains of the Ohlone. The United States Navy demolished the hills and spread the remains of the Ohlone all over the Shipyard. The same was done at Candlestick Stadium. When part of the Bayview Hill was demolished - remains and the earth from the side of the hill - were spread all over Candlestick Stadium.

The area around Executive Park, Candlestick Cove, Hunters Point, the end of the street on Thomas not far from Alice Griffith Public Housing, other sites in the vicinity - have been marked and designated as Shellmound Sites. But, the inept, ignorant, arrogant San Francisco Planning has decided to - look the other way and for this they will suffer the consequences.

It is pathetic when any entity refuses to acknowledge the First People and gives excuses that the First People did not attend some meetings when they and other known entities were not informed.

As I have said - a thousand times - " no good will ever come at Hunters Point Shipyard".

No one can desecrate the remains of the First People and for a moment think everything is going to be fine. The jerks that did it will suffer and have been suffering. The SF Plating Department, the SF Redevelopment Agency and its fake consultants - better pay attention.

There was silence when the Tribal Chair of the Muwekma Ohlone was addressing the San Francisco Planning Commission. The silence was mostly because the fools did not expect the Tribal Chair to exist, less address time and focus in a few minutes on issues that the SF Planning Department - has failed to address.

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115-6

4 of 5

SF Planning Department has no clue about the Muwekma Ohlone and Patrimonial Jurisdiction. : Indyb... Page 3 of 4

Present at this meeting were Chair, Ron Miguel, Commissioners Christine Olague, Gwyneth Borden, Kathrin Moore, Hisashi Sugaya. Missing in Action - Commissioner William L. Lee. The SF Planning took place on January 7, 2010 at 1:30 pm in Room 400 at City Hall.

The Muwekma Ohlone Federal Recognition was established and then an illegal action caused them to be removed in 1927. In this case - the SF Planning Department must extend the comment period to accommodate the Muwekma Ohlone because the SF Planning Department did not follow due process. If they do not - they will suffer the consequences.

In the Draft, Environmental Impact Report Appendix C1 mentions a little and most of it are just guide-lines. The issue of Indian Trust Assets (ITAs) is of importance and pertains to the Muwekma Ohlone but the SF Planning Department - in their ignorance have failed to do due diligence.

The above facts must be reviewed and the Draft, EIR must go back to the drawing board.

In Chapter III-J other drab, general statements, mostly vague to not do justice to the Cultural Facts linked to the history of the First People and the Muwekma Ohlone in particular. Detail information lie in our Universities and particularly - University of Berkeley, California.

The Ohlone lived in the Bay Area for over 10,000 years. Carbon dating of artifacts have verified this fact. 10,000 human remains, all Ohlone, are found in the vaults at U.C. Berkeley. The sheer amount of human remain - signifies that there was a thriving community. That is until the greedy, vicious, immoral stranger set foot and started dictating terms.

In 1991 the Muwekma Ohlone exercised their Right of Fist Refusal on Hunters Point Naval Shipayrd and other Department of Defense military bases. This as part of Base Closures. No other tribes or entities did that - so it surprising that the SF Planning Department did not focus on this fact.

The United States Navy better incorporate the First People and the Muwekma Ohlone as part of their Environmental Impact Study. Shedding better light and shaming the SF Planning Department and the SF Redevelopment Agency for their shoddy work.

As facts stand today Parcels B, C, D, E, F, G, UC 1 and the other parcels being carved out all come under the jurisdiction of the United States Navy that took the entire area under Eminent Domain and for the World Effort.

There are many private parcels and other land designated as Public Trust Land. The details of these parcel have not been noted by the SF Planning Department but they have chosen to jump on the band wagon - and initiate a Draft-EIR on jurisdiction that does not come under their administration - where they have no real authority.

The same at Alice Griffith Public Housing the land is Federal Land that cannot be sold but leased. In this case the jurisdiction is that of the Housing and Urban Development. The 23 acres of State Land acquired under Senate Bill 792 has yet to be negotiated. As on now the land is still State Land - the transfer of land - pending.

In the above areas are Shellmounds that the SF Planning has failed to pin point precisely preferring to copy quotes from some documents and referencing to others in a general manner. This smacks of poor judgments and proves once again that as far as the Cultural Section of the fake, Draft, EIR linked to Hunters Point Shipyard and Candlestick Point is concerned - it is totally inadequate. It should go back to the drawing board.

<http://www.sfgov.org/planning>

Francisco Da Costa
Director

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115-6
cont'd.

115-7

115-8

115-9

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SF Planning Department has no clue about the Muwekma Ohlone and Patrimonial Jurisdiction. : Indyb... Page 4 of 4

Environmental Justice Advocacy

<http://www.sfgov.org/planning>

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■ Letter 115: Da Costa, Francisco (1/10/10)

Response to Comment 115-1

This e-mail provides a link to <http://www.indybay.org/newsitems/2010/01/10/18634866.php>, which is an article dated Sunday January 10, 2010, written by the commenter.

Response to Comment 115-2

The comment contains opinion and is not a direct comment on the adequacy of the Draft EIR. No further response is required.

Response to Comment 115-3

The comment contains opinion and is not a direct comment on the adequacy of the Draft EIR. Refer to Master Response 1 (SB 18) for a discussion of consultation with the Native American community under Senate Bill 18 (SB 18). Refer also to Responses to Comments 107-1 through 107-3.

Response to Comment 115-4

Refer to Master Response 1 (SB 18) for a discussion of consultation with the Native American community under Senate Bill 18 (SB 18). Refer also to Responses to Comments 107-1 through 107-3.

Response to Comment 115-5

Refer to Master Response 2 (Potential Native American Burial Sites) for a discussion of burial sites in the Project area. Refer also to Responses to Comments 107-1 through 107-3.

Response to Comment 115-6

The comment contains opinion and is not a direct comment on the adequacy of the Draft EIR. Refer to Master Response 1 (SB 18) for a discussion of consultation with the Native American community under Senate Bill 18 (SB 18). Refer also to Responses to Comments 107-1 through 107-3.

Response to Comment 115-7

The purpose of Appendix C1 (Environmental Justice) of the Draft EIR was to provide an analysis of environmental justice issues as they may apply to the entire Bayview neighborhood, and included many different groups of people, including the Ohlone people. The issue of Public Trust Lands is discussed in the Draft EIR in Section III.B (Land Use and Planning), and again in Section III.J (Cultural Resources and Paleontological Resources), the latter of which contains an extensive discussion of the Muwekma Ohlone people. Refer also to Responses to Comments 93-4 and 93-5. A comprehensive Historic Context Statement was prepared by CIRCA Historic Property (July 2009) and is contained in Draft EIR Appendix J1 (CIRCA, Historic Context Statement, July 2009). This report contains extensive information concerning the Muwekma Ohlone people (refer to pages 23 through 25). In addition, the Draft EIR contains 20 pages of historic context, including identification of known shellmound sites. Refer also to Responses to Comments 107-1 through 107-3.

Response to Comment 115-8

The majority of this comment is directed at the Navy's Environmental Impact Statement preparation and does not pertain to the Draft EIR. The remainder of this comment contains information about Alice Griffith Public Housing land and other Public Trust Land. Refer to Section III.B (Land Use and Plans), Draft EIR pages III.B-8 and -9 for a discussion of Public Trust lands. Refer also to Responses to Comments 107-1 through 107-3, 93-4, and 93-5, which discuss lands in the Public Trust.

Response to Comment 115-9

Refer to Responses to Comments 115-5 and 115-7.

■ Letter 116: Bay Access (1/11/10)

1 of 3

Letter 116

From: Paul Nixon <pnixonsf@yahoo.com>
To: "Stanley.Muraoka@sfgov.org" <Stanley.Muraoka@sfgov.org>
Date: 01/11/2010 10:24 AM
Subject: Comments on draft EIR HP

Please find attached comments from Bay Access on the Candlestick, Hunters Point draft EIR

Paul Nixon
Bay Access
San Francisco Group



ltr to SF Redevel 1 10 10.rtf

2 of 3



BAY ACCESS

dedicated to creating a water trail on San Francisco Bay

163 Fair Oaks Street
San Francisco, CA 94110
January 10, 2010

Stanley Moraoka
Environmental Review Officer
San Francisco Redevelopment Agency
One South van Ness Avenue, Fifth Floor
San Francisco, CA 94103

The Bay Area Water Trail promotes access for small non-motorized boats. Since these boats are more dependent on limited human power and cannot rely on motorized power to get them out of difficult situations caused by rough water or difficult climate changes, it is necessary to take year round weather factors into consideration when planning dock and beach access. The current EIR document fails to take some of these factors into consideration.

In the area under consideration there are three sites which are extremely important to the development of an adequate water trail in the project area. In the State Recreation Area there is the beach in the Last Port and the Neck section and the beach which joins the Heart of the Park and the Wind Meadow. On the India Basin side of the project area there is the beach, usually called Buck's Beach, located on the sea side of Northside Park.

The main problems for small boat access in this area are wind, mud and the southern surge. The summer afternoon winds make the Last Port and the Neck an excellent site for windsurfing, but create difficult and dangerous situations for other small boats. Traditionally paddle and rowed boats use the beach between Wind Meadow and Heart of the Park. This beach has been so popular for so many years that it will undoubtedly become an access site for the Water Trail, but it is not mentioned as a boating site at all in the draft. It is protected from the summer winds and relatively free of mud in low tides. In the draft Water Trail plan and in the Blue Greenway Roadmap both of these sites are

116-1

3 of 3

recognized for the Water Trail.

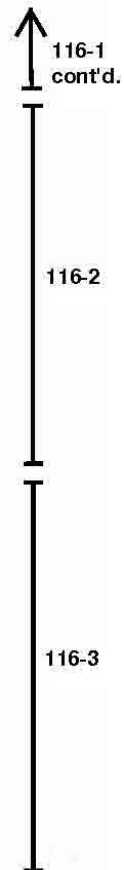
The area of Northside Park next to the India Basin Open Space is planned as a park. None of the active recreation uses mentioned in the draft refer to it as a waterfront park. However it is a waterfront park and therefore comes under the policies of BCDC's Bay Plan/Recreation. The current controversy about how best to remediate the beach area and whether or not it will have rip-rap should not change the situation that this area is on the waterfront and needs plans for access to the water from the beach or from a dock. The beach is well sheltered from the southern surge which means that a dock and float constructed here would be protected from the major storm events of the area. (The Navy reference to a 5 foot swell at this beach is based on faulty analysis which neighborhood groups have pointed out.) In addition to its protected location the beach is not mudded in during most low tides. Being near the eastern edge of the peninsula it is ideally suited as a water trail access site for boats on the course of Oyster Point, Sierra Point to San Francisco's Pier 52 Public Ramp.

Additionally it is necessary to recognize that the Bay Area Water Trail and the Bay Trail are closely related. The Bay Trail should be completed as soon as possible even if certain sections have to be temporary. The timeline for completion of the areas in yellow on Figure II-17 essentially prevent a through connection for the Bay Trail for an additional 8 years after completion of the trail in areas shown in brown. As a continuous alignment is of paramount importance to the Bay Trail, we urge the developer to construct and maintain an interim Bay Trail path along the edge of the completed sections of the project. It is not possible to overstate the importance of an interim path to ABAG's San Francisco Bay Trail Project.

The Bay Trail and the future Bay Area Water Trail have been reviewed many times by neighborhoods along the southern waterfront in the context of the Blue Greenway. There is no doubt that the people who live in this area support the prompt and adequate completion of these projects within the conceptual design of the Blue Greenway.

Sincerely,

Paul Nixon
Bay Access
San Francisco Group



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■ Letter 116: Bay Access (1/11/10)

Response to Comment 116-1

Boat access in the CPSRA is described in Section III.P (Recreation) of the Draft EIR. In fact, on Draft EIR page III.P-17, it is stated that the portion of the CPSRA that is currently undeveloped or used for Candlestick Park stadium parking would be substantially improved to enhance overall park aesthetics and landscape ecology; reconnect visitors to the bay shoreline; and provide direct access to the bay for swimming, fishing, kayaking, and windsurfing. This comment contains information concerning non-motorized boat access and difficulty with rough water, wind, mud, and the southern surge. The commenter states that the beach between Wind Meadow and Heart of the Park has not been mentioned as a boating site in the Draft EIR. However, the fact that both of these areas contain a sandy beach with access to the water is described on Draft EIR page III.P-25. Specific areas of improvements in the CPSRA are discussed below. The discussion in the Draft EIR is presented to provide an overview of the conceptual design that is currently proposed for CPSRA improvements. However, the ultimate configuration of each of these areas would be at the discretion of the California Department of Parks and Recreation through the ongoing planning process for the CPSRA. It is assumed that the Blue Greenway Roadmap vision and the Bay Water Trail proposals would be taken into consideration during that process. The goals of the Project for shoreline improvements would not conflict with the vision of the Blue Greenway Roadmap with regard to providing access to the shoreline and creating a waterfront inviting to all.

For the Heart of the Park, the Project proposes changes to the CPSRA boundary in this area to add approximately 1.5 acres of additional land. The Project would retain and enhance much of the existing landscape structure. Planting and overall aesthetics would be improved, pedestrian pathways would be renovated and added, and program areas would be developed for greater use. Improvements are proposed to existing restrooms, picnic areas, and trails. Additionally, new overlooks, an interpretive amphitheater, and reconfigured park entrance and parking facilities are proposed. For Wind Meadow, proposed features would include new trails, restrooms, picnic areas, restored natural landscape areas, waterfront overlooks, and access to the water. It is not anticipated that boating activities would be precluded in and between these areas; rather, the intent of the improvements is to facilitate enjoyment and use of the shoreline for pedestrians, picnickers, boaters, and windsurfers.

Figure III.B-3 (Existing San Francisco Bay Trail Plan Route), Draft EIR page III.B-18, has been revised to include Bay Area Water Trail access points in the Project vicinity and to show the Bay Trail in the preferred alignment along the Yosemite Slough shoreline (refer to Section F [Draft EIR Revisions] of this document). Refer also to Responses to Comments 31-9 and 44-1, which both address non-motorized boat launch sites, illustrated by revised Figure III.B-3.

Response to Comment 116-2

As indicated in Response to Comment 31-9, Figure III.B-3 (Existing San Francisco Bay Trail Plan Route) has been revised to include Bay Area Water Trail access points in the Project vicinity. While the precise location of access points within the Project area would be determined through future public processes, including the CPSRA General Plan Amendment process, the Project would provide access for small non-motorized recreational watercraft and, therefore, would advance the purposes of the Bay Area Water Trail.

It is further acknowledged that BCDC has jurisdiction over the first 100 feet of shoreline on the Project site. Refer to Response to Comment 47-58 for a discussion of the project's consistency with the BCDC San Francisco Bay Plan. Refer also to pages III.B-13 through -15 for a discussion of consistency with BCDC policies related to fill. Project consistency with the Bay Trail Plan is analyzed on Draft EIR pages III.B-16 through -19 of Section III.B (Land Use and Plans). Refer also to Responses to Comments 31-9 and 44-1 and Figure III.B-3.

Response to Comment 116-3

Refer to Response to Comment 31-13 for a discussion of access to the Bay Trail during Project construction. Outside the CPSRA, the City, Agency, and Lennar Urban are committed to working with Bay Trail planners and stakeholders to develop plans for the specific Bay Trail alignment and to seek safe, feasible interim alignments.

■ Letter 117: India Basin Neighborhood Association (1/12/10)

1 of 5

Letter 117

From: Kristine Enea <kristine@indiabasin.org>
To: Muraoka Stanley <Stanley.Muraoka@sfgov.org>
Date: 01/12/2010 04:39 PM
Subject: DEIR comments from IBNA

Hi Stanley,

Attached please find comments to the DEIR from IBNA.

Thanks,
Kristine



Shipyard Draft EIR comments 2010 01-12.pdf

2 of 5



India Basin Neighborhood Association
PO Box 880953, San Francisco, CA 94188

I B N A

January 12, 2010

Mr. Stanley Muraoka
Environmental Review Officer
San Francisco Redevelopment Agency
One South Van Ness Avenue, 5th Floor
San Francisco, CA 94103

Mr. Bill Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street
San Francisco, CA 94103

Re: Candlestick Point – Hunters Point Shipyard Phase II Development Plan DEIR

Dear Mr. Muraoka and Mr. Wycko,

I am writing on behalf of the India Basin Neighborhood Association to comment on several aspects of the Draft Environmental Impact Report for the Candlestick Point – Hunters Point Shipyard Phase II Development (the "Development"). Please see our specific comments on the pages to follow.

Our overarching comment is that the transportation impacts of the Development are inadequately addressed. The San Francisco Planning Department's "Guidelines for Environmental Review: Transportation Impacts" state that, "Individual transportation study scopes of work are required to provide a level of detail tailored to fit the size and complexity of transportation issues associated with particular project." The DEIR does not provide a level of detail sufficient to address the largest and most complex transportation issues in San Francisco history.

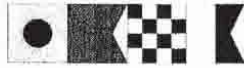
IBNA has proposed several mitigations to the impacts we are able to identify. However, because the comment period was so brief in relation to the enormous impact this Development would have on our community, we did not have enough time to consult with experts to come up with additional mitigations. Therefore, we ask that you propose additional mitigations in your response to our comments. We also ask for an ample public comment period to respond to your proposed mitigations.

Best regards,

Kristine Enea
Chair, India Basin Neighborhood Association

117-1

3 of 5



India Basin Neighborhood Association

PO Box 880953, San Francisco, CA 94188

I B N A

Comments from the India Basin Neighborhood Association
to the DEIR for the Candlestick Point – Hunters Point Shipyard Phase II Development

Transportation

1. IBNA objects to piecemealing the transportation analysis by analyzing separately the transportation impacts of Redevelopment Survey Area C, Area C and the Development projects are connected. It is impossible to analyze the full impacts of one without including the other.

117-2

2. The DEIR improperly excludes any analysis of Hudson Avenue. But for the Development, there would be no need for Hudson Avenue. Specifically, we would not need a bike route along Hudson Avenue but for the enormous increase in traffic along Innes Avenue that the Development will generate, eliminating the possibility of safely installing bike lanes on Innes Avenue. The costs and impacts of building out Hudson Avenue for bikes and otherwise needs to be analyzed.

117-3

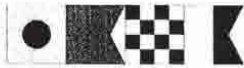
3. There is no plan for distributing Development-generated traffic equitably between the south side of our community and the north side. The DEIR needs to consider other routing to avoid funneling all traffic through the north side of the community. Specifically, there needs to be a way for residents from the southern end of the Development to access 280 North without driving over the Hunters Point Hill and through our community. The DEIR is faulty because it doesn't provide a southern route for cars.

117-4

4. The DEIR does not identify the number of vehicles trips per day along Innes Avenue, despite the community's clear and repeated request for this information. The absolute volume of traffic along Innes Avenue affects our community in a number of ways, including generating an unhealthy volume of particulate matter and noise, and funneling increased traffic through the dangerous "s-curve" intersection of Innes Avenue and Hunters Point Blvd. The City of San Francisco has studied this s-curve intersection and documented an average speed of ten miles faster than the posted speed limit. Cars and motorcycles have crashed into the homes along Innes Avenue. Cars have collided with each other and with pedestrians. The statistical likelihood and therefore frequency of these accidents will increase at least ten-fold because of the Development. No further Development in the Shipyard should occur until this risk to human life is mitigated by reconfiguring this intersection and implementing other traffic-calming measures along Innes Avenue. Further, we request mitigation for the damage to our health caused by the substantial increase in particulate matter. We also request an analysis of the additional noise created by the increase in traffic volume, especially the noise impacts from congestion and from the proposed express busses. We note that the DEIR proposes mitigation for noise caused by periodic stadium events, yet proposes no mitigation or even any discussion of the constant increased decibel level for those residents who will be living on the side of a de facto freeway. We request that the buildout of Hudson Avenue be analyzed in this DEIR as a mitigation to all of these risks and impacts.

117-5

4 of 5



India Basin Neighborhood Association

PO Box 880953, San Francisco, CA 94188

I B N A

5. The transit mode splits analyzed in the DEIR come from a document that was not in the DEIR appendices. That means the community could not analyze it, which makes the DEIR deficient. Even for those of us who did have special access to the document you reference, it was a moving target. We were told that there was no deadline for commenting on it. We are not even sure which version is the final version.

117-6

6. The DEIR provides no mitigation for the removal of parking along Innes Avenue. The unique nature of Innes Avenue – given the lack of any parallel streets, it is in essence a bridge – requires unique analysis. The effect of removing parking along Innes Avenue is a perfect case of when an analysis of traffic impacts needs to be tailored to fit the complexity of transportation issues associated with particular project. Analysis-as-usual per “City standards” simply does not apply in this case where there are no side streets to park on, and residents along Innes Avenue do not all have garages to park in. The removal of parking in this case has unique impacts that must be mitigated in unique ways.

117-7

7. It is faulty to assuming only one car per household in an area that is far more suburban than urban. Even in North Beach, there is more than one car per household. Clearly, we are not North Beach. None of our daily needs can be met within walking distance of our homes. Existing and future residents will be relying on cars for the majority of our traffic trips for decades to come. The DEIR analysis needs to take this into account.

117-8

8. The DEIR is faulty for assuming that the daily needs of existing and future residents can be met within the Shipyard because the commercial services won't arrive until the end of the build out. So, for at least twenty years, everyone will have to drive. All the plans are based on conditions in the year 2030. What about the mitigations in the interim twenty years?

117-9

9. The DEIR fails to address emergency access to and from the Shipyard in the case of an accident or other blockage of Innes Avenue – there is no analysis of an alternate emergency route to or from the Shipyard.

117-10

10. The DEIR fails to assess the safety impacts of removing parking along Innes Avenue. It similarly fails to assess the safety impacts of narrowing sidewalks along Innes Avenue, and it fails to assess the joint safety impacts of both of these actions, in combination with the absolute increase in traffic volume. Under the conditions proposed by the Development, a resident of Innes Avenue could open her front door, let her dog out on a six-foot leash, and watch it get decapitated by a speeding truck. Innes Avenue is a residential street. Children rides their bikes on this street and play on the sidewalks. The safety impact to all of these residents needs to be analyzed and mitigated.

117-11

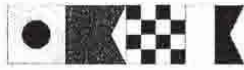
11. Removing the median along Evans Avenue unwinds the greening efforts of the India Basin Industrial Park Redevelopment Plan and destroys the tranquil approach to the community. Median removal does not comply with San Francisco's Better Streets plan.

117-12

12. Removing bulbouts only recently installed with taxpayer money does not comply with San Francisco's Better Streets Plan.

117-13

5 of 5



India Basin Neighborhood Association

PO Box 880953, San Francisco, CA 94188

I B N A

13. The Development results in a general taking of streets and property through the cumulative effect of health, noise and safety impacts. The Development takes away our free and fair use of our own backyards for recreation or to grow food, our ability to access our homes, and our capacity to get air ventilation by opening our windows. Please identify the compensation for this general taking.

117-14

Utilities

IBNA endorses the comments submitted separately by Michael Hamman.

IBNA requests clarity on how the Development would provide high-speed Internet access. The proposed cable and DSL distribution system as far as we understand it would create a bandwidth issue, impairing our equal access to the Internet. The Development should mitigate this effect to insure that Internet access is provided equally to existing and new residents.

117-15

We also request that you address the safety issues presented by allowing high-voltage power lines to remain above ground. Those lines serve only the Development, yet it is our community that is exposed to the risks they pose. We request that this safety risk be mitigated by undergrounding the utility lines along Innes Avenue. If undergrounding is proposed as a mitigation, please elaborate on the amount and duration of trenching, related dust control issues, and access for residents to and from our homes during the trenching.

117-16

Historic Preservation

IBNA endorses the comments submitted separately by Michael Hamman. IBNA also endorses the comments submitted by San Francisco Architectural Heritage. The Development should enhance, not diminish, our community's rich waterfront heritage.

117-17

[This page is intentionally left blank.]

■ Letter 117: India Basin Neighborhood Association (1/12/10)

Response to Comment 117-1

This comment states the Draft EIR fails to contain sufficient detail to address the transportation issues associated with the Project. The Traffic Impact Analysis, Draft EIR Appendix D and the foundation for the EIR section, consisted of 406 pages of text and tables and two volumes of substantiating data. The commenter states they are proposing several mitigations, described in the detailed comments that follow the cover page. These comments are addressed below in responses to comments. The remainder of the comment contains opinion or is not a direct comment on the adequacy or content of the Draft EIR.

Response to Comment 117-2

The transportation impact analysis presented in Impact TR-1 through Impact TR-58 specifically addresses potential impacts of the Candlestick Point–Hunters Point Shipyard Phase II Development Plan and identifies appropriate mitigation measures. Impacts resulting from development within India Basin/Area C are being analyzed as part of a separate environmental review process. However, as indicated on Draft EIR page III.D-40, the preliminary estimates of development potential within India Basin/Area C was included as a background project for the 2030 Cumulative No Project condition. Therefore, the analysis for Cumulative No Project includes the travel demand that would be generated by India Basin/Area C development.

Response to Comment 117-3

The Project includes the provision of a bicycle lane in both directions on Innes Avenue. The impact assessment did not identify any safety issues related to bicycle use of these lanes that would necessitate providing off-street bicycle facilities, such as the referenced potential multi-modal bridge over India Basin, parallel to Innes Avenue along the Hudson Avenue right-of-way.

A Class II bicycle lane, as proposed for Innes Avenue, is consistent with the bicycle lanes for Innes Avenue included in the San Francisco Bicycle Plan, which was cleared in its own environmental review process. Further, the proposed roadway design would meet City and County of San Francisco design standards. These standards were developed to safely accommodate all roadway users, including transit, bicycles, trucks, pedestrians, and private automobiles.

Response to Comment 117-4

Draft EIR Table III.D-4 (Project Person and Vehicle Trips by Mode), page III.D-58, presents a summary of the travel demand generated by the Hunters Point Shipyard and Candlestick Point components of the Project. As indicated in the table, the majority of the Project trips would be generated by the Candlestick Point component, rather than the Hunters Point Shipyard component. During the AM peak hour, about 55 percent of total trips would be generated by the Candlestick Point component and 45 percent by Hunters Point Shipyard component. During the PM peak hour, 69 percent of the total trips would be generated by the Candlestick Point component and 31 percent by the Hunters Point Shipyard component.

The Project includes improvements to numerous roadways to the south of Hunters Point Shipyard for access to US-101. Residents and visitors to development within Candlestick Point would be able to use Harney Way and US-101 to access I-280 directly, and would not need to drive over the Hunters Point Hill.

Vehicle trips generated by development within Hunters Point Shipyard would be able to access Hunters Point Shipyard via Innes Avenue to the north and Crisp Avenue to the south. Based on the directional distribution of trips, approximately 49 percent of the AM peak hour, and 46 percent of the PM peak hour, vehicle trips generated by the Hunters Point Shipyard component of the Project would travel to and from Hunters Point Shipyard via Innes Avenue; the remaining 51 percent of the AM peak hour, and 54 percent of the PM peak hour vehicle trips would use Crisp Avenue.

Response to Comment 117-5

The number of vehicle trips at the study intersections is included in the Transportation Study, included as Draft EIR Appendix D. Refer to Figures 31A through 31D of Appendix D.

The very low existing traffic volumes on Innes Avenue and Hunters Point Boulevard (about 154 vehicles per hour during the AM peak hour and 170 vehicles per hour during the PM peak hour), wide right-of-way, and limited street-level uses along the majority of Hunters Point Boulevard between Innes Avenue and Evans Avenue facilitate speeding at this location. Along Innes Avenue and Hunters Point Boulevard the Project would provide two 10-foot-wide travel lanes, two 11-foot-wide travel lanes, a 5-foot-wide bicycle lane on the south side of the street, a 6-foot-wide bicycle lane on the north side of the street, and on-street parking on the north side of the street. The restriping to accommodate the multiple lanes would define the right-of-way for vehicles, bicycles, and parked-vehicles. The narrowing and delineation of travel lanes would provide the potential for reducing travel speeds. In addition, the increase in traffic volumes associated with development at Hunters Point Shipyard would also serve to reduce the potential for speeding. No additional mitigation measures are required.

Refer to Master Response 19 (Proposed BAAQMD Guidelines) for an updated analysis of cumulative impacts associated with TAC and PM_{2.5} based on the most recent guidance from the BAAQMD

As noted on Draft EIR page III.I-31, the increase in traffic resulting from implementation of the Project and ambient growth over the next 20 years would increase the ambient noise levels at noise-sensitive locations along the major vehicular access routes to the Project site. As further noted on Draft EIR pages III.I-42 through -44, the greatest Project-related traffic noise increase (5.7 dBA L_{dn}) would occur along Jamestown Avenue, north of Harney Way. Additionally, two other roadway segments would experience substantial cumulative traffic noise level increases: Carroll Avenue, east of 3rd Street (4.3 dBA L_{dn}), and Gilman Avenue, east of 3rd Street (4.0 dBA L_{dn}). As shown in Table III.I-14 (Modeled Traffic Noise Levels along Major Project Site Access Roads), Draft EIR page III.I-42, these increments are large enough to exceed the adopted threshold for a substantial permanent increase in traffic noise in residential areas. Figure III.I-6 (Project-Related Roadway Noise Level Increases), Draft EIR page III.I-43, illustrates the roadways where noise levels would exceed the adopted threshold for a permanent increase in traffic noise. There would be no Project-related increase in traffic noise along Innes, as noted in Table III.I-14. The Draft EIR, beginning on page III.J-42, discusses potential mitigation for these noise impacts and states why they would be infeasible.

The impact analyses contained in the Draft EIR Section III.H (Air Quality), Section III.I (Noise), and Section III.D (Transportation and Circulation) do not identify any significant impacts that would warrant the provision of the referenced potential multi-modal bridge over India Basin along the Hudson Avenue right-of-way. Project improvements for Innes Avenue would alleviate existing potential traffic-related hazards along Innes Avenue–Hunters Point Boulevard, and no additional street improvements would be required.

Response to Comment 117-6

It is unclear what document containing transit mode split the commenter is referring to. The travel demand methodology is presented on Draft EIR pages III.D-56 to -59 and is further detailed in the Transportation Study (included as Appendix D of the EIR). As indicated, the 4D method was used to estimate the travel demand by mode. Information from the San Francisco County Transportation Authority’s SF-CHAMP travel demand model was used as inputs into the 4D analysis to yield the trip generation by mode presented on Table III.D-4 (Project Person and Vehicle Trips by Mode), Draft EIR page III.D-58.

Response to Comment 117-7

The removal of parking spaces on the south side of Innes Avenue would not result in significant impacts, and, therefore, mitigation measures would not be required. Refer also to Response to Comment 35-4 regarding loss of parking on Innes Avenue.

Response to Comment 117-8

The impact analysis does not assume one car per household. It is unclear what assumption the commenter is referring to with respect to “one car per household.” The travel demand model did not restrict auto ownership. The commenter may be referring to the D4D residential parking standards, which would allow for up to one parking space per residential unit. The D4D would not restrict auto ownership.

Response to Comment 117-9

Refer to Response to Comment 35-1 regarding phasing of development, including neighborhood serving retail.

Response to Comment 117-10

Impact TR-58 presents a discussion of emergency access issues, and Project impacts on emergency access were determined to be less than significant. Innes Avenue is expected to be more than 60 feet wide. In case of an accident or other blockage, it is unlikely that the entire width of the street would be blocked such that emergency vehicle access to the Hunters Point Shipyard area via Innes Avenue would be blocked. However, if such an event were to occur, there are multiple routes through which vehicles and emergency vehicles could reach the Hunters Point Shipyard, including Crisp Avenue and Palou Avenue, and Arelious Walker Avenue via the Yosemite Slough bridge.

Response to Comment 117-11

It is not anticipated that there would be any safety impacts associated with removing parking on the south side of Innes Avenue. The proposed cross-section of Innes Avenue for the north side includes a 10-foot-

wide sidewalk, a 9-foot-wide parking lane, and a 6-foot-wide bicycle lane, while on the south side there would be an 8-foot-wide sidewalk and a 5-foot-wide bicycle lane, prior to the travel lanes. Therefore, there would be between 13 and 25 feet between the edge of the property line and the travel lanes (which is sufficient distance for a dog on a 6-foot leash to not get decapitated). Children riding their bicycles on Innes Avenue would benefit from the provision of bicycle lanes.

Response to Comment 117-12

The Project does not propose to remove the medians on Evans Avenue.

Response to Comment 117-13

It is unclear which recently installed bulbouts the commenter is referring to. The Project does not propose to remove any existing bulbouts.

Response to Comment 117-14

The Project would not restrict the use of people's backyards, their ability to access their homes, or capacity to open their windows. The Project would not represent a general "taking" of streets and property as the commenter asserts. This comment represents opinion and is not a direct comment on the content or adequacy of the Draft EIR. With respect to eminent domain, refer to Response to Comment 43-4 for a discussion of potential property acquisitions associated with roadway improvements identified for the Project.

Response to Comment 117-15

The reliability of telecommunications services (including internet access) is outside the scope of the CEQA process and neither the City nor CEQA has established thresholds of significance for telecommunications services. These types of services are demand-based, i.e., service providers respond to increased demand by upgrading and adding their systems. As noted on Draft EIR page III.Q-59, telephone, television, and internet services could be provided by any one of a number of service providers in the City of San Francisco. The service providers would provide any needed upgrades to their distribution systems, including new switching and routing equipment, to accommodate the demand of the Project. There are no known capacity issues associated with existing telecommunications service in the City. Further, no evidence is provided by the commenter to substantiate that there are problems associated with existing telecommunications service in the City, and there is no reason to believe that there would be any accessibility concerns arising as a result of the Project. The subdivision process would include submittal of detailed infrastructure plans to the Department of Public Works identifying how they would meet the infrastructure needs of the Project. Implementation of these plans would be a condition of subdivision approval. The subdivision process would ensure that adequate infrastructure is provided to accommodate the demands of the Project such that the capacity of the service providers to provide such utilities would not be exceeded.

Response to Comment 117-16

Refer to Response to Comment 35-6 for a discussion of safety issues with regard to high-voltage overhead power lines. All utilities for the Project would be undergrounded. The aboveground utility poles along Innes would not be undergrounded as a result of this Project. Refer also to Response to Comment 96-6.

Response to Comment 117-17

Refer to Responses to Comments 35-5 and 96-9 for a discussion of the water distribution system. Also refer to Responses to Comments 28-1, 35-1 through 35-8, and 41-1 through 41-3. Refer to Response to Comments 34-1 through 34-7 with regard to comments by San Francisco Architectural Heritage.

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■ Responses to Oral Comments

Following are oral comments, followed by their responses, received at three public meetings: the Agency meeting on December 17, 2009; the San Francisco Planning Commission meeting on December 17, 2009; and the Agency meeting on January 5, 2010.

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■ Transcript SFRA1: San Francisco Redevelopment Agency (12/17/09)

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Letter SFRA1

SFRA 12-15-09 transcript.txt

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PUBLIC MEETING OF THE
REDEVELOPMENT AGENCY
OF THE
CITY AND COUNTY OF SAN FRANCISCO

* * *

SAN FRANCISCO CITY HALL
1 DR. CARLTON B. GOODLETT PLACE, ROOM 416
DECEMBER 15TH, 2009
4:00 P.M.

REPORTED BY: VEENA M. PUCCINELLI

1

1 A P P E A R A N C E S

2

3 COMMISSIONERS:

4 Commissioner Rick Swig, President

5 Commissioner London Breed

6 Commissioner Miguel M. Bustos

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7 Commissioner Francee Covington
8 Commissioner Leroy King
9 Commissioner Darshan Singh, Vice President

10

11 Others Present:

12 Fred Blackwell, Executive Director

13 Gina E. Solis, Commission Secretary

14 James Morales, General Counsel

15 Stan Muraoka, Environmental Review Officer

16 Tiffany Bohee, Project Manager

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1 P R O C E E D I N G S

2 PRESIDENT SWIG: Good afternoon. It is now
3 4:00 o'clock, and this is the regular meeting of the
4 San Francisco Redevelopment Agency for Tuesday,
5 December 15, 2009.

6 I would like to welcome the public and the
7 radio listening audience.

8 We have a few housekeeping chores before we
9 move forward with what seems to be a very long agenda
10 this evening.

11 With regard to electronic devices, I would

Page 2

3 of 115

SFRA 12-15-09 transcript.txt
12 ask you all, please, to -- including myself -- to turn
13 off all pagers, cellular telephone, and other sound
14 emitting devices during the meeting.

15 If you wish to speak tonight, and I see that
16 there are many who wish to speak tonight, please fill
17 out speaker cards before you sign any lists. Please
18 state your name for the record before you make your
19 statements.

20 I'm going to ask tonight that you limit your
21 remarks to two minutes, given the fact that I have
22 already been advised that we have over 40 cards just
23 simply for one item.

24 Regarding that item, which happens to be Item
25 4(f), which relates to the Draft EIR for the Hunters

3

□ 1 Point Shipyard, for those who would be frustrated by
2 the fact that you will be granted only two minutes
3 instead of three, I would like you to remind you, at
4 this point that this is only a hearing on this item;
5 there will be no final resolution of this item
6 tonight. And then on December 17th, the Planning
7 Commission will take on a discussion of the Draft EIR,
8 as well.

9 And also, should you have any comments that
10 you do not get to make tonight on this item, that you
11 may write a letter to the agency with your comments
12 regarding the Draft EIR.

13 And, once again, I realize that it's
14 sometimes very frustrating when we cut to two minutes
15 versus three minutes; but in this case, I think there
16 will be other opportunities for the public to have
17 further dialogue on this item before resolution.

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4 of 115

SFRA 12-15-09 transcript.txt

18 Thank you for your cooperation on that.

19 (Whereupon, matters unrelated to the Hunters

20 Point Draft EIR were discussed.)

21 PRESIDENT SWIG: Madame Secretary, would you

22 please call the first item?

23 THE SECRETARY: Thank you, Mr. President.

24 Commissioners, good afternoon.

25 The first order of business is Item 1:

4

□ 1 Recognition of a Quorum. There is a quorum present.

2 The next order of business is Item 2: Report

3 on actions taken as a previous Closed Session meeting,

4 if any. There are no reportable items.

5 The next order of business is Item 3:

6 Matters of Unfinished Business. We have no items.

7 The next order of business is Item 4:

8 Matters of New Business, consisting of the Consent and

9 the regular Agenda; first, the Consent Agenda.

10 (Whereupon, discussion was had re the Consent

11 Agenda and other matters unrelated to Hunters Point.)

12 (Election of officers.)

13 PRESIDENT SWIG: Okay. Madame Secretary, the

14 next item, please?

15 THE SECRETARY: The next order of business is

16 Item 4(f): A public hearing to hear all persons

17 interested in the adequacy of the Draft Environmental

18 Impact Report for the Candlestick Point-Hunters Point

19 Shipyard Phase II Redevelopment Project, Bayview

20 Hunters Point, and Hunters Point Redevelopment Project

21 Areas.

22 Mr. Director?

Page 4

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SFRA 12-15-09 transcript.txt
23 DIRECTOR BLACKWELL: Thank you, Madame

24 Secretary.

25 The presentation of Item 4(f) will be made by

5

□ 1 Stan Muraoka, who is the Agency's Environmental Review
2 officer; and he will be preceded by Tiffany Bohee, who
3 is from the Office Of Economic and Workforce
4 Development.

5 MS. TIFFANY BOHEE: Thank you, Director
6 Blackwell.

7 Good afternoon, President Swig, Vice-Chair,
8 Singh. Welcome, Commissioner Bustos and Agency
9 Commissioners. Tiffany Bohee, Project Manager with
10 the Mayor's Office of Economic and Workforce
11 Development.

12 I would like to provide you with some
13 background and a brief overview of the Candlestick
14 Point-Hunters Point Shipyard Phase II Project before
15 turning the presentation over to Stan Muraoka,
16 Environmental Review Officer for the Redevelopment
17 Agency, who will describe the environmental review
18 process for the project as required under the
19 California Environmental Quality Act.

20 The Candlestick Point-Hunters Point Shipyard
21 Project covers approximately 700 acres along the
22 southeastern waterfront of San Francisco. This
23 diagram, Attachment 1, is in your packet as part of
24 the EIR, as well.

25 This project is one of the most important

6

□ 1 development projects in the City's modern history,
2 because of the scope and scale of the public benefits
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3 that it will deliver to a grossly under served and
4 isolated Bayview-Hunters Point Community.

5 After more than a decade of planning efforts
6 related to these two sites, in May 2007, the Mayor,
7 the Board of Supervisors, the Agency Commission, the
8 Hunters Point Shipyard CAC, and the Bayview-Hunters
9 Point PAC, endorsed a conceptual framework for the
10 integrated redevelopment of Candlestick Point and
11 Hunters Point Shipyard.

12 The conceptual framework outlines the key
13 elements for the Mixed-Use Development of these sites,
14 including landuses, financing, and public benefits.

15 In June 2008, San Francisco voters in each
16 and every district in San Francisco overwhelmingly
17 approved Proposition G, the Bayview Jobs, Parks and
18 Housing initiative, which further set forth guiding
19 principles, and a development program and plan for the
20 integrated development of these two sites, consistent
21 with that conceptual framework.

22 Again, consistent with Proposition G and the
23 conceptual framework, the proposed development
24 project includes the following elements:

25 10,500 residential homes spread across the

7

□ 1 two sites, with 32 percent of those units set aside
2 for below market rate housing.

3 Included in that is the critical rebuilding
4 of the Alice Griffith Public Housing Development, with
5 units replaced on a one-per-one basis, and
6 construction phased to ensure that residents can move
7 directly to their units, new units, prior to the

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8 replacement of their existing units.

9 2,500,000 square feet of research and
10 development usage on the shipyard.

11 Important job generated uses, including
12 office and light industrial uses, focused on
13 attracting emerging technology, like Green Tech. In
14 addition, 150,000 square feet of office uses on
15 Candlestick Point.

16 Importantly, the project provides for more
17 than 300 acres of new and restored open space and
18 active recreation areas on these sites. This includes
19 new parks on Candlestick and the shipyard, active
20 sports and recreational fields, new waterfront parks
21 around the entire perimeter of the shipyard,
22 connecting to the region's Bay Trail, where there is a
23 current gap.

24 And a major renovation of the Candlestick
25 Point State Recreation Area and vastly improved public

8

□ 1 access to the water.

2 These parks and open space areas cover over
3 half the site's acreage.

4 Other job-generating uses and important uses
5 for the Bayview include 635,000 square feet of
6 regional serving retail on Candlestick Point; 125,000
7 square feet of neighborhood serving uses, both on
8 shipyard and again on Candlestick Point; permanent new
9 and renovated space for the existing artists'
10 community, as well as space for an Art Center and
11 community serving space, spread across the two sites.

12 There is a 300-slip marina that is proposed
13 on the shipyard, a 10,000-seat performance venue on
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14 Candlestick Point, and a new 60,000-seat world class
15 football stadium for the San Francisco 49ers on the
16 shipyard.

17 The project also includes structured and
18 on-street parking, and new transportation and utility
19 infrastructure, including a bridge across Yosemite
20 Slough.

21 This project is expected to generate
22 thousands of permanent and construction jobs over the
23 life of the project. These jobs will be targeted at
24 Bayview residents through the City Workforce
25 Development programs, such as CityBuild.

9

□ 1 Time does matter for this project. The
2 things which matter most to the community have been
3 vetted exhaustively over the last three years, over
4 the course of 177 public meetings we have had to date
5 on the project.

6 we believe that the fundamental issues that
7 people care about have been discussed and will
8 continue to be discussed over the course of the next
9 few months.

10 The EIR is a technical document that analyzes
11 what might happen to the physical environment if the
12 project is built; but it does not get at these core
13 issues, fundamental issues, that people care about.

14 There are consequences to delaying this
15 project. The Bayview community has waited over three
16 years for change, and a delay means there is only
17 more waiting.

18 One of the consequences of delay is that it

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19 precludes the City's ability to get ahead of the Santa
20 Clara election in June 2010.

21 (Technical difficulty; feedback on the audio
22 system.)

23 MS. BOHEE: I'll continue on.

24 Again, one of the consequences of delay is
25 that it precluded the City's ability to get ahead of

10

1 the Santa Clara election in June 2010.

2 Our ability to provide for a world class
3 stadium site for the 49ers.

4 PRESIDENT SWIG: Excuse me.

5 I think it's fair, both to the public and the
6 Commissioners, that we let the technician fix the
7 system.

8 MS. BOHEE: Okay.

9 PRESIDENT SWIG: I would like to take a brief
10 recess until we get this system fixed.

11 Thank you, very much.

12 (A 15-minute recess was taken to correct the
13 electronic audio problem.)

14 PRESIDENT SWIG: Okay. We are going to
15 reconvene. And may we please continue the
16 presentation on the item?

17 MS. BOHEE: Tiffany Bohee, the mayor's
18 office.

19 Time does matter for this project. The
20 things that matter most to the Bayview Community have
21 been vetted exhaustively over the last three years,
22 over the course of 177 public meetings to date.

23 we believe that the fundamental issues that
24 people care about have been discussed and will

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25 continue to be discussed over the next few months.

11

□ 1 The EIR is a technical document that analyzes
2 what might happen to the physical environment if this
3 project is built, but it does not get at the core
4 issues and fundamental issues that people care about.

5 There are consequences to delaying this
6 project. The Bayview Community has waited too long.
7 They have waited over 30 years, and a delay only means
8 there is more waiting.

9 One of the consequences of delay is that it
10 precludes the City's ability to get ahead of the Santa
11 Clara election in June 2010.

12 Our ability to provide for a world class
13 stadium site for the 49ers may be potentially lost due
14 to delays.

15 At this time, I would like to ask Stan
16 Muraoka of Agency staff to describe the environmental
17 review process for the project, as required under
18 C-1.

19 MR. STAN MURAOKA: Good evening, Agency
20 Commissioners. I am Stan Muraoka, the Agency's
21 Environmental Review Officer.

22 The item before you is a Public Hearing to
23 hear testimony on the adequacy of the Draft
24 Environmental Impact Report for the proposed
25 Candlestick Point-Hunters Point Shipyard Phase II

12

□ 1 Development Plan Project.

2 The hearing is solely to hear public
3 testimony on the adequacy of the Draft EIR in

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4 evaluating the likely adverse environmental effects of
5 the proposed project.

6 No commission action is scheduled.

7 The Planning Commission will also hold a
8 Public Hearing on the Draft EIR on Thursday, December
9 17th.

10 with me today are Joy Navarrete and Lisa
11 Gibson of the Planning Department.

12 The public comment period for Draft EIR began
13 on Thursday, November 12th, 2009, and ends on Monday,
14 December 28, 2009.

15 Following the public hearings, Agency and
16 Planning Department staff will prepare and publish a
17 Comments and Responses document of the public comments
18 from the hearings and written comments received during
19 the public comment period on the Draft EIR, along with
20 staff responses to the comments.

21 At this time, I respectfully ask that you
22 open the Public Hearing on the adequacy of the Draft
23 EIR.

24 PRESIDENT SWIG: Madame Secretary, how many
25 speaker cards do we have this evening?

13

□ 1 THE SECRETARY: I think there is about fifty
2 cards.

3 PRESIDENT SWIG: Oh, okay. Thank you.

4 As I mentioned in the beginning, for those
5 who were not here, those who were not here at that
6 time, I would like to allow only two minutes of public
7 comment on this subject.

8 And once again, I would like to reiterate
9 that this is a hearing. There will be no resolution
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10 on the EIR this evening, as we have said, the comment
11 period is open until December 28th, and there will be
12 a Planning Commission Hearing on December 17th to hear
13 the same.

14 If you are not heard tonight fully, or you
15 are not heard on the 17th during the Planning
16 Commission, then you still have the opportunity to
17 write the Agency with any comments that you have by
18 the December 28th, so I very much appreciate your
19 patience with limiting comments to two minutes this
20 evening.

21 And thank you again for your cooperation.

22 Madame Secretary, would you please go through
23 the speaker cards?

24 THE SECRETARY: The first speaker is Jim
25 Lazerus, followed by Conny Ford, then Treatha

14

1 Stroughters, the Sedrick Jackson.

2 First speaker, please come forward.

3 PRESIDENT SWIG: Thank you. And please line
4 up. If you could please line up when you hear your
5 name called, and the second speaker called, and the
6 third, if you would please line up so that we could
7 make this move as efficiently as possible. Thank you,
8 very much.

9 MS. CONNY FORD: Good evening. Good
10 afternoon, Commissioners.

11 I'm obviously not Mr. Lazerus, but I am Conny
12 Ford. And I am a Vice-President of the San Francisco
13 Labor Council, and Secretary Treasurer of a Union,
14 OPEIU Local 3.

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15 And I rise to tell you that we in the labor
16 movement support strongly this project. We have
17 approximately -- We do it for a couple of reasons.
18 We have approximately 8000 members to live in
19 94124. And they look forward to the day when the much
20 needed resources and support that their community so
21 much richly deserves will be coming this way.
22 And this particular project will grant 32
23 percent affordable housing, \$27,000,000 in support for
24 first-time homeowners, \$8.5 million in workforce
25 development. It includes that kind of support for

1 folks in the community.

2 The other part of this project that is so
3 vital to all of us is the work that is going to be
4 provided. As you know, in the building trades, 25, 30
5 percent of the workers are on the bench today. We
6 have retail clerks on the bench. We have hospital
7 workers who are being laid off.

8 This much needed project will give the
9 support to the folks who live in that area, the much
10 needed jobs that they so richly deserve.

11 We urge you to consider the importance of
12 this project, and we wanted to move that forward.
13 Thank you.

14 PRESIDENT SWIG: Thank you.

15 THE SECRETARY: Next speaker, Treatha.

16 PRESIDENT SWIG: Could you call the next two
17 speakers after that, please?

18 THE SECRETARY: Sedrick Jackson, and Matt
19 Reagan.

20 Next speaker, Matt Reagan. Treatha
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15

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cont'd.

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21 Stroughters. Christina Sandoval.

22 TREATHA STROUGHTERS: Oh, sorry.

23 Hi. Hi, everyone. I'm Treatha Stroughters,
24 and I'm just-- I'm here to say that I support the
25 shipyard redevelopment.

16

0 1 Living in the Bayview Community and living in
2 the surrounding areas all my life, seeing the
3 shipyard, being there for a long time, a lot of people
4 was ill. And some of my family, my grandma, people
5 that I know, we all lived there, and people were
6 getting sick.

7 And now it's an opportunity for us to turn
8 into something good for us, and our kids, and create
9 more jobs. Opportunities to purchase homes at a lower
10 rate. I feel that we all deserve that, because we
11 have been waiting for so long to -- to get something
12 from just living in San Francisco, and being born
13 here.

14 And seeing a lot of other people come and
15 getting opportunities that are not from here. I'm an
16 original person from San Francisco and the Bayview
17 area. And I feel like -- from my grandmother living
18 here my mother, this is what I deserve, and what I
19 feel like my whole community is entitled to. So just
20 don't let the environmentalists and people who aren't
21 from here come in and say that they need delays.

22 The people who are here and live here, where
23 they are every day, we say move forward, no more
24 delays. Thank you.

25 THE SECRETARY: Next speaker, Christina

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17

1 Sandoval. Lashawanda Collins. Sinte Pasay.
2 PRESIDENT SWIG: I guess somebody could make
3 sure that we let the people waiting in the ante room
4 know that their cards are being read.

5 MS. CHRISTINA SANDOVAL: Sorry. I was in the
6 hallway. Couldn't hear nobody's name out there.

7 Good evening. My name is Christina Sandoval,
8 and I'm a resident of Bayview. And I'm here to
9 basically say, who are these people that are stopping
10 the delay?

11 These are the people that own homes, that
12 have jobs, their kids are in good schools, and not
13 giving us the opportunity in Bayview. So, no delay.
14 Thank you.

15 MS. LASHAWANDA COLLINS: I'm Lashawanda
16 Collins. I'm a resident of San Francisco for 35
17 years.

18 And I feel this is our perfect opportunity to
19 do something for San Francisco and the residents that
20 are in San Francisco. So I say, no delays.

21 THE SECRETARY: Sinte Pasay. Stormy Henry.
22 Derek Green. Kenya Ellison.

23 MS. STORMY HENRY: Good evening,
24 Commissioners.

25 My name is Stormy Henry. And I'm a resident

1 of Alice Griffith. And I am a former resident of the
2 Fillmore, which was placed there through the
3 displacement and regentrification of our community.

4 I am here to speak tonight against the delay.
5 The delay means that we have to live in inhabitable

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SFRA1-4

18

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6 living circumstances for another six months to a
7 year. And it puts us all in a bad position, our
8 children, our health.

9 And for the people who are stopping it, all
10 they need to do is take time to read those, the little
11 fine print, over the Holiday Season, since they care
12 so much, they can take that time and use their time
13 instead of setting us back for the, um, for at least
14 six months to a year.

15 We really don't appreciate it, and it's
16 really messing with our ways of living, our wages. We
17 are promised jobs through a Community Benefits
18 Agreement that we all as residents in the 94124 have
19 come together as an agreement with.

20 It was hard to do that, and we feel as though
21 if you take another delay, it would make us all fall
22 apart. So I'm here to say, no delay.

23 THE SECRETARY: Derek Green. Kenya Ellison.
24 Lottie Titus. Ronae Kent.

25 MR. DEREK GREEN: How you doing? My name is

1 Derek Green. I been coming to a dozen of these
2 meetings about this project.

3 In my community, we are suffering poor
4 housing, crime, and no jobs. We can't wait another
5 day to get this keep going on. Thank you.

6 THE SECRETARY: Kenya Ellison. Lottie
7 Titus. Ronae Kent.

8 MS. KENYA ELLISON: Hi. My name is Kenya
9 Ellison. I live in the community. We don't need or
10 we don't want time. We need jobs, so no delay. Thank

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SFRA1-5
cont'd.



19

SFRA1-6



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11 you.

12 MS. RONAE KENT: Hi. My name is Ronae. And
13 what I believe in my heart is that -- is if this
14 project was going to benefit other communities, it
15 wouldn't be the option. I just want to say no
16 delays.

SFRA1-8

17 THE SECRETARY: Next speaker, Jenelle King.
18 Victoria Vandercourt. Tim Paulson. Setu Pataia.

19 SPEAKER: I just want to say, no delay.

20 MR. SULULAGI PALEGA: Good evening,
21 Commissioners. And congratulations to the newly
22 elected officers.

23 My name is Sululagi Palega. And I have lived
24 in San Francisco all my life. I started off in the --
25 on Guerreo at 729 in 1957, being new to the area, that

20

1 seemed to be where we were housed at. It was good,
2 because I got to meet a lot of people, got to interact
3 with a lot of people from the residence and
4 community.

SFRA1-9

5 Currently, I'm serving on the Board of the
6 Samoan Community Development. And I'm also a member
7 of the CAC. And I'm looking forward to this project
8 moving forward.

9 About a month ago, we had a meeting, and I
10 thought everything was squared away. So then we come
11 back last night, and I couldn't make the meeting, but
12 then I hear there is a possible delay in it. I don't
13 want to see this delay. I know that there was some
14 concern about the Samoan brothers on the hill, and the
15 sisters.

16 well, if this project don't go through, you
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17 won't have to worry about it, because they ain't gonna
18 be nothing. You know, I'm here today to tell you, no
19 delay, and we need to get moving. Because -- I don't
20 know if everybody is seeing what I'm seeing -- money
21 is shrinking; people are not wanting to invest in
22 large projects.

23 And I'm afraid we are going to get caught up
24 in this thing about the rocks being moved from one
25 point to another and miss the golden opportunity to

□ 1 get this project built.

2 I have attended over a hundred and some
3 meetings. I have been going to meetings since 1995
4 about this project.

5 So I -- I'm just real concerned, because at
6 one point, we got the votes, and everything was moving
7 forward. And then I come back, and again there is a
8 delay.

9 I would like to see the redevelopment take a
10 stand on this and support your community groups that
11 you have established out in the community, who are
12 kind of the liaison to the community for you, and hear
13 what the people are saying. We are trying to address
14 them, we can't give everybody money for their pockets,
15 I will just say that.

16 we are looking at jobs, and that is what the
17 most important thing is, affordable housing, and long
18 term jobs. So these are -- to me, living after all
19 these years, are some of the most important things.

20 So I would like to see us move forward.
21 Thank you.

21

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cont'd.

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22 THE SECRETARY: Next speaker, Reverend
23 Walker. Dedria Smith. Dr. Veronica Hunnicutt. Chris
24 Wagner.
25 REVEREND ARELIUS WALKER: Honorable

22

1 Commissioners, I am Arelius Walker, Pastor of True
2 Hope Church of God in Christ at Hunters Point.
3 This afternoon I'm representing the African
4 American Revival Mission Consortium, the Tabernacle
5 Community Development Cooperation
6 Two apparent points that I would like to make
7 in my comments. One is we are concerned that the
8 Hunters Point Shipyard Candlestick Point plan will be
9 the economical engine that will drive that particular
10 community to positiveness.
11 we are definitely concerned about the
12 contamination and the waste. I have lived in Bayview
13 for the last 40 years, and in San Francisco about
14 fifty-some years.
15 And I'm definitely disturbed about the toxic
16 waste that for years -- not just recently but for
17 years -- have created cancer, asthma, and all kind
18 various negatives on environmental impact.
19 But the good news that I see with this
20 project, we are responding to it. It's going to be
21 cleaned up with the Superfunds. As you know, the
22 money is appropriated by the Navy to clean up that
23 project.
24 Along with the thousands and thousands of
25 jobs, the low rental housing. The housing

SFRA1-10

23

1 affordability at 32 percent, as you heard, technically
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2 about 31.86 percent, come out to be 32 -- and with the
3 jobs and the various activities, and various things
4 that are going to happen.

5 I agree with all of the previous speakers
6 that we can't afford -- and I believe you understand
7 it better than we understand it, to delay this
8 project.

9 So I'm definitely encouraging all of you, at
10 least the majority, I hope you will agree with the
11 community, because the supervisor of that district,
12 and all of the various committees, that the project
13 that had to do with that, all agree with that point.

14 Thank you, very much for listening.

15 DR. VERONICA HUNNICUTT: Good afternoon,
16 Commissioners. My name is Dr. Veronica Hunnicutt, and
17 I am both the Chair of the Hunters Point Shipyard
18 Citizens Advisory Committee, and I am the Dean of the
19 Southeastern Campus of the City College of San
20 Francisco.

21 As the Chair of the CAC, I understand
22 firsthand the immense challenges that the
23 Bayview-Hunters Point Community currently faces;
24 including unemployment, disparity in educational
25 attainment and job skills, lack of access to adequate

□ 1 open space and recreational facilities, poor access to
2 public transportation, affordable housing and economic
3 opportunities.

4 This project proposes to invest hundreds of
5 millions of dollars in the Bayview-Hunters Point
6 Community. You should know that the community, and



SFRA1-10
cont'd.

SFRA1-11

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7 the PAC and the CAC and the City have been working
8 together for nearly a decade to plan the
9 revitalization and redevelopment of the Hunters Point
10 Shipyard, and ensure that the development delivers
11 much needed affordable housing, park, and open space,
12 and economical opportunities to the existing residents
13 as soon as possible.

14 The City has hosted nearly 200 workshops and
15 meetings and discussed and presented a number of
16 components of this project to both, both the PAC and
17 the CAC, over the past two years; including the Urban
18 Design Plan, the Transportation Plan, Sustainability
19 and Infrastructure Plan, the Workforce Development
20 Strategy, and Affordable Housing Plan.

21 And the PAC, and the CAC and the community
22 have had extensive input on these critical components
23 of the project.

24 Now last night, the CAC heard an
25 informational presentation from the Agency on the

□ 1 Draft Environmental Impact Report.

2 And although the CAC did not take any formal
3 action on the document, there were a range of opinions
4 presented by the members present including some who
5 advocated for an extension of the public comment
6 period.

7 However, in my personal opinion, as a
8 community leader, educator, and someone who has been
9 working on this project for a number of years, it is
10 of utmost importance that this project move forward.

11 PRESIDENT SWIG: Thank you.

12 DR. HUNNICUTT: Thank you.

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cont'd.

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13 THE SECRETARY: Next speaker, Chris Wagner.

14 Ashley Rhodes. Gary Banks. Al Norman.

15 MR. CHRISTOPHER WAGNER: Hello. My name is
16 Christopher wagner, and I'm a resident of Bayview and
17 a member of the Shipyard Citizen Advisory Committee.

18 The CAC has been holding meetings and giving
19 comment on a number of aspects of this project;
20 including the Transportation Plan, Open Space Plan,
21 Sustainability Plan, Housing Plan, and Workforce
22 Development Plan.

23 The redevelopment of the Hunter Point
24 Shipyard is one of the most important development
25 projects in this City's history, not only because it

26

SFRA1-12

1 provides immensely needed affordable housing, jobs,
2 and parks, but also because it enables the City to
3 transform the Hunters Point Shipyard from a Superfund
4 site and environmental blight on the Bayview-Hunters
5 Point Community into a beacon of environmental
6 stewardship.

7 We need reliable transportation, and this is
8 a challenge in the community that it currently faces.
9 This project proposes to invest hundreds of millions
10 of dollars in creating new transportation
11 infrastructure that will serve not only the new
12 development, but also the surrounding communities.

13 A key point of this Transportation Plan is
14 the proposed bridge over Yosemite Slough; and this
15 would help ensure that the new transit is efficient.

16 Asking for an extension of the public comment
17 period of this EIR is another tactic the opposition is

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18 using to delay the progress in our neighborhood. And
19 the same people who are asking here for the extension
20 today are people who have already said that they will
21 be funding a lawsuit against this project.

22 I strongly support this project, and I'm
23 asking you to please support our Community by not
24 extending the public comment period for the EIR.

25 As a CAC member, I have reviewed this

26 document and feel that we need to begin to move this
27 project forward, so that is the residents of this
28 community can finally again to see tangible benefits
29 from this project that has not been talked about for
30 so long. Thank you.

31 MR. GARY BANKS: Good evening, Members. My
32 name is Gary Banks, and I'm speaking on support of not
33 delaying this particular process for the EIR.

34 I believe we have done a lot of work and a
35 lot of research on this, as it pertains to -- as me
36 being a member of the PAC, that we have brought it --
37 we have had several meetings of discussion on this;
38 transportation, different areas of EIR.

39 And I believe we have gotten a lot of
40 professional information and professional feedback,
41 and I feel we need to move forward with the project,
42 as it relates to employment.

43 And so many people need jobs. We are trying
44 to stop the flight of African American families. And
45 if we continue to delay this process, this is really
46 going to be a wringer in what we are trying to see
47 come forward in progress.

48 And so we want to see Alice Griffith built.
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SFRA1-12
cont'd.

27

SFRA1-13

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24 Families are ready to move forward and get their lives
25 on, and so I stand in support of moving the project

□ 1 forward. Thank you.

2 MR. AL NORMAN: Mr. Chairman, Commissioners,
3 Executive Director and Counsel.

4 Al Norman, Bayview merchants, Bayview
5 business owner, Bayview homeowner. Been in the
6 community 63 years. I know I don't look my age. But
7 at the same time, we want to try to move --

8 PRESIDENT SWIG: Could you speak up, please?

9 MR. AL NORMAN: We want to move to this
10 project forward. I'm hoping that from just listening
11 to go what we have to say, that you are looking out
12 here in the audience, seeing the these young people,
13 especially these young mothers, and different people
14 who are waiting to go forward in Alice Griffith with
15 their new housing, to get out of that housing that
16 they are in.

17 And to delay this process any longer than we
18 have already just delays them from being able to move
19 forward in a better quality of life.

20 And preventing a bunch of businesses and a
21 bunch of other things to go on to delay this
22 EIR process. And all it is, is you just looking over
23 a bunch of stuff that we already had a bunch of
24 meetings on that they put in print.

25 So I don't know what the big deal is. The

□ 1 whole thing is a tactic to delay the progress of the
2 developer. So if they want to hate the developer,

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SFRA1-13
cont'd.

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3 fine. But don't hold this project up for the people
4 at Alice Griffith, who need that replacement housing
5 yesterday.
6 we would ask that you move this project
7 forward with no more delays. If they want to give you
8 something and talk about what is in the EIR, let them
9 giver it to you in writing or whatever.
10 But don't delay the progress of this
11 particular development because of -- for the 45 days,
12 or whatever, because we have got too many families and
13 everybody else out there waiting for this thing to
14 move forward. And it's way too far behind right now.
15 Thank you.
16 MS. TERA GRAY: Hi. My name is Tera Gray,
17 and I'm a resident of Alice Griffith Community, and
18 I'm basically here tonight to say no against delays.
19 Basically, I think we waited long enough.
20 The people who want delays are people who do
21 not live in our community and not going through what
22 we are going through. I'm tired of seeing people in
23 my community suffering. And I'm just asking, please,
24 no delay.
25 THE SECRETARY: Next speaker, Wing Lee.

□ 1 Shane Holman. Leora Gilworth. And Derek Tolliver.
2 MR. WING LEE: Good evening, Commissioners.
3 Thank you for your time.
4 And my name is Wing Lee, and I am a member of
5 the Hunters Point Shipyard Citizens; once a week, a
6 weekly member.
7 I'm also a local resident.
8 And I'm also a local small business owner in
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SFRA1-14
cont'd.



SFRA1-15

30



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9 the Bayview area.

10 The Community and the City has been working
11 on this plan for the longest time. Relatively
12 speaking, I'm a new member, but we have reviewed a lot
13 of documents, drawings, and some of them are technical
14 some of them are finance, you know, and related
15 information.

16 But I personally reviewed most of the
17 documents. And on environmental housing,
18 recreational, sustainable, commercial, transportation,
19 finance; and all those different categories.

20 Is it a perfect plan? No.

21 Do we need a per plan at this point? Maybe
22 not.

23 What we need? I think actually we need more
24 discussion after this, this EIR approval process. And
25 there is always opportunity.

31

01 And what I'm hoping is, for the local
02 residents, and just continue the dialogue and be a
03 participant, in all of these meetings and workshops,
04 and just voice your opinions, and come up with a
05 better plan, maybe, eventually, a perfect plan.

06 So I strongly recommend all of you to support
07 this project, and asking you to please support our
08 community by not extending the public comment period.

09 Thank you.

10 MS. VICTORIA VANDERCOURT: Hello. My name is
11 Victoria Vandercourt, and I'm a resident of Alice
12 Griffith.

13 I was coming up to say I think we should go

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cont'd.

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14 forward with this project and have no delay, because
15 someone asking for the delay doesn't have to go
16 through what we go through the stuff that we go
17 through day in and day and night.

18 They don't have their kids with them in
19 conditions to where one morning when they wake up,
20 can't take a bath or go to school, or don't have
21 heat.

22 I think that we need to move forward with
23 this project, so that our kids can move on and have a
24 better life.

25 DR. AHIMSA PORTER SUMCHAI: Thank you for the


32

1 privilege at the podium. My name is Dr. Ahimsa Porter
2 SUMCHAI. In addition to being the Health &
3 Environmental Science Editor of the SF Bayview
4 Newspaper, I am also a former member of the
5 Recreational Advisory Board of the Hunters Point
6 Shipyard.

7 And for ten seasons, I started as a Stanford
8 Fellowship trained, Board Certified Emergency
9 Physician for the San Francisco Giants at Candlestick
10 Park stadium.

11 Additionally, I am probably one of the only
12 people in this room who has read this EIR; not in
13 entirety, but I have read it in great detail.

14 And I want to show you this document, it is
15 from the proposed landuse. And one thing it is
16 missing is a fire station. There is no fire station
17 in this project. There are five fire stations in
18 Southeast San Francisco, and none of them can get to
19 Hunters Point Shipyard Phase II in under 4.5 minutes;
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cont'd.



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20 that is the current mandate for a Code 3 emergency in
21 the City and County of San Francisco.

22 Additionally, there are multiple,
23 significant, unmitigated transportation impacts,
24 impacts at major intersections and freeways.

25 There are seventeen schools and day care

□ 1 centers that the Navy identifies as sensitive
2 receptors in its remediation document. This EIR does
3 not even identify that.

4 There are biological resources that are at
5 risk. There is an endangered peregrine falcon that is
6 on Parcel B, where you are going to blow up,
7 deconstruct, and build a stadium; and that is a
8 violation of the Endangered Species Act.

9 There are air quality violations that this
10 EIR has underestimated. This EIR has the nerve to say
11 that the hazardous materials impact at the shipyard
12 are not significant.

13 It does not identify that there is methane
14 gas coming out of the landfill, volatile organic
15 compounds, radio nuclides in the soil.

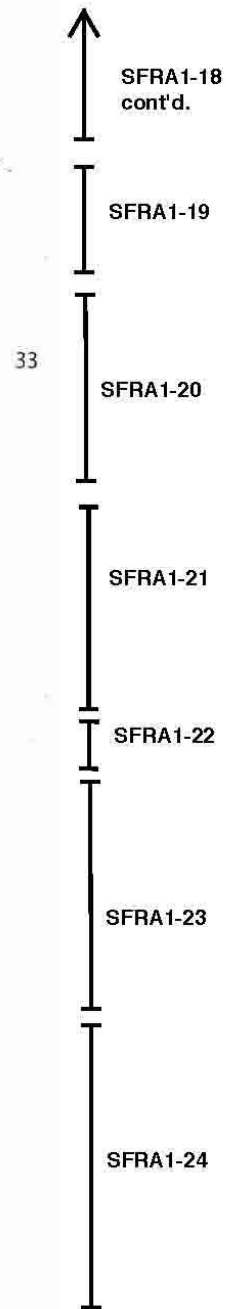
16 This is a -- This is a flawed document --
17 (Time limit chime is sounded.)

18 DR. PORTER: -- and I will legally challenge
19 you.

20 And you can bus in everybody that you want
21 from the project. And I will still hold it up all by
22 my little self if I have to, with a legal challenge.

23 PRESIDENT SWIG: Thank you, very much.

24 THE SECRETARY: Shane Holman. Leora



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25 Gilworth. Derek Tolliver. Reverend Albert Townsend.

□ 1 MR. MANNIE FLORES: Good evening,
2 Commissioners.
3 My name is Mannie Flores. I'm a proud member
4 of the Carpenters Union Local 22, here in
5 San Francisco. I have quite a few members of my local
6 that live out in that area.

7 You know, I don't know how many years, but
8 this project, it's been long, long overdue. And I
9 really don't know how many more hearings we can have
10 on this EIR; how much more time we can drag this out.

11 But I think that the Community, the
12 developer, the Union, the building trades, City Hall,
13 everybody has worked hard and diligently to come
14 together, to put this together, to get moving.

15 I think everybody has busted their behinds to
16 try to make this work. All we got to do now is just
17 get it off the ground and get going. And with that,
18 I'll look for your support to approve the this EIR, so
19 we can start building, and let's see some hammers out
20 there the first part of the quarter of 2010.

21 Thank you.

22 MR. DEREK TOLLIVER: Good evening,
23 Commissioners.

24 My name is Derek Tolliver. I'm a lifelong
25 resident of San Francisco and current resident of

□ 1 Bayview-Hunters Point, and I'm currently serving as
2 the Executive Director of Young Community Developers.

3 I wanted to say, first of all, that we have
4 been the beneficiary of numerous grants from the

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5 Lennar Corporation, so I have to preface whatever I
6 say with that statement, as a sign of transparency.

7 One of the things that I wanted to say is
8 that we do not stand in opposition to this project.
9 However, what we do stand for is the Community's right
10 to have a fair and adequate time frame to review the
11 documents.

12 And that is all that we ask, is that the
13 Commissioners, that as you deliberate, that you take
14 into consideration that there are 4000 -- over 4000
15 pages contained within this document.

16 And the other thing is that having also
17 served as vice-chair of the CAC for a number of years,
18 I have got kind of intimate knowledge of some of the
19 things that are in there; but I cannot honestly tell
20 you that I have done my due diligence and would feel
21 confident enough to say -- to move forward without
22 adequate time frame.

23 Because there are not a lot of people that
24 can read 130 words -- 130 pages, per day. And that is
25 what it would take in order to consume all of these


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0 1 documents, in a very short period of time.

2 So again, my recommendation is that the
3 Commissioners utilize all of the knowledge and
4 information that you have, and really provide adequate
5 time for the community, not only to review it, but to
6 even entertain different and opposing views on the
7 subject. Thank you.

8 THE SECRETARY: Next four speakers: Linda
9 Richardson, Erika Katske, Andrea Manta, and Sue

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cont'd.

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10 England.

11 MR. LONELL HOWARD: I'm not Sue, or any one
12 of those.

13 THE SECRETARY: That is okay.

14 MR. LONELL HOWARD: But my name is Lonell
15 Howard. And I'm a resident of Alice Griffith, and I
16 am standing in for Lavelle Shaw, who is the president
17 of our development.

18 Dear Mr. Swig and all Redevelopment
19 Commissioners:

20 As a resident of the Alice -- as the
21 president of the Alice Griffith Tenants Association
22 representing 1112 public housing residents, we
23 formally and wholeheartedly support Candlestick
24 Redevelopment Project, and are requesting that
25 absolutely no delays of the comment period of the

37

□ 1 EIR.

2 In November 2008, the citizens of
3 San Francisco stood with us in support of
4 Proposition G. Within the Alice Griffith Housing
5 Development, this project -- this proposition was
6 overwhelmingly approved by more than 77 percent of the
7 current residents.

8 The primary reason for this support is
9 simple. Currently, our residents live in an
10 unacceptable condition, drastically impacting our
11 quality of life and limiting the ability of our
12 children to experience a decent, healthy living
13 environment.

14 We cannot bear to live in these conditions
15 even one day longer than is absolutely necessary. The
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16 temporary housing built by the Navy in 1962 is now 32
17 years behind its intended usable period.

18 Poorly constructed originally, residents
19 contend daily with a wide arrange of health and safety
20 issues.

21 These issues include: Massive indoor and
22 outdoor sewage backups that are a result of faulty
23 plumbing systems underneath all units.

24 Rampant mold and mildew problems triggering
25 chronic asthma and other health issues for our

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□ 1 children and seniors.

2 Rodents and insects are a constant concern.

3 And the general development layout isolates
4 us from the rest of the Bayview Community.

5 For the past year, the SF Housing Authority
6 and Mayor's Office has held over dozens of resident
7 meetings to explain the project in great detail, and
8 gather community input by those of us who will be
9 impacted the most.


10 We clearly understand the opportunity and
11 challenges of the project, as it relates to traffic,
12 public housing, affordable housing, jobs, education,
13 parks, and environment.

14 Furthermore, we need -- we acknowledge,
15 accept and agree with the Plan as presented by the
16 city to ensure access to opportunity and address all
17 of the challenges.

18 This is a sincere request from those who have
19 the lease --

20 (Time limit chime is sounded.)

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21 MR. LONELL HOWARD: -- "Don't delay this long-
22 awaited progress.
23 PRESIDENT SWIG: Thank you, very much.
24 MR. LONELL HOWARD: You are welcome.
25 THE SECRETARY: Next four speakers: Reverend

↑
SFRA1-27
cont'd.

39

□ 1 Alexander, Chris Jackson, Michael Theriault, Ronald
2 Lewis.
3 MR. CARDELL COLEMAN: Good evening. My name
4 is Cardell Coleman. I'm a resident of Bayview. We as
5 tenants of Alice Griffith want very much for this
6 redevelopment to begin, as soon as possible.
7 Our living conditions is worsening, so we
8 plead with you, stop delaying and start acting. Thank
9 you.
10 MR. TIM COLEN: Good afternoon,
11 Commissioners.
12 I'm Tim Colen, Executive Director of the
13 San Francisco Housing Action Coalition. And on behalf
14 of our 80-some members, we have been tracking this
15 project for years.
16 And this project broadly takes the City in a
17 direction it very much needs to go; much more
18 intelligent use of land and its resources. And some
19 of the time I had, I looked through the section on
20 population employment and housing. And the analysis
21 of it is adequate. It covers it. It covers the
22 topics. It identifies no significant adverse
23 impacts.
24 what we have seen is that San Francisco is
25 very good at planning and analysis and study, but not

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1 as good at taking action, at pulling the trigger and
2 getting a project moving.

3 We think that there are probably not many
4 projects in San Francisco of this scope, of this
5 magnitude, that have better review and scrutiny and
6 subjected to the will of the voters. It's time to
7 move on this. We like in particular the high level of
8 affordable housing that is in this project. You don't
9 see that many other places.

10 This is not saying that you can delay or turn
11 down lightly, and I would urge you to move forward as
12 quickly as possible. Thank you.

13 PRESIDENT SWIG: Madame Secretary, I
14 understand that many of the people that you are
15 calling cannot hear in the hallway, and then the
16 people have been advised to line up.

17 I would like Mr. Theriault to speak, because
18 I heard his name called, and I don't want to leave him
19 hanging and standing.

20 MR. THERIAULT: Mr. Jackson is here, too.

21 PRESIDENT SWIG: And Mr. Jackson. And then
22 we will just start with that line. I'm sorry. It's
23 hard for everybody to hear, but everybody will have
24 the opportunity to speak.

25 So Mr. Jackson, followed by Mr. Theriault,

41

1 and then we will go to that line. Thank you.

2 MR. CHRIS JACKSON: Hi. My name is Chris
3 Jackson. I'm representing San Francisco Labor
4 Council. And I'm with the San Francisco Labor
5 Council, and SFO Acorn, we represent AD10, Alliance

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SFRA 1-29
cont'd.

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6 for District 10.

7 And I'm here to say that we strongly support
8 the Community Benefits Agreement. This is a historic
9 agreement; 32 percent affordable housing, \$27,000,000
10 in down payment assistance for residents, for, and
11 exclusively, District 10 Bayview-Hunters Point
12 residents. This is historic. There has never been a
13 Community Benefits Agreement like this, and we
14 strongly feel with a benefits package like this, that
15 this will make this redevelopment even stronger.
16 Thank you, so much.

17 MR. MICHAEL THERIAULT: Commissioners, I will
18 not ask for more than the two minutes allotted this
19 time. Thank you.

20 Michael Theriault, San Francisco Building and
21 Construction Trades Council. I confess to not having
22 reviewed the 4000 pages of the Environmental Impact
23 Report . I did take Sunday and review the 120 pages
24 of the Tables -- the 121 pages of Tables of the
25 Executive Summary.

□ 1 And from that, I drew a couple of things:
2 One is the thoroughness that that Executive Summary
3 represents as being present in the Environmental
4 Impact Report; and second, that any group with a
5 serious intent to examine that Environmental
6 Impact Report can take that Executive Summary and use
7 it as a guide to a simple division of labor that will
8 allow that Environmental Impact Report to be examined
9 quickly.

10 So that those who, for example, they are
11 interested in eelgrass beds, or in raptor nesting, or
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cont'd.

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12 in peregrine falcons -- because, yes, peregrine
13 falcons are dealt with in the report -- will have a
14 ready way to do so.

15 Those who are interested in transportation
16 will have a ready guide as to where in the report to
17 look; those who are interested in toxics will have a
18 ready guide as to where in the report to look, so that
19 there is no -- essentially, no real reason to delay
20 this any farther than it already promises to be.

21 One thing that I will remark, also, although
22 it is not in the purview of the Environmental Impact
23 Report, it is certainly in the purview of this
24 Commission.

25 After state building fades, last week,

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0 1 numbers were distributed for construction dollar value
2 in San Francisco. In the first ten months of this
3 year, it is down well over a billion dollars; 54
4 percent relative to the first ten months of last
5 year.

6 And the kind of contentiousness that we hear
7 about the allotment of jobs in San Francisco would
8 have much less heat, it seems to me, if there actually
9 were work, and this project will give them to us.

10 Thank you.

11 PRESIDENT SWIG: I think Mr. Paulson's name
12 was called, too so I would like to ask him to step up,
13 and then the line. And I apologize.

14 MR. TIM PAULSON: Thank you, Commissioners.

15 Tim Paulson. I'm the Executive Director of
16 the San Francisco Labor Council. And I am speaking

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SFRA1-31
cont'd.

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17 here on behalf of moving this wonderful project

18 forward.

19 There has been -- this -- this shipyard has
20 been closed for many, many years. And we are very
21 proud of where this -- where this is right now, with
22 the 35 percent affordable housing, just millions of
23 dollars in workforce development.

24 we know there have been hundreds of meetings
25 across the City over the last years, and we really

1 I urge that this thing move forward.

2 This is a real opportunity for community, for
3 labor, for the faith groups, for everybody in the
4 Hunters Point area, 94- -- in the zip codes in that
5 area, set to move forward.

6 We have thousands of members in that area who
7 are going to have access to health care, and to good
8 jobs, and to affordable housing, and we really urge
9 this to move forward.

10 So thank you, very much.

11 REVERAND ALEXANDER: Good evening,
12 Commissioners. My name is Reverand Alexander, and I'm
13 a volunteer and member of the True Hope Church Of God
14 and Christ, as well as a servant in Bayview for the
15 past 27 years, and also a leader with the
16 San Francisco Organizing Project.

17 As many of you know, SFOP is a faith-based
18 grassroots organization that works in over 30
19 congregations and schools representing 40,000
20 San Franciscans, to develop community leaders in
21 grassroots campaigns.

22 SFOP has been a broad based contingency of
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SFRA1-32
cont'd.

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23 leaders, which influence public officials to make
24 better decisions about important issues that affect us
25 all: Health care, affordable housing, neighborhood

45

□ 1 safety, workforce development, and education.

2 In addition, SFOP's long term Bayview
3 members, which is True Hope Church of God and Christ,
4 which I represent, and Providence Baptist Church, in
5 addition to the several affiliate congregations and
6 schools in the district, have organized and won many
7 initiatives for safer streets, youth programs,
8 employment opportunities, and affordable housing over
9 the last 25 years.

SFRA1-33
cont'd.

10 As you know, SFOP is a member of the Alliance
11 for the District 10, made up of SFOP, SF ACORN, and SF
12 Labor Council.

13 In May 2008, we signed a historical Community
14 Benefits Agreement, with Lennar Corporation, to ensure
15 that families in our congregations and schools, in
16 Bayview and this valley, will really benefit from the
17 exciting development that is in the works.

18 we are supportive of the project, because
19 working with the City, and with Lennar, we would be
20 able to bring roughly 3500 units of affordable
21 rentals, and home ownership housing, and \$17,000,000,
22 in funding for jobs and job training for local
23 residents.

24 From the Agreement, we have more than doubled
25 the required amount of affordable housing to be built

46

□ 1 in the development.

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2 In addition, the workforce contribution of
3 \$8.5 million from Lennar will be matched by \$8.5
4 million of the City funds, which is unprecedented.

5 Thank you for supporting the project, and
6 your approval will help you bring these much needed
7 resources to our community. Thank you.

8 PRESIDENT SWIG: Thank you. Next in line,
9 please?

10 THE SECRETARY: Next speaker.

11 MR. LLOYD A. GILLER: How you doing today?
12 My name is Lloyd Giller, and I'm presently working at
13 the shipyard (inaudible).

14 PRESIDENT SWIG: would you speak up, please?
15 Thank you.

16 MR. LLOYD A. GILLER: I am Lloyd A. Giller,
17 and I am working at the shipyard right now at the
18 present time.

19 And I would like to say, we need to keep this
20 project working on. Right now, I'm working for Lennar
21 as general laborer. And I live in Bayview District
22 10. And we just need to keep the job moving on.
23 Thank you.

24 PRESIDENT SWIG: Thank you.

25 MS. NYESE JOSHUA: Thank you.

↑
SFRA1-33
cont'd.

↑
SFRA1-34

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1 My name is Nyese. And I have lived in
2 Bayview since 1978.

3 I'm looking at some alarming statistics. In
4 1966, you had over 90,000 black people living in
5 San Francisco. By the time redevelopment got through
6 with Fillmore, there were 60,000 people living in
7 San Francisco.

↑
SFRA1-35
↓

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8 That is publicly documented from the
9 San Francisco Library Census.

10 I am terrified that the remaining 25 percent
11 of black people in San Francisco are basically housed
12 in Hunters Point.

13 I'm concerned that last night's CAC PAC
14 meeting, which was questionable at best, that a vote
15 went forward that that -- that quite a few of those
16 people had not actually had an opportunity to go
17 through the EIR, which I have had and have been -- and
18 we have about 300 questions, or more, with our
19 concerns.

20 Speaking on eminent domain. Speaking on what
21 is going to happen with Palou Avenue. Speaking on
22 what is going to happen with people's private homes,
23 because it's mentioned in the EIR.

24 There are pictures, when we talk about jobs,
25 Bayshore -- right now -- site. The old Sunset

48

1 Scavenger site. Those have been cleared off for jobs.
2 Why aren't there jobs right now?

3 If the entities that aren't getting people at
4 the current job sites, right now, right here today,
5 what makes people think that they are going to get
6 jobs that are ten or fifteen years down the line.

7 The workers are not wearing proper safety
8 gear. When the EAC came to Diablo, wherever they
9 went, they had on all kinds of helmets and boots, and
10 all kind of stuff around on the asbestos.

11 You have young people around all of that
12 stuff who wanted to be 60, 70, 80 years old from the

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cont'd.

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13 money they made.

14 I support change, but I support legally

15 benefited change --

16 (Time limit chime is sounded.)

17 MS. JOSHUA: -- some best health practices.

18 PRESIDENT SWIG: Thank you.

19 MS. JOSHUA: And the last point I want to

20 make is, the income in the actual documents that

21 Lennar is handing out, as well. \$100,000 for one

22 person is considered affordable housing in

23 San Francisco. We need time and an extension. Thank

24 you.

25 And that is actually from the CAC and the

SFRA1-35
cont'd.

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0 1 PAC, really.

2 MR. ALEX TOEAINA: Good evening. My name is

3 Alex Toeaina. I would like to come alongside my

4 Samoan people and say a few words, in regards to

5 delaying the process.

6 what is 45 days? We really need to look into

7 this thing. I have taken a look at our Samoan

8 community, and over 60 percent of our people have

9 already been moved out of the community, and with no

10 placement.

11 You know, and so just this past Thursday of

12 last week, you know, I lost a -- you know, a colleague

13 of a friend of mine, you know, who was also Samoan, in

14 the 50-52 age range. And then just this past

15 Saturday, another one of my baby boomer friends, same

16 age 50, 52.

17 And us Samoan people, we are sort of like, we

18 just get along with the program. And that is why you

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19 see spots of us, you know, coming to meetings, but we
20 don't come, because sometimes we are just destroyed
21 for the lack of knowledge.

22 But it's not common, it's not the norm, that
23 people are dying by the wayside at the age 40, 45,
24 50.

25 But then I know that there is some toxic that

1 is causing all of these health issues. And why not,
2 let's rest for 45 days, and you guys need to take a
3 look at the situation.

4 We can't sell ourselves out to just jobs, you
5 know. We are going to build it. We will get the
6 jobs. We will build this thing, and then I guarantee
7 you, we are not going to be living in this
8 redevelopment.

9 I am for redevelopment. I just want to know
10 how are we going to redevelop this place? Is it
11 safe? You know, we are in bed with a rogue company,
12 you know, that has been fined many times and it seems
13 like, you know, we are just ignoring the situation.

14 So on behalf of my people, I'm asking
15 everybody to please reconsider, let's look into this
16 thing, and take 45 more days, and come up with a
17 situation benefiting for everybody.

18 Thank you for your time. Merry Christmas.

19 PASTOR DAN SOLBERG: Commissioners, I'm Dan
20 Solberg, Pastor of Saint Paulus Lutheran Church.

21 The naval shipyard is a Superfund site,
22 unless anybody would like to not remember that. It is
23 a Superfund site, and has been declared by the

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SFRA1-36
cont'd.

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24 environmental community and by legal entities as being
25 something that is dangerous to human health.

51
↑ SFRA1-37
cont'd.

□ 1 You can put all of the jobs you want and
2 develop all sorts of economic well-being, and yet this
3 is a Superfund site that needs to be cleaned up.

4 The EIR is not adequately directed in the
5 direction of cleanup. It proposes potential capping.
6 And yet, there is no -- no effort in the EIR to
7 demonstrate or to seek out ways in which the whole
8 place could be remediated to adequate standards.

SFRA1-38

9 The City of San Francisco by over 87 percent
10 agreed that the shipyards need to be cleaned to
11 residential standards before being transferred.

12 That 87 percent of endorsement certainly has
13 not played a very big part in this EIR. It is an
14 inadequate EIR, in as much as it does not recognize
15 that this is not only a potential but it is a
16 consistent danger to human health and the people of
17 Bayview-Hunters Point.

18 And, in matters of speculation in terms of
19 when the big one comes, that is an earthquake, you are
20 going to see an awful lot of dangerous toxins and
21 Superfund materials being emanated, not only in the
22 Bayview but also throughout San Francisco.

SFRA1-39

23 This is not a matter of simple economics.
24 This is a matter of human health.

25 PRESIDENT SWIG: Thank you, very much.

52
↓ SFRA1-40

□ 1 MR. FRANCISCO Da Costa: Commissioners, my
2 name is Francisco Da Costa, and I'm the Director of
3 Environment Justice Advocacy, and I'm asking you
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4 commissioners only one thing: Listen to the truth.

5 People have been bussed here, so that they

6 can speak on behalf of a rogue developer called

7 Lennar.

8 The issue here is very simple, the Draft

9 Environmental Impact Report. I have read the 4000

10 pages, and I have read many EIR's when I worked for

11 the Presidio of San Francisco, and other EIR's on

12 projects that I have reviewed as the Director of

13 Environmental Justice Advocacy.

14 I do not know how anyone can look at this EIR

15 and say that it is worth it. There are state laws

16 that state, right now, that you commissioners should

17 know, that any big developer has to factor in 20

18 percent conservation on energy, for example, on water;

19 not mentioned in this EIR.

20 But what you have here is a rogue developer

21 who has brought in people, giving them some chips and

22 some hamburgers maybe, so that they can come here and

23 say, "oh, do not delay this project, and we want

24 jobs."

25 This is not about delaying, and this is not

53

□ 1 about jobs. This is about an EIR that does not meet

2 the requirements, nor standards, does not address

3 quality of life issues, and if anything is developed

4 on this land that has not been cleaned by the Navy,

5 people are going to die, as our children and our

6 elders are dying.

7 Thank you, very much.

8 PRESIDENT SWIG: Thank you.

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9 JARON BROWNE: SFRA 12-15-09 transcript.txt
Commissioners, my name is

10 Jaron Brown, and I am with Power, People Organized
11 With Employment Rights.

12 The EIR that is being reviewed right now is
13 about one of the most significant and critical
14 environmental projects that this commission will ever
15 review.

16 It's our only Superfund site in
17 San Francisco; one of the most toxic sites in the
18 country, as we know, radiologically contaminated.
19 They found radiation on every single parcel in
20 addition to E-2, where there was 9-month bio only in
21 the year 2000.

22 So this is an incredibly critical issue that
23 needs to be looked at deeply. We are going to be
24 submitting comments that deal with the issue of
25 capping versus cleaning, and what toxins are being

□ 1 left in the ground, that deal with liquefaction, sea
2 water rise, the Transportation Plan, the fact that the
3 Transportation Plan has not been released, and a
4 number of issues.

5 In terms of public comment today, I want to
6 also preface by saying that all of this is being done
7 for a project that is not neighborhood serving. It's
8 a stadium and a 10,000-unit luxury condominium
9 complex.

10 when they say 32 percent affordable housing,
11 we all know that is not true, because 15 to 17 percent
12 of that is at the level of 150 percent area median
13 income. That is one individual making a hundred
14 thousand dollars a year. That is not neighborhood
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15 serving in this neighborhood of Bayview at this point.
16 But the issue I want to focus on, in terms of
17 the inadequacy of the EIR, is the issue of
18 liquefaction. The EIR dismisses liquefaction saying
19 that it's not considered a serious impact.
20 I just want to note that on December 5th of
21 2008, the Bay Area -- the Hunters Point Project Area
22 Committee invited Thomas Holzer of the Geological
23 Survey in Menlo Park, to give a presentation, where he
24 described how when sand becomes liquid, capable of
25 flowing in the event of an earthquake.

□ 1 Holzer noted in his presentation that
2 according to the National Geological Survey, a 6.7
3 percent earthquake -- a 6.7 earthquake had a 6.2
4 percent chance of hitting the region in the next 30
5 years.

6 If it is close enough to Hunters Point, he
7 says, and I quote, "Then it is probable enough to
8 trigger liquefaction if susceptible (inaudible).

9 (Time limit chime is sounded.)

10 Holzer stated that liquefaction in such cases
11 as a cap toxic site could cause serious problems. The
12 soil liquefies, the ground becomes slush, because of
13 uniform movement -- movement is not uniform, it will
14 crack.

15 PRESIDENT SWIG: Thank you, very much.

16 JARON BROWNE: The last note, and then I'll
17 stop, Holzer is quoted as saying, Different people and
18 different entities will see different levels of risk;
19 for some, everything has to do with profitability.

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20 So San Francisco has been soul searching to
21 do --
22 PRESIDENT SWIG: Thank you.
23 JARON BROWNE: -- this is from David Holzer.
24 PRESIDENT SWIG: Thank you, very much.
25 JARON BROWNE: -- or protecting the city as a

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□ 1 whole.

2 PRESIDENT SWIG: May I have the next speaker,
3 please? Thank you.

4 MR. CHRISTIAN PRADIA: Ladies and gentlemen,
5 Christian Pradia, representative of Local 648. On
6 behalf of USEW Local 648 and our president, we support
7 the project. Thank you.

8 PRESIDENT SWIG: Thank you.

9 MR. MICA ALLEN: Yes. My name is Mica Allen,
10 and I'm a member of the CAC.

11 And I do not support the extension of -- the
12 45-day extension of the EIR for review. I believe
13 that this EIR was processed and put together under the
14 correct circumstances. And I believe that this
15 project can and should move forward for the benefit
16 of the betterment of the Bayview-Hunters Point
17 Community. Thank you.

18 MR. DENNIS KELLEY: Good evening, ladies and
19 gentlemen. Thank you very much for having us here.

20 My name is Dennis Kelly, I'm president of the
21 United Educators of San Francisco. That is a teachers
22 union for the San Francisco Unified School District.
23 We represent the teachers and paraprofessionals
24 throughout the city.

25 we are here to support the project and
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1 support the project going forward. There is land in
2 this, there is money in this for education; and that
3 is critical to us.

4 If there are going to be new schools in
5 San Francisco, this is one of the places where they
6 are going to be. If we are going to be able to start
7 community schools, which both the District and the
8 union are invested in, this is the place we are going
9 to be able to start them.

10 We believe that with the project and with the
11 money that is set aside for education, with the land
12 that will be available, that this is a place to start
13 changing the face of the District, and the face of the
14 schools in the Bayview.

15 we urge you to go ahead with the project.
16 Thank you, very much.

17 MR. RONALD LEWIS: Commissioners, Mr. King.
18 My name is Ronald Lewis, and I'm with IBEW 6, an
19 electrician here in San Francisco.

20 A little history. My mother and father came
21 here from Louisiana; my father chasing the work of the
22 shipyards.

23 I and my son were born and raised on what is
24 now called Parcel A and Parcel B. As it turns out
25 again, I'm now a union electrician, and I'm actually

1 looking forward to being a part of the upgrades in the
2 neighborhood that has long been neglected.

3 I look forward to moving this project. I
4 realize that, of course, 4000 pages is a hefty

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5 document, but in my mind it speaks to the diligent
6 effort to address all concerns.
7 There is still the question of the neighbor's
8 responsibility regarding the cleanup. The
9 San Francisco Health Department, City Supervisors, and
10 the Planning Department have all been pretty
11 consistent in their approach to toxicity and the
12 standards of the area cleanup.
13 There is also, of course, a long history of
14 mistrust in my community for big government, City
15 government. But this project has gone on for years,
16 and it is time to move forward. I urge you to move
17 forward with this project without delay. Thank you.
18 PRESIDENT SWIG: Thank you.
19 MS. RHONDA WINTER: Hello. Thank you for the
20 opportunity to speak. My name is Rhonda Winter, and
21 I'm a resident of Bayview. I'm a member of the
22 Southeast Food Access Group, as well as the
23 San Francisco Bicycle Coalition, and also one of the
24 caretakers of the Latona Community Garden, on
25 Thornton.

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□ 1 I have a few specific issues about the EIR,
2 because I actually read the whole thing, and it made
3 my eyes bleed. And I think it unrealistic to expect
4 most of my neighbors and people in my economic bracket
5 to be able to read a 4000-page document that was
6 released just before Thanksgiving, and the public
7 commentary and the (inaudible). I think that is
8 really disingenuous. If you want public comment, I
9 would really urge that you give it at least 45 more
10 days, because this is a very complex problem.

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11 And the bridge over Yosemite Slough is a
12 travesty that cannot happen, that is an environmental
13 nightmare.

14 And also in the EIR, bicycles are very rarely
15 mentioned. There is talk of infrastructure, but I
16 would like more specific bicycle infrastructure
17 incorporated into that. It talks about autos and
18 pedestrians, but bicycles are very, very rarely
19 mentioned.

20 And I think that is something that if you
21 are going to add 10,500 more units, you need to
22 mitigate for transportation. Bayview already has some
23 of the highest rates of asthma. Our children are
24 dying from cancer, and people are getting sick already
25 from all the pollution in the neighborhood. And this

1 is not being mitigated for.

2 I was diagnosed with ovarian cancer a couple
3 of months ago, and my mother lives by a freeway
4 on-ramp, and she died on Friday from emphysema; so if
5 these issues aren't dealt with, you're going to be
6 killing people. Thank you.

7 MS. KARISSA COU: My name is Karissa, and I'm
8 with Power, People Organized with Unemployment
9 Rights.

10 Lennar's EIR is inadequate for a few
11 reasons. It does not sufficiently outline a possible
12 plan for fully cleaning the shipyard. As we know, in
13 November 7, 2000, the City voted, 87 percent of the
14 voters passed the Proposition P, that requires the
15 shipyard be cleaned to unrestricted use. The EIR does

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16 not plan to clean it to unrestricted use.

17 Also, the toxins on the shipyard that are
18 going to be left are numerous; it's over twenty. Some
19 includes PCB's. PCB's are a form of hazardous waste
20 that people can get by eating contaminated fish, by
21 breathing PCB's that are in the air, or by drinking
22 PCB-contaminated well water.

23 If you breathe this air, it can enter into
24 your lungs and bypass into your bloodstream. PCB's
25 have been associated with certain types of cancer,

□ 1 such as cancer of the liver, as well as rashes and
2 skin conditions.

3 This is something that is not going to go
4 away with a cap. This will resurface due to
5 liquefaction. 45 days is a given. There have been
6 90-day comment periods granted for projects way
7 smaller than this. This is a Superfund site. We need
8 to remember that, and folks need adequate time.

9 FALLA SATALE: Good afternoon. My name is
10 Falla Satale. I'm from Alice Griffith, and this is my
11 mother that lives in Alice Griffith. And she wants to
12 talk about what is going on right now, and support the
13 project, please.

14 THE MOTHER: Hello. I'm a Samoan, I speak
15 little, little bit. And she, too, for me.

16 I am Samoan. I live Alice Griffith, a long
17 time. I'm old over there. I'm 85 years old.

18 FALLA SATALE: Meaning she lives in Alice
19 Griffith for a long time, and she is very old. And
20 she supports the project. And she needs a new house.

21 THE MOTHER: I come over here for talking
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22 about the meeting, to say, please, (speaking other
23 language).
24 FALLA SATALE: Begging you guys, humble
25 herself to support the rebuild of Alice Griffith. And

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1 she has been living there for a long time, and she
2 have a problem of her knee.
3 And the reason why I'm here, is because she
4 lives in Alice Griffith, and I'm speaking for the
5 samoan community and Alice Griffith. And that is why
6 I step up in the place, and become the voice of the
7 mother right here, because she need a place.

8 And when we development Alice Griffith, she
9 wants to be the first one to fix her house, because
10 she don't have a heater. It's been two years that her
11 light is not working. And, you know, every time they
12 come fix, it went out.

13 You know, it's a lot of problems. So she got
14 tired of calling them, and so that is why she is here,
15 to let you guys know, please, I'm begging you, if
16 there is support of Alice Griffith, she -- she wants
17 to be a part of it.

18 PRESIDENT SWIG: Thank you, very much.

19 FALLA SATALE: And thank you, very much.

20 THE MOTHER: (Speaking foreign language.)

21 FALLA SATALE: And thank you very much.

22 THE MOTHER: (Speaking foreign language.)

23 FALLA SATALE: She say thank you so much.

24 And Merry Christmas.

25 THE MOTHER: (Speaking foreign language.)

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1 FALLA SATALE: Many -- she wants to see this
2 project before she die.
3 And thank you so much. God bless, you guys.
4 PRESIDENT SWIG: Thank you, very much.
5 MS. JUANA TELLO: Good evening. My name is
6 Juana Tello, and I'm a member of POWER, and a resident
7 of Bayview-Hunters Point.
8 The EIR being reviewed today, or in the last
9 couple of weeks, is inadequate because it does not
10 outline a possible plan for fully cleaning up the
11 shipyard.
12 with that said, the EIR also does not
13 consider the option of doing onsite biological
14 remediation to fully clean the shipyard, which in turn
15 would create thousands of long term jobs for Bayview
16 residents.
17 I want to add that the EIR does not outline
18 to what extent many of the toxins will be removed.
19 Through extensive Community EIR meeting sessions, we
20 have compiled a heavy list of toxics and contaminants,
21 parcel by parcel, that include arsenic, chromium,
22 lead, benzene, radium, et cetera, because the list
23 goes on and on.
24 As a community member, I am very concerned.
25 I assume that you guys have all read the EIR as well,
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1 and you guys should also be concerned.
2 I want to also remind you that it is your
3 responsibility to demand that the Navy fully clean up
4 the shipyard, as it is reflected in the 87 percent of
5 the San Francisco citywide voters that passed
6 Proposition P in 2000.

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7 You are all accountable to uphold
8 Proposition P. And I also -- I just want to add that
9 I think that it's unfortunate that Bayview residents,
10 the needs of Bayview as a community are being used
11 against us, and our needs for jobs and our needs for
12 housing are being used to push this development
13 forward, when what we really need is to be healthy
14 and to be safe. Thank you.

15 PRESIDENT SWIG: Thank you.

16 MS. DIANE WESLEY SMITH: Good afternoon,
17 Commissioner. My name is Diane Wesley Smith, and I am
18 a resident -- I grew up in the housing project at 45
19 West Point Road, which is now called Hunters View. I
20 went to school with over half the kids -- over half of
21 the kids I went to school with lived in Alice
22 Griffith, which is now -- we used to call it Double
23 Rock.

24 I am the founder of the Bayview Hunters Point
25 Real Estate Professionals, and I'm a small business

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owner, and I'm a new homeowner in my community. I can
see Double Rock from my home.

Also, my family home, one of our family homes
that my beloved mother and father left us, is on Palou
Avenue.

We are very concerned. What I want to really
addressed today is the situation with Alice Griffith,
or Double Rock, and Phase II are two separate issues.
And I resent that my people seem to be held hostage;
that is what they appear to be, held hostage.

To live in these horrendous conditions that

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12 exist is absolutely unacceptable. We could take care
13 of that problem right now. We could send workers over
14 there, and we could do one for one. For each person
15 that is preparing there could be a resident there
16 working. People should not be held hostage.

17 I see so many of my people begging for Phase
18 II. I think I am for Phase II. I believe there is a
19 lot more work to be done, and I would be negligent in
20 my duty if I did not ask for another 45 days, because
21 if the 45 days meant that my people were going to
22 starve for the 45 days, then I would say, We don't
23 have time, let's move forward.

24 This is the future. And we can't fast track
25 in future planning. I think that is totally wrong.

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□ 1 From the 28th, I would respectfully ask for extension
2 as of the 28th.

3 Also, to cap in an earthquake zone is not
4 acceptable. We have got to put money -- people before
5 money, and our people come first. Let's set an
6 example of leadership. We have got people starving.
7 Let's help them understand what is going on.

8 And they don't have to get Phase II in order
9 to live in decent conditions. Let's bring them up
10 to -- they are our citizens, let's take care of their
11 quality of life.

12 PRESIDENT SWIG: Thank you.

13 NEW SPEAKER: Hello, Commissioner. I'm from
14 Alice Griffith. My name is (inaudible). And I speak
15 before -- from the Commissioner (inaudible). And I
16 thought Alice Griffith trying to build a new house.

17 But the point is, we are not getting involved in some
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18 kind of thing that the Housing Authority said, they
19 get involved, some money, but they don't help. But,
20 they don't have no money. So supervisors have the
21 money, so that means you only be chance that
22 (inaudible) I don't know who will be at Alice
23 Griffith, Lennar or whoever? And we want some answers
24 today, and tell us who going to build it? Or, you not
25 going to build it? Or, you don't have no money to

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1 build it? And to tell us exactly where we coming
2 from.

3 Because, we going to fight for the building
4 that we need now; that we are not going to move until
5 we see the poor 300 units built up there on the
6 parking lot.

7 If I you, you go up there and look at it,
8 what the Housing Authority talking about this parking
9 lot, where you park the car, where they have 49ers,
10 and that is where they are planning to park.

11 But the point is, I didn't see anything.
12 They said 2010. Now, it's 2010, 2011, 2012, 2013,
13 2014, 2015, how long?

14 Now, we don't want to be getting involved
15 that is not right and is not true. We want to be
16 honest, honest all of you.

17 As like I say, we went to the Commissioner of
18 the Housing Authority, and we come up and now we come
19 here, now they got three parks.

20 (Time limit chime is sounded.)

21 CONTINUING SPEAKER: Can I speak one more?

22 PRESIDENT SWIG: I have to ask you to

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23 conclude, please.

24 SISTER STEPHANIE HUGHES: Thank you.

25 My name is Sister Stephanie Hughes, and I'm a

□ 1 resident of Alice Griffith. And I just recently got
2 the report myself. I have not had time to read the
3 report; however, I have lived for that report.

4 The report does not speak to environmental
5 that have been in our community forever. Our children
6 have been dying, yes, they have. It's not speaking
7 anything new to us. We have been knowing that these
8 things have been existing for a very long time.

9 I have not been a very good fan of the
10 redevelopment whole process, because I'm totally not
11 into agreement with the Community Benefit Agreement;
12 and I think we all know that I have been very verbal
13 to say that.

14 However, after speaking to my family, this is
15 not about me, okay? Let's make this very clear, and
16 it isn't about you. It isn't about people who do not
17 live in Alice Griffith. It's not about people that
18 comes to meetings, and stuff.

19 It is about the people that actually live in
20 Alice Griffith. It is about the families who live in
21 these condition, who are saying, please, help me. And
22 if this opportunity is what brings hope to a people,
23 because I disagree with a whole lot of stuff, but when
24 I see people coming to me, and they are shining,
25 because they believe, I cannot take that away from

□ 1 them.

2 And I believe that if we ask for more time
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3 for this process, when folks are beginning to step up
4 and really move processes along the way, where they
5 are learning to be community advocates and say and
6 speak up for what it is that they want, and what it is
7 that they believe it, and to say -- and I'm going to
8 say it out of my own mouth -- Outsiders -- to say,
9 you don't know what you want, let us read this for
10 however many more days. I mean, to me is demeaning to
11 the people who -- the very people who are saying what
12 it is that they want.

13 You know, as a resident, I feel a
14 responsibility and an obligation to help teach, to
15 help teach. And if you really want to help the
16 families, come down there to the community and help
17 teach them the process.

18 Thank you.

19 PRESIDENT SWIG: Thank you, very much.

20 MR. DOUG PARRISH: Good evening. My name is
21 Doug Parrish, and I'm the president of Red Dipper, a
22 company I founded earlier this year.

23 I am here to voice my support of the project
24 in general, and specifically to express my desire to
25 see the EIR public comment period remain unchanged.

□ 1 Red Dipper provides photovoltaic equipment
2 design and installation services for both residential
3 and commercial buildings.

4 We are utilizing a few of the many community
5 benefit programs already in place, for the first phase
6 of the project and are under -- are further counting
7 on these programs being available for the much larger

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8 Phase II portion of the redevelopment.

9 we have every intention on -- of training and

10 utilizing labor from the Bayview to execute our

11 projects. And an additional goal of the company is to

12 provide a manufacturing facility, that is a

13 manufacturing facility to be located in the Bayview,

14 and hopefully, if our business is fully realized

15 within the bounds of the redevelopment project area.

16 I realize these are lofty goals. But without

17 thinking big, we cannot become big; without thinking

18 successfully, we can not be successful.

19 Any more delays over and above those already

20 experienced will simply further delay my ability to

21 bring those jobs to Bayview, as I mentioned

22 previously.

23 I am guessing that there are other persons

24 and small business owners here tonight of a similar

25 mindset. Times are tough, as you know. Jobs are

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1 needed. Redevelopment needs to happen here, and it

2 needs to happen now.

3 And in closing, I want to reiterate the need

4 to move forward without further delays to this

5 project.

6 (Time limit chime sounds.)

7 MR. PARRISH: Thank you for your time and

8 consideration.

9 PRESIDENT SWIG: Thank you.

10 MS. JOCELYN: Hi. My name is Jocelyn

11 (inaudible). I live in Alice Griffith, for about

12 thirteen years.

13 If you guys keep delaying this process, the

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14 more you delay it, is the more problems we have in our
15 houses. So I mean, if you keep delaying it, delaying
16 it, delaying there is just going for more problems
17 going to the Housing Authority office.

18 And I mean, for you guys to keep doing this
19 process, it's causing problems to us, the way we live,
20 how we live, because it's delaying us going to work
21 and everything, worrying about kids and everything,
22 how they are going to get to school being under the
23 conditions that we are living under.

24 So if you guys, please, can you guys speed up
25 the process and stop delaying our -- our process.

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1 Thank you.

2 MR. ANGELO KING: Hello. Angelo King, PAC
3 Chair.

4 First off, I wanted to state that yesterday
5 our PAC did take a vote for the 45-day delay. I think
6 as Chair of the PAC, I think I need to state that, as
7 people, I have to state that now.

8 I want to give credit to some of the work
9 that has been done. We have done about 177 meetings,
10 talking about the various elements of Phase II
11 Candlestick Shipyard Development. Of those meetings,
12 the shipyard won over 50 percent of them.

13 In the past, we have received the planning
14 documents, the transportation documents. We have had
15 meetings on geology and liquefaction. We have had
16 meetings on the financial framework. We have got
17 documents to that effect, over this time. And we have
18 been on most of those things. We talked about bridges

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19 and state parks and many of us have gone from here to
20 Sacramento to talk about those things.

21 So, you know, these -- all of these items are
22 elements that end up in the EIR, and the comments and
23 so forth.

24 So I do want to do the duty of actually
25 commenting to the EIR, real quick. I want to say that

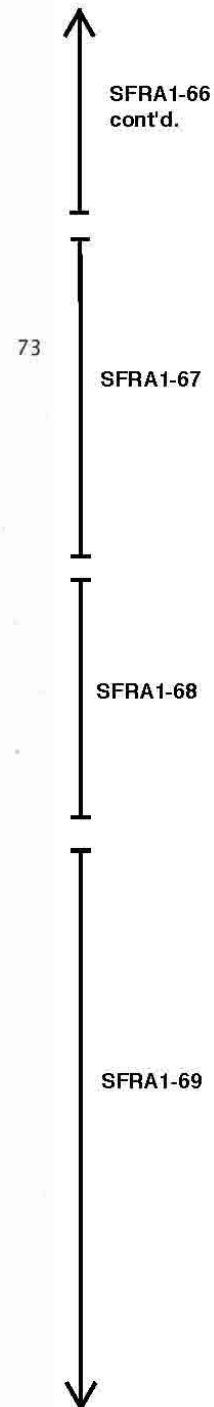
□ 1 if there is no stadium, I want to make sure that we
2 reevaluate the traffic conditions on Army Way and
3 Innis, if there is no stadium, because there are
4 considerations about traffic being made because of the
5 stadium, and I want those to be reconsidered.

6 And last but not least here, I just want to
7 say that, um, you know, if we are going to read it, if
8 somebody in here goes and decides that, you know, that
9 is what we are going to do, I don't want to beat
10 around the bush. This is a billion dollar project,
11 and let's get to reading, like now, okay? Thank you.

12 MR. GABRIEL METCALF: Good evening,
13 Commissioners. Gabriel Metcalf, Executive Director of
14 SPUR.

15 I'm here to speak in favor of moving forward
16 with the EIR. Commissioners, we have seen this dozens
17 and probably hundreds of times, where the EIR becomes
18 a proxy war about the project itself. Those that are
19 in are favor the project want to move forward; those
20 who opposed projects, look for opportunities to
21 delay. That is understandable. That is the process
22 we have created.

23 That is not the question before you today.
24 The question is whether the EIR adequately discloses
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25 the impacts of the project. I believe it does.

1 This is a project of citywide and regional
2 significance. It's a very big deal; not just for the
3 Bayview, but for the entire city, the entire Bay
4 Area. I urge you to move forward.

5 Thank you, very much.

6 PRESIDENT SWIG: Thank you.

7 MR. DANIEL LANDRY: Good evening,
8 Commissioners.

9 Daniel Landry, for the record. As I stand
10 before you, I can say that 4400 -- or 4400 pages is
11 quite much. And I think if we are honest, nobody,
12 including you probably, have read that much in this
13 short period of time.

14 Now let's be clear. This is an EIR, and we
15 are talking about the impacts. This is not about
16 jobs. This is not about taking something from the
17 people. We have been going to meetings for ten
18 years. So what?

19 what we are talking about is long term. And
20 if anyone have lived in San Francisco or know the
21 history of San Francisco, one of the problems we even
22 having with the 1906 earthquake is that we have not --
23 we have did a poor job planning long term.

24 So if you want top put bricks on Jello, if
25 you want to build out there anyway and move forward

1 without getting a comprehensive understanding on what
2 is going to happen here, shame on you. And by proxy,
3 shame on San Francisco and every district and every

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4 person come before you to say, do not delay.
5 why not delay? why not? we delay everything
6 else. The Fillmore business, we still waiting in the
7 Fillmore. So what is so big about delay, all of a
8 sudden?
9 we can't wait, though, for anybody to
10 misrepresentative us. And this is why we are
11 recalling Supervisor Sophie Maxwell, because it's
12 obvious that if you put people in positions and they
13 misrepresent the facts, and they don't even take time
14 out to read that which is going to impact us for the
15 future, they don't care.
16 So I don't want a job and to be sick. what I
17 want is for us to be given fair treatment like any
18 other neighborhood would have as we close out 2009.
19 Thank you.

20 PRESIDENT SWIG: Thank you.

21 MS. CHRISTINE JOHNSON: Good evening,
22 everyone. My name is Christine Johnson, and I'm
23 secretary of the CAC.

24 I just wanted to take a couple of minutes
25 here just to talk a little bit about the comments on

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□ 1 the EIR. For one, the CAC has received multiple
2 presentations and has had hundreds of hours of
3 discussion on various impacts of the EIR. No part of
4 that document is a surprise to any one of us.

5 we have spoken ad nauseam about the
6 Transportation Plan, the Affordable Housing Plan, the
7 Community Benefits, et cetera. So, really the EIR is
8 sufficient in its review of all of those aspects; not
9 only for the project that is being proposed, but for
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10 the variants and alternatives that are included in the
11 volume.

12 I know a lot of people have spoken about the
13 length of the document and whether or not there is
14 adequate time for the community to review it.

15 Personally, I can say that I have actually
16 read all four volumes, including the appendices. I
17 got it on November 19th, just like everyone else. And
18 I have been able to review it. If it's important
19 enough, people will put in the hours and put in the
20 effort.

21 I just finally want to say that the CAC is
22 doing its due diligence to review the document and to
23 pool our comments. We plan to have a meeting before
24 the end of the comment period to pool our comments and
25 submit them to the Redevelopment Agency and the

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□ 1 Planning Commission.

2 Finally I just want to say that I am in
3 support of the project. And, although the CAC in
4 total, did recommend to increase the comment period, I
5 am not personally in support of extending the comment
6 period beyond the end of the year. Thank you.

7 MS. DEDRIA SMITH: Commissioners,
8 Dedria Smith from Alice Griffith, a resident.

9 I come forward today on behalf of Alice
10 Griffith residents asking redevelopment for your
11 support to move forward.

12 Let me tell you how we the residents are
13 living currently in Alice Griffith: with brownish or
14 yellowish water daily. Sewage backup that comes up in

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15 our sinks. Roaches. Mices. And cold water
16 (inaudible) a week at times.
17 Because HUD and other developers has not been
18 able to take care of Alice Griffith, because of the
19 cost. We have a developer who has supported
20 (inaudible) Alice Griffith, and has been sticking by
21 us.
22 We deserve better. We want better. We want
23 no more roaches, no more rats.
24 we ask for your support to move forward. San
25 Francisco Housing Authority Commission has

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cont'd.

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1 (inaudible). We don't need the extension at this
2 time.
3 We need the movement for jobs, home
4 ownerships, store fronts, new homes. More
5 importantly, safety for Alice Griffith residents. We
6 currently have blackouts in the area. And the police
7 have told us that they can't even get out of their
8 cars or go behind the building.
9 But guess what? We live in it. So what does
10 that say? We are asking for your support.
11 MR. RANDALL EVANS: My name is Randa11 Evans,
12 and I can't help but to feel shocked and amazed,
13 because Alice Griffith is the Housing Authority, San
14 Francisco Housing Authority project. Point blank from
15 the word say go.
16 The San Francisco housing projects. Now
17 watch this. When Willie Brown was mayor, he went and
18 put Art Agnos in charge of HUD, and they went through
19 and did what they had to do throughout the San
20 Francisco Housing Authority Project.

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21 My son got shot at Portrero Hill. And I'm
22 shocked that all black folks that sit in this room and
23 think that you can say Double Rock is any different
24 than Fillmore or Bayview. There is only one
25 San Francisco Commission, one San Francisco Police

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0 1 Department, one San Francisco General Hospital, there
2 is only one San Francisco black community. That is
3 first and foremost, without a question of a doubt.

4 And when you talk about one black community,
5 then you got to talk about what is best for black
6 folks. If you don't start with roaches and rats, we
7 not gonna be standing up here talking about no roaches
8 and rats. Okay?

9 Go kick Housing Authority in the butt at
10 their commission hearing. And don't come out of
11 there. They are all black men setting there, five of
12 them.

13 My problem, though, is bothering me the most
14 is that is what the problem is, you look at the
15 Redevelopment Agency, they started off in a little
16 bitty ole' classroom. Now they got over a \$5 million
17 budget.

18 And some of their people here at the
19 redevelopment agency, as they retire, they still get
20 paid for doing right or wrong in our community.

21 Right now, we are not -- they calling the
22 western Addition the formal western Addition. That
23 mean they going to disown anything else that they get
24 through with.

25 But here is my -- here is my deepest concern.

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01 why aren't we talking about getting that Redevelopment
02 Agency, and making sure that we stand together as
03 black folks first. Getting in the room and handling
04 your business.

05 Right now it's not about Lennar, it's not
06 about the construction site. And just to be clear,
07 tax instruments, dollars, eminent domain,
08 gentrification, due process; that is what black folks
09 is being denied of.

10 There is a double standard jumping off here,
11 in that --

12 (warning chime sounds.)

13 MR. RANDALL EVANS: I'm going to finish off,
14 sir. There is a double standard starting off here.
15 when you gonna build anything else, you don't hear
16 people talking about districts.

17 And in closing, we have problems in our black
18 leadership. It's not just with Sophie. It starts
19 from the top end of our -- there is no black
20 leadership. And don't forget, we got a black
21 president.

22 PRESIDENT SWIG: Thank you, very much.

23 MR. ACE SCHWARTZ: Let me just -- My name is
24 Ace Schwartz, (PHONETIC), and I think I just take my
25 picture myself (taking a photo of himself).

01 Let me just -- I was going to speak later, I
02 wanted to echo and add, Congratulation, Miguel, you
03 gonna give the Redevelopment Agency a fresh face, and
04 hopefully got some new blood in you. They don't know
05 I know you from the Mayor's Office, but welcome.

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6 Let me just say -- piggyback on this whole,
7 whole parade, this demonstration, and all of these
8 hours -- I didn't bring my video camera tonight,
9 because I didn't need to, because I just wanted to get
10 out of here, because the people here can see what is
11 coming up here.

12 I'm like random. I am the only black press
13 person that was in the African-American Out-Migration
14 Report that Dwayne -- I mean Dwayne is part of, and
15 Fred Blackwell.

16 The Mayor had his two Black, finest minded
17 people part of that. And so I've got the
18 Out-Migration Report. I mean, that is where we got
19 the crutch of what -- the future of our African-
20 American for the next 10 or 15 years.

21 Because we don't even know if we are going to
22 be populated in this City, by the time Bayview gets
23 together. And yet we got these people up here, "Oh, I
24 want a job. I want this."

25 I'm like, look, if you got problems with

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1 Housing Authority on which you've got five black
2 commissioners on. And one of them is a reverand,
3 Reverand Brown.

4 But I'm saying, if you all got problems with
5 Housing Authority, go up to the Housing Authority.
6 Twenty years ago, I led the march down about public
7 housing. The reason they got the housing now is
8 because of my activism 20 years ago.

9 But they ain't going to tell you that; all
10 they going to tell you is that I have been summoned

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11 with stay-away orders by Commissioner Brown; he has
12 been summoned by Commissioner London? So what is
13 going on in our black community?

14 Right now, I am going to put together a
15 report on the profile of our black commissioners, of
16 our black department heads.

17 PRESIDENT SWIG: Could you please stay with
18 the subject matter?

19 MR. SCHWARTZ: Oh, I've got 15 minutes, man,
20 you stop me. Come on now, Commissioner.

21 PRESIDENT SWIG: Stay with the subject
22 matter.

23 MR. SCHWARTZ: If I wanted to get up here and
24 sing, did you stop that white man down at City Hall
25 from singing? So why you going to stop me from

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01 bringing a message to my community?

2 I'm appalled. And I don't want to get upset,
3 because I didn't come here to get upset. I just came
4 up here to give a message.

5 If our African American community has
6 problems about our housing, you need to go to Housing
7 Authority, because this is all a game here that the
8 Mayor is doing.

9 PRESIDENT SWIG: Thank you. I appreciate it.

10 MR. SCHWARTZ: You gonna stop me? I'm the
11 only one you gonna stop here.

12 MR. RICHARD MCREE: Go, 49ers. The program
13 is over.

14 My name is Richard McRee. I have been living
15 in the City here for about four years.

16 And I went over very carefully the EIR,
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17 certain sections as it related to energy. But I am
18 most impressed by hearing so much testimony here
19 tonight about all the agony of Alice Griffith
20 housing.

21 I really believe that Alice Griffith housing
22 should be the first thing replaced if anything is done
23 out there; and I don't think that the housing belongs
24 as part of this, because you are using those people as
25 pawns to get somebody's bigger agenda.

□ 1 Now what we are witnessing here in this
2 Thanksgiving Christmas crush, is the stealth planning
3 that started 30 years ago when Willie Brown did the
4 same thing this for the City of Paris.

5 We are at a historical point in time, folks.
6 This project is already 20 years old, and the thinking
7 is a lot different. Today we need to conserve energy;
8 we don't need to spend energy. We need to create
9 jobs, not destroy housing.

10 And it's up to you, this body, to help get
11 that to happen. I looked very carefully at the energy
12 issues, and the EIR is inadequate. It does not make a
13 fair comparison between saving Candlestick Park and
14 building a new stadium, a major outlook.

15 I'm an architect. I have done a lot of site
16 planning. I know exactly how these things can be
17 manipulated to look like it's very essential that we
18 get rid of the park.

19 I'm saying, I'm in favor of the 49ers. I
20 think that the 49ers ought to become the greenest team
21 in the NFL. And tell the rest of the world, the

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22 United States, we don't need a new stadium, we have an
23 earthquake-proof tested stadium that could make
24 Hunters Point very nice.
25 Replace Alice Griffith as soon as you can.

□ 1 Get those people into good housing down there where
2 their home is. Don't make this project dependent on
3 that.

4 And let's take a careful look at whether we
5 really need the Candlestick Park.

6 The biggest thing today in energy is, as you
7 probably are aware, is that we are switching over to
8 energy conservation.

9 (Sound warning chime is heard.)

10 MR. MCREE: Pardon me. There is much more
11 that could be said.

12 PRESIDENT SWIG: Thank you, very much.

13 MR. MCREE: Thank you.

14 MS. CECILLE CATERSON: My name is Celia
15 Caterson, and I'm the Program Manager for the Yosemite
16 Slough Project at Candlestick State Recreation Area,
17 for the California State Parks Foundation.

18 CSPF is concerned over several aspects of the
19 Draft EIR. We would like to highlight for you the
20 most important issues.

21 First, the Yosemite Slough area of
22 Candlestick State Recreation Area was excluded from
23 the Draft EIR's project boundaries. We are puzzled as
24 to why this portion of the State Park would be carved
25 out and given disparate treatment, especially

□ 1 considering that the Yosemite Bridge, a major element
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2 of the project, runs immediately adjacent to and over
3 the slough.

4 Second, the Yosemite Slough Recreation Plan
5 is a project that is well-known and is quite far along
6 in its planning process is almost completely
7 disregarded in the Draft EIR.

8 100 percent construction drives have been
9 completed and all permitting has also been
10 accomplished. We have raised over \$13,000,000 for
11 this project. \$5,000,000 of that for mitigation
12 (inaudible).

13 The Draft EIR should fully consider impacts
14 to plan improvements, under the Yosemite Slough
15 Restoration Plan, as well as fully consider the plan
16 in its cumulative impact analysis.

17 Third, we do not feel that the project
18 impacts to CSPRA generally, and particularly as they
19 relate to the proposed Yosemite Bridge, have been
20 adequately addressed in the Draft EIR.

21 For example, the impact on the view shed, as
22 well as impacts related to noise have not been
23 adequately addressed. Lastly, biological impacts have
24 also not been addressed adequately. Issues related to
25 the view sheds -- (Time limit chime is sounded) -- are

□ 1 particularly lacking, and numerous other biological
2 impacts are underestimated and/or insufficiently
3 mitigated.

4 PRESIDENT SWIG: Thank you, very much.

5 MS. CECILLE CATERSON: We will be addressing
6 all of these issues and others in detail in our

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7 comment letter on the Draft EIR. Thank you.
8 PRESIDENT SWIG: Thank you.
9 MS. CECILLE CATERSON: Good evening. Cecille
10 Caterson, with Green Action Health & Environmental
11 Justice.
12 And I'm also here to address the inadequate
13 EIR. The process for me has been very flawed from the
14 beginning. And just a quick review of some of the
15 items there.
16 I have not seen anything that tells me
17 anything about what is going to happen about all of
18 the additional transportation that comes through. You
19 have not successfully done anything along those
20 lines.
21 you haven't successfully agreed to a lot of
22 things that need to happen with this EIR process.
23 Capping seems to be a very serious problem in my mind;
24 you have not addressed that adequately.
25 what is underneath the ground? How far is it

□ 1 underneath the ground? when is it coming back? And
2 as you know, Mother Nature is very good at bringing
3 back to you what you bury and store in her.
4 There are so many things, and rushing here
5 through the Central Valley to get here on time, I feel
6 like I am not giving you justice, because I have not
7 had an ample amount of time in driving to review all
8 of my notes. And that alone should tell that the
9 document is a very large document, and is deserving of
10 a lot of consideration on your behalf, towards those
11 people.
12 So I think that you need to give everyday
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13 people and the Bayview-Hunters Point as well the
14 opportunity to fully review this, with adequate
15 staffing of scientists, geologists, folks who truly
16 will come to work and do their job on behalf of the
17 people, and their well-being; then address housing,
18 and then address jobs, and then address all of these
19 other things.

20 we are destroying a land that was left in a
21 terrible state by building on it without removing what
22 was in it.

23 And the Navy itself looked at it and they
24 don't know what is in Parcel A themselves. They don't
25 know. They didn't know when the fire occurred, they

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□ 1 don't know today exactly what is there.

2 so I'm telling you to push this thing at the
3 pace you are pushing it, without addressing these
4 issues is morally wrong. Thank you.

5 PRESIDENT SWIG: Thank you, very much.

6 MR. LEON MUHAMMAD: Brother Leon Muhammad,
7 Educational Chair of the Project Area Committee, who
8 did vote for the 45-day extension, as well as with the
9 CAC.

10 My thing is this. If we are talking about
11 sustainability, and ensuring them safety and longevity
12 of our future, our children. The decision that we
13 make today will determine that. So then that is why
14 we have to make it a very intelligent decision. we
15 have to thoroughly vent this thing out.

16 If as they are having a meeting in Denmark
17 dealing with climate, we are having our meeting right

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18 here in San Francisco.

19 This is how serious this is. We need to
20 bring in independent scientists, assessors,
21 evaluators.

22 we need to have public town hall meetings on
23 this, so that when we make a decision, this decision
24 that we make will be for the future of our children
25 and our children's children, so that we can live with

□ 1 that decision.

2 And what is 45 days? As if your house is
3 going to get fixed? As if you are going to have a job
4 within those 45 days?

5 Let us make an intelligent, moral decision on
6 that matter so that we can make sure that the future
7 San Franciscans are safe, and that they live healthy.
8 That is all we are saying. Extend it, vet it out,
9 bring in people who are experts, who are scientists in
10 this field, that can give us a modified approach to
11 this situation, so that when we make this decision as
12 San Franciscans, we make a right decision for the
13 future of our children. Thank you.

14 PRESIDENT SWIG: Thank you.

15 MR. ERIC BROOKS: Good evening. My name is
16 Eric Brooks, and I'm here representing the
17 San Francisco Green Party as the Chair of the
18 Sustainability Working Group for that party. And also
19 here representing Our City, which is a grassroots
20 organization in San Francisco.

21 First of all, it's absolutely vital that we
22 get an extension for the response period on the EIR.
23 The amount of time that has been given in the middle
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24 of the holiday period, with so many other
25 environmental and environmental justice and planning

□ 1 issues, given at the last minute to the Board of
2 Supervisors and other bodies, there is no possible way
3 that either side of this issue could address that
4 document properly. We must have 45 more days.

5 As to the document itself, I'm afraid to say,
6 launching off of what the last speaker said, that it
7 can't possibly be adequate. It is profoundly
8 inadequate; and one of the reasons is sea level rise
9 accountability. It does not account for the new data
10 coming in on sea level rise.

11 At the beginning of the EIR process, NASA's
12 James Hampton and a team of 23 scientists released a
13 report in December of 2007 that said that the previous
14 estimates of how much lower CO2 needs to be in the
15 atmosphere were inadequate, and as a result, we need
16 to actually lower the amount of CO2 in the atmosphere,
17 not just hold it at where it is now. That means we
18 are going to get more sea level rise.

19 At the end of the EIR period, after it was
20 written, it was discovered by NASA scientists and NOVA
21 scientists, that the east Antarctic ice mass, which
22 was previously believed not to be undergoing melting,
23 is now undergoing massive widespread melting. That
24 means that there is guaranteed to be more sea level
25 rise than what predicted when this EIR was prepared.

□ 1 That sea level rise is going to get into that
2 area and profoundly affect every aspect, economic and

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3 environmental of the EIR. The EIR will need to be
4 redone, because the sea level rising is not adequate.

5 (Time limit chime is sounded.)

6 PRESIDENT SWIG: Thank you, very much for
7 your comment.

8 MR. SAUL BLOOM: Commissioners, good
9 evening. My name is Saul Bloom. I'm the Executive
10 Director of Arc Ecology, and I'm appearing here today
11 on behalf of the Sierra Club, the Audubon Society, the
12 (inaudible) for Environmental Justice, and the
13 (inaudible) Democratic Club, the (inaudible)
14 Neighborhood Society, and about 30 other
15 organizations. You'll be seeing some of those in the
16 material that we have distributed.

17 I'm also the author of Proposition P, which
18 received about 100,000 local -- well, about 50,000
19 more votes than did Proposition G.

20 An Environmental Impact Report is an
21 administrative document. The DEI is part of the
22 approval process where ideas become concrete plans to
23 be approved in a lawful process.

24 The Shipyard Candlestick Project cannot be
25 approved without this EIR. No prior discussion that

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□ 1 has been discussed with you tonight has precedence
2 over this lawful process.

3 with all due respect, none of the hundreds of
4 conceptual conversation presentations meetings by PAC
5 or CAC carry more legal weight than does this
6 Environmental Impact Report.

7 The PAC voted to ask for an extension of this
8 comment period. The Citizens Advisory Committee voted
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9 by a margin of 12 to 4 to ask you to extend this
10 public comment period.

11 We are spending tens of thousands of dollars
12 evaluating this document through our consultants. We
13 have consultants in Los Angeles. And we have
14 consultants here, reading this Environmental Impact
15 Report.

16 The extra time will be extremely helpful for
17 them to review the document, for us to review the
18 document, and for having a public dialogue about the
19 content of this document. That is what has been
20 missing. That is what is needed.

21 And your support in this moment, will not
22 materially change anything for Alice Griffith or any
23 of the other deep concerns that we have. We are the
24 longest standing environmental impact -- environmental
25 organization in Bayview-Hunters Point.

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□ 1 we also have a job program, and have thus far
2 put more people to work in Bayview than has Lennar on
3 a much smaller area. I would say to you tonight, you
4 have a choice.

5 (Time limit chime is sounded.)

6 MR. BLOOM: Please extend that comment
7 period. Thank you.

8 PRESIDENT SWIG: I see nobody else in the
9 line, but I want to make sure that everybody is heard
10 on this very important subject.

11 So if you would step up, and if there is
12 anybody else who would like to speak on this item,
13 please stand up and stand over to the side.

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14 MS. TARA HUI: Thank you. My name is Tara
15 Hui, and I'm a resident of District 10. I really do
16 understand some of the people's concern. People are
17 desperate for jobs and housing. But what we need is
18 housing, adequate housing that is not hazardous to the
19 residents.

20 what we need are gainful employment, not
21 dead-end jobs. And so given that this particular
22 project have still a lot of unknown, having providing
23 an extension to have adequate review process, is not
24 going to affect -- or is not really actually going to
25 delay the project itself.

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1 So asking for the extension is really, our
2 intention is not to stop the project but rather to
3 provide enough time for adequate public review and
4 comment.

5 And I can tell you I participated in the
6 planning process, and there are some of the community
7 concerns that are not reflected in this document, and
8 those are very important issues to address, and I
9 respectfully ask you to grant an extension. Thank
10 you.

11 PRESIDENT SWIG: Is there anybody else in the
12 audience who would wish to comment at this time to the
13 Commission on this subject.

14 (No response from the audience.)

15 PRESIDENT SWIG: Okay. Hearing no further
16 requests to speak on this item, I will close public
17 comment now and turn to my fellow commissioners,
18 beginning with Commissioner King.

19 COMMISSIONER KING: Well, I think, boy, we
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20 have been on this Lennar thing now for maybe months.
21 How many years or months? I think we have gone over
22 this thing, the EIR. We have gone over every aspect
23 of this thing. I don't think we can continue to get
24 delayed today.

25 This delay seems like it wants to defeat the

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□ 1 project altogether, you know, to give another 45-day.
2 We have got so many delays. So I would like to make a
3 motion that we give a 15-day delay, and let them have
4 that. I think they can handle it in 15 days and then
5 move forward.

6 otherwise we -- you know, Lennar, everybody
7 else, will be out of business and everything else, if
8 we have delays. It's a tactic of trying to defeat of
9 project altogether. And that has been a question of
10 these delays, so I think maybe we could give a 15-day
11 delay.

12 PRESIDENT SWIG: Thank you, Commissioner
13 King.

14 Any other Commissioners wish to comment at
15 this time?

16 Commissioner Singh?

17 COMMISSIONER SINGH: Yes. I think it's a
18 reasonable time, 15 days, so I second that.

19 PRESIDENT SWIG: Any other Commissioners?
20 Commissioner Breed?

21 COMMISSIONER BREED: I just wanted an
22 explanation on the relationship between Alice Griffith
23 and the EIR, and how these two relate to one another.

24 MS. TIFFANY BOHEE: Through the Chair,

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25 Tiffany Bohee with the Mayor's Office.

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□ 1 The project proposes a maximum of 10,500
2 units. Of those 10,500 units, it is proposed that 256
3 units, that is all of the units at Alice Griffith
4 would be rebuilt as part of the integrated project, so
5 the EIR analyzes the environmental effects with that
6 proposal.

7 COMMISSIONER BREED: And what about the
8 additional -- I mean, I want you to -- well, really, I
9 understand the details around the project and the
10 mixed use and everything else.

11 Can you give an overview explanation of how
12 this relates to the future of Alice Griffith?

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13 MS. TIFFANY BOHEE: Yes, thank you
14 Commissioner.

15 The environmental document and the project
16 itself talks about the rebuild of Alice Griffith as
17 part of the broader development project. That is
18 consistent with a conceptual framework, which the
19 City and Agency endorsed PAC and CAC, Proposition G.
20 Those two elements are tied together as part of this
21 project.

22 Lennar has committed, through its endorsement
23 of the financing plan, to providing additional
24 subsidies for the Alice Griffith development, as well
25 as Agency housing. There is a gap that exists

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□ 1 considering all of the sources that are available.

2 Any delays to this project, that is delays
3 moving through the process. The action before you is
4 simply a Public Hearing.

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5 COMMISSIONER BREED: I understand that.
6 MS. TIFFANY BOHEE: No action, no City
7 decision will happen until the spring, should we
8 complete this process that we are undergoing now.
9 COMMISSIONER BREED: The point I wanted you
10 to clarify is what a delay -- the impact of a delay to
11 Alice Griffith specifically.
12 MS. TIFFANY BOHEE: A delay from this project
13 will further --
14 COMMISSIONER BREED: A delay by extending the
15 EIR --
16 MS. TIFFANY BOHEE: Yes.
17 COMMISSIONER BREED: -- by anywhere from 15 to
18 45 days?
19 MS. TIFFANY BOHEE: A 45-day delay will
20 jeopardize our ability to get any City decision on
21 this project by mid-June. It is a delay to the
22 overall project, and specifically a delay to the
23 conditions that -- to ameliorate and to fix the
24 conditions at Alice Griffith. You cannot move forward
25 with any particular project approvals. This is the

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□ 1 first step.

2 COMMISSIONER BREED: I do understand that,
3 so what I'm saying is, if there is a delay, then if we
4 waited to approve this EIR, I understand that what
5 that means is any other projects that we want to move
6 forward on with regards to this, will not -- we will
7 not be able to proceed until we pass an EIR.

8 MS. BOHEE: That is correct.

9 COMMISSIONER BREED: I understand that. But

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10 what I'm trying to understand clearly is what the
11 impacts are? what is the time plan? what are you
12 trying -- when are the nuts and bolts going to happen
13 of the project? when are we going to get to Alice
14 Griffith? when is this going to stop? where are the
15 jobs? where is the training taking place?
16 Is this stuff simultaneous to what is
17 happening right now with this EIR? I'm trying to just
18 understand the time lines here. And I'm trying to
19 understand what is happening separately to prepare
20 residents for jobs? And what is happening separately
21 to make sure that there is a transition And no one is
22 displaced? what is happening as we speak that would
23 create a problem if this were delayed, is what I'm
24 trying to get at here.
25 MS. BOHEE: As a result of a specific delay



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□ 1 on this project, the delays to Alice Griffith could be
2 indefinite. We need to answer those questions.
3 The first step is answering the issues that
4 are presented in the Environmental Impact Document,
5 depending on when that comment period closes. If that
6 comment period closes in a year, that delays the
7 project by at least a year or two. If the comment
8 period closes in six months, that again delays the
9 project.
10 So the first step is answering the
11 environmental issues that are required by law, and
12 then you can move forward with the project. And we
13 can't move forward with any of the job training
14 programs, any of the financial commitments in advance
15 of any (inaudible) approvals that Lennar has made.
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16 Those subsidies and commitments that Lennar has made
17 through endorsements and financing of the plan,
18 through Prop G, through, private benefits, those
19 cannot move forward. Everything stops until this
20 process is complete.

21 PRESIDENT SWIG: I think the Director has a
22 supplemental question, or answer.

23 DIRECTOR BLACKWELL: Well, so if I understand
24 your question, Commissioner Breed, I think you are
25 asking if the project overall would be delayed or

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□ 1 forgone, what would be the impact on the rebuild of
2 Alice Griffith. Is that kind of the question?

3 COMMISSIONER BREED: Yes.

4 DIRESTOR BLACKWELL: So let me try to answer
5 that.

6 If the -- a big part of the way that the
7 Alice Griffith rebuild would be financed is through
8 the constellation of agreements that are embedded in
9 the agreements that are associated with this.

10 Just to give you an example, kind of the
11 amount of work and the challenges associated with the
12 public housing rebuild in general, we are struggling
13 to really put together all of the financing necessary
14 to complete Hunters View, which is the first Hope SF
15 site.

16 And there would be an even larger struggle to
17 get the financing together for Portrero Hill, for
18 Sunnyvale, and the west side ports, which is are the
19 other hope SF sites and Alice Griffith.

20 If Alice Griffith were not included in the

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21 overall plan that is included -- in which you are in
22 the EIR right now, it would be a substantial amount of
23 time before Alice Griffith would be able to go
24 forward.

25 As it I stands right now, Alice Griffith

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□ 1 COMMISSIONER BREED: which is why it would be
2 delayed indefinitely?

3 DIRECTOR BLACKWELL: Right. Because the
4 financing would be in jeopardy. And just the approval
5 process would have to start all over from scratch.

6 But the other thing I want to point out is
7 that because of the importance of Alice in the overall
8 framework here, Alice Griffith is a part of the first
9 phase of development of this overall project.

10 So what was laid out in terms of 10,000 units
11 of housing, in terms of the hundreds of acres of open
12 space, in terms of the 2.5 million square feet of
13 commercial space, Alice Griffith is going to be among
14 the first things to happen in all of that. And so
15 approval of this actually fast tracks the development
16 of Alice Griffith.

17 And to not have it included, as I said,
18 results in indefinite delay in terms of rebuilding.

19 COMMISSIONER BREED: Okay. Thank you. So I
20 guess my concern is, are we ready to take on the
21 responsibility of what this project entails as a
22 whole, as it relates to the commitments that we are
23 making to this community; that is what I would like to
24 know, in terms of the job readiness and training.

25 And also, I was under the impression that

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1 none of the residents would be completely displaced
2 out of the area. They would be moved from one side to
3 another, once the development was done, and they would
4 stay within the context of the area.

5 So I just want to know what is being done by
6 the Agency, because if we are being asked to fast
7 track this process, to follow the process and to not
8 extend the deadline, and to move forward, so what are
9 we ready for?

10 Are we ready to follow through with the
11 commitment that we are making in terms of the job, the
12 training and placement of the residents? Are we ready
13 to move forward with making sure that they are ready
14 to purchase homes; that we are setting up whatever is
15 necessary to establish credit, to give them home buyer
16 workshops and things of that nature?

17 Are we ready for what we are in the
18 process -- what we are about to undertake.

19 DIRECTOR BLACKWELL: Just a couple of answers
20 to that. One is we have, in addition to the
21 presentations that have been made on the EIR itself
22 and other stuff, we have also been making
23 presentations to the PAC and CAC about the various
24 elements of the plan and the community benefits
25 associated with it.

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1 One of those presentations, which was held
2 about two months ago, focused specifically on
3 workforce development. And there were actually two
4 presentations that were made:

5 One is kind of a picture of the overall

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6 workforce development system strategies that are in
7 play citywide; and the second presentation focused
8 specifically on the shipyard and the things that will
9 be in place in order to make sure that the job
10 opportunities that are being created will actually be
11 realized.

12 Are we ready today? No. We are working on
13 the development of the infrastructure to do that, but
14 later on, you will hear our recommendation with regard
15 to the job readiness initiative, which is an integral
16 part of being ready, making sure that we have
17 community based organizations on the ground that are
18 doing the outreach, that are doing the assessment,
19 that are doing the intake and doing the training and
20 referring to CityBuild.

21 Embedded in the Community Benefits Agreement,
22 some of the folks talked about it this evening, are
23 investments in -- additional investments in workforce
24 development, additional investments in housing,
25 counseling and home buying assistance, and things of

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¶ 1 that sort.

2 so we won't completely be ready until we are
3 through the approval process and have all the
4 resources in play to provide the kind of
5 infrastructure that that you are talking about, but we
6 are actively working towards being ready.

7 COMMISSIONER BREED: So we can't guarantee
8 anyone, especially not the residents of the Bayview
9 that they are guaranteed to have access to these
10 housing opportunities, because we can't give them
11 preferential treatment over anyone else?

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12 DIRECTOR BLACKWELL: So, yes; according to
13 the Fair Housing Law, you cannot discriminate in terms
14 of housing based on any kind of protective class,
15 including race, age, or gender.

16 And the reading that we have --

17 COMMISSIONER BREED: What about residence?

18 DIRECTOR BLACKWELL: Right; this is what I
19 need to explain. If you set geographic preferences
20 for affordable housing, and the demographics of the
21 neighborhood where you set that preference are not
22 equal to that of the City or reflective of that of the
23 city, the result of that is discrimination based on
24 race.

25 In other words, unless you have demographics

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□ 1 in the neighborhood that allows you to set
2 neighborhood preferences. And by implementing those
3 neighborhood preferences, there is not an adverse
4 racial or other kind of impact, you can't really set
5 those neighborhood preferences.

6 COMMISSIONER BREED: I just have some
7 concerns about the information that is being
8 communicated from both sides. I think that there were
9 a lot of inaccuracies and public comment from both
10 sides; and that was really upsetting to me.

11 And it made me want to delay more so, so that
12 the public has a chance in order to really vet this
13 EIR and give adequate comment; and the comment should
14 be reflective of the EIR and not misinformation.

15 And so I'm just very concerned about this
16 process, and I want to make sure.

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17 Ms. Bohee, could you just really -- I don't
18 know if you have those numbers ready, but I know you
19 said in your presentation, the number of meetings, the
20 public meetings, and so on and so forth, that took
21 place.

22 There have been hundreds of meetings to
23 discuss this matter to prepare the public for what is
24 to come. There has been tons of outreach. There has
25 been aggressive outreach, because we knew that this

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□ 1 was coming down the line. And we also knew that we
2 were not going to be able to satisfy each and every
3 person that had an opinion about this matter.

4 My biggest concern here is the fact that
5 people who, many of them that came to speak today, I
6 know personally; and I know they live there; I know
7 that they have concerns; I know that they don't want
8 to see delays; I know that they want to move this
9 project forward; but I also have some serious concerns
10 about the fact, as I said before, the fact that there
11 is a lot of misinformation out there.

12 And I think that it's important for me to
13 receive, to allow the public time to review this
14 document, so that I have public comment that helps me
15 to make the best decision as a commissioner that I can
16 make.

17 And I don't feel like the public comments
18 that I received today was public comment that would
19 allow me to move forward comfortably with this
20 process. And so, you know, I'm -- I'm definitely in
21 support of meeting a delay halfway.

22 And if we -- at least I know that
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23 Commissioner King had made the recommendation that we
24 do 15 days. I know that the CAC and the PAC, so I
25 know that the CAC and the PAC don't want it to extend

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□ 1 this for 45 days.

2 And I think that it's reasonable to meet them
3 halfway on this, and I'm at least willing to go the
4 extra mile to come to some sort of mutual agreement
5 here, understanding that there has to be a middle
6 ground here, and we have to be reasonable here. And
7 we need to give the public adequate time to read this
8 document and provide public comment, so that we can
9 make the best decision in moving forward with this
10 project.

11 So that is what I would like to see happen,
12 so that is what I would like to support. Thank you.

13 PRESIDENT SWIG: Commissioner Covington?

14 COMMISSIONER COVINGTON: Thank you,
15 Mr. President.

16 First of all, I want to thank everyone who
17 came out this evening. We all live very, very hectic
18 and stressful lives. And for you to carve out time
19 out of your very busy schedules, and your family
20 obligations to come and speak with us directly is
21 greatly appreciated.

22 There were 60 speakers on this item. And
23 while some of the comments were not targeted or
24 emphasized the Draft EIR, all of the comments were
25 very passionate and thoughtful.

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□ 1 And I certainly want to also express my

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2 appreciation of the demeanor and the manner in which
3 people conducted themselves this evening, because
4 often things can get out of hand when people are so
5 passionate about things. So I want you to know that
6 this was duly noted by this Commissioner, and continue
7 in that vein.

8 The extension of the 15 days, I think is very
9 good, and I certainly support that. There have been
10 hundreds of meetings, as people have said. I have
11 attended some of these meetings as a member of the
12 Public Housing task force, and as a member of the
13 Workforce Development task force.

14 People have been given ample opportunity to
15 speak, to review documents, to speak with experts, and
16 still people say they need more time. But the clock
17 is ticking, you know.

18 Time is a quantity like anything else. You
19 can't go on, and on, and on, and on. You have to make
20 a decision. You have to move forward or say, you
21 know, this is not something that we can do.

22 So two weeks is appropriate. I think it's an
23 appropriate extension. It is not 45 days, but if you
24 know you have two additional weeks, then it is time to
25 carve up the 4000-page document just as we did you

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□ 1 know, in (inaudible) against the Vietnam war, you
2 know, you take pages 1 through 108 and take this group
3 of people and talk about it, whatever.

4 I mean, these are not new, new challenges, to
5 our community. These are not new ways of digesting a
6 huge amount of information. And it can be done. It
7 may mean that your holiday break is not as restful as
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8 you had anticipated. But we all agree, this is very
9 important. So if you front burner it, it will
10 happen. You will be able to say, you know, page by
11 page, these are the concerns that we have as an
12 organization, we have as an ad hoc group, that I have
13 as an individual.

14 So I really encourage everyone, you know, to
15 grapple with it. It is a huge document. But it was
16 produced by human beings who are bright and capable,
17 and now it will be read by human beings who are bright
18 and capable; and those folks are you.

19 I want to either ask Mr. Muraoka, Stan
20 Muraoka to answer a couple of questions, or Ms. Bohee
21 can handle them. I was a bit distressed by some of
22 the things that we have talked about that people still
23 don't seem to know about, particularly, eminent
24 domain.

25 Can somebody please tell us how eminent

1 domain in Bayview-Hunters Point differs from the way
2 that domain has been utilized in the past by this
3 agency?

4 MR. STAN MURAOKA: Stan Muraoka of the SFRA
5 staff.

6 In response to your question, Commissioner
7 Covington, the project, as it is put forth and
8 evaluated in the EIR proposes no eminent domain. In
9 that sense, the power of eminent domain, is already
10 included in the existing Bayview-Hunters Point Plan,
11 and in the Hunters Point Shipyard Plan.

12 And specifically, in our redevelopment plan

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13 and in our most recent one here, the Bayview Plan,
14 there is a restriction on the use of eminent domain
15 for any residential property. And so whether --

16 COMMISSIONER COVINGTON: Could you say that
17 again, please?

18 MR. MURAOKA: Yes. There is a restriction in
19 our redevelopment plan on the use of eminent domain on
20 any residential property; that cannot be done.

21 And the other point about eminent domain is
22 that under state law, there is a time limit when it
23 can be used; so it can only be used within the first
24 12 years of a redevelop project.

25 And then the final point on eminent domain is

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□ 1 that the purpose for which it can be used under state
2 law, that the redevelopment can proceed forward is to
3 eliminate blight. And so if the property is not
4 blighted, and it's not residential, then we can't use
5 it for that purpose, either.

6 To recap going back into the EIR, most of the
7 property is under public ownership. The plan, as it
8 has been formulated and presented in the document and
9 to the public, the majority development occurs on
10 essentially reusing property that has ever been within
11 the ownership of the City and County of San Francisco
12 or the U.S. Navy, in the Phase II Development Plan.

13 There are some pieces of the project that may
14 or may not involve private property, and that is
15 disclosed the environmental document, as well.

16 COMMISSIONER COVINGTON: Thank you.

17 I think that the whole point about eminent
18 domain is very, very important; and sometimes people

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19 feel that we have learned nothing from the Western
20 Addition.

21 The new way that eminent domain will be
22 utilized in the Bayview is in stark contrast to the
23 way it was used when it was used in the Western
24 Addition. And I think there are wonderful safe guards
25 in place for people who own private residences.

□ 1 I also wanted to know about the fire
2 station. Is there a plan for the fire station and
3 where would that be?

4 MR. MURAOKA: As discussed in the
5 environmental document, there is space reserved within
6 the project site for a fire station. And it, you
7 know, isn't specifically identified as a site that is
8 carved out, if you will, or set aside solely for a
9 fire station.

10 But within the project there are -- there is
11 room for what we call the community facility parcel.
12 This is different from the set aside in the Phase I
13 DDA for the community parcel.

14 This is -- and that was something that you
15 have had discussions here from other agency staff
16 related to the Phase I DDA and the QPE about the
17 community parcels. This is a parcel of land within
18 the project that can be used for future community
19 facilities.

20 And, an analogy to this would be what about
21 we set up in the Mission Bay South Redevelopment
22 Project, where in that project, we have identified
23 that there possibility could be a site that would be

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24 used for community facilities. And that EIR, in that
25 project, it could be either a police facility or a

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1 fire station, or some other type of community
2 facility.

3 And so, similar to that, what has been built
4 into this project and included in the EIR is the
5 potential to build a fire station, as the need arises,
6 as this project is built out. So I would refer you to
7 the utilities -- or to actually the Public Services
8 section, the environmental document, and there is a
9 discussion about the future need for a new fire
10 station and how that would be accommodated.

11 COMMISSIONER COVINGTON: Is there room for
12 both --

13 MR. STAN MURAOKA: Yes.

14 COMMISSIONER COVINGTON: -- a fire station
15 and police station?

16 MR. STAN MURAOKA: Yes. Yes. There is
17 discussion on police services, (inaudible) new police
18 facilities.

19 COMMISSIONER COVINGTON: Yes. Because with
20 almost 11,000 new homes, people do need rapid response
21 to their requests for help, whether it be police or
22 fire.

23 MR. STAN MURAOKA: Yes.

24 COMMISSIONER COVINGTON: Okay. So I'm glad
25 that you reviewed that for us.

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1 Peregrine falcon.

2 MR. STAN MURAOKA: Now there has been
3 identified and documented that there is a pair of
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4 nesting Peregrine falcons; their habitat is the
5 Regunning Crane, the large crane that is on Hunters
6 Point Shipyard and it's on one of the piers.

7 That is not slated for any development. And
8 so, in fact, the Regunning Crane in the proposed plan
9 would be retained.

10 what has been evaluated in the biology
11 section of the EIR is particular impacts of the
12 proposed development; not only on the peregrine
13 falcon, but on other sensitive species.

14 And, you know, for the most part the impacts
15 are either not there; or that there are mitigation
16 measures that are notes in the environmental
17 document. If this project were to move forward, the
18 mitigation measures would be imposed the development
19 in the form of a mitigation monitoring program, so
20 that they become mandatory elements of the project as
21 it proceeds.

22 So back to the peregrine falcons, there are
23 are measures in place to not disturb their habitat,
24 and to retain them to the extent that they so desire
25 to continue to nest there.

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1 COMMISSIONER COVINGTON: Thank you.

2 How many -- I don't have the numbers directly
3 in front of me -- but how many Certificate of
4 Preference holders come from the Bayview area?

5 MR. STAN MURAOKA: I would have to refer to
6 Agency housing staff, who work on the Agency's
7 certificate program.

8 COMMISSIONER COVINGTON: Okay. Thank you. I

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9 see Deputy Director Olson Lee approaching the
10 microphone.
11 DEPUTY DIRECTOR OLSON LEE: Olson Lee, Deputy
12 Executive Director.
13 There are approximately 2000 Certificate of
14 Preference holders -- or original Certificate of
15 Preference holders for the Bayview-Hunters Point.
16 COMMISSIONER COVINGTON: Okay, thank you.
17 And so those certificate holders would be, if
18 they qualified, they would be first in line for the
19 affordable housing?
20 DEPUTY DIRECTOR OLSON LEE: Absolutely. The
21 rules that the Commission adopted related to the
22 Certificate of Preference program would be
23 incorporated into the regional -- in the plan for this
24 particular project.
25 The only exception, perhaps the only

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□ 1 exception, would be the replacement housing units
2 which would be for the residents of Alice Griffith,
3 and that is the whole purpose of providing those
4 replacement units.

5 COMMISSIONER COVINGTON: Thank you, very
6 much.

7 And as I said at the beginning of my
8 comments, I agree with the 15-day extension.

9 PRESIDENT SWIG: Thank you, Commissioner
10 Covington.

11 Commissioner Breed, do you have another
12 comment?

13 COMMISSIONER BREED: Yes. Since it appears
14 we are only going to be able to get a two-week

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15 extension, I would propose that we have another
16 hearing or another meeting prior to the vote on this
17 EIR in a time frame that is sufficient to allow
18 members of the public to review the EIR, so -- the
19 Draft EIR, so that prior to our decision, we get a
20 better sense of -- well, I personally as a
21 Commissioner get a better sense of what people
22 actually think of the EIR, and less of the delays and
23 so on and so forth.

24 So I would like us to hold another hearing or
25 another meeting prior to the vote, within a sufficient

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1 time frame between now and the deadline, or the
2 extended deadline.

3 I think we had originally anticipated
4 bringing this EIR before the Commission on the January
5 5th meeting, Mr. Blackwell, was that the case? Or
6 with the extension, what will it be now?

7 DIRECTOR BLACKWELL: So the comment period
8 was scheduled to close on December 28th. The two-week
9 extension would have the comment period closing on
10 January the 12th. Fifteen days would be the 12th; two
11 weeks would be the 14th.

12 If you wanted to have another hearing before
13 the closing of the commentary, the only opportunity
14 would be the January the 5th meeting, which is the
15 next meeting.

16 The next step, just to be clear, is that
17 after the comment period closes, staff then works
18 on -- Planning staff and Redevelopment Agency staff
19 will be working on a Response to Comments document.

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20 So everything that happens in this hearing and the
21 Planning Commission hearing, the written comments that
22 come in, will all be processed, and there will be a
23 Response to Comments document.

24 And if there needs to be a changes to the
25 Draft EIR before it becomes a final EIR, that is --

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1 that is all that happens. The approval before the
2 final EIR --

3 Stan, remind me when that was. I think it
4 was in April 8th

5 MR. STAN MURAOKA: Stan Muraoka again, of
6 Agency staff.

7 Director Blackwell, what we have projected
8 out as a possible time line, based on the public
9 hearing -- or the public comment period closing on the
10 28th was that we would publish the Comments and
11 Responses document on April 8th and bring it forward
12 to the Commission at the next meeting in April, which
13 I believe would be the week of April 20th.

14 And at this point, I'm not sure -- I'm not
15 clear on whether it would be a regular meeting at this
16 Commission or a special meeting of the Commission.

17 COMMISSIONER BREED: So we won't approve this
18 until April, with the -- along with public comments.

19 Will each of the comments made here today be
20 responded to in the EIR, as well?

21 DIRECTOR BLACKWELL: In the Response to
22 Comments document is the one that captures everything
23 that has been said in response to it.

24 COMMISSIONER BREED: Okay, right.

25 I would -- I would still, I would want to
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□ 1 have another meeting or to allow further via public
2 hearing at our January 5th meeting. Hopefully, I can
3 get the support of the Commission to do that, and that
4 would be really helpful to me in making my decision to
5 move forward with the EIR. Thank you.

6 PRESIDENT SWIG: Any other Commissioners wish
7 to make a comment? Okay. I'll just wrap quickly.

8 I would like to echo Commissioner Covington.
9 I appreciate the commentary today. Certainly both
10 sides are very passionate on the subject. And as we
11 move forward on this for the next several years, if
12 not decade, I'm sure the commentary will continue to
13 be just as passionate.

14 We have heard -- I agree with Commissioner
15 Covington in that we have heard some fact, and we have
16 heard some fiction, and we have heard some fact from
17 both sides, and we have heard some fiction from both
18 sides.

19 Because I have read document, and I have
20 scratched my head on some of the comments. And then I
21 found some of them accurate.

22 we heard that the area is grossly
23 underserved, there is no doubt about that. The voters
24 did approve, through Prop G, this, this development.
25 And we owe it to the voters, to -- as we did two weeks

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□ 1 ago in our commentary on the high speed rail issue.
2 When the voters speak, we have to pay attention to
3 that. And we just can't be arbitrary by going in
4 another direction.

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5 I would think that it would be abhorrent to
6 hold Alice Griffith -- or hold this process hostage
7 because of Alice Griffith, or even bring up the
8 subject.

9 I don't know how many people in the audience
10 have actually been through Alice Griffith, and walked
11 through Alice Griffith, and who haven't. If you
12 haven't -- if you haven't walked through it and you
13 are making comments about it, go take a walk.

14 And then it may make your commentary
15 different, because there is an extreme sense of
16 urgency about Alice Griffith, and I'm pleased to hear
17 that this will be one of the first areas -- or the
18 first area addressed.

19 Now, there have been over 170 public meetings
20 on this subject, and I'm sure there will be will be
21 170 more.

22 At the same time, we have heard commentary on
23 the fear that there are serious contaminant issues,
24 that there are impacts on flora and fauna, and rising
25 ocean levels.

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□ 1 I want to make it clear to everybody in the
2 audience, you have been heard very, very clearly, and
3 nobody on this commission has any ear plugs in their
4 ears, and we listen indiscriminately.

5 The EIR process is a 45-day -- sorry -- is a
6 process in this term which is schedule in on December
7 28th. It is difficult for many projects to stay
8 within the period. And I would like to see it
9 continue on 12-28.

10 However, I also listen to people, and I
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11 believe in compromise. And I agree that what Mr. King has
12 proposed is a fair compromise. And I have heard from a
13 fellow commissioners, that they agree that that is a fair
14 compromise. So I would like to support Mr. King and Mr.
15 Singh with a 14-day extension.

16 And I agree with Commissioner Covington, it will
17 cause some people to work a little harder, and spend a
18 few more nights reading in a shorter period of time.

19 And we heard from Mr. Theriault earlier -- he has
20 left the building, but he actually prescribed the best way
21 to read his document; because if you take the Summary, and
22 then you look at the areas that most concern you, the
23 Summary document is a great way to navigate the entire
24 EIR. It's very thorough and will provide that opportunity.

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1 So we have a motion, and we have a second, so
2 I would like to put it to a vote. All those in
3 favor please say, "Aye."

4 COMMISSIONER COVINGTON: Aye.

5 COMMISSIONER BREED: Aye.

6 COMMISSIONER SINGH: Aye.

7 COMMISSIONER BUSTOS: Aye

8 COMMISSIONER KING: Aye.

9 PRESIDENT SWIG: Any opposition or extension?
10 (No response.)

11 PRESIDENT SWIG: Hearing none, the item is adopted
12 unanimously. And the extension, the motion to extend
13 for 14 days of the period from December 28th until --
14 or 15 days, sorry.

15 DIRECTOR BLACKWELL: I just wanted to

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16 clarify. I think that the motion that Commissioner
17 King put on the floor was for 15 days --
18 PRESIDENT SWIG: 15 days. I apologize.
19 DIRECTOR BLACKWELL: -- which would be
20 January 12th, Tuesday.
21 PRESIDENT SWIG: All right. So an extension
22 to January 12th, is that acceptable to you? That is
23 what was voted on, and we will go with that.
24 And with regard to Commissioner Breed's
25 commentary at having further meetings, I will work

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□ 1 with the Commissioners and get a sense of their --
2 their issue with that, and we will put that on the
3 January 5th Agenda, if appropriate.
4 MR. MORALES: Mr. President?
5 PRESIDENT SWIG: Yes, sir.
6 MR. MORALES: I believe, if you are going
7 to hold an hearing on the EIR on January 5th, you have
8 to continue this Public Hearing, because this has been
9 noticed, especially under the CEQA statute; and I
10 think you have to continue it to a date certain in
11 order to preserve that notice, if that is your intent.
12 PRESIDENT SWIG: So we have actually --
13 COMMISSIONER SINGH: 15 days.
14 PRESIDENT SWIG: So the first item is a
15 separate item, and we passed that item, so now we have
16 a recommendation that we need to have a second item.
17 I would like to recognize Commissioner Breed, please.
18 COMMISSIONER BREED: I would like to make a
19 motion, to move that we continue the hearing to the
20 January 5th meeting, 2010, of the Commission.
21 COMMISSIONER COVINGTON: Second.
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22 PRESIDENT SWIG: Commission Covington

23 seconds.

24 Commissioner King?

25 COMMISSIONER KING: I don't know what this is

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1 doing. Continuing this on? I don't get it, the
2 motion.

3 PRESIDENT SWIG: Can I see if I can get some
4 clarification from counsel.

5 COMMISSIONER KING: We just passed it, and
6 then she makes another motion.

7 MR. MORALES: Mr. President, you actually
8 closed the Public Hearing in your comments. And that
9 is the traditional or standard practice for a Public
10 Hearing on a Draft Environmental Impact Report. And
11 because this was especially noticed to this date and
12 time, in order to hold another hearing, you have to
13 continue it, or in effect reopen that hearing to
14 another date.

15 So that is why you need this special motion,
16 if that is you what want to do. You can't just do it
17 separately through agenda review. You have to do it
18 by motion here.

19 PRESIDENT SWIG: Okay. Will reopening or
20 continuing have any impact on the previous motion?

21 MR. MORALES: No.

22 PRESIDENT SWIG: All right. So we can have
23 another -- we can continue the hearing without
24 jeopardizing that date which we have just voted on for
25 closing the overall comment period; correct:

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1 MR. MORALES: Correct.
2 PRESIDENT SWIG: All right. So Commissioner
3 King, I believe what Commissioner Breed would like to
4 hear more commentary on the subject, but it will not
5 impact your motion in any way, shape, or form; simply
6 she wants to hear more commentary, and that would be
7 the continuance. Correct?
8 MR. MORALES: Correct. In case the extension
9 of time which you have already granted is essentially
10 for written comments, and what you are now considering
11 is the additional opportunity for oral comments at a
12 Public Hearing.
13 PRESIDENT SWIG: So we have a motion on the
14 floor. Do we have any further comment from my fellow
15 commissioners?
16 MR. SINGH: I don't understand. I want
17 somebody to explain it again.
18 COMMISSIONER COVINGTON: Do you mind? Do you
19 mind?
20 COMMISSIONER KING: It's over, everything we
21 voted on?
22 COMMISSIONER COVINGTON: No. The motion to
23 add an additional 15 days to the comment period passed
24 unanimously; all of the Commissioners voted for that.
25 Commissioner Breed was thinking that it would

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1 be a good idea to have another opportunity for people
2 to come before us, you know, after they have had that
3 two-week period to read the document as much as they
4 can, to give us feedback.

5 And so our counsel has said that, because
6 this particular meeting was noticed as the time that

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7 we would be discussing the EIR, we need to legally
8 continue the item, so that we will be in compliance
9 with having people continue to talk about this.

10 COMMISSIONER KING: I'm opposed to that.
11 That just opens up the whole thing again, that is what
12 the motion does. We voted to make it 15 days, and now
13 we are talking about giving her another meeting so she
14 can vote on that.

15 No, I'm opposed to that.

16 COMMISSIONER COVINGTON: No. The meeting
17 that Commissioner Breed was proposing is the January
18 5th meeting. The end of the two-week period is not
19 until January 12th, so it does not extend the time any
20 more. It comes within the middle of that two-week
21 period that you proposed.

22 COMMISSIONER SINGH: Is two weeks ending
23 January 12th?

24 COMMISSIONER COVINGTON: Yes. And our
25 meeting

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1 COMMISSIONER SINGH: Why is that?

2 COMMISSIONER COVINGTON: -- for additional
3 comments is the 5th.

4 COMMISSIONER SINGH: Why not have it the end
5 of December through the 15?

6 COMMISSIONER BREED: Let me be clear. I'm
7 asking for an opportunity to hear public comment on
8 the EIR at the January 5th meeting. I'm -- that is
9 all. I'm not asking for an extension. I'm asking to
10 hear public -- additional public comment on January
11 5th, so that is what I'm asking.

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12 COMMISSIONER KING: I'm opposed to that.

13 PRESIDENT SWIG: And my comment on that is
14 that the proper hearing was even though we are on a
15 continuance, my feeling is that is that the meeting
16 was noticed, the document was out; clearly there was
17 commentary that people had an opportunity to read the
18 whole thing.

19 And there is the opportunity for persons who
20 have felt that they have not read the whole thing, we
21 give them a two-week extension to do so, and they can
22 supply a written comment, which we can read at a later
23 point; because we get another shot at the EIR, because
24 this is only the draft, and we are soliciting comment
25 now.

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□ 1 So it's not entirely necessary to have it at
2 an open hearing, but I acknowledge your point of view.

3 COMMISSIONER COVINGTON: May I say one more
4 thing? The advantage to having an additional
5 opportunity for people who address us orally is that a
6 lot of people have intentions to write their comments
7 down and to get back to us, but that doesn't happen.

8 So even if you have the two minutes to speak
9 to us in a public forum about peregrine falcon, or
10 whatever is near and dear to your heart, I think that
11 we would all be better served by hearing these
12 comments. I don't see how we could lose. It's still
13 within the two-week period; we are not -- we are not
14 adding time on. And I -- I think that we are blessed
15 to have such an involved citizenry, and I would like
16 to hear what they have to say.

17 PRESIDENT SWIG: Commissioner Breed?
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18 COMMISSIONER BREED: Thank you. What this
19 does is add more time that we as commissioners would
20 need to listen to the public. So as far as I'm
21 concerned, I can't -- I don't feel comfortable making
22 a decision about something so important without giving
23 an additional opportunity for the public to address
24 the Commission.

25 This does not extend anything. It just

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□ 1 requires that on January 5th, in addition to the rest
2 of the things that we are going to be listening to or
3 dealing with, in terms of our policy, we are just
4 adding time to address this item one more time.

5 And I don't think that there is anything
6 wrong with that. I think that it's a welcome
7 opportunity. And I think that with all of the issues
8 that we face with redevelopment, I mean, we are never
9 going to be popular, ever, because of the decisions
10 that we make regarding land use, regarding people's
11 communities.

12 I mean, we go into communities and we change
13 lives every single day. And as far as I'm concerned
14 as a commissioner, I want to be able to make sure that
15 whatever decisions I make on this commission, that I
16 have vetted the process appropriately before I go
17 forward. I'm not choosing sides here. I'm choosing,
18 as a commissioner, to make sure that I get the right
19 information to make the best decision.

20 So I don't think that it's going to hurt
21 other than probably an extra hour or two, maybe three
22 hours out of our time, to add an additional time frame

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23 to hear public comments.

24 It's not going to create problem. It's not
25 going to create a delay. It is going to require that

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□ 1 staff act more diligently in making sure that they
2 address those comments so that we can continue to meet
3 our deadlines. It's not going to create a problem
4 with our deadlines, and so I don't think that it's
5 problematic.

6 And I just think that it's something that, as
7 a commissioner, I would like to see happen, because it
8 would help me make the best decision I can for this
9 process?

10 PRESIDENT SWIG: Any other commissioner
11 comment?

12 COMMISSIONER KING: well, I'm opposed to
13 that. I think we have had -- tonight, we have had the
14 question of giving the 15 days, and that is kind of
15 opening it up again, and giving them another
16 opportunity. I'm opposed to it.

17 I think we made our final decision here,
18 adding the 15 days, and that's what it should be. And
19 opening it up again, I'm opposed. And I think that is
20 what the motion does. And I'm opposed.

21 COMMISSIONER SINGH: I would like to ask the
22 Agency director, what do you think about this?

23 DIRECTOR BLACKWELL: Thank you. So a couple
24 of thoughts. One is the -- one thing I wanted to say
25 about this that I didn't get a chance to say earlier

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□ 1 is that the approval process on this is very
2 aggressive, and we are working under a very aggressive
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3 time line.

4 And the approval process is one, unlike some
5 of the other processes, that is sequential. In other
6 words, you can't get to the redevelopment plan, or the
7 transportation or infrastructure plan until you deal
8 with the EIR. So there is a domino effect associated
9 with the delays.

10 I am a proponent of hearing what people have
11 to say, in general, in this process. And so this is a
12 motion that I don't think necessarily delays. I would
13 be concerned if we were to entertain something that
14 delayed or pushed beyond where we are today, at the
15 January 12th time frame.

16 Because I think, once we get beyond there, we
17 are really jeopardizing the time frame for the project
18 overall. I don't think that it will be harmful to the
19 time frame to have another commission hearing on
20 this.

21 I do want to remind folks, however, that two
22 days from now, there is a Planning Commission hearing
23 on this. So this is not the first -- the only bite at
24 the apple for an oral kind of response to the Draft
25 EIR; and so I just wanted to make that point, as

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□ 1 well.

2 COMMISSIONER KING: The report we get the
3 tonight, will that go to the Planning Commission?

4 DIRECTOR BLACKWELL: Say that again?

5 COMMISSIONER KING: The decision we made
6 tonight, the 15 days, will we notify Planning?

7 DIRECTOR BLACKWELL: Yes. We will notify

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8 Planning of that. We will notify Planning of that.
9 They will still have their hearing, because it's been
10 noticed on the 17th.
11 Hopefully, what the Planning Commission would
12 do is honor the decision that was made today and also
13 grant extension, as well.
14 PRESIDENT SWIG: Any other commissioner
15 comments?
16 COMMISSIONER SINGH: I have another question
17 for Mr. Morales.
18 We made a motion, a unanimous decision. So
19 this is making another motion? Is it not nullifying
20 the motion we made?
21 MR. MORALES: Commissioner Singh, I believe
22 you are asking, is it necessary to make this motion,
23 this one?
24 COMMISSIONER SINGH: Yes.
25 MR. MORALES: Well, as I tried to state

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1 before, this is necessary because it continues the
2 Public Hearing portion of the comments on the Draft
3 EIR.
4 what you did before was continue the
5 opportunity to write comments on the EIR to staff, so
6 that then staff has to respond. So this -- and so if
7 you just want extension of the time to provide written
8 comments; you have already done that.
9 what is before you now is the motion to have
10 another Public Hearing like you had tonight.
11 PRESIDENT SWIG: With no resolution of
12 anything, just a hearing.
13 MR. MORALES: It's just a hearing. It's
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14 just a hearing.

15 COMMISSIONER KING: All right. Let's put it

16 on.

17 PRESIDENT SWIG: May I ask a question,

18 Mr. Morales? The persons that we heard from tonight

19 have been heard from; and therefore, as this is a

20 continuation of the hearing, those 40 plus people who

21 have spoken this evening, will they have the

22 opportunity of speak themselves again?

23 MR. MORALES: Yes.

24 PRESIDENT SWIG: So it's a brand new

25 hearing?

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1 MR. MORALES: Well, I don't believe we can

2 preclude anybody from testifying before the Commission

3 on the matter. They will have another opportunity.

4 PRESIDENT SWIG: Okay. So we could hear the

5 exact same people stand up here, again and give the

6 exact responses

7 (Loud voice from the audience.)

8 PRESIDENT SWIG: Could I ask order in the

9 chambers, please? Thank you.

10 MR. MORALES: The EIR hearing is supposed

11 to be focused on the environmental analysis, as

12 proposed. It does not usually include a discussion of

13 the project itself and I would just note there was a

14 lot of discussion tonight about the project.

15 COMMISSIONER BREED: -- about the project,

16 yes.

17 MR. MORALES: But that is not what this

18 hearing is for.

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19 PRESIDENT SWIG: Okay. We have a motion on
20 the floor; we have a second.
21 Could I have a roll call vote, please?
22 THE SECRETARY: Commissioner King?
23 COMMISSIONER KING: What is the motion?
24 PRESIDENT SWIG: The motion is to have
25 another hearing, to continue this hearing, on January

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01 5th.
2 MR. MORALES: Correct.
3 COMMISSIONER KING: Let me ask the question,
4 if I could. What our decision made here tonight, to
5 give the 15 days, what effect did that have on that?
6 MR. MORALES: It does not affect it. This
7 motion is separate from the previous motion.
8 COMMISSIONER KING: What effect does that
9 have on that?
10 MR. MORALES: The effect would be that it
11 gave the public additional 15 days to submit written
12 comments on the Draft EIR; that is what you voted
13 unanimously to do, to provide additional time to
14 submit written comments.
15 PRESIDENT SWIG: And this motion has no
16 impact on that motion?
17 MR. MORALES: Correct.
18 PRESIDENT SWIG: And your vote, sir?
19 Commissioner Singh, your vote?
20 THE SECRETARY: Commissioner King?
21 PRESIDENT SWIG: Your vote, aye or no?
22 COMMISSIONER KING: Aye. I don't care. It's
23 crazy.
24 THE SECRETARY: Commissioner Singh?
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25 COMMISSIONER SINGH: Yes.

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1 THE SECRETARY: Commissioner Bustos?

2 COMMISSIONER BUSTOS: Yes.

3 THE SECRETARY: Commissioner Swig?

4 PRESIDENT SWIG: Yes.

5 THE SECRETARY: Commissioner Breed?

6 COMMISSIONER BREED: Yes.

7 THE SECRETARY: Commissioner Covington?

8 COMMISSIONER COVINGTON: Yes.

9 THE SECRETARY: It's unanimous.

10 PRESIDENT SWIG: Could we have a five-minute
11 break to give us a chance -- and we will reconvene.

12 (whereupon, this concluded the discussion on
13 the Hunters Point matter.)

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1 CERTIFICATE OF REPORTER

2 I, Veena Marie Puccinelli, a Certified

3 Shorthand Reporter, hereby certify that the foregoing

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4 proceedings were taken in shorthand by me at the time
5 and place therein stated, and that the said
6 proceedings were thereafter reduced to typewriting, by
7 computer, under my direction and supervision;

8 I further certify that I am not of counsel or
9 attorney for either or any of the parties to the said
10 proceedings, nor in any way interested in the event of
11 this cause, and that I am not related to any of the
12 parties thereto.

13

14 DATED: _____

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VEENA MARIE PUCCINELLI, CSR 7652

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■ Transcript SFRA1: San Francisco Redevelopment Agency (12/15/09)

Response to Comment SFRA1-1

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-2

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-3

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-4

The comment is acknowledged. No response is required.

Response to Comment SFRA1-5

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-6

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-7

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-8

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-9

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-10

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-11

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-12

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-13

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-14

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-15

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-16

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-17

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-18

Chapter II (Project Description), page II-14, identifies “Community Services: Community serving uses are proposed at sites on both Candlestick Point (50,000 gsf) and HPS Phase II (50,000 gsf). Proposed uses include a fire station on 0.5 acre at HPS Phase II and 6,000 square feet for police facilities. In addition, uses may include, but are not necessarily limited to, healthcare, day-care, senior centers, library, recreation centers, and community centers. Facilities may be provided that cumulatively exceed 100,000 square feet. If so, the Project contemplates an equal reduction in retail and/or research and development and/or office use.” Thus,

land earmarked for a new fire station would be located within the Project site. Also as identified in Section III.O Public Services, “construction of a new SFFD facility on land designated for community-serving uses on the Project site would allow the SFFD to maintain acceptable response times for fire protection and emergency medical services. Construction of 100,000 gsf of community facilities, which could include a new SFFD facility, has been included as a component of the Project” (Draft EIR page III.O-22).

Response to Comment SFRA1-19

With specific regard to transportation impacts, Draft EIR pages III.D-67 through III.D-154 presents the transportation impacts associated with the Project and identifies mitigation measures to reduce or eliminate significant impacts; however, in some cases there will be significant and unavoidable traffic impacts. Master Response 18 (Transit Mitigation Measures) provides a detailed discussion of mitigation measures intended to reduce transit delays and the extent to which these mitigation measures would reduce the Project’s transit impacts to less than significant levels.

While this commenter specifically addresses traffic impacts, comments have been made expressing concern as to how the Project can be approved with significant impacts that cannot be mitigated to a less-than-significant level. The purpose of CEQA is to disclose to decision-makers the environmental effects of a project before a decision is made whether to approve the project. In order to approve the Project, CEQA requires decision-makers to make certain findings. When a project EIR identifies significant impacts that cannot be mitigated, the findings must include a statement of overriding considerations, which must be based on substantial evidence, and must explain why the decision-makers conclude that the benefits of the Project outweigh the significant impacts of the project. Section 15093(a) and (b) of the CEQA Guidelines provide as follows:

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable.

When the lead agency approves a project which will result in the occurrence of significant effects that are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

The Lead Agencies have made a good faith effort to disclose all significant and unavoidable as well as potentially significant impacts as a result of the proposed Project. These impacts include those that would occur intermittently, as with stadium and arena events, those that would occur only during construction, and those that would occur during operation of the Project. As required by CEQA, this EIR is intended to present a concise analysis of impacts in sufficient detail to allow the decision-makers to recognize and understand the nature of the significant impacts. All significant impacts of the proposed Project, including those on air quality, cultural resources, noise, and traffic, have been disclosed in the Draft EIR.

In addition to adopting a statement of overriding considerations if the EIR identified unavoidable significant impacts, CEQA also requires the adoption of other findings, including a requirement to adopt all feasible mitigation measures and alternatives that will reduce or avoid significant effects and a mitigation

monitoring program to ensure the implementation and enforcement of mitigation measures. Subsection 21081.6(b) specifically requires that the findings demonstrate that mitigation measures are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents that address required mitigation measures or by incorporating the mitigation measures into the plan, policy, regulation, or project design.

Response to Comment SFRA1-20

As summarized on Draft EIR pages III.H-20 to -22 and documented in the Air Quality Analysis in Appendix H of the Draft EIR, potential off-site sensitive populations were identified for evaluation in this Human Health Risk Assessment (HHRA) based on guidance from the District (BAAQMD 2005) and Cal/EPA (2003). Off-site sensitive receptors identified for the HHRA included K–12 schools within one kilometer of the Project. For each of these sensitive receptors, potential exposure to a schoolchild was evaluated.

The identified sensitive receptors were crosschecked with the seventeen schools and day care centers identified by the Navy (as included in Comment 88-1 [Porter Sumchai]) in their Historical Radiological Assessment as being located within a 1-mile radius of Hunters Point Shipyard. Based on this comparison, an additional two schools and a daycare center were identified as not explicitly evaluated using schoolchild exposure assumptions. These locations were, however, evaluated using more conservative residential exposure assumptions and were all well below the thresholds of significance.

Response to Comment SFRA1-21

The commenter suggests that peregrine falcons will be impacted by the Project in violation of the endangered species act. Refer to Section III.N (Biological Resources), Impact BI-6b, as well as accompanying mitigation measure MM BI-6b. The crane on which peregrine falcons nest at HPS will not be removed by the Project, and implementation of MM BI-6b will avoid Project impacts to these birds.

Response to Comment SFRA1-22

The comment does not identify air quality violations that are claimed to be underestimated. Therefore, the comment is noted, but no response can be formulated. The Draft EIR identifies all potential air quality violations.

Response to Comment SFRA1-23

Section III.K.2 (Setting) on pages III.K-8 through III.K-28 of the Draft EIR addresses HPS contaminants, including those listed in this comment. Refer also to Master Response 9 (Status of the CERCLA Process), Master Response 11 (Parcel E-2 Landfill), and Master Response 13 (Post-Transfer Shipyard Cleanup).

Response to Comment SFRA1-24

This comment contains introductory, closing, or general background information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. No response is required.

Response to Comment SFRA1-25

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-26

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Refer to Responses to Comments 1-1 and 85-5 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA1-27

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-28

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-29

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-30

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-31

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-32

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-33

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-34

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-35

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. However, with respect to eminent domain, refer to Response to Comment 43-4 for a discussion of potential property acquisitions associated with roadway improvements identified for the Project.

Refer to Responses to Comments 1-1 and 85-5 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA1-36

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Refer to Responses to Comments 1-1 and 85-5 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA1-37

It is acknowledged that the Shipyard is a Superfund site. Refer to Master Response 5 (Health of Bayview Hunters Point Community) for a discussion of the Shipyard and the factors that contribute to health disparities in the community.

Response to Comment SFRA1-38

As noted on pages III.K-9 through III.K-26 of Section III.K (Hazards and Hazardous Materials) in the Draft EIR, remediation of hazardous materials releases identified in HPS Phase II is taking place through a regulatory process that the Navy is required to implement under CERCLA irrespective of whether or not the HPS Phase II component of the Project is implemented. These ongoing remediation activities are not part of the Project. Thus, the goal of the Draft EIR is not to assess the adequacy or impacts of the Navy's remediation actions and the Draft EIR does not propose capping the Shipyard. The relevant environmental regulatory agencies would require performance of these remedial activities regardless of whether this Project or any other development proposals were proceeding. Refer to Master Response 9 (Status of the CERCLA Process), Master Response 11 (Parcel E-2 Landfill), Master Response 13 (Post-Transfer Shipyard Cleanup), and Master Response 15 (Proposition P and the Precautionary Principle) regarding site cleanup.

Response to Comment SFRA1-39

Refer to Master Response 6 (Seismic Hazards) for a discussion of how the site may be affected by earthquakes.

Response to Comment SFRA1-40

With respect to energy conservation measures, as stated on pages II-49 through II-50 of the Draft EIR:

The Project would comply with all applicable provisions of the City's Green Building Ordinance, which is contained in Chapter 13c of the San Francisco Building Code, and would provide recycling, composting, and trash facilities as required by the City's specifications. The Project has set an energy efficiency performance target of 15 percent below the energy efficiency standards articulated in Title 24, Part 6 of the 2008 *California Code of Regulations* (CCR). Lennar Urban would include measures such as high performance glazing, efficient lighting, daylighting, shading, envelope optimization, reflective roofs, and natural ventilation in the Project design. ENERGY STAR appliances are proposed for all new residential units. In addition, Lennar Urban could also implement renewable energy strategies, such as the use of photovoltaic cells to provide electricity; the use of solar thermal energy to provide space cooling with the use of absorption systems; and/or water for space heating and domestic water systems.

Lennar Urban has also voluntarily committed to constructing all Project buildings to the LEED® for Neighborhood Development Gold standard based on the Pilot Version of the rating system released in June 2007.²⁹ Following the 2007 LEED® ND Pilot Program rating system, preliminary analysis indicates the Project could achieve approximately 63 points, which is in the LEED® ND Gold range, through strategies including but not limited to the following:

- Compact, infill development (including 90 percent of the new buildings fronting on public streets or open space)
- Enhanced habitat values
- Brownfield remediation and urban reuse
- Close proximity to transit and bicycle networks (75 percent of all development would be within ¼-mile walk to a transit stop and Class I, II, and III bikeways provide connections throughout the site and to the greater Bayview community)
- Urban design that promotes walking and discourages driving
- Diversity of land uses and housing types
- Affordable housing that supports a community of mixed ages and income
- Community participation in the community planning and design
- Compliance with the San Francisco Green Building Ordinance
- ENERGY STAR compliance to be documented by a Home Energy Rating System (HERS)
- Unbundled parking
- Drought tolerant plant species and the use of efficient irrigation systems such as drip irrigation, moisture sensors, and weather data-based controllers
- Tree-lined streets throughout the development and streetscape improvements extending from the Project Site to Third Avenue along Gilman and Palou
- Access to public space and recreational amenities through the creation of parks and playfields
- Efficient use of water and the potential use of recycled water for non-potable water uses such as irrigation, toilets, vehicle washing
- Progressive stormwater management to retain and treat stormwater on site and/or in adjacent areas

In addition, and as stated on page III.Q-16 of the Draft EIR:

Implementation of the Project would generate a total demand of approximately 1.67 mgd (per Table III.Q 4). This demand is based on an estimate of a historical benchmark demand, adjusted to account for current California Building Codes and the requirements of the San Francisco Green

Building Ordinance, which would require the installation of ultra-low flow fixtures, use of high-efficiency building equipment, efficient landscape irrigation techniques, and provision of water-efficient plant materials.

The Project would meet the requirements of the City's Green Building Ordinance, which would result in a decrease by 20 percent of the Project's total water demand compared to a similar sized project that would not meet the requirements of the City's Green Building Ordinance.

Response to Comment SFRA1-41

It is acknowledged that the Shipyard is a Superfund site. Refer to Master Response 9 (Status of the CERCLA Process), Master Response 13 (Post-Transfer Shipyard Cleanup), and Master Response 15 (Proposition P and the Precautionary Principle) regarding site cleanup. Refer to Master Response 7 (Liquefaction) for a discussion of how the Project may be affected by liquefaction.

Response to Comment SFRA1-42

Refer to Response to Comment 22-3 for a discussion of the affordable housing being provided in the Project.

Response to Comment SFRA1-43

Refer to Master Response 6 (Seismic Hazards) for a discussion of how the Project may be affected by earthquakes. Refer to Master Response 7 (Liquefaction) for a discussion of how the Project may be affected by liquefaction.

Response to Comment SFRA1-44

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-45

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-46

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-47

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-48

This comment contains introductory or general background information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. No response is required.

Refer to Responses to Comments 1-1 and 85-5 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA1-49

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-50

The Draft EIR includes discussion of the Project's proposed improvements to bicycle circulation on page III.D-50. The Draft EIR also includes discussion of the Project's impacts to bicycle circulation (refer to Impacts TR-31, TR-32, TR-40, TR-48, and TR-53).

Response to Comment SFRA1-51

Refer to Master Response 5 (Health of the Bayview Hunters Point Community) for a discussion of health outcomes in the Bayview community.

Response to Comment SFRA1-52

Refer to Master Response 14 (Unrestricted Use Alternative) for a discussion of the relationship between the remediation program and the project and Master Response 15 (Proposition P and the Precautionary Principle) for a discussion of how Proposition P and the Precautionary Principle relate to the remediation program and the Project.

Response to Comment SFRA1-53

Regarding the concern that toxins may remain beneath a cap at HPS, note that a cover or cap is a physical barrier that eliminates the pathway between these chemicals and exposure to humans. Long-term monitoring and controls are in-place to ensure that the cap remains an effective barrier in the future. Refer to Master Response 13 (Post-Transfer Shipyard Cleanup) for a discussion of toxics that will remain at HPS and the protective mitigation measures in place to address these. The closing comments stating possible health effects of PCBs are acknowledged.

Response to Comment SFRA1-54

Refer to Master Response 7 (Liquefaction) and Master Response 11 (Parcel E-2 Landfill) for discussion about hazardous waste and cap and cover concerns.

Response to Comment SFRA1-55

Refer to Responses to Comments 1-1 and 85-5 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA1-56

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-57

Refer to Master Response 14 (Unrestricted Use Alternative) for a discussion of the relationship between the remediation program and the project and Master Response 15 (Proposition P and the Precautionary Principle) for a discussion of how Proposition P and the Precautionary Principal relate to the remediation program and the project.

Response to Comment SFRA1-58

This comment regarding the methods used by the Navy or the Agency for remediation activities on HPS Phase II is not a direct comment on the content or adequacy of the Draft EIR. The comment will be forwarded to the decision makers for their consideration prior to approval or denial of the Project.

With respect to the generation of local jobs, economic issues are not considered by CEQA to be environmental impacts; therefore the EIR is not required to, and does not address, economic issues. Economic issues are important to City, the community and the Project Applicant, and those issues will be considered by the City decision makers through the Project review and approval process, outside of the EIR and CEQA process.

Response to Comment SFRA1-59

Refer to Master Response 9 (Status of the CERCLA Process), Master Response 11 (Parcel E-2 Landfill), and Master Response 13 (Post-Transfer Shipyard Cleanup) regarding site cleanup.

Response to Comment SFRA1-60

Refer to Master Response 15 (Proposition P and the Precautionary Principle) for a discussion of the issues surrounding Proposition P and its role at the site. This comment contains opinion that is not a direct comment on the environmental issues or the content or adequacy of the Draft EIR. No response is required.

Response to Comment SFRA1-61

This comment primarily contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. The comment will be forwarded to the decision makers for their consideration prior to approval or denial of the Project. However, with respect to an extension of the public comment period, refer to Responses to Comments 80-1, 84-11, and

96-1 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR. Also, refer to Master Response 11 (Parcel E-2 Landfill) and Section III.K (Hazards and Hazardous Materials) for a discussion of the various ways to address the landfill on the Hunters Point portion of the Project site.

Response to Comment SFRA1-62

The comment is acknowledged. No response is required.

Response to Comment SFRA1-63

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Refer to Responses to Comments 1-1 and 85-5 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA1-64

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-65

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-66

This comment contains introductory, closing, or general background information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. No response is required.

Response to Comment SFRA1-67

The Draft EIR includes a discussion of transportation-related impacts that would occur if no stadium were provided. Further, refer to the Project's Transportation Plan (attached), which describes how proposed roadway cross sections would change if no stadium were provided.

Response to Comment SFRA1-68

This comment contains introductory, closing, or general background information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. No response is required.

Response to Comment SFRA1-69

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-70

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. Refer to Responses to Comments 1-1 and 85-5 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA1-71

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. Refer to Responses to Comments 1-1 and 85-5 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA1-72

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. Refer to Responses to Comments 1-1 and 85-5 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA1-73

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-74

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-75

This comment contains introductory or general background information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. No response is required.

Response to Comment SFRA1-76

As shown in Section III.R (Energy) in Table III.R-2 (Existing Project Site Electricity Demand) on page III.R-4 of the Draft EIR, the existing stadium consumes approximately 5,100 MWh of electricity annually. Development of the new stadium for the Project would be required to comply with Title 24, the *City of San Francisco General Plan*, and the City's Green Building Ordinance. Therefore, the new stadium would be more efficient than the existing stadium, as shown in Table III.R-8 (Project Electricity Demand from Building Envelopes [MWh]) on page III.R-19 of the Draft EIR, the new stadium is anticipated to consume approximately 4,080 MWh annually. The new stadium would be required to meet the criteria set forth in the Green Building Ordinance and, therefore, would use less energy than the existing stadium and impacts would be less than significant with regard to wasteful or inefficient energy usage.

Response to Comment SFRA1-77

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA1-78

The Yosemite Slough portion of CPSRA was not included in the formal Project area because it is not in the Agency's Redevelopment Plan area. Moreover, other than the proposed bridge, the Project does not propose any actions within the slough itself. The Draft EIR does, however, consider impacts to the slough's resources. For example, refer to Master Response 3 (Impacts of the Project on Yosemite Slough [Biological Resources]); Responses to Comments 31-14, 47-34, 47-36, 47-58, 47-75; and Responses to Comments 47-5, 47-20, and 47-26 through 47-30 for discussions of the impacts to Yosemite Slough biology, aesthetics, and recreation, respectively.

Response to Comment SFRA1-79

Refer to Master Response 3 (Impacts of the Project on Yosemite Slough [Biological Resources]). Refer also to Response to Comments 47-39 through 47-41 for greater detail regarding potential noise impacts within the CPSRA with construction and operation of the project.

Response to Comment SFRA1-80

The commenter's opinion that the Draft EIR's assessment of impacts to biological resources and mitigation measures are inadequate is noted.

Response to Comment SFRA1-81

This comment contains introductory, closing, or general background information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. No response is required.

Response to Comment SFRA1-82

Section III.D (Transportation and Circulation) of the Draft EIR describes the transportation-related impacts associated with the Project, including improvements proposed by the Project and the impacts associated with Project-generated vehicle traffic. For a detailed discussion of mitigation measures intended to reduce transit impacts by implementing specific physical changes to the roadway network, refer to Master Response 18 (Transit Mitigation Measures).

Response to Comment SFRA1-83

Refer to Section III.K.2 (Setting) of the Draft EIR and Master Response 6 (Seismic Hazards), Master Response 7 (Liquefaction), Master Response 9 (Status of the CERCLA Process), Master Response 11 (Parcel E-2 Landfill), and Master Response 13 (Post-Transfer Shipyard Cleanup) for a discussion of how caps and covers may be affected by liquefaction and the extent that toxins will be removed.

Response to Comment SFRA1-84

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Refer to Responses to Comments 1-1 and 85-5 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA1-85

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Refer to Responses to Comments 1-1 and 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA1-86

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Refer to Responses to Comments 1-1 and 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA1-87

Refer to Master Response 8 (Sea Level Rise) and Responses to Comments 36-2, 57-1, and 58-3 for a comprehensive discussion of the sea level rise documents reviewed, the levels of sea level rise taken into account for various Project components, and the plan to provide flood protection if higher levels of sea level rise occur.

Response to Comment SFRA1-88

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Refer to Responses to Comments 1-1 and 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA1-89

As stated in Table II-2 on page II-8 of the Draft EIR, the Project will include 10,500 residential units. In addition, as stated on page II-84 of the Draft EIR (as revised in this document, refer to Section F [Draft EIR Revisions]):

The Project would bring economic benefits to the City including an expanded economic base and additional sources of employment, as well as needed housing for all income levels. The Project would generate up to 10,730 employment positions. Approximately 3,476 new employees would be associated with Candlestick Point, and primarily with the regional retail uses. Approximately 7,254 new employees

would be associated with HPS Phase II, and primarily with the R&D uses. The 350 jobs associated with the new 49ers stadium are mostly relocated from Candlestick Point to HPS Phase II.

In addition, construction employees would also be needed to construct the Project. The number of construction employees would vary depending upon the phase of construction, but would range from ~~6083~~ workers at the commencement of construction activities to approximately ~~500617~~ workers during ~~2016~~2015, the most labor-intensive phases of construction. ...

Refer to Responses to Comments 1-1 and 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA1-90

The rebuilding of Alice Griffith Public Housing would take place in the first phase of development of the Project. The Draft EIR analyzes the environmental effects of replacement of 256 housing units at Alice Griffith.

Response to Comment SFRA1-91

The reconstruction of Alice Griffith Public Housing is part of the Project analyzed in the Draft EIR. It is an integral element of the Project. The rebuilding of the Alice Griffith Public Housing can proceed once the EIR process is final and decision-makers elect to approve the Project.

Response to Comment SFRA1-92

The EIR must be certified before any other component of the Project can proceed. Job training and other programs related to occupancy of the Project would necessarily occur after EIR certification and decision-makers elect to approve the Project. As noted on page III.C-21 of the EIR, redevelopment of the Alice Griffith site would proceed in phases and would not displace existing residents. The initial phases would develop currently vacant portions of the Alice Griffith site, and existing residents would then occupy replacement public housing units before existing structures would be demolished in subsequent phases.

Response to Comment SFRA1-93

Refer to Response to Comment 43-4 regarding transportation improvements and property acquisition. Most of the transportation improvements required for the Project would occur in the public right-of-way; however, there are streets both within and outside of the Project site that would require additional right-of-way. In order to complete the recommended transportation improvements, additional right-of-way would need to be acquired along several identified roadways. The power of eminent domain is contained in the existing Bayview-Hunters Point (BVHP) Redevelopment Plan and in the Hunters Point Shipyard Redevelopment Plan. There is an existing prohibition on the use of eminent domain for residential property in the BVHP Redevelopment Plan. Under state law, eminent domain for residential properties can proceed only to eliminate blight. Most of the Project site is under public ownership. There are five blocks with privately owned parcels in Candlestick Point that are disclosed in the EIR. If the developer is unable to acquire these properties, they would be allowed to participate in the Project via an Owner Participation Agreement or continue their existing, nonconforming use.

Response to Comment SFRA1-94

Chapter II (Project Description), page II-14, identifies “Community Services: Community serving uses are proposed at sites on both Candlestick Point (50,000 gsf) and HPS Phase II (50,000 gsf). Proposed uses include a fire station on 0.5 acre at HPS Phase II and 6,000 square feet for police facilities. In addition, uses may include, but are not necessarily limited to, healthcare, day-care, senior centers, library, recreation centers, and community centers. Facilities may be provided that cumulatively exceed 100,000 square feet. If so, the Project contemplates an equal reduction in retail and/or research and development and/or office use.” Thus, land earmarked for a new fire station would be located within the Project site. Also as identified in Section III.O Public Services, “construction of a new SFFD facility on land designated for community-serving uses on the Project site would allow the SFFD to maintain acceptable response times for fire protection and emergency medical services. Construction of 100,000 gsf of community facilities, which could include a new SFFD facility, has been included as a component of the Project” (Draft EIR page III.O-22).

Response to Comment SFRA1-95

There would be room for both a police station and a fire station in the community facilities designation, as the need arises.

Response to Comment SFRA1-96

The nesting peregrine falcons identified on the site are located in the Regunning Crane, which would be untouched by the Project. Refer to Section III.N (Biological Resources) for a full discussion of the Project’s impacts on the peregrine falcons, as well as on other sensitive species on and near the Project site.

■ Transcript SFPC: San Francisco Planning Commission (12/17/09)

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Letter SFPC

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PUBLIC MEETING OF THE
SAN FRANCISCO
PLANNING COMMISSION
AGENDA ITEM 20

* * *

SAN FRANCISCO CITY HALL
1 DR. CARLTON B. GOODLETT PLACE, ROOM 400
DECEMBER 17TH, 2009
(7:18 P.M. - 11:21 P.M.)

REPORTED BY: VEENA PUCCINELLI

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A P P E A R A N C E S

COMMISSIONERS:

Commissioner Ron Miguel, President
Commissioner Christina Olague, Vice-President
Commissioner Michael J. Antonini
Commissioner Gwyneth Borden
Commissioner William L. Lee
Commissioner Kathrin Moore
Commissioner Hisashi Sugaya

Others Present:

Linda D. Avery, Commission Secretary
Veena M. Puccinelli, Court Reporter

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1 PROCEEDINGS
2 SECRETARY OF COMMISSION: Okay. If I can
3 just make one more announcement.
4 Of course, pictures are allowed to be taken;
5 but we do ask that you don't use flash, because it is
6 a little disruptive for the commissioners; but other
7 than flash, you can take all the pictures you want.
8 Okay. The Planning Commission is back in
9 session
10 Commissioners, you are now on Item No. 20,
11 Case No. 2007.0946E, the Candlestick Point Hunters
12 Point Shipyard Phase II Development Plan. And this is
13 a Public Hearing on the Draft Environmental Impact
14 Report.
15 If I can just remind everyone to turn off
16 your cell phones, your pagers, any electronic devices
17 that may sound off during the proceedings.
18 And I would also ask that, as you speak
19 before the Commission, that you speak directly into
20 the microphone and state and spell your last name for
21 the record and for the benefit of the court reporter.
22 And with that...
23 MS. JOY NAVARRETE: Good afternoon -- or good
24 evening, President Miguel and the Commission.
25 I'm Joy Navarrete of Planning staff. I'm

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1 joined by Lisa Gibson from MEA Planning staff, and
2 Stanley Muraoka, of the Redevelopment Agency, who was
3 the co-lead agency to planning for this site.
4 And we also have Michael Rice and others
5 representing PBS&J, the environmental consultant for
6 the project; and Tiffany Bohee from the Mayor's Office
7 of Economic and Workforce Development.
8 Staff did come before you with an
9 informational presentation on the Candlestick Point
10 Hunters Point Shipyard Phase II Project, on
11 November 4th, 2009, and will be returning for
12 initiation of the project around February 2010.
13 Right now I'm going to introduce Tiffany
14 Bohee from the Mayor's Office to give you a brief
15 summary of the project description.

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16 MS. TIFFANY BOHEE: Good evening,
17 Commissioners and President Miguel. Thank you.
18 And as Joy indicated, you did have an
19 extensive informational presentation in November; and
20 in light of the late hour, I'll keep my remarks very
21 brief. We have had over 180 public meetings on this
22 project, and we are surely to have more.
23 The Candlestick Point Hunters Point Shipyard
24 project covers about 700 acres in the southeastern
25 sector of San Francisco.

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1 This project is one of the most important
2 development projects in the City's modern history
3 because of the scope and scale of public benefits that
4 it will deliver to a grossly under served and isolated
5 Bayview Hunters Point Community.
6 After more than a decade of planning efforts
7 for these two sites, in May of 2007, the Mayor, the
8 Board of Supervisors, the Redevelopment Agency
9 Commission, the Hunters Point Shipyard CAC, the
10 Bayview Hunters Point Project Area Committee, the two
11 citizens groups with jurisdiction over this area,
12 endorsed a conceptual framework for the integrated
13 redevelopment of Candlestick Point and Hunters Point
14 Shipyard.
15 That conceptual framework outlined key
16 elements for the mixed use development of the site,
17 including land use, financing, and public benefits.
18 In June of 2008, San Francisco voters in each
19 and every district, overwhelmingly endorsed
20 Proposition G, the Bayview Jobs, Parks and Housing
21 Initiative, which further set forth guiding principles
22 and a development program and plan for the development
23 of these sites.
24 In furtherance of Prop G and that conceptual
25 framework, the proposed project analyzed in the EIR,

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1 includes approximately 10,500 units across the two
2 sites, including 32 percent of those units, set aside
3 at below market rates.
4 As part of those housing units, the complete
5 rebuild of the Alice Griffith public housing site is
6 included. These units will be replaced on a one-for-
7 one basis and phased to ensure that the residents can
8 move directly to their new homes without being

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9 displaced from their existing homes.
10 It also includes important job generating
11 uses, including over 2-and-a-half square feet of
12 research and development uses on the shipyard. We are
13 focusing on attracting emerging technologies, like
14 Green Tech.
15 There are over 300 acres of new parks and
16 restored open space, across the two sites, as well as
17 important regional and neighborhood serving retail; of
18 course, completely new infrastructure; utility
19 infrastructure and transportation infrastructure.
20 I have additional information about the
21 project, and I'm happy to come back and answer any
22 other additional questions.
23 With that, I would like to turn it back to
24 Joy.
25 COMMISSION PRESIDENT MIGUEL: Thank you.

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1 MS. JOY NAVARRETE: Thank you, Tiffany.
2 So the item before you today is a Public
3 Hearing on the Draft Environmental Impact Report, or
4 Draft EIR, for Case No. 2007.0946E.
5 The Redevelopment Agency Commission held a
6 Public Hearing on the Draft EIR on Tuesday, December
7 15th. After receiving public comment and discussing
8 the comments on the Draft EIR, the Commission voted to
9 extend the written comment period an additional 15
10 days to January 12th, 2010 and to continue the public
11 comments to another Public Hearing on January 5th,
12 2010.
13 The Historic Preservation Commission held a
14 hearing yesterday to formulate their comments on the
15 Draft EIR. After receiving public testimony and
16 discussing their comments, they voted to continue
17 their hearing to January 6th, 2010.
18 In addition, the commissioners decided to
19 send one of the commissioners to today's Planning
20 Commission Hearing to present their preliminary
21 comments for your information.
22 Today's action is a Public Hearing on the
23 adequacy and accuracy of the information contained in
24 the Draft EIR, and we ask that comments be focused on
25 this.

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1 There will be no decision today to approve or

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2 disapprove the proposed project; that will follow the
3 final EIR hearing.

4 We are here today to receive comments from
5 the public and the commissioners regarding the Draft
6 EIR, as part of the environmental process required by
7 the California Environmental Quality Act, or CEQA.

8 The public and commissioners should note that
9 staff is not here to answer comments today. Comments
10 will be just transcribed and responded to in writing
11 in the Comments and Responses document, which responds
12 to all comments received and makes revisions to the
13 Draft EIR as appropriate.

14 Staff will submit this, the Comments and
15 Responses, in return around the spring of 2010 for
16 certification of a final EIR.

17 And there is a court reporter here today. We
18 ask that all commenters speak slowly and clearly; also
19 we ask that you state your name and address, so that a
20 copy of the Comments and Responses document can be
21 mailed to you when it's completed.

22 After comments from the public, we will take
23 any comments from the Planning Commission on the Draft
24 EIR. The written comment period began on November
25 12th, 2009, and continues until 5:00 p.m., Tuesday,

9

1 January 12th, 2010.

2 And letters should be send to either the
3 Environmental Review Officer for the Planning
4 Department or the Redevelopment Agency.

5 This concludes my presentation, and I ask
6 that the Public Hearing on the draft be opened.

7 COMMISSION PRESIDENT MIGUEL: Thank you.

8 Before we start, is there anything that the
9 Redevelopment Agency would like to add preliminarily?
10 No, all right.

11 I would like to start with Commissioner
12 Buckley, from the Historic Preservation Commission.

13 JIM BUCKLEY: Thank you, Commissioner.

14 Jim Buckley from the Historic Preservation
15 Commission.

16 We bring your greetings, and I have been
17 deputized to come over and tell you a little bit about
18 our initial deliberations on this very important
19 item.

20 We are going through our very much smaller
21 review. You have many things to think about, but
22 Ms. Avery will confirm that we were quite discouraged
23 at the initial look at the cultural heritage section
24 and what was happening with the treatment of the
25 history of the site.

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10

1 I can mention a few things. We will be
2 writing a letter to you that will be adopting at our
3 next meeting on January 6th; but among them are the
4 fact that this is a nationally significant site, and
5 there are very few resources identified and associated
6 with the site history in this document.
7 There should be a preservation alternative
8 that does not talk about other issues, that winds up
9 with other issues; it should just be about what
10 preservation alternatives there are. And we want to
11 really focus on retaining, celebrating, and promoting
12 the history of the site.
13 So when you are perusing all of the different
14 sections, I would call your attention to section 3(J).
15 3(J), on the Cultural Heritage.
16 And if you will just spend a couple of extra
17 minutes on the content statement, I hope you'll get as
18 excited as we are about the incredible history of this
19 site; from Native Americans to the early shipyards,
20 through World War II, and the amazing migration of
21 African-Americans to this area where they could get
22 wartime jobs to the connections to the nuclear testing
23 program and the Bikini Program that were located on
24 this site.
25 We are all for this project. We want it to

SFPC-1
cont'd.

11

1 move ahead. But we want to try and incorporate these
2 cultural heritage items as much as possible, because
3 this is a real celebration of who San Francisco is.
4 I appreciated yesterday when the Mayor's
5 Office introduced this item to us and said, This is
6 one of the most important projects in the City's
7 modern history.
8 And I replied that that is very true.
9 And one of the reasons is, this has been of
10 one the most important sites historically for this
11 building. And we want to try and see what we can do
12 in terms of interpretation; perhaps additional
13 preservation of buildings where that is feasible, and
14 making this part of the future, the heritage, part of
15 the future of this site as well as just what's there
16 now.
17 And we would like to do that through things
18 like, you may be familiar with the Rosie the Riveter
19 program, over in the Richmond shipyards. Perhaps we

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20 can bring that kind of historical context in and make
21 that work with this development.
22 But we will be coming to you with additional
23 statements. We just wanted to let you know, it's so
24 important to us, you have so many things going on with
25 this important project, we will be coming back and

SFPC-1
cont'd.

12

1 letting you know about that.
2 So thank you very much for taking the time to
3 listen. Section 3(G), read it carefully.
4 COMMISSION PRESIDENT MIGUEL: Thank you,
5 Commissioner.
6 JIM BUCKLEY: Thank you.
7 COMMISSION PRESIDENT MIGUEL: I appreciate
8 the cooperation, and we will work together on the
9 issue.
10 JIM BUCKLEY: Thanks a lot. That's a great
11 help.
12 UNIDENTIFIED SPEAKER: 3(G)?
13 JIM BUCKLEY: 3(J) -- J. There will be a
14 quiz after this.
15 Thank you.
16 COMMISSION PRESIDENT MIGUEL: All right.
17 Just so that you understand, the comments basically
18 are on the completeness and the adequacy of the
19 document itself, not as to any particular projects
20 that would come before this Commission at a possible
21 later date.
22 I have -- you will have your three minutes;
23 you don't have to use it all. Those who are in the
24 overflow room, if you are listening to me, as I call
25 your name, if you will come up to the fourth floor, as

13

1 you come in the door, we will have you speak.
2 Those of you who do speak, who are seated in
3 the room, I would appreciate, after you have spoken,
4 if you would leave the room and allow others to come
5 in here. It would facilitate things greatly.
6 There is an overflow room downstairs in the
7 North Light Court. And you can follow the proceedings
8 down there on the screen and through the speakers.
9 With that, Mike Theriault. Gabe Metcalf.
10 Ron Lewis.
11 MR. THERIAULT: I'm never first. What
12 happened?

8 of 108-+

13 Commissioners, Michael Theriault,
14 San Francisco Building and Construction Trades
15 Council.
16 I am thrilled that we have gotten to this
17 point finally, where the document for Phase II of the
18 shipyard is before you after 177 public meetings, some
19 of which dealt at great length and in great detail
20 with some of the very items that are in this EIR.
21 I will confess, I have not read the 4000-plus
22 pages of the EIR. I have, however, reviewed the 121
23 pages, I think it is, of the Executive Summary. And
24 if they are any indication, this document really is a
25 very thorough document. I saw everything treated from

SFPC-2

14

1 eelgrass beds; to raptor nesting; to liquefaction; to
2 toxins, of course; and landslides, et cetera:
3 And I think, in fact, that those -- that that
4 Executive Summary provides a sort of source document
5 for those who are genuinely interested -- genuinely
6 interested -- in a serious examination of the EIR.
7 Any group that really has an intent to do so
8 can accomplish a division of labor that allows those
9 who have an expertise, for example, in the biological
10 issues on the site to look at them; those who have an
11 interest and expertise in the toxic toxins issues to
12 look at them; and those with an interest in the
13 geological issues, to look at them.
14 And a couple of other things I will note,
15 from our own experience with you in our own recent
16 appeal, I see that Lennar has gone farther in its
17 discussion of the handling of toxins than the project
18 sponsor of the project we appealed before you did.
19 I note specifically that they have discussed
20 the possibility of monitoring devices, which was not
21 discussed. And I note also the faith that you and the
22 Board of Supervisors both showed with regard to the
23 Department of Public Health's ability to handle these
24 toxin issues in close collaboration with the other
25 departments of the City and the developer.

15

1 And I will, at the end, stress the urgency of
2 this project for us, for reasons that I don't think I
3 need to explain to you.
4 Thank you.
5 COMMISSION PRESIDENT MIGUEL: Thank you.

6 GABRIEL METCALF: Good evening,
7 Commissioners. Gabriel Metcalf, Executive Director of
8 SPUR.

9 This project has been in the works for a very
10 long time. And tonight you have the opportunity to
11 take one more step in the conversion of this unused
12 military base to its next set of uses.

13 What you will hear tonight is a proxy war,
14 where those opposed the project will ask for delay,
15 those who support the project will ask for it to move
16 forward.

17 That is understandable. That is the system
18 we have created; however, on the question of whether
19 the EIR adequately discloses the impact of the
20 project, I believe it does.

21 I believe the suggestion that the
22 Redevelopment Agency -- following the lead of the
23 Redevelopment Agency to extend the comment period for
24 a couple of weeks is a reasonable compromise.

25 This project is very important, both for the

SFPC-3

16

1 Bayview and for the whole city. I would hope for you
2 to move forward with it.

3 Thank you.

4 COMMISSION PRESIDENT MIGUEL: Thank you.
5 Ron Lewis. Tim Colen. Linda Richardson.
6 Tim Paulson.

7 LINDA RICHARDSON: Good evening,
8 Commissioners and the Director of the Planning
9 Department.

10 My name is Linda Richardson, and I'm
11 representing today myself, a member of Bayview Hunters
12 Point. But I need to also let you know I am also the
13 Chair of the Landuse Planning and Transportation of
14 the Project Area Committee.

15 As the previous speakers have alluded to, we
16 have been planning for over a decade; so what you are
17 seeing tonight, the EIR report, is a culmination of
18 all of the thousands and thousands of hours of
19 community meetings to deal with transportation.

20 I think, as all of you already know, and we
21 say that, and we are going to say that tonight, that
22 Bayview Hunters Point and southeast sector continues
23 to be adversely served by a network of transportation.
24 Well, this EIR deals with that.

25 I don't think we can continue to have a

SFPC-4

17

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1 segment of San Francisco that continues to be
2 segregated. Economic development is based on adequate
3 transportation.

4 So I am going to implore you, Commissioners,
5 to really look at, to us, two segments of this EIR
6 that really are very relevant, you look at the housing
7 elements. We are actually pushing the rebuilding of
8 the of Alice Griffith project; and the rest of the
9 housing elements are not going to have adverse impact
10 on the Bayview Hunters Point community of the
11 southeast sector; and in fact, they would enhance.

12 Because your reports, for over a decade, has
13 constantly showed that San Francisco, even up to
14 today, needs almost 30- or 40,000 units of housing in
15 San Francisco; so the rebuilding and the
16 revitalization of the shipyard and the Candlestick
17 will satisfy that.

18 I also looked, as you know, I was a former
19 planning commissioner, and I have read many
20 environmental reports from the City; this one was no
21 exception. I'm particularly impressed with the
22 biological resources; I think this EIR has dealt in
23 detail with all of the biological species that were
24 respected, documented, and analyzed, a wealth of
25 information for all of you to really look at.

SFPC-4
cont'd.

18

1 So, in retrospect, I think that we have a
2 environmental report that actually has tied all of the
3 feasibility studies that we have conducted over the
4 last, you know, decade; all of the environmental needs
5 and the transportation of the entire southeast sector.

6 We are looking at all these developments to
7 be the engine that is going to connect us instead of
8 the further isolation.

9 And at some point, I actually need to
10 underscore, even though today emphasis is on EIR, but
11 there is a message that I have been saying all along
12 and I need to underscore tonight is that for the
13 workforce development, there is a strong liberal
14 partnership. And we are going to be working very
15 hard -- (Federal Court chime is sounded) -- with the
16 liberal community to help the youth of the community
17 to be able to realize their dreams, so --

18 COMMISSION PRESIDENT MIGUEL: Thank you.

19 LINDA RICHARDSON: -- thank you very much for
20 your time on this important document.

21 COMMISSION PRESIDENT MIGUEL: Thank you.

22 CONNY FORD: Good evening, Commissioners.

23 I am not Tim Paulson, but my name is Conny
24 Ford, and I am the Vice-President of the San Francisco

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25 Labor Council. Brother Paulson could not be in

19

1 attendance, so I'm speaking on behalf of the Labor
2 Council.

3 And I'm also speaking on behalf of a
4 coalition of organizations that comprise the groups
5 that put together a very meaningful, legalistic
6 document called the Community Benefit Agreement.

7 So I'm representing the AD-10 Coalition,
8 which is comprised of ACORN; the faith-based
9 community, SFOP; and the Labor community.

10 And we are here to urge you to continue on
11 with this project. This project is something that we
12 support. We support the project for many different
13 reasons, but one of them is that the Community Benefit
14 Agreement that we have worked out with the developer
15 will ensure that affordable housing is in this
16 neighborhood. It will ensure that workforce
17 development moneys will go to this neighborhood.

18 Since the Navy left over 40 years ago, there
19 has been little if no monies put towards the help and
20 support of the Bayview Hunters Point. This community
21 suffers from extrordinarily high unemployment rates,
22 grave disparities in education and health care that
23 are not provided, gross neglect of necessary
24 infrastructure, and not even things like a grocery
25 store in the neighborhood.

SFPC-5
cont'd.

20

1 This is despicable; this needs to change; and
2 the economy engine that will help to change that is
3 this project. Things must change in the Bayview; we
4 all know that, we all understand it, and we are all
5 working together.

6 Labor, Community, faith-based, and City have
7 been working over ten years to ensure that this
8 project goes forward and this project benefits the
9 members of the Bayview, the residents of the Bayview,
10 the current people and also the people who have been
11 forced to leave.

12 San Francisco Labor Council and our 10,363
13 members who live in the residing zip codes around this
14 project strongly favor this agreement.

15 We will continue to work with our neighbors,
16 with the community, with faith-based organizations,
17 with members of Alice Griffith, to help ensure that

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18 all of these benefits of our Agreement, and the
19 benefits that are so needed in the Bayview for the
20 economic revitalization that is long overdue are
21 targeted for the current Bayview residents, and for
22 those residents who have left who want to come home.
23 We urge you to move forward with this
24 project. Thank you.
25 COMMISSION PRESIDENT MIGUEL: Thank you.

SFPC-5
cont'd.

21

1 Reverend Walker. Espanola Jackson. Matthew
2 Silva.
3 PERSON IN AUDIENCE: Are you being fair with
4 time? The office is being unfair. That woman spoke
5 way over her time, way over her time.
6 COMMISSION PRESIDENT MIGUEL: There is a
7 clock on the podium that is three minutes, sir.
8 PERSON IN AUDIENCE: Way over her time, sir.
9 REVEREND ARELIUS WALKER: Mr. Chairman,
10 Honorable Commissioners, I am Reverend Aurelius
11 Walker.
12 Tonight I'm representing the Tabernacle
13 Community Development Corporation, which is a citywide
14 group for development of affordable housing; and also
15 I represent the African-American Revitalization
16 Consortium.
17 I would like to take your mind back just a
18 few minutes in my time frame. Several years ago, my
19 grandfather came to work in the shipyard. We were
20 sharecroppers. I was raised up as a sharecropper.
21 He came, worked in the shipyard, and become
22 very successful. Now, at that time, he did not know
23 about the toxins and the various things that was
24 happening that was impacting his body. But the point
25 I wanted to make, he was very successful.

SFPC-6

22

1 And he came back to East Texas, and we -- he
2 brought nine acres of land and built brand new houses
3 on that land that he bought.
4 As a young -- as his grandson, I made a
5 decision I was coming to San Francisco. Approximately
6 about 15 to 20 years ago, Mr. Alex Pitcher, and myself
7 and several more people, some people here tonight, we
8 looked at Bayview Hunters Point and all of these
9 newspaper articles, this poor African-American
10 neighborhood; there was not a lot of progressiveness

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11 or positiveness going on in that area.
12 We made the decision that the Redevelopment
13 Agency is the only agency in the City that we could
14 look at that we could bring back to Bayview Hunters
15 Point to become the economical engine with all of the
16 various things that would drive that community to
17 positiveness and positiveness.
18 I thought I would run back there for just a
19 few minutes. While our economy is in crisis, and
20 development projects across the region are being
21 cancelled or curtailed, the economic framework, a
22 finished plan represented a strong commitment, and the
23 next stop is the rebuilding of the long abandoned
24 Hunters Point Shipyard.
25 It outlined the economical investment

SFPC-6
cont'd.

23

1 required to implement the conceptual framework for the
2 project approval by the San Francisco board of
3 Supervisors, Proposition G, and the San Francisco
4 voters in 2008, upon the economic framework that I
5 talked about.
6 Bayview Hunters Point neighborhood is home to
7 approximately 40,000 persons in that area. About 500
8 life way jobs, and businesses there who produce jobs
9 and all of the activity.
10 One of the things that I'm seriously
11 concerned about, and the EIR I hope will address
12 strongly, is the contamination of that community many
13 people in my congregation, I'm a pastor of church, are
14 cancer survivors, and asthma, and those various type
15 of illnesses, from the toxins that have been going on
16 there for years.
17 And one of the things that I'm grateful now,
18 through this project, this poison and environmental
19 impact is being cleaned up by this project. Thank
20 you.
21 COMMISSION PRESIDENT MIGUEL: Thank you.
22 ESPANOLA JACKSON: Good afternoon. This is a
23 sad day for me to be here.
24 My name is Espanola Jackson, and I have lived
25 in San Francisco for over 66 years.

SFPC-7

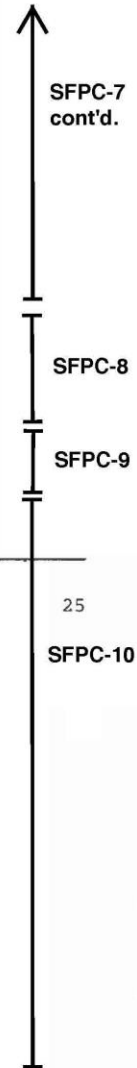
24

1 This Draft EIR covers a huge area, over 1200
2 acres, and is the last frontier of San Francisco. I
3 have seen too many changes, and this one really

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4 bothers me.
5 This is not the time to fast track any EIR,
6 as was done with Phase I and Parcel A at the
7 shipyard. The consequences of this action haunt all
8 of us today, because many of my people, children and
9 elderlies, have been ill and have died.
10 You Planning Commissioners have to provide
11 about thousand lives that will be lost if you do not
12 do anything. If air aspect is evaluated again,
13 perhaps we can come to some agreement that takes
14 time. And time will lead to qualified progress;
15 quality of life, issues that are critical to the
16 future of our children.
17 And aspects, (inaudible), such as flooding,
18 the impending big one that has not been taken into
19 full consideration in this hastily prepared Draft
20 EIR. After all the entire site is too close to the
21 fault that will trigger an earthquake very soon.
22 Over 25,000 extra people will make their
23 homes in this area; and there has been no mention of
24 this factor in the transportation document.
25 In short, send this EIR back for further

1 review and qualified action. Do this so that lives
2 may be saved.
3 You know, I'm breaking up now because, in
4 fact, I don't like to read; I'm glad I got a minute.
5 I want to say, already, I have heard errors, errors
6 have been stated to you in the beginning.
7 Who was and who had jurisdiction over that
8 shipyard in the beginning? It was the RAP board, not
9 the CAC, not the PAC. The RAP board members came to
10 you all -- not all of you that is sitting there
11 today -- came and told you that this was not right;
12 that it was being forced down your throats.
13 But you met anyway. You vote anyway. And
14 what happened? When the work started in my community
15 over there, all of the dust. The Health Department
16 have lied, will continue to lie.
17 How are you going to sit there and say, it's
18 all right?
19 Thank you very much.
20 COMMISSION PRESIDENT MIGUEL: Edward McRee.
21 Jim Lazarus. Karissa Cov.
22 RICHARD MCREE: Hello, Commissioners. My
23 name is Richard McRee. Have we got an Edward here?
24 Maybe it's a relative.
25 COMMISSION PRESIDENT MIGUEL: Excuse me,



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26

1 Richard.

2 RICHARD MCREE: I have lived in the city here
3 for 40 years. I'm an architect. And I have really
4 enjoyed having the inspiration of this Commission on
5 projects that I have worked on in the past, where this
6 Commission has made a real difference in how the
7 project ending up.

8 Years ago, I was part -- proud to be part of
9 the design firm, Levi Plaza. And your urging the
10 contractor to work with the city and developer made
11 all of the difference in the world. We had a much
12 better project.

13 I am here today, because I have gone over the
14 EIR, and I would really like to see San Francisco use
15 this opportunity. This is an incredible part of
16 history. We can't do business as usual, as we used
17 to.

18 We need to look at a new way, evaluate other
19 built environments and how we are going to deal with
20 it. The jobs in the future are going to come out of
21 being responsible for what's already built.

22 Now my point is that this EIR does not make a
23 fair comparison between Alternative 3 and the project
24 itself. Alternative 3, even in the EIR, it says it
25 was rejected entirely on the basis that it has got

SFPC-11

SFPC-12

27

1 less units.

2 But if you look at the site plan -- and
3 I have worked on a lot of site plans, I know how easy
4 it is to manipulat them and make them look they all
5 work -- Alternative 3 does not really account for the
6 greenhouse gases that would be conserved if
7 Candlestick were saved.

8 And I'm saying, why can't we encourage the
9 49ers to really join the rest of the world today, and
10 really lead this country, be the greenest team in the
11 NFL by reusing Candlestick.

12 Keep the tickets prices down.

13 We have an historic stadium, one of the few
14 in the world to survive the earthquake. And I see
15 this EIR as an attempt to push through a new stadium
16 regardless, claiming a mandate which they did not
17 have, to try to --

18 And I can see elements, like in the Arc
19 Ecology alternative; they have a wonderful plan for
20 the stadium area for housing. And they totally forget
21 that there is housing available next to Alice
22 Griffith.

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23 I think it's great. I think that Alice
24 Griffith should be taken out of this. I think we
25 should move ahead on that, and those people deserve --

SFPC-12
cont'd.

28

1 we need to improve that community, but there -- that
2 should not be a driver for deciding whether to a
3 stadium or an illogical allocations of spaces.
4 Alternative A says that you are not going to
5 have enough houses. But it totally ignores the fact
6 that east of Alice Griffith, there is good soil; it's
7 not due to liquefaction.

8 You could build 45,000 housing units in
9 there. And where the stadium was, you can put 5000
10 more on that side. You can have 10,000 residential
11 spaces and Candlestick Park; and you eliminate -- you
12 eliminate 2 miles of extra driving to go from the
13 freeway.

14 If you want to do something good, you
15 would design Candlestick, which is right next to the
16 freeway, so 40,000 people --

17 (Federal Court chime is sounded.)
18 COMMISSION PRESIDENT MIGUEL: Thank you.

19 RICHARD MCREE: Okay, thank you.
20 JIM LAZARUS: Commissioners, Jim Lazarus,
21 San Francisco Chamber of Commerce.

22 You know the history; many of you have been
23 here for decades, and you know that this neighborhood
24 and the southeast part of the city deserves finally
25 some swift action to move a project forward that has

SFPC-13

29

1 had voter approval, that has been looked at every
2 which way, whether it was the Federal government, the
3 State government, the City government, on
4 environmental issues, on the planning that is
5 occurring -- that has occurred for the last 15 or 16
6 years on this property, when the base was transferred
7 in principal, for planning purposes to the City.

8 When that shipyard closed in 1974, the
9 economic heart of the southeast part of the city
10 closed with it; and the Navy unfortunately kept that
11 property in reserve. We thought maybe it was going to
12 be reopened as a home porting base in the late 1980's;
13 that ended up not happening even though the voters of
14 the city approved it.

15 And now we come another 15 years, from that

17 of 108

16 era, from that time in the early 1990's, to where we
17 are today with a chance to finally get this project
18 moving.

19 I urge you, within the parameters of the law,
20 to take no more time than is necessary to get this
21 project approved, to get it to the point where we can
22 get this developer to begin working.

23 I had the privilege of working in the Mayor's
24 Office for both Mayor Feinstein, and for Mayor
25 Jordan. And in the Jordan administration was when



SFPC-13
cont'd.

30

1 that transfer was first -- first occurred.

2 Parcel A on the top of the hill, which is
3 under construction today, was to be under construction
4 in 1995, and it's finally being built today. That
5 same thing could happen to the rest of this plan, year
6 after year, decade after decade, if we don't grab this
7 opportunity to get this project approved for the
8 neighbors, for the residents of the southeast part of
9 the city, and for the entire residents and the economy
10 of San Francisco that needs this type of economic
11 engine, especially in this recessionary period, to get
12 moving and get this project on track.

13 So the chamber urges you to, obviously, use
14 your deliberate skills, but this project has been
15 studied, studied, and studied in one form or another
16 for 25 years. Let's move forward.

17 Thank you very much.

18 KARISSA COV: Hello. My name is Karissa.
19 I'm with POWER, People Organized to Win Employment
20 Rights.

21 I would like to show you this map. There you
22 go. So this is one of the largest and most
23 controversial EIR's to ever come before this
24 Commission.

25 This EIR is inadequate for a few reasons. I



SFPC-14

1 would like to point out this map that is inaccurately
2 marked. Anyone who has ever been to the Bayview would
3 know that the streets that are labeled as commercial
4 are really residential, and the streets that are
5 marked as residential are really commercial; this did
6 come out of the EIR, and is figure 3B1, so I just
7 wanted to see that for the record.

8 In 2000, Proposition P was passed by 87



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9 percent of the voters. I heard someone earlier speak
10 about Proposition G, and he failed to speak of
11 Proposition P, which called for the shipyard to be
12 completely -- the entire shipyard to be cleaned for
13 unrestricted use. The EIR is inadequate, because it
14 never addresses or considers the alternative of fully
15 cleaning the shipyard.

16 To not allow the full 90 days, as you have
17 granted to much smaller projects, recently one on
18 Pacific Avenue, would just not be sufficient.
19 Clearly, folks have not read this EIR, and so we need
20 to make sure that it has a chance to be vetted and
21 that everybody can fully read it.

22 Folks will be coming up to you to speak to
23 the fact that the EIR is inadequate; and speaking to
24 liquefaction, sea level rise, capping versus cleaning,
25 as well as the trouble sites that are on the

SFPC-15
cont'd.

SFPC-16

32

1 shipyard.

2 Thank you.

3 COMMISSION PRESIDENT MIGUEL: Thank you.

4 TREATHA STOUGHTER: Hello. Hi. My name is
5 Treatha, and I'm a resident of the Bayview Hunters
6 Point Community.

7 And basically, I'm coming in today to say no
8 delay. And I also wanted to just have you guys pay
9 attention to the people that are here, wearing fancy
10 stickers, saying they are in -- they don't want to
11 support what's going on, and they want to make a
12 delay.

13 But I feel like, if you delay it, we leave.
14 Original people that are there are forced out. We
15 don't have the money. The market is designed for
16 upper class people, but we are the original residents
17 that are here.

18 Most of the people that here don't live
19 here. They are not directly affected or impacted with
20 what's going on. We don't need a delay. We need
21 better housing, more jobs. We need nice parks and
22 schools for our kids. We need a waterfront pond like
23 all of the other communities have.

24 So I'm here to say, we don't want a delay.
25 We want to move forward with this like it's been

SFPC-17

33

1 planned. We have been fighting for over ten years; my

19 of 108

2 mother, my grandmother. This is something that we
3 deserve. This is something that we want.
4 And I don't want a delay; then my community
5 and me can stay. Thank you.
6 COMMISSIONER OLAGUE: Thank you.
7 And I would like to ask people to avoid the
8 clapping, because what it does is it slows the hearing
9 down.
10 So instead, if we could avoid it and sort of
11 quietly clap in our own -- to ourselves, I guess.
12 So Karissa Luv, I think, spoke.
13 Matthew Silva, Ron Lewis, Tim Colen have all
14 been called. Minister Christopher Muhammad. Essence
15 Stacil. I apologize. Jessie Tello. Daniel Landry.
16 And of course, some people are downstairs in
17 the overflow room, so when you do come, you know, if
18 you could just stand off to the side in the order that
19 we called you.
20 ESSENCE STACIL: I would like to say --
21 COMMISSIONER OLAGUE: And, ma'am, if I could
22 ask you to speak into the mic --
23 ESSENCE STACIL: Okay.
24 COMMISSIONER OLAGUE: -- so we make sure we
25 capture all your comments.

SFPC-17
cont'd.

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1 ESSENCE STACIL: Okay.
2 My name is Essence Stacil. I would like to
3 say good afternoon to all of you that are here, or
4 good evening.
5 I'm here to speak on transportation about the
6 area. I have lived in the Bayview district since the
7 fifties. And I know all about the shipyard, because I
8 live on the street where the transportation was
9 vicious, and it still is.
10 And I would like to say that the EIR that has
11 been printed has completely ignored transportation.
12 They are not saying anything about transportation in
13 these books. I have all three. I brought the small
14 one, because the others were like this, so I'm using
15 that.
16 But I would like to say this; that the
17 transportation, if they are going to work, the way
18 they want it -- and the stadium, which I doubt very
19 seriously if they are going to get, and also, the
20 housing that are in that neighborhood that they want
21 to put in, I would like to know from you, what effects
22 will it have on us?
23 What about the fumes that is goin' to affect
24 our neighborhood, because how the neighborhood is in
25 the area, where I have been hearing people talk, no

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SFPC-19

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1 one has mentioned that, and no one has said anything
2 about it. You really need to pay attention. We have
3 enough fumes in San Francisco, as is.

4 One another thing I would like to mention is
5 that we do have a high risk of illness, asthma,
6 cancer, and other respiratory illness in the
7 neighborhood because of all of the things that have
8 been placed in our neighborhood.

9 We do. And we are hoping that you will
10 consider to delay this a bit until transportation has
11 been worked out the way it should be. Because I live
12 on one of the main drags, that this will really affect
13 the area that we live in.

14 Please take under consideration before they
15 make a move too fast. They have not even mentioned
16 it. Look at the map. They haven't even mentioned
17 anything about the transportation in this map.

18 All they mention is about building the 750
19 housing, on up to where they going to put all of this
20 on Candlestick -- and completely ignore
21 transportation, which will affect all of us in the
22 Bayview district.

23 Please take under consideration what we are
24 saying. If you need any information -- (Federal Court
25 chime is sounded) --

SFPC-19
cont'd.

SFPC-20

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1 COMMISSIONER OLAGUE: Thank you.

2 ESSENCE STACIL: -- I have it.

3 COMMISSIONER OLAGUE: Thank you.

4 JESSIE TELLO: Good afternoon,
5 Commissioners. I want to wish you a Merry Christmas
6 and Happy New Year, for all your families and so on.

7 And I just hope that the right decision is
8 made. I came here, even though I am sick, because I
9 have to speak what I feel, and what I see.

10 The thing about it is, so many kids have
11 gotten sick in our neighborhood, and a lot of people
12 have died -- I don't know if you are aware of that --
13 because of the toxics.

14 Having worked in construction and in the
15 concrete, itself, they want to cap the soil out
16 there. The soil is no good, it's rotted. Sooner or
17 later, it will collapse, like it did in Pacifica, and
18 like right here in City All. When I went to the
19 restroom, I saw the cracks on the floor. When the

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20 soil is no good, it's not strong, and sooner or later
21 it will collapse.
22 I am concerned about the children in those
23 schools. They are all Black. And I'm very proud of
24 them, because they are trying. Let's give them a
25 chance and an opportunity to grow up healthy and in a

SFPC-21
cont'd.

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1 good environment.
2 This man Lennar has done bad in the
3 community, because he never cleaned up behind him,
4 whatever he spilt. And I want to tell you a couple of
5 my kids are very sick because of those toxics. Just
6 investigate that.
7 We want housing, we want businesses; but good
8 businesses, and good housing. We don't want just -- I
9 don't know how to say the words. I'm kind of bad in
10 my mind right now. But please make the right
11 decision, we need your help. And the community is
12 suffering a lot. Please come out and see us.
13 Thank you.
14 COMMISSIONER OLAGUE: Thank you.
15 I'm just going to call everyone's name once.
16 Jaron Browne.
17 JESSIE TELLO: I'm sorry. My name is Jessie
18 Tello. I live at 1778 (inaudible). My mind isn't
19 right.
20 COMMISSIONER OLAGUE: That's all right.
21 Thank you, sir.
22 Jaron Browne. Leborea Smoore. Mishwa Lee.
23 and Albert Symon.
24 And I apologize if I mispronounce your name.
25 Again, I'll be calling your name once, and then if you

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1 come in, if you will stand off to the side.
2 JARON BROWNE: My name is Jaron Browne, and I
3 am here with POWER, People Organized to Win Employment
4 Rights.
5 And I would echo what has been said; that
6 this hearing today, and this EIR is one of the most
7 important EIR's to ever come before the Planning
8 Commission.
9 This is dealing with San Francisco's only
10 SuperFund site. So the toxins and level of complexity
11 involved require a really high level of attention, and
12 we are happy you are holding a hearing. We hope you

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13 might continue it if not all comments are made
14 tonight.
15 I want to give two documents to the members
16 of the Planning Commission that really focus on the
17 issue of capping versus cleaning, and the inadequacy
18 in the EIR of dealing with the level of toxicity in
19 the shipyard.
20 And I want to put up one map that looks at
21 the parcels because, again, you are going to hear a
22 lot about Parcel E-2, which is a critical parcel.
23 That is the parcel that, for nine months, burned in a
24 chemical fire that the Navy was either unable or
25 unwilling to put out.

↑ SFPC-22
cont'd.

SFPC-23

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1 And we don't even know, to this day, what was
2 released into the community as a result of that. But
3 this is a radiologically contaminated site. And so
4 that is why we want to say -- we want to take extra
5 care; that radiation has still not come up.
6 But in addition to radiation, there are a
7 number of toxins that you find in all parcels, not
8 just Parcel E or E-2. And specifically if you look at
9 Parcel B, C, D, D-1, D-2, UC-1, F, G, E, E-2, or the
10 52 subparcels that the Navy has now created of
11 Parcel E, in an effort to try to find some little
12 piece of it that they can consider clean up to sell
13 off for development.
14 If you look even in the EIR where they
15 mention capping, and they mention the chemicals that
16 are being left in the ground, and I want to note how
17 many of them are known carcinogens:
18 We talk about total petroleum hydrocarbons,
19 TPH's, which are carcinogenic to humans.
20 Beryllium, which is a probable human
21 carcinogen.
22 Vinyl chloride, which is a known carcinogen.
23 Arsenic, which has been recognized as a human
24 poison since ancient times. Swallowing arsenic is
25 reported to increase cancer in the liver, the bladder

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1 and the lungs.
2 PCB's, which are associated with cancer in
3 humans, such as cancer of the liver and the binary
4 tract.
5 Cesium, which if you were to breathe, drink,

↓

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6 touch, or even come close to it, even if you never
7 would actually touch it, can harm your body because
8 the radiation will penetrate your body.
9 Chromium-4, which is a know carcinogen.
10 Carbon tetrachloride, which may be
11 anticipated to be a carcinogen.
12 And these are all -- this is -- I want to
13 just state that everything comes from the ATSDR, the
14 Association of Toxic Substances and Disease Registry.
15 Methionine chloride, which is probable cancer
16 causing agent in humans.
17 And benzene, which is a carcinogen in
18 humans.
19 Radium which is a know carcinogen.
20 And cobalt, which is a possible carcinogen in
21 humans.
22 So these are the toxins that are not just in
23 E and E-2, but are in all of the parcels. And this
24 map, what's important about it is that it shows the
25 hot spots. And we see on Parcel C, alone, you have

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cont'd.

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1 all of those volatile organic compounds in Parcel C.
2 (Federal Court chime is sounded.)
3 JARON BROWNE: So I would just --
4 COMMISSIONER OLAGUE: Thank you.
5 JARON BROWNE: -- close to say the EIR does
6 not address the impact of leaving these underground
7 with sea level rise and liquefaction.
8 Thank you
9 COMMISSIONER OLAGUE: Thank you.
10 LEBOREA PEACE MOORE: Hello, Commissioners.
11 I'm so glad to see you here today, and I'm so glad to
12 be here today.
13 COMMISSIONER OLAGUE: I keep forgetting to --
14 LEBOREA PEACE MOORE: My name is --
15 COMMISSIONER OLAGUE: Thank you, ma'am.
16 LEBOREA PEACE SMOORE: Thank you.
17 Okay. My name is Leborea Peace Smoore. I'm
18 an activist. And I have been an activist for a long
19 time.
20 My health is bad now. I have asthma so bad
21 sometimes I can't breathe. And I had to stop coming
22 to City Hall, because the things that happens here
23 cuts my breath real bad.
24 So... but why I'm here today, I'm here that
25 Alice Griffith -- I'm a member of Alice Griffith

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1 housing development. And I'm not in good standing,
2 because I speak out. You know, when you tell the
3 truth, people don't want to hear you. So I speak out,
4 and I tell the truth about what's happening to our
5 community.
6 And I'm speaking out today, what's happening
7 in Bayview Hunters Point, how so many people are
8 coming up with these illnesses that's in the ground.
9 And I have children, I'll say, that call and
10 say, I'm gonna clean up. And I compare Lennar like
11 that, too. clean up and, my goodness, they leave so
12 much filth. And I say, Oh, my goodness, that's not
13 clean. So what they are going to have to do is clean
14 the ground up, get the toxins out, so that we can
15 survive.
16 And I come here to say, "We the people of the
17 United States, in order to form a more perfect union,
18 establish justice, ensure domestic tranquility, and
19 provide for the common defense."
20 So what I'm saying is our constitution give
21 us the right to stand up for our human rights. Please
22 stop this from happening to us. We need your help
23 today.
24 Thank you.
25 DANIEL LANDRY: Good evening, Commissioners.

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cont'd.

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1 Daniel Landry, for the record.
2 I just want to note offhand that this EIR is
3 inadequate and it should be rejected. Not only by
4 this well-informed Planning Commission, but it should
5 be rejected by any person in the United States with
6 common sense, and not to try to redefine logic.
7 Now, a lot of people have come before you,
8 but the main thing that needs to be stated is -- not
9 if but when -- the big one hits, we will see this
10 toxic soup, you can call it the toxic soup bowl that
11 happened in Bayview Hunters Point Shipyard.
12 It has to be well noted that no matter what
13 environmental impact study or report that has been
14 done and is scheduled to be done, that we can never
15 redefine the logic in the act of God. And in any
16 agreement, as you know, the act of God is serious.
17 So I want to make it clear, not if, but when
18 the big one hits, everyone will be responsible from
19 the Planning Department on up and on down to every
20 committee that what happens out there, and the effect
21 that happens out there.
22 Now God sent us a message in 1989, because he
23 gave us an earthquake when the San Francisco giants
24 was playing the Oakland A's. And in the middle of the

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25 game, he sent a signal. And he also gave us a wise

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cont'd.

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1 hint that what happened in Pacific Heights -- and when
2 you seen that Marina Green crumble and turn upside-
3 down, again I will say here like I said at the
4 Redevelopment Agency a night ago, it's like trying to
5 put bricks on Jello.

6 Now, since I said that, let me get into this
7 real quickly with this minute left. We are talking
8 about building on an area, in an --

9 This environmental area is a Superfund site.
10 A Superfund site cannot be approached like any other
11 area of the city. This has to be approached slowly,
12 with extreme caution, with extreme scientists not
13 being paid off, but scientists who have a heart of
14 God, who understand that decisions you make today will
15 affect the future and families' families' families,
16 down the line.

17 Sometimes you have to look beyond what your
18 eyes is looking at today. You have to ask the
19 question. Do the 49ers even want to be here? No.

20 Do the Mayor want to put his family out there
21 in Bayview Hunters Point? No.

22 So clearly, most people who said that this
23 EIR is sufficient don't stay in Bayview Hunters
24 Point. I have lost cousins out there in Bayview
25 Hunters Point to cancer. And it would be unworthy of

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1 us to move forward and to ask as if things is not
2 occurring out there who is poisoning children, who is
3 poisoning families -- (Federal Court chime is
4 sounded). This needs to be rejected.

5 Thank you.

6 COMMISSION PRESIDENT MIGUEL: Thank you.

7 MATT REGAN: Good evening, Commissioners.

8 Matt Regan with the Bay Area Council, here to
9 urge you to move forward with this proposal as quickly
10 and as urgently as possible.

11 The November statistics from the Department
12 of Labor showed that the national unemployment rate is
13 currently 10 percent. The unemployment rate in
14 California is 12.3. We are about 25 percent higher
15 than the national average. California's unemployment
16 population is larger than the populations of 12
17 states.

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18 We need this economic engine to start revving
19 as quickly as possible. I don't think it's in the
20 EIR, but maybe it should be it, that we look at what's
21 the economic or the environmental impacts of
22 unemployment.
23 We at the Bay Area Council urge you to move
24 this forward as quickly as possible for the benefits
25 of the community and the region.

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cont'd.**

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1 Thank you very much.
2 COMMISSION PRESIDENT MIGUEL: Thank you .
3 TIM COLEN: Good evening, Commissioners. Tim
4 Colen with the San Francisco Housing Action
5 Coalition.
6 And on behalf of our membership, we think
7 that the proposal that this plan represents takes
8 San Francisco broadly in the direction it very badly
9 needs to go.
10 We have been looking at it and watching it
11 move along at a glacial pace for years. And there are
12 very projects in the history of San Francisco that
13 have gotten more scrutiny or as much scrutiny as this
14 project has.
15 For years, and hundreds, and hundreds of
16 meetings. It has been before the voters three times,
17 and the voters of San Francisco have spoken loudly and
18 conclusively about the merits of this project.
19 I have had the opportunity to review the
20 section on Employment, Population and Housing; it's
21 adequate, it covers the topic, it's common sense.
22 Delays have real consequences, and we would
23 urge you to move ahead with adopting this EIR. There
24 is no good public policy served by delaying it
25 further. This has been reviewed, and reviewed, and

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1 reviewed.
2 What we see is San Francisco is very good at
3 studying and analyzing; not so good sometimes at
4 taking action. This one has been reviewed a lot. I
5 think it's ready to go, and I hope you'll adopt it.
6 Thank you.
7 COMMISSION PRESIDENT MIGUEL: Thank you.
8 MISHWA LEE: So good evening, Commissioners
9 and everybody here in the room and in the overflow
10 room that has come to speak about this issue.

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11 I'm going to address the Cultural Resources
12 section, which is section 3(J). And I'm also going to
13 address section -- the Water Resources, which is
14 section 3(M); I believe they are connected.

15 Oh. My name is Mishwa Lee, and I'm a 20-year
16 resident of Bayview Hunters Point. And I live at 3
17 Ardath Court, 94124.

18 First of all, I want to speak about the
19 original inhabitants of Bayview Hunters Point. These
20 are the Ohlone people. And they are still with us
21 today.

22 And the EIR states that there are four, at
23 least four, sites within the project area where Ohlone
24 people lived. Those sites need to be protected, and
25 they may be as old as 8- to 10,000 years old. This is

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1 our heritage, as well.

2 And I would like to know, and I would hope
3 that within the remaining time of the EIR, that Ohlone
4 people will be consulted. So this information is all
5 within the EIR. And it has says that there are
6 sixteen sites, either within or within a quarter-mile
7 of the project area.

8 Another issue that I want to address that I
9 believe is connected is the Yosemite Slough area. The
10 Ohlone people lived along fresh water near the Bay,
11 and Yosemite Slough is one such area. It is a very
12 important wetlands area. Wetlands are the nurseries
13 for fish.

14 Our Bay, the fisheries, have collapsed. We
15 need to protect as many -- the last remaining
16 fisheries as we can, to try and rebuild the
17 fisheries. There is jobs in that, possibly fish
18 hatcheries. There is jobs protecting that area. Fish
19 is one of the most economical sources of protein. We
20 need to be thinking about this.

21 I want you to take a look at this map. This
22 is, I believe it's in section 3(M), number 5(f.) The
23 blue area, this addresses the increase in sea level
24 rise. The blue area that you see, which pretty much
25 takes up the majority of the site, will be under

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1 water.

2 We will be under water by 2050 to -75; these
3 are conservative estimates. Since this was made,

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4 there are new -- there is new information suggesting
5 that the sea level rise may be more significant.
6 This means that if this area is going to be
7 developed, tremendous amounts of soil need to be moved
8 into here. Where is that soil going to come from?
9 (Federal Court chime is sounded.)
10 So I suggest that you really take a very
11 careful look at the EIR --
12 COMMISSION PRESIDENT MIGUEL: Thank you.
13 MISHWA LEE: -- and look at the alternatives.
14 And particularly protect the Ohlone sites.
15 COMMISSION PRESIDENT MIGUEL: Thank you.
16 CEDRIC JACKSON: Commissioners, Chair, Cedric
17 Jackson. I'm on the PAC of the Bayview Hunters
18 Point. I'm also a Bayview Hunters Point resident; and
19 have been in the Bayview Hunters Point for over 40
20 years.
21 When I first came to the Bayview Hunters
22 Point in 1960, we had a bustling Navy yard. And
23 everybody wanted to try to get into that Navy yard and
24 work. And it fed a very vibrant black community,
25 because there was economic viability in that

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cont'd.

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1 community.
2 Now I sit up here and I hear people saying,
3 Oh, this is killing us, and there is nobody on that
4 base anymore. And they are saying, We can't inhabit
5 that base, because it's going to kill, us when the
6 base was inhabited for many, many years and served as
7 a vital, economic engine.
8 One of the things I would like to understand
9 in this opposition is who is the opposition trying to
10 protect?
11 One of the things that we have to understand,
12 is that when we started this process over ten years
13 ago, the Bayview Hunters Point had 70 percent African-
14 American as far as its demographics are concerned.
15 Ten years later, we are below 50 percent. So if one
16 of the biggest threats to the African-American
17 community out-migration is economics, and we are
18 stopping the economic process from going on, who are
19 we stopping it for?
20 The longer you delay, the longer we cannot
21 stay. Please pass this EIR. We don't need any more
22 delays.
23 Thank you.
24 COMMISSION PRESIDENT MIGUEL: Thank you
25 (Uproar from audience.)

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1 COMMISSION PRESIDENT MIGUEL: Please.
2 Please. No comment.
3 (Uproar from audience.)
4 COMMISSION PRESIDENT MIGUEL: No comment.
5 (Uproar from audience.)
6 COMMISSION PRESIDENT MIGUEL: No comment. I
7 said no comment.
8 (Continued remarks from audience.)
9 COMMISSION PRESIDENT MIGUEL: I said no
10 comment.
11 (Continued remarks from audience.)
12 COMMISSION PRESIDENT MIGUEL: Has your name
13 been called?
14 AL SYMON: Yes.
15 COMMISSION PRESIDENT MIGUEL: All right.
16 AL SYMON: My name is Al Symon, and I'm from
17 Oakland, actually.
18 And you spell that A-l, S-y-m-o-n. Thank
19 you.
20 I've only got three minutes, so I'll try to
21 consolidate all of my thoughts in the time frame. I'm
22 kind of new in this whole process. And I just found
23 out about this giant EIR.
24 And I'm not an expert in anything, to tell
25 you the truth. I'm kind of a reader of things, so

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1 that is what I do. And, I have to say, I'm kind of
2 bewildered that we have so many interpretations of the
3 same document. But as I am longwinded and I write
4 long, this is not something to typical for me to
5 assimilate.
6 And I personally think you need to really
7 look at some of the finer details that are presented
8 in the appendices, which are almost just alluded to in
9 the actual EIR.
10 And this has to do with liquefaction, and
11 primarily sea level rise and aquifers. And I don't
12 think a lot of people understand what an aquifer is.
13 And I don't have that in front of me right now, but I
14 think it's on 72 of page 892, of the very last part of
15 that CD which was in the very back of the EIR.
16 And it states specifically there is seven
17 distinct aquifers in San Francisco, and all of them
18 connect to the Pacific Ocean and to the Bay, all of
19 them.
20 But without pictures included in the main
21 body of this document, how is anyone really supposed
22 to have a common sense idea of what all of these words

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23 translate into? And that is what's missing right now.
24 I think a lot of the EIR is very well put together,
25 but there is some critical missing components which

↑ SFPC-35
= cont'd.

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1 really have been kind of glossed over.
2 And I can't go into too many specifics
3 without having a, basically, a cadre of people
4 attending, as well that are -- you know, one by one,
5 we have all come up here with the specific thing we
6 wanted to address. And I am having a little bit of
7 difficulty focusing on the one thing I wanted to talk
8 about, because these other people have brought up a
9 lot of good points.
10 The pressure is to do something now, and this
11 is a big deal. You know, I look at like San Francisco
12 is my birthplace. I'm from Oakland, but it's all one
13 region, you know.
14 So when I think about what everyone has
15 talked about, this big historical fifty-year cycle we
16 have been on. I mean FDR started the new deal.
17 Everyone was broke, and we did something. And
18 suddenly we had this war, and now we are right back
19 to square one.
20 And you guys have a big mess to clean up out
21 there. And I wish I had more time to talk to you, and
22 I hope I will. So if you could delay this meeting a
23 few more weeks --
24 (Federal Court chime is sounded.)
25 COMMISSION PRESIDENT MIGUEL: Thank you.

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1 AL SYMON: -- I'll be back. Thank you
2 COMMISSION PRESIDENT MIGUEL: Leon Muhammad.
3 Marisol Ortiz. Michael Boyd. Dr. Ahimsa Porter
4 Sunday -- Sunshine.
5 LONELL HOWARD: Hello to the Commission.
6 My name is Lonell Howard. And I'm a resident
7 of Alice Griffith, which is on one of the sites, which
8 is one of the sites that they are planning to do the
9 redevelopment plan.
10 And I'm here to say that the residents are
11 here to say that we are ready to go on with this
12 redevelopment project. We have been waiting long
13 enough.
14 I am hearing a lot of people up here talking
15 about, we should wait, and all of these delays. But

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16 they are not actually on the site, or in the project
17 housing where we're at. Like, they don't wake up with
18 the hot water off, and they got to boil hot water to
19 take a bath. Or you know like they -- they are not
20 there, like they are just voicing their opinion, like.
21 I challenge somebody to come stay in my house
22 and let me stay where they stay. Do we have any
23 takers?
24 (Audience Responds.)
25 LONELL HOWARD: Really? Give me your keys,

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cont'd.

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1 then. Give me your keys, then. I'm serious. Cause
2 I'll stay at your house. Because the hot water is
3 out, and --
4 COMMISSION PRESIDENT MIGUEL: Please address
5 the Commission and the court reporter.
6 LONELL HOWARD: I'm sorry, my apologies.
7 But I'm just saying, though, like we are
8 ready to get on with this. We been waiting for this
9 long enough, like. And I don't see what's the hold-
10 up? Like, we need to start the project tomorrow if
11 it's possible. I mean, you know, that's just all I
12 have to say, like.
13 COMMISSION PRESIDENT MIGUEL: Thank you.
14 Anyone whose name I have called?
15 MIKE BOYD: Hello, my name is Mike Boyd. I
16 have a handout, too.
17 COMMISSION PRESIDENT MIGUEL: Just lay it on
18 the counter there.
19 MIKE BOYD: (Passing document.)
20 COMMISSION PRESIDENT MIGUEL: Thank you
21 MIKE BOYD: Hello. My name is Mike Boyd, and
22 I'm the President of Californians for Renewable
23 Energy, CARE.
24 My organization is a nonprofit corporation.
25 We have an office at the Grace Tabernacle Church in

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1 Bayview Hunters Point.
2 First off, I would like to state for the
3 record that I object to the EIR as written. It's
4 fatally flawed. To summarize my statement, the
5 environmental review fails to consider the
6 requirements under the National Environmental Policy
7 Act, or NEPA. The policy should have included an
8 environmental impact statement at the same time that

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9 the EIR was prepared and failed to do so.
10 Because of this fatal flaw, I intend to sue
11 the City and County of San Francisco, and the
12 San Francisco Redevelopment Agency -- not in the State
13 Court but the Federal Court -- because you are
14 violating federal law by not analyzing the impacts on
15 federal facilities.
16 The proposal, as I see it, is fatally flawed
17 because it does not have what I call a clause for
18 sanity.
19 The proposal analyzed in the EIR conflicts
20 with 2000 Prop P, which requires clean up to
21 residential standards; this proposal would site
22 housing in the areas of the shipyard without the
23 required cleanup which requires removal action to
24 remove toxic soils, some below 10 feet, like the soil
25 they failed to remove from Parcel A, where radioactive

SFPC-38
cont'd.

SFPC-39

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1 materials were disposed of in the sewers buried there
2 at around thirteen feet.
3 Since the proposed actions were approved by
4 voters in Prop P -- Prop G, excuse me, this Draft EIR
5 is pre committing to certain plan prior to conducting
6 an independent environmental review, EIR, or EIS,
7 which violates the public participation requirements
8 under the California Environmental Quality Act and
9 National Environmental Policy Act. The project
10 requires an EIS, because it involved the land that is
11 currently owned by the federal government.
12 Here is the relevant -- I provided here the
13 relevant parts of the EIS on the cleanup and
14 asbestos. The EIR fails to mention anything about
15 remedial actions providing the surrounding community
16 any notice so in exceeding of asbestos or other toxic
17 air contaminant action levels are exceeded, like they
18 do in Richmond, the refineries there.
19 Finally -- and the other thing I was going to
20 say is that the 49ers are doing it the right way in
21 Santa Clara; prepare the EIR before you put the
22 project on the ballot; not after, like the
23 San Francisco Redevelopment Agency did with Prop G..
24 So their so-called draft EIR on the
25 Candlestick Park Shipyard Redevelopment Plan, read the

SFPC-40

SFPC-41

SFPC-42

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1 Mercury New article I provided. It concludes the

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2 49ers stadium is dead in San Francisco. Why then is
3 it still in the EIR?
4 (Time limit chime is sounded.)
5 Everyone knows that there is no Claus --
6 there is no Santa.
7 COMMISSION PRESIDENT MIGUEL: Thank you.
8 AHIMSA PORTER: Thank you for the privilege
9 of the podium. My name is Dr. Ahimsa Porter.
10 I grew up in the Sunnydale Potrero Hill
11 projects. I attended public schools.
12 From the year 2000 to 2005, I was an elected
13 member of the Restoration Advisory Board of the
14 Shipyard. In 2001, I founded its radiological
15 subcommittee.
16 From the years 1989 through 1999, I was a
17 Stanford fellowship trained board certified emergency
18 physician for San Francisco Giants at Candlestick Park
19 Stadium.
20 I want to oppose this EIR, because it fails
21 to appropriately analyze impacts that are potentially
22 life threatening. And I will refer you to two tables
23 that appear in the EIR. These identify access to
24 response times to the project area by the five
25 existing fire stations in southeast San Francisco.

↑ SFPC-42
cont'd.

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1 And the EIR documents that there are no fire stations
2 in the project area.
3 Here you'll note that response times and
4 drive times to HPS Phase II are eight minutes to
5 twelve minutes. The San Francisco Fire Department
6 mandates that for a Code 3, life threatening,
7 emergency, an emergency vehicle must respond within
8 4.5 minutes.
9 The EIR also goes on to identify in Impacts
10 PS-3 and PS-4, that construction activities and
11 implementation of the project would not result in a
12 need for new or physically altered facilities in order
13 to maintain acceptable response time for fire
14 protection and emergency medical services.
15 In fact, it says, under Hazardous Materials,
16 the implementation of the project will not expense
17 people or structures to a significant risk of loss,
18 injury or death involving fires, or conflict with
19 emergency response or evacuation plans.
20 This is negligence. This is flagrant
21 negligence. This is a community that has been
22 documented to have delays in ambulance response
23 times. It's a community with a high incidence of
24 accidental and intention injury. The biggest burden
25 of cardiopulmonary disease is in San Francisco, and



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1 the highest rates of acute and chronic
2 hospitalization.
3 Additionally, there are 30 significant
4 mitigated impacts to transportation that could lead to
5 congestion, as well as pedestrian bicycle fatalities.
6 There is the fact that this area is located
7 in a one hundred-year flood hazard zone.
8 There are hazardous materials, impacts that
9 are improperly analyzed.
10 Indeed, I join with Michael Boyd in
11 identifying that I will challenge this EIR on the
12 basis of its negligent analysis of hazardous materials
13 at the shipyard, including methane gas and radio
14 nuclides in the soil.
15 Additionally, there are impacts related to
16 air quality that the EIR does appropriately identify
17 as being violations of the Air Quality Management
18 district thresholds.
19 (Time limit chime is sounded.)
20 AHIMSA PORTER: Thank you.
21 COMMISSION PRESIDENT MIGUEL: Thank you.
22 FRANCISCO DA COSTA: Commissioners, my name
23 is Francisco Da Costa. I am the Director of
24 Environmental Justice Advocacy. I also represent the
25 first people of this area, the Muwekma Ohlone.

↑ SFPC-43
cont'd.
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SFPC-45
SFPC-46
SFPC-47

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1 We have a web site: www.muwekme.org.
2 The Muwekma Ohlone were here for 10,000
3 years. So we have been hearing some comments here by
4 some folks that think that they were here before the
5 Muwekma Ohlone.
6 The Muwekma Ohlone, this land belongs to
7 them, and have not been consulted. And that one fact
8 alone should allow us to go to court.
9 This EIR, some 4000 pages has not been read
10 by many of the speakers who come here. You are here
11 talking about an EIR; you are not talking about faulty
12 plumbing, nor about the jurisdiction of the PAC and
13 the CAC, that is not in the EIR.
14 Commissioners, I work for the National Park
15 Service. And I worked with a corps of engineers in
16 the cleanup of the Presidio. I understand the
17 Department of Interior's standards.
18 (Loud voices from the audience.)
19 FRANCISCO DA COSTA: Commissioners, may I

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20 continue?
21 So I was saying that this land belongs to the
22 first people, the Muwekma Ohlone. And at one time,
23 there were two fields at the shipyard, sacred
24 shellmounds of the first people.
25 And so you heard a gentleman earlier talk to

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1 you and point out to you that, historically, justice
2 has not been done in this EIR. I'm here to state to
3 you, categorically, that culturally justice has not
4 been done in this EIR.

5 Commissioners, the bottom line is this. The
6 shipyard needs to be cleaned up. Especially, Parcel D
7 and E-2.

SFPC-51

8 And in the EIR, the State requires any large
9 developments to have 20 percent conservation of energy
10 and water; this has not been addressed.

SFPC-52

11 As has been stated earlier, the
12 transportation document, and the transportation
13 element liked to this EIR, is faulty. So for these
14 reasons, I find that this EIR is not -- does not
15 adequately address quality of life issues.

SFPC-53

16 Thank you very much.

17 COMMISSION PRESIDENT MIGUEL: Thank you.

18 LOTTIE TITUS: Good evening, Commissioners.

19 My name is Lottie Titus, and I'm a resident
20 of the Bayview Hunters Point community.

21 At this time, it's been a long time coming,
22 it is time for the revitalization and redevelopment of
23 our community. We have waited patiently. And, you
24 know, we have had these meetings over and over again.

25 Now, I am all for the redevelopment, but I'm

SFPC-54

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1 also for it being a clean effort. My children suffer
2 from asthma, bronchitis, you know. I suffer from
3 bronchitis. My grandchildren suffer from asthma.

4 We need new places with -- with new equipment
5 inside. We have waited very long for this.

6 So I can see that, as commissioners, you are
7 caught between a rock and a hard place. Some people
8 are saying you over here, and some people are saying
9 nay over here. But it's an effort, a joint effort
10 where you need to come together, clean it up, so that
11 it can be rebuilt.

12 Thank you.

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13 (Outbursts from audience.)
14 COMMISSION PRESIDENT MIGUEL: Dr. Ahimsa
15 Porter, Archbishop King. Joshue. Marisol Ortiz.
16 NYESE JOSHUA: Good evening, everyone. I
17 know you are all awake from that.
18 So anyway -- Oh, let me put this down.
19 Okay. My name is Nyese Joshua. And I live
20 in Bayview. And I have been in Bayview since 1978.
21 And my motivation for asking for the delay on this --
22 not delay really, but proper review -- of this project
23 is for legal processing, as well as healthy
24 processing, for actual, long range planning.
25 On Volume 2, page 34 it states: Some of the

SFPC-55

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1 transportation improvements would require property
2 acquisition. What property would be required for
3 acquisition in this project -- or in this planning?
4 If you notice this map, all of this blue and
5 all of these lines, these are houses; private houses,
6 businesses, and so on; so if we are talking about the
7 possibility of blighting areas for potential future
8 eminent domain, that really needs to just be said
9 directly.
10 Volume 2, page 41: Palou Avenue,
11 Preferential Street, the 24 line will be extended
12 along Palou to serve Hunters Point Shipyard Transit
13 Center. And it talks about the 54, as well, running
14 off Palou; and the 54 does not run on Palou. Okay?
15 So another piece is the 24 line has the lines
16 that run above, all over in Fillmore, and all over in
17 there; so if you take 24 to the back of the shipyard,
18 how are you going to do that? (Inaudible.)
19 And when you are talking about cleaning
20 versus capping. Now, we know that the old water mains
21 just broke over here the other day on 10th and
22 Division and flodded that area. Now those broke
23 because they are 30 or 40 years old.
24 So now when you are talking about putting
25 water mains next to radiological chemicals, which

SFPC-57

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1 Dr. Ahimsa pointed out earlier, in 30 years from now,
2 40 years from now, when those get old, now that water
3 underground is mixing with these chemicals and
4 bubbling up into people's homes. Now, they just
5 drained Treasure Island for too much chlorine, so

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6 imagine how poisonous those would be.
7 Just, you know, as an aside, some of this
8 needs to have, like Michael said, a federal
9 investigation into the ethics of many of the entities
10 in San Francisco.
11 And I think too, what you'll find is some of
12 us are not coming up here actually even talking about
13 what we are supposed to be talking about tonight,
14 because you do have to read the EIR plan. You really
15 do.
16 And a lot of people, you know, I have offered
17 to do a little reviews of it, so that people can
18 really understand how it's impacting.
19 Talking about the jobs, Bayshore has been
20 cleaned up like a football field for Lowes. Sunset
21 Scavenger has been cleaned up. There should already
22 be some jobs in Bayview with the current building, so
23 if the entities aren't getting jobs -- giving jobs
24 now -- (time limit chime is sounded) --
25 -- then what makes us think that rushing

↑ SFPC-59
cont'd.

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1 this will make it any better?
2 COMMISSION PRESIDENT MIGUEL: Thank you.
3 NYESE JOSHUA: And -- oh, and the other day,
4 Tiffany said that we trying to rush this through to
5 beat the Santa Clara vote.
6 COMMISSION PRESIDENT MIGUEL: I'm sorry.
7 Your time is up.
8 NYESE JOSHUA: I just wanted to put that on
9 the record.
10 CHRISTINA SANDOVAL: Good afternoon. Our
11 names were actually called at 7:00, we have been
12 outside patiently waiting.
13 My name is Christina Sandoval, and I'm from
14 Bayview Hunters Point. I'm here to basically say that
15 I don't believe there should be a delay. I say no
16 delay. I feel that our kids should have a better
17 opportunity at jobs, and schools, and everything else
18 out there that some of these people that are here
19 voting against us don't have. No delay.
20 COMMISSION PRESIDENT MIGUEL: Thank you.
21 REVEREND ARTHUR TROTTER: Yes. Greetings,
22 Commissioners. My name is Reverend Arthur Trotter,
23 I'm chaplain for St. John Coltrane African Orthodox
24 Church.
25 I'm not here tonight to speak about the

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1 EIP or the environmental impact study in relationship
2 the ongoing proposed development. I think the journey
3 to a million miles starts with a step; but impatience
4 is egotism, and procrastination is a thief of time.
5 We are stuck between a rock and a hard
6 place. But I am implore you tonight to take into
7 consideration that fact that what we are doing now is
8 going to affect us from now on.
9 And anything in a hurry ain't worth having.
10 My mom used to say, you know, take your time, you
11 know. So that is all I really want to say. Nothing
12 in a hurry is worth having. Take your time. People's
13 health is more important than a few dollars and a few
14 jobs.
15 ARCHBISHOP FRANZO KING: Archbishop Franzo
16 King of the St. John Will-I-Am Coltrane African
17 Orthodox Church.
18 I'm grateful for the opportunity to speak.
19 You know, there is a thing that is disturbing
20 me that I think we need to probably get clear on. I
21 hear the word, "delay," being used. And we are not
22 talking about a delay. What we are talking about is
23 reasonable deliberation and time.
24 Someone said that this project has been
25 studied more than any in San Francisco. Well,

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cont'd.

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1 San Francisco only has one Superfund site, and I think
2 it does call for more time.
3 And it seems to me, as I watch the residents
4 of this community, which I'm a resident in the Bayview
5 community, and I see a division, it's as if an enemy
6 has come in and sowed a seed of division.
7 And it seems that the fight that I hear
8 coming from this podium is not really necessarily
9 always dealing with the inadequacy of this report.
10 And I think that it's a crime that the poor
11 are being preyed on -- because of long needs and
12 neglect and frustrations -- by those that would come
13 in and promise that there are going to be things that
14 are going to benefit them, when in fact, even as Satan
15 makes promises, they have no intention on keeping
16 them.
17 The other concern that I have is that there
18 has been ten years of meetings and negotiations.
19 Well, my ten years and more at Bayview Hunters Point
20 has brought my wife who is in her 60 years of age
21 asthma, and it has brought my own self into a lung
22 infection, which is suspected of being cancer.
23 So the idea that there is not some danger in
24 what's going on and what's taking place with this

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25 rogue developer called Lennar, who came in with

1 premeditation and malice aforethought to poison an
2 innocent community is something that we all need to
3 look at.

4 And I also hear my dear brothers and sisters
5 speaking about the condition of their housing. Well,
6 the Chairman of the Board of Housing is here,
7 Dr. Brown. And I think you need to take your
8 complaints about the housing condition down to the
9 board of housing.

10 Because I feel everything that they are
11 saying; the good ones have been denied, and you got
12 people on their board that look like the people that
13 are complaining.

14 So we need to gang bang and gang rush down
15 there, buy everybody a chicken sandwich and \$2, and go
16 down there and ask Mr. Brown why the projects look
17 like they look.

18 GARY BANKS: Hi, there. My name is Gary
19 Banks, Pastor of Marketplace Fellowship Church,
20 Bayview Hunters Point Community. And I am also a PAC
21 member.

22 And I must say, I'm looking to see this
23 process and this project move forward. One, we have
24 worked extensively on the EIR. We have had continuous
25 meetings as pertains to transportation.

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cont'd.

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1 But one of the things about this, this whole
2 piece, by moving this forward, most definitely is a
3 development process of housing for our community,
4 because there is such a great flight of African-
5 Americans in San Francisco.

6 I most definitely want to see progress,
7 workforce development, and also people and families
8 have an opportunity to move forward and continue to be
9 here in this city.

10 Thank you.

11 COMMISSION PRESIDENT MIGUEL: Thank you.
12 Have I called your name?

13 KEN TRAY: Good evening, Commissioners. I am
14 obviously not Linda Plack, Executive Vice-President of
15 United Educators of San Francisco. But she could not
16 make it tonight, and I'm here to speak for her.

17 My name is Ken Tray, and I'm on the Executive

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18 Board of United Educators of San Francisco. And we
19 represent the 6,000 teachers and school workers of
20 San Francisco, working day in and day out with
21 children from preschool up through 12th grade.
22 And I have taught in the district for 25
23 years. And I have had hundreds of students from
24 Bayview Hunters Point and hundreds of students from
25 all over San Francisco.

SFPC-65
cont'd.

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1 The teachers of San Francisco are very
2 anxious for this project to go forward.
3 (Disruption from audience.)
4 KEN TRAY: The kids we teach day in and day
5 out need decent housing in the Bayview.
6 We are also very, very excited about the
7 Community Benefit Agreement that will not only bring
8 housing to working and poor people of San Francisco,
9 it will also bring enough funds to create a badly
10 needed new school campus in the southeast part of our
11 city.
12 No one else has the funds right now to create
13 the new kind of educational learning communities that
14 the southeast part of the city in particularly so
15 desperately needs.
16 So we urge you to move on to the project, get
17 it, move it, get it done. It will be a great day
18 when, particularly, young teachers in this city could
19 actually afford housing to live in the city that they
20 teach in. And this project will help that.
21 Thank you.
22 COMMISSION PRESIDENT MIGUEL: Thank you.
23 VERONICA HUNNICUTT: Good evening,
24 Commissioners. My name is Dr. Veronica Hunnicutt, and
25 I'm both the Chair of the Hunters Point Shipyard

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1 Citizens Advisory Committee, and the Dean of the
2 Southeast College of City College of San Francisco.
3 Now, as a Chair of CAC, and actually as an
4 educator of long standing, I understand firsthand the
5 challenges that the Bayview Hunters Point community
6 currently faces, including unemployment, and
7 disparities in educational attainment and job skills,
8 and lack of access to adequate open space and
9 recreation facilities, poor access to public
10 transportation, affordable housing and economic

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11 opportunities.

12 This project is important, as you have heard
13 over and over tonight, because it proposes to invest
14 hundreds and millions of dollars in the Bayview
15 Hunters Point community.

16 The Community, the PAC, the CAC and the City
17 have been working together for nearly a decade to plan
18 the revitalization and redevelopment of the Hunters
19 Point Shipyard, and to ensure that the development
20 delivers the much needed affordable housing, parks and
21 much needed open space and economic opportunities to
22 the existing residents as soon as possible.

23 And I would like to put this on the record,
24 that contrary to what another speaker tonight said, we
25 want the Alice Griffith Housing Development built, as

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1 specified in this project; a unit-by-unit replacement,
2 which will take care of those people who are living in
3 the housing, in the Alice Griffith housing
4 development. And any movement away from that would
5 be, you know, something I would view as
6 inappropriate.

7 The City has hosted over 200 workshop
8 meetings, and discussed and presented a number of
9 these components, which are in the EIR, which are in
10 the project; both the PAC and the CAC.

11 And the CAC has seen -- the CAC has seen much
12 of this over the past two years, including the Urban
13 Design Plan, the Transportation Plan, the
14 Sustainability and Infrastructure Plan, the Workforce
15 Development Strategy and the Affordable Housing Plan.

16 And we have had extensive input on the
17 critical components of this program. So in my
18 personal opinion, as a community leader, as an
19 educator and someone who has been working on this
20 project for a long period of time, it's of the utmost
21 importance to move this project forward.

22 Let's be clear. The components of the
23 project that we care most about will be discussed in
24 the months to come.

25 And you need to also know that, as chair of

**SFPC-66
cont'd.**

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1 the CAC, I have assembled a special working group to
2 review the draft environmental impact, although most
3 of us have read all of those pages of the EIR, but we

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4 want to provide some comments to the City by the close
5 of the public comment period.
6 So I strongly ask you to support this project
7 and would appreciate it if you would do so, in spite
8 of much of what you are hearing tonight, which is to
9 the contrary
10 (Time limit chime is sounded.)
11 VERONICA HUNNICUTT: Thank you.
12 COMMISSION PRESIDENT MIGUEL: Thank you.
13 VOICE IN AUDIENCE: It doesn't seem like
14 there is order to the speakers here. Would you call
15 the names?
16 ACE WASHINGTON: My name is Ace Washington,
17 better known as Ace on the Case.
18 I'm here speaking, historically, about what
19 you'all are going to do here. And before you'all was
20 down here, you'all was born in the time and had the
21 urban renewal back in 1948.
22 Most of us wasn't born. Something similar to
23 what we doing right here. Testifying then what was
24 the biggest project in San Francisco history on the
25 urban renewal. What's his name, Justin Herman,

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cont'd.

SFPC-67

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1 talking about urban renewal? We called it negro
2 removal. It was very successful in Fillmore, very
3 successful.
4 But there are a few of us still here. And
5 the few of us that are still here from the Fillmore is
6 over in the Bayview trying to do what they did to us
7 in Western Addition. And it's shame shame on 'em.
8 They gonna be coming up here, and most of 'em
9 reverends. Okay. Let's talk about, because of this
10 issue about our community, there has been an unholy
11 war started off with reverends and different
12 religions. And you got politicians dealing with the
13 reverends now.
14 Back in my day, they used to have reverends
15 in the churches, and old time religions taking care of
16 our folks. But you got most of these reverends, out
17 here at these meetings, and they -- what are they
18 doin'? They doin' more than what us community
19 activists is doin'.
20 They got laws now trying to restrain us from
21 coming to speak. And you got these reverends coming
22 up here, and you'all are listening to them. They not
23 listening to them in the church, because you know why?
24 They not talkin' no religion in the church. They
25 talkin' about development, housing, and to go get

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1 their money, and keep on their suits and drive their
2 big cars.

3 So what I'm telling you'all this is history,
4 our generation. I'm a grandfather. And I'm gonna be
5 a great great grandfather. And I'll be damned if I'm
6 goin' to let these people that call themselves going
7 to take my kids, and do what they want to do in the
8 future.

9 No. You'all better listen to what these
10 people are saying. It don't take no time for you'all
11 to -- to not delay, but study it. Look at it. I'm a
12 historian. And I can tell you, what happened in the
13 Fillmore, the same thing, the same thing is happening
14 now, 2007, 60 some years.

15 And where I called it the Fillmore, it's the
16 fill-no-more. And if you talkin' about the shipyard,
17 you need to have them niggers barred, that is going to
18 tryin' to come take it from you.

19 Now, I'm just saying the population, when
20 they talk about -- listen, the report of African-
21 American out migration report is coming up. Yours
22 truly was there at every meeting, where some of these
23 ministers and some of these black leaders that
24 supposed to have a future for our -- for our
25 community, they can't get the report out, because they

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cont'd.

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1 fussin' and cussin' in these meetings.

2 And they -- they tryin' to find out how they
3 can get the most money, instead of looking out for
4 your future our community. And I'm bringing out that
5 report. And I'm gonna -- and you're gonna see some of
6 these leaders up here, call themselves leaders, they
7 tellin' you what's good for our community. They need
8 to go back to their churches, and have a revival, and
9 save our souls and leave us alone out here in this
10 community.

11 COMMISSIONER OLAGUE: Okay. Are we using the
12 cards? Are we using the cards? Please use the cards.

13 AUDIENCE: (Inaudible), and using the cards.

14 COMMISSION PRESIDENT MIGUEL: Have I called
15 your name?

16 MAN AT PODIUM: No, you haven't.

17 COMMISSION PRESIDENT MIGUEL: Then, please,
18 don't speak.

19 MAN AT PODIUM: You didn't ask his name
20 either.

21 COMMISSION PRESIDENT MIGUEL: Well, I have
22 asked people to be civil and not speak until I call

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23 their name. I can't check your I.D. every time. I
24 will call another section of names.
25 MAN AT PODIUM: Thank you for your time.

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1 (Whereupon, the man at the podium exits the
2 podium.)
3 COMMISSION PRESIDENT MIGUEL: I have been
4 requested to have a one-minute recess.
5 SECRETARY OF COMMISSION: Okay. The Planning
6 Commission is taking a minute recess.
7 (Recess taken.)
8 COMMISSION PRESIDENT MIGUEL: Have I called
9 your name?
10 LEON MUHAMMAD: Yes, you have
11 SECRETARY OF COMMISSION: Are we back in
12 session?
13 COMMISSION PRESIDENT MIGUEL: We are back in
14 session
15 SECRETARY OF COMMISSION: The Planning
16 Commission is back in session.
17 Just a reminder to everyone, turn off your
18 cell phones, any electronic devices that may sound off
19 in the proceeding.
20 Thank you.
21 LEON MUHAMMAD: Leon Muhammad, chair to the
22 Educational Community of Project Area, for PAC.
23 I just want to make clear that we had
24 clarity. Both the PAC and the CAC, voted unanimously
25 12 to 4, for an extension of 45 days, because we felt

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1 we did not have enough knowledge to make a decision on
2 the EIR, despite all of the meetings that we had.
3 So we felt that it was important for you, to
4 get intelligent decisions, to vet this document out,
5 and to even bring in scientists, outside of the
6 scientists that they are bringing to us, independent
7 scientists to come in to hold town hall meetings and
8 workshops, so that we as a community can make an
9 intelligent decision on the EIR.
10 Just today we spoke to a scientist, an
11 environmentalist from Cal Berkeley, named David
12 Seaborg. If you are not familiar with him, his
13 father, 1951 Nobel Prize winner, his father who
14 discovered plutonium, whose father was also a part of
15 the Manhattan Project, committed to us today, to

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16 Bayview Hunters Point, that he would bring a team
17 together, given enough time to vet this document out,
18 so that we as a community can make an intelligent
19 decision about what we are about to do about the
20 future of all San Franciscans here.

21 So I think it's very important that you,
22 Commissioners, the Planning Department, give our
23 community more ample enough time so that we make an
24 intelligent decision for ourselves, because we can no
25 longer have other people determine our reality; that

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cont'd.

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1 now we can now stand on our own, define for our own,
2 and determine our own reality.

3 So we are asking for an extension of this
4 Environmental Impact Report, based on the fact that we
5 have scientists, independent scientists, that will
6 come in, vet this document out, and inform us
7 thoroughly of what's in the document, the pros and the
8 cons, so that when we come up with a decision, we make
9 an in intelligent decision that will benefit not just
10 for us and jobs and housing, but for our children, and
11 children's children. That is called sustainability.

12 Thank you.

13 COMMISSION PRESIDENT MIGUEL: Thank you.
14 Sam Lao, Pat Unacke. Leo Cassidy. Theresa
15 Coleman.

16 SECRETARY OF COMMISSION: Mr. President,
17 while the next speaker is coming up, I have just been
18 informed that they were having problems with the AV
19 downstairs, so a lot of people didn't hear their names
20 or understand them when you did call them, so you
21 might need to call some names again.

22 COMMISSION PRESIDENT MIGUEL: All right.

23 SAM LAO: Good evening. My name is Sam Lao.
24 I'm speaking on behalf of my Samoan people.

25 For the record, there are some Samoan

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1 authority figures who are misleading and giving us
2 kibbles and bits to trick them. But their hearts are
3 full of greed. They do not represent my Samoan
4 people.

5 I am against capping over the poisonous
6 toxins and chemicals. And so for the sake of my
7 Samoan people and for every precious God-created human
8 being, I'm standing up for cleanup.

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9 It is no use to my Samoan people, which will
10 end up not benefiting from this redevelopment anyway,
11 to get a job; break their backs to rebuild, yet end up
12 not living in this new development.

13 This is a total insult to my people. You
14 need to stop the ruse developer, Lennar, with all
15 these false promises, because this new redevelopment
16 is not about our people's best interest, but to fatten
17 their pockets.

18 Let me spell out Lennar just a little bit.
19 Number one, Lennar's EIR is inadequate, because Lennar
20 does not sufficiently outline a possible plan for
21 fully cleaning up the shipyard for it to be
22 unrestricted.

23 This was the will of 87 percent of the
24 voters, who passed Proposition P, and still is the
25 will of San Francisco voters.

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cont'd.

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1 The Hunters Point Shipyard in San Francisco
2 is the only Superfund site, and the Bayview Hunters
3 Point is one of the worst cancer cluster cities in
4 this county -- in this county, as a result of the
5 legacy of environmental racism.

6 The EIR does not consider the alternative of
7 fully cleaning up the shipyard for it to be
8 unrestricted.

9 Now, I come to you, because I'm born and
10 raised in Hunters Point. 1974, September 30th, my
11 mother brought me up to 222 West Point Road. To this
12 day, to this day, 35 years later, I still suffer nose
13 bleeds. I have rash on my body in result to the
14 things, the toxins that are in this shipyard.

15 My breathing is -- is -- is not right,
16 because of the toxins. So I'm asking you not to
17 delay, but to read this thing, and make sure that
18 everything is in the right -- is for the -- is for
19 the -- is for the benefit of the people.

20 I want jobs, too, but we don't want jobs. We
21 don't want to make all this wealth, in order later on
22 down the line, we gotta use this wealth to help out
23 our health. So think about it, Commissioners.

24 THERESA COLEMAN: Good evening. My name is
25 Theresa Coleman spelled, T-H-E-R-E-S-A,

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1 C-O-L-E-M-A-N.

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2 I'm a native of San Francisco, born in 1961,
3 3G Southridge Road, Hunters Point.

4 Excuse me. I'm also an ex-organizer. I
5 don't think my voice is going to last very long.

6 Here is an environmental report, dated 1996,
7 done by public housing residents and
8 environmentalist.

9 I brought it because, I'm hearing the
10 arguments between my people. And one of the things I
11 recognize is the lack of education; so I'm not going
12 to go for or nay against the project.

13 But what I will say, since at one point I was
14 one of those residents who was limited in my
15 education. I took upon the challenge to begin to
16 educate myself, through using the 1947 Housing Act,
17 which I will refer to as Public Housing.

18 And I learned by doing this work. I didn't
19 sit on the sidelines, create a contract and have
20 public meetings. I actually went, worked, organized
21 my tenants, and we all got taught together, in
22 partnership with the City, and Housing Authority, and
23 those.

24 And yes, we fought often, but we were able to
25 reach an agreement. Now where I'm having a problem

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1 with your EIR report, and what has been going on with
2 the Shipyard on the whole, Westbrook Hunters Point was
3 ready to go to construction.

4 And my politicians, my ministers, somehow
5 came up to me at 11:47 at night, and the City
6 Attorney, and wrote a stop work order, Ms. Coleman,
7 you cannot continue to work on the project. You have
8 to quit.

9 And we were ready to break ground. So you
10 stopped the housing development from being developed
11 by its people, by its residents, okay? You took away
12 the money that we had gotten, someone said that
13 there's been no money put in Bayview Hunters Point.

14 Well, this will be my fourth time being a
15 millionaire over the projects, Public Housing, and
16 Federal and State governments and private people
17 giving us money to do the work. What I'm saying is
18 that we're capable.

19 I appreciate everything that the wonderful
20 people in the City have done; but when I look at their
21 ages and their races, I don't see no Indians, and I
22 don't see no African-Americans, in this part right
23 here.

24 I ask you'all to step back and give us an
25 opportunity to work with you. I was called in an

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1 emergency to come out. I left you alone a long time
2 ago, when you took the Westbrook deal away from us.
3 Thank you.

4 COMMISSION PRESIDENT MIGUEL: Thank you.
5 PATRICK UNIACK: Good evening, supervisors.
6 My name is Patrick Uniack. My colleague, who was
7 supposed to speak, has left the room unfortunately.

8 But I'm here to support this project, because
9 of the proposed 300 acres of open space and playground
10 out of a 700-acre development. I think that is a very
11 good ratio.

12 I directly represent, my other organization
13 represents, thousands of kids in San Francisco and
14 indirectly represents thousands more through the Boys
15 and Girls Club of American, YMCA, CYO, and Rhythm and
16 Moves.

17 My biggest problem right now in San Francisco
18 is the shortage and lack of playing fields and sports
19 fields for your kids.

20 Two years ago, our own organization was at a
21 crossroads. We were on the verge of dying. So, in
22 collaboration with the City and County of
23 San Francisco and Treasure Island Development, we took
24 an enormous leap of faith, and reclaimed 15 acres of
25 dumping ground on Treasure Island and transformed it

↑
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cont'd.

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1 into 15 acres of pristine, playing fields for our
2 kids.

3 Six months later, we developed or built a
4 8000-square foot playground for the benefit of the
5 kids on the Island, and indeed for the kids in
6 San Francisco that travel over to the island.

7 The benefits since then have been enormous.
8 This last July, we had massive tournament there, one
9 of the largest tournaments in this country, with 2000
10 kids, from all over North American, who participated
11 over five days on Treasure Island in a tournament.
12 That generated thousands and thousands of hotel rooms
13 downtown, and thereby generating a lot of revenue for
14 the city.

15 So, in conclusion, we support this project
16 because of the 200-acre ratio. We need more open
17 space for our kids. It is vital for the future
18 survival of our games and as a vital resource for our
19 kids.

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20 So thank you, very much.
21 COMMISSION PRESIDENT MIGUEL: Thank you.
22 ANGELO KING: Angelo King, PAC Chair.
23 Bayview Hunters Point PAC Chair.
24 So true enough, my community did support a
25 45-day extension; I want to speak to that. It was a

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1 motion made that was not agendized. So for me, I
2 personally didn't vote for the motion, but I respect
3 the fact that both the PAC and the CAC did vote on it,
4 both for a majority vote.
5 I want to speak to some of the work here that
6 has been done, really, since we don't have a lot of
7 time. First of all, to the environmental portion of
8 it. As I listen to some of this, the discussion, it
9 would seem that we haven't spoke anything about the
10 environment piece.

11 I don't think the EIR could ever adequately
12 cover the entirety of the shipyard, but that is not
13 specifically what the EIR is all about. The shipyard
14 has been studied for the last 30 years.

15 Frank Rollo, the head guy over there,
16 Treadwell Rollo, an environmental and geotechnical
17 consultant, came to us to talk to us about. And he
18 said, he stated, that he thought that the shipyard had
19 been adequately studied over the last 30 years, and
20 that the technologies that they had been looking at to
21 deal with liquefaction were sufficient -- the
22 technologies that have already been looked at and even
23 done in places like Japan, where they have a lot more
24 earthquakes than we do.

25 And this whole idea of God, and what would

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1 happen for the big one? Well, if we have a big, one,
2 God help us all. There is not a place in
3 San Francisco that would not be, um, unimpacted should
4 we have a big one. And we have places like Hayward
5 and other places that would be even more tremendously
6 impacted.

7 So it's not as if we have not had experts
8 that come and talk to us about those things. And for
9 that matter, it's not as if we -- you haven't approved
10 an EIR regarding the shipyard; keep in mind that you
11 approved the 2002 EIR with 1600 residential units.

12 The shipyard is not being cleaned by Lennar.

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13 It's being cleaned by the Navy, and there is a
14 separate process for that; and that is, it's being
15 cleaned to residential standards.
16 And the second thing I want to talk about is,
17 in our participation, we have had documents given to
18 us over the last two years. And we have had about 177
19 meetings. And we have had documents on
20 transportation. And we have of course the meeting on
21 liquefaction and geology. And economics, the economic
22 framework. And transportation, and a number of those
23 things.
24 So it's not like, you know, none of these
25 things is going to be perfect. I'm you know, I feel

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cont'd.

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1 like, in the last bit, I just feel like, in the end,
2 this is like the health debate. It does not matter
3 how long you delay it.
4 There are people who can't stand the project
5 and can't stand the developer, and so whether you wait
6 45 days or a year, these same people who never liked
7 the project would be back saying it's not right.
8 Thanks.
9 COMMISSION PRESIDENT MIGUEL: Thanks.
10 Okay. I have been asked to repeat some
11 names, because the sound system, evidently, downstairs
12 does not work or has not worked properly.
13 Jessie Tello. Daniel Landry. Jaron Browne.
14 Lenora Smoke.
15 AUDIENCE: (Inaudible.)
16 COMMISSION PRESIDENT MIGUEL: Okay. Well,
17 some may have spoken while I was out.
18 Mishwa Lee. Albert Symon. Leon Muhammad.
19 Marisol Ortiz.
20 AUDIENCE: They spoke already.
21 COMMISSION PRESIDENT MIGUEL: All right.
22 Marcia Dale-LeWinter. Mr. Andrews. Brother Suluman.
23 Lottie Titus.
24 MARCIA DALE-LEWINTER: Commissioners, good
25 evening. I didn't expect to be here quite so so late,

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1 but good evening.
2 My name is Marcia Dale-LeWinter. I have been
3 for nearly 14 years a member of the Hunters Point
4 Shipyard CAC. I'm the current Chair of the shipyard's
5 Planning and Development subcommittee.

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6 I had a long and professional career in
7 economic and urban development international planning,
8 and I'm happy to be here to support this process and
9 to support this project as it goes forward.
10 I believe that this project is both sensitive
11 to the economic social and environmental concerns of
12 the community, and that it is a sustainable project.
13 It is City policy to support the requirements
14 of the team to keep the 49ers in San Francisco and
15 those parts of the plan which respond to their needs
16 are a part of the policy that the City has embraced.
17 I would like to urge you to move this project
18 forward through the environmental impact process. I
19 was one of those in the CAC who voted for the
20 extension, but on second thoughts, I recommended and
21 would ask you to limit the extension to 15 days.
22 The CAC has been jammed up by having to do
23 due diligence on major documents each year at the
24 Christmas period now, for about five years.
25 And we spend a great deal of our time doing

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cont'd.

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1 adequate due diligence to make sure that, as things go
2 forward, they have been adequately reviewed and
3 commented upon.
4 And we are in the process, with
5 Dr. Hunnicutt, of doing that now and will continue and
6 would appreciate the minimum extension.
7 And I would also like to comment on the
8 gentleman who came from the historic society. The CAC
9 has in its plan for the shipyard, a cultural and
10 historical recognition program; we call it CHRP,
11 without the i.
12 It is going forward with art right now;
13 selecting artists, we have a selection of artists and
14 art to be installed in the first part of the shipyard
15 project. And this, this whole program, will be
16 continued throughout the joint project as the project
17 goes forward with funds that are dedicated to the
18 cultural and historic program.
19 I want you to know that, because we are very
20 proud of that, and we worked a very long time to make
21 sure that that was a part of the program.
22 Thank you.
23 COMMISSION PRESIDENT MIGUEL: Thank you.
24 Bernadette Sambrano. Starr Miles. Pastor
25 Alex. Oscar James

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1 STARR MILES: Good evening, Commissioner.
2 My name is Starr Miles. I'm a resident of
3 Hunters Point in the Bayview district. I am here,
4 because I am standing up for cleaning and not just
5 capping, covering up.
6 I want to say some stuff about Lennar. One,
7 Lennar's EIR is inadequate, because the EIR does not
8 consider the use of on-site biological remediation to
9 fully clean the shipyard.
10 I want to say to my people, to my Samoan
11 people, because I'm here to stand up for them, to be a
12 voice for them; that if you want jobs, then let Lennar
13 hire us to fully clean the shipyard, which would
14 create thousands of long term jobs for all of us.
15 Lennar don't want to pay us to only clean --
16 and I want to say this to my people that are here, and
17 let this be on the record -- Lennar does not want to
18 pay us, because Lennar would not have to fork out
19 millions out of his own pockets to only clean, which
20 means a clean environment for our families and money
21 in our pockets, and no money for Lennar.
22 Lennar wants to bypass doing the right thing,
23 so they can make the instant billions, I hope you are
24 listenin my people, trying to cover up the many fines
25 Lennar is being fined, due to hazardous, illegal

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1 practice as a rogue developer.
2 And let me say this to my people, too, and
3 also to the Commissioner. We don't really know who
4 Lennar is fooling. There will be a long-term impact
5 of toxins that will be left in the ground.
6 This is extremely serious, because seawater
7 rise and the rising water table could begin to
8 interact with a potential impact of these toxins.
9 Liquefaction also heightens the concerns
10 about what's being left in the ground. Today I hear a
11 lot of people say that, we are -- the people that is
12 wearing stickers is not living in the Bayview.
13 No. I live in the Bayview. No, we are not
14 here to say, delay the project. We are here to say,
15 please, Commissioners, review this over, take your
16 time, and do it right.
17 Have a great and a blessed night. Thank you.
18 BERNADETTE SAMBRANO: Hi, good evening. I'll
19 keep it short. My name is Bernadette Sambrano, and
20 I'm here for just three reasons.
21 One, I think, um, you need this -- it needs
22 to be extended. The time needs to be extended 45 more
23 days for input, and for many reasons. But the one
24 main reason, I think, is that Ohlone people need to

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25 have a time to comment on this, on the EIR.

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1 And also -- I see you shaking your head over
2 there, but Ohlone people -- there are Ohlone people
3 who are still alive in the community, and they need to
4 comment on it.

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5 And also, I think that the whole area of
6 cleanup, and what I'm hearing and what I know, I think
7 that needs to be looked at also. Thank you.

8 COMMISSION PRESIDENT MIGUEL: Thank you.
9 OSCAR JAMES: Good evening, Commissioner.
10 My name is Oscar James. I'm a native
11 resident of Bayview Hunters Point. I was born there
12 63 years ago.

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13 My father was one of the first ones who
14 started working for the shipyard in cleaning up the
15 debris for the housing and what have you. And he also
16 became a rigger in Hunters Point Shipyard, even though
17 he had a master's degree in horticulture.

18 He knew about toxics. He was one the ones
19 who put a lot of the toxics in the ground from the
20 Navy, and also in the shipyard, and also in the
21 Farallon Islands.

22 And I'm asking this committee to make sure
23 that Proposition P come into effect, that they do a
24 hundred percent clean, no caps.

25 I also remember when I was a little-bitty

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1 boy, over by Double Rock, the two rocks, over in
2 Double Rock but off of Carroll Street, there were --
3 that was a dumps when I was growing up.

4 We used to go over there with our little
5 stick horses, and what have you, and find toys and
6 what have you. There was a lot of toxins buried
7 there. I see nothing in the EIR talking about that
8 particular area up over there.

9 Yosemite Slough, I myself personally, oppose
10 having a bridge put there, because of the wild life
11 that has been there all of my life.

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12 And we need to leave that preserved. There
13 is fresh water that comes from Yosemite Slough, the
14 water that comes from Hetch Hetchy, or wherever it
15 comes from, that naturally flows into Yosemite
16 Slough.

17 We also have water, natural water, that

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18 comes -- clean water that goes into Hunters Point
19 Shipyard; I would like to have that preserved for the
20 City and County of San Francisco.
21 As most of you may have known, Alexander
22 Leostøre, a pioneer in this community, used to bring
23 water from the shipyard and over in that area to the
24 city and county of San Francisco, when that was not a
25 part of San Francisco.

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cont'd.

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1 So I think that you need to look at the
2 Environmental Impact Report, and make sure that it is
3 100 percent clean, follow the voters' wishes. And I
4 do support Lennar, but I would also like to have
5 Lennar sit down with Arc Ecology, and put some of
6 their plans into their program, as well.
7 Thank you, very much.

8 COMMISSION PRESIDENT MIGUEL: Thank you.
9 Alonzo Walker. William Jones. Loneil
10 Howard. Lance Molina.

11 ALONZO WALKER: Good afternoon. My name is
12 Alonzo Walker, and I'm a resident of Bayview Hunters
13 Point. I have been in Bayview Hunters Point all my
14 life. I was born in a neighborhood (inaudible), in
15 1948.

16 Not until recently did I find out that most
17 likely the disease that I had when I was younger was
18 involved with toxicity in the Bayview Hunters Point,
19 in the shipyard. I would like to read from you a case
20 study:

21 "San Francisco Bayview Hunters Point
22 community has been suffering the effects of extreme
23 environmental pollution and poverty for decades and
24 appalling lack of health care resources.

25 "The community has among the highest

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1 age-adjusted rates of breast, cervical, lung, and
2 prostate cancer for San Francisco neighborhoods.
3 "The environmental defense scoreboard shows
4 that area to have four times the state rate of
5 hospitalization for chronic illness, yet our community
6 remains the most under served in the city for health
7 care services, with 33 doctors for every 100,000
8 population; compared with the Marina district, which
9 has 228 doctors.
10 "Compounding this problem is the lack of

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11 sufficient health insurance among community
12 residents.
13 Some of the health problems in the Bayview
14 Hunters Point is a direct result of toxicity. And the
15 scientists who come into this Bayview Hunters Point
16 and the shipyard, they don't know their self, what's
17 out there.
18 They don't know the validity and the
19 compositions that has taken place over the course of
20 time out there. They do not know. So when they tell
21 you that they know what this is, they are lying. They
22 don't. They do not know.
23 I would prefer that, if possible, that
24 scientists of independent status come in and make
25 evaluation of the EIR and the rest of the documents

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cont'd.

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1 that has to do with toxicity and diseases that is a
2 direct result for all of the toxicity and the dumping
3 that has taken place the community.
4 The residents of this community face greater
5 threats for their health and well-being than residents
6 of other neighborhoods, due to an extreme level of
7 environmental toxins.
8 The area has been used as a toxic waste-
9 dumping grounds for decades. With less than four
10 percent of the city's residents, this 9-square-mile
11 area has one-third of the city's hazardous waste
12 site.
13 So this is a very contaminated area. And,
14 instead of fast-tracking, and allowing someone to,
15 with economic persuasion, sway you away from the mos
16 ral judgment that should be made in respect of
17 evaluating the conditions and the situations in this
18 community with the toxins levels that's there --
19 (Time limit chime is sounded.)
20 COMMISSION PRESIDENT MIGUEL: Thank you.
21 ALONZO WALKER: -- well, prefer that you take
22 a more of a positive stand with your decision and not
23 a financial --
24 COMMISSION PRESIDENT MIGUEL: Thank you.
25 ALONZO WALKER: -- or a quick rush stand.

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1 COMMISSION PRESIDENT MIGUEL: All right.
2 Corrina Gold. Willie Andrews. Lavell Shaw. Theresa
3 Sawder, (sic). Lottie Titus. Vendora Sione. Stormy

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4 Henry. Lashwanda Collins. Christina Sandoval. Ronae
5 Kent. Faia Salie. Cedrell Colman. Christine Neil.
6 Tera Grey. Sheila Taylor. Kenya Ellison. Derek
7 Green. Chris Jackson. Linda Plack. Matt Regan.
8 Veronica Hunnicutt. Al Norman.
9 AL NORMAN: (Steps forward.)
10 (Applause from audience.)
11 COMMISSION PRESIDENT MIGUEL: There you go,
12 Al.
13 AL NORMAN: Finally.
14 COMMISSION PRESIDENT MIGUEL: I knew your
15 card was in there.
16 AL NORMAN: Yeah, you finally found it. I
17 was down there somewhere.
18 COMMISSION PRESIDENT MIGUEL: Yes.
19 AL NORMAN: I want to thank you so much for
20 getting me up here.
21 Mr. Chairman, Commissioners, I'm just happy
22 to be here tonight to be able to speak before you on
23 this very important issue of this EIR.
24 But I don't want to cover the subjects. I
25 know we got people for and con for this particular

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1 situation.
2 By the way, Al Norman, President of Bayview
3 Merchants; resident for 63 years at Bayview Hunters
4 Point; homeowner; business owner; and just a guy of
5 all characters,
6 So I just want to come before you tonight and
7 say, you know, we should have been here in June to
8 present this. We shouldn't be doing this during the
9 holiday.
10 And the reason we doing this during the
11 holiday is because the redevelopment and the developer
12 allowed for alternative stuff to be added to this
13 EIR. If you look in your summary, you gonna see there
14 that my friend, Mr. Bloom right here, in Arc Ecology,
15 was the one that slowed this process down, the reason
16 we here tonight, both sides.
17 Yeah, he slowed it down by introducing an
18 alternative plan; that is why we here tonight. This
19 was the deal cut with Bill 794 in Sacramento, is that
20 we don't come down here and say nothing about that.
21 But I want to say something about it tonight,
22 because we here tonight, wasting your time when you
23 should be Christmas shopping or doing something else,
24 and all of the other people are here tonight, and he
25 is the main person wanting this delay and stuff, while

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1 he's the one that delayed the thing in the first
2 place.

3 So he has had plenty of delays, so he
4 shouldn't get any more delays. Don't delay this any
5 longer. They were courteous enough to let him go
6 ahead and add this alternative plan to the Lennar plan
7 to the EIR for you guys to study this versus that.

8 This is what I'm coming here to tell you'all
9 tonight. Let's let the truth be told for what it was.
10 It ain't no difference. We want you to study it, and
11 get it as clean as possible, as most of these people
12 want.

13 I'm not sure for the issue of wanting people
14 to be dying because of health reasons; but a lot of
15 stuff is a bunch of falsehoods that's goin' on here
16 just to delay the project because you don't like the
17 developer, you know.

18 But we want you to study it as much as you
19 can. But you don't need no more delays. Once they
20 finish their input and tell you what they want, you
21 gonna take as long as you need to study it.

22 And that's what we want you to do. And
23 that's what we here to tell you tonight. It's been
24 studied, and studied, and studied, and we still
25 studyin' it.

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cont'd.

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1 And most of these people ain't gonna read no
2 further than the Summary. And in the Summary, one of
3 the biggest contributors to the EIR is Mr. Bloom in
4 Arc Ecology. Look at -- Just look at the Summary, and
5 see what it says in the summary about the people
6 contributing to this EIR, and then he's one of the
7 biggest proponents of the delay.

8 So how many times we suppose to go under the
9 surface. You know, don't take my word for it. I hope
10 you'll read it, because half these people here ain't
11 gonna read it; they don't read.

12 Thank you.

13 COMMISSION PRESIDENT MIGUEL: Thank you.
14 Arnold Townsend. Rene Costa. Gary Banks
15 Cedric Jackson.

16 ARNOLD TOWNSEND: Thank you, Mr. President
17 and Commissioners.

18 My name is Arnold Townsend, Reverend Arnold
19 Townsend. I'm the co-pastor of Ramo Word Church,
20 which is actually a church that is right next to
21 Bayview Hunters Point.

22 We are -- many of our members live in the

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23 Bayview Hunters Point area, and I certainly am in
24 favor of you moving this project forward without
25 delay; but yet with adequate study.

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1 As the last speaker said, no one is
2 interested in a rush job, and I don't believe there is
3 anyone who has spoken up here that is in favor of
4 toxicity. But it's just that people have opinions,
5 and some people believe that the work that has been
6 done on this EIR is adequate, and it's time to move
7 this project forward.

8 One thing I do want to mention that I have
9 not heard mentioned is one of the things in the EIR
10 that struck me as very important is the whole issue of
11 the improvement to transportation.

12 One of the issues is that for all -- I live
13 Fillmore. And I got friends and family and all kind
14 of folk in Bayview, and I go there a lot. And I don't
15 always like to drive, though I have a car, though I do
16 drive. I don't drive a lot.

17 But I always drive to Bayview, because it's
18 all, historically, always been so damned hard to get
19 there on public transit. And it's always been treated
20 as though it's not even a part of San Francisco. But
21 believe it or not, even worse than getting there, is
22 getting around within Bayview, in public transit.
23 Trying to get from Point A to Point B, in that
24 community, unlike Fillmore, where I live or the
25 communities where you live, it is almost impossible

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1 without walking or driving a car, to get around in
2 that neighborhood.

3 And this plan and this program will improve
4 the transportation to Bayview and within Bayview
5 immensely; and that is one of the main reasons that we
6 ought to push this forward, and get it moving.

7 Thank you so much.

8 COMMISSION PRESIDENT MIGUEL: Thank you.

9 Angelo King. Manny Flores. Adrian Semi.

10 Rico Sanchez. Shawn Kinney. John Rocha. Tim Isley.
11 Jose Lopez.

12 JOHN ROCHA: Good evening, Commissioners. My
13 name is John Rocha. I'm a business agent for
14 Ironworkers Local 377 in San Francisco, and I
15 represent about between 1800 to 2000 members in our

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16 local.
17 And I want to speak about the various other
18 building trades. Also, we have a lot of members that
19 live in Hunters Point Bayview district, and over the
20 years, I know that that area has not been plentiful
21 for jobs, but we are asking that you go ahead and
22 approve the EIR, because it does mean jobs for our
23 people in that area, and affordable housing, and a
24 future for the kids that come up in that area.
25 I have heard all night the speakers that have

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cont'd.

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1 come up here from the board. And I think in all
2 consideration. And one thing that I will promise is
3 that, as an officer of the local, I will make sure
4 that any and all people from the Hunters Point and
5 Bayview district have first opportunity to work on
6 these jobs; and I will make sure of that.
7 And also, I did, in the past, when I first
8 came here to the Bay Area, I worked in the Hunters
9 Point shipyard on the missile catcher there; and that
10 was back in 1982; and I did live for a small amount of
11 time in the Hunters Point shipyard, so I know what
12 people are talking about when they talk about that
13 area.
14 Thank you for your time. And have a good
15 holiday.
16 COMMISSION PRESIDENT MIGUEL: Thank you.
17 SHAWN KINNEY: Good evening, Commissioners,
18 and President. I appreciate your time. It's
19 definitely a long one.
20 I would just like to say I have been a
21 carpenter for 22 years, and our economy and everything
22 that is going on out here, you know, we need work.
23 And this project would really help a lot of people.
24 COMMISSION PRESIDENT MIGUEL: And your name?
25 SHAWN KINNEY: My name is Shawn Kinney.

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1 COMMISSION PRESIDENT MIGUEL: Thank you,
2 Shawn.
3 SHAWN KINNEY: Thanks a lot. I appreciate
4 it.
5 MANNY FLORES: Good evening, Commissioners.
6 Manny Flores, Carpenters Local 22.
7 My son just called me, and he said, Make it
8 quick, Dad.

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9 Okay, Son, I will.
10 You know, I had a lot of discussions with
11 Lennar, and I'm gonna say one thing. They have done
12 their homework, they really have. So with that, we
13 need to get moving. We need your support. Let's get
14 this project going.
15 Thank you.
16 COMMISSION PRESIDENT MIGUEL: Anyone else
17 whose name I have called?
18 Tim Isley: Hi. My name is Tim Isley, a
19 third generation San Franciscan, a second generation
20 ironworker. Proud of my city.
21 I put a lot of rebar in this building right
22 here. I'm very proud of San Francisco. And one of
23 the places, that has been something that has been a
24 concern of mine all my life is the Hunters Point
25 area.

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cont'd.

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1 As a -- as a youth, I would go over there
2 with friends on skate boards, and riding skate boards
3 around, looking for places to ride. And that, that
4 place, that area of San Francisco, was something that
5 I always kind of would feel bad about those people
6 living out there, when I would go through there.
7 And, over my life, I met a lot of people that
8 live out there. And they'd like to work. They'd like
9 to work in their community.
10 And as an ironworker, in our trade, there is
11 something like a 26 percent unemployment rate. And so
12 this project, it needs to get -- get moving forward.
13 They've been talking about this for years and
14 years. I can remember since I was a kid people
15 talking about what they were going to do out there.
16 And I would like to see something done. I
17 would like to get it started. I think this EIR is
18 pretty thorough. And I think we need this to move
19 forward. Thank you.
20 COMMISSION PRESIDENT MIGUEL: Thank you.
21 LUCIO SANCHEZ: Good evening, President and
22 Commissioners.
23 My name is Lucio Sanchez, and I'm a
24 carpenter. And I personally feel that this document
25 is adequate in addressing and analyzing the impacts to

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1 biological resources, transportation, recreation and

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2 landuse.
3 Although there are significant impacts
4 identified in the document, this project is still
5 important. And there is not any more time to delay
6 this project. You know, this project proposes to
7 invest hundreds and millions of dollars in the Bayview
8 Hunters Point community.
9 And one of the most critical components to
10 this, to the project's transportation plan is the
11 proposed bridge over the Yosemite Slough. This
12 project will create more than 10,000 permanent jobs
13 and thousands of ongoing construction jobs over the
14 life of the project.
15 And I just believe that this project cannot
16 have any more delays. As a carpenter, I have so many
17 brothers and sisters out there that they really need
18 to work.
19 So it's in your hands, about these jobs.
20 Thank you so much for your time.
21 COMMISSION PRESIDENT MIGUEL: Thank you.
22 LUCIO SANCHEZ: Happy holidays.
23 COMMISSION PRESIDENT MIGUEL: Michael Lewis.
24 Dan Fredrick. Armando Baros. Joel Koppel.
25 JOEL KOPPEL: Good evening, Commissioners,

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cont'd.

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1 President Miguel.
2 Joel Koppel, San Francisco Electrical
3 Construction Industry. I'm here speaking for our 2700
4 members citywide, and our local contractors who employ
5 them.
6 This is one of the most massive projects the
7 city will ever see, and also it's one of the most
8 under-utilized pieces of land the city will ever see.
9 So with your help in expediting the approval of the
10 EIR, we will graciously appreciate it. Thank you.
11 COMMISSION PRESIDENT MIGUEL: Thank you.
12 Reverend Alexander. Conny Ford. Marvin Bryan. And
13 Tony Rodriguez?
14 MARVIN BRIAN: Goods evening, Commissioners
15 I'm going to be real short I know you have a lot to do
16 and there has been a lot of opinions.
17 COMMISSION PRESIDENT MIGUEL: Your name?
18 MARVIN BRYAN: Marvin Bryan --
19 COMMISSION PRESIDENT MIGUEL: Thank you.
20 MARVIN BRYAN: -- for the record.
21 I know you have a lot to do, and there has
22 been a lot of opinions expressed and a lot of things
23 that have been brought up that are very valid.
24 But my concern is more with the residential
25 job applications. There is two ordinances with

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1 San Francisco to employ San Francisco residents first,
2 to a capacity of fifty percent on jobs where that
3 might be possible.

4 With this public work being the only thing
5 that is actually doing anything at the present,
6 because the commercial real estate market is just not
7 there, this is more essential that you employ these
8 residents and give them an opportunity to fulfill all
9 of all of their obligations and their family
10 requirements, through meaningful work.

11 So thank you and I hope that you work with
12 Lennar, the contractors, as well as the unions in
13 forcing them to comply with the mandates that you put
14 in this, in this ordinance.

15 So thank you very much, and have a good
16 night.

17 COMMISSION PRESIDENT MIGUEL: Thank you.

18 MARVIN BRYAN: Merry Christmas.

19 TONY RODRIGUEZ: Good evening,
20 Commissioners.

21 My name is Tony Rodriguez. I'm a business
22 agent for Local 483, the Fire Sprinkler Union. And I
23 was also born and raised here in San Francisco in the
24 Excelsior neighborhood. And I currently in Bernal
25 Heights with my four daughters and wife.

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1 And while I represent a thousand workers of
2 our union, many who have not worked in six, eight
3 months, some that live here in the city, that would
4 benefit greatly from the work that this project of
5 this size would generate, that is not my only
6 concern.

7 I'm 58 years old. And I have lived my whole
8 life in San Francisco. And I have seen many changes
9 in the city. I'm sure many of you have. Changes to
10 the Embarcadero, for the better; to the Fillmore, for
11 the better; to Valencia Gardens, for the better. But
12 nothing for Bayview Hunters Point.

13 So now we have a project that has been in the
14 planning stages for ten years. The City
15 overwhelmingly passed Prop G, in 2008. And 77 percent
16 of the people in the Bayview Hunters Point area voted
17 for Prop G.

18 Over the last three years, I hear that there
19 has been 177 meetings. The result of this is a

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20 project that would provide 1500 new living units, 32
21 percent for affordable housing, \$27,000,000 for first
22 time homeowners assistance; \$17,000,000 for job
23 training and the workforce development.
24 New stores, grocery stores, banks; a
25 projected \$26,000,000 annually to the city tax

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1 revenues, 300 acres of open space. And a complete and
2 comprehensive EIR report that addresses all the
3 concerns.

4 A project -- and I ask you to not delay the
5 project, you know, everybody here, like they said,
6 some people are for, and some people are against. And
7 I guess it falls on you to help the project get along
8 and look at the facts, and not be scared by a lot of
9 the stuff that isn't true, I mean. And some of the
10 stuff is true.

11 Thank you for your time.
12 COMMISSION PRESIDENT MIGUEL: Thank you.
13 Jose Ortiz. Danny Torres. Kevin Wade. Dan
14 Angel. Larry Barantichik. Karen Slater. Vicky
15 Bamba.

16 No name. There are several with no name.
17 JUANA: Good evening. My name was called
18 earlier, so I am coming to speak now.

19 COMMISSION PRESIDENT MIGUEL: Thank you.
20 JUANA: My name is Juana. And I'm a member
21 of POWER, and also a resident of Bayview.

22 I could have come up here to repeat all of
23 the ways that the EIR was inadequate, right? Not
24 addressing liquefaction, the full cleanup of the
25 shipyard, seawater rise, or the protection of the five

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1 sacred Ohlone sites; and rightfully so.

2 But what I want to say is that Lennar is not
3 knew to the Bayview. When they started building in
4 Parcel A, none of us really knew, none of us in the
5 neighborhood fought them.

6 But what happened was, we all started getting
7 sick. You had children that had never had asthma all
8 of a sudden coming up with asthma symptoms; rashes,
9 headaches, nose bleeds. My family was starting to get
10 sick. A lot of people were just coming up with a lot
11 of illnesses.

12 Looking further into the development and into

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13 Lennar, we see that systematically -- they
14 systematically and completely disregarded the dust
15 mitigation agreement that they had signed to control
16 the release of asbestos dust into our community.
17 They received multiple notices of violations
18 from the Department of Health. And they literally
19 threw out more than 300 days of data, because they
20 said they forgot, they forgot to put batteries in the
21 monitors, all as part of Phase I.
22 So this development now is much more
23 dangerous. This site is still a Superfund site. It's
24 radiologically contaminated. And the EIR must be
25 required to provide a list of all of these notices of

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1 violations and fines that Lennar has received, just in
2 the last year; again, all only in Phase I.
3 So now I ask you'all to please consider,
4 actually, I think it really is important that you guys
5 consider doing research on Lennar's dirty trail around
6 the country.
7 Because really, when it comes down to it,
8 they have built condominiums over un detonated bomb
9 sites in Florida. They have built homes that are
10 cracked in after people have moved in in Texas. If
11 they can't be trusted in Florida or Texas, they cannot
12 be trusted in San Francisco.
13 So I really don't think that the EIR is
14 adequate in addressing a lot of the social impacts of
15 the Bayview. And I think it's your responsibility to
16 really look into the history of this dirty trail
17 around the country.
18 Thank you.
19 COMMISSION PRESIDENT MIGUEL: Thank you.
20 DAN TORRES: Good evening, Commissioners.
21 My name is Dan Torres, and I'm a member of
22 Local 43, the sprinkler fitters, and a proud union
23 member.
24 The way I feel, the project should go
25 through, money has been allotted. There are guys out

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1 there who need jobs, and we need to push the project
2 through.
3 So to spare you some time, you have been here
4 a long time, and so have I. And we would like to see
5 this go through. Thank you.

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6 COMMISSION PRESIDENT MIGUEL: Thank you.

7 KAREN SLATER: Hello, my name is Karen
8 Slater. I'm here representing Shipyard Community
9 Arts, a group of Hunters Point Shipyard artists,
10 Bayview neighborhood artists, and others working
11 together to create a community arts center and arts
12 district, as part of this Hunters Point Shipyard and
13 Candlestick Joint Development Project.

14 The Draft EIR addresses both the physical as
15 well as the cultural aspects of this project. So I'm
16 here really talking about the cultural aspect.

17 The project to date will provide renovated
18 and new studio space for the existing artists in the
19 shipyards at rates that are affordable to artists,
20 totaling about 255,000 square feet, which is currently
21 what's there, what has been there.

22 As the planning process has progressed, the
23 role with shipyard artists has expanded from simply
24 being accommodated to integrating arts and artists as
25 a defining characteristic in the envisioned arts

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1 district. The artists community in the shipyard will
2 be an integral part of ensuring that this new
3 development is rich in both culture and creativity.

4 The shipyard is the last undeveloped area in
5 the city and represents a rare opportunity to make the
6 arts a priority in San Francisco. We would like to
7 consider that the city consider the creation of an
8 arts preserve on the shipyard.

9 And by that, we mean a designated area with
10 land zones for arts production, exhibition, rehearsal
11 and performance space. We could call it an Arts
12 Protection Zone.

13 San Francisco is constantly losing artists
14 and arts organizations, as space becomes too valuable,
15 and commercial and housing developments take over what
16 was inexpensive artists space and the artists must
17 move away.

18 When the Navy evicted everyone from Parcel D
19 several years ago, San Francisco lost at least one
20 significant art metal business that had to move to
21 Hayward. He had employed a number of local people in
22 his business, and those jobs are done, and the work
23 that was coming out of there, and the tax money is
24 gone.

25 In our Bayview community, Public Glass is

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1 another example of a struggling arts organization
2 which would benefit from a permanent home. They are a
3 studio and a school, which offers classes and studio
4 space to people interested in working in glass art.
5 Their leased facility of 10,000 square feet
6 is industrially sound, but the building does not
7 function efficiently, nor allow for growth. With a
8 purpose built structure, their operating costs could
9 be considerably lower, allowing for more students and
10 more art.
11 In our proposed Arts Protection Zone, Public
12 Glass, other ceramic arts collaborative, scuplturers,
13 dancers, film makers, and others in need of a
14 low-market space, rent space, could find a home where
15 rents could remain affordable permanently.
16 Recently, the city spent \$2,000,000 in
17 federal grant funds to upgrade aspects of Building
18 101, the only studio building which will remain.
19 These improvements are a small but important step in
20 ensuring the future arts district leverages the talent
21 and creativity that can drive innovation and which
22 continue to enrich both the lives and economy of
23 San Francisco.
24 Thank you.
25 COMMISSION PRESIDENT MIGUEL: Thank you.

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cont'd.
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1 Rudy Asereion. Randall Evans. Ace
2 Washington. Dr. Amos Brown.
3 (Inaudible discussion.)
4 AMOS BROWN: Thank you, members.
5 Mr. Chairman, and members of the Planning
6 Commission. I'm Amos Brown, Pastor of Third Baptist
7 Church, been a pastor over 34 years, and President of
8 San Francisco NACP.
9 And I appreciate this opportunity to come and
10 share with you. I just wish to say. I could close my
11 eyes and predict what was going to be said here
12 tonight. Because it's the same thing that I heard 12
13 years ago when I served on the Board of Supervisors,
14 when the Mayor Willie Brown made a yeoman's attempt to
15 develop the stadium and the entire Bayview Hunters
16 Point Community.
17 It's de ja vue. Just appears that some folks
18 in this town, when they say, I want to study, it means
19 I want to take and it sit on it, and have no intention
20 of moving forward with sensible progress.
21 And secondly, I wish to say that people are
22 entitled to their opinions, it's a free country, but I
23 find some of our logic very strange.
24 I never lived at Bayview Hunters Point, but

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25 in 2000, I came down with prostate cancer; but because

1 of having medical care, it was detected in time, and
2 I'm cancer free.
3 In 1989, my wife had cancer, and she never
4 lived in Hunters Point but thanks to medical care, she
5 is doing well, cancer free.
6 We must not engage in simplistic
7 deductionistic thinking when doing public policy, and
8 planning for developments in a city.
9 Finally I wish to say, I could have been, but
10 I don't want some people to be miseducated. There
11 were some comments made before this podium, regarding
12 what black preachers ought to be doing, and what they
13 had not done.
14 And I want to remind folks, if they read
15 their history, they would discover that it was one
16 Adam Clayton Powell, who, while chairperson at the
17 House Education Committee, and as pastor of the
18 Abyssinian Church of New York City, got over 60
19 educational bills passed in the United States
20 Congress; among them being Headstart, Get Set, Title 7
21 Programs. I think that preacher done a mighty good
22 thing.
23 Also, there are many of us don't know it, but
24 had it not been for a preacher from Paris, Tennessee,
25 finished Morehouse College in 1911, named Mordecai

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cont'd.

1 Wyatt Johnson, who became the first African-American
2 to be president of Howard University.
3 When he went there in 1926, he met Justice
4 Louis Brandeis. And Justice Brandeis asked him -- he
5 asked Justice Brandeis, what would he do, if he were
6 to build a first class law school.
7 The long and short of it is Mordecai Johnson
8 established the law school there, and the first law
9 student, and one man in his class, Charles Hamilton
10 Houston with Thurgood Marshall, who had been denied
11 admission to the University of Maryland; and Robert
12 Carver from New Jersey; and Oliver Hill from Richmond,
13 Virginia.
14 They went before the Supreme Court and argued
15 so persuasively that they got the court to break down
16 segregation in public education.
17 I think these black preachers have done a

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18 mighty good job.
19 COMMISSION PRESIDENT MIGUEL: Eric Brooks,
20 Neil McLean. Eileen Martinez.
21 ERIC BROOKS: Good evening, Commissioners.
22 Eric Brooks. I'm here officially
23 representing both the San Francisco Green Party, and
24 local grassroots organization, Our City. I'm the
25 Sustainability Chair for the Green Party in

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1 San Francisco. And I have been a professional
2 environmental and consumer activist for 25 years.
3 I would like to get back to the EIR now.
4 First of all, in light of the large number of people
5 who were called but could not speak, I think it's
6 imperative that, just as the Redevelopment Agency did,
7 you continue this hearing after we are done this
8 evening.
9 That would be really critical to get more
10 comment in. We definitely need the 45 days, that is
11 crucial.
12 To give you another couple of reasons why
13 that is so crucial, the main reason is Copenhagen.
14 There are people that are organizers that need to read
15 these documents that are in Copenhagen right now. I
16 heard one of them on Democracy Now, this morning.
17 And also, Copenhagen and some other recent
18 things that have happened have brought forward massive
19 new amounts of scientific data on global warming, and
20 sea level rise. And sea level rise dramatically
21 impacts this project.
22 So we need 45 days to process all that new
23 material. The most important piece of new material
24 that has just come in is from NASA, a little less than
25 a month ago, got through with seven years of

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1 gravitational research done with satellites in
2 Antarctica. They have discovered, as of a month ago,
3 that the East Antarctic ice mass, which they thought
4 was gaining ice, is losing ice at a massive rate, and
5 all over the entire ice mass.
6 So that has completely rearranged all of the
7 projections for sea level rise. They are not the
8 same anymore, based on the new NASA data.
9 Now the new baseline is one to one and a half
10 meters; that is the baseline. When this EIR was done,

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11 it could not have possibly envisioned that data. And
12 that data, that kind of sea level rise, so
13 dramatically impacts every single aspect of this EIR,
14 both economic, environmental, and logistical, and even
15 cultural, that this EIR must be redone to account for
16 that new data, and we need to be able to process that
17 data, which is another reason we need that 45 days.
18 That is absolutely critical that that NASA
19 data now be included. We are probably going to have
20 to do an entirely new EIR because of it. That sea
21 level rise will dramatically interact with all of the
22 other bad impacts that all the other speakers have
23 raised as potential; and especially when it comes to
24 radiological.
25 And the last thing I'll say is, the city has

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1 a legally binding precautionary principle. And fact
2 that the EIR does not adequately address the
3 precautionary principle of the city in regards to
4 asbestos --
5 (Time limit chimes sounds.)
6 -- and radiological materials
7 COMMISSION PRESIDENT MIGUEL: Thank you.
8 ERIC BROOKS: -- which have no safe level is
9 inadequate. Thank you.
10 COMMISSION PRESIDENT MIGUEL: Thank you.
11 NEIL MCLEAN: Good evening. I'm Neil McLean,
12 native San Franciscan and chair of deadline profile
13 project or co-chair.
14 I have a question and then two requests. The
15 question is, did you comply with Senate Bill 18 when
16 you submitted this Draft EIR, which requires you to
17 notify the most likely descendants of the Ohlone
18 people, there is list of them; there are people on my
19 committee who were not notified, who should have had
20 been.
21 So I think that the answer is no, but I need
22 to know actually, clearly from you whether you did.
23 (No response.)
24 I and I guess I'll take that from your staff
25 at some point later, but it's an important question

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1 because, as your report states, there are sixteen
2 shell mounds in the area; four of them will certainly
3 be disrupted. And there are others that it expects to

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4 find.
5 My request is that I get copies -- this was
6 actually to me, Ann Marie Sayers, chairwoman of
7 Costanoan Indian Canyon, asked to -- me to ask for the
8 reports, the historical report, as well as the
9 mitigation plan that is referred to in the EIR, and
10 which, and as far as I know, no one has seen outside
11 of perhaps the Commission or the people that drove the
12 draft.
13 The third element is statement; it's that
14 clearly to read this historical as well as the
15 mitigation plan. And I want to say about the
16 historical plan, that it's quite novel. It claims
17 that a tribe south of here from San Mateo has sort of
18 removed everybody from the Presidio.
19 And I think that to assert that there are no,
20 most likely, descendants, it was really quite, novel
21 and I should say, spurious.
22 So in order to review both of those documents
23 and to give adequate consideration to the original
24 people, I want to support the 45-day extension.
25 Thank you.

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cont'd.

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1 COMMISSION PRESIDENT MIGUEL: Thank you.
2 EILEEN MARTINEZ: Hello. My name is Eileen
3 Martinez. I would like to say, my family, my parents,
4 lived on Northridge Road for many years. My father
5 was stationed at Treasure Island.
6 He was part of the nuclear experiments that
7 were conducted at Bikini Island Atolls. I am a child
8 of nuclear experiments by the US Government. I was
9 born with something that is genetic that does not run
10 in my family. It's called spongy kidney disease.
11 I'm appalled by the fact that people want to
12 whitewash this, white paint everywhere, but
13 underneath, it's rotting.
14 The thing is, when I was a child, we went to
15 Hunters Point a lot. And when my father came back
16 from Bikini Island Atoll, he was on the USS Curtis.
17 They were told to park that ship, which was a medical
18 ship, I believe off the piers of Hunters Point, where
19 officials from the federal government, who had told
20 him it was safe to be in these tests, came onto their
21 ship with full radiation gear, which is silver, like a
22 space man.
23 They came with geiger counters. Everywhere
24 they went, it was hot. The ship was so toxic, it was
25 sent to China for six months. After that, my father

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1 was ordered to be in six other experiments by the
2 government, by the Navy.
3 The problem I have with the all thing, is,
4 yeah, developers promise everything -- and, by the
5 way, please don't get fooled by the trail of money.
6 And there is an old saying, and I'm 55, that I have
7 gotten really familiar with. The two sayings that I
8 like is, if it sounds too good to be true, then it
9 probably is.
10 And the other saying I really like is, there
11 is no free lunch. So all you people that think this
12 is a good idea and that it's been really researched,
13 don't buy the hype; please, I beg of you.
14 I'm a child a child, a nuclear child, from a
15 nuclear vet. Hunters Point had a big facility of
16 laboratories there where they worked on animals.
17 People don't understand, at Bikini Island,
18 there are empty ships sent to be its epicenter. There
19 were ships following that with animals, and then there
20 were the humans. They were all told that it was
21 safe. Okay?
22 That was the first lie, because obviously it
23 was not safe, because the military said -- got on that
24 ship, and everywhere they went, it was hot, so
25 obviously it wasn't safe.

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1 What I would like to say is, there was a
2 laboratory full of experimental animals on Hunters
3 Point, and I never hear this spoken about. There were
4 hundreds of animals on those ships. Where did their
5 bodies go? Are they buried in Hunters Point?
6 Like I said, white paint covers a lot of
7 stuff, but when you look deep, there can be funky
8 fungus growing under there. And being a child, a
9 radioactive child, I resent all of this immensely.
10 (Time limit chime is heard.)
11 EILEEN MARTINEZ: -- so just remember, if it
12 sounds too good, it probably is.
13 John Henry Clark, a very famous --
14 COMMISSION PRESIDENT MIGUEL: Thank you.
15 EILEEN MARTINEZ: -- awesome black historian,
16 and I'll just finish this, said, there is nothing
17 civilized about civilization. Think about it.
18 COMMISSION PRESIDENT MIGUEL: James Walton.
19 Brandon Dunnigan. Shawn Kinney. Tony
20 Rodriguez. Lucio Sanders. And Reverend Brown has
21 spoken.
22 Is that is it? Any further public comment?

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23 MR. WILLIE RATCLIFF: (Inaudible.)
24 My name is Willie Ratcliff. I live at 17
25 Third Street, between Palou and Quesada.

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1 And I have been working on this issue for
2 years. And so have a lot of other people. But one
3 thing that we have refused to do, and that is clean up
4 that shipyard.

5 And according to a Superfund site law, the
6 people that live in the surrounding areas will say to
7 what degree they want it cleaned up.

8 And of course, we didn't only say, just the
9 surrounding areas. We put it on the ballot. And they
10 voted 76 percent for it to be cleaned up to
11 residential standards.

12 So are we trying -- just because we don't
13 want to clean it up. The Navy don't want to clean it
14 up; they don't want to spend the money.

15 The developer, he could care less.

16 But the City and our congressional delegates
17 have sold all of us out. Because it's not going to be
18 just black people living in an area out there. The
19 most of them is going to be white, look like you.

20 People around there now, because the shipyard
21 is not clean, is dying 25 and 30 years early. Right
22 now. Not later.

23 I'm a general contractor, so you know I like
24 to develop and have jobs coming. But there is nothing
25 more important than your health. I'm 77 years old,

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1 and I'm in good health.

2 Even living out there, because I try to eat
3 right and watch the way the wind blows. We're fine,
4 as long as the wind is blowing east; but when it turns
5 the other way, it brings all of it all over this
6 city. And people are dying from it, don't even know
7 about it.

8 So why are we going to build, and do all of
9 this funny stuff on a Chernobyl, our (inaudible), in
10 San Francisco, because we so greedy, that we all watch
11 'em build it, then what ya' gonna do; when people are
12 dying and suing, because of liability that was done by
13 this city.

14 We don't look too well. Just looking at our
15 budgets, and compare to other budgets throughout the

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16 cities, and we flaunting money, throwing it away, but
17 we don't care about killing our own people.
18 And we don't even think about who is going to
19 really live there. You know, and surely liquefaction
20 and all of that, that is kinda out, but that didn't
21 happen; but just look what's happening right now.
22 And people out there that's arguing around
23 here, it's about the cleanup that you refuse to do,
24 refuse to clean up the place.
25 (Time limit chime sounds.)

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cont'd.

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1 WILLIE RATCLIFF: -- that is what it's about,
2 COMMISSION PRESIDENT MIGUEL: Thank you.
3 WILLIE RATCLIFF: Everybody wants a job.
4 You know, I feel that these people need a
5 job. I need one to.
6 COMMISSION PRESIDENT MIGUEL: Thank you.
7 WILLIE RATCLIFF: But do you see Blacks
8 working anywhere in the city? None. Right now.
9 Then you goin' to promise us something down
10 the road, or something filthy.
11 COMMISSION PRESIDENT MIGUEL: thank you.
12 SAUL BLOOM: Commissioners, Commission
13 President Miguel.
14 I wasn't going to speak tonight, because you
15 have had a very long evening, but after that wonderful
16 introduction by Al Norman, I decided it was going to
17 be difficult for me not to say anything, so I might as
18 well just get up here and say something.
19 My name is Saul Bloom. I'm the Executive
20 Director of Arc Ecology; and, of course, I'm here
21 asking for the 45-day extension to the comment period
22 on the Environmental Impact Report.
23 The organization that and I work for, Arc
24 Ecology, is representing tonight organizations like
25 the Sierra Club, Literacy for Environmental Justice,

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1 the Potrero Hill Democratic Club, which endorsed the
2 45-day extension; India Basin, a neighborhood
3 Association that does the Valley Greenway Project.
4 Just an enormous number of organizations that
5 have all expressed the same concerns, and we are all
6 part of -- I don't mean to speak for everybody here --
7 but the we are all part of this third way process.
8 You heard people opposed to the project, and

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9 you have heard people unalterably for the project; and
10 what we are is about the third way process, which is
11 to thoroughly evaluate the project, because we do
12 believe in jobs, we do believe in development of the
13 Hunters Point Shipyard.

14 We simply believe in doing it responsibly,
15 doing it transparently, doing it and openly; and
16 providing adequate evaluation of the plans.

17 And to effect, we did in fact submit a series
18 of alternatives, as Mr. Miguel knows. And we did so
19 back in January, to in fact inform the project to
20 ensure that the document got produced in the way that
21 it was effective.

22 We still have problems with the document. We
23 have contractors now working San Francisco, and other
24 locations, evaluating the document and they are all
25 telling me, right now, they need more time. They need

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cont'd.

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1 more time to get documents that were not included with
2 the EIR; background transportation information, and
3 other materials on waste water, groundwater water,
4 other varieties of information that are necessary for
5 us to come up with the proper comment on this
6 Environmental Impact Report these are all designed,
7 all these reports, all these comments, were designed
8 to make the project better about what the

9 It's very, very important for people who have
10 reports in 2015. And it's very important for people
11 to have housing in 2015. But what you were hearing
12 today are people concerned about their immediate
13 future; and unfortunately, it's that tension between
14 the future and today that is driving much concern us
15 going to look like.

16 We need to look at it differently. It's
17 important because this is a decision document. This
18 is a legally binding document. No process, no
19 discussion, no meeting prior to this has had the force
20 of law that this environmental impact carries with
21 it.

22 The content of people's comments are legally
23 actionable. They are part of the administrative
24 record. That is why this time is necessary.

25 Thank you very much for your time.

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1 COMMISSION PRESIDENT MIGUEL: Thank you.

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2 SUE HESTOR: I have a handout. (Handing.)
3 Good evening, Commissioners. My name is Sue
4 Hestor and. I'm the attorney for POWER.
5 I want to reiterate what you were just told
6 by Saul Bloom. This document is different from
7 everything that has gone up until now. It's the
8 document that sets up all of the future actions which
9 is a legally required action, a legally required
10 document before those actions can take place.
11 A 45-day comment period was quite cynical
12 when it was started. The staff expected it to be
13 extended, and they offered 60 days.
14 This is really, as everyone has said, it's
15 the biggest project in the city. I have never seen an
16 EIR of this scope. I mean, no one is lugging the
17 entire EIR around. This is one of four of these equal
18 volumes, plus a little skinny one for the fifth.
19 It's a very hard, complicated document to
20 read, particularly if you are serious about it and
21 pull up all of the reference documents and then say
22 oh, I, need to find another document.
23 You have heard testimony that people are
24 retaining scientists to give comment. The CAC and PAC
25 asked for 45 days so they could have Dr. Seaborg go

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1 through this. This is serious stuff in the EIR.
2 The declaration which I just handed out is my
3 declaration of how this project kept shifting, how the
4 EIR kept being delayed. And there is something
5 important that you should know. It was supposed to be
6 preceded by the Bayview Transportation Improvement
7 EIR, which is actually a DEIS DEIR, and they kept
8 sliding, and sliding, and sliding, and sliding, and
9 sliding.
10 We kept thinking we had to do this in June or
11 July. And it became all of a sudden, the
12 transportation study EIR is not here; and there is
13 massive transportation improvements for the 49ers, and
14 for this new housing, and for this new Green Jobs
15 aspect of the park, but that EIR is going to be coming
16 out at the beginning of the year.
17 So we have to guess what's in the EIR and,
18 kind of read the tea leaves to comment on this EIR,
19 because we do not have that one yet.
20 There needs to be time. It's very cynical to
21 release a document over Thanksgiving, Christmas and
22 New Years. Offices are closed. Your offices are
23 closed for extra days because staff people take
24 vacations. And some non-profits close their offices
25 entirely.

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1 I'm showing this chart overhead that I got
2 from Ms. Navarrete. This is what's driving this
3 comment period. They plan on having this
4 EIR certified 4/21, with the Comments and Responses
5 issued 4/9. And then all of the approvals done, tied
6 to the vote in Santa Clara County.

7 This is a ridiculous scenario. This is a
8 very high stakes project. Give us the 90 days. Thank
9 you.

10 COMMISSION PRESIDENT MIGUEL: Is there
11 additional public comment? If not, public comment is
12 closed.

13 Thank you'all for your patience. In
14 particular, if they can hear me, I would like to thank
15 the San Francisco Sheriff's Deputies for their work
16 this evening.

17 Saul Bloom mentioned that the Potrero Hill
18 Democratic Club voted for a 45-day extension. I
19 should state that I, although a member and was there,
20 recused myself from that vote, thinking it proper to
21 do so.

22 There was a lot of comment regarding Lennar.
23 This EIR has nothing to do directly, legally with
24 Lennar. That is a contractual obligation of the city
25 that is beyond this Commission. We don't hire Lennar

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cont'd.

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1 or any other contractor to do work in San Francisco.

2 There was comment regarding a question
3 whether new scientific information that is coming out
4 would require an entirely new EIR. If one was to take
5 a look at the scientific information that comes out
6 worldwide on any subject, you would never stop doing
7 new EIR's. At some point, you have to go ahead.

8 I understand the comments. I understand the
9 scientific information to some extent in my limited
10 background. But there is always new information that
11 is coming out. It comes out monthly, daily, weekly.
12 You can't stop all progress because new information is
13 coming out.

14 The Redevelopment Agency earlier this week,
15 extended the comment period until January 12th. I
16 would, were someone to make the motion, agree with
17 extending the comment period until January 12th.

18 I truthfully would not agree with extending
19 it further. I do believe that, basically, the EIR

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20 does touch on and does cover sufficiently all of the
21 subjects and all of the matters that are required by
22 an EIR in this area.

23 I do believe that the -- not just ten years,
24 probably fifteen years or more of study that has been
25 put to this, including intensive work by many in this

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1 room and that have testified this evening; that
2 testified before the Redevelopment Commission, that
3 testified before the HPC, have been thorough, have
4 been sincere, and have assisted the city in putting
5 this document to where it is now.

6 I fully understand the representatives of the
7 unions who came before us. I know the urgency that is
8 in their voices, and that they are getting from their
9 membership. But that is not something that is
10 affected by an EIR. The agreements as to hiring and
11 all of that are great, but they are not EIR matters.

12 That said, just two main points for me: I do
13 believe that is what's stated, and what's covered, and
14 what will come out in the final -- this is only the
15 draft -- in the final EIR, when all of the comments --
16 because that is what happens with an EIR -- when all
17 of the comments are considered and answered, and the
18 final EIR is then before us and the Redevelopment
19 Agency for final approval, that everything will come
20 together at that point.

21 And as I said, I would be willing to support
22 an extension of the comment period until January
23 12th.

24 Commissioner Olague.

25 COMMISSIONER OLAGUE: I just wanted to thank

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1 members of the public for coming out early. A kot of
2 folks were here early. I saw people here at 1:30,
3 staying here until, you know, 10:30 with us, sitting
4 through a lot of issues that probably were not
5 relevant to your own priorities, but I wanted to thank
6 you for having the patience and sitting through it
7 with us, through this hearing with us.

8 I want to thank Ms. Navarrete for her work on
9 this and for being open to, you know, questions and
10 concerns the community has raised, and I do want to
11 thank you for all of your work on this item.

12 That being said, I'm going to limit my

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13 comments pretty much to the -- to the comment period
14 for this document. Again, I don't want to -- you
15 know, I try to avoid sarcasm here, but how about some
16 light reading during the holidays, folks?
17 We got this two weeks before Thanksgiving and
18 it was published on November 12th, Thanksgiving is the
19 24th, Christmas is, what, in about a week? New Years
20 is the week after that? And it's the holiday period,
21 folks, so I think that we need to, like, consider at
22 least 20 to 30 days to take out of this equation,
23 because with the holiday season in place, it's really
24 hard, given our calendars here, to get through all of
25 the materials here that we have for our regular

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1 calendars, and give a fair shake and adequate review
2 of this document.
3 My comments are not addressing the adequacy
4 or inadequacy of this document at this time. But what
5 I am asking, though, is out of respect for the
6 community, and out of a process, as many people have
7 mentioned tonight, that has taken more than ten years
8 to get through, that I think asking for an additional
9 period of time so that people can make these comments
10 on this document is not asking for too much.
11 And as Commissioner Miguel said, the real
12 discussion, obviously, is going to be when the final
13 EIR is brought before us, and we are voting on the
14 adequacy of the final EIR.
15 But much of what we review at that time is
16 based on the comments that we receive during this
17 period and the Comments and Responses that we receive
18 regarding the adequacy or the questions that are
19 outstanding regarding the document.
20 So I think the critical that the Commission
21 and the members of the public have adequate amount of
22 time to review the document and get in all of the
23 comments and have all of their comments adequately
24 responded to by our department.
25 So I am going to actually make a motion that

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1 will be requesting an additional amount of time for
2 this comment period. Again, I'm not talking about
3 Lennar, I'm not talking about the project.
4 My heart goes out to people who are
5 unemployed; it is really a horrible time for so many

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6 people. But that is not what we are addressing
7 tonight. The project is not what we are addressing
8 here tonight.
9 The comment period is something within our
10 purview, and I am going to ask for extension of that
11 period.
12 But before I do that, I guess one of the
13 things that I was concerned about -- this is not
14 something that obviously is within our jurisdiction
15 right now, and I'm stepping a little bit out of our
16 purview, but I heard a lot of people who live in the
17 Public Housing Authority units in the Alice Griffith
18 and other Housing Authority's buildings.
19 And I'm a little bit concerned that people
20 would have to continue to live with cold water and
21 with other quality of life issues that are not going
22 to be immediately addressed.
23 So I would hope that some of the comments
24 that were made tonight, and at other bodies,
25 Redevelopment Agency Commission and other bodies,

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1 concerning the immediate quality of life issues that
2 are being raised by Public Housing residents be
3 addressed immediately.
4 The project, Hunters Point project, is not
5 something that is going to happen overnight. Even if
6 the approvals happen in the period of time that was
7 mentioned in the Chronicle or something today, which I
8 think was somewhere like June, it's still going to
9 take several years or -- several years before these
10 people get their one-to-one housing replacement.
11 So I would ask that our department makes sure
12 that these comments about the quality of life issues
13 that were being raised by the residents of those, that
14 housing type, be somehow communicated to the Director
15 of the Housing Authority and addressed immediately.
16 And that does not only go for Alice Griffith,
17 but probably other housing projects. It was just real
18 horrible to have to listen to that. And I know in my
19 heart that, the way approval processes go and
20 whatever, it may be two or three years before these
21 people see adequate quality of life in their housing
22 units.
23 So I just don't think it's right for us to
24 not at least, you know, ask or make that request of
25 the Housing Authority to go in, and send their

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1 inspectors in, and make sure that these people have
2 adequate housing. Quality of life issues are very
3 critical.

4 And again, I think that it's only fair to ask
5 for extension of period. I saw that June 5th is when
6 the HPC is going to round up their comments. January
7 6th, I'm sorry. It's a little late, here.

8 January 12th is when the Redevelopment Agency
9 is going to be raising theirs. I'm looking at our
10 calendars. I also want to let people know that a
11 couple of -- last week, the Middle Polk Association
12 came here. They requested additional time on Pacific
13 project -- the project is Pacific Avenue, I believe.

14 And that was just one project, and they asked
15 for extension of time, because they also received
16 their Draft EIR, just a couple of weeks or just a
17 couple of days before the Thanksgiving holiday
18 period. So I think it's only fair if we can grant an
19 extension to the Middle Polk residents, that we grant
20 it also to the Bayview Hunters Point residents.

21 And also, last week we saw another draft EIR
22 on a Market Street project, and that took a lot of
23 time. So I'm just saying, we have had full calendars
24 here, and we have had a lot of materials that we have
25 had to look through.

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1 And I'm looking at the advanced calendar, and
2 I'm going to go ahead and make a motion that we extend
3 the comment period to February 4th.

4 COMMISSIONER SUGAYA: Second.
5 COMMISSION PRESIDENT MIGUEL: Commissioner
6 Borden?

7 COMMISSIONER BORDEN: Yes. I would also like
8 to second the idea of public comments being given to
9 the Housing Authority. I think that is really
10 critical, because people should not have to be warming
11 up their water; that is ridiculous.

12 And I don't know what we can do from Planning
13 Commission. But I think that if people from
14 redevelopment, or if anybody from Housing Authority is
15 watching this, it is something that does need to be
16 dealt with.

17 Because with the phasing of this project or
18 any project, it's true that people will not see
19 immediate remedy.

20 I have a couple of questions for
21 Ms. Navarrete, if you don't mind.

22 (Ms. Navarrete steps up to the podium.)
23 COMMISSIONER BORDEN: Can you just comment on
24 all the other agencies who are specifically going to

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25 be commenting on the environmental portion of this



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cont'd.
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1 document; the various agencies that deal with --
2 whether it's BCDC or others, could you talk about
3 those agencies that are going to be commenting on this
4 document?

5 MS. JOY NAVARRETE: Yes. Joy Navarrete,
6 through the chair.

7 Per CEQA, we have to file what's called a --
8 file the Draft EIR to the State clearing house. And
9 they -- they are a clearing house who forwards the
10 document for review to several State agencies; I think
11 we sent them to over thirty. I don't have the list
12 with me.

13 But that includes Caltrans, BCDC, Army Corps
14 of Engineers, the Native American Society. And I can
15 provide that list to you if you like.

16 COMMISSIONER BORDEN: I just think it would
17 be great to make it available to the public, so they
18 are clear on the other agencies that specifically will
19 be responding to the environmental portion.

20 MS. JOY NAVARRETE: Yes.

21 COMMISSIONER BORDEN: Can you also talk a
22 little bit about -- I think a lot of people are
23 concerned about capping or covering. And can you just
24 explain what that means.

25 MS. JOY NAVARRETE: Capping -- I'm not



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1 technically savvy on the hazmat, but capping means
2 covering soil with more soil, clean soil. Again, I'm
3 not certain, but in this case, they are proposing to
4 lift the grade up, at Hunters Point, and I believe
5 it's about three feet.

6 COMMISSIONER BORDEN: And they are lifting
7 the grade to deal with?

8 MS. JOY NAVARRETE: To deal with for the
9 hazmat and for sea level rise.

10 COMMISSIONER BORDEN: Sea level rise?

11 MS. JOY NAVARRETE: Uh-huh.

12 COMMISSIONER BORDEN: Okay. And also, when
13 you talk about that, can you talk about the question
14 of -- my understanding is, the Navy cleans the lot,
15 and they clean it to the standard of whatever our
16 plans are?

17 MS. JOY NAVARRETE: Correct.



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18 COMMISSIONER BORDEN: Is that true?
19 So if our plans are to put housing on
20 particular parcels, they have to clean to that
21 standard?
22 MS. JOY NAVARRETE: Yes. They have to clean
23 to that standard before it's transferred. And then
24 per our plans, the Navy is actually preparing their
25 own NEPA document, the National Environmental

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cont'd.

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1 Protection Agency document, which would be a
2 supplemental Environmental Impact Statement, that
3 would reflect this project.
4 COMMISSIONER BORDEN: And when would the
5 phasing of that document take place, probably?
6 MS. JOY NAVARRETE: It should be after this
7 one, so sometime, we are not sure, but probably in the
8 spring.
9 COMMISSIONER BORDEN: So a number of the
10 issues we are talking about today with the soil
11 contaminants and all of the other toxic chemicals in
12 the soil will be further responded to in that
13 document, and there will be another period for people
14 to talk about that?
15 MS. JOY NAVARRETE: That is correct. It's
16 the Navy's duty to clean, clean the site.
17 COMMISSIONER BORDEN: So then in this
18 EIR document, this is actually additional mediations
19 on top of what the Navy.
20 MS. JOY NAVARRETE: Yes. This is what
21 happens after the Navy cleanup. This is not going to
22 be all built in one year. It's like a thirty-year
23 program. And as the sites are cleaned up, they will
24 be transferred to the City for development.
25 But we are not going to -- the City will not

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1 take land unless it's clean.
2 COMMISSIONER BORDEN: So there are documents
3 dealing with actually the next level of the
4 cleaning --
5 MS. JOY NAVARRETE: Right.
6 COMMISSIONER BORDEN: -- on top of the already
7 turned-over parcel level that is supposed to be at
8 standard?
9 MS. JOY NAVARRETE: Yes.
10 COMMISSIONER BORDEN: And I didn't see

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11 reference to Proposition P in the document. Did I
12 miss that? The one everyone has been was talking
13 about, that was voted on 72 percent for cleaning to
14 environmental standards? I'm not sure.

15 MS. JOY NAVARRETE: It's in the hazard
16 section.

17 COMMISSIONER BORDEN: It's in the Hazard
18 section. Okay.

19 Maybe you could move it also to the place
20 where you talk about propositions in the document, on
21 page I-5, because I think then that would help bring
22 everything together, because I think it's hard
23 sometimes for people to find how everything is
24 responded to; but I think that is useful to know.

25 I'm sorry. Tell me the section again where

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1 Proposition P is dealt with.

2 MS. JOY NAVARRETE: Hazardous Materials.

3 COMMISSIONER BORDEN: If you could tell me.

4 MS. JOY NAVARRETE: 3-K.

5 COMMISSIONER BORDEN: Thank you.

6 MS. JOY NAVARRETE: And that is one of the
7 longer sections.

8 COMMISSIONER BORDEN: Perfect, great. I
9 think that covers pretty much the questions that I had
10 for you. I'll make some comments, but, yes, thanks.

11 MS. JOY NAVARRETE: Thanks.

12 COMMISSIONER BORDEN: So I think it's
13 important. As everybody knows, the purpose of the
14 hearing is not to certify the EIR today, or say that
15 it's perfectly adequate, but to identify further areas
16 of additional study. I think it makes sense.

17 POWER has a list of some of the toxic
18 contaminants that they have concerns about. I think
19 that, obviously that document should be responded to,
20 and obviously everybody's comments here will be
21 responded to, so that we can look at these things
22 further.

23 I know that some toxics are naturally
24 occurring and there are some toxics that are in
25 household living, and I know that is also an impact

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1 that is also looked at in the document.

2 I think responding more to the cultural

3 heritage issues, and the Ohlone people we have talked

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4 about that have lived in that area; I think that it's
5 important to make sure that the final version of the
6 document adequately talks about that.
7 And I think you could have more discussion in
8 the document about the cleaning to residential
9 standards, because there seems to be a lack of clarity
10 there, and I think if maybe that was better spelled
11 out in the document.
12 And I know the problem. Part of it, is the
13 phasing, and maybe some of that could be moved to the
14 front, as well, into the Executive Summary portion, so
15 that it's more relevant to people where it is. And
16 the like areas if that makes sense.
17 I think it was an important distinction, you
18 know, the Navy does want part of the cleanup, and
19 there is another part of the cleanup that whoever
20 develops the property will have to deal with.
21 And I want to make a distinction here. This
22 EIR is for a project that, obviously right now, there
23 is a developer for it, but in the future, this
24 EIR would be the document used for any future
25 development, should someone want to do a similar

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1 project like this.
2 So it's today -- this conversation, to me,
3 it's not about Lennar. I know people have concerns
4 about Lennar, but I think we have to separate those
5 two issues out, because that is not what the
6 environmental review document does.
7 I did see that there were examinations of the
8 various alternatives that is required. Looking at
9 with or without stadium.
10 Yosemite Slough, I know there will be more
11 comment on that. And I think that it's really
12 important that people do more comment on that.
13 The question earlier on technological
14 innovation, I work for a technology company, my day
15 job. Apparently technology innovates every 18 months;
16 and unfortunately it's impossible to keep up with
17 that.
18 However, what I will say is that this is just
19 the beginning and not the end of project. And when it
20 comes through for entitlements and project approvals,
21 you know, we will often add within the code
22 regulations, whether it's the building code or the
23 housing code, the standards that are applied at that
24 point in time are what are put in place on the
25 project, when they get their permits and go to that

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1 portion of the entitlement.

2 So we are not held to the limitations
3 necessarily of technology or standards today at the
4 time when this project moves forward. And, as you
5 know, the project is phased, based upon cleanup, and
6 it's going to be 20 years before we get there, so I
7 just wanted to reassure people that the limitations or
8 new innovations that are happening in all of these
9 areas will be applied in the future.

10 In terms of the construction impact issues
11 again, that is another thing we can deal with more
12 adequately in the project approval process. And we
13 actually put in particular conditions related to how
14 people mitigate those circumstances.

15 That is, again, talked about in the document;
16 but as far as our ability to really do anything about
17 a lot of these issues that people have brought up,
18 these really aren't the EIR issues, these are actually
19 going to be issues in the project approval process.

20 A number of the socioeconomic and other
21 issues are issues that the Redevelopment Commission is
22 going to have to deal with.

23 This project is so personal to me. I see my
24 community divided over the fact of wanting a better
25 community for them and their families; having high

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1 birth defects, and asthma rates.

2 Nobody wants a toxic future. No one wants
3 that. And no one is trying to fast track anything.
4 There are all of these federal requirements, and state
5 requirements, and local requirements.

6 And we know that you are going to be there
7 every step of the way. Some people have said already
8 they are going to sue. We know there is going to be
9 many more vetting processes. In this one Executive
10 Summary document, there are a numerous list of project
11 approvals that go on for quite some time, that is
12 going to be happening for this project.

13 So I want to stay that, because I don't want
14 people to mistake why I don't want to extend the
15 comment period, I'm not against stopping comments. We
16 just heard there is an EIS statement coming out.

17 And there is going to be at least three other
18 hearings upcoming, Redevelopment Agency, HPC, and
19 others, where there will be additional comments on the
20 document. We have to have -- but we need more
21 comments on the hard-core nature of the environmental
22 stuff of the documents, and I'm afraid that we are

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23 not getting there at this point.
24 But the good news, as I said, is that there
25 is an EIS study. And there is several more. There

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1 are transportation studies. There will be many more
2 times that this is going to be looked at.
3 If this were the end of the process, I would
4 for sure say we need to extend it. At this point, the
5 way I see it, a lot of the arguments and the things
6 that we have heard have been things that we have been
7 hearing for quite some time.
8 This project has been vetted in other
9 agencies, and it's going to continue to be vetted in
10 other agencies. So if this were the end of the
11 process, we would be at a very different state.
12 There will also be a final certification
13 process -- I mean document, and also a hearing. And
14 so if at that point, it's not adequate, then we won't
15 certify it, and we can go back to the drawing board,
16 or whatever.
17 But the point is that there is a lot of
18 incentive for the project sponsor to make sure that
19 the final version of the EIR is adequate and accurate,
20 and it deals with all of those issues.
21 So I just wanted to say that on the record
22 and to express why I support extending it to January
23 12th, which is 60 days, which is consistent with what
24 we have done with the PUC EIR's, which are sometimes
25 longer in length, with the Bicycle Plan EIR and

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1 others. Some of the other extensions we gave were for
2 45 days, not for 60 days.
3 I recognize people's concerns, but again, if
4 this were the end of the process, it would be a very
5 different conversation, but this is really just the
6 beginning.
7 COMMISSION PRESIDENT MIGUEL: Commissioner
8 Antonini?
9 COMMISSIONER ANTONINI: Well, I agree with
10 Commissioner Borden as far as the amount of time.
11 In fact, there is a little bit of a
12 difference. There was mention made of a particular
13 DEIR, which had come out on the Polk Street Project;
14 but we discussed that last week, and one of the
15 reasons we extended that is that the release was not

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16 timely and they didn't receive it. And we all agreed
17 that the release of this EIR had been timely on the
18 November 12th date.
19 And there still is another week to get your
20 comments in. So I would encourage you to do that. I
21 read all of the 4000 pages, a lot of nights, a lot of
22 weekends, a lot of free time.
23 But I would, however, be supportive if this
24 motion is defeated and we make a motion to extend to
25 the 12th, as Commissioner Borden has mentioned, and

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1 others, and Chairman Miguel has said, I think that is
2 reasonable and that could be done, and that agrees
3 with when Redevelopment is ending their comment
4 period, so it seems to make sense.
5 On a couple of the other issues, in reading
6 this, I did note that all of the impacts that were
7 analyzed had less than significant, or less than
8 significant if mitigated, and they went through all of
9 the different toxins. And I was, you know, I was
10 satisfied with that, however, you know, certainly
11 there were comments brought up today, and that is what
12 Comments and Responses is about; because the comments
13 that were aired today and will be included in written
14 comments before the end of the comment period will be
15 answered in the Comments and Responses; and I'm sure
16 you'll find the answers are in there, as to your
17 comments.
18 Also, alternatives. There are a lot of them
19 analyzed, and there is are a lot of different -- you
20 know, someone brought up the point earlier about the
21 Candlestick alternative, and saving Candlestick Park;
22 and that is one of alternatives.
23 And there are a number of different
24 alternatives that are mentioned in there; and I
25 thought it was quite thoroughly done, and it probably

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1 exhausts all of the different types of alternatives,
2 given the project that was approved through Prop G and
3 the nature of that project; I thought that was quite
4 well done.
5 There was a concern about transportation. I
6 think that is a very, very good concern about
7 transportation.
8 I have been an advocate of a northern route

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9 for access out of this Hunters Point area, because I
10 think if you are going that much activity there, you
11 are going to have the housing that is called for, you
12 are going to have the recreation that is called for,
13 the research and development, the stadium, all these
14 different things, you have got to be able to get
15 people quickly in and out of there.

16 Particularly if you are living in Bayview
17 Hunters Point and you are working downtown, you
18 deserve a light rail line that brings you downtown
19 quickly; and likewise, a light rail line should
20 connect up with (inaudible) at a station, a Bayview
21 Station, and with the Muni Metro line and with Cal
22 Train, and then on to Geneva Avenue.

23 And so, you know, this is mentioned in the
24 DEIR; but I think, you know, we have to have a little
25 more detail on that.



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cont'd.

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1 They talked about bus rapid transit, but I
2 think that what we really want to see is light rail;
3 we want to see people have the same access to
4 transportation in Bayview Hunters Point and
5 Candlestick Point as they do in the rest of the city;
6 and I think that is a really important thing to be
7 analyzed.

8 Let's see, the other thing I noticed was
9 historical aspect. And I did enjoy reading a I think
10 very comprehensive analysis of historical, going back
11 to Native Americans, to, you know, early Chinese
12 fisherman. The Italian and Maltese truck farmers.
13 And I would like to hear what the historic
14 preservation commission has to say about that; and
15 certainly memorializing the history is a very
16 important part of the EIR.

17 And, you know, some of the other effects that
18 were brought up, I'm sure will be answered in Comments
19 and Responses. You know, the issue of liquefaction
20 comes up quite often; but, you know, I think it's
21 quite well answered.

22 As it has been, whenever we consider some
23 buildings downtown and other things that are new
24 structures, that is always brought up, because we have
25 many liquefaction plains; the whole downtown San



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1 Francisco, Mission Bay.

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2 And so these, these are all areas in which,
3 you know, the answer is in how you built it, and it's
4 sturdy.

5 And then I think there was a question about
6 artists space, and I believe there is 255,000 square
7 feet that is set aside for artists' live/work, so that
8 is a fairly significant amount of space. And you
9 know, that is in there; it's in the EIR.

10 And they also talked a little bit about the
11 Fire Department. There is a fire station. I believe
12 it's on Carroll, the Bayview station. I may be wrong
13 on the street, but I would think its proximity to
14 Hunters Point is going to be adequate; particularly
15 the if we do build the bridge over Yosemite Slough,
16 which is critical.

17 And I also feel that it should be open all
18 the time, not just on game days; because if you expect
19 people to be living there, and you then tell them that
20 to get out of there, you can only get out over that
21 bridge on game days, the rest of the time you are
22 going to have to drive through the neighborhoods, to
23 me, it doesn't make a lot of sense.

24 Likewise, they have to be able to get out
25 quickly over the Indian Basin area.

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1 So these are some transportation things that
2 we need to look at in greater depth, and we certainly
3 can as this process carries forward.

4 But I think it's an extremely well-done
5 document. I think it is very, very thoroughly done.
6 And I was happy to hear all of your comments today.
7 And I am happy to hear that this area is slated for
8 what I think is going to be the largest single project
9 in the history of San Francisco, and I think that it's
10 going to be a benefit to all of the City and all of
11 us.

12 COMMISSION PRESIDENT MIGUEL: By the way,
13 those of you who feel a little warm, we have found
14 that when we are here late, after 10:00 o'clock, I
15 think the air condition goes off.

16 Commissioner Sugaya.

17 COMMISSIONER SUGAYA: Yes. To me there is a
18 couple of ways to look at the extension.

19 One, you can argue this has been going on for
20 a long time, like a lot of people have said, and that
21 there has been 177 or 200 meetings, and everything
22 else.

23 One way to look at that is then, you know,
24 what's another 45 days, right? So that is why I
25 seconded it.

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1 I also would like to know, and I don't know,
2 staff is not answering questions, I guess, but this is
3 a procedural question: What deadline, legal deadline,
4 are we up against, anyway, that forces us to shorten
5 up the -- or not shorten up, but to extend the comment
6 period?
7 Ms. Hestor showed some kind of chart, that
8 you are aiming for April or June.
9 MS. NAVARRETE: It was a goal, mostly for --
10 COMMISSIONER SUGAYA: Then there is no legal
11 reason why we can't extend it another --
12 MS. NAVARRETE: Not for CEQA. There is a
13 minimum of 30 days --
14 COMMISSIONER SUGAYA: Right
15 MS. NAVARRETE: -- and a maximum of 60 days.
16 COMMISSIONER SUGAYA: Right.
17 MS. NAVARRETE: And a maximum of 60 days.
18 COMMISSIONER SUGAYA: Right, thank you.
19 So we are not, you know, we are not caught in
20 any kind of situation like we are sometimes when the
21 Board of Supervisors, for example, sends down a piece
22 of legislation, and there is a specific amount of time
23 in which we have to act, or at least send back
24 comments; and if we don't send back comments, the
25 Board goes ahead and does what they want to without

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1 us.
2 So there does not appear to be that kind of
3 issue here; so another couple of weeks for me, for a
4 document so huge.
5 And I might mention, I don't have all of the
6 appendix documents. I don't know if we were supposed
7 to get them or not.
8 MS. NAVARRETE: They are included in the CD
9 in the back, but I would be happy to give it to you a
10 hard copy.
11 COMMISSIONER SUGAYA: I don't think there was
12 a CD in the back.
13 MS. NAVARRETE: Okay. I have a hard copy.
14 COMMISSIONER SUGAYA: It was in the third
15 volume.
16 MS. NAVARRETE: Yes. In the back of the
17 third volume; because otherwise, we would not have
18 given you three more --
19 COMMISSIONER SUGAYA: Yeah.

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20 MS. NAVARRETE: -- volumes.
21 COMMISSIONER SUGAYA: Along that line,
22 though, I did notice in the Appendix, under Cultural
23 Resources, only the Page & Turnbull report is cited.
24 Is there a reason why Circa's report is not
25 in there, also?

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1 MS. NAVARRETE: We provided those to Historic
2 Preservation Commission, but I could give those to you
3 as well. Those are reference materials that also
4 available in the file.
5 COMMISSIONER SUGAYA: Right. Okay. I'll
6 take a look on-line first if it's really long, I'll
7 ask you for a copy.
8 MS. NAVARRETE: Okay.
9 COMMISSIONER SUGAYA: Okay. And in terms of,
10 to the public, after listening to your testimony, I
11 fear that the majority of comments were so general
12 that they are not going to contribute a great deal to
13 the Response to Comments document.
14 And I don't know if you understand how this
15 works. But this was a hearing on the draft of which
16 everyone has been holding up and saying, you know,
17 they have read it.
18 I haven't read it. Anyway -- not the whole
19 thing, anyway. And I don't intend to read the whole
20 thing, because a lot of it is not within my expertise,
21 or you know, I don't understand toxics, anyway.
22 But from that standpoint, the comments that
23 were made tonight, and I would urge people to really
24 put things down in writing and send it in, and to be
25 as specific as you can; no matter whether the comment

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1 period goes to the 12th of January or into February.
2 Because in testimony, I think what happens is, you
3 cannot cover all of your points in three minutes, and
4 you cannot get really specific.
5 And so people who have talked about the toxic
6 issue have not been specific enough. And the comment
7 is going to be, we have already addressed it in the
8 Draft EIR document; that is what's going to happen.
9 Because you have not specifically said, what
10 the problem with the toxic is, what the specific
11 problems are with cultural resources.
12 Now, I know the Historic Preservation

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13 Commission is probably going to have some very
14 specific comments, because they are a commission, and
15 they have, you know, the wherewithal to do it.
16 And you all probably have the wherewithal to
17 do it, I'm sure, and if there are scientists working
18 on it or something like that, or college people, then
19 you know, you have a big advantage, and so that is why
20 I also want to allow a little bit more time.
21 But they have to be very specific. And I
22 think the testimony tonight was great in terms of
23 hearing the concerns and all; but as far as what's
24 going to happen in the final report, to my way of
25 thinking, the responses are going to be, we already

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1 covered that subject, because you have not really said
2 exactly what the problem was in the EIR.
3 And so that is why I urge all of you to go
4 back and really think about what the issues are that
5 are bothering you; not generally, but to take the
6 EIR and say, this is the problem, right here on page
7 24.
8 Thank you.
9 COMMISSION PRESIDENT MIGUEL: Commissioner
10 Lee?
11 COMMISSIONER LEE: I think Commissioner
12 Sugaya's comments are succinct.
13 Many of the issues that were discussed today,
14 I found, because of my background, were misleading and
15 technically incorrect.
16 There was some issues, a lady talked about
17 radiation and what happened at the atolls for her
18 father. That is more of a gamma radiation, instead of
19 what we found at Hunters Point Shipyard, which were
20 radium dials that were buried.
21 I myself sat over the Citizens Advisory
22 Committee and, I think '87, appointed by Dianne
23 Feinstein, at that time. Espiro Jackson, was on it.
24 Charlie Walker. Three of our past supervisors;
25 Michael Iyaki, Leslie Katz, and also Sue Bierman.

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1 My background is in the environmental area,
2 and I set up the -- I was hired actually by the
3 Feinstein administration to set up the environmental
4 program at the Health Department. I hired the lady
5 who actually did the review in lighter toxics.

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6 I sat on Hunters Point Citizen's Advisory
7 Board and the Restoration Advisory Board, along with
8 the Presidio and also Treasure Island.

9 And this whole issue about, as I have gone
10 through the document, one of the issues, I guess, was
11 brought up the difference between cap and cover. A
12 cover and cap is basically the same thing, except when
13 you cap it, you actually have a thicker wall there,
14 because what you are capping is lot more toxic than
15 what you are covering. That is basically the
16 simplistic way of looking at it.

17 And there was some lady talked about listing
18 all of the toxic chemicals. She made a mistake about;
19 Chromium 4; it does not exist as hexavalent chromium.
20 I did my thesis on the toxicity of trivalent and
21 hexavalent chromium, so I know that very well.

22 I also taught Risk Management For EPA, at
23 U.C. Davis. And so, I also worked in Washington,
24 D.C., with Department of Labor for the Occupational
25 Safety and Health Administration.

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1 I'm an expert and I'm certified for Workers'
2 Comp in toxic exposure. I'm a Certified Industrial
3 Hygienist, a Certified Safety Professional.

4 I worked with CAL Osha, I responded to
5 emergencies.

6 I set up the Hazardous Materials Ordinance,
7 under Nancy Walker at the Health Department.

8 So I think I can read this document and tell
9 you what's real and what's not real. The comments
10 that we had about a month ago, for informational
11 purposes, did not provide me with any missing
12 information with the CEQA.

13 Today I'm looking for more information and
14 have yet to find that information. As we break down
15 each category, a lot of decisions that are made in a
16 cleanup are frankly driven by CERCLA, which is the
17 Superfund Act passed by Congress, I think, back in
18 1980.

19 And we are overseen by Federal E.P.A., but
20 some of that has been delegated to the local toxics or
21 to Water Resources Control Board.

22 There are some issues about, you are worried
23 about the issue of green house gases. That, to my
24 understanding, I saw part of it being addressed a
25 little bit, and how they are going to put walls up

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1 there, where they are looking at, if it goes up about
2 a meter and a half, which is about five feet.

3 And there are other issues about, what if we
4 have an earthquake. Frankly, Hunters Point is pretty
5 much solid rock. San Francisco is built in Franciscan
6 rock.

7 There was somebody I guess from the Green
8 Party talking about asbestos being very toxic. It is
9 toxic, but Franciscan rock is the state rock, and it's
10 a different kind of asbestos, versus the asbestos that
11 you would be exposed to, which is friable and
12 nonfriable.

13 And there has always been this issue that, as
14 scare tactic, well, if you are exposed to PCB or one
15 molecule of asbestos, you will get lung cancer. If
16 that was the case, everyone in California would have,
17 especially in the Bay Area, lung cancer.

18 Because asbestos is here, it's naturally
19 occurring, along with -- someone brought the issue
20 beryllium. Beryllium will cause part lung cancer, but
21 it's naturally occurring in the Bay Area, which is
22 higher than normal levels, considered background
23 natural levels.

24 So I want through the environmental document,
25 the toxicity, the hazardous materials, the underground

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1 storage tanks. Regarding some of the biologicals done
2 there, the Navy did take a -- I saw some from the
3 data. They used to do testing, what they called the
4 plague, Pasteurella pestis.

5 We have documents that we actually had the
6 Navy go through each of the walls in the labs to
7 determine if there was any more spores or anything
8 left over from Pasteurella pestis we did find some
9 PCP's.

10 We did find some PCP's. That part has been
11 cleaned up.

12 Dago Mary's, the restaurant that was there,
13 they actually had led in their drinking water. Before
14 you could drink the water there, because of some
15 contamination, they would have to turn the water on in
16 the morning and let it run for about a half hour to
17 dilute the lead that was there.

18 So regarding the environmental impact, the
19 hazardous waste, the CERCLA, the hazardous materials,
20 I don't find any issues with that at all, in the
21 document. I have not heard anything from earlier
22 meetings, from what I have read, to lead me to believe
23 that that area has not been completed.

24 Now a couple of other questions that I have

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25 for the staff, I wanted to ask the staff. I wanted to

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1 ask the staff on -- there are the parts you talk about
2 the seismic. And -- and one of the things I can't
3 remember with the seismic area, is that, we have the
4 Hayward and San Andreas fault.

5 To my knowledge, I have yet to hear from the
6 US Geological Society -- Geological -- the
7 US Government agency, yeah, did they find any faults
8 close to Hunters Point or the shipyard or Parcel G?

9 MS. NAVARRETE: I'm not sure if we have that
10 in our document. I would have to check that.

11 COMMISSIONER LEE: Because I know you
12 addressed the liquefaction issue. But I wasn't sure
13 how close the fault lines are to -- the Parcel G is
14 what we are talking about, Phase II.

15 And my question is, I don't know if
16 Redevelopment has that. Or from what I see, I think
17 you addressed it adequately. I'm not an expert in
18 this, but I know that there were maps throughout the
19 whole city, because for insurance purposes, they do A
20 to E, that if you hide risk, especially in the Marina
21 you will pay more insurance, because you are on sand.

22 Whereas, Hunters Point, which I have been on,
23 it's on hard rock. And maybe this gentleman can
24 answer that.

25 MR. RICE: Just a brief point of

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1 clarification. Michael Rice with PBS&J.

2 I do recall that in the Soils and
3 Geotechnical chapter, we identify regional faults as
4 well as local faults. And I believe there are no
5 active fault traces in the Hunters Point area.

6 But it is all there, and it's mapped and
7 tabled.

8 COMMISSIONER LEE: Okay. And another
9 question was brought up about by biological resources,
10 and I think you -- the EIR went over it.

11 But how are you going to protect biological
12 resources on Hunters Point for Parcel G, which we are
13 really doing the CEQA on.

14 Could redevelopment staff, or the mayor's
15 office or whoever is here, can answer that?

16 MS. NAVARRETE: We will have to respond in
17 the Comments and Responses. We don't have a

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18 biological expert here today.
19 COMMISSIONER LEE: Okay. Because that was
20 brought up by somebody, or two other people there.
21 And regarding, there was a comment about
22 falsification of air sampling. I think I read that in
23 the newspaper a couple of years ago.
24 And I think that the community was in an
25 uproar, either the batteries died or they didn't

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1 actually analyze correctly.
2 Can you explain exactly how is that
3 applicable to the EIR?
4 MS. NAVARRETE: Well, we do have mitigation
5 measures in the EIR under the Air Quality section
6 for -- for -- to prevent those types of air quality --
7 And those are all standard mitigation measures. They
8 are not necessarily mitigation measures. They are
9 required by the city for any dust release. And it's
10 all part of the building code for any water. You have
11 to constantly water the site during any excavation
12 work.
13 COMMISSIONER LEE: So I assume it's been
14 corrected? Once that happen a few years ago, there
15 has not went any issues with the air monitoring
16 protocols at Hunters Point?
17 MS. JOY NAVARRETE: That is not part of this
18 project.
19 It's a previous project that is ongoing,
20 that's under Construction, so I'm not familiar with
21 that.
22 COMMISSIONER LEE: Okay. But that has no
23 applicability? If someone testified that because the
24 air monitor results were either wrong or falsified,
25 that led me to believe that might have affected what

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1 we are doing with the EIR?
2 MS. JOY NAVARRETE: That is not applicable
3 for this EIR. But we are going to prevent that type
4 of problem with the DEIR.
5 COMMISSIONER LEE: Right. Okay, thank you.
6 Hey, Mr. Bloom? Saul?
7 SAUL BLOOM: Yes, sir?
8 COMMISSIONER LEE: The question is, earlier
9 on, you and I talked in the hallway about extending
10 the comment period. But I asked you earlier, I need

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11 something to say, why should we extend it even to the
12 12th of January if the information, from my
13 perspective, seems to be adequate, and --
14 You have to come to the podium, sorry.
15 SAUL BLOOM: Oh, do I?
16 COMMISSIONER LEE: Yes.
17 SAUL BLOOM: Okay.
18 COMMISSIONER LEE: -- and so I want to know,
19 is there something that I'm missing.
20 SAUL BLOOM: Again, if I might have the
21 question again, sir?
22 COMMISSIONER LEE: Well, so, I asked you --
23 we were talking about, out in the hallway earlier
24 about extending it.
25 And I said to you, I need to have having here

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1 that lets me believe that I really don't understand
2 the CEQA document, and that it is not -- is not
3 inconsistent with all of the other CEQA documents that
4 we have already done through the Planning Department.
5 This CEQA document is just a little more
6 complex because it's the Superfund, all right? Aside
7 from that, I have not found any or any public
8 testimony that would lead me to believe that we
9 haven't addressed those issues. And that is why I'm
10 askin you to come here and let me know, what am I
11 missing?
12 SAUL BLOOM: Well, I think in terms some of
13 our concerns that we are identifying right now, there
14 is disagreements with the transportation analysis that
15 was provided by the City and its consultants, with
16 regard to timing of transit through the slough area
17 with the impacts upon traffic.
18 Off of the bridge area, and the nonbridge
19 alternatives, and we felt that that transportation
20 analysis was not well done. It under counted -- it
21 overcounted the amount of impacts in the community.
22 It did not equally address the Alternative 2 question
23 with regard to how the transit was going to be further
24 improved by the presence of the bridge.
25 We were concerned about the questions about

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1 biological assets; both on the Candlestick site and
2 the Hunters Point Shipyard site.
3 We were concerned about the adequacy of the

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4 characterization of the non shipyard environmental
5 contaminant areas. There are a number of known
6 contaminant sites outside of the Hunters Point
7 Shipyard site, but still within the Candlestick Point
8 project area that we didn't find well enough
9 characterized.
10 We didn't find the characterization of the
11 locations of transportation assets near habitats that
12 were in the restoration areas for the State Park
13 adequately characterized.
14 We did not find the relationship of the
15 habitat of the peregrine falcons, for example, in
16 terms of its habitats and requirements forward chain
17 in the area well enough characterized.
18 And then there were additional questions
19 about the location of facilities and sites and that
20 sort of thing on the property.
21 COMMISSIONER LEE: Right --
22 SAUL BLOOM: I also think that --
23 COMMISSIONER LEE: -- but part of this issue,
24 you are making it broader than -- this EIR is for
25 Parcel G.

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cont'd.
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1 SAUL BLOOM: No.
2 COMMISSIONER LEE: Part of it, you look at
3 the impact.
4 But the other part of it, if you looked out
5 into the water, actually Hunters Point self -- has
6 capped itself, because we get a lot of the debris that
7 comes out from the Sacramento Basin that actually
8 keeps some of the toxins out.
9 And, as a fact, we have done fish testing. I
10 have been out in a boat, maybe not with you, to look
11 at the fishing out there, we have done studies out
12 there.
13 So even with the biological stuff, I look for
14 something that you could tell me, what I need to do.
15 You have the questions, okay?
16 From my perspective, I'm legally bound to
17 look at the CEQA document, am I satisfied, did we
18 recover all the alternatives?
19 You came to Planning, I guess, or
20 Redevelopment, in January and said, you were not doing
21 this. Redevelopment, in January, said, okay, maybe
22 you are right, we look at the other alternatives.
23 So I need something, for myself, to
24 rejustify, why should we extend it to even January the
25 12th?

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1 SAUL BLOOM: Well, I guess the question,
2 Mr. Lee, is first, (a), we would disagree that the
3 issue is primarily with regard to Parcel G. The issue
4 has to do with the entire 700-plus acre site.

5 And there is the coalition and housing in
6 areas we are quite concerned about. For example, with
7 regard to dust control, the same conditions that
8 prevail on Parcel A, the Hunters Point Hill, prevail
9 in Alice Griffith.

10 There is some questions about how the dust
11 control is going to be managed. As you know, Arc
12 Ecology has not been as concerned about the asbestos
13 issues as some others because of some of the work that
14 we have done on the dust control areas.

15 We want to see similar kinds of quality of
16 work done within the Environmental Impact Report and
17 the review of that, and ask the Redevelopment Agency
18 former contractor that helped establish the dust
19 control machine that was set up on Parcel A, we still
20 have concerns with how that is going to be addressed
21 on the Alice Griffith area.

22 And furthermore, with regard to liquefaction,
23 there remains some concerns. The Hunters Point
24 Shipyard is not entirely bedrock. The bedrock area
25 consists of Hunters Point Hill, and it consists of the

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1 toe of Hunters Point Hill, out into San Francisco Bay
2 that comprises a portion of Parcel C at this point.

3 Parcel B, Parcel D, Parcel E, are all
4 landfill. The panhandle is landfill. As is the
5 Candlestick portion of that area, so there is some
6 concerns about the adequacy and characterization of
7 that.

8 I could go into further commentary about it,
9 but the reason why I did not focus on that subject
10 matter was my own staff of professionals and
11 scientists are still gathering their data to inform my
12 testimony, which is why we ask for more time.

13 That is the crux of the issue. In terms of
14 competence of the document, we think that the document
15 has some way to go before we would concur that the
16 document was currently competent and not challengeable
17 under the California Environmental Quality Act.

18 And I think it's the responsibility of the
19 Commission to ensure that the document you approve
20 will stand the test of CEQA. And at this point, it is
21 my professional recommendation to you that it does
22 not.

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23 So that is why we are asking for additional
24 time; and I could provide you with additional data on
25 that. But as I said, my own staff, my own scientists,

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1 my own technicians are in the process of compiling
2 their review of it and cross-checking other
3 information that is in the public record right now,
4 some information that was not provided on the EIR.

5 So my apologies to other individuals here --
6 COMMISSIONER LEE: I think this dialogue is
7 important because, you know, I don't care the date and
8 all that. My view on the CEQA document itself is the
9 data behind it, did we address the alternatives; this
10 is what we are supposed to look at.

11 And you have raised questions, and some of
12 these have been raised before, but the question is, is
13 there something there we are actually missing? I
14 still haven't seen anything in two public testimonies
15 of about eight hours, that I may be missing. And
16 maybe I don't know what I'm missing.

17 But I want to thank you for your comments,
18 and I appreciate your coming out.

19 SAUL BLOOM: I would really encourage you to
20 look at the Transportation section with regards to the
21 impacts on the industrial areas and the Yosemite
22 Slough Bridge.

23 One very, very specific weakness in the area
24 section that has substantial impacts on the
25 surrounding community. They are not well

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1 characterized. And we are going to be going to great
2 length on that when we have the opportunity to provide
3 written comment to this Commission.

4 But thank you very much for your time.

5 COMMISSIONER LEE: Thank you.

6 COMMISSION PRESIDENT MIGUEL: Commissioner
7 Antonini,

8 COMMISSIONER ANTONINI: I just wanted to
9 also -- I guess if Joy Navarrete could just answer
10 now, I think you had a comment on the comment period,

11 MS. JOY NAVARRETE: Yes, I did.

12 COMMISSIONER ANTONINI: -- and I think you
13 had said a minimum of 30 days and a maximum of 60 days
14 is what's customary.

15 MS. JOY NAVARRETE: Right, that's according

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16 to the CEQA.
17 COMMISSIONER ANTONINI: So this --
18 MS. JOY NAVARRETE: And I just wanted to
19 clarify that the January 12th date has already
20 effectively been extended by the Redevelopment
21 Commission.
22 COMMISSIONER ANTONINI: Right.
23 MS. JOY NAVARRETE: And you can move to --
24 COMMISSIONER ANTONINI: -- extend to that
25 date?

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1 MS. JOY NAVARRETE: -- just to affirm that.
2 COMMISSIONER ANTONINI: In fact that is one
3 more than 60, I think it's 61 days, but that would
4 probably be okay, if my math was right on the two
5 months. November has 30 days.
6 A. It is 61 days.
7 Q. Okay, thank you. That answers that
8 question.
9 Just a couple of other things I didn't bring
10 up. There were a couple of inaccuracies I found in
11 the document; these are minor points, but I think it's
12 kind of important to me. I happened to notice that
13 there was not a mention of the fact, when they are
14 talking about possible 49er stadium, and the days that
15 would be possible, they didn't mention Thursday night
16 games, which now you know, we have.
17 And in fact it is important, because we can
18 have those weeknight games here, unlike some other
19 possible sites that are being considered that cannot
20 have weeknight games.
21 So, I think that that is important.
22 And also, a very small point is that they
23 said Candlestick Park opened for the 1959 baseball
24 season, it was actually 1960. So to correct the
25 record, we have those things.

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1 And one this other thing I did want to
2 mention, I thought I would hear a lot more of this
3 today. I read this, and I was looking at all of these
4 transportation pieces; like the interchange at
5 Highway 101, nobody brought that up, it seems like a
6 good idea to me; it's about 50 years overdue.
7 And also the widening of Harney Way, which
8 sounds, you know, like a very good idea, allowing for

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9 light rail along there, as well as a bike path, a
10 walking path, and enough room for the traffic.
11 One concern I had, if you look at the plan,
12 the future plan makes a very sharp right angle turn
13 where Jamestown is now, and into Giants Drive, which
14 will eventually be Arelious Walker; and then over the
15 bridge, over the slough.
16 And I think that has to be more of a gradual
17 turn, if you are going to run traffic on that, it's
18 going to be very slow if everybody has to stop and
19 make a left-hand turn.
20 And it's easy to rectify, and certainly as
21 long as Candlestick is there, you won't be able to,
22 but if, in fact, the new stadium built, then you can
23 use part of the parking lot, and make a more gradual
24 turn. So anyway, that is a suggestion on that part of
25 it.

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1 And the other thing I wanted to mention, is
2 that the parking analysis does understate a little bit
3 the availability of parking surrounding the new
4 stadium. There is 700 acres.
5 You know, you have a lot of flexibility. But
6 you also have all these privately owned lots, or you
7 have lots that are currently being used that are park
8 land.
9 So you have a lot of flexibility, and I'm
10 sure you can, if necessary, you can have the 20,000
11 parking places that are now available. Multi-use
12 fields, of course on most of them, so they can be used
13 for playing fields, also.
14 And I guess my other question is, and I don't
15 know if it's addressed here, is can you barbecue on
16 the multi-use field? That is an important issue for
17 tailgaters.
18 I mean, I understand that they do quite well,
19 and they have been used in other areas; so I think we
20 want to bring that point up.
21 And those are the main points. Thank you.
22 COMMISSION PRESIDENT MIGUEL: I just want to
23 remind everyone of the hour, because we have to get
24 cars out of the garage.
25 Commissioner Ulague.

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1 COMMISSIONER ULAGUE: I just didn't want to

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2 leave anyone with the impression that I have not read
3 through the document. I have read through this
4 document. I have read through the Pacific Place
5 document. And I read through the other Draft EIR that
6 we saw, the Market Street project, so I don't want to
7 leave anyone with that impression.

8 But I do want to remind people that it's not
9 just about us making the decision up here; it's about
10 allowing the members of the public to weigh in during
11 the holiday season, and I'm used to reading EIR's, so
12 I know where to go, how to read them, how to analyze
13 them.

14 And if I were a member of the public, and
15 this were the first EIR document that I ever had to
16 analyze, I think that I would want more time to really
17 do an adequate job. And I think, again, it's out of
18 respect for the public that I would ask for that
19 extension period. Because it's very complicated stuff
20 and I really want to applaud members of the public for
21 taking the time to educate themselves and their
22 neighbors about the contents of this document and to
23 really be good citizens, so I want to thank you for
24 being good citizens and doing you due diligence.

25 COMMISSION PRESIDENT MIGUEL: Commission

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1 Moore, please? Commissioner Moore?

2 COMMISSIONER MOORE: Given the size of the
3 land area, its history, and the size of the project,
4 which will sit on it, combined with the comments heard
5 today, not all of them necessarily contributing to
6 draft EIR, but being comments which need to be
7 analyzed, and I believe that the summary that we just
8 got from Arc Ecology is driving it home for me.

9 I have worked with Arc Ecology on Treasure
10 Island and have seen this phenomenal amount of
11 knowledge which has broadened the understanding of
12 that project over the nine years that I have been on
13 the Citizens Advisory there.

14 So I take, really, with a lot of caution;
15 and having spent ten years on it, and adding another
16 30 days will not make a bit of a difference; however,
17 if it increases the level of comfort by which the
18 questions which were asked are being answered, then I
19 think every hour in those 30 or 40 days will be worth
20 our while, because it will make it in the end more
21 easy for us to take the responsibility to approve this
22 EIR.

23 And I would be feeling more empowered by
24 having every stone left unturned to find answers, even
25 if some questions are not answerable. And I would

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1 leave it with that and support Commissioner Olague's
2 motion to extend the comment period to early February.
3 COMMISSION PRESIDENT MIGUEL: Commissioner
4 Sugaya?
5 COMMISSIONER SUGAYA: Yes.
6 I would just like to point out that, even
7 though we are trying to divorce ourselves from Lennar,
8 it is Lennar's plan that this DEIR is concerned with.
9 So you can't remove -- I mean, you can remove Lennar
10 as the company, if you want to do that, but in fact
11 this plan is Lennar's plan.
12 It isn't the plan from Forest City. It isn't
13 the plan from Sun Tech Development, or whoever is
14 trying to do Alameda.
15 And so, I think we are concerned with a
16 preferred project, and a preferred project has some
17 alternatives, which -- some of which I believe are --
18 not some of which are, an alternative which I would
19 like to see, which I will put in writing a submit
20 separately, I think the HPC commission is also
21 concerned about.
22 And so my area is really more in cultural
23 resources, and so my comments will probably be more
24 limited to that area.
25 But I would like to say that, you know, there

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1 is a plan, and that plan has a developer at the
2 moment. Now maybe if that developer goes away, we
3 still have the EIR, and it will be about a specific
4 plan, which another developer, if that happened, if
5 they want to choose to do so, could go forward with.
6 If they changed their mind, and there were
7 major changes, then we would have to do it again. And
8 that is one thing.
9 And just to reiterate, I'm supporting
10 Commissioner Moore's comment and Commissioner Olague.
11 COMMISSION PRESIDENT MIGUEL: Commissioner
12 Borden.
13 COMMISSION BORDEN: Again, if we weren't
14 going to have a Transportation Plan document coming
15 out to look at, and then the EIF statement, I would
16 feel differently, but those statements, those are
17 going to be going on concurrent, and we aren't going
18 to get through all of this.
19 I think regardless, we are not going to be

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20 deciding anything in April. I would be very surprised
21 if we were. But the point is, if we didn't have these
22 concurrent conversations that are going to retarget
23 the same issues that we are talking about, I just feel
24 like we are going to continue having the same
25 conversation.

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1 I think the transportation study will be a
2 great place to kind of further vet the transportation
3 issues. I think it was great that Mr. Bloom sat up
4 here, because now his specific points can be actually
5 attacked in the Comments, because he was very
6 specific.

7 But that is -- that is my rationale. Because
8 we have to -- city staff has to respond to all of
9 these comments in every iteration of this document;
10 whether it's the draft transportation plan we are
11 talking about, or the EIS documents, we are still
12 going to still be -- They are going to have multiple
13 response.

14 MR. SUGAYA: But that is my concern, because
15 this EIR is this EIR. It ain't the transportation EIR,
16 and it ain't the EIS, right? And this document
17 becomes legal in and of itself for the subjects that
18 it covers.

19 And you know, whatever the EIS says, that is
20 a federal document, so that's something else and it's
21 under different rules and it's got different things.

22 I mean, cultural resources in an EIS doesn't
23 even concern itself with what's eligible for the
24 California Register.

25 It's only concerned with Federal Register

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1 Natural Historic Landmarks.

2 That is a much higher level, much -- you
3 know, much loftier goal to reach than -- than what's
4 in this CEQA document, because what may be eligible
5 for the national -- for the California Register, for
6 example, may not be the similar case for the National
7 Register.

8 So they are different documents, and that is
9 why I think we should concentrate on this one at the
10 moment.

11 COMMISSION BORDEN: Well, I guess the only
12 reason I'm -- someone already said they were going to

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13 sue us and they were going to appeal the document, so
14 I think we will be having this conversation a few more
15 times, was my only point.

16 COMMISSION PRESIDENT MIGUEL: Commissioner
17 Antonini.

18 COMMISSIONER ANTONINI: Yes. I think it's
19 really simple.

20 I think you have until the 28th to ask the
21 question. You have had since the 12th to, you know,
22 read the document and formulate your questions.

23 And, you know, if you are really interested,
24 you would have gotten the documents and read them all,
25 and apparently you have, because you are here

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1 testifying.

2 But you still have more time, and in fact I'm
3 even willing to go to the 12th the January to ask the
4 question, of which, there will be a period of time our
5 staff work very hard to answer every single comment
6 that has been made up until now and up until the
7 closing date of comments. And then it will all be
8 heard again.

9 And so I don't really see the necessity to
10 extend this any further than the 12th. I mean, I
11 think there is plenty of time. If you are interested,
12 you'll get it done.

13 COMMISSION PRESIDENT MIGUEL: Commissioner
14 Olague.

15 COMMISSIONER OLAGUE: Again, I'm going to
16 just support my own motion.

17 COMMISSIONER MOORE: I would like to remind
18 the Commission that not everybody in the public has
19 this document in their hands. They have to go to the
20 library. And that is not always possible. Not
21 everybody has this thing, carrying it around with
22 them, and I do think it would give people more time to
23 indeed go to a computer and find it

24 SECRETARY OF COMMISSION: Mr. President,
25 just a point of clarity for myself. Commissioners

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1 keep talking about the 28th and the 12th. My
2 understanding is that the Redevelopment Agency
3 Commission has extended the comment period to January
4 12th.

5 COMMISSION PRESIDENT MIGUEL: Correct.

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6 SECRETARY OF COMMISSION: The 28th is no
7 longer before you. So if you are going to extend, you
8 don't have to take a motion to extend to the 12th.
9 But the motion on the floor before you is to extend to
10 February 4th. Is that correct, Ms. Navarrete?
11 MS. NAVARRETE: That is correct. And I would
12 like to make one clarification. I misspoke earlier.
13 CEQA requires a minimum of 45 days review when there
14 is a state agency involved.
15 COMMISSION PRESIDENT MIGUEL: Okay. There is
16 a motion on the floor.
17 SECRETARY OF COMMISSION: The motion on the
18 floor, Commissioner, is to extend the written comment
19 period to February 4th. That does not mean that
20 you'll have another public hearing; but you have
21 extended -- you will be extending the written comment
22 period to close of business on February 4th, 2010.
23 On that motion, Commissioner Antonini.
24 COMMISSIONER ANTONINI: No.
25 SECRETARY OF COMMISSION: Commissioner

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1 Borden?
2 COMMISSIONER BORDEN: No.
3 SECRETARY OF COMMISSION: Commissioner Lee?
4 COMMISSIONER LEE: No.
5 SECRETARY OF COMMISSION: Commissioner Moore?
6 COMMISSIONER MOORE: Aye.
7 SECRETARY OF COMMISSION: Commissioner
8 Sugaya?
9 COMMISSIONER SUGAYA: Aye.
10 SECRETARY OF COMMISSION: Commissioner
11 Olague?
12 COMMISSIONER OLAGUE: Aye.
13 SECRETARY OF COMMISSION: Commissioner
14 Miguel?
15 COMMISSION PRESIDENT MIGUEL: No.
16 SECRETARY OF COMMISSION: That motion fails
17 on a vote of 3 to 4, with Commissioners Antonini,
18 Borden, Lee, and Miguel voting against.
19 COMMISSIONER ANTONINI: I just have a
20 question, a procedural question.
21 COMMISSION PRESIDENT MIGUEL: Commissioner
22 Antonini.
23 COMMISSIONER ANTONINI: So the procedural
24 question is, our period is automatically extended to
25 the 12th because Redevelopment has done so. We would

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1 not necessarily have to that, is that right?
2 MS. JOY NAVARRETE: That is correct. You
3 would just be affirming that.
4 COMMISSIONER ANTONINI: Okay.
5 MS. JOY NAVARRETE: That extension.
6 COMMISSIONER ANTONINI: Do we have to have a
7 separate motion to do that extension?
8 MS. JOY NAVARRETE: No, you don't.
9 COMMISSIONER ANTONINI: Okay, thank you.
10 SECRETARY OF COMMISSION: Commissioner, in
11 the absence of a substitute motion, this -- there is
12 no extension beyond January 12th, 2010, for this, for
13 written comment.
14 COMMISSION PRESIDENT MIGUEL: Right.
15 SECRETARY OF COMMISSION: And with that, the
16 public hearing is concluded.
17 (Whereupon, the Planning Commission hearing
18 continued with matters unrelated to Hunters Point.)
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1 CERTIFICATE OF REPORTER
2 I, Veena Marie Puccinelli, a Certified
3 Shorthand Reporter, hereby certify that the foregoing
4 proceedings were taken in shorthand by me at the time
5 and place therein stated, and that the said
6 proceedings were thereafter reduced to typewriting, by
7 computer, under my direction and supervision;
8 I further certify that I am not of counsel or
9 attorney for either or any of the parties to the said
10 proceedings, nor in any way interested in the event of
11 this cause, and that I am not related to any of the
12 parties thereto.
13
14 DATED: _____
15
16
17
18 _____
19 VEENA MARIE PUCCINELLI, CSR 7652
20
21
22
23
24

■ **Transcript SFPC: San Francisco Planning Commission (12/17/09)**

Note that the transcript pages contain numbering on the right margin that indicates page numbering within the transcript itself; separately, there are the bracketed and numbered comments.

Response to Comment SFPC-1

Refer to Responses to Comments 39-1 through 39-7 with regard to comments from the Historic Preservation Commission.

Response to Comment SFPC-2

The comment is acknowledged. No response is required.

Response to Comment SFPC-3

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. The comment will be forwarded to the decision makers for their consideration prior to approval or denial of the Project.

Response to Comment SFPC-4

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. Refer also to Master Response 3 (Impacts of the Project on Yosemite Slough [Biological Resources]) for a discussion of the impacts of the Yosemite Slough bridge on wildlife. Refer to Master Response 4 (Purpose and Benefits of the Yosemite Slough Bridge) for a discussion of the purpose and benefits of the proposed bridge over the slough.

Response to Comment SFPC-5

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-6

This comment contains general introductory remarks about the history of the commenter's family and HPS that are not a direct comment on the environmental issues or the content or adequacy of the Draft EIR. No response is required. The commenter's belief that the project will result in environmental cleanup is acknowledged.

Response to Comment SFPC-7

Refer to Responses to Comments 1-1 and 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR. Refer to Response to Comment 96-1 for a discussion of the other opportunities for providing public comment prior to publication of the Draft EIR. Refer to Response to Comment 85-5 for a discussion of the extensive

planning process for the Project. Lastly, refer to Section III.H (Air Quality) of the Draft EIR for a discussion of potential impacts related to air quality.

Response to Comment SFPC-8

Refer to Master Response 8 (Sea Level Rise) regarding flood protection and Master Response 6 (Seismic Hazards) regarding seismic hazards.

Response to Comment SFPC-9

The transportation impact analysis described in the Draft EIR does account for the additional population that would be associated with the new homes. The impact analysis is based on the increased travel demand associated with the Project, which includes 10,500 new residential dwelling units, 885,000 square feet of new retail, 150,000 square feet of new office, 100,000 square feet of new community services uses, a 220-room hotel, 336 acres of new public parks, a new NFL stadium, a new arena, and a 300-slip marina.

Response to Comment SFPC-10

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-11

This comment contains introductory or general background information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. No response is required.

Response to Comment SFPC-12

Refer to Responses to Comments 48-3 and 96-2 for discussions pertaining to the selection and analysis of alternatives, and modifying Alternative 3 to provide more housing, respectively.

Response to Comment SFPC-13

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-14

Refer to Response to Comment 5-2 for revised Figure III.B-1, page III.B-3, of the Draft EIR which has been revised to switch the label colors between Residential and Commercial/Industrial. The text in this section is correct regarding these land uses.

Response to Comment SFPC-15

Refer to Master Response 9 (Status of the CERCLA Process), Master Response 10 (Pile Driving through Contaminated Soil), Master Response 11 (Parcel E-2 Landfill), Master Response 12 (Naturally Occurring Asbestos), Master Response 13 (Post-Transfer Shipyard Cleanup), Master Response 14 (Unrestricted Use Alternative), Master Response 15 (Proposition P and the Precautionary Principle), Master Response 16

(Notification Regarding Environmental Restrictions and Other Cleanup Issues), and Master Response 17 (Enforcement of Environmental Restrictions and Mitigation Measures) regarding cleanup of HPS to residential standards. Refer to Response to Comment 48-3, which states that infeasible alternatives need not be considered (CEQA Guidelines Section 15126.6) including, in this case, alternatives requiring remediation of the Project site to below levels required by the existing regulatory regime, as inferred by the commenter.

Response to Comment SFPC-16

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Refer to Responses to Comments 1-1 and 85-5 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFPC-17

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-18

Section III.D (Transportation and Circulation) pages III.D-31 through III.D-154 of the Draft EIR describes the transportation-related impacts associated with the Project, including improvements proposed by the Project and the impacts associated with Project-generated vehicle traffic.

Response to Comment SFPC-19

Refer to Chapter III, Section III.H for the evaluation of Air Quality Impacts evaluated in the Draft EIR.

Response to Comment SFPC-20

Section III.D (Transportation and Circulation) pages III.D-31 through III.D-154 of the Draft EIR describes the transportation-related impacts associated with the Project, including improvements proposed by the Project and the impacts associated with Project-generated vehicle traffic.

Refer to Master Response 5 (Health of Bayview Hunters Point Community) about public health issues in the HPS and Bayview neighborhood.

Response to Comment SFPC-21

Refer to Master Response 5 (Health of Bayview Hunters Point Community) about public health issues in the HPS and Bayview neighborhood and Master Response 7 (Liquefaction) for a discussion of buildings in liquefiable areas. Site-specific final design geotechnical studies will be performed to determine what engineering and construction measures need to be implemented to mitigate any poor soil conditions, including collapse potential, if present.

The portion of this comment about healthy schoolchildren contains opinion that is not a direct comment on the environmental issues or the content or adequacy of the Draft EIR. No response is required.

Response to Comment SFPC-22

The comment that the EIR is very important and requires a high level of attention is noted.

Response to Comment SFPC-23

Refer to Master Response 5 (Health of Bayview Hunters Point Community) for a discussion of the Shipyard and the factors that contribute to health disparities in the community. Refer to Master Response 9 (Status of the CERCLA Process) for a discussion of the Navy cleanup. Refer to Master Response 11 (Parcel E-2 Landfill) for a discussion of the landfill investigation and cleanup. Refer to Master Response 13 (Post-Transfer Shipyard Cleanup) for a discussion of chemicals that would remain following cleanup. The remainder of this comment lists general information about various chemicals and their carcinogenic properties, and is not a direct comment on the environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-24

Refer to Master Response 7 (Liquefaction), Master Response 4 (Sea Level Rise), Master Response 11 (Parcel E-2 Landfill), and Master Response 13 (Post-Transfer Shipyard Cleanup) for discussion about the interrelationships among potential liquefaction, sea level rise, and toxics. Refer to Impacts HZ-1a and HZ-2a and mitigation measures MM HZ-1b and MM HZ-2a.1 for further details.

Response to Comment SFPC-25

Refer to Master Response 5 (Health of Bayview Hunters Point Community) for a discussion of the Shipyard and the factors that contribute to health disparities in the community. This comment also contains closing remarks that are not a direct comment on the environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-26

Refer to Master Response 5 (Health of Bayview Hunters Point Community) for a discussion of the Shipyard and the factors that contribute to health disparities in the community. Refer to Master Response 7 (Liquefaction) for a discussion of construction of buildings and how toxics may be affected in liquefiable areas. Refer to Master Response 6 (Seismic Hazards) for a discussion of construction of buildings and how toxics may be affected in seismically active areas.

Response to Comment SFPC-27

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-28

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-29

Refer to Master Response 1 (SB 18) for a discussion of consultation with the Native American community under SB 18.

Response to Comment SFPC-30

The commenter expresses concern over wetlands in the Yosemite Slough area and the importance of wetlands in supporting fish nurseries. Section III.N provides an analysis (in Impacts BI-4a, BI-4b, and BI-4c) of the potential impacts to wetlands and other jurisdictional waters (including those in the Yosemite Slough area), and identifies mitigation measures proposed to avoid or minimize those impacts to less-than-significant levels.

With respect to the protection of fisheries within the Bay, fishery resources are managed through the regulation of EFH. As stated on page III.N-36 of the Draft EIR:

The tidal aquatic habitats adjacent to the Project site are considered EFH by NMFS for a species assemblage that includes anchovies, sardines, rockfish, sharks, sole, and flounder.

Section III.N (Biological Resources) provides an analysis (in Impacts BI-12a, BI-12b, and BI-12c) of the potential impacts to EFH, and identifies mitigation measures proposed to avoid or minimize those impacts to less-than-significant levels.

Response to Comment SFPC-31

Soil will be imported from the Bay Area and sources within reasonable transportation distance of the Project site. This transportation could be by truck, by barge, or by other method. The Construction Traffic Management Program specified by mitigation measure MM TR-1 would establish approved haul routes. California Environmental Protection Agency, Department of Toxic Substances Control (DTSC), has identified procedures to minimize the possibility of introducing contaminated soil onto a site that requires imported fill material. In addition, Amendments to San Francisco Health Code Article 31, to include all of Hunters Point Shipyard, will require the preparation of a Soil Importation Plan that describes the procedures to be used to ensure that imported soil does not exceed established thresholds. For sea level rise refer to Master Response 8 (Sea Level Rise).

Response to Comment SFPC-32

The comment is acknowledged. No response is required.

Response to Comment SFPC-33

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-34

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-35

Refer to Master Response 7 (Liquefaction) for a comprehensive discussion of liquefaction hazards. Refer to Master Response 8 (Sea Level Rise) and Responses to Comments 36-2, 57-1, and 58-3 for a comprehensive discussion of the sea level rise documents reviewed, the levels of sea level rise taken into account for various Project components, and the plan to provide flood protection if higher levels of sea level rise occur.

In reference to Appendix Q1 of the Draft EIR (Water Supply Assessment for the Project), the commenter indicates that many people do not understand the definition of an aquifer. The term “aquifer” is used in the discussion of San Francisco’s groundwater basins. Page 1-10 of Appendix Q1 of the Draft EIR states that the City and County of San Francisco are located over seven groundwater basins and that the basins are open to the Pacific Ocean or San Francisco Bay. The seven groundwater basins in San Francisco are illustrated in the figure below (note that the Westside Basin and the North Westside Basin are considered one basin).

The groundwater basins contain aquifers. An aquifer is a geologic formation consisting of saturated rock or sediment that can store groundwater and also move significant quantities of groundwater to wells and/or springs. As requested by the commenter, a figure has been prepared to illustrate the seven distinct aquifers in San Francisco, showing that all of them connect to the Pacific Ocean and to the Bay (refer to Figure C&R-18 [Groundwater Basins in San Francisco and Northern Peninsula]).

Response to Comment SFPC-36

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-37

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-38

Refer to Response to Comment 47-61 for a discussion of the process being undertaken by the Navy with respect to complying with the requirements of the NEPA and other federal agency processes to meet NEPA requirements.

Figure C&R-18 Groundwater Basins in San Francisco and Northern Peninsula

Response to Comment SFPC-39

Refer to Master Response 9 (Status of the CERCLA Process) for a discussion of the current status of the Navy's progress on the cleanup of hazardous materials on the Shipyard. Refer to Master Response 13 (Post-transfer Shipyard Cleanup) for a discussion of the cleanup of hazardous materials after parcel transfer. Refer to Master Response 15 (Proposition P and the Precautionary Principle) for a discussion of how Proposition P and the Precautionary Principle apply to the Shipyard cleanup.

Response to Comment SFPC-40

The Draft EIR is not “pre-committing to a certain plan.” Instead, as stated on page I-7 of the Draft EIR:

As stated in Section 15121(a) of the CEQA Guidelines, an EIR is an “informational document” intended to inform the Board of Supervisors, Agency Commission, Planning Commission, other public agencies with discretionary authority over aspects of the Project, the general public, the local community, and other organizations, entities, and interested persons of the scope of the Project, significant environmental effects of the Project, possible measures to avoid or minimize the significant effects, and a reasonable range of feasible alternatives to the Project. The Agency and the City must consider the information in this EIR and make certain findings with respect to each significant effect identified in this EIR. The Agency and the City will use the information in the EIR, along with other information available through the public review processes, to determine whether to approve, modify, or disapprove the Project, or a Project alternative, and to specify applicable environmental mitigation measures as part of the Project approvals.

Ultimately, the Project may be approved by agencies with discretionary authority over the Project. Any discretionary actions on the Project can only occur if the EIR is certified by the Lead Agencies, in this case the City/County of San Francisco and the Agency, as being completed in compliance with CEQA and the CEQA Guidelines.

The EIR does represent an independent evaluation of the environmental impacts of the Project. The Lead Agencies have principal responsibility for carrying out or approving a project and preparing the appropriate CEQA review document for the Project, even if a third-party consultant is used. Ultimately, the document is authored by the lead agencies and not the Applicant.

An EIS is separately being prepared by the Navy (as the Lead Agency under the *National Environmental Policy Act*) for the Hunters Point portion of the Project site. Refer to Response to Comment 47-61 for a full discussion of why separate CEQA and NEPA documents are being prepared.

With respect to Proposition G, it was a voter-sponsored initiative, and not an initiative put on the ballot by the City or the Agency, that was not subject to CEQA. Further, Proposition G, Section 5, recognized that any development proposal for the area would be subject to extensive public review, including environmental review under CEQA, before receiving any formal approvals.

Response to Comment SFPC-41

Refer to Master Response 12 (Naturally Occurring Asbestos) for a discussion of monitoring and sampling that would occur during soil-disturbing activities. Refer to Master Response 16 (Notification Regarding Environmental Restrictions and Other Cleanup Issues) for a discussion of the notice that would be given to property owners, residents, and neighbors on environmental restrictions and other cleanup issues.

Response to Comment SFPC-42

Refer to Response to Comment 50-14 regarding the use of a portion of the Project site for a stadium.

Response to Comment SFPC-43

The Draft EIR evaluated existing and future public service levels (including fire protection) in Section III.O Public Services. With regard to fire protection services, “construction of a new SFFD facility on land designated for community-serving uses on the Project site would allow the SFFD to maintain acceptable response times for fire protection and emergency medical services. Construction of 100,000 gsf of community facilities, which could include a new SFFD facility, has been included as a component of the Project” (Draft EIR page III.O-22). Therefore, a new fire department facility is proposed as part of the Project and would be constructed to address impacts from implementation of the Project.

Response to Comment SFPC-44

Impact TR-34 on Draft EIR pages III.D-119 and III.D-120 presents the assessment of impacts related to increased traffic volumes on area roadways on pedestrian circulation and safety. Impact TR-31 on Draft EIR page III.D-117 presents the impact assessment on bicycle circulation. There are a number of factors that contribute to increased pedestrian-vehicle and bicycle-vehicle collisions, and the number of collisions at an intersection is a function of the traffic volumes, travel speeds, intersection configuration, traffic control, surrounding land uses, location, and the number of pedestrians and bicyclists. The Project would not result in a substantial change in the street network, and would include street improvements that would enhance pedestrian and bicycle travel through the area. Overall, pedestrian and bicycle access and the environment would improve within and in the vicinity of the Project site, and Project impacts would be less than significant.

Response to Comment SFPC-45

The comment is acknowledged. No response is required.

Response to Comment SFPC-46

Refer to Master Response 9 (Status of the CERCLA Process) for a discussion of the current status of the Navy’s progress on the cleanup of hazardous materials. Refer to Master Response 11 (Parcel E-2 Landfill) for a discussion of the landfill investigation and cleanup. Refer to Master Response 12 (Naturally Occurring Asbestos) for a discussion of the asbestos monitoring and control measures implemented during soil-disturbing activities. Refer to Master Response 13 (Post-Transfer Shipyard Cleanup) for a discussion of the cleanup of hazardous materials following parcel transfer.

Response to Comment SFPC-47

The comment is acknowledged. No response is required.

Response to Comment SFPC-48

Refer to Master Response 1 (SB 18) for a discussion of consultation with the Native American community under SB 18.

Response to Comment SFPC-49

This comment contains introductory or general background information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. No response is required.

Response to Comment SFPC-50

Refer to Master Response 1 (SB 18) for a discussion of consultation with the Native American community under SB 18.

Response to Comment SFPC-51

Refer to Master Response 9 (Status of the CERCLA Process) for a discussion of the current status of the Navy's progress on the cleanup of hazardous materials. Refer to Master Response 11 (Parcel E-2 Landfill) for a discussion of the landfill investigation and cleanup. Refer to Master Response 12 (Naturally Occurring Asbestos) for a discussion of the asbestos monitoring and control measures implemented during soil-disturbing activities. Refer to Master Response 13 (Post-Transfer Shipyard Cleanup) for a discussion of the cleanup of hazardous materials following parcel transfer.

Response to Comment SFPC-52

The Project would be required to incorporate energy saving programs in accordance with state and local policy's that would reduce the use of energy and water. These measures include compliance with Title 24, the *City of San Francisco General Plan*, and the City's Green Building Ordinance. Compliance with Title 24 standards and implementation of energy-efficiency measures would result in 15 percent less electricity use than projects that comply with minimum Title 24 requirements only. In addition, the Project would be required to comply with the City's Green Building Ordinance. Individual buildings would incorporate various green building specifications to meet the Green Building Ordinance and, in some cases, seek LEED® certification, or an equivalent certification for these buildings. To reduce peak demand on existing electricity infrastructure and to further State and local renewable energy policies, the Applicant would implement renewable energy strategies, such as the use of photovoltaic cells to provide electricity; the use of solar thermal energy to provide space cooling with the use of absorption systems; and/or water for space heating and domestic water systems.

The City's threshold also considers whether the Project's energy consumption would be wasteful. The efficiency measures proposed under the Project would result in building envelope consumption of at least 15 percent less electricity than a project that would not implement such measures. Further electricity savings would be anticipated as a result of the Project's compliance with the Green Building Ordinance, installation of ENERGY STAR® appliances, and the Project's voluntary implementation of LEED® ND standards. However, because the Project Applicant's commitment to implement energy reductions and voluntary green building practices (beyond the measures required in the City's Green Building Ordinance) is preliminary and

not based on actual building designs, mitigation is necessary to reduce potential electricity use impacts to a less-than-significant level. Mitigation measure MM GC-2, which requires the Project Applicant to exceed the 2008 Title 24 energy-efficiency standards for homes and businesses by at least 15 percent, mitigation measure MM GC-3, which would require installation of ENERGY STAR® appliances for builder-supplied appliances, and mitigation measure MM GC-4, which would require installation of energy-efficient lighting, would reduce electricity consumption impacts to less than significant.

Response to Comment SFPC-53

The commenter does not provide evidence to support the comment that the transportation analysis in the Draft EIR is faulty. The comment is noted and no response necessary.

Response to Comment SFPC-54

This comment contains anecdotal and general information and is not a direct comment on the environmental issues or the content or adequacy of The Draft EIR. No response is required.

Response to Comment SFPC-55

This comment contains introductory or general background information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. No response is required.

Refer to Responses to Comments 1-1 and 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFPC-56

Refer to Response to Comment 43-4 for a discussion of potential property acquisitions associated with roadway improvements identified for the Project.

Response to Comment SFPC-57

The reference in the Draft EIR to the 54-Felton operating on Palou Avenue was a typographical error. The statement should have referred to the 44-O'Shaughnessy. Refer to Response to Comment 65-20 for revisions to text.

Response to Comment SFPC-58

As described in the Draft EIR in Impact TR-22 (pages III.D-106 through III.D-109), and also mentioned in Response to Comment 52-6, current plans call for the extension of overhead trolley wires along Palou Avenue into the Hunters Point Shipyard Transit Center. The current plans for extension of transit service into the Project site call for the 23-Monterey to be extended in the near-term because it would not require construction of overhead wires and would offer similar service to Third Street, where riders could transfer to the 24-Divisadero. The extension of the 24-Divisadero into the project site would occur later in the development process.

Response to Comment SFPC-59

Refer to Master Response 9 (Status of the CERCLA Process) for a discussion of the current status of the Navy's progress on the cleanup of hazardous materials. Refer to Master Response 11 (Parcel E-2 Landfill) for a discussion of the landfill investigation and cleanup, including radiologically impacted materials, and the removal versus capping evaluation process. Under CCR Title 27, Section 21090, all closed landfills are required to have an engineered landfill cap if landfill materials are left onsite. The landfill cap is intended to maintain a protective seal and keep moisture and rain from penetrating the landfill waste and prevent exposure of the public and the environment to the disposed waste. If the Navy proposes and USEPA concurs that an engineered cap may be placed on top of the landfill in order to prevent unsafe exposures from chemicals allowed by the regulators to be left on site, operation and maintenance plans will be developed and be required to be carried out to monitor for and repair potential breaches should they occur. Any breach of cover would be required to be repaired so that no long-term health risks would occur. Parcel E-2 is planned for open space use and would not include construction of large water mains. However, emergency response plans will be carried out following events such as a water main break to investigate for potential problems such as leakage into homes. Refer to Master Response 13 (Post-Transfer Shipyard Cleanup) for a discussion of the cleanup of hazardous materials following parcel transfer.

Response to Comment SFPC-60

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-61

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-62

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-63

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-64

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-65

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-66

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-67

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-68

Refer to Responses to Comments 1-1 and 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFPC-69

Refer to Master Response 9 (Status of the CERCLA Process), Master Response 10 (Pile Driving through Contaminated Soil), Master Response 11 (Parcel E-2 Landfill), Master Response 12 (Naturally Occurring Asbestos), Master Response 13 (Post-Transfer Shipyard Cleanup), Master Response 14 (Unrestricted Use Alternative), Master Response 15 (Proposition P and the Precautionary Principle), Master Response 16 (Notification Regarding Environmental Restrictions and Other Cleanup Issues), and Master Response 17 (Enforcement of Environmental Restrictions and Mitigation Measures) regarding hazardous materials on the Shipyard, Proposition P, and a full cleanup alternative for the Shipyard. The remainder of the comment contains opinion, and no further response is required.

Response to Comment SFPC-70

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-71

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-72

Comment noted. No response is required.

Response to Comment SFPC-73

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Refer to Responses to Comments 1-1 and 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFPC-74

Refer to Master Response 9 (Status of the CERCLA Process) for a discussion of the current status of the Navy's progress on the cleanup of hazardous materials. Refer to Master Response 11 (Parcel E-2 Landfill) for a discussion of the landfill investigation and cleanup. Refer to Master Response 13 (Post-Transfer Shipyard Cleanup) for a discussion of the cleanup of hazardous materials following parcel transfer.

Response to Comment SFPC-75

Refer to Master Response 8 (Sea Level Rise) for a discussion of sea level rise effects on movement or exposure to hazardous materials and mitigation measures. Also provided in Master Response 8 is a discussion of how Candlestick Point and Hunters Point Shipyard will be protected into the future from flooding.

Refer to Master Response 15 (Proposition P and the Precautionary Principle) and Master Response 13 (Post-Transfer Shipyard Cleanup) for a discussion of the project site cleanup of hazardous materials.

Refer to Master Response 7 (Liquefaction) for a discussion of the potential hazards related to liquefaction.

Response to Comment SFPC-76

Refer to Responses to Comments 1-1 and 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFPC-77

Refer to Master Response 1 (SB 18) for a discussion of consultation with the Native American community under SB 18.

Response to Comment SFPC-78

Refer to Master Response 9 (Status of the CERCLA Process) for a discussion of the current status of the Navy's progress on the cleanup of hazardous materials. Refer to Master Response 12 (Naturally Occurring Asbestos) for a discussion of the asbestos monitoring and control measures implemented during soil-disturbing activities. Refer to Master Response 13 (Post-Transfer Shipyard Cleanup) for a discussion of the cleanup of hazardous materials following parcel transfer.

Response to Comment SFPC-79

Refer to Master Response 11 (Parcel E-2 Landfill) for a discussion of the landfill investigation and cleanup. Refer to Master Response 15 (Proposition P and the Precautionary Principle) for a discussion of how Proposition P and the Precautionary Principle apply to the Shipyard cleanup.

Response to Comment SFPC-80

With regard to the comment that Double Rock is contaminated, Double Rock is part of the Candlestick Point site, and as explained in Section III.K.2 on pages III.K-5 through III.K-8 of the Draft EIR, there are

no known areas of contamination requiring remediation on the Candlestick Point site. Refer to Response to Comment SFPC-129 for a discussion of the characterization and potential hazards at Candlestick Point.

Response to Comment SFPC-81

Refer to Master Response 3 (Impacts of the Project on Yosemite Slough [Biological Resources]) for a discussion of the impacts of the Yosemite Slough bridge on wildlife.

Response to Comment SFPC-82

Refer to Master Response 3 (Impacts of the Project on the Yosemite Slough [Biological Resources]) for a discussion of the impacts of the Yosemite Slough bridge on wildlife. Refer also to Responses to Comments 61-7, 73-6, and 81-8 for a discussion of the water quality of the Yosemite Slough as a result of construction and/or operation of the Yosemite Slough bridge.

Response to Comment SFPC-83

Refer to Master Response 5 (Health of Bayview Hunters Point Community) for a discussion of the Shipyard and the factors that contribute to health disparities in the community.

Response to Comment SFPC-84

This comment contains introductory, closing, or general background information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. No response is required.

Refer to Responses to Comments 1-1 and 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFPC-85

This comment contains introductory or general background information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. No response is required.

Response to Comment SFPC-86

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-87

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-88

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-89

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-90

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-91

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-92

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-93

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-94

Refer to Master Response 7 (Liquefaction), Master Response 8 (Sea Level Rise), Master Response 11 (Parcel E-2 Landfill), and Master Response 13 (Post-Transfer Shipyard Cleanup) for discussion about the interrelationships among potential liquefaction, sea level rise, and toxic soils. Refer to Master Response 2 (Potential Native American Burial Sites) for a discussion about historic Ohlone sites.

Response to Comment SFPC-95

Refer to Master Response 12 (Naturally Occurring Asbestos) for a discussion of the problems that occurred in Phase I regarding dust control and how these problems have been addressed, and also for a discussion of the mitigation measures applicable to naturally occurring asbestos for Phase II. Refer to Master Response 17 (Enforcement of Environmental Restrictions and Mitigation Measures) for a discussion of oversight and enforcement.

Response to Comment SFPC-96

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-97

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFPC-98

This comment is not a comment on the technical adequacy of the environmental analysis of the Project. This is a policy issue that will be identified herein for review by decision makers during the Project approval process.

Response to Comment SFPC-99

The comment is acknowledged. No response is required.

Response to Comment SFPC-100

This comment contains opinion and anecdotal information that are not direct comments on the environmental issues or the content or adequacy of the Draft EIR. No response is required.

Response to Comment SFPC-101

Refer to Responses to Comments 1-1 and 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFPC-102

Refer to Master Response 8 (Sea Level Rise) and Responses to Comments 36-2, 57-1, and 58-3 for a comprehensive discussion of the sea level rise documents reviewed, the levels of sea level rise taken into account for various Project components, and the plan to provide flood protection if higher levels of sea level rise occur.

Response to Comment SFPC-103

Refer to Master Response 15 (Proposition P and the Precautionary Principle) for a discussion of how the City of San Francisco's Precautionary Principle applies to the Project.

Response to Comment SFPC-104

Refer to Master Response 1 (SB 18) for a discussion of consultation with the Native American community under SB 18.

Response to Comment SFPC-105

Refer to Responses to Comments 1-1 and 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFPC-106

The Historical Radiological Assessment (HRA), discussed in Section III.K.2 beginning on page III.K-27 of the Draft EIR, addressed the potential for experimental animal bodies containing radiological contamination in Section 6.36 (“Animal Studies”), on pages 6-34. According to the HRA:

Carcasses of animals that were not radioactively contaminated were disposed of as waste, usually through a vendor who specialized in animal disposal, although there is evidence that they were also discarded in the on-site landfill. An incinerator was constructed for use by NRDL for disposal of animal remains and wastes. ... The carcasses that had been dosed with radioactive material were considered radioactive waste and their disposal was carefully controlled. In the early days, they were drummed and buried at sea with other radioactive waste. When sea disposal was no longer an option, the radioactive carcasses were disposed of at a licensed off-site facility with other radioactive waste.

The primary purpose of the HRA was to investigate the radiological contamination of the area and designate sites as “impacted” or “non-impacted.” The overall conclusion was that low levels of radioactive contamination existed at certain sites within HPS, but there was no imminent threat or substantial risk to tenants, the environment of HPS, or the local community (Section III.K.2, page III.K-27). In Impact HZ-6b, the Draft EIR acknowledges that soil movement of soil containing hazardous material could result in impacts from human exposure from dust. This impact is rendered less than significant with mitigation through the legally enforceable environmental restrictions required to be in place before any Project development occurs (refer to Impact HZ-6b, page III.K-68). As the Draft EIR explains, such restrictions will incorporate dust control measures, and will be approved by the FFA Signatories as being sufficient under CERCLA and other applicable laws to ensure protection of human health and the environment both during and after the development activities (Section III.K.4, pages III.K-50 and III.K-68). Additionally, regulatory agency approved work plans developed for directing this work will include measures for controlling site access, monitoring workers, screening materials for radionuclides, and handling radiologically impacted material appropriately, if present. Refer to Impacts HZ-1b, HZ-2a.2, HZ-8, HZ-10, HZ-12, and HZ-15 and mitigation measures MM HZ-1b, MM HZ-2a.2, and MM HZ-10b for further details.

Response to Comment SFPC-107

Refer to Master Response 5 (Health of Bayview Hunters Point Community) for a discussion of the Shipyard and the factors that contribute to health disparities in the community. Refer to Master Response 6 (Seismic Hazards) for a construction of buildings and how toxics may be affected in seismically active areas. Refer to Master Response 7 (Liquefaction) for a discussion of the hazards of liquefaction. Refer to Master Response 9 (Status of the CERCLA Process) Refer to Master Response 9 (Status of the CERCLA Process) for a discussion of the current status of the Navy’s progress on the cleanup of hazardous materials. Refer to Master Response 11 (Parcel E-2 Landfill) for a discussion of the landfill investigation and cleanup. Refer to Master Response 13 (Post-Transfer Shipyard Cleanup) for a discussion of the cleanup of hazardous materials following parcel transfer.

Response to Comment SFPC-108

Refer to Responses to Comments 1-1 and 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFPC-109

Refer to Responses to Comments 1-1 and 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFPC-110

The Draft EIR was distributed through the State Clearinghouse to the California Air Resources Board, Department of Boating & Waterways, California Highway Patrol, Caltrans District 4, Department of Conservation, Department of Education, California Fish & Game Region 3, Forestry & Fire Protection, Housing & Community Development, Integrated Waste Management Board, Native American Heritage Commission, Office of Emergency Services, Office of Historic Preservation, California Parks & Recreation, Public Utilities Commission, Regional Water Quality Control Board (Region 2), State Lands Commission, the SWRCB, the Department of Toxic Substances Control, and the Department of Water Resources. Local agencies and commissions such as the S.F. Bay Conservation and Development Commission, BAAQMD, the City of Brisbane, and San Mateo County also received copies of the Draft EIR. All agencies and commissions who commented on the Draft EIR are listed in Section D (List of Persons Commenting) of this Comments and Responses document.

Response to Comment SFPC-111

Refer to Responses to Comments 66-15 and 66-16 for a discussion of the currently existing cap and landfill gas collection system for Parcel E-2 and cleanup alternatives. Refer to Master Response 9 (Status of the CERCLA Process) and Master Response 12 (Parcel E-2 Landfill) for a discussion of cleanup alternatives.

Response to Comment SFPC-112

The grade elevation of 3'6" is proposed to deal with sea level rise, not hazardous materials. For a discussion of whether sea level rise could potentially affect dispersion of hazardous materials existing on site, refer to Master Response 8 (Sea Level Rise). The Navy may, prior to transfer and as part of its remedial program, raise the existing grade by placing soil covers or engineered caps in some locations. Once the Navy's remedial program is complete, the Project development calls for further raising the grade, as necessary, to assure that all structures are at a grade elevation of 3'6" above current grade to address sea level rise.

Response to Comment SFPC-113

Refer to Master Response 9 (Status of the CERCLA Process) for a discussion of the Navy remediation. Refer to Master Response 13 (Post-Transfer Shipyard Cleanup) for a discussion of remediation activities that would take place after transfer of the Shipyard parcels to the Agency and/or City. Refer to Master Response 14 (Unrestricted Use Alternative) for a discussion of cleanup of the entire site to unrestricted use standards.

Response to Comment SFPC-114

Refer to Master Response 9 (Status of the CERCLA Process) for a discussion of the Navy remediation. Refer to Master Response 13 (Post-Transfer Shipyard Cleanup) for a discussion of remediation activities

that would take place after transfer of the Shipyard parcels to the Agency and/or City. Refer to Master Response 14 (Unrestricted Use Alternative) for a discussion of cleanup of the entire site to unrestricted use standards.

Response to Comment SFPC-115

Refer to Master Response 15 (Proposition P and the Precautionary Principle) for a discussion of the relationship of Proposition P and the Precautionary Principle to the Project.

Response to Comment SFPC-116

Text on Draft EIR page I-5 has been revised to include a discussion of Proposition P and how it relates to the Project:

Proposition P (approved by the voters of San Francisco on November 7, 2000) called upon the Navy to remediate HPS to the highest levels practical to ensure flexible reuse of the property. The Board of Supervisors subsequently passed Resolution 634-01, adopting Proposition P as official City policy and urging the Navy and USEPA to take actions to implement Proposition P. The Resolution (1) recognizes that the unrestricted cleanup standard called for in Proposition P identifies a cleanup level acceptable to the community; (2) urges the Navy and FFA regulatory agencies not to rely on barriers to protect future occupants and the public from exposure to pollution, unless other remedies are technically infeasible, and (3) urges the Navy to clean up the Shipyard in a manner fully consistent with the Reuse Plan and with remedies that do not make implementation of the Reuse Plan economically infeasible.

Proposition P states a desired result that the Navy and regulators achieve in carrying out the cleanup of the Shipyard. Proposition P and the subsequent Board resolution are not directly applicable to the Project because the Navy cleanup, and decisions made by the regulators about the cleanup, is not part of the Project. Adoption and implementation of the Project would not be inconsistent with, and would not change, the City's stated desire that the Navy clean up HPS in a manner that allows flexible reuse, does not rely on barriers to protect the public from exposure unless other remedies are technically infeasible, is consistent with the Reuse Plan and does not render the Reuse Plan economically infeasible to implement. Proposition P is a general statement of policy and addresses the type of clean-up remedy that the Navy should select and the regulators should approve for HPS. The ROD for a parcel sets forth the selected remedy. Under the early transfers envisioned at the Shipyard, all radiological cleanup will be completed and RODs issued. The Navy already has issued RODs for Parcels B, D-1, UC-1, UC-2, and G. Further, the Navy already has conducted substantial remediation. Thus, by the time the Navy offers parcels being considered for early transfer to the Agency (with concurrence of USEPA and the Governor of California) the remedy already will have been selected and significant remediation completed. In the case of the first early transfer being considered—for Parcels B and G, the Navy also will have prepared (and the regulators will have approved) the remedial design documents.

Response to Comment SFPC-117

Refer to Responses to Comments 8-1, 27-1, 27-2, 38-1, 38-2, 40-1, 52-8, 56-1, 56-2, 56-3, 56-4, 56-5, 56-6, 56-7, 56-8, 62-1, 62-2, 62-3, 63-1, 73-10, 73-11, 73-15, 74-1, 74-4, 78-1, 84-12, 89-1, 89-3, 104-1, SFPC-29, SFPC-48, SFPC-50, SFPC-77, SFPC-104, and SFRA2-2 with regard to the Muwekma Ohlone people and the consultation process, as well as Master Response 1 (SB 18) and Master Response 2 (Potential Native American Burial Sites) for a discussion of Native American issues.

Response to Comment SFPC-118

Refer to Master Response 9 (Status of the CERCLA Process) for a discussion of the Navy remediation. Refer to Master Response 13 (Post-Transfer Shipyard Cleanup) for a discussion of remediation activities that would take place after transfer of the Shipyard parcels to the Agency and/or City. Refer to Master Response 14 (Unrestricted Use Alternative) for a discussion of cleanup of the entire site to unrestricted use standards. Refer to Master Response 15 (Proposition P and the Precautionary Principle) for a discussion of compatibility of the Project with the policy statement of Proposition P.

Response to Comment SFPC-119

Refer to Master Response 9 (Status of the CERCLA Process) for a discussion of the remediation that is the responsibility of the Navy. Refer to Master Response 13 (Post-Transfer Shipyard Cleanup) for a discussion of remediation activities that would take place after transfer of the Shipyard parcels to the Agency and/or City.

Response to Comment SFPC-120

Refer to Responses to Comments 82-24 through 84-33 and 82-60 for a discussion of game-day traffic and transit. Refer to Master Response 4 (Purpose and Benefits of the Yosemite Slough Bridge) for a discussion of the purpose and benefits of the proposed bridge over the slough. Section III.D (Transportation and Circulation) provides a comprehensive analysis of the existing and future conditions in the Bayview Hunters Point neighborhood with and without the Project. Refer to Master Response 18 (Traffic Mitigation Measures) for a comprehensive discussion of proposed traffic-related improvements to improve traffic throughout Bayview Hunters Point. While light rail is not currently proposed as part of the Project, the bridge has been designed to be able to accommodate future light rail; in the event that a light rail system is proposed in the future, its potential environmental impacts would be studied under CEQA and otherwise approved by the appropriate public agencies.

Response to Comment SFPC-121

Light rail is not currently proposed as part of the Project; however, the bridge has been designed to be able to accommodate future light rail; in the event that a light rail system is proposed in the future, its potential environmental impacts would be studied under CEQA and otherwise approved by the appropriate public agencies.

Response to Comment SFPC-122

Refer to Response to Comment 17-1 regarding what would be required to open the bridge to all traffic.

Response to Comment SFPC-123

The October 2009 Historic Resources Evaluation report prepared by Circa for the Project has been added to this document as Appendix J2 (CIRCA, Historic Resources Survey, October 2009).

Response to Comment SFPC-124

Active Bay Area faults are depicted on Figure III.L-2 (Regional Fault Map), Draft EIR page III.L-5, and in Table III.L-3 (Active Bay Area Faults), Draft EIR page III.L-15. Active faults capable of producing strong groundshaking exist near the Project site. Most notable of these faults are the San Andreas, San Gregorio, and Hayward Faults. There are no active fault traces beneath the Project site. The design-level geotechnical investigations to be performed must include site-specific seismic analyses to evaluate the peak ground accelerations for design of Project components, as required by Chapter 16 (Structural Design) and Chapter 18 (Soils and Foundations) of the SFBC. Based on the seismic analyses, structure designs would be modified or strengthened and constructed to the highest feasible seismic safety standards, consistent with the requirements of the SFBC.

Response to Comment SFPC-125

A comprehensive discussion of impacts of the Project on biological resources is contained in Draft EIR Section III.N (Biological Resources). Numerous mitigation measures would be implemented to protect biological resources. Refer to Master Response 3 (Impacts of the Project on the Yosemite Slough [Biological Resources]) for a specific discussion of the impacts of the proposed bridge on biological resources in the Yosemite Slough.

Response to Comment SFPC-126

Refer to Responses to Comments 47-42 for a discussion of the mitigation measures to address fugitive dust. The control measures applied in the Draft EIR relating to fugitive dust are appropriate and are consistent with the *San Francisco Health Code* and BAAQMD CEQA Guidelines. The mitigations are not optional and are required by the City of San Francisco, as discussed on Draft EIR page III.H-16. The analysis in the Draft EIR was not based on any air sampling data, whether correct or incorrect, from HPS Phase I.

Refer also to Master Response 12 (Naturally Occurring Asbestos).

Response to Comment SFPC-127

Refer to Master Response 4 (Purpose and Benefits of the Yosemite Slough Bridge) and Responses to Comments 47-4 and 82-30, which describes the estimate of BRT travel times around Yosemite Slough. Refer to Responses to Comments 82-24 through 82-68 regarding analysis of Alternative 2. Refer to Response to Comment 43-2 regarding the change in the BTIP project's environmental review schedule.

Response to Comment SFPC-128

The commenter's concerns regarding biological assets on Candlestick Point and HPS are noted.

Response to Comment SFPC-129

As stated in the Draft EIR, based on previous studies and publicly available information, there are no known hazardous materials release sites requiring remediation at Candlestick Point (Section III.K, pages III.K-5 through III.K-8). However, the Draft EIR recognizes the possibility hazards could nevertheless

exist, and Impacts HZ-1a and HZ-2a and the corresponding mitigation measures outline the processes for investigation, mitigation, and contingency planning for unknown contaminants.

The Draft EIR's characterization of the area in Candlestick Point is in accord with environmental investigations that took place in 1998, 2006, and 2009 (as detailed in Section III.K, pages III.K-6 through III.K-8), as well as the public databases of DTSC and SWRCB (refer to page III.K-8). The 1998 investigation, conducted by Geomatrix Consultants, Inc., involved extensive soil and groundwater sampling throughout much of the Project area. A human health risk evaluation concluded the chemicals detected did not pose a significant carcinogenic or non-carcinogenic risk. MACTEC conducted the 2006 and 2009 investigations as a Phase I Environmental Site Assessment for Candlestick Point, during which no releases or areas of recognized environmental conditions were detected. Consistent with these studies, there are currently no known unremediated or active hazardous materials release sites at Candlestick point appearing on either the DTSC's EnviroStor online database, or the SWRCB's Geotracker online database (refer to Section III.K, page III.K-8).

Impacts HZ-1a and HZ-1b acknowledge the potential for exposure to previously unknown hazardous material from development activity in areas with high concentrations of Bay fill (in particular, areas bayward of the 1851 high tide line) and throughout Candlestick Point (Section III.K, pages III.K-53 through III.K-54, III.K-58). The corresponding mitigation measures provide mechanisms to improve knowledge of potential hazards, mitigate where necessary, and develop contingency plans for unexpected hazards. In compliance with the requirements of San Francisco Health Code Article 22A, mitigation measure MM HZ-1a requires the Project Applicant further assess current on-site conditions before development and prepare a mitigation plan if the investigation indicates the presence of a hazardous materials release. Additionally, mitigation measures MM HZ-2a.1 and 2a.2 provide for the creation of contingency plans and site-specific health and safety plans to address the possible encounter with unexpected hazards. Those plans will be implemented as conditions for any applicable site development permits. Refer to Impacts HZ-1a and HZ-2a and mitigation measures MM HZ-1a, MM HZ-2a.1, and MM HZ-2a.2 for further details.

Response to Comment SFPC-130

The commenter suggests that the habitat requirements and food chain of the peregrine falcons using HPS were not well described in the Draft EIR. This species forages in and over a wide variety of habitats, including urban areas and bay/shoreline habitats. This species' ability to live and breed in large cities or on remote cliffs indicates that its habitat requirements are not particularly narrow, and it is known to feed on a wide variety of avian prey. The crane on which peregrine falcons nest on HPS will be retained by the Project, and ample foraging habitat and prey will continue to be present on the site after Project development.

Response to Comment SFPC-131

Refer to Response to Comment 48-3 for a discussion of alternatives considered and rejected for the EIR.

Response to Comment SFPC-132

Refer to Response to Comment 47-42 regarding dust mitigation measures (mitigation measure MM HZ-15). Refer also to Impact AQ-2c, which is provided on Draft EIR page III.H-26, for a discussion of DPM effects at Alice Griffith Public Housing.

Response to Comment SFPC-133

Refer to Master Response 7 (Liquefaction) for discussion about liquefaction.

Response to Comment SFPC-134

Refer to Master Response 11 (Parcel E-2 Landfill) and Master Response 13 (Post-Transfer Shipyard Cleanup) for discussion about landfill sites.

Response to Comment SFPC-135

Refer to Response to Comment 48-3 for a discussion of alternatives considered and rejected for the EIR.

Response to Comment SFPC-136

Refer to Master Response 3 (Impacts of the Project on Yosemite Slough Bridge [Biological Resources]), Master Response 4 (Purpose and Benefits of the Yosemite Slough Bridge), Master Response 18 (Traffic Mitigation Measures), and Responses to Comments 15-1, 21-1, 22-2, 44-2, 47-4, 47-7, 47-13, 47-14, 47-31, 47-53, 47-58, 47-69, 47-73, 47-103, 47-104, 47-110, 47-111, 51-2, 54-1, 59-1, 59-3, 61-2, 64-3, 65-5, 65-11, 81-4, 81-5, 82-28, 82-29, 82-31, 82-32, 82-33, 82-34, 82-50, 82-56, 82-57, 86-12, 90-3, 103-15, SFRA1-19, SFRA1-82, SFPC-110, and SFRA2-22, among others, for a comprehensive discussion of the traffic impacts of the Project.

Response to Comment SFPC-137

As noted on page 5 of the Traffic Impact Analysis (Draft EIR Appendix D), the existing Candlestick Park stadium typically hosts up to 12 games per year, including eight regular season games, two pre-season games, and, for teams that qualify for playoffs, two postseason games. Professional football games on the west coast are typically scheduled for 1:00 P.M. on Sundays, from September through early December. The post-season runs into January and games can be played on either Saturday or Sunday. At the conclusion of the college football season in late November, a few NFL games are played on Saturdays, as are some pre-season games. Successful teams typically play at least one Monday night (6:00 P.M.) game, and the 49ers have had at least one such home game in each of the past several seasons. Occasionally (no more than once per year), Sunday games are held at 5:00 P.M. In rare circumstances, football games are played on Monday or Thursday nights; however, since this typically occurs no more than twice per season at most, the analysis of the football stadium impacts was conducted for more typical Sunday afternoon conditions. The traffic, air quality, and noise impact analyses were based on 49er game day travel demand estimates for 12 sellout games, when all 69,000 seats are sold. For secondary events at the stadium, a maximum of 20 total occurrences per year with 37,500 spectators was analyzed, which reflects events such as a rock concert. Assuming an approximate weekday evening start time of about 7:00 P.M., the weekday PM peak hour (5:00 to 6:00 P.M.) was analyzed for pre-event conditions to address impacts associated with possible secondary events on evening commute traffic conditions.

Response to Comment SFPC-138

It is acknowledged that the Candlestick Park stadium opened in April 1960.

Response to Comment SFPC-139

Comment noted. With respect to the intersection of Arelious Walker Drive and Jamestown Avenue, the intersection would be reconfigured as a four-legged intersection and would be controlled by a new signal to facilitate traffic flow, as illustrated by a Figure C&R-7 (Location of New Traffic Signals) and further described in Response to Comment 43-20.

During non-game days, Tables III.D-10 through III.D-12 of the Draft EIR (which reflect AM conditions, PM conditions, and Sunday conditions, respectively, for both 2030 No Project and With Project conditions) indicates that this intersection would operate at an acceptable level of service using the significance criteria provided on pages III.D-31 and III.D-32 of the Draft EIR.

During game days, this signals would be either manually controlled from within the Stadium's Transportation Management System or by an on-site Traffic Control Officer to allow for efficient egress of game attendees from the stadium.

Response to Comment SFPC-140

The parking analysis in the Draft EIR provided a conservative estimate of parking that would be available with the Project. As noted on Draft EIR page III.D-1, the parking analysis focused on three subareas where the stadium game day parking would occur including the on-site and off-site lots, as well as residential streets adjacent in Little Hollywood, India Basin and Bayview/Candlestick Point. The available privately owned off-street parking facilities serve the employees and visitors to the businesses adjacent to them and are not available for general public parking (refer to Draft EIR page III.D-21).

Response to Comment SFPC-141

Barbecuing would be allowed on the multi-use fields.

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■ Transcript SFRA2: San Francisco Redevelopment Agency (1/5/10)

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Letter SFRA2

COMMISSION SECRETARY: This is Item 3, Matters of Unfinished Business. We have one item continued from the December 15th, 2009 meeting, Item A, "Public hearing to hear all persons interested in the Candlestick Point-Hunters Point Shipyard Phase 2 Draft Environmental Report." Mr. Director.

DIRECTOR BLACKWELL: Thank you, and Happy New Year to everybody. This item, 3A, will be presented by Stanley Muraoka, who is the environmental review officer for the agency.

MR. MURAOKA: Thank you, Director Blackwell, President Swig, members of the Commission. I'm Stan Muraoka, the agency's environmental review officer. The item before you is a continued public hearing on the adequacy of the draft environment impact report for the proposed Candlestick Point-Hunters Point Shipyard Phase 2 development plan project. This item was continued from your meeting on December 15th, 2009.

The hearing is solely to hear public testimony on the adequacy of the draft EIR in evaluating the likely adverse environmental impacts of the proposed project. No commission action is scheduled.

The public comment period for the draft EIR began on Thursday, November 12th, 2009, and ends on Tuesday, January 12th, 2010. After January 12th, the agency and planning department staff will prepare and publish a comments and responses document of the public comments from the hearings and written comments received during the public comment period along with staff responses to the comments.

At this time, I respectfully ask that you open up the public hearing on the adequacy of the draft EIR.

PRESIDENT SWIG: Thank you very much. Before I ask Madam Secretary with regard to speaker cards, I would like to, one, restate that comment will be we respectfully ask that your comment be restricted to two minutes; secondly, if there's any overflow, please overflow into the first floor north right corridor; and thirdly, when we held this hearing last week, I was reminded by several of the commissioners that we got off track and that we deviated.

I remind you that this hearing is solely to hear public testimony on the adequacy of the draft EIR and evaluating the likely adverse environmental effects of the proposed project. Last week there was a lot of deviation from that which we were supposed to be discussing. So if there is deviation today, I will respectfully reserve the right to interrupt any speaker and remind them of that fact, and I request that you please stay on topic. Thank you very much for that. Madam

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Secretary, do you have any speaker cards?

COMMISSION SECRETARY: Yes, Mr. President, I have 27 cards. The first speaker, Espanola Jackson, followed by Francisco DaCosta and then Jim Lazarus.

MS. JACKSON: Good afternoon. My name is Espanola Jackson, Bayview Hunters Point, and I am here to talk about the inadequacies

PRESIDENT SWIG: We need the speaker on, please. The microphone on, please.

MS. JACKSON: One of the things that has not been completed is transportation. I have a grave concern. Those of you who have never lived in Bayview Hunters Point do not know about the Bayview Hunters Point. I would like to inform you that 80 percent of the EIR is dealing with land fill. What has occurred is that you have not been involved with the South Bayshore plan which my community starts from Caesar Chavez to Highway 100 (sic) from Bayshore to the Bay. The shipyard is in back of where I live in the back.

All the homes are in the front. And whatever occurs it occurs going through the properties of the homeowners in Bayview Hunters Point. I don't know if you all were watching last week about what was happening overseas in Australia about the water rising and people losing their million-dollar homes there.

As came out last week, that the cause of the climate change we are going to have eight feet of water in Bayview Hunters Point. They have maps.

I would like some of you to send a representative to the hearings because they are asking for people who is going to be making decisions about building and construction to actually come back and let you all know and let the community know exactly what is going on.

Another thing is and the plan is supposed to be the Mishe Mokwa Ohlone Tribe, so I have to take this hat off and put on another. I am the liaison and spokesperson for the Mishe Mokwa Ohlone Tribe, and they are not included in this plan, and they are supposed to be because they were recognized -- they are recognized by the City of San Francisco, the Human Rights Commission, Board of Supervisors, and everyone else. Thank you very much.

PRESIDENT SWIG: Thank you very much.

MR. DACOSTA: My name is Francisco DaCosta, and I agree with the Chair that the comments before you today should focus on this 4,400 pages. And since it is so important that

SFRA2-1

SFRA2-2

SFRA2-3

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we focus on this 4,400 pages during this holiday season, we need a further extension. The reason is very simple. A lot of the areas that have to be -PRESIDENT SWIG: Keep your comments to the subject matter of the EIR, please. MR. DACOSTA: It is. PRESIDENT SWIG: Not to the extension. MR. DACOSTA: The reason being a lot of the areas mentioned in the draft EIR have not been fully evaluated, not only at the shipyard, but outside of the shipyard.

SFRA2-3
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The second thing is this draft EIR does not incorporate the baseline on climate change, flooding. The latest thing that has to be incorporated because we are talking about 10,500 homes. And if you don't incorporate this, then what happens is everything fails.

SFRA2-4

We are in this draft EIR talking about accommodating 30,000 people, yet we haven't addressed in detail transportation issues that adversely impact this whole area.

SFRA2-5

Now, there's a state law that says that on every huge development there has to be at least 20 percent conservation of energy, conservation of water. It hasn't been incorporated.

SFRA2-6

Now, for this reason, this draft EIR because the foundation is so weak, has so many cracks, it has to go back and they have to start all over again. Thank you very much.

SFRA2-7

MR. LAZARUS: Good afternoon, Commissioners. Jim Lazarus, Vice President of the San Francisco Chamber of Commerce. The Chamber of Commerce represents 1,500 businesses of all sizes throughout San Francisco with employers that employ 250,000 people, again from every neighborhood in San Francisco.

SFRA2-8

We urge you to find this draft EIR adequate and to move this project and this process forward as quickly as possible. The draft EIR has adequately presented -- adequately addressed and presented all the issues necessary for the governing bodies of this City -- the Redevelopment Agency, the Planning Commission, the Board of Supervisors -- to move this project forward. Some of us have been around a long time, and some of us remember when this was an active shipyard.

In 1974 when that shipyard was closed, the property wasn't made available to anybody. It was held in reserve. It wasn't ten years later that we finally had the opportunity to revisit that to look at whether or not that shipyard could be opened when Mayor Feinstein was in office. We went forward with that project of home porting, dead-ended in 1988 when the Navy pulled the plug on that. The property was studied. Environmental review was done at that time for that project at Hunters Point.

1995 Parcel A on the top of the hill, that was the schedule then for turning that parcel over to

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the City for redevelopment -- 1995. It started reconstruction of that parcel last year in 2009. When are we going to get the rest of this property back on the tax rolls, back in productive use for the people in San Francisco and the people of that neighborhood who have lost so much for over 35 years, that most of that property has laid fallow.

The Chamber urges you to move this project forward, to find adequate the draft EIR, not to extend comment time. No property in San Francisco and no project in San Francisco has been studied longer than Hunters Point Shipyard Project. Thank you very much.

PRESIDENT SWIG: Thank you very much.

COMMISSION SECRETARY: Next three speakers: Angelo King, Jaquin Deleon, Brian Webster.

Next three speakers: Gary Banks, Lisa Galley Joel Coppal.

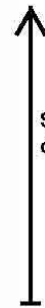
MR. BANKS: Good afternoon, Commissioners. Thank you for allowing me this time to speak with you. I am Gary Banks. I'm a pastor in the Bayview Hunters Point community also thought of as the project area.

The committee has been working on this process diligently for the last ten years. You know, the EIR has been developed out of numerous amount of meetings we have had. We have had experts come out and speak on different environmental impacts in the community. We have had transportation come out and speak on the transportation issues, and we have had diligent discussions on all of these particular topics and issues.

I think we are ready to move forward with the project. There are so many other factors that are involved that is really going to enhance the community. There's going to be green development, green methods that are going to be used in this particular project. It is going to be an opportunity for everybody to be successful and move forward. So I ask that you move this project forward. Thank you.

PRESIDENT SWIG: Thank you very much.

MR. DELEON: I my name is Jaquin Deleon. Good afternoon, good evening. I am speaking on behalf of the church which is located right in the middle of the Bayview on Elm Street, alongside supporters of SFOP, and we are here to advocate SFOP to really have fulfillment and pleasure and a great honor of having these affordable housing established here because I myself, you know, have witnessed, you know, and we know for many years now how it is.



SFRA2-8
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SFRA2-9



SFRA2-10

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Just the other day, for example, a young boy pulled out a razor blade out on me and he told me to give it up and, you know, it is so critical that we fully get this accomplished and that we get this affordable to people because if we don't do this, you know, those individuals will continue to with resilience and they will not get anywhere. But for those that do want to help themselves, I believe that with the affordable housing with the implementation and support of SFOP as far advocating for ourselves, some do want to help themselves. I myself happen to have a reserved background and having been a member there, and you know, we have so much compassion and so many thoughts that we want to at least change.

I encourage you guys and I thank you for allowing this and hope it does truly come to existence because without it, it is really hopeless. Thank you.

PRESIDENT SWIG: Thank you.

MR. GALLEY: Hello. My name is Lisa Galley, and I just wanted to briefly address the members of the Commission about this particular project. I'm with (inaudible) Capital, and my firm is interested in this because we are specialty consultants for green finance for project developers and also residential owners in cities across the country.

We are interested in this project, and we are interested in this project moving forward and stopping the comments because of the fantastic benefits that we are seeing in the work that we do in possibly in this community from green design.

Basically looking at the idea that you are going to have affordable housing that is complying with green design elements shows us or what we are seeing across the country is the opportunity to lower occupancy cost which means increasing disposable income of residents. That is a real opportunity particularly for this community.

In addition to that, our work also shows and what we are seeing across the industry is that green design in commercial properties as well basically creates a better investment value for everyone that does business down there. So it is basically a better investment case for the owners. It is a better financial picture for everyone who lives there. The chance that you have now to install that within this property, within this region, is a rare one. It is a new one, and it really is a key component of moving the community forward.

That's why we came to show our support and ask that the comment period be stopped because of the opportunity that is very unique that you have with these components to really bring a better financial case to the occupants and members of the community with the project.

SFRA2-10
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Thank you.

PRESIDENT SWIG: Thank you very much.

COMMISSION SECRETARY: Next three speakers: Joel Coppal, Ashley Rhodes, Reverend Walker.

Next three speakers: Al Norman, Mannie Flores, Mike Theriault.

MR. NORMAN: Mr. Chair, Commissioners, Directors, Counsel Al Norman, Bayview Residents Association. I'm coming here tonight to ask you to continue, not delay the process of this EIR any longer and take questions and go ahead and pass this on.

You know, I heard Ms. Jackson talk about the transportation and everything, and her concerns about it in Bayview. But with this project the reliable transportation is a real challenge the community faces. This project proposed to spend hundreds of millions of dollars in creating a new transportation infrastructure that will serve not only the new development, but also the surrounding community.

The key part of the transportation plan is propose a bridge over Yosemite Slough. I hope I'm not getting off the subject. I think that is in the EIR too, you know.

My main concern is to go ahead and get this started for our youth, for replacement of housing for Alice Griffith, to get these construction jobs going and get these permit jobs going, so we can go and get a lot of these kids employed, a lot of our youth employed that we have been training. They are getting all this training, and they don't have a job to go to because everything is being held up.

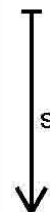
So I ask you today to go ahead and please keep this project moving so that we can keep at least encouraging these kids that they will soon have jobs that we trained them to do in different areas. Thank you so much.

PRESIDENT SWIG: Thank you.

REVEREND WALKER: I'm Reverend Walker. Again, I was here the last time before the Commission. I live in the Bayview Hunters Point. I pastor a church there. And this afternoon, I am representing the African-American Youth Development Association, Tabernacle Community Cooperation Center for organizing projects, and I decided to read the summary of the environmental report, 125 pages, and I was really encouraged by reading that report



SFRA2-12



SFRA2-13

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because it showed what diligence that the various communities, commissioners have done to make sure that this report is accurate as possible. I am convinced of that.

And today there was a very encouraging article in the San Francisco Chronicle. And I am sure you read it; but if you didn't, I hope you have an opportunity to do it. I brought copies to you where the EPA did extensive work with all the various environmental agencies and gave its consent to this report. And I am excited about that.

The Obama administration as you know in relation to the environmental -- the EPA actually said we have done -- that you have done a tremendous job, all the various agencies for the -- the health department, the state, the federal government, that the dust itself did not cause any effect, health to the people of San Francisco. Many people have come forward. This agency and other agencies claiming nose bleed and various types of illness. This report, this article definitely contradicts that on a scientific basis.

Secondly, they made the point that there's no scientific evidence of all the false claims about the blood, the bleeding of peoples nose and various things from this particular project. And I'm very grateful for that. I thought it would be to your advantage if you have not read that to read that report.

Thank you very much.

PRESIDENT SWIG: Thank you very much.

MS. KATSKE: Hi. My name is Ericka Katske. I'm executive director of the San Francisco Organizing Project, and I am actually reading on behalf of Mike Theriault who is -- who are the labor counsel as our partners as far as the CBA, Community Benefits Agreement, that we signed with Lennar for this project.

So Mr. Theriault writes, "Dear President Swig and Commissioners, on behalf of the San Francisco Building and Construction Trades Council, I have reviewed the summary of the aforementioned document and urge you to act immediately to move this project forward. The draft EIR released on the 12th of November 2009 concludes the proposed development of Candlestick and Hunters Point will create a mixed-use community with a wide range of residential, retail, office, research, and development with specific communities and parks and recreational open space; thereby improving the greater urban areas with numerous environmental protections and enhancements.

We believe the document is adequate and no further delays or public comment are

SFRA2-13
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SFRA2-14

necessary. We are well acquainted with the development's economic benefits. The draft EIR analysis confirms that its land use and design will protect and enhance natural resources in a way consistent with the resource policies of the San Francisco General Plan and all City environmental policies, regulations, and laws.

It considers alternatives to development, but rejects them for clear convincing reasons. What remains is the development as proposed.

The southeast of the City needs it. So do we in the trades. Please move swiftly. Sincerely
Michael Theriault, Secretary/Treasurer, San Francisco Building.

PRESIDENT SWIG: Thank you very much.

COMMISSION SECRETARY: Next three speakers: Mannie Flores, Tim Colen, Mat Regan.

MR. COLEN: Good afternoon, Commissioners. I am Tim Colen, executive director of the San Francisco Housing Action Coalition. On behalf of our members, we are strong supporters of this project and have been for years. The opportunity to put this valuable land to higher use for the benefit for the entire City must not be treated lightly. We urge that no further delays to the draft EIR be allowed.

The draft EIR adequately discusses the impacts of this project. I've reviewed the employment, housing, and population section of it. It is perfectly straightforward. It is common sense. It addresses what needs to be addressed. We think it is really important this move ahead. It has been decades now that this project has been under consideration.

This project is going to revitalize the Bayview Hunters Point community by converting underutilized land into increased housing options at a wide range of affordability levels. It will improve public recreation and open-space amenities and provide other important public benefits including, I might note, replacement of the Alice Griffith Public Housing Development without displacing any residents, the creation of 10,500 new homes with 32 percent of them at below market rates. That's an unusually high level of affordability in San Francisco, and it creates 300 acres of new parks and open space.

The draft EIR considered various alternatives to the proposed development. These alternatives have been rejected because they did not reduce significant environmental effects. They did not achieve most of the basic project objectives, and they are not capable of being accomplished within a reasonable period of time taking into account, economic, environmental, social, and technological factors.



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I would like to point out that there are not many projects that have gotten more review by the San Francisco voters than this project. It has been on the ballot before. The voters of San Francisco are perfectly clear what their views about the merits of this project are.

I urge you to move it forward without delay. Thank you.

PRESIDENT SWIG: Thank you very much.

MR. REGAN: Commissioners, good afternoon. My name is Mat Regan. I'm vice president of the Governmental Relations for the Bay Area Council. We are a business sponsored public policy advocacy organization with about 275 member companies located here in the San Francisco Bay Area.

I am here to urge you to move this project forward as fast as possible. We have reviewed the draft EIR to find it more than adequate to address the environmental concerns of the development.

I don't go back quite as far as Jim Lazarus or Tim Colen, but I was on the campaign staff of Propositions D and F back in 1997, I believe, when this particular selective phase shopping mall and a new football stadium and for a number of reasons that project died a death despite broad public support in the neighborhood and the land has been sitting amply vacant and useless ever since. We support this project move forward in its current iteration as fast and as expedient as possible.

The Bay Area Council took a delegation of urban intro-development components to Washington D.C. a couple of months ago, and we met with the senior legal staff of the Environmental Protection Agency. In particular, they are an environmental justice team, and we talked about urban development at great length, and we are well aware of their concerns and their agenda and what they would like to see. This project fits full square into the type of project that they would like to see in our urban broad field environment.

We have all seen today's Chronicle. The EPA are very strong supporters of this project, and we urge you to be so as well.

If I can also speak here about selfish self interest perhaps a little bit. You all know that last year Sacramento slashed the budgets of redevelopment agencies across the state. They're coming back for the remainder this year. You can be guaranteed of that. Pro Tem Steinberg just last week on KQED said they were looking to shut a lot of loopholes, tax loopholes in particular because they don't produce jobs. That's code speak for redevelopment agencies. When we meet

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with them later this month, I just want to tell them that there are 10,000 jobs in the pipeline in San Francisco.

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PRESIDENT SWIG: Thank you very much.

MR. REGAN: Thank you.

COMMISSION SECRETARY: Next three speakers: Chris Wagner, Richard McRee, and Dr. Ahimoa Sumchai.

MR. WAGNER: Hello. My name is Christopher Wagner, and I'm just going to read from my notes here. I'm a Bayview resident artist and a member of the CAS. The Bayview Hunters Point Community and the City have been working together for nearly a decade to plan this revitalization and redevelopment of the Hunters Point Shipyard.

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As a member of the CAS, we have had countless meetings on all aspects of this project and have had extensive time to provide our input and comments. I have read the DEIR and believe it has thoroughly and adequately analyzed the potential impacts of the area.

Additionally, reliable transportation is one of the most significant issues the community currently faces and the proposed bridge over Yosemite Slough is an integral part of this project because it will ensure the new transportation is reliable and efficient.

So let's move forward by respecting the artistic history of the shipyard and provide the needed accessible to-and-from transit, new studio space for existing artists at affordable rates.

Once again, I feel members of the community such as myself have had adequate time to comment on this document and the project, so let's please move forward. Thank you.

DR. SUMCHAI: Dr. Sumchai, health and environmental science editor, SF Bayview Newspaper. The California Environmental Quality Act was enacted in 1970 as a means of allowing for the review of potential projects to determine potential adverse effects to human health safety in the environment.

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In the report that you received from your director this month, you have identified that this DEIR has 36 significant unmitigated impacts. The California Environmental Quality Act requires that you identify and make a statement of overriding considerations for those unmitigated impacts.

Additionally, I have reviewed all 4,400 pages of this DEIR. It is inadequate in the areas of

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hazardous waste materials, hydrology, and water quality. Seismic impact is identified as being less than significant. Additionally, there are impacts with regard to air quality.

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The Bay Area Air Quality Management District will be meeting this week to update its criteria. It will include greenhouse gases. This DEIR does not identify that there's methane, carbon dioxide, and volatile organic compounds coming from the landfill at the shipyard.

Additionally, it is a felony to make false statements in documents presented to the federal government, and today's Chronicle article represents a false statement. I'm in possession of a letter from Captain Sevilla from the Department of Health and Human Services, ATSDR, with regard to my complaint about the exposure of school children to toxic dust. In this letter, he identifies that any exposure to the community may be thought to increase the cancer risk for residents.

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Additionally, in the letter dated 2007 to Dr. Bodia of the Department of Public Health. It says there was clear evidence that levels of asbestos exceeded mandated thresholds at both the fence line and the community. This DEIR identifies the project will violate the AAQMD sequence of significant thresholds. Thank you very much.

PRESIDENT SWIG: Thank you very much.

COMMISSION SECRETARY: Next three speakers: Karissa Cole, Arnold Townsend,

MR. McREE: I'm sorry. Richard McRee. Thank you, Commissioners. My name is Richard McRee. I have been a San Francisco resident for four years. My experience with DEIRs goes back 30 years to the Neiman Marcus DEIR which revealed the amount of body energy in a building is phenomenal. There's enough energy in the Neiman Marcus building to run that department store and escalators and everything for 60 years by simple extrapolation.

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Candlestick Park is roughly 15 to 20 times the mass of a department store like that. So therefore it is enough -- Candlestick represents enough embodied energy to run Neiman Marcus for a thousand years.

We have been ignoring this factor as a society, but now January 1st, right now, SECA now is requiring embodied energy be accounted. This is a glaring omission in the DEIR along with the total dismal of the historical value, which I think was an extremely arguable point.

The reason this has gone on so long is the City is divided about keeping or getting rid of Candlestick Park, but if you look at the energy situation, this Commission has a wonderful

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opportunity to be the lead in this country and say, okay, the intent of the law is to make a complete accounting of embodied energy and not dismiss it.

So I encourage you -- I would like to say it is incomplete. I've gone over the 4000 pages, and I looked in detail at the energy, at the greenhouse gas section, at the historical section, and I found a number of very glaring sections. It is a great beginning. It is a tremendous document, but it is only the beginning.

If this Commission wanted to, I believe it would be possible to break off the housing because people need housing, they need jobs. You could break off the housing component in this design and address the other points as well.

I think the DEIR should really pay more attention to these things, and you shouldn't look at

this as black and white. You have an epic project here. If you are going to raise the ground level you, you have to find a lot of dirt and there's many other things. Thank you.

PRESIDENT SWIG: Thank you very much.

MS. COLE: Hello. My name is Karissa Cole. I represent POWER, People Organized to Win Employment Rights. The DEIR is inadequate for many reasons. I will only address a few. In written comments, there will be many.

I am asking for an extension on the written comments based on the fact that many organizations go on a break for the winter holiday and for them to be due next week just doesn't seem reasonable.

The EIR states that 11 buses that travel in Bayview will experience an increase in travel time and an impact on operations. It does not state how those impacts will affect the current residents of Bayview. It also states that on Gang Day, Palou Street will be closed for buses to travel down. Again, it does not address the impacts of that on the residents that live along Palou Street. It doesn't say what parts of Palou Street is going to be closed. Palou is a long street. We would like to know exactly what streets -- exactly what blocks of Palou will be closed.

The DEIR also discusses adding new amenities, stores, things like that. It doesn't state how current residents will be able to access those stores.

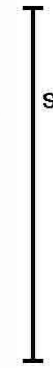
And also, again, I would just like to reiterate that allowing more time for folks to give sound



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comments on a project that is one of the biggest projects that has ever happened in San Francisco -many folks have been talking about how we have had hearings and we have had meetings about this. This is the first time we have been able to address this publicly and have our comments taken down. So we need more time to do that.

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PRESIDENT SWIG: Thank you very much.

MR. TOWNSEND: Thank you, Mr. President, Commissioners, Mr. Blackwell. Reverend Arnold Townsend. I am co-Pastor at Rainbow World Christian Center Church. It is a church right next to Bayview on Geneva and Bayshore. Many of our members live in Bayview. I just wanted to comment on a couple of issues concerning this DEIR.

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I think that one thing that I want to point out is the issue for this DEIR is adequacy, not agreement. The question is whether or not the EIR and the work that was done to create it was adequate. You may not agree with its final conclusion and result and there will be a point that people can speak to whether they think this ought to go forward. But if we are honest, the work that was put into this EIR and the way it was done, was adequate. You may not agree, which is your right, which we understand that. That's no reason not to move this EIR process forward into the next phase where folks will once again be able to comment on whether they like the development or do not.

I think the other issue that I would just like to bring up concerning the DEIR is that the most important thing that we need to understand is that for me, the best way to improve the health of the Bayview Hunters Point Community is move this thing forward. How can anybody say that the present condition is making anybody in that neighborhood healthier. It is just -- it just ain't happening. It is not improving anyone's environment for it to lay the way it has been laying for all those years.

So I just suggest to you that you look at this thing and move this project forward to the next step. Thank you so much.

PRESIDENT SWIG: Thank you very much.

MR. KING: Angelo King. There are too many comments I have about a very large document for me to go into in two minutes, but I will simply say that I am

going to take this time and this process to make sure that the number of comments I do have are properly formatted and submitted to the body for the proper analysis.

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While I am a supporter of this project, as most people know, there are some things that I am concerned about in terms of consistencies and of course what we need to ask. For instance, on the shipyard side, the project itself is not consistent with the BCB Seaport NCP plan, which basically states that the bayside should be used for the highest necessity and include water-front industry.

I spoke last time that the reasoning behind it was all based on -- well, from the EIR was all based on a report from 2001. I just thought, you know, that even though the urban design does not suggest that there should be water-front industry, the other thing I've learned from reading the DEIR is the word amendment, which basically stands for in ten years we might think different. So given that this project is going to go on for some time, I think that there should be some analysis if we do the proper improvement to that infrastructure as we were talking about (inaudible) to provide a catalyst for development there. One of the things that can be a possibility is if we did that kind of infrastructure for our piers.

If we don't get the stadium, we still need to find a way to process jobs because that for sure would be consistent with some of the promises and policies that would let out our property, both from the redevelopments.

And also last but not least the redevelopment plan for the shipyard calls for water-front maritime, which that also is not consistent with the current design. We should at least look at all the different types of water-front types of industry that could possibly be available. Thank you.

PRESIDENT SWIG: Thank you very much.

COMMISSION SECRETARY: Next three speakers: James Walton, Derrick Green, Jaquin Deleon.

MR. GREEN: Good evening. My name is Derrick Green. I'm a reverend at Bayview. If you move this project, this will help Bayview. It will help our youth. Right now I'm training our youth to be able to work. Without hope -- we need hope. Hope is the key. I got kids now that I have put in training programs. I've got kids back in school to improve themselves. I have kids ready to work right now. But without the project going ahead, we still on a standby. That would be less crime in the Bayview, less hanging out on our

corners and it means hope. I will leave you with hope. Thank you.

PRESIDENT SWIG: Thank you very much.

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COMMISSION SECRETARY: Next three speakers: Patrick Uniacke, Carol Harvey, La Ronda Smith.

MR. UNIACKE: Good evening, Commissioners. Happy New Year to you all and everyone present in this room. My name is Patrick Uniacke, and I represent an athletic organization here in San Francisco. We are in favor of moving the DEIR forward because of the proposed 300 acre of open space sport fields in the 700 acre development.

My organization directly represents a couple thousand kids here in San Francisco and indirectly represents thousands more to the Boys & Girls Club of America, CYO, YMCA, and River & Moons.

What this City is crying out for is more open space and playing fields. No one is talking about the children and kids and the youth of this City is crying out for more open space and playing fields for our kids. It is vitally important and crucial for their future development, well-being and health. So I encourage you to move this DEIR forward. Thank you very much.

PRESIDENT SWIG: Thank you very much.

MS. HARVEY: Hello, Commissioners. Can you hear me? Carol Harvey. I'm press. I am somewhat outraged by this. I think the draft EIR is preposterous. It says that there is mitigation -- no mitigation required, no danger to people, no danger to housing, no danger to habitat.

Lennar has been proved in the past to be a royal developer, toxic developments all over the country. James Hansen, who is the head of the NASA Goddard Space Institute in New York City, teaches at Columbia, started investigated global warming in 1980. He has come out recently and pointed to the fact that Greenland and Antarctic ice shells are melting, and we don't have mitigation for greenhouse gases.

Within the next 50 years, I don't know if you have read the BCDC report. We are going to have huge ocean rise. It will double much faster -- accelerated much faster than it is going.

The plans for Bayview Hunters Point, the shipyard, and this DEIR are nothing. They will not accomplish anything compared to that, the rapidity of the ocean rise. I'm somewhat shocked by the obvious civil rights violations against the people who live there, who haven't been given jobs there.

Gavin Newsom is talking about bringing in a Global Compact Center. When have people

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ever been given jobs. These are all business people. They are not invested in improving that part of the City. This global compact, the draft EIR, the whole thing should be thrown out because of the huge changes that are going to be taking place. There should be set up a huge estuary restoration around the entire area. Thank you.

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PRESIDENT SWIG: Thank you very much.

MS. SMITH: Good evening. My name is LaRonda Smith. I'm representing merchants in Bayview Hunters Point. I'm in approval of the DEIR with no delay. Please do not delay it any longer. We have been fighting for this about a decade, ten years. So let's move forward and try to save and restore some of the businesses on Third Street and in that area that have been lost since the shipyard has been closed. Thank you so much for your time.

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PRESIDENT SWIG: Thank you.

COMMISSION SECRETARY: Next three speakers: Franklin Ross, Alex Toeaina, Brandon Ross.

MR. ROSS: Good evening. I'm here to speak on America. This is America. We have far and struggled hard for things that we successfully have now. Bayview is part of America. Instead of going backwards, we should go forward so the future children know that we can do it as American people. I am standing here myself. I am soon to be 53 years old. We are talking about kids that are younger than I, that need the opportunity like I have had to work and be successful in some areas of my life. Again, this is America. So we should not go backwards. We should go forward to demonstrate that we could come together as a community to show everyone that we can grow strong. Thank you.

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PRESIDENT SWIG: Thank you very much.

MR. TOEAINA: Good evening, Commissioners. My name is Alex Toeaina. I'm speaking for my Samoan people. The last time I came I was trying to get everybody to understand that our people are happy-go-lucky kind of people. We get with the program. If we die from it, we die from it. We just live.

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Just this year alone, I have been to five funerals, you know, from my generation from the ages of 50 to 55. That's unlikely, you know, that people just dying like that at 50. So I am for redevelopment, but I want us to do it the right way. I want us to -- you know, I want us to make sure that we are doing things the legal way. If this is about illegal maneuvers by Lennar and the negligence on our part ignoring the many fines and penalties due to illegal methods to

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prevent health issues.

I'm over here with my son right now. My family lived at Hunter Point for ten years, from 1989 to 2000, and we have records of going to doctors periodically, periodically, and periodically. It wasn't until we moved out of Hunters Point that the doctor visits stopped -- literally stopped.

So this is very crucial to me, close to my heart. My concern is that we get the jobs. We going to get the jobs, and we build -- we build this thing and at the end of day, we don't get to live and play there. Already 60 percent of the Samoans don't live in the housing no more. They have been moved out with no replacement. They don't have no place to live. So our family is here.

We want to make sure that everyone -- this ain't about -- this ain't about redevelopment. This is about greed. This is about money. This is about lining people's pockets with money. It is about dividing the people. Now we are fighting against each other while you all look at us. Now churches don't even fellowship no more because we are divided because of the almighty dollar.

I'm asking you to delay this thing. Let's think about this thing. Let's regroup. This is about money. It is not about people.

PRESIDENT SWIG: Thank you very much.

COMMISSION SECRETARY: Last three speakers: Linda Shaffer, Doug Parrish, Randall Evans.

MS. SHAFFER: Good afternoon, Commissioners. My name is Linda Shaffer. I serve on the Park and Recreation Open Space Advisory Committee commonly referred to as PROSAC. I did not make up that name.

We in fact have a meeting scheduled this evening starting at 6:30 during which for the first time we will be able to discuss the recommendation portion of the draft EIR. Our December meeting, which was the first one that was held after the draft EIR was released, was occupied with a small item that you might have heard of called Sharp Park.

So this is the first time we will be able to address this issue. We may decide that there are no inadequacies in the draft EIR. I don't know what we will find. I should say that I am speaking only for myself. So I know that you have asked that people not keep reiterating a request for an extension, but I will just say that I think it is a real shame that this important committee of

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citizens who are charged with all the matters having to do with parks, recreation, and open space has only one meeting and one week during which to put together thoughtful comments about the adequacy or inadequacy of this draft EIR. We will do our best. Thank you.

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PRESIDENT SWIG: Thank you very have.

MR. PARRISH: Good evening, Commissioners. My name is Doug Parrish. I'm the president and CEO of Red Dipper. We are a portable equipment design installation service provider for both residential, commercial and utility grade. We also have a significant amount of experience on our team particularly with some of our scientists and board members that have allowed for themselves to come on to be a representative of the community to provide an analysis independent of anybody else regarding the EIR report which has somehow, you know, neither here nor there been looked at, but we have offered that to the people on behalf of RedDipper.com.

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One other thing, we want to utilize a few of the many community benefit programs that are already in place for the first phase of the project and further counting on these programs have been available for much of the larger phase of two portions of redevelopment. We have every intentions of training and utilizing labor from the Bayview to execute on our projects and additional goal of ours is to provide a manufacturing facility to be located in the Bayview Hunters Point. And hopefully if our vision is fully realized within the bounds of our vision, we could have this be in the redevelopment project area.

I realize these are lofty goals, but without thinking big, we cannot become big. And without thinking successfully, we will not be successful. And anymore delays, in my opinion, will simply further delay my ability to bring these jobs to the community and all of these other small business that have been up here talking about these delays are of a similar mindset.

Times are tough, and jobs are needed, and redevelopment needs to happen, but we want to do it in a fashion like the brother just said. We want to do it the right way. Thank you very much.

PRESIDENT SWIG: Thank you very much.

COMMISSION SECRETARY: Daniel Landry, Ace Washington.

MR. LANDRY: Good evening, Commissioners. Again, you know, when we come before you about this issue that's been ongoing with Bayview Hunters Point, the one thing that must be clear is that, you know, we are not against development as we have been saying for the

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record for years now, but yes we want it done correctly and the right way. We want to be sure that the people in Bayview Hunters Point know their options and know the consequences of building a project like this of this magnitude especially when you are dealing with a toxic area.

You know, I didn't know what a Superfund site actually was until I did a little research, and I was disturbed that for some reason Superfund site is not a part of that marketing plan of Lennar or of any development that is coming into our community.

The one thing that has to be noted when we speak about jobs at what expense because at the end of the day, if your health -- if you're compromising your health for the future, then you can get all the money you want now, monetary money now, but that is similar to the mindset of a dope dealer where they want money and stimulant, but they don't look down the line for the consequences. What we have to look at is our children's children's children, and even beyond that because the statement of San Francisco as you know there are other cities watching.

We know that Lennar is in big trouble all throughout this land and that should be the red flag. So move with caution. This is what we are saying. And also really analyze for yourself in your heart do you think that we should jeopardize the health of the people of Bayview Hunters Point just for development sake.

Now, I like the 49ers --

PRESIDENT SWIG: Do you have comments on the DEIR? I want you to use your full two minutes.

MR. LANDRY: Thank you. Well, just in a nutshell, I disagree with the EIR, and I believe that the EIR does not address some of the health concerns and as you know and I have put on record before that we will dispute every step of the way and even in litigation for the EIR going forward. Thank you.

PRESIDENT SWIG: Thank you very much.

MR. WASHINGTON: Good evening San Francisco and radio land and the future who listen to this ten years from now. I am just here to put a little bug in everyone's ear to remind you of what your predecessors did to us years ago in the Fillmore.

This is DEIR, but I -- I get two minutes, and Commissioner if don't think you have the right to stop me. If I want to get up here and sing, you don't have the right to stop me. What I'm saying is this Redevelopment Agency you are going down in history as if our commissioners

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did 40 years ago when they did it

to the Redevelopment Agency. You see how we read about it and talk about what our Redevelopment Agency did to us. Be cautious about what you are doing because even though you all don't mean any harm, the ones that planned this prior to you all getting up there, and those developers in those smoke-filled rooms talking about the millions and billions that they are going to make.

My question is who is going to be living in those spots? Are you going to import people from space or people that got big this is what I am trying to show you all. It is not about the EIR. It is about the people who is going to be living there. We need to be -- they need to be factored in.

I'm from the old school western edition where we are putting this together so we can help you analyze what you had done to us, so it won't be done again. Regardless if you don't really recognize who we are, that's okay. It is the people who makes the difference. It is the people. I am here to tell you with God's help, there's going to be a change. I know we are not going to be able to stop you, but we will be watching and documenting it because legacy is more important than value and monies that you all aren't going to have nothing to do with.

All those people out in the hallway lobbying for this, they are going to be nowhere to enjoy this. So just be cautious with what you do. Okay.

PRESIDENT SWIG: Thank you very much.

COMMISSION SECRETARY: Mr. President, I have no more speaker cards.

PRESIDENT SWIG: I want to make sure that anybody that came here today to speak on the draft EIR has the opportunity of speaking. Is there anybody else in the audience that wishes to address the draft EIR?

MR. O'MILES: I would.

PRESIDENT SWIG: Thank you. State your name,
please.

MR. O'MILES: Tim O'Miles. I am a resident of Bayview Hunters Point. The EIR should not be put forth because it doesn't account for the changes. It doesn't account for the health of the people who live there. It doesn't account for the kids. I mean it is okay -everybody is here for

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the redevelopment, but there is nobody here for the people.

Everybody who has got up here to speak is either with Lennar, a developer, or somebody with the union, a contractor, somebody that has something to gain. Before you get up here to speak, you should state if you are with Lennar or not with Lennar because right now, we don't know who is on what side.

All I know is we are here for the people, the people of San Francisco, the people of Bayview. Nobody is here concerned about Bayview. Everybody who is here is concerned about, oh, who is going to make this and who is going to do this and who is going to do that while will our kids suffer.

If we do this redevelopment and there's an earthquake or we have global changes, there are things that are going to come up from the bottom that we are not going to see, but our kids are going to suffer. It is up to you guys up there to do the right thing, but don't do the good thing. The good thing is not the right thing, but the right thing is always a good decision.

PRESIDENT SWIG: Thank you very much.

Again, I want to make sure that everybody is heard today on the subject and commentary on the draft EIR. Anybody else who has any comment on the draft EIR?

All right. Hearing no further public comment, I will close public comment and turn to my fellow commissioners for their comments starting with Commissioner Covington.

COMMISSIONER COVINGTON: Thank you, Mr. President. I think we had a slight technical difficulty that's the reason for the delay. I want to first of all thank everyone who came out this afternoon to share your thoughts with us. Once again, we had some new people come out and that's always good. That's why we are here to listen to what you have to say, and I want to thank my fellow commissioners for making sure that we extend the public comment time, the oral public comment time today.

I must say I have not read each and every word of the 4,400 pages. I have read most of it, and I really encourage people to go back to the document, to the original document because there are a number of things that were brought up this evening that are indeed covered in the document. I think they are covered quite well. You may not agree with the assessment that is made from the information that has been gathered, but the document is fairly comprehensive.

I again encourage those of you who have particular concerns go back to the document. It is

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voluminous and perhaps you missed something. And if not, you know, we can all agree to disagree. And I think that this is such a huge project, and we have been talking about it for so very long that the thought that we would all be on the same page in accord is the result of thinking in a parallel universe.

So I am not put off by anything that anyone has said this evening. I stand by the document and my reading of the document, and I encourage those of you who may be listening on the radio who have not read it, to please read it. I look forward to seeing your written comments of those people who are going to be preparing them. Thank you.

PRESIDENT SWIG: Any other commissioners wish to comment?

Okay. I'd just like to echo some of the things Commissioner Covington said. First, I would like to thank the public very much for taking the time both two weeks ago and today for coming out and sharing your thoughts. And also I agree with Commissioner Covington and Reverend Townsend that the document is very adequate. It is thorough. It has many answers to the questions raised today. We can't all agree on everything, and this is a great opportunity for all of us to comment on our thoughts, and we do have to weigh the adequacy versus -- the issue of adequacy versus the issue of whether we can all agree on the same item at the same time.

I would like to further comment that, you know, this is just another small step in a long project, and I hope we all stay looking through the front windshield instead of the rearview mirror so that we can continue to move forward in a constructive fashion.

Just two thoughts for testimony on the DEIR, I call to the attention the transportation section which is a very difficult section. It is very clear that today the transportation issues at Bayview Hunters Point is woefully inadequate, and we talked about it with regard to the EIR for Visitation Valley. There

was discussion on looking at the macro issues on transportation. Bayview Hunters Point is not just Bayview Hunters Point. It connects to the rest of the City, and Visitation Valley is part of that, and all the adjacent areas to Bayview Hunters Point is part of that, and the way people get to their jobs downtown or across town or around town is part of that.

So as I commented when we were talking about Visitation Valley, I hope that as this document evolves and various authorities that have to deal with transportation really take that transportation section very, very seriously because it is so critical.

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Secondly, on the issue of the environment, you know, I wish I had my crystal ball to look at what global warming will do to this world and how far the seas will rise. I unfortunately do not have that crystal ball in my bag of tricks, but I think there should be recognition certainly of environmental issues in the future in this DEIR. It is there. I just want to let you know those who have any concerns, I share those concerns with you, but they are addressed in the DEIR, and I hope that as the draft becomes finalized that any further clarity will be established.

SFRA2-37

That's it. We don't have any -- Commissioner Breed I see has asked to make a comment.

COMMISSIONER BREED: Yes, I want to make a few comments. I want to thank the public for coming out to speak. I also wanted to thank my fellow commissioners for continuing this hearing so that we could hear further comments.

I have been up until maybe 3:00, sometimes 4:00 in the morning trying to review the important parts of the document because of the importance. I have visited with residents. I have spoken to a number of them about certain issues that they have had.

One of the biggest concerns I think I had was from some of the residents is that they really weren't necessarily interested in reviewing this document, but more importantly they were interested in the housing opportunity and the job opportunities that were promised to them because of this particular project.

And so what I would like to communicate, you know, for the record is that it is important that we hold the organizations that receive support financially throughout the City to provide the housing and job opportunities, support necessary to the members of the Bayview Hunters Point Community accountable. That is going to be the most important thing that we do in the long run. We need to make sure that folks are ready for the opportunities that will exist. We can't issue or continue to issue financial support to these organizations and then not make sure that they are delivering measurable results for the people of the Bayview. That is the biggest concern that I have encountered, and it is something that we need to aggressively address.

The second issue I have is I frequently visit family members, drop kids off, and I'm always in the Bayview Hunters Point for one reason or another. It is really tough maneuvering all over the Bayview, up the hill, down the hill. It is a very difficult place. They have difficult areas to get to with a car, let alone public transportation, and I hardly see buses traveling in the hill area.

SFRA2-38

I know the 19th Polk kind of goes up West Point and some other things, but the public transportation there is ridiculous. I think that one of the things that the transportation section

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that I would like to have seen more of is address those issues, connecting what exists now or figuring out a way in which the transportation that is going to be addressed in the future is addressed in this EIR. I think it is going to be important that we look now, not wait until this thing is moving forward, but we look now at the transportation problems that exist in the Bayview.

I have had a number of problems that have existed on the T3 line where you know, I can't put my kids on the T3 line to go home because there's a lot of violence and other issue that happen. So we have to address and I know that's not a redevelopment issue, but we need to address the current situation around the transportation issue as a whole. We need to make sure that that is addressed now and that we connect those two dots with the transportation plan because I do have some serious concerns that if we are not dealing with transportation now, how are we going to make it better in moving forward. That is an important issue as well that has been communicated by a number of the residents.

So, yes this is a large document. Yes, there's a lot of indexes and a lot of charts and other things that exist in here, but then there is also a lot of substantive information, and I felt it was a very helpful document.

This is the first step in a longer process, and I think in moving forward it is going to be imperative for the public to make voice its concern with regards to the plans for the shipyard more importantly and to make sure their comments are included for this draft environmental impact report especially those things that you feel are most important to you.

With that, I think we are pretty much done, and I thank you again all for your time and your commitment. I ask you to continue to make public comments, submit information, provide whatever materials necessary to help us, ask commissioners to make the best decision, and also talk to the folks who live around you because if you live in the Bayview Hunters Point or if you work there or if you spend time there, then there are a ton of residents that are constantly willing to step up and make their voices heard with regard to this process, but they may not always want to attend the meetings or provide written comment. So with that, I thank you.

PRESIDENT SWIG: Thank you. Commissioner Bustos.

COMMISSIONER BUSTOS: I just thank you for the opportunity to speak on this. You know I want to appreciate the public and thank you so much for being here. As a native San Franciscan it is always good to have folks that have been in community long term to sort of have that history. With that, I go to sort of what London was talking about. The community

↑
SFRA2-38
cont'd.

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benefits should support the community. You have communities not only in Bayview, but other parts of San Francisco that have kept the fabric of that community together with nothing. They have held it with nothing, without any attention, without any support or resources from the City.

Having grown up in the Mission District back in the day, you know, we did the same thing. We had to hold it together. So I really believe that redevelopment should benefit the community that has held it together the most.

With that, know that we will have -- I don't know about the other commissioners, but at least for me, will have that in mind as we go forward and encourage you to do the same as we are looking at the plans and looking at transportation as well as the housing environment.

One thing in terms of the cultural aspect that really caught my interest as a whole is the way we handle our native brothers and sisters who are indigenous to the community. Ms. Jackson talked about the Ohlones and some others that should be included, and I totally agree. I think the way we handle the findings of human remains, cultural artifacts should be handled in the most culturally, spiritually and sort of proper way to do it. So I would hope that that happens.

SFRA2-39

I just want to thank the public once again for everything you have said, and we have taken a lot of notes. So I appreciate it. Thank you.

PRESIDENT SWIG: Okay. Any other commissioners with comments?

All right. Hearing none, before I close this hearing on the subject, I would like to thank Commission Breed, and I believe she was supported heavily by Commissioner Covington, on extending this hearing over to -- from two weeks ago to today. I think that was very valuable and an important exercise in this. I want to recognize those two commissioners and their energy towards making the extension of this

hearing possible.

So with that, I would like to close the hearing to hear public testimony on the adequacies of the draft EIR in evaluating the likely adverse environmental effects of the closed Bayview Hunters point Candlestick Point Project. Thank you very much.

(Whereupon, the proceedings were adjourned.)

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■ Transcript SFRA2: San Francisco Redevelopment Agency (1/5/10)

Response to Comment SFRA2-1

Section III.D (Transportation and Circulation) of the Draft EIR describes the transportation-related impacts associated with the Project, including improvements proposed by the Project and the impacts associated with Project-generated vehicle traffic.

Section III.S (Greenhouse Gas Emissions) of the Draft EIR describes the effects of new greenhouse gas emissions generated by the Project and measures proposed by the Project to both reduce greenhouse gas emissions as well as account for potential sea level rise, as referenced by the commenter.

Response to Comment SFRA2-2

Refer to Master Response 1 (SB 18) for a discussion of consultation with the Native American community under SSB 18.

Response to Comment SFRA2-3

This comment contains introductory, closing, or general background information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. No response is required.

Refer to Response to Comment 1-1 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA2-4

Refer to Master Response 8 (Sea Level Rise) and Responses to Comments 36-2, 57-1, and 58-3 for a comprehensive discussion of the sea level rise documents reviewed, the levels of sea level rise taken into account for various Project components, and the plan to provide flood protection if higher levels of sea level rise occur.

Response to Comment SFRA2-5

Section III.D (Transportation and Circulation) of the Draft EIR describes the transportation-related impacts associated with the Project, including improvements proposed by the Project and the impacts associated with Project-generated vehicle traffic.

The transportation impact analysis described in the Draft EIR does account for the additional population that would be associated with the new homes. The impact analysis is based on the increased travel demand associated with the Project, which includes 10,500 new residential dwelling units, 885,000 square feet of new retail, 150,000 square feet of new office, 100,000 square feet of new community services uses, a 220-room hotel, 336 acres of new public parks, a new NFL stadium, a new arena, and a 300-slip marina.

Response to Comment SFRA2-6

Refer to Response to Comment SFRA1-76 for a discussion of project compliance with Title 24, the *City of San Francisco General Plan*, and the City's Green Building Ordinance, all of which relate to energy

conservation. Project-related impacts would be less than significant with regard to the wasteful or inefficient use of energy, as demonstrated in Impacts ME-1 and Impact ME-2, provided in Section III.R (Energy) of the Draft EIR.

In terms of water conservation, page 2-8 of the Water Supply Assessment, which is provided in Appendix Q1 of the Draft EIR, states that:

The SFPUC has also increased its water conservation programs in an effort to achieve new water savings by 2018. The SFPUC's conservation program is based on the Demand Study that identified water savings and implementation costs associated with a number of water conservation and efficiency measures. The Demand Study evaluated the costs and benefits of implementing 48 different conservation measures using an end-use model. The results indicated that local conservation programs implemented through 2030 could cumulatively reduce Retail purchases from the SFPUC RWS by 4.5 mgd in year 2030. These new conservation programs include high-efficiency toilet replacement in low-income communities, plumbing retrofits in compliance with the 1992 California plumbing code and water efficient irrigation systems in municipal parks. Through its expanded conservation program, the SFPUC anticipates reducing gross per capita consumption from 91.5 gpcd to 87.4 gpcd by 2018 for an average daily savings of approximately 4.0 mgd.

Refer also to Response to Comment 65-24 for a discussion of the use of a recycled water facility to serve the Project, which provides another potential mechanism for water conservation.

Response to Comment SFRA2-7

This comment contains introductory, closing, or general background information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. No response is required.

Response to Comment SFRA2-8

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA2-9

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA2-10

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA2-11

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA2-12

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. Refer also to Master Response 4 (Purpose and Benefits of the Yosemite Slough Bridge) for greater details regarding the transit benefits of the Yosemite Slough Bridge.

Response to Comment SFRA2-13

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA2-14

The comment is acknowledged. No response is required.

Response to Comment SFRA2-15

The comment is acknowledged. No response is required.

Response to Comment SFRA2-16

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA2-17

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA2-18

The comment is acknowledged. As stated in Chapter 1 (Introduction) on page I-11 of the Draft EIR:

If the Agency and City were to approve the Project, despite significant impacts identified in the Final EIR that cannot be mitigated, if any, the Agency and City must state in writing the reasons for its actions, under CEQA Guidelines, Section 15093. Those findings, called a Statement of Overriding Considerations, must be supported by substantial evidence in the record, and are used to explain the specific reasons why the benefits of a Project make its unavoidable environmental effects acceptable.

Refer to Master Response 6 (Seismic Hazards).

Response to Comment SFRA2-19

The Project will not change any GHG emissions associated with the landfill at the shipyard, therefore, there are no incremental emissions associated with this source. Furthermore, as discussed in Section III.K (Hazards and Hazardous Materials) of the Draft EIR, the landfill is part of an area created from the 1940s to the 1960s by filling in the Bay margin with a variety of material, including soil, crushed bedrock, dredged sediments, and debris. From 1958 to 1974, the landfill received liquid chemical waste, asbestos, domestic wastes and

refuse, dredge spoil materials, sandblast grit, solvent wastes, and low-level radioactive wastes from shipboard radium dials, including electronic equipment. Accordingly, only a small fraction of the material deposited in the landfill has the potential to be methanogenic. Since potentially methanogenic materials were deposited there between 35 and 50 years ago the potential for further methanogenesis is low.

Refer to Comment 88-1 which includes two letters from the Department of Health and Human Services, ATSDR, to Dr. Sumchai (dated February 11, 2009, and December 11, 2009) and a letter from Department of Health and Human Services, ATSDR, to Dr. Bhatia of the San Francisco City and County Department of Public Health dated September 20, 2007. With respect to the referenced statements from the September 20, 2007, letter and the December 11, 2009, letter, refer to the following conclusion in the December 11, 2009, letter: “it is not possible to accurately quantify the risk because the currently available tools and limited data have so many inherent uncertainties.”

Refer also to Master Response 12 (Naturally Occurring Asbestos).

Response to Comment SFRA2-20

The energy demand required by the Project was disclosed in the Draft EIR in Table III.R-7 and Table III.R-8. In fact, an entire section of the Draft EIR [Section III.R (Energy)] was devoted to addressing potential impacts related to energy, including electricity, natural gas, petroleum, and greenhouse gases.

The embodied energy associated with building materials is addressed in the Draft EIR. This analysis is presented in Appendix S of the Draft EIR (ENVIRON Climate Change Technical Report Candlestick Point Hunters Point Shipyard Phase II, October 22, 2009). Refer specifically to page 49 of this report and its Appendix C (Life Cycle Greenhouse Gas Emissions from Building Materials). An estimate of “life-cycle” GHG emissions (i.e., GHG emissions from the processes used to manufacture and transport materials used in the buildings and infrastructure) is presented in this section. This estimate is to be used for comparison purposes only and is not included in the final inventory as these emissions would be attributable to other industry sectors under AB 32. For instance, the concrete industry is required by law to report emissions and undergo certain early action emission reduction measures under AB 32. Furthermore, for a life-cycle analysis for building materials, somewhat arbitrary boundaries must be drawn to define the processes considered in the life-cycle analysis. For instance, in the case of building materials, the boundary could include the energy to make the materials, the energy used to make the machine that made the materials, and the energy used to make the machine that made the machine that made the materials.

Various agencies have commented on the inclusion of these embodied energy life-cycle analyses of building materials in CEQA analysis. Recognizing the uncertainties associated with a life-cycle analysis, the California Air Pollution Control Officers Association (CAPCOA) released a white paper (CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act, 2008) which states: “The full life-cycle of GHG emissions from construction activities is not accounted for in the modeling tools available, and the information needed to characterize GHG emissions from manufacture, transport, and end-of-life of construction materials would be speculative at the CEQA analysis level.”

The Attorney General of California has commented that CEQA requires indirect effects to be analyzed where they can be reasonably estimated (see Letter to Dave Warner San Joaquin Valley Air Pollution

Control District, Draft Document Entitled “Characterization of Greenhouse Gas Emissions,” February 17, 2009). This includes emissions from the project’s energy use and life-cycle emissions associated with raw materials used to build the project. However, the Attorney General also notes “CEQA does not require independent research to trace back to its source every single material used in construction, but there is no reason that existing, readily available information about lifecycle emissions should not be included in the CEQA analysis.” Furthermore, CEQA Guidelines Section 15064(d)(3) states, “An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.” The analysis presented in Appendix S of the Draft EIR is consistent with the use of readily available information about lifecycle emissions to the extent that is reasonably foreseeable and is included in the Draft EIR.

Response to Comment SFRA2-21

This comment contains introductory, closing, or general background information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. No response is required.

Refer to Response to Comment 1-1 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA2-22

The Draft EIR describes the extent to which Project-generated traffic may cause delays to existing and proposed transit routes serving the Project and traveling through the Bayview neighborhood in Impacts TR-22 through TR-30. However, the Draft EIR also identifies mitigation measures MM TR-21 through MM TR-27, which propose constructing transit preferential treatments, including transit only lanes and transit priority signals to reduce the impacts to transit travel times, although not necessarily to less than significant levels in each case. The Project impacts would be to all riders of these lines, including riders traveling to and from the existing Bayview neighborhood. Similarly, the benefits of the mitigation measures at improving transit travel times would be shared by all riders in the study area, including riders from the existing Bayview neighborhood. Refer to Master Response 18 (Transit Mitigation Measure) for greater discussion on these mitigation measures.

On game days, Palou Avenue, between Crisp Avenue and Third Street, would be closed to through-traffic, except for transit vehicles and emergency access vehicles. However, residents would still have access to their homes as the closure would be to through-traffic only. These conditions would likely only be in place for approximately 2 hours prior to and 2 hours after games on football game days only

Response to Comment SFRA2-23

Refer to Response to Comment 1-1 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA2-24

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA2-25

Pages III.B-15 to III.B-16 of Section III.B (Land Use and Plans) contains an analysis of the consistency of the Project with the Bay Area Seaport Plan. The Seaport Plan assigns a “Port” use designation to an area within HPS Phase II. Bay Plan policies accompanying the Port use designation at Hunters Point state that 55 acres designated south of Manseau Street “should remain designated for port priority use and future development of two breakbulk berths.”^{125,126} Findings of the Seaport Plan note that the area most likely for marine terminal development includes Drydock 4, South Pier, the Re-gunning Pier, and the waterfront area along South Basin. However, the Port contracted CBRE Consulting and Martin Associates to update a 2001 study “Maritime Cargo Market and Warehouse Analysis.”¹²⁷ The report identifies the Port of San Francisco as the only breakbulk facility in the Bay Area, annual cargo peaked in 2006 with 250,000 tons, and declined to 150,000 tons of cargo in 2007. Breakbulk at Pier 80 is primarily imported steel which is sensitive to the world economy. The report suggests that Pier 80 marketing efforts diversify from breakbulk into wind turbine components, autos, and fruit. The analysis suggests that the demand for breakbulk facilities is not greater than its current or projected availability. This indicates that policies for breakbulk cargo port priority uses for HPS Phase II may no longer reflect the current economic climate and realistic land use options.

The Project proposes a mixture of land uses on the HPS Phase II site that include a wide range of residential, retail, office, research and development, civic and community, and parks and recreational open space uses. A stadium and marina facilities are also proposed. However, port uses are not proposed for the Project. Findings of the Seaport Plan note that the area most likely for marine terminal development includes Drydock 4, South Pier, the Re-gunning Pier, and the waterfront area along South Basin. The Project’s proposed marina is within this general location.

The Project is inconsistent with two policies that designate the Project site as having 55 acres remaining for port priority use and future development of two breakbulk berths. However, the Project would not inconsistent with policies designed to reduce or avoid environmental impacts. Implementation of the Project would require an amendment to the Seaport Plan that references the Project site as a component of the entitlement action. Following amendment of the Seaport Plan, the Project would be consistent with the Seaport Plan.

Refer to Response to Comment 48-3, which discusses selection of the alternatives analyzed in the EIR.

Response to Comment SFRA2-26

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA2-27

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

¹²⁵ *San Francisco Bay Area Seaport Plan*, p. 42, 1996.

¹²⁶ Break-bulk cargo is a shipping term for any loose material that must be loaded individually, not in shipping containers or in bulk as with oil or grain.

¹²⁷ CBRE Consulting and Martin Associates. “Maritime Cargo Market and Warehouse Analysis” February 2009.

Response to Comment SFRA2-28

Refer to Master Response 8 (Sea Level Rise) for a discussion of recent sea level rise predictions due to climate change and timelines for these changes to occur. Estimates of projected sea level rise used by BCDC¹²⁸ and IPCC¹²⁹, as reported in the Project EIR, were largely derived from sea level monitoring conducted by NASA and NOAA. Based on the most recent reports by NOAA,¹³⁰ mean global sea level monitored between 1993 and 2009 resulted in an average 3.0 mm (0.1 inch) per year increase (Figure 1). This estimate is similar to that reported by NASA,¹³¹ and was attributed to melting ice (glaciers and ice sheets) and the thermal expansion of the ocean as it absorbs excess energy. A general concern by the public has been the fluctuation in the calculated trend value reported by NASA and NOAA, which has ranged from 3 to 3.4 mm/yr for approximately the same time period.¹³² However, the NOAA Laboratory for Satellite Altimetry website¹³³ clearly states that long-term trends are a result of monitoring global mean sea level every 10 days with a measurement uncertainty of 3 to 4 mm.

As discussed in Section III.S (Greenhouse Gas Emissions) of the EIR, tipping elements bring about “abrupt changes that could push natural systems past thresholds beyond which they could not recover.”¹³⁴ NASA reported that tipping elements are more common at regional scales than at global scales. To illustrate this, NASA used the concept of sea level rise in association with the shrinkage of ice sheets as an example of a tipping element. The ice sheets contain approximately 5 to 6 meters (16 to 20 feet) worth of sea level in the Antarctic Ice Sheet and 6 to 7 meters (20 to 23 feet) in the West Antarctic Ice Sheet, which are both vulnerable to widespread melting due to additional warming.

One of the most recent reports on the status of Greenland and Antarctic ice sheets was by Pritchard et al., which utilized new methods (i.e., the Geoscience Laser Altimeter System, launched in 2002 on board NASA’s ICESat) for determining dynamic changes.¹³⁵ The authors observed that although there is considerable variation among the ice sheets as a whole, in general there is a net loss in ice mass, especially along the margins. This conclusion was echoed in recent estimates of Antarctic ice sheet mass reported by Chen et al., which stated that the Antarctic ice sheets are losing mass primarily in coastal regions.¹³⁶ To illustrate this point, Chen et al. provided current mass change data from Gravity Recovery and Climate Experiment (GRACE), which are especially concentrated along West Antarctica. Overall, it was estimated

¹²⁸ BCDC (San Francisco Bay Conservation and Development Commission). 2009. Living with a Rising Bay: Vulnerability and Adaptation in San Francisco Bay and on its Shoreline, Draft Staff Report. April 7, 2009.

¹²⁹ IPCC (Intergovernmental Panel on Climate Change). 2007. Climate Change 2007: The Physical Basis—Summary for Policymakers. <http://www.ipcc.ch/SPM2feb07.pdf>.

¹³⁰ National Oceanographic Atmospheric Administration (NOAA). 2010. Sea Level Rise. Laboratory for Satellite Altimetry. Accessed on January 12, 2010. <http://ibis.grdl.noaa.gov/SAT/SeaLevelRise/>.

¹³¹ <http://climate.nasa.gov/>.

¹³² Spooner, R. 2009. NASA: Sea Level Update. Climate Audit weblog by Steve McIntyre. Accessed on January 13, 2010. <http://climateaudit.org/2009/08/21/nasa-sea-level-update/>.

¹³³ National Oceanographic Atmospheric Administration (NOAA). 2010. Sea Level Rise. Laboratory for Satellite Altimetry. Accessed on January 12, 2010. <http://ibis.grdl.noaa.gov/SAT/SeaLevelRise/>.

¹³⁴ CNRA (California Natural Resources Agency). 2009. 2009 California Climate Adaptation Strategy. Discussion Draft. A report to the Governor of the State of California in response to Executive Order S-13-2008.

¹³⁵ Pritchard, H.D., Arthern, R.J., Vaghan, D.G., and Edwards, L.A. 2009. Extensive dynamic thinning on the margins of the Greenland and Antarctic ice sheets. *Nature*. 461: 971-975. doi.10.1038/nature08471.

¹³⁶ Chen, J.L., C.R. Wilson, D. Blankenship, and B.D. Tapley. 2009. Accelerated Antarctic ice loss from satellite gravity measurements. *Nature Geoscience*. 2: 859-862.

that losses associated with Greenland and Antarctic ice sheet melt may be contributing approximately 1.8 mm/yr (0.07 inch/yr) to sea level rise.¹³⁷

It was noted by both studies that the margins are likely receding at a faster rate due to ocean-driven thinning, which Hansen described as a positive feedback process that accelerates disintegration because the ocean acts as a conduit for excess global-scale heating.¹³⁸ Similarly, the ‘albedo flip’ is another feedback process where darker wet ice absorbs more solar energy and the melt water burrows through the ice sheet to lubricate its base and speed the discharge of icebergs to the ocean¹³⁹. Even though both of these feedback processes can result in significant changes to projected sea level models, they are not always included due to the added complexity.

The IPCC report¹⁴⁰ stated that their modeling did not incorporate Greenland and West Antarctic ice sheet shrinkage owing to the fact that they did not fully understand the “rapid dynamical changes in ice flow.” The Copenhagen Diagnosis,¹⁴¹ a group comprised primarily of previous IPCC lead authors, also confirmed that future sea level rise is highly uncertain, specifically due to unknowns associated with how the Greenland and Antarctic ice sheets will respond. However, if ice sheet melt is added to the IPCC¹⁴² values provided in the EIR, then the range of sea level rise would be closer to 13 to 29 inches compared to 7 to 23 inches for the twenty-first century. (Note that this estimation assumes that ice sheet melt will be linear for the next 90 years.) Evidence summarized by Allison et al. claimed that Greenland and Antarctica could raise sea levels more than 1 m (39 inches) and up to 2 m at the highest projected extent above the values predicted by the IPCC models, which are even closer to the levels reported by the BCDC¹⁴³ for the San Francisco region. Given the range in uncertainty between global and regional modeling, and the uncertainty of how the arctic ice sheets will respond in this century, it is reasonable to assume that the models reported in the EIR reflect the best science associated with our current understanding of projected sea level rise.

As indicated in Master Response 8, the sea level rise predictions used as a basis for this Project’s planning are within the range of estimates reported recently in the literature for changes occurring by the end of this century. This timeframe encompasses the foreseeable life of the Project. Climate change impacts such as sea level rise do not occur over short time frames. Ice sheet collapse which accounts for a major uncertainty with respect to sea level rise would occur over several decades¹⁴⁴ or centuries.¹⁴⁵ Given the uncertainty

¹³⁷ Pritchard, H.D., Arthern, R.J., Vaghan, D.G., and Edwards, L.A. 2009. Extensive dynamic thinning on the margins of the Greenland and Antarctic ice sheets. *Nature*. 461: 971-975. doi.10.1038/nature08471

¹³⁸ Hansen, J.E. 2007. Scientific reticence and sea level rise. *Environmental Research Letters*. 2: 1-6.

¹³⁹ Ibid.

¹⁴⁰ IPCC (Intergovernmental Panel on Climate Change). 2007. *Climate Change 2007: The Physical Basis—Summary for Policymakers*. <http://www.ipcc.ch/SPM2feb07.pdf>.

¹⁴¹ Allison, I., N.L. Bindoff, R.A. Bindshadler, P.M. Cox, N. de Noblet, M.H. England, J.E. Francis, N. Gruber, A.M. Haywood, D.J. Karoly, G. Kaser, C. Le Quéré, T.M. Lenton, M.E. Mann, B.I. McNeil, A.J. Pitman, S. Rahmstorf, E. Rignot, H.J. Schellnhuber, S.H. Schneider, S.C. Sherwood, R.C.J. Somerville, K. Steffen, E.J. Steig, M. Visbeck, and A.J. Weaver. 2009. *The Copenhagen Diagnosis, 2009: Updating the World on the Latest Climate Science*. The University of New South Wales Climate Change Research Centre (CCRC). Sydney, Australia. 60pp.

¹⁴² IPCC (Intergovernmental Panel on Climate Change). 2007. *Climate Change 2007: The Physical Basis—Summary for Policymakers*. <http://www.ipcc.ch/SPM2feb07.pdf>.

¹⁴³ BCDC (San Francisco Bay Conservation and Development Commission). 2009. *Living with a Rising Bay: Vulnerability and Adaptation in San Francisco Bay and on its Shoreline*, Draft Staff Report. April 7, 2009.

¹⁴⁴ Hansen, J.E. 2007. Scientific reticence and sea level rise. *Environmental Research Letters*. 2: 1-6.

¹⁴⁵ Refer to page 17 of BCDC (San Francisco Bay Conservation and Development Commission). 2009. *Living with a Rising Bay: Vulnerability and Adaptation in San Francisco Bay and on its Shoreline*, Draft Staff Report. April 7, 2009.

associated with sea level rise predictions at this time, the strategy proposed for this Project which involves adjusting the grade for a reasonable level of rise and relying on adaptive management strategies to accommodate higher levels is consistent with recommendations by the California Natural Resources Agency (CNRA) which states “adaptation is the only way to deal with the impacts of sea-level rise that is anticipated under either emissions scenario during the twenty-first century.”¹⁴⁶

Using both Project design and mitigation measures, the Project represents a significant reduction in GHG emissions from a no action taken scenario to building a development. The Project has four mitigation measures specifically to address GHG emissions and climate change impacts (refer to page III.S-36). Furthermore, mitigation measures in other sections of the EIR will reduce GHG emissions and climate change impacts. In addition to specific mitigation measures, the land use mixes and basic land plan design proposed in the Project Description are fundamental aspects of the Project and include certain features assumed in the GHG emissions inventory that will reduce GHG emissions and climate change impacts.

Response to Comment SFRA2-29

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA2-30

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA2-31

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. Refer to Response to Comment 1-1 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA2-32

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR. Refer to Response to Comment 1-1 and Response to Comment 85-5 for a discussion of the adequacy of the public comment period, including the many opportunities for providing comments on the Draft EIR.

Response to Comment SFRA2-33

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

¹⁴⁶ CNRA (California Natural Resources Agency). 2009. 2009 California Climate Adaptation Strategy. Discussion Draft. A report to the Governor of the State of California in response to Executive Order S-13-2008.

Response to Comment SFRA2-34

Refer to Master Response 9 (Status of the CERCLA Process) for an outline of the “Superfund” cleanup process and status of HPS parcels in that process as well as Master Response 13 (Post-Transfer Shipyard Cleanup). Also refer to Master Response 16 (Notification Regarding Environmental Restrictions and Other Cleanup Notices).

Response to Comment SFRA2-35

This comment contains opinion, anecdotal, or general information and is not a direct comment on environmental issues or the content or adequacy of the Draft EIR.

Response to Comment SFRA2-36

Refer to Master Response 6 (Seismic Hazards) for a discussion of construction of buildings and how toxics may be affected in liquefiable or seismically active areas. Refer to Master Response 8 (Sea Level Rise) for a comprehensive discussion of the sea level rise documents reviewed, the levels of sea level rise taken into account for various Project components, and the plan to provide flood protection if higher levels of sea level rise occur.

Response to Comment SFRA2-37

For a comprehensive discussion of sea level rise, refer to Section III.M (Hydrology and Water Quality), Draft EIR pages III.M-14 through -16. Further clarification and review of recently released data are provided in Master Response 8 (Sea Level Rise).

Response to Comment SFRA2-38

Section III.D (Transportation and Circulation) of the Draft EIR provided extensive background information on existing conditions in the Bayview Hunters Point neighborhood. With regard to violence and crime associated with the existing and future transit systems, that issue is not specifically addressed as an environmental impact in the Draft EIR. Public safety on public transit would be addressed by the San Francisco Police Department in consultation with the SFMTA. Refer to Master Response 18 (Traffic Mitigation Measures) for a comprehensive discussion of transportation improvements that would occur throughout the Bayview Hunters Point neighborhood.

Response to Comment SFRA2-39

Refer to Responses to Comments 8-1, 27-1, 27-2, 38-1, 38-2, 40-1, 52-8, 56-1, 56-2, 56-3, 56-4, 56-5, 56-6, 56-7, 56-8, 62-1, 62-2, 62-3, 63-1, 73-10, 73-11, 73-15, 74-1, 74-4, 78-1, 84-12, 89-1, 89-3, 104-1, SFPC-29, SFPC-48, SFPC-50, SFPC-77, SFPC-104, and SFRA2-2 with regard to the Muwekma Ohlone people and the consultation process, as well as Master Response 1 (SB 18) and Master Response 2 (Potential Native American Burial Sites) for a discussion of Native American issues.

F. DRAFT EIR REVISIONS

All of the proposed changes to the Draft EIR that will be made either in response to comments or as staff-initiated text changes are set forth in full in this section. Single-underlined text is used to represent language added or modified in the Draft EIR; ~~strikethrough~~ is used to represent language deleted from the EIR. Revised Draft EIR figures are indicated with the word “[Revised]” next to the title, and new Draft EIR figures are indicated with the word “[New]” next to the title.

If the Lead Agencies certify the EIR, all of the text changes, whether made in response to comments received or as initiated by Staff, will be made to the Draft EIR, which will then represent the Final EIR.

Subsequent to circulation of the Draft EIR, the Applicant, City, and Agency have made minor modifications and/or refinements to the Project, two of the Variants, and one of the Alternatives to provide additional flexibility for Project implementation and to respond to changing construction technologies, community priorities, site-specific urban design goals, and real estate market demands while meeting the Project objectives. Section B (Modifications since Publication of the Draft EIR) provides a summary of the modifications that are analyzed in this section. The Project refinements do not affect the overall maximum development envelope, including total amount of development or building heights or footprints, compared to the analysis in the Draft EIR. For example, minor revisions have been made that redistribute some housing units from one location on Candlestick Point to another on Candlestick Point, but the total amount of units to be developed does not change. Likewise, impacts from modifications to Project Variants (Variant 2A and Variant 3’s Tower Variant D) are within the range of impacts identified in the Draft EIR for the Project and its variants. As substantiated by the analysis provided in this section, none of the proposed modifications results in a new significant environmental impact or a substantial increase in the severity of impacts. Further, there are no new feasible mitigation measures or feasible alternatives the Project Applicant declines to adopt. Each of the modifications is analyzed in this section.

The text changes include administrative corrections to clarify information in the Draft EIR initiated by City or Agency staff, as well as the additional analysis of the proposed modifications to the Project, Variants, and Alternatives. Where new tables are being inserted or a number of changes to Draft EIR tables have been made, the new text is not shown in underline for readability. This approach also applies to the analysis for Variant 2A and Subalternative 4A, which represent new text to be added to the EIR. For new tables in Variant 2A and Subalternative 4A that directly correlate with tables in Variant 2 and Alternative 4, the tables keep the same numbering with an “a” attached. The text changes also include Appendices and revisions to EIR figures.

F.1 Changes to Executive Summary

Pages ES-4 to ES-6, Table ES-1 (Major Project Approvals) has been revised

[NOTE: This table has been revised in response to comments and as requested by staff to include additional information on Project approvals.]

Table ES-1 Major Project Approvals [Revised]

...

Redevelopment Agency Commission

...

- ~~Approves~~ Reports to the Board of Supervisors on the amendments to Redevelopment Plans

...

- Approves land transfer agreements with Port Commission, State Lands Commission, and California Department of Parks and Recreation (CDPR)

...

...

Bay Conservation and Development Commission

- Approves amendments of the Bay Plan and Seaport Plan
- Approves permits for activities within BCDC's jurisdiction, including the proposed Yosemite Slough bridge
- Reviews Project land use plan for federal consistency under the Coastal Zone Management Act for activities not previously authorized in Consistency Determination No. CN 1-99

...

US Army Corps of Engineers

- Approves permit for fill related to the Yosemite Slough bridge, shoreline improvements, and other activities-
- Consults with USFWS or NMFS regarding federally listed species prior to carrying out its discretionary authority under Section 404 of the CWA, pursuant to Section 7 of federal ESA
- Consults with NMFS regarding pile-driving and harbor seal and California sea lion prior to carrying out its discretionary authority under Section 404 of the CWA, pursuant to *Marine Mammal Protection Act*
- Consults with NMFS regarding modifying designated EFH prior to carrying out its discretionary authority under Section 404 of the CWA, pursuant to the *Magnuson-Stevens Act*

...

Page ES-8, the following new text and tables have been added immediately preceding "Alternatives." Although this text is new, for readability, it is not underlined.

PROJECT VARIANTS

Six variants of the Project were formulated by the Agency, the City, and Lennar Urban. These variants include the following:

- Variant 1: San Francisco 49ers move outside the project area (no football stadium constructed at HPS Phase II)—R&D Variant
- Variant 2: San Francisco 49ers move outside the project area (no football stadium constructed at HPS Phase II)—Housing Variant
- Variant 2A: San Francisco 49ers move outside the project area (no football stadium constructed at HPS Phase II)—Housing/R&D Variant

- Variant 3 (Tower Variants A, B, C, and D): Four Candlestick Point tower variants would have the same land use program and overall description as with the Project, but would have different locations and heights for residential towers at Candlestick Point
- Variant 4: A utilities variant would include an automated solid waste collection system, decentralized wastewater treatment, and district energy
- Variant 5: Shared stadium where both the San Francisco 49ers and Oakland Raiders would play at the stadium at HPS Phase II

Three variants (Variants 1, 2, and 2A) address the scenario of the San Francisco 49ers moving to the City of Santa Clara or elsewhere with no football stadium constructed at HPS Phase II. Each of those three variants includes a different land use program at the HPS Phase II site. Variant 1 (R&D Variant) would include increases in R&D space at the stadium location. Variant 2 (Housing Variant) would relocate 1,350 residential units from Candlestick Point to the stadium site. Variant 2A (Housing/R&D Variant) would relocate 1,650 housing units from Candlestick Point to the stadium site, and, in addition, includes an additional 500,000 sf of R&D compared to the Project (for a total of 3,000,000 sf of R&D); 500,000 sf of the total R&D for Variant 2A would be constructed on the stadium site along with the residential uses.

The Candlestick Point Tower Variant (Variant 3) would have the same land use program and overall description as the Project, but would have different locations, heights, and massing of residential towers at Candlestick Point (expressed as four options for this variant: Candlestick Point Tower Variant (Variant 3 [Tower Variants A, B, C, and D])).

A Utilities Variant (Variant 4) would include an automated solid waste collection system, decentralized wastewater treatment, and district energy. A 49ers/Raiders Shared Stadium Variant (Variant 5) would include the scenario of a shared stadium, where both the 49ers and Oakland Raiders would play at a new stadium at HPS Phase II.

None of the variants would alter the Project Objectives, which are provided in detail in Chapter II (Project Description) of this EIR. The variants are analyzed at a project level of detail, which is equal to the Project analysis included in Chapter III (Environmental Setting, Impacts, and Mitigation Measures), Section III.A through Section III.S of this EIR. The environmental impacts that would result from implementation of the variants are presented following the description of each variant. A comparison of the variant development programs to the Project is presented in Table ES-1a (Comparison of Variants to the Project). Table ES-1b (Impact Comparison of Project Variants) summarizes the effects of the Variants compared to the Project.

[NOTE: New Table ES-1a and Table ES-1b have been inserted in the Executive Summary of the EIR to provide a summarized comparison of the variants to the Project.]

Table ES-1a Comparison of Variants to the Project [New]							
Differences	Project	Variant 1: R&D Variant (No Stadium, Additional R&D)	Variant 2: Housing Variant (No Stadium, Housing)	Variant 2A: Housing/ R&D Variant (No Stadium)	Variant 3: Candlestick Point Tower Variants (Different Tower Heights and Locations, Larger Floor Plates)	Variant 4: Utilities Variant (Additional On-Site Infrastructure)	Variant 5: 49ers/Raiders Shared Stadium
						Same overall development plan as Project, but with minor shifts in building locations to accommodate 570,000 gsf for the proposed utility systems (with 330,000 gsf located below ground).	Same development plan as Project
Land Use Plan							
Residential (units)—Candlestick Point	7,850	7,850	6,500	6,225 ^a	7,850	7,850	7,850
Residential (units)—Hunters Point Phase II	2,650	2,650	4,000	4,275 ^a	2,650	2,650	2,650
					Same number of residential units, but different placement of towers		
Office	150,000	150,000	150,000	150,000	150,000	150,000	150,000
Research & Development (gsf)	2,500,000	5,000,000	2,500,000	3,000,000	2,500,000	2,500,000	2,500,000
Regional Retail	635,000	635,000	635,000	635,000	635,000	635,000	635,000
Neighborhood Retail	250,000	250,000	250,000	250,000	250,000	250,000	125 250,000
			Same overall amount of neighborhood retail as Project, but different distribution within HPS Phase II (refer to text for a description)	Same overall amount of neighborhood retail as Project, but different distribution within HPS Phase II (refer to text for a description)			
Tower Floor Plates	10,000 sf	10,000 sf	10,000 sf	10,000 sf	12,500 sf	N/A	N/A
Football Stadium (seats)	69,000 Stadium built by 2017	0	0	0	69,000 Stadium built by 2017	69,000 Stadium built by 2017	69,000 Shared stadium with 49ers and Oakland Raiders Stadium site built by 2017
Yosemite Slough Bridge	Auto/BRT/Ped	BRT/Ped	BRT/Ped	BRT/Ped	Auto/BRT/Ped	Auto/BRT/Ped	Auto/BRT/Ped

Table ES-1a Comparison of Variants to the Project [New]

<i>Differences</i>	<i>Project</i>	<i>Variant 1: R&D Variant (No Stadium, Additional R&D)</i>	<i>Variant 2: Housing Variant (No Stadium, Housing)</i>	<i>Variant 2A: Housing/ R&D Variant (No Stadium)</i>	<i>Variant 3: Candlestick Point Tower Variants (Different Tower Heights and Locations, Larger Floor Plates)</i>	<i>Variant 4: Utilities Variant (Additional On-Site Infrastructure)</i>	<i>Variant 5: 49ers/Raiders Shared Stadium</i>
Parks, Open Space, and Recreation Uses							
Total Parks, Open Space, and Recreational Uses	336.4	327.0	349.4	326.6	336.4	336.4	337.5
New Parks	148.1	160.5	158	159	148.1	148.1	148.6
Sports Fields and Active Recreation	91.6	69.8	96.7	70.9	91.6	91.6	91.6
State Parklands (acres)	96.7	96.7	96.7	96.7	96.7	96.7	96.7

SOURCE: Lennar Urban, 2010.

a. The bridge would be open to automobiles only on game days.

Table ES-1b		Impact Comparison of Project Variants to Project [New]								
		Impacts							Variant 4: Utilities Variant (Additional On-Site Infrastructure)	Variant 5: 49ers/Raiders Shared Stadium
Topic		Variant 1: R&D Variant (No Stadium, Additional R&D)	Variant 2: Housing Variant (No Stadium, Housing)	Variant 2A: Housing Variant with R&D (No Stadium)	Variant 3: Candlestick Point Tower Variants					
					Tower Variant A	Tower Variant B	Tower Variant C	Tower Variant D		
III.B	Land Use and Plans	=	=	=	=	=	=	=	=	=
III.C	Population, Housing, and Employment	=	=	=	=	=	=	=	=	=
III.D	Transportation and Circulation	>	<	>	=	=	=	=	=	=
III.E	Aesthetics	=	<	<	>	>	>	>	=	=
III.F	Shadows	<	<	<	>	=	<	<	=	=
III.G	Wind	<	<	<	=	=	=	=	=	=
III.H	Air Quality	=	=	=	=	=	=	=	=	=
III.I	Noise	>	<	=	=	=	=	=	=	=
III.J	Cultural Resources and Paleontological Resources	=	=	=	=	=	=	=	=	=
III.K	Hazards and Hazardous Materials	=	=	=	=	=	=	=	=	=
III.L	Geology and Soils	=	=	=	=	=	=	=	=	=
III.M	Hydrology and Water Quality	>	<	=	=	=	=	=	<	=
III.N	Biological Resources	=	=	=	=	=	=	=	=	=
III.O	Public Services	>	<	=	=	=	=	=	=	=
III.P	Recreation	=	=	=	=	=	=	=	=	=
III.Q	Utilities	=	=	=	=	=	=	=	<	=
III.R	Energy	=	=	=	=	=	=	=	=	=
III.S	Greenhouse Gas Emissions	>	=	=	=	=	=	=	=	=

SOURCE: PBS&J,2010.

NOTE: Each topic is compared to the Project and for each impact area, impacts are equal to (=), greater than (>), or less than (<) the Project impacts.

Page ES-9, first bullet

- **Alternative 4: Reduced CP-HPS Phase II Development; Historic Preservation; No HPS Phase II Stadium, Marina, or Yosemite Slough Bridge**— ... This alternative includes preservation of ~~three~~ five potentially historic structures at HPS Phase II. This alternative does not include construction of a bridge over Yosemite Slough.

This alternative was selected to include historic preservation of the five eligible structures on HPS and to provide a reduced development alternative to the Project. This alternative would reduce the area subject to development and would avoid significant impacts to historic resources at HPS Phase II. ...

Page ES-9, after the discussion of Alternative 4 and before the discussion of Alternative 5

- > **Subalternative 4A: CP-HPS Phase II Development Plan with Historic Preservation**—This subalternative to Alternative 4 retains all of the historic buildings, but includes the same land use plan as described for the Project rather than a reduced development plan as under Alternative 4. This subalternative would preserve the same five historically eligible structures (Buildings 208, 211, 224, 231, and 253) as Alternative 4. The Project’s land use plan would be implemented under this subalternative in terms of total square footage of land uses and district locations. However, unlike the Project, Buildings 211, 224, 231, and 253 would be retained and not demolished. The displaced R&D that, under the Project, would be built at the location of Buildings 211, 224, 231, and 253 would be distributed throughout the remainder of the HPS Phase II development and total floor area for R&D would remain the same as the Project, at 2,500,000 sf. However, the building heights in the R&D District on HPS Phase II would increase to accommodate the displaced square footage. Buildings 211, 231, and 253 would be rehabilitated under the Secretary of Interior’s Standards to accommodate approximately 338,000 gsf of R&D and 1,000 parking spaces. Building 224, the air raid shelter, would be rehabilitated to provide museum space. Subalternative 4A would also retain existing grades, allowing railroad spurs and other historic elements to remain. A wave protection berm is proposed to accommodate a 36-inch sea level rise. The Bay Trail would run on top of the berm, which would be designed to include seat steps. All other components of Subalternative 4A would remain the same as under the Project.

Page ES-10, the following new tables are inserted prior to “Summary of Impacts.” Although these tables are new, for readability, they are not underlined.

[NOTE: These tables are included in the Executive Summary of the EIR to include land use plan information for Subalternative 4A (Table ES-1c) and to provide a summarized comparison of the significant and unavoidable impacts of the Project compared to each of the alternatives.]

Table ES-1c (Summary of Project Alternatives) provides an overview of how the land uses of the Alternatives compare to the land uses of the Project. Table ES-1d (Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives) provides a summary comparison of the significant and unavoidable impacts of the Project compared to each of the Alternatives.

Table ES-1c Summary of Project Alternatives [New]							
Use	Project	Alternative 1 No Project^a	Alternative 2 No Bridge Alt	Alternative 3 49ers at Candlestick	Alternative 4 Lesser Build with Historic Preservation	Subalternative 4A: CP-HPS Phase II Development Plan with Historic Preservation	Alternative 5 No Park Agreement
Candlestick Point							
Residential (units)	7,850	0	7,850	1,210	5,495	7,850	6,500
Retail (gsf):							
Regional Retail	635,000	0	635,000	0	444,500	635,000	635,000
Neighborhood Retail	125,000	0	125,000	0	87,500	125,000	125,000
<i>Retail Subtotal (gsf)</i>	<i>760,000</i>	<i>0</i>	<i>760,000</i>	<i>0</i>	<i>532,000</i>	<i>760,000</i>	<i>760,000</i>
Community Services (gsf)	50,000	0	50,000	0	50,000	50,000	50,000
Hotel (gsf) ^a	150,000	0	150,000	0	105,000	150,000	150,000
Office (gsf)	150,000	0	150,000	0	105,000	150,000	150,000
10,000-seat Arena (gsf)	75,000	0	75,000	0	75,000	75,000	75,000
Football Stadium (seats)	0	70,000	0	70,000	0	0	70,000
HPS Phase II							
Residential (units)	2,650	1,800 ^b	2,650	4,000	1,855	2,650	4,000
Neighborhood Retail (gsf)	125,000	570,000	125,000	125,000	87,500	125,000	125,000
Research & Development (gsf)	2,500,000	1,087,000	2,500,000	2,500,000	1,750,000	2,500,000	2,500,000
Artists' Studios (gsf):							
1:1 Studio Renovation and Replacement (gsf) ^c	225,000	225,000	225,000	225,000	225,000	225,000	225,000
New Artist Center (gsf)	30,000	0	30,000	30,000	30,000	30,000	30,000
<i>Artist Studio Subtotal (gsf)</i>	<i>255,000</i>	<i>225,000</i>	<i>255,000</i>	<i>255,000</i>	<i>255,000</i>	<i>255,000</i>	<i>255,000</i>
Community Services (gsf)	50,000	0	50,000	50,000	50,000	50,000	50,000
Football Stadium (seats)	69,000	0	69,000	0	0	69,000	0
Mixed-Use	0	580,000	0	0	0	0	0
Cultural and Education	0	330,600	0	0	0	0	0
Marina (slips)	300	0	300	300	0	300	300

Table ES-1c Summary of Project Alternatives [New]							
Use	Project	Alternative 1 No Project ^a	Alternative 2 No Bridge Alt	Alternative 3 49ers at Candlestick	Alternative 4 Lesser Build with Historic Preservation	Subalternative 4A: CP-HPS Phase II Development Plan with Historic Preservation	Alternative 5 No Park Agreement
Other Elements							
Yosemite Slough bridge	Bridge	No bridge	No bridge	BRT/Pedestrian bridge	No bridge	Bridge	No bridge
Shoreline Improvements	Yes	No	Yes	Yes	Yes	Yes	Yes
State Parks Agreement/ total acres of State Parkland	Yes/96.7	No/120.2	Yes/96.7	Yes/117.2 ^d	Yes/96.7	Yes/96.7	No/120.2

SOURCE: Lennar Urban, PBS&J, 2009.

- a. Hotel uses include 220 rooms at the proposed Regional Retail Center.
- b. 1,800 housing units on the entire Shipyard including the Phase I site.
- c. Existing artist studios would be replaced at a one-to-one ratio under all alternatives.
- d. Limited exchange of 3.03 acres to construct BRT/pedestrian only Yosemite Slough bridge and Alice Griffith Public Housing

Table ES-1d Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives [New]					
	Alternative 1 No Project ^a	Alternative 2 No Bridge Alt ^b	Alternative 3 49ers at Candlestick ^c	Alternative 4 Lesser Build with Historic Preservation ^d	Alternative 5 No Park Agreement ^e

TRANSPORTATION

Impact TR-1 The Project would result in construction-related transportation impacts in the Project vicinity due to construction vehicle traffic and roadway construction and would contribute to cumulative construction impacts in the Project vicinity. Mitigation measure MM TR-1 would reduce but not avoid construction-related transportation impacts during construction activities. Therefore, construction transportation impacts would remain significant.

Significance of Alternative Compared to Project	<	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU

Impact TR-2 Implementation of the Project would cause an increase in traffic that would be substantial relative to the existing and proposed capacity of the street system, and result in significant and unavoidable impacts. Although implementation of a Travel Demand Management Plan was assumed in developing Project travel demand estimates, and would be essential to ensure that impacts at additional locations do not occur, traffic congestion caused by the Project and the Project's contribution to cumulative impacts would still be significant.

Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Impact TR-3 The Project would result in significant impacts and would contribute to significant cumulative impacts at intersections in the Project vicinity where no feasible traffic mitigation measures have been identified.

Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Table ES-1d Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives [New]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
Impact TR-4 At the intersection of Tunnel/Blanken, the Project would result in significant Project AM peak hour traffic impacts, and contribute to cumulative PM peak hour traffic impacts, for which a feasible mitigation measure has been identified. The identified mitigation measure would improve traffic operations, but not to acceptable levels of service.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
Impact TR-5 Project contributions at some study area intersections that would operate at LOS E or LOS F under 2030 No Project conditions were determined to be significant, and no feasible mitigation measures have been identified.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
Impact TR-6 Project contributions at the intersections of Geneva/US-101 Southbound Ramps and Harney/US-101 Northbound Ramps, which would operate at LOS F under 2030 No Project conditions, were determined to be significant, and a mitigation measure has been identified to avoid this impact. However, implementation of mitigation measure MM TR-6 is uncertain, and this impact would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
Impact TR-8 Project contributions at the intersections of Bayshore/Geneva, which would operate at LOS F under 2030 No Project conditions, were determined to be significant, and a mitigation measure has been identified to avoid this impact. However, implementation of mitigation measure MM TR-8 is uncertain, and this impact would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
Impact TR-10 The Project would result in significant Project traffic spillover impacts and contribute to cumulative traffic spillover impacts. The identified mitigation measures would reduce, but not avoid, traffic spillover impacts.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
Impact TR-11 The Project would contribute to significant cumulative traffic impacts at four freeway segments. No feasible mitigation is available.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
Impact TR-12 The Project would result in significant impacts at four freeway on-ramp locations. No feasible traffic mitigation is available.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Table ES-1d Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives [New]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge All^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
Impact TR-13 The Project would contribute to significant cumulative traffic impacts at 12 freeway ramp locations. No feasible traffic mitigation is available.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
Impact TR-14 The Project would result in significant impacts related to freeway diverge queue storage at the Harney/US-101 Northbound Off-ramp. Mitigation measure MM TR-6 has been identified to avoid this impact, but its implementation is uncertain. Therefore, this impact would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
Impact TR-15 The Project would contribute to significant cumulative traffic impacts related to freeway diverge queue storage at some off-ramp locations. Mitigation measure MM TR-6 has been identified to avoid this impact at the US-101 Northbound off-ramp to Harney Way, and US-101 Southbound Off-ramp to Harney Way/Geneva Avenue. However, implementation is uncertain. For the other ramps, no feasible mitigations have been identified. Therefore, this impact would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
Impact TR-21 The Project would increase congestion and contribute to cumulative conditions at intersections along San Bruno Avenue, which would increase travel times and impact operations of the 9-San Bruno. Implementation of mitigation measures MM TR-21.1 and MM TR-21.2 could reduce impacts to transit operations. However, since feasibility of MM TR-21.1 is uncertain, and since MM TR-21.2, without MM TR-21.1, would reduce, but not completely avoid, impacts on the 9-San Bruno, Project impacts and Project contributions to cumulative impacts on the 9-San Bruno would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
Impact TR-22 The Project would increase congestion and contribute to cumulative conditions at intersections along Palou Avenue, which would increase travel times and impact operations of the 23-Monterey, 24-Divisadero, and the 44-O'Shaughnessy. Implementation of mitigation measure MM TR-22.1 and MM TR-22.2 would reduce impacts to transit operations. However, since feasibility of MM TR-22.1 is uncertain, and since MM TR-22.2, without MM TR-22A, would reduce, but not completely avoid, impacts on the 23-Monterey, 24-Divisadero, and 44-O'Shaughnessy, Project impacts and Project contributions to cumulative impacts on the these lines would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
Impact TR-23 The Project would increase congestion at intersections along Gilman Avenue and Paul Avenue, which would increase travel times and would impact operations of the 29-Sunset. Implementation of mitigation measures MM TR-23.1 and MM TR-23.2 would reduce impacts to transit operations. However, since feasibility of MM TR-23.1 is uncertain, and since MM TR-23.2, without MM TR-23.1, would reduce, but not completely avoid, impacts on the 29-Sunset, Project impacts and Project contributions to cumulative impacts on the 29-Sunset would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Table ES-1d Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives [New]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge All^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
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Impact TR-24 The Project would increase congestion at intersections along Evans Avenue, which would increase travel times and impact operations of the 48-Quintara-24th Street. Implementation of mitigation measures MM TR-24.1 and MM TR-24.2 would reduce impacts to transit operations. However, since feasibility of MM TR-24.1 is uncertain, and since MM TR-24.2, without MM TR-24.1, would reduce, but not completely avoid, impacts on the 48-Quintara-24th Street, Project impacts and Project contributions to cumulative impacts on the 48-Quintara-24th Street would remain significant.

Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Impact TR-25 The Project would increase congestion at intersections in the study area, and make a considerable contribution to cumulative impacts that would increase travel times and impact operations of the 54-Felton. Implementation of mitigation measure MM TR-25 would reduce, but not avoid impacts.

Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Impact TR-26 The Project would increase congestion at intersections along Third Street, and make a considerable contribution to cumulative impacts that would increase travel times and impact operations of the T-Third. Implementation of mitigation measures MM TR-26.1 and MM TR-26.2 would reduce impacts to transit operations. However, since feasibility of MM TR-26.1 is uncertain, and since MM TR-26.2, without MM TR-26.1, would reduce, but not completely avoid, impacts on the T-Third, Project impacts and Project contributions to cumulative impacts on the T-Third would remain significant.

Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Impact TR-27 The Project would increase congestion at the intersection of Geneva Avenue and Bayshore Boulevard. This would increase travel times and impact operations of the 28L-19th Avenue/Geneva Limited. Implementation of mitigation measures MM TR-27.1 and MM TR-27.2 would reduce impacts to transit operations. However, since feasibility of MM TR-27.1 is uncertain, and since MM TR-27.2, without MM TR-27.1, would reduce, but not completely avoid, impacts on the 28L-19th Avenue/Geneva Limited, Project impacts and Project contributions to cumulative impacts on the 28L-19th Avenue/Geneva Limited would remain significant.

Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Impact TR-28 The Project would increase congestion on US-101 mainline and ramps, which would increase travel times and impact operations of the 9X, 9AX, 9BX-Bayshore Expresses, and 14X-Mission Express. The Project would also contribute to cumulative impacts on these transit routes on US-101. No feasible mitigation has been identified.

Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Impact TR-30 The Project would increase congestion and contribute to cumulative congestion on US-101 and on Bayshore Boulevard, which would increase travel times and adversely affect operations of SamTrans bus lines on these facilities. No feasible mitigation has been identified.

Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Table ES-1d Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives [New]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
Impact TR-32 The Project's proposed transit preferential treatments and significant increases in traffic volumes on Palou Avenue would result in impacts on bicycle travel on Bicycle Routes #70 and #170 between Griffith Street and Third Street. The effectiveness of mitigation is uncertain. Therefore, the impact would remain significant.					
Significance of Alternative Compared to Project	<	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/NI	SU/SU	SU/SU	SU/SU	SU/SU
Impact TR-38 For as many as 12 times a year 49ers games at the proposed stadium would result in significant impacts on study area roadways and intersections. Implementation of mitigation measure MM TR-38 would lessen game-day impacts; however, traffic impacts would remain significant.					
Significance of Alternative Compared to Project	<	=	<	<	<
Level of Significance after Mitigation (Project/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/NI
Impact TR-39 The existing game day service and Project transit improvements would not be adequate to accommodate projected transit demand. Implementation of mitigation measure MM TR-39 would reduce game-day impacts on transit capacity; however, traffic impacts on transit operations would remain significant.					
Significance of Alternative Compared to Project	<	=	<	<	<
Level of Significance after Mitigation (Project/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/NI
Impact TR-46 Weekday evening secondary events at the stadium would result in increased congestion at intersections, freeway mainline, and freeway ramps already operating at unacceptable LOS under Project conditions without a secondary event, and result in significant impacts at nine additional intersections and one additional freeway off-ramp. Implementation of mitigation measure MM TR-46 would reduce but not avoid impacts.					
Significance of Alternative Compared to Project	<	=	<	<	<
Level of Significance after Mitigation (Project/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/NI
Impact TR-47 The existing transit service and Project improvements would not be adequate to accommodate projected transit demand during secondary events with attendance of 37,500 spectators. In addition, transit lines serving the area would experience additional delays due to traffic generated by the secondary event.					
Significance of Alternative Compared to Project	<	=	<	<	<
Level of Significance after Mitigation (Project/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/NI
Impact TR-51 Weekday evening events at the arena would exacerbate congestion at intersections, freeway mainline, and freeway ramps already operating at unacceptable LOS under Project conditions without an arena event, and result in significant traffic impacts at Harney Way and Jamestown Avenue, which was operating acceptably under Project conditions without an arena event. Mitigation measure MM TR-51 would reduce but not avoid impacts.					
Significance of Alternative Compared to Project	<	=	<	<	=
Level of Significance after Mitigation (Project/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/SU

Table ES-1d Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives [New]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge All^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
Impact TR-52 Sell-out weekday evening events at the arena could impact existing and proposed transit service. However, traffic congestion would impact transit operations. Implementation of mitigation measure MM TR-23.1 would reduce impacts to less than significant. Due to the uncertainty of this mitigation the impact would remain significant.					
Significance of Alternative Compared to Project	<	=	<	<	=
Level of Significance after Mitigation (Project/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/SU
AIR QUALITY					
Impact AQ-4 Operation of the Project would violate BAAQMD CEQA significance thresholds for mass criteria pollutant emissions from mobile and area sources and contribute substantially to an existing or projected air quality violation at full build-out in the year 2029.					
Significance of Alternative Compared to Project	<	=	<	<	=
Level of Significance after Mitigation (Project/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
NOISE					
Impact NO-2 Construction activities associated with the Project would create excessive groundborne vibration levels in existing residential neighborhoods adjacent to the Project site and at proposed on-site residential uses should the latter be occupied before Project construction activity on adjacent parcels is complete. Although the Project's construction vibration impacts would be temporary, would not occur during recognized sleep hours, and would be consistent with the requirements for construction activities that exist in Sections 2907 and 2908 of the <i>Municipal Code</i> , vibration levels would still be significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
Impact NO-3 Construction activities associated with the Project would result in a substantial temporary or periodic increase in ambient noise levels.					
Significance of Alternative Compared to Project	<	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
Impact NO-6 Operation of the Project would generate increased local traffic volumes that could cause a substantial permanent increase in ambient noise levels in existing residential areas along the major Project site access routes.					
Significance of Alternative Compared to Project	<	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
Impact NO-7 Noise during football games and concerts at the proposed stadium would result in temporary increases in ambient noise levels that could adversely affect surrounding residents for the duration of a game or concert.					
Significance of Alternative Compared to Project	<	=	<	<	<
Level of Significance after Mitigation (Project/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/NI

Table ES-1d Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives [New]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge All^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
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CULTURAL RESOURCES

Impact CP-1 Construction activities associated with the Project could result in a substantial adverse change in the significance of a historical resource.

Significance of Alternative Compared to Project	=	=	=	<	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/LTS	SU/SU

< Alternative does lessen the severity of the impact

> Alternative increases the severity of the impact

= Alternative impact is similar to the Project impact

NI = No Impact

LTS = Less-Than-Significant impact

SU = Significant and Unavoidable Impact

a. No Project

b. CP-HPS Phase II Development Plan, HPS Phase II Stadium, State Parks Agreement, and without the Yosemite Slough Bridge

c. Reduced CP-HPS Phase II Development, San Francisco 49ers Stay at Existing Candlestick Park Stadium, with Limited State Parks Agreement, and Yosemite Slough Bridge Serving Only Transit, Bicycles, and Pedestrians

d. Reduced CP-HPS Phase II Development; Historic Preservation; State Parks Agreement; No HPS Phase II Stadium, Marina, or Yosemite Slough Bridge

e. Reduced CP-HPS Phase II Development, No HPS Phase II Stadium, No State Parks Agreement, and without the Yosemite Slough Bridge

Page ES-12, Table ES-2 (Summary of Environmental Effects and Mitigation Measures) has been revised

[NOTE: This table has been revised to reflect changes and refinements in mitigation measures made both in response to comments and as requested by City/ Agency staff for correction or clarification.]

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>

...

SECTION III.D (TRANSPORTATION AND CIRCULATION)

Impact TR-1 Construction of the Project would result in transportation impacts in the Project vicinity due to construction vehicle traffic and roadway construction and would contribute to cumulative construction impacts in the Project vicinity.

PS

MM TR-1 *Candlestick Point–Hunters Point Shipyard Phase II Construction Traffic Management Program.* The Project Applicant shall develop and implement a Candlestick Point–Hunters Point Shipyard Phase II Construction Traffic Management Program to minimize impacts of the Project and its contribution to cumulative impacts related to construction activities and construction traffic. The program shall provide necessary information to various contractors and agencies as to how to maximize the opportunities for complementing construction management measures and to minimize the possibility of conflicting impacts on the roadway system, while safely accommodating the traveling public in the area. The program shall supplement and expand, rather than modify or supersede any manual, regulations, or provisions set forth by SFMTA, DPW or other City departments and agencies.

SU/MM

Preparation of the Construction Management Program shall be the responsibility of the Project Applicant, and shall be reviewed and approved by SFMTA and DPW prior to initiation of construction. The Project Applicant shall update the program prior to approval of development plans for Phase #2, Phase #3, and Phase #4 of construction to reflect any change to Project development schedule, reflect transportation network changes, to update status of other development construction activities, and to reflect any changes to City requirements.

The program shall:

- Identify construction traffic management practices in San Francisco, as well as other jurisdictions that although not being implemented in the City could provide useful guidance for a project of this size and characteristics.
- Describe procedures required by different departments and/or agencies in the City for implementation of a construction management plan, such as reviewing agencies, approval process, and estimated timelines.
- Describe coordination efforts associated with the Navy remediation efforts and scheduling regarding construction vehicle routing via the Crisp gate.
- Identify construction traffic management strategies and other elements for the Project, and present a cohesive program of operational and demand management strategies designed to maintain acceptable levels of traffic flow during periods of construction activities in the Bayview Hunters Point area. These could

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		include construction strategies, demand management strategies, alternate route strategies, and public information strategies. <ul style="list-style-type: none"> ■ Coordinate with other projects in construction in the immediate vicinity, so that they can take an integrated approach to construction-related traffic impacts. ■ Present guidelines for selection of construction traffic management strategies. 	
...			
Impact TR-6 Implementation of the Project could contribute traffic at the intersections of Geneva/US-101 Southbound Ramps and Harney/US-101 Northbound Ramps, which would operate at LOS F under 2030 No Project conditions.	PS	MM TR-6 <i>Mitigations and associated fair-share funding measures for cumulative regional roadway system impacts.</i> The City of Brisbane and Caltrans, as part of the Harney Interchange Project, shall account for existing traffic, background traffic growth, and the most recent forecasts of traffic expected to be associated with each of several adjacent development projects, including the Project. The San Francisco County Transportation Authority (SFCTA) shall coordinate with the City of Brisbane and Caltrans to ensure Project-generated vehicle trips are accounted for in the Harney Interchange analyses and design. Mitigations and associated fair-share funding measures for cumulative regional roadway system impacts, including freeway segment impacts, shall be formulated through the current interjurisdictional Bi-County Transportation Study effort being led by the SFCTA <u>or its equivalent</u> . The Project Applicant shall contribute its fair share to the Harney Interchange Project.	SU/MM
Impact TR-8 Implementation of the Project could contribute traffic to the intersections of Bayshore/Geneva, which would operate at LOS F under 2030 No Project.	PS	MM TR-8 <i>Mitigations and associated fair-share funding measures for cumulative regional roadway system impacts.</i> The City of Brisbane, as part of the Geneva Avenue Extension Project, shall account for existing traffic, background traffic growth, and the most recent forecasts of traffic expected to be associated with each of several adjacent development projects, including the Project. The San Francisco County Transportation Authority (SFCTA) and SFMTA shall coordinate with the City of Brisbane to ensure projected traffic volumes are accounted for in the design of the Geneva Avenue Extension. Mitigations and associated fair-share funding measures for cumulative regional roadway system impacts, including freeway segment impacts, shall be formulated through the current interjurisdictional Bi-County Transportation Study effort being led by the SFCTA <u>or its equivalent</u> . The Project Applicant shall contribute its fair share to the Geneva Avenue Extension Project.	SU/MM
...			
Impact TR-16 Implementation of the Project would increase traffic volumes <u>and, but would not contribute make a considerable contribution</u> to cumulative traffic volumes on Harney Way.	PS	MM TR-16 <i>Widen Harney Way as shown in Figure 5 in the Transportation Study.</i> Prior to issuance of the grading permit for <u>Development Phase #1</u> of the Project, the Project Applicant shall widen Harney Way as shown in Figure 5 in the Transportation Study. Prior to the issuance of grading permits for Phases 2, 3 and 4, the Project Applicant shall fund a study to evaluate traffic conditions on Harney Way and determine whether additional traffic associated with the next phase of development would result in the need to modify Harney Way to its ultimate configuration, as shown in Figure 6 in the Transportation Study, unless this ultimate configuration has already been built. This study shall be conducted in collaboration with the SFMTA, which would be responsible for making	LTS/MM

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>...</p>		<p>final determinations regarding the ultimate configuration. The ultimate configuration would be linked to intersection performance, and it would be required when study results indicate intersection LOS at one or more of the three signalized intersection on Harney Way at mid-LOS D (i.e., at an average delay per vehicle of more than 45 seconds per vehicle). If the study and SFMTA conclude that reconfiguration would be necessary to accommodate traffic demands associated with the next phase of development, the Project Applicant shall be responsible to fund and complete construction of the improvements prior to occupancy of the next phase.</p>	
<p>Impact TR-21 Implementation of the Project could increase congestion and contribute to cumulative conditions at intersections along San Bruno Avenue, which would increase travel times and impact operations of the 9-San Bruno.</p>	<p>PS</p>	<p>MM TR-21.1 <i>Maintain the proposed headways of the 9-San Bruno.</i> To address Project impacts to the 9-San Bruno, prior to issuance of a grading permit for <u>Development Phase 41</u>, the Project Applicant in cooperation with SFMTA shall conduct a study to evaluate the effectiveness and feasibility of the following improvements which could reduce Project impacts on transit operations along the San Bruno Avenue corridor, generally between Campbell Avenue and Silver Avenue. The study shall create a monitoring program to determine the implementation extent and schedule (as identified below) to maintain the proposed headways of the 9-San Bruno.</p> <ul style="list-style-type: none"> ■ Install a transit-only lane on northbound San Bruno Avenue for the one-block section (400 feet) between Silliman Street and Silver Avenue. This would involve removal of five metered spaces on the east side of San Bruno Avenue, just south of Silver Avenue. Treatment for transit-only lanes can range from striping to physical elevation changes or barriers to protect transit right-of-way from mixed-flow traffic. ■ Install a transit-only lane on southbound San Bruno Avenue at the approach to Dwight Street/Paul Avenue. This lane would function as a so-called “queue-jump” lane, allowing buses to bypass queues on southbound San Bruno Avenue at the intersection. The lane should begin approximately 200 feet north of Dwight Street and extend one block (about 300 feet) south of Paul Avenue to Olmstead Street. This would involve the removal of up to 20 on-street parking spaces on the west side of San Bruno Avenue. This treatment could be limited to peak hours only, which would minimize the impact of the parking loss. The segment of San Bruno Avenue between Dwight Street and Olmstead Street is designated as Bicycle Routes #705 and 5 (Class III signed routes). ■ At the intersection of San Bruno/Silver install signal priority treatments on westbound Silver Avenue, where buses waiting to turn left from Silver Avenue onto southbound San Bruno Avenue must currently wait through almost an entire signal cycle due to the heavy oncoming traffic on eastbound Silver Avenue. Installation of a transit signal pre-emption at this location that provides a “green” signal for westbound vehicles but holds eastbound vehicles when buses are present would allow transit vehicles to turn left onto San Bruno Avenue without having to wait for opposing eastbound through traffic to clear. <p>The Project Applicant shall fully fund the costs of implementing the transit priority improvements (either the improvements identified above, or alternative improvements of equal or greater effectiveness and comparable cost) as determined by the study and the monitoring program. Other options to be evaluated in the study could include comprehensive replacement of stop-controlled intersections with interconnected traffic signals equipped with transit priority elements.</p>	<p>SU/MM</p>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>Impact TR-22 Implementation of the Project would contribute traffic to cumulative conditions at intersections along Palou Avenue, which would increase travel times and impact operations of the 23-Monterey, 24-Divisadero, and the 44-O'Shaughnessy.</p>	<p>PS</p>	<p>MM TR-21.2 Purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 9-San Bruno. Should mitigation measure MM TR-21.1 not be feasible or effective, the Project Applicant shall work with SFMTA to purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 9-San Bruno. Funds for the implementation of this mitigation measure are expected to be generated from a combination of Project revenues that accrue to the City, and other funding sources.</p> <p>MM TR-22.1 Maintain the proposed headways of the 23-Monterey, 24-Divisadero, and the 44-O'Shaughnessy. To address Project impacts to the 23-Monterey, 24-Divisadero and the 44-O'Shaughnessy, prior to issuance of a grading permit for <u>Development Phase 1</u>, the Project Applicant in cooperation with SFMTA shall conduct a study to evaluate the effectiveness and feasibility of the following improvements which could reduce Project impacts on transit operations along the Palou Avenue corridor, generally between Griffith Street and Newhall Street. The study shall create a monitoring program to determine the implementation extent and schedule (as identified below) to maintain the proposed headways of the 23-Monterey, 24-Divisadero, and the 44-O'Shaughnessy.</p> <ul style="list-style-type: none"> ■ Convert one of the two westbound travel lanes on Palou Avenue between Keith Street and Newhall Street (three blocks) to a transit-only lane at all times. Treatment for transit-only lanes can range from striping to physical elevation changes to protect right-of-way from mixed-flow traffic. Because the westbound lanes between Third Street and Newhall Street are relatively narrow, parking would likely need to be prohibited on the north side of Palou Avenue between Third Street and Newhall Street (approximately 600 feet) during peak periods to maximize the effectiveness of the transit-only lane. ■ Convert one of the two eastbound travel lanes on Palou Avenue between Newhall Street and Third Street (one block) to a transit-only lane at all times. Because the eastbound travel lanes between Newhall Street and Third Street are relatively narrow, parking would likely need to be prohibited on the south side of Palou Avenue between Newhall Street and Third Street (approximately 600 feet) during peak periods to maximize the effectiveness of the transit-only lane. In the eastbound direction, east of Third Street, buses would re-enter the single mixed-flow traffic lane at the bus stop on the far (east) side of Third Street. ■ There are currently pedestrian corner bulbs on the northwest and southwest corners of the intersection of Palou Avenue and Third Street. In order to accommodate the transit-only lanes west of Third Street, these bulbouts would be reconfigured or removed. Although removing pedestrian bulb-outs may increase pedestrian crossing distances and is generally inconsistent with the City's desire to prioritize pedestrian activity, in this case, the improvement would offer substantial benefits to transit travel times by allowing a transit-only lane through a congested intersection. This would be consistent with the City's transit-first policy. ■ During the PM peak period only, prohibit parking on westbound Palou Avenue for the four-block segment between Griffith Street/Crisp Avenue and Keith Street, to provide for a PM peak period curb transit-only lane along this segment. This would create a continuous westbound transit-only lane on Palou Avenue between Griffith Street/Crisp Avenue and Newhall Street during the PM peak period. 	<p>SU/MM</p>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>Impact TR-23 Implementation of the Project would increase congestion at intersections along Gilman Avenue and Paul Avenue, which would increase travel times and would impact operations of the 29-Sunset.</p>	<p>PS</p>	<ul style="list-style-type: none"> ■ As an alternative to the bulleted measures above, narrow the existing sidewalks on Palou Avenue from Third Street to Crisp Avenue (seven blocks) from 15 feet to 12 feet in width. The pedestrian bulb-outs on the west side of Third Street would be removed. The resulting 12-foot-wide sidewalks would be consistent with the Better Streets Plan guidelines. The reduction in sidewalk width would allow for the provision of a 7-foot-wide on-street parking lane, an 11-foot-wide transit-only lane, and a 10-foot-wide mixed-flow lane in each direction on Palou Avenue. This would preserve on-street parking along the corridor and provide a seven-block transit-only lane on Palou Avenue between Griffith Street/Crisp Avenue and Newhall Street. Treatment for transit-only lanes can range from striping to physical elevation changes to protect right-of-way from mixed-flow traffic. <u>Subsequent to publication of the Draft EIR, SFMTA and the Project Applicant conducted an evaluation of this alternative measure and determined that it is a feasible and viable alternative to the four bulleted items above.</u> <p>The Project Applicant shall fully fund the costs of implementing the transit priority improvements (either the improvements identified above, or alternative improvements of equal or greater effectiveness and comparable cost) as determined by the study and the monitoring program.</p> <p>MM TR-22.2 <i>Purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 23-Monterey, the 24-Divisadero and the 44-O'Shaughnessy.</i> Should mitigation measure MM TR-22.1 not be feasible or effective, the Project Applicant shall work with SFMTA to purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 23-Monterey, the 24-Divisadero and the 44-O'Shaughnessy. Funds for the implementation of this mitigation measure are expected to be generated from a combination of Project revenues that accrue to the City, and other funding sources.</p> <p>MM TR-23.1 <i>Maintain the proposed headways of the 29-Sunset.</i> To address Project impacts to the 29-Sunset, prior to issuance of a grading permit for <u>Development Phase #1</u>, the Project Applicant in cooperation with SFMTA shall conduct a study to evaluate the effectiveness and feasibility of the following improvements which could reduce Project impacts on transit operations along the Gilman Avenue and Paul Avenue corridor, generally between Arelious Walker Drive and Bayshore Boulevard. The study shall create a monitoring program to determine the implementation extent and schedule (as identified below) to maintain the proposed headways of the 29-Sunset.</p> <ul style="list-style-type: none"> ■ For the five-block segment of Gilman Avenue between Arelious Walker Drive and Third Street, prohibit on-street parking on westbound Gilman Avenue during the AM and PM peak periods to provide for three westbound travel lanes. During the peak periods convert one of the three westbound travel lanes to transit-only. During off-peak periods, parking would be allowed, and buses would travel in one of the two mixed-flow lanes. The peak period transit lanes would impact 90 parking spaces. ■ For the same five-block segment of Gilman Avenue between Arelious Walker Drive and Third Street, restripe the eastbound direction to provide two travel lanes, one of which would accommodate on-street parking and one of which would be a mixed-flow travel lane. During the AM and PM peak periods, prohibit 	<p>SU/MM</p>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>Impact TR-24 Implementation of the Project would increase congestion at intersections along Evans Avenue, which would increase travel times and impact operations of the 48-Quintara-24th Street.</p>	<p>PS</p>	<p>on-street parking in the eastbound direction, and operate one of the two eastbound lanes as transit-only lanes. The peak period transit lanes would impact 80 parking spaces.</p> <ul style="list-style-type: none"> ■ As an alternative to the two bulleted measures above, narrow the existing sidewalks <u>convert one of the travel lanes in each direction on Gilman Avenue from Third Street to Griffith Street (four blocks) from 15 feet to 12 feet in width. The resulting 12-foot-wide sidewalks would be consistent with the Better Streets Plan guidelines. The reduction in sidewalk width to transit-only.</u> This would allow for the provision of a 7-foot-wide on-street parking lane, an 11-foot-wide transit-only lane, and a 10-foot-wide mixed-flow lane in each direction on Gilman Avenue. This would preserve on-street parking along the corridor and provide four-block transit-only lanes on Gilman Avenue between Griffith Street and Third Street. Treatment for transit-only lanes can range from striping to physical elevation changes to protect right-of-way from mixed-flow traffic. <u>Subsequent to publication of the Draft EIR, SFMTA and the Project Applicant conducted an evaluation of this alternative measure and determined that is a feasible and viable alternative to the two bulleted items above.</u> ■ Prohibit on-street parking on the north side of Paul Avenue, between Third Street and Bayshore Boulevard to create two westbound through lanes. Convert one westbound through lane to transit-only in the AM and PM peak periods. The peak period transit-only lane would impact 40 parking spaces. At the intersection of Paul Avenue and Bayshore Avenue, provide transit signal priority treatment (i.e., queue jump) to allow transit vehicles to maneuver into the mixed flow left-hand lane, facilitating a left-turn movement immediately west of Bayshore Boulevard from westbound Paul Avenue to southbound San Bruno. <p>The Project Applicant shall fully fund the costs of implementing the transit priority improvements (either the improvements identified above, or alternative improvements of equal or greater effectiveness and comparable cost) as determined by the study and the monitoring program. Other options to be evaluated in the study could include transit priority treatments on San Bruno Avenue, on the portions where the 29-Sunset travels.</p> <p>MM TR-23.2 <i>Purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 29-Sunset.</i> Should mitigation measure MM TR-23.1 not be feasible or effective, the Project Applicant shall work with SFMTA to purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 29-Sunset. Funds for the implementation of this mitigation measure are expected to be generated from a combination of Project revenues that accrue to the City, and other funding sources.</p> <p>MM TR-24.1 <i>Maintain the proposed headways of the 48-Quintara-24th Street.</i> To address Project impacts to the 48-Quintara-24th Street, prior to issuance of a grading permit for <u>Development Phase 41</u>, the Project Applicant in cooperation with SFMTA shall conduct a study to evaluate the effectiveness and feasibility of the following improvements which could reduce Project impacts on transit operations along the Evans Avenue corridor, generally between Hunters Point Boulevard and Napoleon Street. The study shall create a monitoring program to determine the implementation extent and schedule (as identified below) to maintain the proposed headways of the 48-Quintara-24th Street.</p>	<p>SU/MM</p>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
...		<ul style="list-style-type: none"> On Evans Avenue, between Jennings Street and Napoleon Street (a nine-block segment—about 6,000 feet), convert one of the two travel lanes in each direction to a transit-only lane at all times. Treatment for transit-only lanes can range from striping to physical elevation changes or barriers to protect transit right-of-way from mixed-flow traffic. <p>The Project Applicant shall fully fund the costs of implementing the transit priority improvements (either the improvements identified above, or alternative improvements of equal or greater effectiveness and comparable cost) as determined by the study and the monitoring program. Other options to be evaluated in the study could include extension of transit only lanes in one or both directions between Napoleon Street and Cesar Chavez Street or onto Hunters Point Boulevard and Innes Avenue.</p> <p>MM TR-24.2 Purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 48-Quintara-24th Street. Should mitigation measure MM TR-24.1 not be feasible or effective, the Project Applicant shall work with SFMTA to purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 48-Quintara-24th Street. Funds for the implementation of this mitigation measure are expected to be generated from a combination of Project revenues that accrue to the City, and other funding sources.</p>	
<p>Impact TR-26 Implementation of the Project would increase congestion at intersections along Third Street, and make a considerable contribution to cumulative impacts that would increase travel times and impact operations of the T-Third.</p>	<p>PS</p>	<p>MM TR-26.1 Maintain the proposed headways of the T-Third. To address Project impacts to the T-Third, prior to issuance of a grading permit for <u>Development Phase 1</u>, the Project Applicant in cooperation with SFMTA shall conduct a study to evaluate the effectiveness and feasibility of the following improvement that could reduce Project impacts on transit operations along Third Street between Thomas Avenue and Kirkwood Avenue. The study shall create a monitoring program to determine the implementation extent and schedule (as identified below) to maintain the proposed headways of the T-Third.</p> <ul style="list-style-type: none"> Reconfigure the section of Third Street between Thomas Avenue and Kirkwood Avenue (9 blocks) where the light rail vehicles currently share the travel lane with auto traffic to provide a dedicated transit right-of-way, consistent with the rest of the route. This would require either removal of one travel lane in each direction on Third Street, or removal of on-street parking and some sidewalk bulbouts. In addition, left-turns from Third Street in this segment would be restricted in both directions. Treatment for transit-only lanes can range from striping to physical elevation or barriers to protect transit right-of-way from mixed-flow traffic. <p>Implementation of the <u>intersection-roadway</u> reconfiguration shall be the responsibility of SFMTA, and shall be implemented when the results of the study described above indicate transit improvements are necessary. The Project Applicant shall fully fund the costs of implementing the transit priority improvements prior to approval of subsequent phases of development.</p> <p>MM TR-26.2 Purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the T-Third. Should mitigation measure MM TR-26.1 not be feasible or effective, the Project Applicant shall work with SFMTA to purchase additional transit vehicles as</p>	<p>SU/MM</p>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the T-Third. Funds for the implementation of this mitigation measure are expected to be generated from a combination of Project revenues that accrue to the City, and other funding sources.	
...			
Impact TR-32 Implementation of the Project's proposed transit preferential treatments and significant increases in traffic volumes on Palou Avenue could result in impacts on bicycle travel on Bicycle Routes #70 and #170 between Griffith Street and Third Street.	PS	MM TR-32 <i>Determine the feasibility of relocating Bicycle Routes #70 and #170.</i> Prior to issuance of the grading permit for Development Phase #1, the Project Applicant shall fund a study to determine the feasibility of relocating Bicycle Routes #70 and #170. The study of the bicycle route relocation, necessary environmental clearance documentation, and implementation shall be the responsibility of SFMTA. Since the feasibility of the relocation of the routes is uncertain at this time, the Project impact on bicycle circulation on Palou Avenue would remain significant and unavoidable.	SU/MM
...			
Impact TR-39 Implementation of the Project with existing game day service and Project transit improvements would not be adequate to accommodate projected transit demand.	PS	MM TR-39 <i>Transit Service during Game Days.</i> SFMTA shall increase frequency on regularly scheduled Muni routes serving the stadium area on game days. In addition, the stadium operator shall fund additional Muni shuttle service between the stadium and regional transit service, including BART (Balboa Park and/or Glen Park Station) and Caltrain (Bayshore Station). Although the specific frequencies of individual routes should be determined based on patron characteristics that may evolve over time, the increased transit service, taken as an aggregate, should generally compensate for the projected shortfall of 3,600 passengers per hour on the existing and proposed transit lines. Prior to opening day at the new stadium, the City and stadium operator shall determine costs associated with the increased service and determine funding sources. Examples of funding sources that shall be considered include a surcharge on game tickets or other such revenue mechanism. Implementation of increased transit service would be the responsibility of SFMTA and the stadium operator, and would be implemented when projected attendance warrants additional service.	SU/MM
...			
Impact TR-46 Weekday evening secondary events at the stadium would result in increased congestion at intersections, freeway mainline, and freeway ramps already operating at unacceptable LOS under Project conditions without a secondary event, and result in significant impacts at	PS	MM TR-46 <i>Traffic Control Officers.</i> The stadium operator shall develop as part of a stadium Transportation Management Plan (TMP), a strategy for coordinating with representatives of SFMTA and the SF Police Department for deploying traffic control officers in the Project vicinity to increase efficiency of pre- and post- event traffic, similar to what would be in place for football game days. The secondary event component of the stadium TMP shall be approved by SFMTA. The stadium operator shall fully fund implementation of the secondary event (i.e., non-49ers football events) measures.	SU/MM

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<p>nine additional intersections and one additional freeway off-ramp.</p> <p>Impact TR-47 With implementation of the Project, the existing transit service and Project improvements would not be adequate to accommodate projected transit demand during secondary events with attendance of 37,500 spectators. In addition, transit lines serving the area would experience additional delays due to traffic generated by the secondary event.</p> <p>...</p>	<p>PS</p>	<p>MM TR-47 <i>Transit Service during Secondary Events.</i> SFMTA shall increase frequency on regularly scheduled Muni routes serving the stadium area prior to large special events. In addition, the stadium operator shall fund additional Muni shuttle service between the stadium and regional transit service, including BART (Balboa Park and/or Glen Park stations) and Caltrain (Bayshore station).</p> <ul style="list-style-type: none"> ■ Routes 24-Divisadero, 28L-19th Avenue Limited, and 44-O'Shaughnessey would already be operating near their maximum frequency. Therefore, this mitigation measure primarily applies to the 48-Quintara-24th Street route and the new HPX service. If each of these routes were increased to have five-minute frequencies (typically considered the maximum frequency that can be regularly maintained), the transit capacity toward the stadium would increase by 828 passengers per hour, for a total of 3,928 passengers. Even with the additional service on these two lines, there would be a shortfall of 1,797 passengers per hour in transit capacity. ■ Additional express service to key regional transit destinations and regional charter express service, similar to what is offered on football game days, would offset a portion of the shortfall in transit capacity. The amount and nature of special service to special stadium events would depend on the type and size of the special event. Generally, the capacity of the express service should compensate for the shortfall of 1,797 passengers per hour for a 37,500-person event (transit supply, would of course, be designed on a case-by-case basis depending on the expected size of the secondary event). ■ SFMTA and the stadium operator shall implement a stadium transportation systems plan similar to that developed for game-day operations (except that the Yosemite Slough bridge shall not be available for private automobiles), on a case-by-case basis depending on the expected size of the secondary event. <p>Prior to opening day at the new stadium, the City and the stadium operator shall determine costs associated with the increased service and determine funding requirements. Examples of funding sources that shall be considered include a surcharge on game tickets, parking or admission surcharge, or other such revenue mechanism. Implementation of increased transit service would be the responsibility of SFMTA and the stadium operator, and would be implemented when projected attendance warrants additional service.</p>	<p>SU/MM</p>
<p>Impact TR-49 With implementation of the Project, pedestrian circulation would not be impeded during arena <u>secondary events at the stadium.</u></p> <p>...</p>	<p>LTS</p>	<p>No mitigation is required.</p>	<p>LTS</p>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
Impact TR-51 With implementation of the Project, weekday evening events at the arena would exacerbate congestion at intersections, freeway mainline, and freeway ramps already operating at unacceptable LOS under Project conditions without an arena event, and result in significant traffic impacts at Harney Way and Jamestown Avenue, which was operating acceptably under Project conditions without an arena event.	PS	MM TR-51 <i>Transportation Management Plan (TMP)</i> . The arena operator shall develop a Transportation Management Plan (TMP) for coordinating with representatives of SFMTA and the SF Police Department for deploying traffic control officers in the Project vicinity to increase efficiency of pre- and post- event traffic, and for developing incentives to increase transit ridership to the arena. <u>If Variants 1, 2, or 2A are implemented the TMP shall provide for SFMTA to increase the frequency on regularly scheduled Muni routes (primarily the CPX-Candlestick Express) serving the arena area prior to large events at the arena and for the arena operator to provide additional shuttle service to key regional transit destinations, such as BART, Caltrain, and the T-Third light-rail route.</u> Implementation of this mitigation measure would likely speed vehicle entrance and exit to the arena site as well as maintain orderly traffic <u>and transit</u> operations and reduce intrusion onto minor routes to and from the arena. Traffic control officers would facilitate traffic flow at the intersection of Harney/Jamestown which would operate at LOS F conditions with a sell-out arena event. The final arena TMP shall be approved by SFMTA. Preparation of the TMP Plan shall be fully funded by the arena operator, and shall be completed in time for implementation on opening day of the arena.	SU/MM
Impact TR-52 With implementation of the Project, sell-out weekday evening events at the arena could be accommodated within the impact existing and proposed transit service.	PS	MM TR-23.1 would apply to this impact. <u>If Variants 1, 2, or 2A are implemented, MM TR-51 would also apply to this impact.</u>	SU/MM
...			

SECTION III.E (AESTHETICS)

Impact AE-7a Implementation of the Project at Candlestick Point would not create a new source of substantial light or glare that would adversely affect day or night views in the area or that would substantially impact other people or properties.	PS	<p>MM AE-7a.1 <i>Lighting Direction/Fixtures and Screening Walls to Minimize Glare and Light Spill</i>. The Project Applicant shall ensure that all parking lot and other security lighting shall be directed away from surrounding land uses and towards the specific location intended for illumination. State-of-the-art fixtures shall be used, and all lighting shall be shielded to minimize the production of glare and light spill onto surrounding use. All parking structures shall be constructed with screening walls of sufficient height to block spill light from vehicle headlights.</p> <p>MM AE-7a.2 <i>Low-level/Unobtrusive Light Fixtures</i>. The Project Applicant shall ensure that landscape illumination and exterior sign lighting shall be accomplished with low-level, unobtrusive fixtures.</p> <p>MM AE-7a.3 <i>Lighting Plan</i>. The Project Applicant-Developer shall prepare a lighting plan for each sub-phase of the Project and submit it for review and approval to the San Francisco Police Department and the Agency prior to the issuance approval of building permits a sub-phase. Outdoor lighting shall maintain a minimum required illumination, as determined appropriate by the San Francisco Police Department and the Planning Department, Agency for all parking and pedestrian areas. In addition, the plan shall include details such as beam spreads and/or photometric calculation, location and type of fixtures, exterior colors, details on foundations, and</p>	LTS/M
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Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
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arrangement of exterior lighting such that it does not create glare, hazardous interference on adjacent streets, or properties or result in spill light that would adversely impact sensitive receptors in the project area.

MM AE-7a.4 Non-reflective Exterior Surfaces to Minimize Glare Impacts. The Project Applicant shall ensure that design of the proposed structures shall include the use of textured or other nonreflective exterior surfaces and nonreflective glass.

...

SECTION III.G (WIND)

...

Impact W-1a Implementation of the Project at Candlestick Point would not include tall structures that would result in ground-level-equivalent wind speed exceeding 26 mph for a single hour of the year in pedestrian corridors and public spaces.

PS

MM W-1a Building Design Wind Analysis. Prior to design approval of Project buildings, ~~if recommended by Agency staff for high-rise structures above 100 feet,~~ the Project Applicant shall retain a qualified wind consultant to provide a wind review to determine if the exposure, massing, and orientation of the building would result in wind impacts that could exceed the threshold of 26-mph-equivalent wind speed for a single hour during the year. The wind analysis shall be conducted to assess wind conditions for the proposed building(s) in conjunction with the anticipated pattern of development on surrounding blocks to determine if the Project building(s) would cause an exceedance of the wind hazard standard. The analysis shall be conducted as directed by the City's wind study guidelines, including, if required, wind tunnel modeling of potential adverse effects relating to hazardous wind conditions. The Agency shall require the Project Applicant to identify design changes that would mitigate the adverse wind conditions to below the threshold of 26-mph-equivalent wind speed for a single hour of the year. These design changes could include, but are not limited to, wind-mitigating features, such as placing towers on podiums with a minimum 15-foot setback from street edges, placement of awnings on building frontages, street and frontage plantings, articulation of building facades, or the use of a variety of architectural materials.

LTS/M

...

SECTION III.H (AIR QUALITY)

...

Impact AQ-2 Construction activities associated with the Project would not result in impacts to on-site and off-site populations from Project-generated emissions of DPM.

PS

MM AQ-2.1 and MM AQ-2.2 would apply to this impact

LTS/M

Impact AQ-2a Construction at Candlestick Point would not result in impacts to off-site

PS

MM AQ-2.1 Implement Emission Control Device Installation on Construction. To reduce DPM emissions during Project construction, the Project Applicant shall require construction equipment used for the Project to utilize emission control technology such that 50% of the fleet will meet USEPA Tier 2 standards outfitted with California

LTS/M

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
populations from Project-generated emissions of DPM.		ARB Level 3 VDECS (Verified Diesel Emission Control Strategies) for particulate matter control (or equivalent) during 2010 and 2011 <u>the first two years of construction activities</u> , increasing to 75% of the fleet in 2012 <u>the third year</u> and 100% of the fleet starting in 2013 <u>the fourth year</u> and for the duration of the Project.	
...			
Impact AQ-2c Construction activities associated with the Project would not result in impacts to the existing Alice Griffith Public Housing from Project-generated emissions of DPM.	PS	MM AQ-2.1 would also apply to this impact. MM AQ-2.2 <i>Implement Accelerated Emission Control Device Installation on Construction Equipment Used for Alice Griffith Parcels.</i> In addition to mitigation measure MM AQ-2.1, in order to minimize the potential impacts to residents living in Alice Griffith from the construction activities in that area, the Project Applicant will require that <u>all construction equipment used in the Alice Griffith parcels (CP01 through CP06) would utilize equipment which meets the USEPA Tier 4₂ engine standards outfitted with California ARB Level 3 VDECS (Verified Diesel Emission Control Strategies) for particulate matter control (or equivalent) throughout the entire duration of construction activities on those parcels.</u>	LTS/M
...			
Impact AQ-4 Operation of the Project would violate BAAQMD CEQA significance thresholds for mass criteria pollutant emissions from mobile and area sources and contribute substantially to an existing or projected air quality violation at full build-out in the year 2029 .	S	No feasible mitigation is available.	SU
...			
Impact AQ-6 Implementation of HPS Phase II would not expose nearby receptors to an increase in local concentrations of toxic air contaminants due to the operation of Research and Implementation <u>Development</u> uses.	PS	MM AQ-6.1 In accordance with the approach used to evaluate this impact, the minimum plot size for facility with sources of TAC emissions in R&D areas will be no smaller than 1 acre. If a facility with sources of TAC emission wishes to locate on a plot size smaller than 1 acre, an analysis will be required to show the facility, in conjunction with all other TAC emitting facilities in the R&D areas, will not cause these thresholds of <u>a residential cancer risk of 10 in one million and a chronic noncancer HI of 1.0</u> to be exceeded at the nearest residential locations. MM AQ-6.2 Each facility with sources of TAC emissions <u>on a plot of 1 acre or larger</u> will limit their emissions such that residential cancer risk and chronic non-cancer hazard index evaluated at the facility boundary does not exceed 10 in one million or 1.0, respectively. If these thresholds are exceeded at the boundary, an analysis will be required to show the facility, in conjunction with all other TAC emitting facilities in the R&D areas, will not cause these thresholds to be exceeded at the nearest residential locations.	LTS/M

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>Impact AQ-7 Operation of the Project would not exceed SFDPH thresholds or otherwise affect the health of nearby receptors as a result of an increase in local concentrations of vehicle emissions (PM2.5) associated with vehicle use attributable to operation of the Project.</p>	LTS	No mitigation is required.	LTS
...			

SECTION III.I (NOISE AND VIBRATION)

...			
<p>Impact NO-7 Noise during football games and concerts at the proposed stadium would result in temporary increases in ambient noise levels that could adversely affect surrounding residents for the duration of a game or concert.</p>	S	<p>MM NO-7.1 <i>Mitigation to Minimize Game/Concert-related Temporary Increases in Ambient Noise Levels at Nearby Residences.</i> To ensure that stadium game-and event-induced interior L_{max} noise levels do not exceed an interior noise level of 60 dBA and interfere with speech and other indoor activities in the existing Hunters Point Hill residential community closest to and north of the proposed Stadium (i.e., as identified by the R3 stadium noise model receiver), the Stadium Operator shall:</p> <ul style="list-style-type: none"> ■ After certification of the EIR Stadium Operator enters into lease agreement with Agency, send notification of the establishment of a stadium noise mitigation program (SNMP) to the residential property owners in the identified neighborhood potentially affected by noise from the proposed Stadium ■ Allow property owners an appropriate time after the date of notification about the SNMP to apply for the program, with a reminder sent to the owners before the end of the application period ■ Determine if responding property owners meet qualifications ■ Compile for property-owners reference and send to them a summary of standard types of structural acoustical mitigations ■ Choose a qualified acoustical consultant to survey the potentially affected residential units and recommend sound reduction measures appropriate to offset the modeled stadium noise impacts, which may include: <ul style="list-style-type: none"> > Acoustical upgrades to windows and doors > Acoustical stripping around doors and other openings > Ventilation improvements ■ Estimates cost of recommended sound reduction measures, which shall include labor and materials, permit fees, and City inspections; material costs will, as much as possible, be based on “like-for-like”, that is, for replacement of existing materials similar in quality or appearance 	SU/M

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<ul style="list-style-type: none"> ■ Pay each qualifying property owner the amount of this estimate after obtaining a release from future claims for stadium event noise impacts at each property with each property owner responsible for implementing the sound reduction improvements ■ Establish an ad hoc community working group of neighbors to develop a mediation process should any future disputes arise over the effectiveness of the SNMP in eliminating stadium noise intrusions <p>MM NO-7.2 Residential Use Plan Review by Qualified Acoustical Consultant. To ensure that stadium game-and event-induced interior L_{max} noise levels do not exceed an interior noise level of 60 dBA and interfere with speech and other indoor activities in the proposed on-site residential uses closest to the proposed Stadium, the Stadium Operator <u>Project Applicant</u> shall choose a qualified acoustical consultant to review plans for the new residential uses planned for areas closest to the proposed Stadium and follow their recommendations to provide acoustic insulation or other equivalent measures to ensure that interior peak noise events would not exceed 60 dBA L_{max}.</p>	

SECTION III.J (CULTURAL RESOURCES AND PALEONTOLOGICAL RESOURCES)

<p>...</p> <p>Impact CP-1b Construction at HPS Phase II could result in a substantial adverse change in the significance of an historical resource.</p>	S	<p>MM CP-1b.1 Mitigation to Minimize Impacts on Historic Resources at HPS Phase II. To reduce the adverse effect on historical resources, prior to any structural demolition and removal activities, the Project Applicant shall retain a professional who meets the Secretary of the of the Interior's Professional Qualifications Standards for Architectural History to prepare written and photographic documentation of the potential Hunters Point Commercial Dry Dock and Naval Shipyard Historic District, as identified in the report titled <i>Bayview Waterfront Plan Historic Resources Evaluation, Volume II: Draft Historic Resources Survey and Technical Report</i>, July 2009, prepared by Circa Historic Property Development.</p> <p>The documentation for the property shall be prepared based on the National Park Services' (NPS) Historic American Building Survey (HABS) / Historic American Engineering Record (HAER) Historical Report Guidelines. This type of documentation is based on a combination of both HABS/HAER standards (Levels II and III) and NPS new policy for NR-NHL photographic documentation as outlined in the National Register of Historic Places and National Historic Landmarks Survey Photo Policy Expansion (March 2005).</p> <p>The written historical data for this documentation shall follow HABS / HAER Level I standards. The written data shall be accompanied by a sketch plan of the property. Efforts should also be made to locate original construction drawings or plans of the property during the period of significance. If located, these drawings should be photographed, reproduced, and included in the dataset. If construction drawings or plans cannot be located as-built drawings shall be produced.</p> <p>Either HABS / HAER standard large format or digital photography shall be used. If digital photography is used, the ink and paper combinations for printing photographs must be in compliance with NR-NHL photo expansion policy and have a permanency rating of approximately 115 years. Digital photographs will be taken as</p>	SU/M
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		<p>uncompressed .TIF file format. The size of each image will be 1600x1200 pixels at 300 ppi (pixels per inch) or larger, color format, and printed in black and white. The file name for each electronic image shall correspond with the index of photographs and photograph label.</p> <p>Photograph views for the dataset shall include (a) contextual views; (b) views of each side of each building and interior views, where possible; (c) oblique views of buildings; and (d) detail views of character-defining features, including features on the interiors of some buildings. All views shall be referenced on a photographic key. This photograph key shall be on a map of the property and shall show the photograph number with an arrow indicate the direction of the view. Historic photographs shall also be collected, reproduced, and included in the dataset.</p> <p>All written and photographic documentation of the potential Hunters Point Commercial Dry Dock and Naval Shipyard Historic District shall be approved by the Historic Preservation Commission SFRA, in consultation with the ERO, prior to any demolition and removal activities.</p> <p>MM CP-1b.2 Interpretive Displays Depicting History of HPS. Interpretive displays related to the history of HPS shall be installed at Heritage Park at Dry Dock Nos. 2 and 3. The number and type of displays shall be approved by the Historic Preservation Commission SFRA, in consultation with the ERO.</p>	

SECTION III.K (HAZARDS AND HAZARDOUS MATERIALS)

<p>... Impact HZ-1a Construction at Candlestick Point bayward of the historic high tide line would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the disturbance of soil and/or groundwater with known contaminants from historic uses.</p>	<p>PS</p>	<p>MM HZ-1a Article 22A Site Mitigation Plans. (Applies only to Candlestick Point.) Prior to obtaining a site, building or other permit from the City for development activities involving subsurface disturbance at portions of Candlestick Point bayward of the high tide line, the Project Applicant shall comply with the requirements of San Francisco Health Code Article 22A. If the site investigation required by Article 22A (or, in the case of development activity in CPSRA, which is not subject to Article 22A, a comparable site investigation that is carried out to comply with this measure, and which involves notification to California State Parks if a site mitigation plan is prepared), indicates the presence of a hazardous materials release, a site mitigation plan must be prepared. The site mitigation plan must specify the actions that will be implemented to mitigate the significant environmental or health and safety risks caused or likely to be caused by the presence of the identified release of hazardous materials. The site mitigation plan shall identify, as appropriate, such measures as excavation, containment, or treatment of the hazardous materials, monitoring and follow-up testing, and procedures for safe handling and transportation of the excavated materials, or for protecting the integrity of the cover or for addressing emissions from remedial activities, consistent with the requirements set forth in Article 22A.</p> <p>To the extent that Article 22A does not apply to state-owned land at CPSRA, prior to undertaking subsurface disturbance activities at CPSRA, the Agency and the California Department of Parks and Recreation shall enter into an agreement to follow procedures comparable equivalent to those set forth in Article 22A for construction and development activities conducted at Candlestick Point State Recreation Area.</p>	<p>LTS/M</p>
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Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>Impact HZ-1b Construction at HPS Phase II would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the disturbance of soil and/or groundwater with known contaminants from historic uses.</p>	<p>PS</p>	<p>MM HZ-1b <i>Compliance with Requirements Imposed by Cleanup Decision Documents and Property Transfer Documents.</i> (Applies only to HPS Phase II) Prior to obtaining a grading, excavation, site, building or other permit from the City for development activity at HPS Phase II involving subsurface disturbance, the Project Applicant shall submit documentation acceptable to the San Francisco Department of Public Health that the work will be undertaken in compliance with all <u>notices, restrictions, and requirements</u> imposed pursuant to a CERCLA ROD, Petroleum Corrective Action Plan, FOST, FOSET or FOSL, including <u>notices, restrictions, and requirements</u> imposed in deeds, covenants, leases, easements, and LIFOCs, and requirements set forth in Land Use Control Remedial Design Documents, Risk Management Plans, <u>Community Involvement Plans</u>, and health and safety plans. Such restrictions, imposed by federal and state regulatory agencies as a condition on the Navy transfer of the property to the Agency, will ensure that the property after transfer will be used in a manner that is protective of the environment and human health. The City/Agency may choose to implement this measure by requiring these actions as part of amendments to San Francisco Health Code Article 31, which currently sets forth procedural requirements for development in HPS Phase I, or through an equivalent process established by the City or Agency.</p>	<p>LTS/M</p>
<p>...</p> <p>Impact HZ-2a Construction at Candlestick Point would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the disturbance of soil and/or groundwater with previously unidentified subsurface contaminants from historic uses.</p>	<p>PS</p>	<p>MM HZ-2a.1 <i>Unknown Contaminant Contingency Plan.</i> (Applies to Candlestick Point, HPS Phase II, and off-site improvements.) Prior to obtaining the first site, building or other permit for development activities involving subsurface disturbance, the Project Applicant shall prepare and the San Francisco Department of Public Health shall approve a contingency plan to address unknown contaminants encountered during development activities. This plan, the conditions of which shall be incorporated into the first permit and any applicable permit thereafter, shall establish and describe procedures for implementing a contingency plan, including appropriate notification to <u>nearby property owners, schools, and residents</u> and <u>appropriate</u> site control procedures, in the event unanticipated subsurface hazards or hazardous material releases are discovered during construction. Control procedures would include, but would not be limited to, further investigation and, if necessary remediation of such hazards or releases, including off-site removal and disposal, containment or treatment. In the event unanticipated subsurface hazards or hazardous material releases are discovered during construction, the requirements of this unknown contaminant contingency plan shall be followed. The contingency plan shall be amended, as necessary, in the event new information becomes available that could affect the implementation of the plan. This measure shall be implemented for HPS Phase II through additions to Article 31 or through an equivalent process established by the City or Agency as explained in MM HZ-1b.</p> <p>MM HZ-2a.2 <i>Site-Specific Health and Safety Plans.</i> (Applies to Candlestick Point, HPS Phase II, and off-site improvements.) Prior to obtaining the first site, building or other permit for the Project from the City for development activities involving subsurface disturbance, the Project Applicant shall prepare and submit to SFDPH a site-specific health and safety plan (HASP) in compliance with applicable federal and state OSHA requirements and other applicable laws to minimize impacts to public health and the environment. development of the plan shall be required as a condition of any applicable permit. The plan shall include identification of chemicals of concern,</p>	<p>LTS/M</p>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<p>potential hazards, personal protective equipment and devices, and emergency response procedures. The HASP shall be amended, as necessary, in the event new information becomes available that could affect the implementation of the plan.</p> <p>This measure shall be implemented for HPS Phase II through additions to Article 31 or through an equivalent process established by the City or Agency as explained in MM HZ-1b.</p>	
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<p>Impact HZ-9 Construction at HPS Phase II would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of Yosemite Slough bridge construction.</p>	PS	<p>MM HZ-9 <i>Navy-approved workplans for construction and remediation activities on Navy-owned property.</i> (Applies only to the portions of HPS Phase II on Navy-owned property). Construction activities and remediation activities conducted on behalf of the Agency or the Project Applicant, on Navy-owned property shall be conducted in compliance with all <u>required notices, restrictions, or other requirements</u> set forth in the applicable lease, easement, or license or other form of right of entry and in accordance with a Navy-approved workplan. This mitigation measure also requires that such activities be conducted in accordance with applicable health and safety plans, dust control plans, stormwater pollution prevention plans, <u>community involvement plans</u>, or any other documents or plans required under applicable law. The City/Agency will access Navy property through a lease, license, or easement. The City/Agency shall not undertake any activity or approve any Project Applicant activity on Navy-owned property until the Navy and other agencies with approval authority have approved a workplan for the activity. The requirement to comply with the approved work plans shall be incorporated into and made a condition of any City/Agency approvals related to activities on Navy property. This measure shall be implemented for HPS Phase II through a process established by the City or Agency as explained in MM HZ-1b.</p>	LTS/M
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<p>Impact HZ-12 Remediation activities conducted on behalf of the City or Project Applicant at the HPS Phase II parcels transferred prior to completion of remediation in an “early transfer” would not expose remediation and construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the disturbance of soil, sediment, and/or groundwater that may contain contaminants from historic uses.</p>	PS	<p>MM HZ-12 <i>Compliance with Administrative Order on Consent at Early Transferred Parcels.</i> (Applies only at HPS Phase II.) Prior to undertaking any remediation activities at HPS Phase II on property that the Navy has transferred to the Agency as part of an early-transfer, the Agency or its contractor or Project Applicant shall comply with all requirements incorporated into remedial design documents, work plans, health and safety plans, dust control plans, <u>community involvement plans</u>, and any other document or plan required under the Administrative Order on Consent. This includes all <u>notices, restrictions, and requirements</u> imposed pursuant to a CERCLA ROD, Petroleum Corrective Action Plan, FOSET, including restrictions imposed in deeds, covenants, and requirements set forth in Land Use Control Remedial Design Documents, Risk Management Plans, <u>community involvement plans</u>, and health and safety plans. Prior to obtaining a grading, excavation, site, building, or other permit from the City that authorizes remedial activities, SFDPH shall confirm that the work proposed complies with the applicable plans required by the Administrative Order on Consent. This measure shall be implemented through a requirement in the potential additions to Article 31 imposing requirements to parcels other than Parcel A or through an equivalent process established by the City or Agency.</p>	LTS/M
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Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<p>Impact HZ-15 Construction and grading activities associated with the Project would not disturb soil or rock that could be a source of naturally occurring asbestos in a manner that would present a human health hazard.</p>	<p>PS</p>	<p>MM HZ-15 Asbestos Dust Mitigation Plans and Dust Control Plans. Prior to obtaining a grading, excavation, site, building or other permit from the City that includes soil disturbance activities, the Project Applicant shall obtain approval of an Asbestos Dust Mitigation Plan (ADMP) from BAAQMD for areas over 1 acre that potentially contain naturally occurring asbestos and approval of a Dust Control Plan (DCP) from SFDPH for all areas at HPS Phase II and for areas over 0.5 acre at Candlestick Point. Compliance with the ADMP and DCP shall be required as a condition of the permit.</p> <p>The ADMP shall be submitted to and approved by the BAAQMD prior to the beginning of construction, and the Project Applicant must ensure the implementation of all specified dust control measures throughout the construction Project. The ADMP shall require compliance with the following specific control measures to the extent deemed necessary by the BAAQMD to meet its standard:</p> <ul style="list-style-type: none"> ■ For construction activities disturbing less than one acre of rock containing naturally occurring asbestos, the following specific dust control measures must be implemented in accordance with the asbestos ATCM before construction begins and each measure must be maintained throughout the duration of the construction Project: <ul style="list-style-type: none"> > Limit construction vehicle speed at the work site to 15 miles per hour > Sufficiently wet all ground surfaces prior to disturbance to prevent visible dust emissions from crossing the property line > Keep all graded and excavated areas around soil improvement operations, visibly dry unpaved roads, parking and staging areas wetted at least three times per shift daily with reclaimed water during construction to prevent visible dust emissions from crossing the property line. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour > Adequately wet all storage piles, treat with chemical dust suppressants, or cover piles when material is not being added to or removed from the pile > Wash down all equipment before moving from the property onto a paved public road > Clean all visible track out from the paved public road by street sweeping or a HEPA filter equipped vacuum device within 24 hours ■ For construction activities disturbing greater than one acre of rock containing naturally occurring asbestos, construction contractors are required to prepare an ADMP specifying measures that will be taken to ensure that no visible dust crosses the property boundary during construction. The plan must specify the following measures, to the extent deemed necessary by the BAAQMD to meet its standard: <ul style="list-style-type: none"> > Prevent and control visible track out from the property onto adjacent paved roads. Sweep with reclaimed water at the end of each day if visible soil material is carried out from property > Ensure adequate wetting or covering of active storage piles 	<p>LTS/M</p>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<ul style="list-style-type: none"> > Hydroseed or apply non-toxic soil stabilizers to disturbed surface areas and storage piles greater than ten cubic yards or 500 square feet of excavated materials, backfill material, import material, gravel, sand, road base, and soil that will remain inactive for seven days or more. > Control traffic on on-site unpaved roads, parking lots, and staging areas—including a maximum vehicle speed of 15 miles per hour or less > Control earth moving activities > Provide as much water as necessary to control dust (without creating run-off) in any area of land clearing, earth movement, excavation, drillings, and other dust-generating activity > Control dust emissions from off-site transport of naturally occurring asbestos containing materials > Stabilize disturbed areas following construction <p>If required by the BAAQMD, air monitoring shall be implemented to monitor for off-site migration of asbestos dust during construction activities, and appropriate protocols shall be established and implemented for notification of nearby schools, property owners and residents when monitoring results indicate asbestos levels that have exceeded the standards set forth in the plan.</p> <p>The DCP shall be submitted to and approved by the SFDPH prior to the beginning of construction, and the site operator must ensure the implementation of all specified dust control measures throughout the construction Project. The DCP shall require compliance with the following specific mitigation measures to the extent deemed necessary by the SFDPH to achieve no visible dust at the property boundary:</p> <ul style="list-style-type: none"> ■ Submission of a map to the Director of Health showing all sensitive receptors within 1,000 feet of the site. ■ Keep all graded and excavated areas, areas around soil improvement operations, visibly dry unpaved roads, parking and staging areas wetted at least three times per shift daily with reclaimed water during construction to prevent visible dust emissions from crossing the property line. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour ■ Analysis of wind direction and placement of upwind and downwind particulate dust monitors. ■ Record keeping for particulate monitoring results. ■ Requirements for shutdown conditions based on wind, dust migration, or if dust is contained within the property boundary but not controlled after a specified number of minutes. ■ Establishing a hotline for surrounding community members who may be potentially affected by Project-related dust. Contact person shall respond and take corrective action within 48 hours. Post publicly visible signs around the site with the hotline number as well as the phone number of the BAAQMD and make sure the numbers are given to adjacent residents, schools, and businesses. ■ Limiting the area subject to construction activities at any one time. ■ Installing dust curtains and windbreaks on windward and downwind sides of the property lines, as necessary. Windbreaks on windward side should have no more than 50% air porosity. 	

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<ul style="list-style-type: none"> ■ Limiting the amount of soil in trucks hauling soil around the job site to the size of the truck bed and securing with a tarpaulin or ensuring the soil contains adequate moisture to minimize or prevent dust generation during transportation. ■ Enforcing a 15 mph speed limit for vehicles entering and exiting construction areas. ■ Sweeping affected streets with water sweepers at the end of the day. ■ Hiring an independent third party to conduct inspections for visible dust and keeping records of those inspections. ■ Minimizing the amount of excavated material or waste materials stored at the site. ■ Prevent visible track out from the property onto adjacent paved roads. Sweep with reclaimed water at the end of each day if visible soil material is carried out from property <p>For all areas, this measure shall be implemented through Article 22B (areas over one half acre) or for HPS Phase II through a requirement in the potential additions to Article 31 imposing requirements to parcels other than Parcel A or through an equivalent process established by the City or Agency.</p>	

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SECTION III.M (HYDROLOGY AND WATER QUALITY)

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<p>Impact HY-1a Construction at Candlestick Point would not cause an exceedance of water quality standards or contribute to or cause a violation of waste discharge requirements.</p>	<p>PS</p>	<p>MM HY-1a.1 Storm Water Pollution Prevention Plan: Combined Storm Sewer System. In compliance with the Article 4.1 of the Public Works Code and the City’s Construction Site Water Pollution Prevention Program, the Project Applicant shall submit a site-specific Storm Water Pollution Prevention Plan (SWPPP) to the SFPUC for approval, prior to initiating construction activities in areas draining to the combined sewer system. The SFPUC requires implementation of appropriate Best Management Practices (BMPs) from the California Stormwater Quality Association Stormwater BMP Handbook- Construction or the Caltrans Construction Site BMPs Manual. In accordance with SFPUC’s requirements, the SWPPP shall include:</p> <ul style="list-style-type: none"> ■ An Erosion and Sediment Control Plan that includes a site map illustrating the BMPs that will be used to minimize on-site erosion and the sediment discharge into the combined sewer system, and a narrative description of those BMPs. Appropriate BMPs for Erosion and Sediment Control Plan may include: <ul style="list-style-type: none"> > Scheduling—Develop a schedule that includes sequencing of construction activities with the implementation of appropriate BMPs. Perform construction activities in accordance with the planned schedule. Schedule work to minimize soil-disturbing activities during the rainy season. Schedule major grading operations for the dry season when practical. Monitor the weather forecast for rainfall and adjust the schedule as appropriate. > Erosion Control BMPs—Preserve existing vegetation where feasible, apply mulch or hydroseed areas with native, non-invasive species, until permanent stabilization is established, and use soil binders, 	<p>LTS/M</p>
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Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<p>geotextiles and mats, earth dikes and drainage swales, velocity dissipation devices, slope drains, or polyacrylamide to protect soil from erosion.</p> <ul style="list-style-type: none"> > Wind Erosion BMPs—Apply water or other dust palliatives to prevent dust nuisance; prevent overwatering which can cause erosion. Alternatively, cover small stockpiles or areas that remain inactive for seven or more days. > Sediment Control BMPs—Install silt fences, sediment basins, sediment traps, check dams, fiber rolls, sand or gravel bag barriers, straw bale barriers, approved chemical treatment, and storm drain inlet protection to minimize the discharge of sediment. Employ street sweeping to remove sediment from streets. > Tracking Controls—Stabilize the construction site entrance to prevent tracking of sediment onto public roads by construction vehicles. Stabilize on-site vehicle transportation routes immediately after grading to prevent erosion and control dust. Install a tire wash area to remove sediment from tires and under carriages. <ul style="list-style-type: none"> ■ Non-Stormwater Management BMPs that may include water conservation practices; dewatering practices that minimize sediment discharges; and BMPs for: paving and grinding activities; identifying illicit connections and illegal dumping; irrigation and other planned or unplanned discharges of potable water; vehicle and equipment cleaning, fueling, and maintenance; concrete curing and finishing; temporary batch plants; implementing shoreline improvements and working over water. Discharges from dewatering activities shall comply with the SFPUC’s Batch Wastewater Discharge Requirements that regulate influent concentrations for various constituents. ■ Waste Management BMPs shall be implemented for material delivery, use, and storage; stockpile management; spill prevention and control; solid and liquid waste management; hazardous waste management; contaminated soil management; concrete waste management; and septic/sanitary waste management. ■ SWPPP Training Requirements—Construction personnel will receive training on the SWPPP and BMP implementation. ■ Site Inspections and BMP Maintenance—An inspector identified in the SWPPP will inspect the site on a regular basis, before and after a storm event, and once each 24-hour period during extended storms to identify BMP effectiveness and implement corrective actions if required. The SWPPP shall include checklists that document when the inspections occurred, the results of the inspection, required corrective measures, and when corrective measures were implemented. Required BMP maintenance related to a storm event shall be completed within 48 hours of the storm event. <p>MM HY-1a.2 Stormwater Pollution Prevention Plan: Separate Storm Sewer System. Consistent with the requirements of the SWRCB General Permit for Storm Water Discharges Associated with Construction and Land Disturbing Activities (Construction General Permit), the Project Applicant shall undertake the proposed Project in accordance with a project-specific Storm Water Pollution Prevention Plan (SWPPP) prepared by Qualified</p>	

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<p>SWPPP Developer, who shall consult with California State Parks on those elements of the SWPPP that cover the <u>Candlestick Park State Recreation Area, including selection of best management practices and other SWPPP improvements</u>. The SFRWQCB, the primary agency responsible for protecting water quality within the project area, is responsible for reviewing and ensuring compliance with the SWPPP. This review is based on the Construction General Permit issued by the SWRCB.</p> <p>The SWPPP shall include, as applicable, all Best Management Practices (BMPs) required in Attachment C of the Construction General Permit for Risk Level 1 dischargers, Attachment D for Risk Level 2 dischargers, or Attachment E for Risk Level 3 dischargers. In addition, recommended BMPs, subject to review and approval by the SFRWQCB, include the measures listed below. However, the measures themselves may be altered, supplemented, or deleted during the SFRWQCB's review process, since the SFRWQCB has final authority over the terms of the SWPPP.</p> <ul style="list-style-type: none"> ■ Scheduling: <ul style="list-style-type: none"> > To reduce the potential for erosion and sediment discharge, schedule construction to minimize ground disturbance during the rainy season. Schedule major grading operations during the dry season when practical, and allow enough time before rainfall begins to stabilize the soil with vegetation or to install sediment-trapping devices. > Sequence construction activities to minimize the amount of time that soils remain disturbed. > Stabilize all disturbed soils as soon as possible following the completion of ground disturbing work. > Install erosion and sediment control BMPs prior to the start of any ground-disturbing activities. ■ Erosion and Sedimentation: <ul style="list-style-type: none"> > Preserve existing vegetation in areas where no construction activity is planned or where construction activity will occur at a later date. > Stabilize and re-vegetate disturbed areas as soon as possible after construction with planting, seeding, and/or mulch (e.g., straw or hay, erosion control blankets, hydromulch, or other similar material) except in actively cultivated areas. <u>Planting and seeding shall use native, non-invasive species.</u> > Install silt fences, coir rolls, and other suitable measures around the perimeter of the areas affected by construction and staging areas and around riparian buffers, storm drains, temporary stockpiles, spoil areas, stream channels, swales, down-slope of all exposed soil areas, and in other locations determined necessary to prevent off-site sedimentation. > Install temporary slope breakers during the rainy season on slopes greater than 5 percent where the base of the slope is less than 50 feet from a water body, wetland, or road crossing at spacing intervals required by the SFRWQCB. > Use filter fabric or other appropriate measures to prevent sediment from entering storm drain inlets. > Detain and treat stormwater using sedimentation basins, sediment traps, baker tanks, or other measures to ensure that discharges to receiving waters meet applicable water quality objectives. 	

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<ul style="list-style-type: none"> > Install check dams, where applicable, to reduce flow velocities. Check dams reduce erosion and allow sediment to settle out of runoff. > Install outlet protection/energy dissipation, where applicable, to prevent scour of the soil caused by concentrated high velocity flows. > Implement control measures such as spraying water or other dust palliatives to alleviate nuisance caused by dust. ■ Groundwater/Dewatering: <ul style="list-style-type: none"> > Prepare a dewatering plan prior to excavation specifying methods of water collection, transport, treatment, and discharge of all water produced by construction site dewatering. > Impound water produced by dewatering in sediment retention basins or other holding facilities to settle the solids and provide other treatment as necessary prior to discharge to receiving waters. Locate sedimentation basins and other retention and treatment facilities away from waterways to prevent sediment-laden water from reaching streams. > Control discharges of water produced by dewatering to prevent erosion. > If contaminated groundwater is encountered, contact the SFRWQCB for appropriate disposal options. Depending on the constituents of concern, such discharges may be disallowed altogether, or require regulation under a separate general or individual permit that would impose appropriate treatment requirements prior to discharge to the stormwater drainage system. ■ Tracking Controls: <ul style="list-style-type: none"> > Grade and stabilize construction site entrances and exits to prevent runoff from the site and to prevent erosion. > Install a tire washing facility at the site access to allow for tire washing when vehicles exit the site. > Remove any soil or sediment tracked off paved roads during construction by street sweeping. ■ Non-stormwater Controls: <ul style="list-style-type: none"> > Place drip pans under construction vehicles and all parked equipment. > Check construction equipment for leaks regularly. > Wash construction equipment in a designated enclosed area regularly. > Contain vehicle and equipment wash water for percolation or evaporative drying away from storm drain inlets. > Refuel vehicles and equipment away from receiving waters and storm drain inlets, contain the area to prevent run-on and run-off, and promptly cleanup spills. > Cover all storm drain inlets when paving or applying seals or similar materials to prevent the discharge of these materials. 	

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<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<ul style="list-style-type: none"> ■ Waste Management and Hazardous Materials Pollution Control: <ul style="list-style-type: none"> > Remove trash and construction debris from the project area daily. > Locate sanitary facilities a minimum of 300 feet from receiving waters. Maintain sanitary facilities regularly. > Store all hazardous materials in an area protected from rainfall and stormwater run-on and prevent the off-site discharge of hazardous materials. > Minimize the potential for contamination of receiving waters by maintaining spill containment and cleanup equipment on site, and by properly labeling and disposing of hazardous wastes. > Locate waste collection areas close to construction entrances and away from roadways, storm drains, and receiving waters. > Inspect dumpsters and other waste and debris containers regularly for leaks and remove and properly dispose of any hazardous materials and liquid wastes placed in these containers. > Train construction personnel in proper material delivery, handling, storage, cleanup, and disposal procedures. > Implement construction materials management BMPs for: <ul style="list-style-type: none"> > Road paving, surfacing and asphalt removal activities. > Handling and disposal of concrete and cement. ■ BMP Inspection, Maintenance, and Repair: <ul style="list-style-type: none"> > Inspect all BMPs on a regular basis to confirm proper installation and function. Inspect BMPs daily during storms. > Immediately repair or replace BMPs that have failed. Provide sufficient devices and materials (e.g., silt fence, coir rolls, erosion blankets, etc.) throughout project construction to enable immediate corrective action for failed BMPs. ■ Monitoring and Reporting: <ul style="list-style-type: none"> > Provide the required documentation for SWPPP inspections, maintenance, and repair requirements. Personnel that will perform monitoring and inspection activities shall be identified in the SWPPP. > Maintain written records of inspections, spills, BMP-related maintenance activities, corrective actions, and visual observations of off-site discharges of sediment or other pollutants, as required by the SFRWQCB. > Monitor the water quality of discharges from the site to assess the effectiveness of control measures. ■ Implement Shoreline Improvements and work over water BMPs to minimize the potential transport of sediment, debris, and construction materials to the Lower Bay during construction of shoreline improvements. 	

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<ul style="list-style-type: none"> ■ Post-construction BMPs: <ul style="list-style-type: none"> > Re-vegetate all temporarily disturbed areas as required after construction activities are completed. <u>Re-vegetation shall use native, non-invasive species.</u> > Remove any remaining construction debris and trash from the project site and area upon project completion. > Phase the removal of temporary BMPs as necessary to ensure stabilization of the site. > Maintain post-construction site conditions to avoid formation of unintended drainage channels, erosion, or areas of sedimentation. > Correct post-construction site conditions as necessary to comply with the SWPPP and any other pertinent SFRWQCB requirements. ■ Train construction site personnel on components of the SWPPP and BMP implementation. Train personnel that will perform inspection and monitoring activities. 	
		<p>MM HY-1a.3 Groundwater Dewatering Plan. Prior to commencement of construction activities and to minimize potential impacts to receiving water quality during the construction period, the Project Applicant shall through the proper implementation of this dewatering plan, show compliance with SFRWQCB/NPDES requirements, whichever are applicable.</p> <p>The Dewatering Plan shall specify how the water would be collected, contained, treated, monitored, and/or discharged to the vicinity drainage system or Lower Bay. Subject to the review and approval of the SFRWQCB, the Dewatering Plan shall include, at a minimum:</p> <ul style="list-style-type: none"> ■ Identification of methods for collecting and handling water on site for treatment prior to discharge, including locations and capacity of settling basins, infiltration basins (where not restricted by site conditions), treatment ponds, and/or holding tanks ■ Identification of methods for treating water on site prior to discharge, such as filtration, coagulation, sedimentation settlement areas, oil skimmers, pH adjustment, and other BMPs ■ Procedures and methods for maintaining and monitoring dewatering operations to ensure that no breach in the process occurs that could result in an exceedance of applicable water quality objectives ■ Identification of discharge locations and inclusion of details on how the discharge would be conducted to minimize erosion and scour ■ Identification of maximum discharge rates to prevent exceedance of storm drain system capacities ■ Additional requirements of the applicable General Permit or NPDES Permit/WDR (including effluent and discharge limitations and reporting and monitoring requirements, as applicable) shall be incorporated into the Dewatering Plan <p>Any exceedance of established narrative or numeric water quality objectives shall be reported to the SFRWQCB and corrective action taken as required by the SFRWQCB and the Dewatering Plan. Corrective action may include</p>	

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		<p>increased residence time in treatment features (e.g., longer holding time in settling basins) and/or incorporation of additional treatment measures (e.g., addition of sand filtration prior to discharge).</p> <p>MM HZ-1a, MM HZ-2a.1, MM HZ-5a, MM HZ-15, MM BI-4a.1, and MM BI-4a-2 would also apply to this impact.</p>	
...			
<p>Impact HY-12a Implementation of the Project at Candlestick Point would not place housing in a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.</p>	PS	<p>MM HY-12a.1 <i>Finished Grade Elevations Above Base Flood Elevation.</i> The Project site shall be graded such that finished floor elevations are 6.53.5 feet above the Base Flood Elevation (BFE), and streets and pads are 3 feet above BFE to allow for future sea level rise, thereby elevating all housing and structures above the existing and potential future flood hazard area. If the FIRM for San Francisco is not finalized prior to implementation of the Project, the Project Applicant shall work with the City Surveyor to revise the City's Interim Floodplain Map. If the FIRM for San Francisco is finalized prior to implementation of the Project, the Project Applicant shall request that the Office of the City Administrator (Floodplain Manager) request a Letter of Map Revision based on Fill (LOMR-F) from FEMA that places the Project outside SFHA and requires that the FIRM is updated by FEMA to reflect revised regulatory floodplain designations.</p> <p>MM HY-12a.2 <i>Shoreline Improvements for Future Sea-Level Rise.</i> Shoreline and public access improvements shall be designed to allow future increases in elevation <u>along the shoreline edge</u> to keep up with higher sea level rise values, should they occur. Design elements shall include providing adequate setbacks to allow for future elevation increases of at least 3 feet along the shoreline <u>from the existing elevation along the shoreline</u>. <u>Before the first Small Lot Final Map is approved, the Project Applicant must petition the appropriate governing body to form (or annex into if appropriate) and administer a special assessment district or other funding mechanism to finance and construct future improvements necessary to ensure that the shoreline, public facilities, and public access improvements will be protected should sea level rise exceed 16 inches at the perimeter of the Project. Prior to the sale of the first residential unit within the Project, the legislative body shall have acted upon the petition to include the property within the district boundary. The newly formed district shall also administer a Monitoring and Adaptive Management Plan to monitor sea level and implement and maintain the protective improvements.</u></p>	LTS/M
...			
<p>Impact HY-13b Implementation of the Project at HPS Phase II would not place structures within a 100-year flood hazard area or impede or redirect flood flows.</p>	PS	<p>MM HY-12a.2 would also apply to this impact. MM HY-13b Floodplain Development Permit. To reduce the impacts of placing structures in a 100-year flood hazard area that could impede or redirect flows, the Project Applicant shall implement that following measures:</p> <ul style="list-style-type: none"> ■ The Project Applicant shall obtain a Floodplain Development Permit from the Office of the City Administrator in accordance with the City's floodplain management ordinance that includes a hydraulic evaluation to determine whether structures or structural elements would impede or redirect flood flows and mandates minimum design and construction standards. Design and construction methods shall comply with NFIP requirements for placing structures in Zone V. ■ The Floodplain Development Permit shall include a "V Zone Certification" in accordance with the NFIP. As part of the certification, a professional engineer or architect shall consider the NFIP "Free of Obstruction" 	LTS/M

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
...		requirement, to ensure that floodwaters or waves would not be deflected into a building or adjacent structure.	
Impact HY-14 Implementation of the Project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam.	PS	MM HY-14 Shoreline Improvements to Reduce Flood Risk. To reduce the flood impacts of failure of existing shoreline protection structures , the Project Applicant shall implement shoreline improvements for flood control protection, as identified in the Candlestick Point/Hunters Point Development Project Proposed Shoreline Improvements report. <u>Where feasible, elements of living shorelines shall be incorporated into the shoreline protection improvement measures.</u> MM HY-11a.2 would also apply to this impact.	LTS/M
...			

SECTION III.N (BIOLOGICAL RESOURCES)

(Note: As mentioned in the introductory text, Project impacts for Impact BI-3a through Impact BI-21b are provided by Impact BI-22 through Impact BI-26)

Impact BI-4a Construction at Candlestick Point would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the <i>Clean Water Act</i> through direct removal, filling, hydrological interruption, or other means.	PS	MM BI-4a.1 Wetlands and Jurisdictional/Regulated Waters Mitigation for Temporary and/or Permanent Impacts. Wetlands and jurisdictional waters shall be avoided to the maximum extent practicable for all Project components. For example, any measures taken to improve the existing shoreline of Candlestick Point or HPS Phase II for purposes of flood control, erosion control, or repair or stabilization of existing structures shall minimize the amount of fill to be placed in jurisdictional areas. Where avoidance of existing wetlands and drainages is not feasible, and before any construction activities are initiated in jurisdictional areas, the Applicant shall obtain the following permits, as applicable to the activities in question: <ul style="list-style-type: none"> ■ CWA Section 404 permit from the USACE. ■ Section 10 <i>Rivers and Harbors Act</i> Permit from the USACE. ■ CWA Section 401 water quality certification from the RWQCB, and/or Report of Waste Discharge for Waters of the State. ■ CWA Section 402/National Pollution Discharge Elimination System permit from SWRCB [requiring preparation of a Stormwater Pollution Prevention Plan (SWPPP)]. ■ CDFG Section 1602 streambed alteration agreement from CDFG. ■ A permit from the BCDC. ■ Dredging permits from the USACE and BCDC as required, obtained through the Dredged Material Management Office (DMMO) process. 	LTS/M
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Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<p>Copies of these permits shall be provided to the contractor, along with the construction specifications. The Project Applicant shall be responsible for complying with all of the conditions set forth in these permits, including any financial responsibilities.</p> <p>Compensation for impacts to wetlands and jurisdictional waters shall be required to mitigate any permanent impacts to these habitats to less-than significant-levels. Such mitigation shall also be developed (separately from the CEQA process) as a part of the permitting process with the USACE, or for non-USACE-jurisdictional wetlands, during permitting through the SFRWQCB, BCDC, and/or CDFG. The exact mitigation ratio shall be established during the permitting process, and depends on a number of factors, including the type and value of the wetlands permanently affected by the Project; however, mitigation shall be provided at a ratio of no less than 1:1 (at least 1 acre of mitigation for every 1 acre of waters of the US/State permanently filled). Mitigation could be achieved through a combination of on-site restoration or creation of wetlands or aquatic habitats (including removal of on-site fill or structures such as piers, resulting in a gain of wetland or aquatic habitats); off-site restoration/creation; and/or mitigation credits purchased at mitigation banks within the San Francisco Bay Region. However, any mitigation for impacts to jurisdictional waters providing habitat for special-status fish such as the green sturgeon, Central California Coast steelhead, Chinook salmon, and longfin smelt must result in the restoration or creation (at a minimum 1:1 ratio) of suitable habitat for these species, and any mitigation for impacts to jurisdictional wetlands or other waters that are considered EFH by the NMFS must result in the restoration or creation (at a minimum 1:1 ratio) of EFH. Suitably planned mitigation sites may satisfy mitigation requirements for jurisdictional areas, special-status fish, and EFH simultaneously (i.e., in the same mitigation areas) if the mitigation satisfies all these needs.</p> <p>For funding of off-site improvements or purchase of mitigation bank credits, the Project Applicant shall provide written evidence to the City/Agency that either (a) compensation has been established through the purchase of a sufficient number of mitigation credits to satisfy the mitigation acreage requirements of the Project activity, or (b) funds sufficient for the restoration of the mitigation acreage requirements of the Project activity have been paid to the BCDC, CCC, or other entity or agency that offers mitigation credits in the San Francisco Bay Area.</p> <p>For areas to be restored, to mitigate for temporary or permanent impacts, the Project Applicant shall prepare and implement a Wetland and Jurisdictional Waters Mitigation Monitoring Plan (Mitigation Monitoring Plan). The Plan shall be submitted to the regulatory agencies along with permit application materials for approval, along with a copy to the City/Agency.</p> <p>The Project Applicant shall retain a restoration ecologist or wetland biologist to develop the Wetland and Jurisdictional Waters Mitigation and Monitoring Plan, and it shall contain the following components (or as otherwise modified by regulatory agency permitting conditions):</p> <ol style="list-style-type: none"> 1. Summary of habitat impacts and proposed mitigation ratios, along with a description of any other mitigation strategies used to achieve the overall mitigation ratios, such as funding of off-site improvements and/or purchase of mitigation bank credits 2. Goal of the restoration to achieve no net loss of habitat functions and values 	

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<p>3. Location of mitigation site(s) and description of existing site conditions</p> <p>4. Mitigation design:</p> <ul style="list-style-type: none"> ■ Existing and proposed site hydrology ■ Grading plan if appropriate, including bank stabilization or other site stabilization features ■ Soil amendments and other site preparation elements as appropriate ■ Planting plan ■ Irrigation and maintenance plan ■ Remedial measures/adaptive management, etc. <p>5. Monitoring plan (including final and performance criteria, monitoring methods, data analysis, reporting requirements, monitoring schedule, etc.)</p> <p>6. Contingency plan for mitigation elements that do not meet performance or final success criteria.</p> <p>Restoration and/or creation of wetlands or aquatic habitats could occur on site or off site and at one or more locations, as approved by the regulatory agencies. Impacts occurring due to activities on Candlestick Point may be mitigated by restoration or creation activities on HPS Phase II and vice versa. For example, loss of open water habitat that might result from construction of shoreline treatments could potentially be mitigated by the removal of fill or structures from aquatic habitat on HPS Phase II.</p> <p>The Project Applicant, or its agent, shall implement the Wetland and Jurisdictional Waters Mitigation Monitoring Plan. At least five years of monitoring (or more if required as a condition of the permits) shall be conducted to document whether the success criteria (that are determined as part of the mitigation plan) are achieved, and to identify any remedial actions that must be taken if the identified success criteria are not met. Annual monitoring reports (described below) shall be submitted to CDFG, the USACE, the BCDC, the City/Agency, and the SFRWQCB. Each report shall summarize data collected during the monitoring period, describe how the habitats are progressing in terms of the success criteria, and discuss any remedial actions performed. Additional reporting requirements imposed by permit conditions shall be incorporated into the Wetland and Jurisdictional Waters Mitigation Monitoring Plan and implemented.</p> <p>Success criteria for specified years of monitoring for vegetated mitigation wetlands are as follows (though these may be subject to change pending development of specific Mitigation and Monitoring Plans and consultation during the permit process):</p> <ul style="list-style-type: none"> ■ Year 1 after restored areas reach elevations suitable for colonization by wetland plants: 10 percent combined area and basal cover (rhizomatous turf) of all vegetation in the preserve wetland; at least two hydrophytic plants co-dominant with whatever other vegetative cover exists. ■ Year 3 after restored areas reach colonization elevation: 50 percent combined area and basal cover (rhizomatous turf) of all vegetation; prevalence of hydrophytic species in terms of both cover and dominant species composition of the vegetation; native vascular species shall comprise <u>40</u>95 percent of the vegetation in the preserve wetland. 	

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<ul style="list-style-type: none"> ■ Year 5 after restored areas reach colonization elevation: 70 percent combined area and basal cover (rhizomatous turf) of all vegetation; more than 50 percent dominance in terms of both cover and species composition of facultative (FAC), facultative wetland (FACW), and obligate (OBL) species; native vascular species shall comprise 6595 percent of the vegetation in the preserve wetlands. <p>Other success criteria shall be developed for open water/mud flat habitats (which would not be expected to support vegetation) or for wetland complexes specifically designed to contain extensive areas of channels, pannes, or flats that would not be vegetated. In addition, the final Project design shall avoid substantial adverse effects to the pre-Project hydrology, water quality, or water quantity in any wetland that is to be retained on site. This shall be accomplished by avoiding or repairing any disturbance to the hydrologic conditions supporting these wetlands, as verified through an on-site Wetland Protection Plan that shall be prepared by a restoration ecologist or wetland biologist that is retained by the Project Applicant, and submitted to regulatory agencies for approval, along with a copy to the City/Agency. If such indirect effects cannot be avoided, compensatory mitigation shall be provided for the indirectly affected wetlands at a minimum 1:1 ratio, as described above. Mitigation for indirectly impacted wetlands shall be described in the Wetland and Jurisdictional Waters Mitigation and Monitoring Plan.</p> <p>Project features resulting in impacts to open water areas as a result of the marina, bridge, and breakwater construction shall be designed to be the minimum size required to meet their designated need. The opening in the breakwater shall be large enough and positioned such that it would allow for a complete daily exchange of water within the marina that would otherwise result from normal tidal flow, as determined by a coastal engineer and an aquatic biologist. This opening shall be designed to minimize disruption to the local hydrology generated by the breakwater and allow for normal tidal flow to ensure the daily exchange of nutrients.</p> <p>MM BI-4a.2 Wetlands and Jurisdictional/Regulated Waters Impact Minimization for Construction-Related Impacts. The Project Applicant shall ensure that the contractor minimizes indirect construction-related impacts on wetlands and jurisdictional/regulated waters throughout the Study Area by implementing the following Best Management Practices (BMPs):</p> <ul style="list-style-type: none"> ■ Prior to any construction activities on the site, a protective fence shall be installed a minimum of one foot (or greater, if feasible) from the edge of all wetland habitat to be avoided in the immediate vicinity of the proposed construction areas. Prior to initiation of construction activities, a qualified biologist shall inspect the protective fencing to ensure that all wetland features have been appropriately protected. No encroachment into fenced areas shall be permitted during construction and the fence shall remain in place until all construction activities within 50 feet of the protected feature have been completed. ■ Construction inspectors shall routinely inspect protected areas to ensure that protective measures remain in place and effective until all construction activities near the protected resource have been completed. The fencing shall be removed immediately following construction activities. ■ To maintain hydrologic connections, the Project design shall include culverts for all seasonal and perennial drainages that are waters of the United States and/or Waters of the State. 	

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<ul style="list-style-type: none"> ■ Sediment mitigation measures shall be in place prior to the onset of Project construction and shall be monitored and maintained until construction activities have been completed. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be disposed of at a regional landfill or at another approved and/or properly permitted location. Stockpiles that are to remain on the site throughout the wet season shall be protected to prevent erosion. ■ Where determined necessary by regulatory agencies, geotextile cushions and other appropriate materials (i.e., timber pads, prefabricated equipment pads, geotextile fabric) shall be used in saturated conditions to minimize damage to the substrate and vegetation. ■ Exposed slopes and banks shall be stabilized immediately following completion of construction activities to reduce the effects of erosion on the drainage system. ■ In highly erodible areas, such as Yosemite Slough, banks shall be stabilized using a non-vegetative material that shall bind the soil initially and break down within a few years. If, during review of the grading permit for this area, the City/Agency determines that more aggressive erosion control treatments are needed, the contractor shall be directed to use geotextile mats, excelsior blankets, or other soil stabilization products. ■ The contractors shall develop a Storm Water Pollution Prevention Plan (SWPPP) prior to construction. As discussed in the Regulatory Framework of the Hydrology and Water Quality section of this EIR, the SWPPP will comply with applicable local, state, and federal requirements. Erosion control BMPs may include, but are not limited to, the application of straw mulch; seeding with fast growing grasses; construction of berms, silt fences, hay bale dikes, stormwater detention basins, and other energy dissipaters. BMPs shall be selected and implemented to ensure that contaminants are prevented from entering the San Francisco Bay during construction and operation of the facilities shall protect water quality and the marine species in accordance with all regulatory standards and requirements. ■ Testing and disposal of any dredged sediment shall be conducted as required by the USACE and the Long-Term Management Strategy (LTMS)² ■ <u>All temporarily impacted wetlands and other jurisdictional waters, whether in tidal or non-tidal areas, shall be restored to pre-construction contours following construction. Such impact areas include areas that are dewatered (e.g., using coffer dams) and/or used for construction access. Temporarily impacted wetlands that were vegetated prior to construction shall be revegetated in accordance with a Wetlands and Jurisdictional Water Mitigation and Monitoring Plan as described above.</u> ■ For impacts to tidal habitats: <ul style="list-style-type: none"> > Conduct all work in dewatered work areas > Install sediment curtains around the worksite to minimize sediment transport > Work only during periods of slack, tide (minimal current) and low wind to minimize transport of sediment laden water 	

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>...</p> <p>Impact BI-5b Construction at HPS Phase II and construction of the Yosemite Slough bridge would not have a substantial adverse effect on eelgrass beds, a sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFG or USFWS.</p>	<p>PS</p>	<p>MM BI-5b.1 <i>Avoidance of Impacts to Eelgrass.</i> As the design of shoreline treatments progresses, and a specific Shoreline Treatment Plan is determined, the Plan shall minimize any in-water construction required for installation of any treatment measures near either of the two eelgrass locations noted above. If in-water work is completely avoided within 750 feet of these areas, there would be no impact and no further mitigation would be required. If complete avoidance of work within 750 feet of these areas is not feasible, measure MM BI-5b.2 shall be implemented.</p> <p>MM BI-5b.2 <i>Eelgrass Survey.</i> If avoidance of work within 750 feet of two known eelgrass locations is not feasible <u>Prior to the initiation of construction of the Yosemite Slough bridge or construction of shoreline treatments,</u> an update to the existing eelgrass mapping shall be conducted to determine the precise locations of the eelgrass beds. <u>For the shoreline treatments,</u> This survey shall occur when a final Shoreline Treatment Plan has been prepared. The survey shall be conducted by a biologist(s) familiar with eelgrass identification and ecology and approved by NMFS to conduct such a survey. The area to be surveyed shall encompass the mapped eelgrass beds, plus a buffer of 750 feet <u>around any in-water construction areas on Hunters Point or associated with the Yosemite Slough bridge.</u> Survey methods shall employ either SCUBA or sufficient grab samples to ensure that the bottom was adequately inventoried. The survey shall occur between August and October and collect data on eelgrass distribution, density, and depth of occurrence for the survey areas. The edges of the eelgrass beds shall be mapped. At the conclusion of the survey a report shall be prepared documenting the survey methods, results, and eelgrass distribution within the survey area. This report shall be submitted to NMFS for approval. The survey data shall feed back into the shoreline treatment design process so that Project engineers can redesign the treatments to avoid or minimize any direct impacts to eelgrass beds.</p> <p>If the shoreline treatments can be adjusted so that no direct impacts to eelgrass beds would occur, no further mitigation under this measure would be required <u>for shoreline treatment construction.</u> Management of water quality concerns is addressed through mitigation measure MM BI-5b.4 and shall be required to minimize sediment accumulation on the eelgrass. If direct impacts to eelgrass beds cannot be avoided, <u>either by Hunters Point shoreline treatments or Yosemite Slough bridge construction,</u> mitigation measure MM BI-5b.3 shall be implemented.</p> <p>MM BI-5b.3 <i>Compensatory Eelgrass Mitigation.</i> If direct impacts to eelgrass beds cannot be avoided, compensatory mitigation shall be provided in conformance with the Southern California Eelgrass Mitigation Policy. Mitigation shall entail the replacement of impacted eelgrass at a 3:1 (mitigation:impact) ratio on an acreage basis, based on the eelgrass mapping described in mitigation measure MM BI-5b.2 and detailed designs of the feature(s) that would impact eelgrass beds. Such mitigation could occur either off site or on site. Off-site mitigation could be achieved through distribution of a sufficient amount of funding to allow restoration or enhancement of eelgrass beds at another location in the Bay. If this option is selected, all funds shall be distributed to the appropriate state or federal agency or restoration-focused non-governmental agency (i.e., CDFG restoration fund, California Coastal Conservancy, Save the Bay, etc.). The Project Applicant shall provide written evidence to the City/Agency</p>	<p>LTS/M</p>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<p>that either a) compensation has been established through the purchase of a sufficient number of mitigation credits to satisfy the mitigation acreage requirements of the Project activity, or b) funds sufficient for the restoration of the mitigation acreage requirements of the Project activity have been paid. These funds shall be applied only to eelgrass restoration within the Bay.</p> <p>If on-site mitigation is selected as the appropriate option, the Project Applicant shall retain a qualified biologist familiar with eelgrass ecology (as approved by the City/Agency) to prepare and implement a detailed Eelgrass Mitigation Plan. Unless otherwise directed by NMFS, the Eelgrass Mitigation Plan shall follow the basic outline and contain all the components required of the Southern California Eelgrass Mitigation Policy (as revised in 2005), including: identification of the mitigation need, site, transplant methodology, mitigation extent (typically 3:1 on an acreage basis), monitoring protocols (including frequency, staffing, reviewing agencies, duration, etc.), and success criteria. A draft Eelgrass Mitigation Plan shall be submitted to NMFS, for its review and approval prior to implementation, with a copy to the City/Agency. Once the plan has been approved, it shall be implemented in the following appropriate season for transplantation. Restored eelgrass beds shall be monitored for success over a 5-year period.</p> <p>MM BI-5b.4 Eelgrass Water Quality BMPs. To prevent sediment that could be suspended during construction from settling out onto eelgrass, for any shoreline treatments within 750 feet of identified eelgrass beds, the Project Applicant shall require the selected contractor to implement appropriate BMPs that could include any or all of the following options, or others deemed appropriate by NMFS:</p> <ol style="list-style-type: none"> 1. Conduct all work in dewatered work areas 2. Conduct all in-water work during periods of eelgrass dormancy (November 1-March 31) 3. Install sediment curtains around the worksite to minimize sediment transport 4. Work only during periods of slack tide (minimal current) and low wind to minimize transport of sediment laden water 	
<p>...</p> <p>Impact BI-9b Pile driving associated with construction of the marina and the Yosemite Slough bridge would not have a substantial adverse effect at HPS Phase II, either directly or through habitat modifications, on marine mammals or fish identified as a candidate, sensitive, or special-status species in local or regional plans,</p>	<p>PS</p>	<p>MM BI-9b Pile Driving Design and Minimization Measures. To minimize impacts on fish and marine mammals, the Project Applicant shall be implemented the following measure to reduce the amount of pressure waves generated by pile driving. The first set of measures shall be implemented during Project design. The second set of measures shall be implemented during construction.</p> <p>Design Measures:</p> <ol style="list-style-type: none"> 1. Engineer structures to use fewer or smaller piles, where feasible, and preferably, solid piles. 2. Design structures that can be installed in a short period of time (i.e., during periods of slack tide when fish movements are lower). 3. <u>Do not use unsheathed creosote-soaked wood pilings.</u> 	<p>LTS/M</p>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<p>policies, or regulations, or by the CDFG or USFWS.</p>		<p>The City/Agency, with consultation from a qualified biologist who is familiar with marine biology, as approved by the City/Agency, shall review the final Project design to ensure that these design requirements have been incorporated into the Project.</p> <p>Construction Measures:</p> <ol style="list-style-type: none"> 1. Drive piles with a vibratory device instead of an impact hammer if feasible. 2. Restrict pile driving of steel piles to the June 1 to November 30 work window, or as otherwise recommended by NMFS (driving of concrete piles would not be subject to this condition). 3. <u>Avoid installation of any piles during the Pacific herring spawning season of December through February. Consult with the CDFG regarding actual spawning times if pile installation occurs between October and April.</u> 34. If steel piles must be driven with an impact hammer, an air curtain shall be installed to disrupt sound wave propagation, or the area around the piles being driven shall be dewatered using a cofferdam. The goal of either measure is to disrupt the sound wave as it moves from water into air. 45. If an air curtain is used, a qualified biologist shall monitor pile driving to ensure that the air curtain is functioning properly and Project-generated sound waves do not exceed the threshold of 180-decibels generating 1 micropascal (as established by NMFS guidelines). This shall require monitoring of in-water sound waves during pile driving. 56. Unless the area around the piles is dewatered during pile driving, a qualified biologist shall be present during pile driving of steel piles to monitor the work area for marine mammals. Driving of steel piles shall cease if a marine mammal approaches within 250 feet of the work area or until the animal leaves the work area of its own accord. 	
<p>...</p> <p>Impact BI-11c Construction of the Yosemite Slough bridge would not have a substantial adverse effect on designated critical habitat for green sturgeon and Central California Coast steelhead through permanent and temporary impacts to aquatic and mudflat foraging habitat and would not result in impacts to individuals of these species. <u>Chinook salmon, or longfin smelt through disturbance or loss of</u></p>	<p>PS</p>	<p>MM BI 4a.1 and MM BI 4a.2 would apply to this impact.</p>	<p>LTS/M</p>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
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aquatic and mudflat habitat as a result of construction of shoreline revetments.

...

SECTION III.O (PUBLIC SERVICES)

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<p>Impact PS-2 Implementation of the Project would not result in a need for new or physically altered facilities beyond those included as part of this Project in order to maintain acceptable service ratios, response times, or other performance objectives for police protection.</p>	<p>Varies</p>	<p>Refer to Section III.D (Transportation and Circulation), Section III.H (Air Quality), Section III.I (Noise), Section III.J (Cultural Resources) Section III.K (Hazards and Hazardous Materials), and Section III.M (Hydrology and Water Quality) for the specific significance conclusions and mitigation measures for construction related effects.</p>	<p>Varies</p>
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<p>Impact PS-4 Implementation of the Project would not result in a need for new or physically altered facilities beyond those included as part of this Project in order to maintain acceptable response times for fire protection and emergency medical services.</p>	<p>Varies</p>	<p>Refer to Section III.D (Transportation and Circulation), Section III.H (Air Quality), Section III.I (Noise), Section III.J (Cultural Resources) Section III.K (Hazards and Hazardous Materials), and Section III.M (Hydrology and Water Quality) for the specific significance conclusions and mitigation measures for construction related effects.</p>	<p>Varies</p>
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SECTION III.P (RECREATION)

<p>Impact RE-1 Construction of the parks, recreational uses, and open space proposed by the Project would not result in substantial adverse physical environmental impacts beyond those analyzed and disclosed in this EIR.</p>	<p>Varies</p>	<p>Refer to Section III.D (Transportation and Circulation), Section III.H (Air Quality), Section III.I (Noise), Section III.J (Cultural Resources and Paleontological Resources) Section III.K (Hazards and Hazardous Materials), and Section III.M (Hydrology and Water Quality) for the specific significance conclusions and mitigation measures for construction related effects.</p>	<p>Varies</p>
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Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures [Revised]

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
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<p>...</p> <p>Impact RE-3 Implementation of the Project would decrease the size of CPSRA but would not, overall, <u>have an adversely effect</u> on the recreational opportunities offered by that park, nor would it substantially adversely affect windsurfing opportunities at the Project site.</p>	<p>LTS</p>	<p>No mitigation is required.</p>	<p>LTS</p>
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SECTION III.Q (UTILITIES)

<p>...</p> <p>Impact UT-2 Implementation of the Project would not require or result in the construction of new or expanded water treatment facilities. The Project would require the expansion of an auxiliary water conveyance system to provide adequate water supply for firefighting to the Project site.</p>	<p>PS</p>	<p>MM UT-2 Auxiliary Water Supply System. Prior to issuance of occupancy permits, as part of the Infrastructure Plan to be approved, the Project Applicant shall construct an Auxiliary Water Supply System (AWSS) loop within Candlestick Point to connect to the <u>City's</u> planned extension of the off-site system off-site on Gilman Street from Ingalls Street to Candlestick Point. The Project Applicant shall construct an additional AWSS loop on HPS Phase II to connect to the existing system at Earl Street and Innes Avenue and at Palou and Griffith Avenues, with looped service along Spear Avenue/Crisp Road.</p>	<p>LTS/M</p>
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NI = No Impact
 LTS = Less than Significant
 LTS/M = Less than Significant with Mitigation
 PS = Potentially Significant
 S = Significant
 SU = Significant and Unavoidable
 SU/M = Significant and Unavoidable with Mitigation

Following page ES-125, new Table ES-2a (Mitigation Measure Applicability Matrix) is inserted. For readability, the entries are not underlined.

[NOTE: This table is inserted to provide additional information as to the applicability of all mitigation measures identified for the Project, Variants, and Alternatives.]

Table ES-2a Mitigation Measure Applicability Matrix [New]												
<i>Mitigation Measure</i>	<i>Project</i>	<i>Variant 1</i>	<i>Variant 2</i>	<i>Variant 2A</i>	<i>Variant 3</i>	<i>Variant 4</i>	<i>Variant 5</i>	<i>Alternative 2</i>	<i>Alternative 3</i>	<i>Alternative 4</i>	<i>Subalternative 4A</i>	<i>Alternative 5</i>
MM TR-1	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-2	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-4	•	•	•	•	•	•	•	•	n/a	•	•	•
MM TR-6	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-7	•	•	•	•	•	•	•	•	•	n/a	n/a	•
MM TR-8	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-16	•	•	•	•	•	•	•	•	n/a	•	•	•
MM TR-17	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-21.1	•	•	•	•	•	•	•	•	n/a	•	•	•
MM TR-21.2	•	•	•	•	•	•	•	•	n/a	•	•	•
MM TR-22.1	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-22.2	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-23.1	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-23.2	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-24.1	•	•	•	•	•	•	•	•	n/a	n/a	n/a	•
MM TR-24.2	•	•	•	•	•	•	•	•	n/a	n/a	n/a	•
MM TR-25	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-26.1	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-26.2	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-27.1	•	•	•	•	•	•	•	•	n/a	n/a	n/a	•
MM TR-27.2	•	•	•	•	•	•	•	•	n/a	n/a	n/a	•
MM TR-32	•	•	•	•	•	•	•	•	•	•	•	•

Table ES-2a Mitigation Measure Applicability Matrix [New]												
Mitigation Measure	Project	Variant 1	Variant 2	Variant 2A	Variant 3	Variant 4	Variant 5	Alternative 2	Alternative 3	Alternative 4	Subalternative 4A	Alternative 5
MM TR-38	n/a	n/a	n/a	n/a	•	•	•	•	n/a	n/a	•	n/a
MM TR-39	n/a	n/a	n/a	n/a	•	•	•	•	n/a	n/a	•	n/a
MM TR-46	n/a	n/a	n/a	n/a	•	•	•	•	n/a	n/a	•	n/a
MM TR-47	n/a	n/a	n/a	n/a	•	•	•	•	n/a	n/a	•	n/a
MM TR-51	•	•	•	•	•	•	•	•	•	•	•	•
MM AE-2	•	•	•	•	•	•	•	•	•	•	•	•
MM AE-7a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM AE-7a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM AE-7a.3	•	•	•	•	•	•	•	•	•	•	•	•
MM AE-7a.4	•	•	•	•	•	•	•	•	•	•	•	•
MM AE-7b.1	•	n/a	n/a	n/a	•	•	•	•	n/a	n/a	•	n/a
MM AE-7b.2	•	n/a	n/a	n/a	•	•	•	•	n/a	n/a	•	n/a
MM W-1a	•	•	•	•	•	•	•	•	•	•	•	•
MM AQ-2.1	•	•	•	•	•	•	•	•	•	•	•	•
MM AQ-2.2	•	•	•	•	•	•	•	•	•	•	•	•
MM AQ-6.1	•	•	•	•	•	•	•	•	•	•	•	•
MM AQ-6.2	•	•	•	•	•	•	•	•	•	•	•	•
MM NO-1a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM NO-1a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM NO-2a	•	•	•	•	•	•	•	•	•	•	•	•
MM NO-7.1	•	n/a	n/a	n/a	•	•	•	•	n/a	n/a	•	n/a
MM CP-1b.1	•	•	•	•	•	•	•	•	•	n/a	n/a	•
MM CP-1b.2	•	•	•	•	•	•	•	•	•	n/a	n/a	•
MM CP-2a	•	•	•	•	•	•	•	•	•	•	•	•
MM CP-3a	•	•	•	•	•	•	•	•	•	•	•	•

Table ES-2a Mitigation Measure Applicability Matrix [New]												
Mitigation Measure	Project	Variant 1	Variant 2	Variant 2A	Variant 3	Variant 4	Variant 5	Alternative 2	Alternative 3	Alternative 4	Subalternative 4A	Alternative 5
MM HZ-1a	•	•	•	•	•	•	•	•	•	•	•	•
MM HZ-1b	•	•	•	•	•	•	•	•	•	•	•	•
MM HZ-2a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM HZ-2a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM HZ-5a	•	•	•	•	•	•	•	•	•	•	•	•
MM HZ-9	•	•	•	•	•	•	•	n/a	•	n/a	•	n/a
MM HZ-10b	•	•	•	•	•	•	•	•	•	•	•	•
MM HZ-12	•	•	•	•	•	•	•	•	•	•	•	•
MM HZ-15	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-2a	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-3	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-4a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-4a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-4a.3	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-5a	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-6a	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-10a	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-11a	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-1a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-1a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-6a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-6a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-6b.1	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-6b.2	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-6b.3	•	•	•	•	•	•	•	•	•	n/a	•	•

Table ES-2a Mitigation Measure Applicability Matrix [New]												
Mitigation Measure	Project	Variant 1	Variant 2	Variant 2A	Variant 3	Variant 4	Variant 5	Alternative 2	Alternative 3	Alternative 4	Subalternative 4A	Alternative 5
MM HY-12a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-12a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-14	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-4a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-4a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-4c	•	•	•	•	•	•	•	n/a	•	n/a	•	n/a
MM BI-5b.1	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-5b.2	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-5b.3	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-5b.4	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-6a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-6a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-6b	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-7b	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-9b	•	•	•	•	•	•	•	•	•	n/a	•	•
MM BI-12a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-12a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-12b.1	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-12b.2	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-14a	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-18b.1	•	•	•	•	•	•	•	•	•	n/a	•	•
MM BI-18b.2	•	•	•	•	•	•	•	•	•	n/a	•	•
MM BI-19b.1	•	•	•	•	•	•	•	•	•	n/a	•	•
MM BI-19b.2	•	•	•	•	•	•	•	•	•	n/a	•	•
MM BI-20a.1	•	•	•	•	•	•	•	•	•	•	•	•

Table ES-2a Mitigation Measure Applicability Matrix [New]												
Mitigation Measure	Project	Variant 1	Variant 2	Variant 2A	Variant 3	Variant 4	Variant 5	Alternative 2	Alternative 3	Alternative 4	Subalternative 4A	Alternative 5
MM PS-1	•	•	•	•	•	•	•	•	•	•	•	•
MM RE-2	•	•	•	•	•	•	•	•	•	•	•	•
MM UT-2	•	•	•	•	•	•	•	•	•	•	•	•
MM UT-3a	•	•	•	•	•	•	•	•	•	•	•	•
MM UT-5a	•	•	•	•	•	•	•	•	•	•	•	•
MM UT-7a	•	•	•	•	•	•	•	•	•	•	•	•
MM GC-1	•	•	•	•	•	•	•	•	•	•	•	•
MM GC-2	•	•	•	•	•	•	•	•	•	•	•	•
MM GC-3	•	•	•	•	•	•	•	•	•	•	•	•
MM GC-4	•	•	•	•	•	•	•	•	•	•	•	•

SOURCE: PBS&J, 2010.

“•” indicates that the mitigation measure is applicable; “n/a” indicates that the mitigation measure is not applicable.

F.2 Changes to Chapter I (Introduction)

Page I-5, before “Proposition G”

Proposition P (approved by the voters of San Francisco on November 7, 2000) called upon the Navy to remediate HPS to the highest levels practical to ensure flexible reuse of the property. The Board of Supervisors subsequently passed Resolution 634-01, adopting Proposition P as official City policy and urging the Navy and USEPA to take actions to implement Proposition P. The Resolution (1) recognizes that the unrestricted cleanup standard called for in Proposition P identifies a cleanup level acceptable to the community; (2) urges the Navy and FFA regulatory agencies not to rely on barriers to protect future occupants and the public from exposure to pollution, unless other remedies are technically infeasible, and (3) urges the Navy to clean up the Shipyard in a manner fully consistent with the Reuse Plan and with remedies that do not make implementation of the Reuse Plan economically infeasible.

Proposition P states a desired result that the Navy and regulators achieve in carrying out the cleanup of the Shipyard. Proposition P and the subsequent Board resolution are not directly applicable to the Project because the Navy cleanup, and decisions made by the regulators about the cleanup, is not part of the Project. Adoption and implementation of the Project would not be inconsistent with, and would not change, the City's stated desire that the Navy clean up HPS in a manner that allows flexible reuse, does not rely on barriers to protect the public from exposure unless other remedies are technically infeasible, is consistent with the Reuse Plan and does not render the Reuse Plan economically infeasible to implement. Proposition P is a general statement of policy and addresses the type of clean-up remedy that the Navy should select and the regulators should approve for HPS. The ROD for a parcel sets forth the selected remedy. Under the early transfers envisioned at the Shipyard, all radiological cleanup will be completed and RODs issued. The Navy already has issued RODs for Parcels B, D-1, UC-1, UC-2, and G. Further, the Navy already has conducted substantial remediation. Thus, by the time the Navy offers parcels being considered for early transfer to the Agency (with concurrence of USEPA and the Governor of California) the remedy already will have been selected and significant remediation completed. In the case of the first early transfer being considered—for Parcels B and G, the Navy also will have prepared (and the regulators will have approved) the remedial design documents.

Page I-9, first full paragraph

The Agency and the City held two public scoping meetings for the EIR, on September 17, 2007, and September 25, 2007. The scoping meetings provided the public and affected governmental agencies with an opportunity to present environmental concerns regarding the Project. Agencies or interested persons that did not respond during the NOP public review period or the Scoping Meetings will have an opportunity to comment during the public review period for the EIR, as well as at scheduled hearings on the Project. The NOP, and the NOP comment letters, and scoping meeting minutes are included in Appendix A4.

Page I-10, second paragraph

Following publication of the Draft EIR, there ~~will be~~ was a public review and comment period to solicit public comment on the information presented in the Draft EIR. The public review period ~~is~~ was originally scheduled from November 12, 2009, through December 28, 2009. Additionally, the Agency Commission

and the Planning Commission ~~will hold~~ held public hearings on this Draft EIR. The first Agency Commission hearing ~~will be~~ was held on December 15, 2009, in Room 416. At the conclusion of that hearing, a second Agency Commission hearing was scheduled for January 5, 2010. In addition, the Agency Commission voted to extend the comment period to January 12, 2010. The Planning Commission hearing ~~will be~~ was held on December 17, 2009, in Room 400 and the Planning Commission concurred with the Agency Commission's decision to extend the comment period to January 12, 2010. Both hearing rooms are located in City Hall, Dr. Carlton B. Goodlett Place, beginning at 1:30 P.M. or later (call (415) 588-6422 the week of the hearing for a recorded message giving a more specific time).

Page I-12, fourth bullet

- **Chapter IV (Project Variants)**—This chapter describes ~~five~~ six variants to the Project. These variants are also evaluated at a project-level in this chapter as follows:
 - > Variant 1: San Francisco 49ers move outside the project area (no football stadium constructed at HPS Phase II)—Research and Development Variant
 - > Variant 2: San Francisco 49ers move outside the project area (no football stadium constructed at HPS Phase II)—Housing Variant
 - > Variant 2A: San Francisco 49ers move outside the Project area (no football stadium constructed at HPS Phase II)—Housing/R&D Variant
 - > Variant 3 (Tower Variants ~~3a~~ 3A, ~~3b~~ 3B, C, and ~~3c~~ 3D): Three-Four Candlestick Point tower variants would have the same land use program and overall description as with the Project, but would have different locations, massings, and heights for residential towers at Candlestick Point
 - > Variant 4: A utilities variant would include an automated solid waste collection system, decentralized wastewater treatment, and district energy
 - > Variant 5: Shared stadium where both the San Francisco 49ers and Oakland Raiders would play at the stadium at HPS Phase II

Page I-12, last bullet

- **Chapter VI (Alternatives)**—This chapter analyzes alternatives to the Project, including the required No Project Alternative, compares their environmental effects to those of the Project, and identifies the environmentally superior alternative. Alternatives evaluated in this chapter include the following:
 - > Alternative 1: No Project
 - > Alternative 2: CP-HPS Phase II Development Plan, HPS Phase II Stadium, State Parks Agreement, and without the Yosemite Slough Bridge
 - > Alternative 3: Reduced CP-HPS Phase II Development, San Francisco 49ers Stay at Existing Candlestick Park Stadium, with Limited State Parks Agreement, and Yosemite Slough Bridge Serving Only Transit, Bicycles, and Pedestrians
 - > Alternative 4: Reduced CP-HPS Phase II Development, Historic Preservation, No HPS Phase II Stadium, Marina, or Yosemite Slough Bridge
 - Subalternative 4A: CP-HPS Phase II Development Plan with Historic Preservation
 - > Alternative 5: Reduced CP-HPS Phase II Development, No HPS Phase II Stadium, No State Parks Agreement, and Without the Yosemite Slough Bridge

F.3 Changes to Chapter II (Project Description)

Page II-1, in Table II-1 (Project Site Area), the note has been revised

[NOTE: This table has been revised at the request of City/ Agency staff to correct a typographical error.]

Table II-1 Project Site Areas [Revised]	
Development Area	Acres
Candlestick Point	281
Hunters Point Shipyard Phase II	421
Total	702

SOURCE: Lennar Urban, 2009.

Candlestick Point includes the approximately 120.2-acre Candlestick Point State Recreation Area.

Page II-2, Figure II-1 (Project Location) has been revised

[NOTE: The figure has been revised to correct the Project Site boundaries to include Alice Griffith and Harney Way.]

Page II-3, Figure II-2 (Project Site and Context) has been revised

[NOTE: The figure has been revised to indicate the boundaries of the CPSRA and of Area C, and to clarify the boundaries of HPS Phase I.]

Page II-12, Figure II-5 (Proposed Maximum Building Heights) has been revised

[NOTE: The figure has been revised to identify major roadways.]

Figure II-1 Project Location [Revised]

Figure II-2 Project Site and Context [Revised]

Figure II-5 Proposed Maximum Building Heights [Revised]

Page II-13, second bullet

- **Regional Retail:** A regional retail center of up to 635,000 gross square feet (gsf) is proposed on Candlestick Point. Retailers could include a variety of general merchandise, apparel, furniture and home furnishings, food service and restaurants, and entertainment related businesses to serve the regional market. ~~Commercial-Community~~ services may also be allowed on sites designated for regional retail uses.

Page II-14, third bullet

- **Artists' Studios/Arts Center:** Up to 225,000 gsf of artists' studios and accessory neighborhood retail is proposed on Hunters Point Shipyard and 30,000 gsf would be dedicated for the construction of an arts center.

Page II-17, fifth paragraph

Development on HPS Phase II would include demolition and replacement of studios for approximately 300 artists. In addition, all of the vacant, and some leased, Navy buildings would be demolished, with the exception of historic Drydocks Nos. 2 and 3 and Buildings 140, 204, 205, ~~and 207,~~ and 208, as discussed in Section III.J (Cultural and Paleontological Resources).

Page II-24, fifth paragraph

... Table II-7 (Candlestick Point Proposed State Parks Reconfiguration) presents the proposed acreage of the areas proposed to be added to or removed from the Park, as ~~required-identified~~ by Senate Bill 792 (SB 792). ...

Page II-26, Figure II-8 (Existing and Approved Parks and Open Space) has been revised

[NOTE: The figure has been revised to add "Approved" to Hillside Open Space; and to expand the Gilman Park and Bayview Hill Park Open Space boundaries.]

Page II-27, Figure II-9 (Proposed Parks and Open Space) has been revised

[NOTE: The figure has been revised to show the Bay Trail in the preferred alignment along the Yosemite Slough shoreline. The figure has also been revised to add "Approved" to Hillside Parks & Open Space; and to expand the boundaries of Gilman Park and Bayview Hill Park Open Space.]

Figure II-8 Existing and Approved Parks and Open Space [Revised]

Figure II-9 Proposed Parks and Open Space [Revised]

Page II-28, first paragraph

... Prior to construction of park improvements, the California Department of Parks and Recreation (CDPR) must undertake a ~~community~~ public planning process and complete an update to the general plan.

Page II-28, second paragraph

Consistent with the current CPSRA General Plan and the CDPR mission, after Project development, the CPSRA would primarily contain areas of passive uses and minimal formal landscaping. The portion of the park that is currently undeveloped or used for Candlestick Park stadium parking would be substantially improved as part of the Project to enhance overall park aesthetics and landscape ecology; reconnect visitors to the bay shoreline; and provide direct access to the bay for swimming, fishing, kayaking, and windsurfing. Proposed Project improvements include revegetation and landscaping, shoreline restoration and stabilization, infrastructure improvements (such as trails, pathways, and visitor facilities), a biofiltration pond to cleanse stormwater, the provision of habitat and opportunities for environmental education, 'Eco-Gardens,' and salt-marsh restoration. ...

Page II-29, Figure II-10 (Proposed CPSRA Reconfiguration) has been revised

[NOTE: The figure has been revised to add "Approved" to Hillside Parks & Open Space; and to expand the boundaries of Gilman Park and Bayview Hill Park Open Space.]

Figure II-10 Proposed CPSRA Reconfiguration [Revised]

Page II-31, second and third bullets

- Hillside Parks and Open Space within the Project site. The hillside parks and open space include the eastern ‘tail’ of Bayview Park and other hillside areas below Jamestown Road. ~~The steeper areas will be maintained in a more natural state., while the flatter portion of Bayview Hill may be further developed as a neighborhood serving park space. The steeper areas and the flatter portion of Bayview Hill would be maintained in a more natural state.~~
- Yosemite Slough. While not located within the Project site ~~except for the mouth of the Slough, where the proposed bridge would be located,~~ the Yosemite Slough is located directly adjacent to the Project site and is planned for restoration by the California State Parks and the California State Parks Foundation. The restoration will focus on providing new wetland habitat and environmental education opportunities. The proposed Yosemite Slough bridge would cross a small portion of the CPSRA on the southern side of the slough and pass along the edge of the eastern boundary of the CPSRA on the north side.

Page II-33, third full paragraph

... The following ecological enhancement measure would be implemented in open space areas outside the CPSRA. At the CPSRA, ecological enhancements would be identified during the CDPR ~~community~~-public planning process and CPSRA general plan update described above and could include the enlisted measures or other measures ...

Page II-37, Figure II-12 (Proposed Roadway Improvements) has been revised

[NOTE: The figure has been revised to clarify the two separate proposed projects at the new US-101 interchange. The labels have been revised from US-101/Harney Way Interchange Improvements to Candlestick Point Interchange Improvements/US-101 Auxiliary Lanes, and Geneva Avenue Extension has been changed to proposed Geneva Avenue Extension (pending City of Brisbane approval).]

Figure II-12 Proposed Roadway Improvements [Revised]

Page II-38, Item 5

5. **Yosemite Slough Bridge.** A new Yosemite Slough bridge would extend Arelious Walker Drive from Candlestick Point to Hunters Point Shipyard. The 81-foot-wide, seven-lane bridge would cross the slough at its narrowest point and would primarily function for transit, bicycle, and pedestrian use. Figure II-12 illustrates the bridge location. The bridge and its approach streets would have two dedicated 11-foot-wide BRT lanes and a separate 12-foot-wide Class I bicycle and pedestrian facility, which would be open at all times. The bridge would also have a 40-foot-wide greenway, which would be converted to four peak direction auto travel lanes on 49ers game days only. Those four lanes would be open on game days to vehicle traffic in the peak direction of travel. The roadway would be planted with grass and would serve as an open space amenity on all non-game days. Two-foot-tall barriers would separate the BRT lanes from the bicycle/pedestrian plaza and the vehicle lanes. The greenway would be designed to function as a stormwater treatment control facility for the auto travel lanes. Runoff from the BRT lanes would also be routed to the greenway and/or to land-based stormwater treatment facilities, in accordance with the City's requirements for stormwater treatment.

Page II-39, first paragraph

The 81-foot-wide span across Yosemite Slough would be approximately 902 feet long with abutments on the north and south ends connecting the bridge to land. Eight piers, with two columns each, would support the bridge. The columns of the three southernmost piers would rest on bedrock. Ten sets of steel piles would be driven to support the columns of the five piers to the north. Section II.F.2 (Site Preparation) provides additional information regarding bridge construction. The bridge footings on either side of Yosemite Slough would require removal of portions of parkland from the CPSRA (red hatched areas). On the north side of the slough, this would result in 0.8 acre, and on the south side of the slough it would be part of 2.6 acres, that would be reconfigured. The bridge footings on the north side of the slough are located at the eastern edge of the park boundary. On the south end of the slough, the area removed for bridge footings would impinge approximately 300 feet or less (270 feet) through the CPSRA. On the south side, the bridge would extend Arelious Walker Drive through a portion of the CPSRA.

Page II-40, Figure II-13 (Proposed Transit Improvements) has been revised

[NOTE: The figure has been revised to delete Phase I Improvements from the legend, and rename Phase II Improvements to Bus Rapid Transit. The labels have been revised from Geneva Avenue Extension to proposed Geneva Avenue Extension (pending City of Brisbane approval).]

Figure II-13 Proposed Transit Improvements [Revised]

Page II-41, Item E

- E. **Palou Avenue Transit Preferential Street.** One Muni line (24-Divisadero) would be extended along Palou Avenue to serve Hunters Point Shipyard Transit Center. Transit priority technology would be installed on Palou Avenue including installation of new traffic signals. This would improve transit travel times and reliability on the 24-Divisadero and also the 23-Monterey and ~~54-Felton 44-O'Shaughnessy~~, which would continue to operate on Palou Avenue ~~but would not be extended into the Project.~~

Page II-50, first full paragraph

It is anticipated that the Project would be constructed over time beginning in ~~2010~~2011, with full build-out by ~~2029~~2031, which represents an approximately ~~19~~20-year construction period. Figure II-16 (Proposed Site Preparation Schedule) illustrates the site preparation sequence that precedes building construction. Figure II-17 (Proposed Building and Parks Construction Schedule) illustrates the building construction sequence.

Page II-50, third full paragraph

Demolition of existing structures within the Project site would occur from 2011 to ~~2024~~2028 ~~on Candlestick Point~~ and from 2010 through 2016 ~~on HPS Phase II~~. As the majority of development would occur on HPS Phase II during the first phase by ~~2017~~2019, most demolition would initially occur in that area of the Project site. ...

Page II-51, Figure II-16 (Proposed Site Preparation Schedule) has been revised

[NOTE: The figure has been revised to indicate that site preparation activities will commence 1 to 2 years later than originally planned.]

Page II-52, Figure II-17 (Proposed Building and Parks Construction Schedule) has been revised

*[NOTE: The figure has been revised to indicate that building construction activities will commence 1 to 2 years later than originally planned. The note * Dates Subject to Change has been added.]*

Figure II-16 Proposed Site Preparation Schedule [Revised]

Figure II-17 Proposed Building and Parks Construction Schedule [Revised]

Page II-54, first full paragraph

The estimate of earthwork grading requirements for Candlestick Point was based on a profile along the edge of development, which allows for overland flow and piped storm drainage flow. All earthwork is assumed to be used on site for Project grading and for grading improvements to the State Park land, or is exported to HPS Phase II. Hunters Point Shipyard soil shall not be used for grading adjustments within CPSRA. ...

Page II-55, first paragraph

Construction of Yosemite Slough bridge would include: radiological excavations along the boundary of Parcel E to clear the HPS Phase II bridge approach from radiological restrictions; bridge and revetment construction; and construction of the streets leading to the bridge. ... The construction of footings and piers would require cofferdams for access to those specific sites. The bridge footings on either side of Yosemite Slough would require removal of portions of parkland from the CPSRA (red hatched areas). On the north side of the slough, this would result in 0.8 acre, and on the south side of the slough it would be part of 2.6 acres, that would be reconfigured. The bridge footings on the north side of the slough are located at the eastern edge of the park boundary. On the south end of the slough, the area removed for bridge footings would impinge approximately 300 feet or less (270 feet) through the CPSRA. On the south side, the bridge would extend Arelious Walker Drive through a portion of the CPSRA. Construction materials would be transported to the construction area from the South bay or by barge from the East bay. ...

Page II-55, a new last sentence to the fourth paragraph

... several locations. The creation or expansion of beaches or tidal habitat will be determined during the public general plan process for the CPSRA.

Page II-58, Table II-13 (Summary of Shoreline Improvements at the Project Site) has been revised

[NOTE: This table has been revised at the request of City/Agency staff to correct a typographical error.]

Table II-13 Summary of Shoreline Improvements at the Project Site [Revised]														
Parcel or Area	Location	Proposed Use	Proposed Shoreline Improvements										Estimated Change in Shoreline Location (feet)^d	
			Repairs					Modifications						
			Deck	Piles	Walls	Riprap	Remove	Remove Portion	Slope Top of Wall	New Buttress	Sandy Beach	Tidal Habitat		
...	Berth 37 to 42	Wildlife Habitat							X					0
	Natural Edge/Riprap	Grasslands Ecology Park											X	-3.0 +3.0
E2	Natural Edge/Riprap	Grasslands Ecology Park											X	-3.0 +3.0

d. These numbers represent an average estimated change in the shoreline at the specified location. A positive number indicates an increase in the shoreline (bay fill); and a negative number indicates a decrease in the shoreline (creation of bay).

Page II-78, last paragraph

Building construction at Candlestick Point would coincide with completion of the utilities and roadways for each district. Building construction would begin in the Alice Griffith district ~~followed by Candlestick Center, Candlestick North, and then Candlestick South districts.~~ The second major phase of development would construct the Candlestick North district. Development of CP Center District and the Harney Way improvements would occur in Phase 3, and, finally, CP South and major shoreline improvements would be completed in Phase 4. Development in Candlestick Point would begin in 2012 and would conclude in ~~2029~~2031.

Page II-79, Table II-15 (Building Construction Completion Dates) has been revised. For readability, the new data are shown without underline, and deleted numbers are not shown.

[NOTE: This table is included to provide the reader with a comparison of the revised development schedule compared to the original schedule described in the Draft EIR.]

Table II-15 Building Construction Completion Dates [Revised]							
Use	Development Area	Completion Year				Subtotal	Total
		2019	2023	2027	2032		
Residential Units	CP	1,000	1,515	2,505	2,830	7,850	10,500
	HPS	2,160	490	—	—	2,650	
Regional Retail (gsf)	CP	—	635,000	—	—	635,000	635,000
	HPS	—	—	—	—	—	
Neighborhood Retail (gsf)	CP	—	35,000	90,000	—	125,000	250,000
	HPS	84,000	41,000	—	—	125,000	
Office (gsf)	CP	—	150,000	—	—	150,000	150,000
	HPS	—	—	—	—	—	
Hotel (gsf)	CP	—	150,000	—	—	150,000	150,000
	HPS	—	—	—	—	—	
R&D (gsf)	CP	—	—	—	—	—	2,500,000
	HPS	583,000	842,000	1,075,000	—	2,500,000	
Community Services (gsf)	CP	—	50,000	—	—	50,000	100,000
	HPS	38,000	—	—	12,000	50,000	
Performance Venue (gsf/seats)	CP	—	10,000	—	—	10,000	10,000
Stadium (Seats)	HPS	69,000	—	—	—	69,000	69,000

SOURCE: Lennar Urban, 2010.

Page II-79, first paragraph following Table II-15

At Hunters Point Shipyard, new development would begin with the construction of the 49ers stadium, scheduled for completion during the 2014–2017 time period. Hunters Point North residential development and the mixed-use, neighborhood retail and residential development at Hunters Point Village Central District would begin in the first Major Phase during 2011–2015 and is planned for completion by

~~2017~~2023. Build-out of the Shipyard Research and Development Park is planned by ~~2017~~2027. ~~The mixed-use, neighborhood retail and residential development at Hunters Point Village Center district would be completed in 2021.~~

Page II-80, first paragraph

Construction activities in Candlestick Point would occur from ~~2014~~2012 through ~~2028~~2031.³⁹ ~~Off-site roadway, utility, and shoreline improvements would be constructed during years 2013 through 2021 beginning in 2013 and would align with vertical development.~~ The number of construction workers on the site on any given day would vary from a low of ~~40~~70 during the final stages of vertical development to a maximum of ~~180~~328 workers during the peak years of development. The number of truck trips on any given day would vary from a low of ~~4~~8 truck trips to a maximum of ~~152~~296 during site preparation at Alice Griffith. The number of on-site equipment would be about ~~60~~68 pieces during the height of construction activity.

Page II-80, second paragraph

Construction activities in HPS Phase II would occur from ~~2010~~2011 through ~~2023~~2031.⁴⁰ ~~Off-site roadway, utility, and shoreline improvements would be constructed during years 2011 through 2016 beginning in 2013 and would align with vertical development.~~ The number of construction workers on the site on any given day would vary from a low of ~~4~~15 workers during the final stage of ~~shoreline improvements~~ vertical development to a maximum of ~~50~~455 workers during the peak years of development. The number of truck trips on any given day would vary from a low of 4 to 8 trucks trips to a maximum of ~~51~~288 truck trips, primarily during the peak year of grading and infrastructure development. The number of on-site equipment would be about ~~130~~65 pieces during the height of construction activity.

Pages II-80 to II-82, Table II-16 (Major Project Approvals) has been revised

[NOTE: This table has been revised in response to comments and as requested by staff to include additional information on Project approvals.]

Table II-16	Major Project Approvals [Revised]
...	
Redevelopment Agency Commission	
...	
■	Approves Reports to the Board of Supervisors on the amendments to Redevelopment Plans
...	
■	Approves land transfer agreements with Port Commission, State Lands Commission, and <u>California Department of Parks and Recreation (CDPR)</u>
...	
...	
Bay Conservation and Development Commission	
■	Approves amendments of the Bay Plan and Seaport Plan
■	Approves permits for activities within BCDC's jurisdiction, including the proposed Yosemite Slough bridge
■	<u>Reviews Project land use plan for federal consistency under the Coastal Zone Management Act for activities not previously authorized in Consistency Determination No. CN 1-99</u>
...	

Table II-16 Major Project Approvals [Revised]

US Army Corps of Engineers

- Approves permit for fill related to the Yosemite Slough bridge, shoreline improvements, and other activities-
- Consults with USFWS or NMFS regarding federally listed species prior to carrying out its discretionary authority under Section 404 of the CWA, pursuant to Section 7 of federal ESA
- Consults with NMFS regarding pile-driving and harbor seal and California sea lion prior to carrying out its discretionary authority under Section 404 of the CWA, pursuant to *Marine Mammal Protection Act*
- Consults with NMFS regarding modifying designated EFH prior to carrying out its discretionary authority under Section 404 of the CWA, pursuant to the *Magnuson-Stevens Act*

...

Page II-83, last paragraph

~~**Streetscape Plan.** The Streetscape Plan describes street types (e.g., Residential Streets, Commercial Streets, Parkways, Transit Priority Streets), and the pedestrian, bicycle, and transit amenities proposed for each type. Design guidelines for amenities including street furnishings, plantings, lighting, and special pavement treatments at crosswalks would be included.~~

Page II-84, third paragraph

In addition, construction employees would also be needed to construct the Project. The number of construction employees would vary depending upon the phase of construction, but would range from ~~6083~~ workers at the commencement of construction activities to approximately ~~500617~~ workers during ~~20162015~~, the most labor-intensive phases of construction. ...

F.4 Changes to Section III.A (Introduction to the Analysis)

Page III.A-5, first full paragraph

This EIR evaluates the direct, indirect, and cumulative impacts resulting from planning, construction, and operation of the Project, including impacts that occur on site or off site. Since publication of the Draft EIR, the development was revised to begin one to two years later, with the completion of building construction in 2031 (rather than 2029) and full occupancy by 2032. Appendices A1 through A5 provide substantiation that the change in phasing does not alter the conclusions of this EIR.

Page III.A-7, beginning with the first paragraph after the bulleted list

- Visitacion Valley/Schlage Lock

A comprehensive list of all related projects included in background growth assumptions for the traffic, air quality, and noise analyses can be found in the Traffic Report, which is included as Appendix D (Transportation Study) to this EIR. For other issue areas, the Yosemite Slough Restoration Project was also included as a related project.

Page III.A-8, Figure III.A-1 (Cumulative Development in the Project Vicinity) has been revised

[NOTE: The figure has been revised to add Yosemite Slough Restoration Project.]

Figure III.A-1 Cumulative Development in the Project Vicinity [Revised]

F.5 Changes to Section III.B (Land Use and Plans)

Page III.B-2, last paragraph

... Other uses in the Baylands include building supply businesses, lumberyards, the Kinder Morgan Energy tank farm, and the Bayshore Sanitary ~~water~~ Sewer pump station. ...

Page III.B-3, Figure III.B-1 (Existing Land Use) has been revised

[NOTE: The figure has been revised to switch the label colors between Residential and Commercial/Industrial.]

Figure III.B-1 Existing Land Use [Revised]

Page III.B-10, first paragraph

Project Consistency: The Project includes both trust consistent and trust inconsistent uses; they will be distributed consistent with the final Trust map approved in Senate Bill 792. A trust exchange agreement will be approved as part of the Project consistent with the final Trust map. Negotiations with the CSLC are ongoing.

Pages III.B-10 and -11, beginning with last partial paragraph

The Facilities Element lists the following types of recreational uses for the park: trails (hiking, jogging, and bicycling), group picnic areas, family picnic areas, group campgrounds, fishing piers, wind surfing facilities, a sand beach, a quiet area in the southeastern point, scenic overlooks, and a cultural program center. Maritime facilities proposed in the CPSRA General Plan include a non-powered boat/wind surfing rental facility; a boating center for boat classes and education; a boat access facility that includes a four-lane launching ramp; a ~~200~~²⁵¹-space parking area for car-boat trailers; a boat service station; and a ferry landing. A family dinner restaurant and family picnic rest stop are proposed for the Last Port area to the west of Hermit's Cove, off Harney Way.

The facilities and land uses called for in the current CPSRA General Plan have only been partly realized. Current uses in the park include hiking, limited bicycling, day use picnicking, group picnicking, jogging, nature viewing, three sand beaches, undeveloped windsurfing, two piers used by fishermen, and three restroom buildings. The park also includes a park staff/maintenance facility, ~~440~~²⁷⁵ parking spaces for the developed portion of the park and a community garden. However, substantial portions (73 acres) of the park remain undeveloped (refer to Section III.P [Recreation]). Of this, approximately 40 acres of the park are used for parking for football games and other events at Candlestick Park.

Page III.B-12, fourth paragraph

Pursuant to SB 792, no CPSRA General Plan Amendment is required for the reconfiguration of the recreation area. However, before new facilities would be developed, a CPSRA General Plan Amendment would be required to reflect the boundary changes and the proposed new uses that would be located on park lands removed from the park following the reconfiguration. The proposed improvements described in Draft EIR Section III.P (Recreation) will be reviewed by the CDPR as an option for the development of CPSRA. ...

Page III.B-13, the following paragraph is inserted prior to the last paragraph on the page

The Bay Plan also includes design policies related to waterfront development so as to enhance the visual quality of development around the Bay. Design policies that are applicable to the proposed Project are set forth in Section III.E (Aesthetics). The proposed Project is a high-quality urban development that integrates substantial open space, pedestrian pathways, and shoreline improvements and would redevelop an underutilized, primarily vacant, or deteriorated site. The Bay Plan indicates that "uses such as parking lots and industrial structures, which neither visually complement the Bay nor take advantage of a waterfront location, should be phased out or upgraded by normal market forces." The Project has been designed to preserve view corridors. The Project would connect the existing street grid in an orientation that would allow an uninterrupted view toward the Bay from numerous area streets. Project towers have been situated

in zones that would allow the provision of view corridors. Numerous open space areas and waterfront pedestrian pathways would provide expansive viewing opportunities as well. Buildings and structures have been designed to be complementary to the surroundings. Parking structures are not proposed for shoreline areas. The proposed bridge would be low in height and would connect two urban areas, relating to the adjacent developed and to-be-redeveloped land uses. The proposed bridge would provide unique viewing opportunities that are not currently available. The bridge would not substantially obstruct views of the Bay or affect the visual dominance of the hills around the Bay. The Project has been developed in conformance with the BCDC's Public Access Design Guidelines. Therefore, the Project would be consistent with the design policies of the Bay Plan.

Page III.B-15, first full paragraph

The Project is consistent with the intent of the Bay Plan as it relates to the Candlestick Point area. The Project would provide park improvements, and on-going funding for park operation and maintenance. The ultimate configuration of improvements to various areas of the CPSRA would be determined by the ~~CPDR~~CDPR but the Project would not preclude a water trail camping site or fishing, windsurfing, hiking and viewing opportunities. The inclusion of the Yosemite Slough bridge would not conflict with the Bay Plan's policy regarding additional bridges over the Bay, which aims to preserve the visual impact of the large expanse of the Bay. Expansive views of the Bay would remain from numerous vantage points, even with inclusion of the bridge over the neck of the slough.

Page III.B-18, Figure III.B-3 (Existing San Francisco Bay Trail Route) has been revised

[NOTE: The figure has been revised to include Bay Area Water Trail access points in the Project vicinity; and to show the Bay Trail in the preferred alignment along the Yosemite Slough shoreline.]

Figure III.B-3 Existing San Francisco Bay Trail Route [Revised]

Page III.B-33, first paragraph after “Analytic Method”

The analysis compares land use conditions at full build-out of the Project against the existing land use environment, on the ground, as of the date of publication of the NOP. The Project would be built out by the year ~~2029~~2031, with full occupancy occurring in ~~2030~~2032. Changes in land use character at Project build-out are described and assessed according to the significance criteria listed above.

Page III.B-34, second full paragraph

... Pedestrian access to the CPSRA and the San Francisco Bay from surrounding land uses is limited. ...

Page III.B-35, new paragraph following second full paragraph

There are five blocks with privately owned parcels on Candlestick Point that the Applicant seeks to acquire for the development, including one on Jamestown Avenue (currently vacant) in the Jamestown District and four contiguous blocks (currently vacant or developed with an RV park) in the Candlestick Point North District. If these private parcels are not acquired by the Applicant, they would be permitted under the BVHP Redevelopment Plan and the Planning Code to develop via an Owner Participation Agreement (OPA) in a manner that is consistent with the BVHP Redevelopment Plan or would be allowed to operate as an existing non-conforming use. For those parcels that are currently developed, or for any of the parcels if they develop via an OPA, that development would be included in the overall total development that would occur on the Project site. The total amount of development would not change; that is, the Applicant’s development on the remaining portion of the site plus any development under separate OPAs as envisioned under the Project would result in the same overall development level as proposed by the Applicant.

Page III.B-38, last paragraph

The Project would be inconsistent with the *San Francisco Zoning Code’s* “Public” or “P” designation for Candlestick Point. ... Similarly, the zoning inconsistencies related to the widening of Harney Way and the Walker-Crisp road connection do not ~~implicate~~ relate to designations that protect the environment. If the Applicant is unable to acquire any or all of the privately owned parcels on Candlestick Point, the private parcels would be permitted under the BVHP Redevelopment Plan and the Planning Code to develop via an Owner Participation Agreement (OPA) in a manner that is consistent with the BVHP Redevelopment Plan, or would be allowed to operate as an existing non-conforming use. Thus, the Project’s inconsistency with the P zoning is not considered a significant environmental impact.

Page III.B-41, first full paragraph

The geographic context for evaluation of cumulative impacts associated with land use changes ... including the India Basin Shoreline Plan, the Executive Park project, HPS Phase I, Jamestown, and Hunters View. In addition, the Yosemite Slough Restoration Project, which has been approved and would add approximately 12 acres of wetlands to the tidally influenced area of Yosemite Slough, is considered in this cumulative context. Future conditions would also account for land use changes expected through implementation of the Bayview Hunters Point Redevelopment Plan.

F.6 Changes to Section III.C (Population, Housing, and Employment)

Page III.C-11, first paragraph under “Analytic Method”

The analysis compares the population, housing, and employment that would result from implementation of the Project to existing conditions, which is defined as conditions in 2005. The 2005 data are used to represent baseline conditions because 2005 data are the most current data consistently available for the Project site across all population, employment, and housing indices. Table III.C-6 (Project Housing Units and Population) through Table III.C-8 (Project Construction Employment) provide the projected population, housing, and employment characteristics of the Project. The population, housing, and employment that would result from implementation of the Project are also compared against 2030 projections, either the latest year for which projections have been formulated or the closest year to Project build-out for projections which extend in 5-year increments beyond 2030.

Page III.C-13, Table III.C-8 (Project Construction Employment) has been revised. For readability, the new data are shown without underline, and deleted numbers are not shown.

[NOTE: This table has been updated to reflect the construction employment as a result of the revised development schedule.]

Table III.C-8 Project Construction Employment [Revised]						
Year	Candlestick Point		HPS Phase II		Combined	
	Max. Number of Daily Workers	Avg. Number of Daily Workers	Max. Number of Daily Workers	Avg. Number of Daily Workers	Max. Number of Daily Workers	Avg. Number of Daily Workers
2011	0	0	95	76	95	76
2012	0	0	83	66	83	66
2013	93	74	130	104	223	178
2014	158	126	205	152	363	278
2015	163	130	455	364	617	494
2016	163	130	446	358	609	488
2017	163	130	278	227	440	357
2018	176	139	280	227	456	366
2019	218	174	253	202	470	376
2020	218	174	243	194	460	368
2021	115	92	143	114	258	206
2022	255	203	189	152	443	355
2023	285	228	149	120	434	348
2024	235	187	60	48	295	235
2025	208	166	56	46	264	212
2026	155	133	123	102	278	235
2027	162	129	73	58	235	187
2028	282	225	38	30	320	255
2029	328	262	20	16	348	278

Table III.C-8 Project Construction Employment [Revised]

Year	Candlestick Point		HPS Phase II		Combined	
	Max. Number of Daily Workers	Avg. Number of Daily Workers	Max. Number of Daily Workers	Avg. Number of Daily Workers	Max. Number of Daily Workers	Avg. Number of Daily Workers
2030	163	130	33	26	195	156
2031	70	56	15	12	85	68

SOURCE: MACTEC, 2010.

a. Construction employment includes on-site construction, off-site roadway improvements, field management, and shoreline improvements.

Page III.C-14, first paragraph after Impact PH-1

There would be direct, but temporary, construction job growth at the Project site as a result of the Project. ... Peak construction employment would occur in ~~2016 and 2017~~2029 for Candlestick Point, with an average of ~~144~~262 and a maximum of ~~169~~328 workers on site in ~~2016 and an average of 136 and a maximum of 172 workers on site in 2017~~2029. Peak construction employment for HPS Phase II would occur in ~~2015 and 2016~~. During ~~this time~~2015, an average of ~~275~~364 workers and a maximum of ~~342~~455 construction workers would be employed at HPS Phase II in ~~2015, and an average of 269 and maximum of 335 construction workers during 2016. A maximum of 504 construction workers would be expected to be working at the Project site at any given point during the construction period.~~

Page III.C-14, last paragraph

As shown in Table III.C-6, the Project would develop approximately 10,500 housing units, of which 7,850 (approximately 75 percent) would be at Candlestick Point. Based on an average household size of 2.3 persons per unit and full occupancy of all units, population at Candlestick Point would be approximately 18,290 residents at full ~~build-out occupancy in 2030~~2032. ... In total, the population at Candlestick Point would represent approximately 2.0 percent of the citywide population of 916,800 in 2030, while employment would represent 0.5 percent of the 748,100 jobs in 2030.

Page III.C-18, first full paragraph

Direct population growth at HPS Phase II would include the residents and employees who would occupy the new homes and businesses developed at this site. As shown in Table III.C-6, 2,650 housing units (approximately 25 percent of the Project total) would be at HPS Phase II. The population at HPS Phase II would be approximately 6,175 residents at full ~~build-out occupancy in 2030~~2032. ... In total, the population at HPS Phase II would represent approximately 0.7 percent of the citywide population of 916,800 in 2030, while employment would represent 1.0 percent of the 748,100 jobs in 2030.

Page III.C-24, third full paragraph

Development at the Project site would provide 10,730 permanent jobs by ~~2030~~2032 (along with temporary construction-related jobs). ... The Project's contribution of 10,730 permanent jobs would represent 0.3 percent of the anticipated increase in regional employment through 2030 (the closest year to Project build-out for which employment projections have been prepared). ...

F.7 Changes to Section III.D (Transportation and Circulation)

Page III.D-4, last paragraph

Bayshore Boulevard is a north/south arterial that generally parallels US-101. Bayshore Boulevard has two to three travel lanes in each direction, separated by a median. ...

Page III.D-8, seventh paragraph

Tunnel Avenue is a two-way north/south roadway that extends south of Bayshore Boulevard and merges into Bayshore Boulevard at Old County Road. The roadway has one lane in each direction with sidewalks and unrestricted on-street parking on both sides of the street north of Sierra Point Lumber. On-street parking is prohibited on Tunnel Avenue south of Sierra Point Lumber. Tunnel Avenue provides access to Bayshore Caltrain Station and to the US-101 ramps at Alana/Beatty. Tunnel Avenue is part of Bicycle Route #905.

Page III.D-19, seventh paragraph, fifth line

... At various locations, the Bay Trail consists of paved multi-use paths, dirt trails, and in some cases, bike lanes; and sidewalks; or city streets signed as bike routes. ...

Page III.D-27, under "State"

~~There are no state transportation regulations applicable to the Project.~~The San Francisco Bay Plan was prepared by the San Francisco Bay Conservation and Development Commission (BCDC) pursuant to the McAteer-Petris Act of 1965 which established the Commission as a temporary agency to prepare an enforceable plan to guide the future protection and use of San Francisco Bay and its shoreline. The Bay Plan contains the following transportation policies that are relevant to the Project:

- Transportation Policy 1: Because of the continuing vulnerability of the Bay to filling for transportation projects, the Commission should continue to take an active role in Bay Area regional transportation and related land use planning affecting the Bay, particularly to encourage alternative methods of transportation and land use planning efforts that support transit and that do not require fill. The Metropolitan Transportation Commission, the California Department of Transportation, the California Transportation Commission, the Federal Highway Administration, county congestion management agencies and other public and private transportation authorities should avoid planning or funding roads that would require fill in the Bay and certain waterways.
- Transportation Policy 2: If any additional bridge is proposed across the Bay, adequate research and testing should determine whether feasible alternative route, transportation mode or operational improvement could overcome the particular congestion problem without placing an additional route in the Bay and, if not, whether a tunnel beneath the Bay is a feasible alternative.
- Transportation Policy 3: If a route must be located across the Bay or a certain waterway, the following provisions should apply:
 - a. The crossing should be placed on a bridge or in a tunnel, not on solid fill.
 - b. Bridges should provide adequate clearance for vessels that normally navigate the waterway beneath the bridge.

- c. Toll plazas, service yards, or similar facilities should not be located on new fill and should be located far enough from the Bay shoreline to provide adequate space for maximum feasible public access along the shoreline.
- d. To reduce the need for future Bay crossings, any new Bay crossing should be designed to move the largest number of travelers possible by employing technology and operations that increase the efficiency and capacity of the infrastructure, accommodating non-motorized transportation and, where feasible, providing public transit facilities.
- Transportation Policy 4: Transportation projects on the Bay shoreline and bridges over the Bay or certain waterways should include pedestrian and bicycle paths that will either be a part of the Bay Trail or connect the Bay Trail with other regional and community trails. Transportation projects should be designed to maintain and enhance visual and physical access to the Bay and along the Bay shoreline.
- Transportation Policy 5: Ferry terminals should be sited at locations that are near navigable channels, would not rapidly fill with sediment and would not significantly impact tidal marshes, tidal flats or other valuable wildlife habitat. Wherever possible, terminals should be located near higher density, mixed-use development served by public transit. Terminal parking facilities should be set back from the shoreline to allow for public access and enjoyment of the Bay.

Page III.D-36, second bullet

- **Geneva Avenue/Harney Way Extension**— ... The lead agency for this Project is the City of Brisbane, with the Caltrans Project Study Report (PSR) expected to be completed in ~~early~~ 2010.

Page III.D-36, third bullet

- **New US-101 Interchange at Geneva/Harney**—In conjunction with the extension of Geneva Avenue east, the existing Harney Way interchange ~~would~~ is proposed to be redesigned as a typical diamond interchange, subject to review and approval by Caltrans. ...

At the time the analysis was completed, the Geneva Avenue/Harney Way crossing of US-101 ~~would~~ was proposed to have six lanes eastbound (three left-turn lanes and three through lanes) and six lanes westbound (three left-turn lanes and three through lanes), for a total of twelve lanes (refer to Appendix L of the Transportation Study). ...

Page III.D-51, Figure III.D-10 (Project Bicycle Network and Bay Trail Improvements) has been revised

[NOTE: The figure has been revised to show the improvements to Gilman Avenue are proposed to be a Class III bicycle route rather than a Class II route.]

Figure III.D-10 Project Bicycle Network and Bay Trail Improvements [Revised]

Page III.D-61, third paragraph

The geographic distribution of spectators was obtained from information provided by the San Francisco 49ers on their season ticket holders. Since the vast majority of football spectators are season ticket holders, the pattern can be expected to be representative of travel patterns by both season, as well as non-season, ticket holders. The information obtained from the 49ers indicates that approximately 40 percent of the season ticket holders reside in the South Bay (including all of San Mateo County), 16 percent in the East Bay, 14 percent within San Francisco, and 10 percent in the North Bay counties. The remaining 20 percent reside in locations outside the Bay Area such as the Central Valley and Sacramento.

Page III.D-66, Table III.D-9 (Additional Muni Transit Vehicle Requirements—2030 Conditions Weekday AM and PM Peak Periods) has been revised

[NOTE: This table has been revised to reflect modifications in transit mitigation measures requested by City/ Agency staff.]

Table III.D-9 Additional Muni Transit Vehicle Requirements—2030 Conditions Weekday AM and PM Peak Periods [Revised]				
Route	Project Requirement		2030 No Project Needs	
	AM	PM	AM	PM
9-San Bruno	1	1	5	7
23-Monterey	0	0	1	1
24-Divisadero	4 ₂	3 ₂	1	0
28L-19 th Avenue/Geneva Limited	1	1	1	1
29-Sunset	4 ₂	3 ₄	1	0
44-O'Shaughnessy	2 ₁	2 ₃	3	4
48-Quintara-24 th Street	4 ₀	0 ₁	1	1
54-Felton 2	0	1	1	1
T-Third	0	1	2	1
Total	7	4₂¹⁴	16	16

SOURCE: Fehr & Peers

Page III.D-67, first, second, and third paragraphs after Impact TR-1

Build-out of the Project would occur over a 20-year period between ~~2010~~2011 and ~~2029~~2031. Initial construction activities would include demolition of existing structures, utility relocation and site clearance and grading at Hunters Point Shipyard to make the land available for the new stadium. ...

Construction of the Project would occur in several phases. The duration of each phase would vary, depending on the type of development (e.g., residential, retail, office) and the amount of building space included in each phase. The majority of development would occur and be occupied by the end of the second phase, which has a scheduled completion date of ~~2021~~2023. The majority of the roadway network improvements would occur by ~~2017~~2019 (Phase I), and most transit improvements would be phased in by ~~2021~~2023 (within Phase I and Phase II). ...

During construction of the Project phases, building activities would generate traffic volumes from construction workers, truck deliveries of supplies and construction equipment, and the hauling of soils during Project grading and excavation. The peak phases of construction activities would occur between ~~2012~~2013 and ~~2016~~2018, when grading and infrastructure improvements would be ongoing at both Candlestick Point and Hunters Point Shipyard. During this phase, there would be between ~~50~~130 and ~~180~~460 construction workers that would be on site on a daily basis, and between ~~140~~70 and ~~570~~540 construction truck trips that would travel to and from the site on a daily basis. ... Shoreline improvements at both Hunters Point Shipyard and Candlestick Point would peak in ~~2016~~ and 2017, and would require an additional ~~40~~45 to 50 construction workers on site.

Pages III.D-69 to -70, mitigation measure MM TR-1

MM TR-1 Candlestick Point–Hunters Point Shipyard Phase II Construction Traffic Management Program. ...

Preparation of the Construction Management Program shall be the responsibility of the Project Applicant, and shall be reviewed and approved by SFMTA and DPW prior to initiation of construction. The Project Applicant shall update the program prior to approval of development plans for Phase ~~II~~2, Phase ~~III~~3, and Phase ~~IV~~4 of construction to reflect any change to Project development schedule, reflect transportation network changes, to update status of other development construction activities, and to reflect any changes to City requirements.

Pages III.D-79 to -80, Table III.D-12 (Intersection LOS Existing, 2030 No Project and Project Conditions—Sunday PM Peak Hour) has been revised

[NOTE: The changes to Table III.D-12 represent typographical corrections and do not indicate new impacts at any intersection. All of the impacts were correctly reported in the Draft EIR. In particular, these typographical corrections do not indicate a new Project impact at the intersections of Bayshore/ Visitacion or Alana/ Beatty.]

Table III.D-12 Intersection LOS Existing, 2030 No Project and Project Conditions—Sunday PM Peak Hour [Revised]

Intersection	Existing		2030 No Project		2030 Project	
	Delay ^a	LOS ^b	Delay	LOS	Delay	LOS
...						
21 Bayshore Blvd/Bacon St	13	B	63 0.5717	EB	58 0.7031	EC
22 Bayshore Blvd/Arleta St	12	B	4756	BD	3049	CD
23 Bayshore Blvd/Leland Ave	24	C	5441	D	4938	D
24 Bayshore Blvd/Visitacion Ave	18	B	41 64/0.98	DE	38 70/1.03	DE
25 Bayshore Blvd/Sunnydale Ave	15	B	64 0.9855	ED	70 1.0355	ED
26 Tunnel Ave/Blanken	19	B	5530	DC	5551	D
27 Alana/Beatty (US-101 SB Ramps) ^c	8	A	30 >80/2.04	CF	54 >80/2.34	DF
28 Alana/Harney/Mellon (101 NB) ^c	8	A	>80 2.0454	FD	>80 2.341.36	F
29 Harney Way/Jamestown Ave ^d	9	A	5422	DC	>80 1.3624	FC
30 Crisp Ave/Palou Ave ^d	7	A	2237	CD	2446	CD
31 Ingalls St/Thomas Ave ^d	11.1 (sb)	B	37 11.8 (wb)	DB	4626	DC
32 Ingalls St/Carroll Ave ^d	9.9 (wb)	A	11.8 (wb)9	BA	2628	C

Table III.D-12 Intersection LOS Existing, 2030 No Project and Project Conditions—Sunday PM Peak Hour [Revised]

Intersection	Existing		2030 No Project		2030 Project	
	Delay ^a	LOS ^b	Delay	LOS	Delay	LOS
33 Ingalls St/Egbert Ave	7	A	98	A	288	CA
34 Arelious Walker/Gilman Ave ^d	7	A	872.5 (eb)	AF	836	AD
35 Amador St/Cargo Way	8.9 (sb)	A	72.5 (eb) <u>21</u>	F	3620	DB
36 Bayshore Blvd/Cortland Ave	28	C	2423	C	2025	BC
37 Bayshore Blvd/Oakdale Ave	17	B	2321	C	2521	C
38 Bayshore/Alemany/Industrial	24	C	2440	C	2452	CD
39 Bayshore/US-101 nb off to Cesar	35	D	4025	D	5226	DC
40 Bayshore Blvd/Silver Ave	25	C	2519	C	26	C
...						

Page III.D-84, mitigation measure MM TR-6

MM TR-6 ...

Mitigations and associated fair-share funding measures for cumulative regional roadway system impacts, including freeway segment impacts, shall be formulated through the current interjurisdictional Bi-County Transportation Study effort being led by the SFCTA or its equivalent. The Project Applicant shall contribute its fair share to the Harney Interchange Project.

Page III.D-86, mitigation measure MM TR-8

MM TR-8 ...

Mitigations and associated fair-share funding measures for cumulative regional roadway system impacts, including freeway segment impacts, shall be formulated through the current interjurisdictional Bi-County Transportation Study effort being led by the SFCTA or its equivalent. The Project Applicant shall contribute its fair share to the Geneva Avenue Extension Project.

Pages III.D-92 to -94, Table III.D-14 (Ramp Junction LOS Existing, 2030 No Project and 2030 Project Conditions) has been revised

[NOTE: These revisions correct typographical errors to make the table consistent with the Draft EIR impact analysis and determination. No impact conclusions have changed.]

Table III.D-14 Ramp Junction LOS Existing, 2030 No Project and 2030 Project Conditions [Revised]										
<i>Ramp Location</i>	<i>Existing</i>		<i>2030 No Project</i>		<i>2030 Project</i>		<i>Project Var. 1 (R&D)</i>		<i>Project Var. 2 (Housing)</i>	
	<i>LOS</i>	<i>Density^a (pc/mi/ln)</i>	<i>LOS</i>	<i>Density (pc/mi/ln)</i>	<i>LOS</i>	<i>Density (pc/mi/ln)</i>	<i>LOS</i>	<i>Density (pc/mi/ln)</i>	<i>LOS</i>	<i>Density (pc/mi/ln)</i>
WEEKDAY PAM PEAK HOUR										
US-101										
NB on from Sierra Point Parkway	C	27.0	C	27.5	D	30.4				
...										
SB on from Pennsylvania/25 th	C	22.9	E	36.3	E	36.1				
SUNWEEKDAY PM PEAK HOUR										
US-101										
NB on from Sierra Point Parkway	D	29.7	F	>45	F	>45				
...										
SB on from Pennsylvania/25 th	E	38.5	F	>45	F	>45				
SUNDAY PM PEAK HOUR										
US-101										
NB on from Sierra Point Parkway	B	19.3	<u>AC</u>	<u>9-122.5</u>	<u>AC</u>	<u>9-825.3</u>				
...										
SB on from Pennsylvania/25 th	C	26.4	D	29.5	D	29.5				

SOURCE Fehr and Peers, 2009

a. Density of vehicles per segment. pc/mi/ln = passenger cars per mile per lane.

b. Cumulative 2030 No Project conditions assume the reconstruction of the Harney Way interchange, as well as the extension of Geneva Avenue from Bayshore Boulevard east to the reconstructed interchange.

c. Ramp junctions at LOS E or LOS F conditions highlighted in bold

Page III.D-97, Impact TR-16

Impact TR-16 **Implementation of the Project would increase traffic volumes—and, but would not contribute—make a considerable contribution to cumulative traffic volumes on Harney Way. (Less than Significant with Mitigation) [Criterion D.a]**

Page III.D-98, mitigation measure MM TR-16

MM TR-16 Widen Harney Way as shown in Figure 5 in the Transportation Study. *Prior to issuance of the grading permit for Development Phase #1 of the Project, the Project Applicant shall widen Harney Way as shown in Figure 5 in the Transportation Study. ...*

Page III.D-105, mitigation measure MM TR-21.1

MM TR-21.1 Maintain the proposed headways of the 9-San Bruno. *To address Project impacts to the 9-San Bruno, prior to issuance of a grading permit for Development Phase #1, the Project Applicant in cooperation with SFMTA ...*

Pages III.D-105 to -106, last partial paragraph

The ~~three~~ treatments for Impact TR-21 contained in mitigation measure MM TR-21.1 combined could reduce AM peak hour travel times by 4 minutes and 6 seconds in the northbound direction, and 6 minutes 18 seconds in the southbound direction. During the PM peak hour, these treatments could reduce PM peak hour travel times by 4 minutes 6 seconds in the northbound direction and by 8 minutes in the southbound direction. With the combination of mitigation measures, transit travel times in each direction and during each peak period would be ~~no greater than for~~ similar to 2030 No Project conditions. ...

Page III.D-106, last paragraph

Project-related transit delays due to congestion on study area roadways and passenger boarding delays ... Overall, the Project-related congestion would add up to ~~72~~ minutes of delay per bus during peak hours. The provision of transit-only lanes on Palou Avenue would reduce travel time delays and impacts on these lines.

Pages III.D-107 to -108, mitigation measure MM TR-22.1

MM TR-22.1 Maintain the proposed headways of the 23-Monterey, 24-Divisadero, and the 44-O'Shaughnessy. *To address Project impacts to the 23-Monterey, 24-Divisadero and the 44-O'Shaughnessy, prior to issuance of a grading permit for Development Phase #1, the Project Applicant in cooperation with SFMTA shall conduct a study to evaluate the effectiveness and feasibility of the following improvements which could reduce Project impacts on transit operations along the Palou Avenue corridor, generally between Griffith Street and Newhall Street. The study shall create a monitoring program to determine the implementation extent and schedule (as identified below) to maintain the proposed headways of the 23-Monterey, 24-Divisadero, and the 44-O'Shaughnessy.*

- ...
- *As an alternative to the bulleted measures above, narrow the existing sidewalks on Palou ... Treatment for transit-only lanes can range from striping to physical elevation changes to protect*

right-of-way from mixed-flow traffic. Subsequent to publication of the Draft EIR, SFMTA and the Project Applicant conducted an evaluation of this alternative measure and determined that it is a feasible and viable alternative to the four bulleted items above.

...

Page III.D-108, beginning with second bullet

- ~~24-Divisadero~~—Combined, these measures (either the first three bullets combined or the fourth alone) Mitigation measure MM TR-22.1 could reduce AM peak hour travel times by 4 minutes and 45~~43~~ seconds in the westbound direction and by 4 minutes in the eastbound direction. During the PM peak hour travel times could be reduced by 8 minutes and 45~~16~~ seconds in the westbound direction and by 4 minutes in the eastbound direction. In each direction and during the PM peak hour, the transit travel times with the Project might ~~not be remain~~ greater than the 2030 No Project travel times by more than ½ headway, and therefore additional transit vehicles ~~would not may still~~ be required.
- ~~44-O'Shaughnessy~~—The improvements along Palou Avenue ~~between Keith Street and Newhall Street~~ would improve the travel times on the 44-O'Shaughnessy by 4 minutes and 26 seconds in the westbound direction and by 4 minutes in the eastbound direction in the AM peak hour. During the PM peak hour, travel times could be reduced by 4 minutes and 43 seconds in the westbound direction and 4 minutes in the eastbound direction. In each direction during the PM peak hour, the transit travel times with the Project might remain such that in each direction and peak hour, the transit travel times with the Project would not be greater than the 2030 No Project travel times by more than ½ headway, and therefore additional vehicles would not may still be required to maintain the proposed headways.

With the ~~combination~~ of treatments identified in mitigation measure MM TR-22.1, transit travel times in ~~each some~~ directions and during ~~each some~~ peak periods would be no greater than for 2030 No Project conditions. ...

Pages III.D-109 to -110, beginning with second full paragraph

Project-related transit delays due to congestion on study area roadways and passenger loading delays associated with increased ridership would result in significant impacts on the operation of the 29-Sunset. Within the study area, the 29-Sunset would experience substantial delays at key intersections along Gilman Avenue and Paul Avenue, particularly at Third Street and Bayshore Boulevard. Overall, the Project-related congestion would add up to 47~~21~~ minutes of delay per bus during peak hours. The provision of transit-only lanes on Gilman Avenue and Paul Avenue would reduce travel time delays and impacts on this line.

MM TR-23.1 Maintain the proposed headways of the 29-Sunset. *To address Project impacts to the 29-Sunset, prior to issuance of a grading permit for Development Phase 1, the Project Applicant in cooperation with SFMTA ...*

- ...
- *As an alternative to the two bulleted measures above, ~~narrow the existing sidewalks~~ convert one of the travel lanes in each direction on Gilman Avenue from Third Street to Griffith Street (four blocks) from 15 feet to 12 feet in width. The resulting 12-foot-wide sidewalks would be consistent with the Better Streets Plan guidelines. The reduction in sidewalk width ~~to transit-only~~. This would allow for the provision of a 7-foot-wide on-street parking lane, an 11-foot-wide transit-only lane, and a 10-foot-wide mixed-flow lane in each direction on Gilman Avenue. This would preserve on-street parking*

along the corridor and provide four-block transit-only lanes on Gilman Avenue between Griffith Street and Third Street. Treatment for transit-only lanes can range from striping to physical elevation changes to protect right-of-way from mixed-flow traffic. Subsequent to publication of the Draft EIR, SFMTA and the Project Applicant conducted an evaluation of this alternative measure and determined that is a feasible and viable alternative to the two bulleted items above.

■ ...

Pages III.D-110 to -111, last full paragraph

Implementation of transit-only lanes identified in mitigation measure MM TR-23.1 could reduce AM peak hour transit travel times by ~~4~~5 minutes and ~~48~~17 seconds in the westbound direction and 5 minutes and ~~40~~59 seconds in the eastbound direction. During the PM peak, these measures would reduce transit travel times by ~~5~~6 minutes and ~~20~~25 seconds in the westbound direction and by ~~2~~1 minutes in the eastbound direction. With the ~~combination~~ of mitigation measures, transit travel times ~~in each direction and during each peak period would be no~~ remain greater than for 2030 No Project conditions. ~~However, b~~ Because 2030 No Project conditions constitute adverse delays to transit service, cumulative adverse delays to transit service would occur even with these Project transit mitigation measures. Because adverse transit delays affecting this line are generated by adverse traffic congestion to which the Project has a considerable contribution, the Project also has a cumulatively considerable contribution to adverse transit delays.

~~Implementation of mitigation measure MM TR-23.1, on the other hand, would allow operation of headways as described under MM TR-17. However, g~~ Given the congestion along the Gilman Avenue corridor, implementation of MM TR-23.2 alone, without MM TR-23.1, might not be sufficient to reduce the impact to less-than-significant levels.

Page III.D-111, third full paragraph

Project-related transit delays due to congestion on study area roadways and passenger loading delays ... up to ~~3~~8 minutes of delay per bus during peak hours. The provision of transit-only lanes on Evans Avenue and other transit-priority treatments would reduce travel time delays and impacts on this line.

Page III.D-111, mitigation measure MM TR-24.1

MM TR-24.1 Maintain the proposed headways of the 48-Quintara-24th Street. To address Project impacts to the 48-Quintara-24th Street, prior to issuance of a grading permit for Development Phase 1, the Project Applicant in cooperation with SFMTA ...

Page III.D-112, first full paragraph

Provision of the transit-only lane on Evans Avenue, as identified in mitigation measure MM TR-24.1 would reduce AM peak hour transit travel times by ~~80~~104 seconds in the westbound direction, and by ~~2~~3 minutes and ~~33~~50 seconds in the eastbound direction. During the PM peak hour transit travel times would be reduced by ~~1~~ minute and ~~40~~58 seconds in the westbound direction, and by ~~2~~13 minutes and ~~45~~31 seconds in the eastbound direction. With the combination of mitigation measures, transit travel times in each direction and during each peak period would be no more than ½ headway greater than for 2030 No Project conditions. ...

Page III.D-113, last paragraph

Project-related transit delays due to congestion on Third Street and passenger loading delays associated ... within an exclusive right-of-way. Overall, the Project-related congestion would add up to 3 minutes of delay per ~~bus-vehicle~~ during peak hours. Providing exclusive right-of-way for the T-Third in the segment between Thomas Avenue and Kirkwood Avenue would reduce travel time delays for the T-Third.

Page III.D-114, mitigation measure MM TR26.1

MM TR-26.1 Maintain the proposed headways of the T-Third. *To address Project impacts to the T-Third, prior to issuance of a grading permit for Development Phase #1, the Project Applicant in cooperation with SFMTA ...*

■ ...

Implementation of the ~~intersection roadway~~ reconfiguration shall be the responsibility of SFMTA, and shall be implemented when the results of the study described above indicate transit improvements are necessary. The Project Applicant shall fully fund the costs of implementing the transit priority improvements prior to approval of subsequent phases of development.

Page III.D-114, third full paragraph

Implementation of mitigation measure MM TR-26.1~~2~~ would also exacerbate automobile LOS F conditions at intersections along Third Street that were identified as significant and unavoidable impacts. ...

Page III.D-117, fifth full paragraph

Outside of the Project site, street improvements would include striping of bicycle lanes on Innes Avenue, ~~Gilman Avenue~~, Jamestown Avenue and on Harney Way. As noted in Section III.D.3 (Regulatory Framework), the *San Francisco Bicycle Plan* includes a near-term project on Innes Avenue (Bicycle Route #68) between Donahue Street and Hunters Point Boulevard; however, a preferred option was not identified in the Final EIR for the Bicycle Plan. The Project proposes to provide a bicycle lane in both directions on Innes Avenue between Donahue Street and Hunters Point Boulevard, which would require removal of on-street parking on the south side of Innes Avenue between Earl Street and Hunters Point Boulevard. The Project proposal is consistent with Option 1 in the Bicycle Plan, however, it would not preclude implementation of Option 2 (sharrows added to the existing Class III facility), if that option were determined to be preferable by SFMTA. The Project would improve Gilman Avenue, and a Class III bicycle route with sharrow designations would be provided between Arelious Walker Drive and Third Street.

Page III.D-118, mitigation measure MM TR-32

MM TR-32 Determine the feasibility of relocating Bicycle Routes #70 and #170. *Prior to issuance of the grading permit for Development Phase #1, the Project Applicant shall fund a study to determine the feasibility of relocating Bicycle Routes #70 and #170. The study of the bicycle route relocation, necessary environmental clearance documentation, and implementation shall be the responsibility of SFMTA. ~~Since the feasibility of the relocation of the routes is uncertain at this time, the Project impact on bicycle circulation on Palou Avenue would remain significant and unavoidable.~~*

Page III.D-128, Figure III.D-13 (Stadium Game Day Traffic Control Plan) has been revised

[NOTE: The figure was revised to correct the disconnected transit-only lane on the figure.]

Page III.D-129, Figure III.D-14 (Stadium Game Day Ingress Routes) has been revised

[NOTE: The figure was revised to correct the second western “Muni service” on the figure.]

Figure III.D-13 Stadium Game Day Traffic Control Plan [Revised]

Figure III.D-14 Stadium Game Day Ingress Routes [Revised]

Page III.D-136, mitigation measure MM TR-39

MM TR-39 Transit Service during Game Days. *SFMTA shall increase frequency ...*

Page III.D-144, mitigation measure MM TR-46

MM TR-46 Traffic Control Officers. *The stadium operator shall develop ...*

Page III.D-145, mitigation measure MM TR-47

MM TR-47 Transit Service during Secondary Events. *SFMTA shall increase ...*

Page III.D-146, mitigation measure MM TR-49

Impact TR-49 **With implementation of the Project, pedestrian circulation would not be impeded during arena secondary events at the stadium. (Less than Significant) [Criterion D.j]**

Pages III.D-148 and -149, mitigation measure MM TR-51

MM TR-51 Transportation Management Plan (TMP). *The arena operator shall develop a Transportation Management Plan (TMP) for coordinating with representatives of SFMTA and the SF Police Department for deploying traffic control officers in the Project vicinity to increase efficiency of pre- and post- event traffic, and for developing incentives to increase transit ridership to the arena. If Variants 1, 2, or 2A are implemented the TMP shall provide for SFMTA to increase the frequency on regularly scheduled Muni routes (primarily the CPX-Candlestick Express) serving the arena area prior to large events at the arena and for the arena operator to provide additional shuttle service to key regional transit destinations, such as BART, Caltrain, and the T-Third light-rail route. Implementation of this mitigation measure would likely speed vehicle entrance and exit to the arena site as well as maintain orderly traffic and transit operations and reduce intrusion onto minor routes to and from the arena. Traffic control officers would facilitate traffic flow at the intersection of Harney/Jamestown which would operate at LOS F conditions with a sell-out arena event. The final arena TMP shall be approved by SFMTA. Preparation of the TMP Plan shall be fully funded by the arena operator, and shall be completed in time for implementation on opening day of the arena.*

Page III.D-149, Impact TR-52: Transit Impacts from Arena Uses

Impact TR-52 **With implementation of the Project, sell-out weekday evening events at the arena could be ~~accommodated within the impact~~ existing and proposed transit service. (Significant and Unavoidable with Mitigation) [Criteria D.f, D.i]**

F.8 Changes to Section III.E (Aesthetics)

Page III.E-13, "Yosemite Slough"

The Yosemite Slough is a slow-moving tidal channel that winds through a marsh between Hunters Point and Candlestick Point. Except for the mouth of the slough across which the bridge would be constructed, ~~The~~ Slough is not within the Project site. ...

Page III.E-23, Figure III.E-10 (Viewpoint Locations) has been revised

[NOTE: The figure has been revised to add viewpoint locations #16a and #18a.]

Figure III.E-10 Viewpoint Locations [Revised]

Page III.E-47, under “San Francisco Bay Plan” after Policy 4

Policy 6 Additional bridges over the Bay should be avoided, to the extent possible, to preserve the visual impact of the large expanse of the Bay. The design of new crossings deemed necessary should relate to others nearby and should be located between promontories or other land forms that naturally suggest themselves as connections reaching across the Bay (but without destroying the obvious character of the promontory). New or remodeled bridges across the Bay should be designed to permit maximum viewing of the Bay and its surroundings by both motorist and pedestrians. Guardrails and bridge supports should be designed with views in mind.

Page III.E-50, first paragraph after Impact AE-1

Construction activities would occur throughout the 702-acre Project site over the ~~1920~~-year ~~build-out~~ construction period of the Project (ending in ~~2029~~2031). During construction, four basic types of activities would be expected, and some activities could occur simultaneously.

Page III.E-51, second paragraph after Impact AE-2

Although these activities would take place primarily on site, these visual impacts could affect surrounding land uses. ... Although the Project would be constructed through the year ~~2029~~2031, construction activity would not occur all at once and would be phased, as described Chapter II. ...

Page III.E-58, first full paragraph

The Yosemite Slough bridge would change the appearance of a portion of the Slough, with the addition of a bridge structure and roadway approaches (refer to Figure III.E-8). The bridge would replace some views of open water as seen from nearby locations. The bridge would contain “green” auto lanes, with plantings in the middle providing a green boardwalk. The bridge would be low profile and integrated into the open space on either side of the Slough, and would contain piers and lookout points for a pedestrian viewing experience. Yosemite Slough would continue as a waterway bordered by open space opening from a narrow channel to the west to the wider South Basin to the east and would remain a scenic resource on the site. The Project would complete the Bay Trail along the waterfront, make shoreline improvements, and provide substantial areas of parks and open space that would complement the slough restoration. The Project’s proposed roadway and bridge through an otherwise entirely recreational open space area would have some adverse impact on the aesthetic experience, when compared to a natural open space area with no roadway or bridge running through it. The introduction of a roadway and bridge, together with activity on and use of those features, would adversely affect the natural feel of this portion of the park. Nevertheless, the EIR does not consider the proposed roadway and bridge to result in a significant adverse impact on the proposed improved recreation area for a variety of reasons. The slough is presently, and would continue to be, located within an urban environment, bordered in part by developed lots and roads. Hence, even without the proposed roadway and bridge, park users would be aware of and in close proximity to the roads and developed areas bordering the park. While the proposed road and bridge would cut through the open space in one location, the majority of the restored slough area would remain

unaffected and available for its intended use. In addition, the proposed road and bridge would provide some benefits to the restored park in terms of access and new vantage points for views. Overall, the bridge would not substantially damage a resource that contributes to a scenic public setting.

Page III.E-59, first partial paragraph on page

... reducing erosion, including marsh plantings where appropriate, and removing debris. These improvements would represent a beneficial impact of the development, improving the overall visual character of the shoreline. The Project would complete the Bay Trail along the waterfront and provide substantial areas of parks and open space that would complement the slough restoration. While the Yosemite Slough bridge would alter the visual character of the slough by placing a structure across the neck of the slough, this change would not be substantially adverse. The bridge would be designed to be low in height and blend as much as possible into the environment through the use of openwork, materials, and color. The Project's proposed roadway and bridge through an otherwise entirely recreational open space area would have some adverse impact on the aesthetic experience, when compared to a natural open space area with no roadway or bridge running through it. The introduction of a roadway and bridge, together with activity on and use of those features, would adversely affect the natural feel of this portion of the park. Nevertheless, the EIR does not consider the proposed roadway and bridge to result in a significant adverse impact on the proposed improved recreation area for a variety of reasons. The slough is presently, and would continue to be, located within an urban environment, bordered in part by developed lots and roads. Hence, even without the proposed roadway and bridge, park users would be aware of and in close proximity to the roads and developed areas bordering the park. While the proposed road and bridge would cut through the open space in one location, the majority of the restored slough area would remain unaffected and available for its intended use. In addition, the proposed road and bridge would provide some benefits to the restored park in terms of access and new vantage points for views. Therefore, development at the HPS Phase II site would not have significant adverse impacts on scenic resources or other features that contribute to a scenic public setting, and the impact would be less than significant. No mitigation is required.

Page III.E-59, first paragraph after Impact AE-5

As shown by the various photographs and simulations and the discussions provided in Impact AE-5(a) and Impact AE-5b, above, development of the Project would not damage or remove any identified scenic resources that contribute to a scenic public setting. The Project would complete the Bay Trail along the waterfront and provide substantial areas of parks and open space. While the Yosemite Slough bridge would alter the visual character of the slough by placing a structure across the neck of the slough, this change would not be substantially adverse. The bridge would be designed to be low in height and blend as much as possible into the environment through the use of openwork, materials, and color. The change would not be considered adverse, as the bridge would be part of an overall urban setting on either side of the slough. The Project's impact would be less than significant. No mitigation is required.

Page III.E-64, third full paragraph

The Project would alter the scenic nature of the Project site in that it would create a dense urbanized setting where one does not currently exist. On the north side, the bridge would cross the extreme eastern edge of

the CPSRA area and would cross a small portion of the CPSRA on the south side. The bridge would be designed to integrate with the environment to the maximum extent feasible through openwork, materials, and color, in addition to being designed as a low structure. While the bridge would insert a structure into an improved open space area, it would connect two urbanized areas immediately adjacent. Taking into consideration the context of the entire site, not just the slough, the bridge would not be an element that is substantially out of character or scale with surrounding development. HoweverTherefore, this change in character would not represent a degradation of scenic quality. ...

Page III.E-68, between the second and third paragraphs, the following paragraph is inserted

The Project would alter the scenic nature of the Project site in that it would create a dense urbanized setting where one does not currently exist. On the north side, the bridge would cross the extreme eastern edge of the CPSRA area and would cross a small portion of the CPSRA on the south side. The bridge would be designed to integrate with the environment to the maximum extent feasible through openwork, materials, and color, in addition to being designed as a low structure. While the bridge would insert a structure into an improved open space area, it would connect two urbanized areas immediately adjacent. Taking into consideration the context of the entire site, not just the slough, the bridge would not be an element that is out of character or scale with surrounding development. Therefore, this change in character would not represent a substantial degradation of scenic quality.

Page III.E-69, first paragraph after Impact AE-6

As shown by the various photographs and simulations and the accompanying discussions, above, ... The Project would provide extensive areas of open space integrated with new development and existing open space that would enhance the positive features of Bayview Hunters Point, with its immediate proximity to the shoreline, and would not substantially obstruct views of the Bay, the East Bay hills, and the San Bruno Mountains from adjacent neighborhoods. On the north side, the bridge would cross the extreme eastern edge of the CPSRA area and would cross a small portion of the CPSRA on the south side. The bridge would be designed to integrate with the environment to the maximum extent feasible through openwork, materials, and color, in addition to being designed as a low structure. While the bridge would insert a structure into an improved open space area, it would connect two urbanized areas immediately adjacent. Taking into consideration the context of the entire site, not just the slough, the bridge would not be an element that is substantially out of character or scale with surrounding development. Although the Project would replace the existing conditions ...

Page III.E-71, third paragraph

Area lighting would illuminate larger areas that are well-traveled so as to promote way-finding and provide for a safe environment. ... this increase in ambient light would be consistent with the urban character and associated ambient lighting of the City as a whole. Because the Project site is located immediately adjacent to a developed urban area, existing views of the night sky are diminished as is typical in all urban areas. Nighttime lighting would not affect users of the Yosemite Slough/CPSRA, as the CPSRA is closed after dark. Therefore,~~and~~ the light and glare as a result of the Project would not substantially interfere with these currently limited views.

Page III.E-72, mitigation measure MM AE-7a.3

MM AE-7a.3 Lighting Plan. ~~The Applicant/Developer shall prepare a lighting plan for each sub-phase of the Project and submit it for review and approval to the San Francisco Police Department and the Agency prior to the issuance approval of building permits a sub-phase.~~ Outdoor lighting shall maintain a minimum required illumination, as determined appropriate by the ~~San Francisco Police Department and the Planning Department, Agency~~ for all parking and pedestrian areas. In addition, the plan shall include details such as beam spreads and/or photometric calculation, location and type of fixtures, exterior colors, details on foundations, and arrangement of exterior lighting such that it does not create glare, hazardous interference on adjacent streets, or properties or result in spill light that would adversely impact sensitive receptors in the project area.

Page III.E-74, first partial paragraph

... off from the maximum light intensity levels on the playing field. Field lighting would only be required for large events during evening hours ... the lighting would not spill over or directly impact residences in the neighborhoods west and northwest of the HPS Phase II site or the residences within the Project itself. Users of the Yosemite Slough/CPSRA would not be affected by nighttime lighting, as the CPSRA is closed after dark.

Pages III.E-74 to III.E-75, beginning with last paragraph

Information on lighting effects for the San Francisco Giants Ballpark ... Light levels from the stadium at other locations, such as Mariner Village, approximately 1,250 feet away, and the proposed HPS Phase I development along Crisp Road, and residential development within HPS Phase II, each approximately 1,500 feet or more away, also would not be substantial. As noted, users of the Yosemite Slough/CPSRA would not be affected by stadium lighting, as the CPSRA is closed after dark. Nonetheless, ...

Page III.E-76, last paragraph

The geographic context for an analysis of construction impacts is the same limited geographic area as the Project, as visual construction impacts are generally site-specific. The past and present development in the City is described in the Setting section of this chapter, representing the baseline conditions for evaluation of cumulative impacts. Reasonably foreseeable future development includes existing development at Candlestick Point and Hunters Point, extending generally to the east of US-101 between Candlestick Cove and India Basin, which includes Executive Park, as well as the Yosemite Slough Restoration Project, which has been approved and will restore tidal wetlands in a 34-acre parcel of the CPSRA.

Page III.E-77, first full paragraph

Construction impacts on aesthetics are site-specific, as construction activities are temporary. Therefore, the geographic context for an analysis of cumulative construction impacts to aesthetics would be limited to projects in the immediate vicinity of the Project that could be seen together with the Project, assuming that construction activities were to be concurrent. These projects would include the Yosemite Slough Restoration Project, Executive Park, and HPS Phase I, which have been approved and/or are under construction.

Pages III.E-77 through III.E-78, beginning with last paragraph

The geographic context for an analysis of cumulative impacts on scenic vistas is the area covered by the BVHP Redevelopment Plan, the HPS Redevelopment Plan, and the BVHP Area Plan (of the City's General Plan), as development in these Plan areas could affect the same scenic vistas analyzed for the Project as identified in Figure III.E-11 through Figure III.E-18. ... Reasonably foreseeable future development includes ~~existing~~ development at Candlestick Point and Hunters Point, extending generally to the east of US-101 between Candlestick Cove and India Basin, which includes the Yosemite Slough Restoration Project, Executive Park, Jamestown, Hunters Point Shipyard Phase I, Hunters View, and India Basin Shoreline Area C.

The areas described by these plans contain a mixture of land uses, including open space, residential, commercial, and industrial. The past and present ...

...

Overall, development of the Project would not substantially block publicly accessible views of the Bay or other scenic areas. The Project would provide a continuation of the existing street grid, thereby maintaining existing view corridors to the Bay and East Bay hills. The Project would also provide new parks and open space facilities. Public access areas (City and State parks) would provide views from the Project site toward the East Bay and the Bay. The Yosemite Slough Restoration Project would restore tidal wetlands in a 34-acre parcel of the CPSRA immediately adjacent to the Project site and would include continuation of the Bay Trail and viewpoints/interpretative signage. The bridge component of the Project would place a low bridge structure across the neck of the slough that would partially obstruct a scenic view from the slough toward the Bay from some vantage points. Views of the Bay and the remainder of the slough would be retained from numerous other vantage points, including along the shoreline, from the view corridors within the Project site, the CPSRA, and the proposed bridge itself. The Project would improve access to the entire area, allowing a greater number of people to take advantage of the scenic resources at CPSRA and the slough. The General Plan Urban Design Element ... the Project's incremental contribution would not be cumulatively considerable, as the Project would not result in a substantial adverse impact on any scenic vista. Therefore, the Project's cumulative impact would be less than significant.

Pages III.E-78 to III.E-79, beginning with last paragraph

The geographic context for an analysis of cumulative impacts on scenic resources is the area covered by the BVHP Redevelopment Plan, the HPS Redevelopment Plan, and the BVHP Area Plan (of the City's General Plan), as development in these Plan areas could affect the same scenic vistas analyzed for the Project as identified in Figure III.E-11 through Figure III.E-18. The past and present development in the City is described in the Setting section of this chapter, representing the baseline conditions for evaluation of cumulative impacts. Reasonably foreseeable future development includes ~~existing~~ the Yosemite Slough Restoration Project and development at Candlestick Point and Hunters Point, extending generally to the east of US-101 between Candlestick Cove and India Basin, which includes Executive Park, Jamestown, Hunters Point Shipyard Phase I, Hunters View, and India Basin Shoreline Area C.

Damage to scenic resources would occur if a project would directly affect environmental features, such as topographic features, landscaping, or a built landmark, that contribute to a scenic public setting. There are

no identified built landmarks, topographic features, or landscaping that contributes to a scenic public setting in the Plan area except for Double Rock, Bayview Hill, Hunters Point Hill, the Re-gunning crane, CPSRA, and the Yosemite Slough. ... Overall, the bridge would not substantially damage a resource that contributes to a scenic public setting. On completion of the Yosemite Slough Restoration Project, publicly held views from the proposed bridge would include the improved slough area, as well as the Bay, and provide additional viewing opportunities that would not exist without the Project. The Project would retain structures ...

Pages III.E-79 to III.E-80, beginning with last paragraph

The geographic context for an analysis of cumulative impacts on visual character ... Reasonably foreseeable future development includes ~~existing~~ development under the Yosemite Slough Restoration Project and at Candlestick Point and Hunters Point, extending generally to the east of US-101 between Candlestick Cove and India Basin, which includes Executive Park, Jamestown, Hunters Point Shipyard Phase I, Hunters View, and India Basin Shoreline Area C.

Page III.E-80, last paragraph

The proposed shoreline improvements would improve the aesthetic quality of the shoreline along the Project frontage, reducing erosion, including marsh plantings where appropriate, and removing debris. These improvements would complement the improvements to the tidal wetlands planned under the Yosemite Slough Restoration Project to provide expanded open space opportunities, including recreational trails linked to other regional trails and wildlife viewing. These improvements would represent a beneficial impact of the development, improving the overall visual character of the shoreline.

Page III.E-81, third paragraph

The geographic context for an analysis of cumulative impacts on light and glare ... Reasonably foreseeable future development includes ~~existing~~ development under the Yosemite Slough Restoration Project and at Candlestick Point and Hunters Point, extending generally to the east of US-101 between Candlestick Cove and India Basin, which includes Executive Park, Jamestown, Hunters Point Shipyard Phase I, Hunters View, and India Basin Shoreline Area C.

F.9 Changes to Section III.F (Shadow)

Page III.F-5, fourth full paragraph

In addition, shadow effects would be significant if they would affect, in an adverse manner, the use of any park ~~or~~ or open space under the jurisdiction of the SFRPD, or significantly detract from the usability of other existing publicly accessible open space.

Page III.F-8, first full paragraph

For parks and open space that are not subject to the review requirements of Planning Code Section 295, only ~~provides~~ a qualitative assessment of shadow effects is provided, to determine whether enjoyment of the park or public space by users would be substantially and adversely affected by shadow effects. ...

Page III.F-43, first and fourth paragraphs

The geographic context for an analysis of cumulative new shadow impacts on outdoor recreation facilities or other public space is limited to the immediate Project site and vicinity. ... Reasonably foreseeable future development in this geographic area includes approved or under construction development as part of the Yosemite Slough Restoration Project, at Hunters Point Phase I, proposed development at Executive Park, and future development at India Basin Shoreline Area C. ...

...

The shadow analysis has determined that the extent and duration of new shadow cast by the Project on public open space would not substantially affect outdoor recreation facilities or other public facilities, including the newly restored Yosemite Slough when that project is completed. The analysis did not identify potential cumulative shadow effects from other potential development. ...

F.10 Changes to Section III.G (Wind)

Page III.G-7, mitigation measure MM W-1a

MM W-1a Building Design Wind Analysis. *Prior to design approval of Project buildings, if recommended by Agency staff for high-rise structures above 100 feet, the Project Applicant shall retain a qualified wind consultant to provide a wind review to determine if the exposure, massing, and orientation of the building would result in wind impacts that could exceed the threshold of 26-mph-equivalent wind speed for a single hour during the year. ...*

F.11 Changes to Section III.H (Air Quality)

Page III.H-1, second paragraph

The analyses includes an (1) evaluation of criteria air pollutant mass emissions including emissions by construction workers and equipment (refer to Appendix H42 [Construction Workers and Equipment]) using methodology provided in Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines; (2) operational emissions from project-related and mobile sources; and (3) ambient carbon monoxide concentration from mobile sources (refer to Appendix H42 [Air Quality Model Input/Output]).^{168,169} ...

¹⁶⁹ BAAQMD. 2009. California Environmental Quality Act, Draft Air Quality Guidelines. September & ~~October~~ November Drafts.

Page III.H-7, Table III.H-2 (San Francisco Bay Area Air Basin and San Francisco County Criteria Pollutant Emissions Inventory and Projections, 2008 [Tons/Day—Annual Average]) has been revised

[NOTE: Table III.H-2 has been revised to reflect the amount of criteria pollutants that were emitted from mobile sources, rather than exclusively on-road motor vehicle sources.]

Table III.H-2 San Francisco Bay Area Air Basin and San Francisco County Criteria Pollutant Emissions Inventory and Projections, 2008 (Tons/Day—Annual Average) [Revised]						
	CO	ROG	NO_x	SO_x	PM₁₀	PM_{2.5}
SFBAAB						
<u>2008 Estimated</u>						
Total Emissions	1,748	378	448	62	212	81
On-Road Motor Vehicle Mobile Source Emissions	1,542	183	381	15	20	16
San Francisco						
<u>2008 Estimated</u>						
Total Emissions	148	34	79	15	17	7.5
On-Road Motor Vehicle Mobile Source Emissions	142	18	74	15	4.6	4.1
SOURCE: California ARB, Almanac Emission Projection Data, http://www.arb.ca.gov/app/emsmv/emssumcat.php (accessed October 2009).						
Natural source are excluded from this inventory.						

Page III.H-8, first paragraph

The BAAQMD operates many air quality monitoring stations throughout the Bay Area. While the monitoring network is designed to measure air quality on a regional level, the locations of the monitors may not capture variations in air quality conditions on the sub-regional level. The closest monitoring station to the Project operated by the BAAQMD is the San Francisco-Arkansas Street monitoring station, which is located approximately three miles to the north of the Project on Potrero Hill.

The Bayview Community Air Monitoring Project (BayCAMP) was a joint project conducted by the San Francisco Department of the Environment, the California ARB, and the BAAQMD to measure air pollutants (i.e., criteria pollutants and air toxics) for a one-year period in the Bayview Hunters Point community and compare them to measurements collected at Arkansas Street in San Francisco and the Cities of San Jose and Fremont.^{173a} Measurements were collected from mid-2004 to mid-2005 from a monitoring station located at the Earl P. Mills Community Center on Whitney Young Circle. Criteria pollutants measured in the Bayview-Hunters Point neighborhood were below federal and state standards and similar to or less than those collected in at other locations, with the exception of PM_{2.5} and ozone. Peak ozone concentration (0.096 ppm) in the Bayview-Hunters Point neighborhood were slightly above state standards but were comparable to the other sites. The maximum 24-hour average PM_{2.5} concentration (~50 µg/m³) was comparable to the other sites, but exceeded the federal standard. Conversely, the annual average PM_{2.5} (10.3 µg/m³) concentration was well below the federal and state standards and was much lower than the concentrations reported for the other sites.

In 2005 and 2006, air quality monitoring associated with the San Francisco Electric Reliability Project^{173b} was conducted to compare the BAAQMD air quality monitoring data, as noted above, to several community stations located in the Potrero Hill and Bayview Hunters Point neighborhoods. This study involved measuring annual average concentrations of PM₁₀ and PM_{2.5} at five locations including Arkansas Street, the Southeast Community Center, the Muni Maintenance Yard, Potrero Recreation Center, and Malcolm X Academy. The measured annual average PM₁₀ concentrations at these five locations ranged from 16.9 to 20 µg/m³, with the minimum and maximum measurements reported at the Potrero Recreation Center and Muni Maintenance Yard, respectively. The measured annual average PM_{2.5} concentrations ranged from 7.6 to 9.3 µg/m³, with the minimum and maximum measurements reported at the Potrero Recreation Center and Southeast Community Center, respectively.

Toxic Air Contaminants and PM_{2.5}

TACs are a regulatory designation that includes a diverse group of air pollutants that can adversely affect human health. ...

^{173a} Sierra Research, Inc., *State of the Air in Bayview/Hunters Point, Results of the Bayview Community Air Monitoring Project (BayCAMP)*, November 2006.

^{173b} Rajiv Bhatia and Thomas Rivard, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-urban Roadways: Guidance for Land Use Planning and Environmental Review*, 2008.

Page III.H-10, new text following first paragraph

Fine Particulate Matter (PM_{2.5})

Though PM_{2.5} is a criteria pollutant, as discussed above, its human health impacts are also of concern as these particles can deposit deep in the lungs and can contain substances that are particularly harmful to human health. Extended exposure to particulate matter can reduce lung function, aggravate respiratory and cardiovascular disease, increase mortality rate and reduce lung function growth in children. Motor vehicles are currently responsible for about half of the particulates in the SFBAAB and wood burning in fireplaces and stoves is another large source.^{178a} Many scientific studies link fine particulate matter and traffic-related air pollution to respiratory illness. California ARB has established that PM_{2.5} is associated with dose-dependent adverse health effects below existing federal and state air quality standards and in a 2008 study that a 10 percent increase in PM_{2.5} concentrations increased the non-injury mortality by 10 percent.^{178b}

^{178a} BAAQMD, *Draft California Environmental Quality Act, Air Quality Guidelines*, December 2009.

^{178b} BAAQMD, *California Environmental Quality Act Guidelines Update: Proposed Thresholds of Significance*, December 7, 2009.

Pages III.H-11 to -12, Table III.H-4 (Ambient Concentrations of Carcinogenic TACs in the Bay Area Air Basin) and the following text have been revised

[NOTE: Table III.H-4 has been revised to add footnote “a” and to further clarify footnote “b” with respect to cancer risk estimates.]

Table III.H-4 Ambient Concentrations of Carcinogenic TACs in the Bay Area Air Basin [Revised]					
Compound	Concentration^a		Unit Risk (per µg/m³)	Cancer Risk^b (Chances in one million)	
	(ppb)	(µg/m³)			
1,3-Butadiene	0.09	0.21	1.7 x 10 ⁻⁴	36.0	
Benzene	0.40	1.30	2.9 x 10 ⁻⁵	37.7	
Carbon tetrachloride	0.11	0.70	4.2 x 10 ⁻⁵	29.1	
Formaldehyde	2.18	2.72	6.0 x 10 ⁻⁶	16.3	
Acetaldehyde	0.72	1.32	2.7 x 10 ⁻⁶	3.6	
Perchloroethylene	0.03	0.18	5.9 x 10 ⁻⁶	1.1	
Methylene chloride	0.36	1.27	1.0 x 10 ⁻⁶	1.3	
Methyl tert-butyl ether (MTBE)	0.53	1.95	2.6 x 10 ⁻⁷	0.5	
Chloroform	0.02	0.12	5.3 x 10 ⁻⁶	0.6	
Trichloroethylene	0.02	0.12	2.0 x 10 ⁻⁶	0.2	
Particulate TACs					
Chromium (hexavalent)	0.10	1.00 x 10 ⁻⁴	1.5 x 10 ⁻¹	14.4	
Dioxin	0.000025	2.50 x 10 ⁻⁸	38	1.0	
Nickel	3.30	3.30 x 10 ⁻³	2.6 x 10 ⁻⁴	0.8	
Polycyclic aromatic hydrocarbons (PAHs)	0.47	4.70 x 10 ⁻⁴	1.1 x 10 ⁻³	0.5	
Lead	7.80	7.8 x 10 ⁻³	1.2 x 10 ⁻⁵	0.1	
Total for all TACs (excluding DPM)				143	

SOURCE: BAAQMD, Toxic Air Contaminants 2003 Annual Report, August 2007.

ppb = parts per billion; µg/m³ = micrograms per cubic meter.

^aThe concentration used in the risk calculation is the mean of all daily samples taken for the BAAQMD monitoring network in 2003; however, for some compounds the concentration represents data collected at a subset of the stations in the network. See the BAAQMD Toxic Air Contaminants 2003 Annual Report (issued August 2007) for more details.

^bCancer risks are calculated for the inhalation pathway using the Unit Risk Factors adopted by OEHHA for the Air Toxics Hot Spots Program, and assuming 70-year continuous exposure. While this risk estimate is representative of the average measured concentrations in urban areas of the Air District, this value does not reflect the potential spatial variation of TAC emissions and/or exposure. Localized TAC “hot spots” can occur.

Cancer risks were also estimated in the Bayview Hunters Point neighborhood as part of the monitoring efforts in the BayCAMP project (Sierra Research, Inc. 2006). The reported cancer risks from TACs based on the monitoring results were estimated to be 219 in one million. However, the authors of the report noted that “more than half of the measured risk (113 in a million out of 219 in a million) is due to acrylonitrile.^{178c} However, this estimate is probably not very accurate because most of the measurements were below the limit of detection.” This means that the risk estimates were calculated using the high detection limit, not measured concentrations. As explained by the authors, “most of the estimated risk comes from this assumed (not measured) concentration.” Thus, “the estimated risk would be 106 in a

million from the remaining compounds,” which is lower than the cancer risk estimates reported for the Bay Area Basin in Table III.H-4.

^{178c} “Acrylonitrile is primarily used in the manufacture of acrylic and modacrylic fibers, which may be used in products such as apparel and carpets. Acrylonitrile may be released to the ambient air during its manufacture and use.” The source of acrylonitrile detected is not known as there are no permitted sources. <http://www.epa.gov/ttn/atw/hlthef/acryloni.html>.

Page III.H-13, last paragraph

The *Air Quality and Land Use Handbook: A Community Health Perspective* (2005) provides California ARB recommendations for the siting of new sensitive land uses (i.e., residences, schools, daycare centers, playgrounds, and medical facilities) near recognized major sources of TACs (e.g., freeways, large warehouses/distribution centers, rail yards, etc.), as shown in Table III.H-4a (Recommendations on Siting New Sensitive Land Uses Such As Residences, Schools, Daycare Centers, Playgrounds, or Medical Facilities [from CARB 2005]).

Table III.H-4a Recommendations on Siting New Sensitive Land Uses Such As Residences, Schools, Daycare Centers, Playgrounds, or Medical Facilities (from CARB 2005) [New]

<u>Source Category</u>	<u>Advisory Recommendations</u>
<u>Freeways and High-Traffic Roads</u>	<ul style="list-style-type: none"> ■ <u>Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day.</u> ■ <u>Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week).</u> ■ <u>Take into account the configuration of existing distribution centers and avoid locating residences and other new sensitive land uses near entry and exit points.</u>
<u>Rail Yards</u>	<ul style="list-style-type: none"> ■ <u>Avoid siting new sensitive land uses within 1,000 feet of a major service and maintenance rail yard. Within one mile of a rail yard, consider possible siting limitations and mitigation approaches.</u>
<u>Ports</u>	<ul style="list-style-type: none"> ■ <u>Avoid siting of new sensitive land uses immediately downwind of ports in the most heavily impacted zones. Consult local air districts or the ARB on the status of pending analyses of health risks.</u>
<u>Refineries</u>	<ul style="list-style-type: none"> ■ <u>Avoid siting new sensitive land uses immediately downwind of petroleum refineries. Consult with local air districts and other local agencies to determine an appropriate separation.</u> ■ <u>Chrome Platers: Avoid siting new sensitive land uses within 1,000 feet of a chrome plater.</u>
<u>Dry Cleaners Using Perchloroethylene</u>	<ul style="list-style-type: none"> ■ <u>Avoid siting new sensitive land uses within 300 feet of any dry cleaning operation. For operations with two or more machines, provide 500 feet. For operations with three or more machines, consult with the local air district.</u> ■ <u>Do not site new sensitive land uses in the same building with perc dry cleaning operations.</u>
<u>Gasoline Dispensing Facilities</u>	<ul style="list-style-type: none"> ■ <u>Avoid siting new sensitive land uses within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater). A 50-foot separation is recommended for typical gas dispensing facilities.</u>

These recommendations are advisory. Land use agencies have to balance other considerations, including housing and transportation needs, economic development priorities, and other quality-of-life issues.

Page III.H-14, first paragraph

The BAAQMD is the primary agency responsible for ~~comprehensive~~ air pollution control in the SFBAAB. To that end, the BAAQMD works directly with the Association of Bay Area Governments (ABAG), the

Metropolitan Transportation Commission (MTC), and local governments and cooperates actively with all federal and state government agencies. The BAAQMD develops rules and regulations, establishes permitting requirements for stationary sources, inspects emissions sources, and enforces such measures through educational programs or fines, when necessary.

The BAAQMD is directly responsible for reducing emissions from stationary (area and point) sources and for assuring that state controls on mobile sources are effectively implemented, although BAAQMD has no direct authority to regulate mobile source emissions. It has responded to these requirements by preparing a series of Ozone Attainment Plans and Clean Air Plans that comply with the federal CAA and the CCAA to accommodate growth, reduce the pollutant levels in the SFBAAB, meet NAAQS and CAAQS, and minimize the fiscal impact that pollution control measures have on the local economy. ...

Page III.H-15, first full paragraph

As of the date of this ~~Draft-Final~~ EIR, the BAAQMD is in the process of revising their CEQA guidelines and ~~expects the draft to be approved by their~~ is currently planning for the Board of Directors to consider the draft by the end of 2009 ~~in June 2010. On October 7, 2009~~ In December 2009, the BAAQMD released ~~a~~ its most recent draft table of Staff-Recommended CEQA Thresholds of Significance which indicates a number of modifications to existing guidelines, including changes to the maximum daily emissions thresholds for criteria pollutants emissions from operational sources as well as requirements for the quantification of criteria pollutant and TAC emissions from construction activities and comparison to mass emission or risk thresholds, respectively. As these draft guidelines have not been adopted by the BAAQMD's Board of Directors, the Project is not subject to the draft requirements; however, a brief analysis of these proposed guidelines in relation to the Project emissions is included at the end of the impact analysis.

Page III.H-15, following last bullet

- ...
- Link the positive effects of energy conservation and waste management to emission reductions
- Exercise air quality modeling in building design for sensitive land uses, such as residential developments that are located near the sources of pollution such as freeways and industries

Page III.H-16, second paragraph

As explained earlier, exposure to PM_{2.5} can result in adverse health effects. SFPDPH has developed a strategy for addressing exposures in the siting of new residential buildings.^{179a} ~~The San Francisco Health Code~~ Article 38 requires an air quality assessment to evaluate the concentration of PM_{2.5} from local roadway traffic sources that may impact a new residential development containing 10 or more dwelling units on a site. If the air quality assessment indicates that the estimated concentration of PM_{2.5} at the site attributable to all roadway vehicle emissions within 500 feet (approximately 150 meters) of the site would be greater than 0.2 µg/m³ (micrograms per cubic meter), Section 3807 requires development on the site to be designed or relocated to avoid exposure greater than 0.2 µg/m³, or a ventilation system to be installed that would be capable of removing 80 percent of ambient PM_{2.5} from habitable areas of the residential units. An Article 38 analysis done for the Project area identified three locations along Arellious Walker between Harney Way and Carroll Avenue, within 50 to 100 feet from the roadway, where total PM_{2.5} roadway

concentrations would be expected to exceed 0.2 $\mu\text{g}/\text{m}^3$ assuming 2030 traffic conditions.^{179b} Residential structures planned in these locations will be required to comply with Article 38 provisions, which could include redesign or setback of structures to avoid residential exposure or installation of a ventilation system in new residential units, all of which would reduce exposures below the 0.2 $\mu\text{g}/\text{m}^3$ level.

^{179a} San Francisco Department of Public Health, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 6, 2008.

^{179b} ENVIRON, Community Hazards and San Francisco Health Code Article 38 Analyses, May 2010 (also contained in Appendix H4 of the EIR).

Page III.H-17, first bullet

- 80 pounds per day (ppd) or 15 tons per year (tpy) of ROG₇

Page III.H-18, second paragraph

BAAQMD does not currently recommend a threshold of significance for determining impacts associated with $\text{PM}_{2.5}$. The San Francisco Department of Public Health (SFDPH) is concerned that individuals who live in the proximity of heavily travelled roads or freeways could incur adverse health effects as a result of exposure to vehicle emissions. To minimize contributions to health impacts associated with locating new residential projects near roadway “hot spots,” the SFDPH developed a strategy to assess and mitigate air pollution at these locations.¹⁸³ Their strategy is based on the use of an annual average threshold concentration of $\text{PM}_{2.5}$ (0.2 $\mu\text{g}/\text{m}^3$) within a 150-meter zone (about 500 feet) of a new project as a means of assessing the potential for concern.¹⁸⁴ The threshold concentration of $\text{PM}_{2.5}$ is meant to serve as a health-protective “proxy” or surrogate for pollutant exposures from vehicles, i.e., $\text{PM}_{2.5}$ is not the only pollutant of concern.¹⁸⁵ The $\text{PM}_{2.5}$ threshold serves as a concentration meant to protect the health of residents from all vehicle-associated emissions from a project.¹⁸⁶ localized exposures to $\text{PM}_{2.5}$, but is addressing this issue in its draft CEQA guidelines. California ARB also has not established a health-protective threshold for $\text{PM}_{2.5}$. In the absence of an agency-recommended health-based $\text{PM}_{2.5}$ standard, annual average exposures from roadway vehicles within a 150-meter buffer of a sensitive receptor below an action level (0.2 $\mu\text{g}/\text{m}^3$) identified by SFDPH^{186a} were considered less than significant for CEQA purposes. The rationale provided by SFDPH for the 0.2 $\mu\text{g}/\text{m}^3$ action level included studies suggesting that “a change in ambient concentrations of $\text{PM}_{2.5}$ by 0.2 $\mu\text{g}/\text{m}^3$, independent of other vehicle pollutants would result in significant forecasted health impacts” (2008).

The 0.2 $\mu\text{g}/\text{m}^3$ identified level is in accord with proposed CEQA guidelines developed by BAAQMD for $\text{PM}_{2.5}$.^{186b} According to BAAQMD, “emissions from a new source or emissions affecting a new receptor would be considered significant where ground-level concentrations of $\text{PM}_{2.5}$ from any source would result in an average annual increase greater than 0.3 $\mu\text{g}/\text{m}^3$.”^{186c} This determination is based on the lower range of a USEPA proposed Significant Impact Level (SIL) for stationary sources, which is interpreted by the USEPA as the level of ambient impact that is considered to represent a “significant contribution” to regional nonattainment. The BAAQMD goes on to indicate that the USEPA did not design this threshold for addressing community risks and hazards, but it was designed to protect human public health at a regional level by helping an area to maintain the NAAQS. The BAAQMD determined this SIL to be a reasonable goal at the local scale and, therefore, a useful reference for comparison. The BAAQMD states that this proposed threshold (0.3 $\mu\text{g}/\text{m}^3$) is consistent with the SFDPH threshold of 0.2 $\mu\text{g}/\text{m}^3$. The BAAQMD

reached that conclusion based on an ARB report that determined an increase in mortality from a 0.3 µg/m³ increment of PM_{2.5} was consistent with the estimated increase in mortality assumed by SFDPH in identifying the 0.2 µg/m³ increment. BAAQMD further states that “On balance, the Air District estimates that the SFDPH threshold and the [District proposed threshold of 0.3 µg/m³], in combination with the cumulative threshold for PM_{2.5}, will afford similar levels of health protection.” BAAQMD is recommending a cumulative threshold for PM_{2.5} of 0.8 µg/m³, which is the mid-range USEPA proposed SIL.

¹⁸³ San Francisco Department of Public Health (SFDPH). 2008. *Assessment and Mitigation of Air Pollutant Health Effects from Intra-urban Roadways: Guidance for Land Use Planning and Environmental Review*. May 6.

¹⁸⁴ *Ibid.*

¹⁸⁵ *Ibid.*

¹⁸⁶ *Ibid.*

^{186a} San Francisco Department of Public Health, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 6, 2008.

^{186b} BAAQMD, *California Environmental Quality Act Guidelines Update: Proposed Thresholds of Significance*, December 7, 2009.

^{186c} BAAQMD, *California Environmental Quality Act Guidelines Update: Proposed Thresholds of Significance*, December 7, 2009, page 43.

Page III.H-19, fourth paragraph

The Project, at full build-out (20329), would also generate 78,109 daily external motor vehicle trips. ...

Page III.H-21, third full paragraph

Since the HRAs for DPM or TACs bound to soil-PM₁₀ emitted during construction activities were completed, changes were made to the Project Description including the addition of roadway improvements on Ingerson and Jamestown Avenues, ~~compaction of~~ change in the Candlestick Point construction schedule (completion in ~~2026~~2031), and slight changes to the Candlestick Point phasing boundaries. These changes to the Project Description were found not to change the HRA conclusions significantly, as documented in a technical memorandum included in Appendix H3, Attachment VI.

Page III.H-21, fourth full paragraph

... regarding this assessment can be found in Appendix H3, Attachment III.¹⁹³

¹⁹³ ENVIRON, *Ambient Air Quality Human Health Risk Assessment: Candlestick Point–Hunters Point Shipyard Phase II Development Plan*, ~~September 28, 2009~~ May 4, 2010. See Appendix H3.

Pages III.H-21 to A-22, last bullet

- In order to approximate the maximum potential number of facilities with TAC emitting sources, the area designated for proposed R&D development would be divided into one-acre plots, which is generally consistent with the minimum size of a parcel based on the expected land uses within the R&D parcels.

Page III.H-22, third paragraph

~~The potential health impacts from traffic related PM_{2.5}—Although not required as part of the criteria pollutant analysis, the incremental increase in the concentration of vehicular emissions of PM_{2.5} associated with the Project that would occur along selected roadways were evaluated by comparing predicted~~

~~concentrations of PM_{2.5} compared to the SFDPH PM_{2.5} threshold of 0.2 µg/m³. The analysis of PM_{2.5} emissions from Project-related traffic was consistent with methodologies recommended by SFDPH identified action level. The details of the HRA for PM_{2.5} can be found in Appendix H3, Attachment IV.~~¹⁹⁴

¹⁹⁴ ENVIRON, *Ambient Air Quality Human Health Risk Assessment: Candlestick Point–Hunters Point Shipyard Phase II Development Plan*, Appendix IV, September 28, 2009.

Pages III.H-22 to -23, last partial paragraph

The concentration of PM_{2.5} from vehicular emissions was characterized by developing exposure point concentrations at residential receptors surrounding the thoroughfares and roadways evaluated: Third Street; Innes Avenue/Hunters Point Boulevard/Evans Avenue; Palou Avenue; Gilman Avenue/Paul Avenue; Jamestown Avenue; Ingerson Avenue; and Harney Way. Those thoroughfares would connect the Project and major arterials to US-101 or downtown San Francisco. In addition, Innes Avenue/Hunters Point Boulevard/Evans Avenue and Harney Way were identified as streets with ~~substantial~~ truck traffic and thus would be expected to yield more PM_{2.5} compared to other roads. Palou Avenue and Gilman Avenue/Paul Avenue were evaluated quantitatively as there are residences in the vicinity of these roads where individuals may incur exposure to PM_{2.5}, while Jamestown and Ingerson Avenues were evaluated in a semi-quantitative manner as they are immediately adjacent to residences; however, have much lower expected Project-related vehicle traffic than Palou and Gilman/Paul.

Annual average airborne concentrations of PM_{2.5} attributable to Project-related traffic emissions were estimated by applying a Gaussian air dispersion model, CAL3QHCR, which has been approved by the USEPA and California ARB for use in the environmental documentation of transportation projects. Both free flowing traffic and queuing at intersections were evaluated.

Page III.H-24, second full paragraph

As described earlier, an HRA¹⁹⁹ evaluated potential human health effects due to exposure to DPM from heavy equipment exhaust that may be emitted during Project-related construction activities including abatement, demolition, grading, excavation, and foundation and structure construction. . . . :

- Construction equipment used for the Project ~~will~~ would utilize a phased-in emission control technology in advance of a regulatory requirement such that 50 percent of the fleet will meet USEPA Tier 4 ~~engine~~2 standards outfitted with California ARB Level 3 VDECS (Verified Diesel Emission Control Strategies) for particulate matter control (or equivalent) during ~~2010 and 2011~~ the first two years of construction activities, increasing to 75 percent of the fleet in ~~2012~~ the third year and 100 percent of the fleet starting in ~~2013~~ the fourth year and for the duration of the Project
- Construction equipment used in the Alice Griffith parcels (CP01 through CP06) would utilize equipment which meets the USEPA Tier 4 ~~engine~~2 standards outfitted with California ARB Level 3 VDECS (Verified Diesel Emission Control Strategies) for particulate matter control (or equivalent) throughout the entire duration of construction activities on those parcels-

¹⁹⁹ ENVIRON, *Ambient Air Quality Human Health Risk Assessment: Candlestick Point–Hunters Point Shipyard Phase II Development Plan*, September 28, 2009 May 4, 2010. See Appendix H43.

Pages III.H-25 through -27, beginning with first paragraph

As noted earlier, BAAQMD CEQA Guidelines has an established threshold of 10 in one million for carcinogenic health risks. The HRA, which took into account the mitigation measures described above, concluded that the cancer risk at the MEI would be 3.3 in one million. This represents the maximum level of DPM experienced by all off-site sensitive receptors during Candlestick Point construction activities. Exposure to DPM from construction activities associated with Candlestick Point would not exceed the threshold. In addition, the HRA concluded the maximum chronic noncancer HI to be 0.007, which is below the BAAQMD's significance threshold of 1.0. ~~An analysis was not conducted to determine the impact of Candlestick Point construction activities without the mitigation described above; however, due to the scale of the construction activities and proximity to adjacent receptors, without mitigation the impacts would be potentially above the BAAQMD's significance threshold and would therefore be potentially significant.~~

The impact of Candlestick Point construction activities without the mitigation described above would result in an estimated cancer risk at the MEI of 11 in one million, above the significance threshold of 10 in one million and, therefore, significant without mitigation. The corresponding chronic noncancer HI for the unmitigated emissions was estimated to be 0.027, which is below the BAAQMD's noncancer HI significance threshold of 1.0.

Due to the scale of the construction activities and proximity to adjacent receptors, without mitigation the impacts would be potentially above the BAAQMD's significance threshold and would, therefore, be potentially significant.

As the carcinogenic and noncarcinogenic health risks posed by DPM emissions during construction activities associated with development of Candlestick Point have been determined to be below established thresholds with mitigation, this impact is less than significant with mitigation measure MM AQ-2.1:

MM AQ-2.1 Implement Emission Control Device Installation on Construction. To reduce DPM emissions during Project construction, the Project Applicant shall require construction equipment used for the Project to utilize emission control technology such that 50% of the fleet will meet USEPA Tier 2 standards outfitted with California ARB Level 3 VDECS (Verified Diesel Emission Control Strategies) for particulate matter control (or equivalent) during 2010 and 2011 the first two years of construction activities, increasing to 75% of the fleet in 2012 the third year and 100% of the fleet starting in 2013 the fourth year and for the duration of the Project.

Impact of Hunters Point Shipyard Phase II

Impact AQ-2b Construction at HPS Phase II would not result in impacts to off-site populations from Project-generated emissions of DPM. (Less than Significant with Mitigation) [Criterion H.d]

As noted above, BAAQMD CEQA Guidelines has an established threshold of 10 in one million for carcinogenic health risks; the HRA which took into account the mitigation measures described above concluded that the cancer risk at the MEI would be 3.8 in one million. This represents the maximum level of DPM experienced by all off-site sensitive receptors during HPS-Phase II construction activities. Construction activities associated with HPS-Phase II would not exceed the threshold. In addition, the HRA

~~concluded the maximum chronic non-cancer HI to be 0.01, which is below the BAAQMD's significance threshold of 1.0. An analysis was not conducted to determine the~~The impact of Candlestick Point HPS Phase II construction activities without the mitigation described above; however, due to the scale of the construction activities and proximity to adjacent receptors, without mitigation the impacts would be potentially above the BAAQMD's result in an estimated cancer risk at the MEI of 8.4 in one million, which is below the significance threshold of 10 in one million and would, therefore, be potentially less than significant without mitigation. The corresponding chronic noncancer HI for the unmitigated emissions was estimated to be 0.024, which is below the BAAQMD's noncancer HI significance threshold of 1.0.

Due to the scale of the construction activities and proximity to adjacent receptors, without mitigation the impacts would be potentially above the BAAQMD's significance threshold and would, therefore, be potentially significant.

As the carcinogenic and noncarcinogenic health risks posed by DPM emissions during construction activities associated with development of HPS-Phase II have been determined to be below established thresholds with and without mitigation, this impact is less than significant with implementation of mitigation measure MM AQ-2.1.

Impact of Alice Griffith Public Housing

Impact AQ-2c Construction activities associated with the Project would not result in impacts to the existing Alice Griffith Public Housing from Project-generated emissions of DPM. (Less than Significant with Mitigation) [Criterion H.d]

As noted earlier, BAAQMD CEQA Guidelines has an established threshold of 10 in one million for carcinogenic health risks; the HRA which took into account the mitigation measures described above concluded that the cancer risk at the MEI inside Alice Griffith would be 4.5 in one million. This represents the maximum level of DPM experienced by all on-site sensitive receptors during Project construction activities. Exposure to DPM from construction activities associated with the Project would not exceed the threshold. In addition, the HRA concluded the maximum chronic non-cancer HI to be 0.02, which is below the BAAQMD's significance threshold of 1.0. ~~An analysis was not conducted to determine the impact of Candlestick Point construction activities without the mitigation described above; however, due to the scale of the construction activities and proximity to adjacent receptors, without mitigation the impacts would be potentially above the BAAQMD's significance threshold and would therefore be potentially significant.~~

The impact of Candlestick Point and HPS Phase II construction activities without the mitigation described above would result in an estimated cancer risk at the on-site MEI (sensitive receptors inside Alice Griffith) of 20 in one million, above the significance threshold of 10 in one million and therefore significant without mitigation. The corresponding chronic noncancer HI for the unmitigated emissions was estimated to be 0.09, which is below the BAAQMD's noncancer HI significance threshold of 1.0.

Due to the scale of the construction activities and proximity to adjacent receptors, without mitigation the impacts would be potentially above the BAAQMD's significance threshold and would therefore be potentially significant.

As the carcinogenic and noncarcinogenic health risks posed by DPM emissions during construction activities associated with development of the Project have been determined to be below established thresholds with mitigation, this impact is less than significant with implementation of mitigation measure MM AQ-2.1 and mitigation measure MM AQ-2.2:

MM AQ-2.2 Implement Accelerated Emission Control Device Installation on Construction Equipment Used for Alice Griffith Parcels. *In addition to mitigation measure MM AQ-2.1, in order to minimize the potential impacts to residents living in Alice Griffith from the construction activities in that area, the Project Applicant will require that all construction equipment used in the Alice Griffith parcels (CP01 through CP06) ~~would~~ utilize equipment which meets the USEPA Tier 4 engine² standards outfitted with California ARB Level 3 VDECS (Verified Diesel Emission Control Strategies) for particulate matter control (or equivalent) throughout the entire duration of construction activities on those parcels.*

Combined Impact of Candlestick Point and Hunters Point Shipyard Phase II

Impact AQ-2 Construction activities associated with the Project would not result in impacts to on-site and off-site populations from Project-generated emissions of DPM. (Less than Significant with Mitigation) [*Criterion H.d*]

As noted earlier, BAAQMD CEQA Guidelines has an established threshold of 10 in one million for carcinogenic health risks; the HRA which took into account the mitigation measures described above concluded that the inhalation cancer risk at the on-site and off-site MEI would be 4.5 in one million. This represents the maximum level of DPM experienced by all off-site and on-site (i.e., Alice Griffith) sensitive receptors during Project construction activities. Exposure to DPM from construction activities associated with the Project would not exceed the threshold. In addition, the HRA concluded the maximum chronic noncancer HI to be 0.01, which is below the BAAQMD's ~~significance threshold of 1.0. An analysis was not conducted to determine the impact of Candlestick Point construction activities without the mitigation described above; however, due to the scale of the construction activities and proximity to adjacent receptors, without mitigation the impacts would be potentially above the BAAQMD's significance threshold and would therefore be potentially significant.~~ noncancer HI significance threshold of 1.0.

The impact of Candlestick Point and HPS Phase II construction activities without the mitigation described above would result in an estimated cancer risk at the on-site and off-site MEI of 20 in one million, above the significance threshold of 10 in one million and therefore significant without mitigation. This represents the maximum level of DPM experienced by all off-site and on-site (i.e., Alice Griffith) sensitive receptors during Project construction activities. The corresponding chronic noncancer HI for the unmitigated emissions was estimated to be 0.09, which is below the BAAQMD's noncancer HI significance threshold of 1.0.

Due to the scale of the construction activities and proximity to adjacent receptors, without mitigation the impacts would be potentially above the BAAQMD's significance threshold and would, therefore, be potentially significant.

As the carcinogenic and noncarcinogenic health risks posed by DPM emissions during construction activities associated with development of HPS Phase II have been determined to be below established thresholds with mitigation in place, this impact is less than significant with implementation of mitigation measure MM AQ-2.1 and mitigation measure MM AQ-2.2.

Page III.H-29, second full paragraph

As the carcinogenic and noncarcinogenic health risks posed by soil-PM₁₀ emissions during construction activities associated with development of Candlestick Point have been determined to be below established thresholds, this impact is less than significant with mitigation measure MM HZ-15 discussed above. An analysis was not conducted to determine the impact of Project construction activities without the dust control mitigation measures described in MM HZ-15; ~~however, because the dust controls described in MM HZ-15 are required by *San Francisco Health Code* Article 22B or BAAQMD regulations.~~ ¶ Due to the scale of the construction activities and proximity to adjacent receptors, without these dust control measures, the impacts from TACs bound to soil PM₁₀ would likely be above the BAAQMD's significance threshold and would, therefore, be potentially significant.

Page III.H-29, last paragraph

As the carcinogenic and noncarcinogenic health risks posed by soil-PM₁₀ emissions during construction activities associated with development of HPS Phase II have been determined to be below established thresholds, this impact is less than significant with mitigation measure MM HZ-15 discussed above. An analysis was not conducted to determine the impact of Project construction activities without the dust control mitigation measures described in MM HZ-15; ~~however, because the dust controls described in MM HZ-15 are required by *San Francisco Health Code* Article 22B or BAAQMD regulations.~~ ¶ Due to the scale of the construction activities and proximity to adjacent receptors, without these dust control measure, the impacts from TACs bound to soil PM₁₀ would likely be above the BAAQMD's significance threshold and would, therefore, be potentially significant.

Page III.H-30, fourth paragraph

As the carcinogenic and noncarcinogenic health risks posed by soil-PM₁₀ emissions during construction activities associated with development of HPS Phase II have been determined to be below established thresholds, this impact is less than significant with mitigation measure MM HZ-15 discussed above. An analysis was not conducted to determine the impact of Project construction activities without the dust control mitigation measures described in MM HZ-15; ~~however, because the dust controls described in MM HZ-15 are required by *San Francisco Health Code* Article 22B or BAAQMD regulations.~~ ¶ Due to the scale of the construction activities and proximity to adjacent receptors, without these dust control measure, the impacts from TACs bound to soil PM₁₀ would likely be above the BAAQMD's significance threshold and would, therefore, be potentially significant.

Page III.H-30, Impact AQ-4 and the following paragraph

Impact AQ-4 **Operation of the Project would violate BAAQMD CEQA significance thresholds for mass criteria pollutant emissions from mobile and area sources and contribute substantially to an existing or projected air quality violation at full build-out ~~in the year 2029~~. (Significant and Unavoidable) [Criteria H.a and H.c]**

The proposed Project's design incorporates a dense, compact development plan that includes a diverse mix of land uses that are well connected with regional mass transit systems. ... With these features included,

the proposed Project at full buildout (2029) is expected to generate 78,109 daily external motor vehicle trips. ...

Page III.H-33, Impact AQ-6

Impact AQ-6 **Implementation of HPS Phase II would not expose nearby receptors to an increase in local concentrations of toxic air contaminants due to the operation of Research and ~~Implementation-Development~~ uses. (Less than Significant with Mitigation) [Criterion H.d]**

Pages III.H-34 and -35, beginning with first paragraph

Using the assumptions discussed in the Analytic Method section, the HRA²⁰² estimated the excess lifetime cancer risk and chronic noncancer HI due to the combined TAC emissions from the R&D areas at any surrounding receptor location. All receptors were initially evaluated as residential receptors. The estimated excess lifetime cancer risks and HIs within areas designated for residential use were found not to exceed the BAAQMD's significance thresholds of an incremental residential cancer risk of 10 in one million for carcinogenic and a chronic noncancer HI of 1.0 for noncarcinogenic health risks. An analysis was not conducted to determine the impact without the assumptions discussed earlier (such as the assumptions that each lot would be 1 acre in size and have one source of TAC emissions); however, due to the potential number of R&D facilities with sources of TAC emissions capable of locating in the R&D areas and their proximity to adjacent receptors, without mitigation, the impacts would potentially be above the BAAQMD's significance threshold and therefore potentially significant.

... Due to the decrease in the frequency and duration of potential exposures, the chronic HI would also be reduced below the HI threshold of 1.0.

The estimated health risks would be below BAAQMD thresholds for all residential receptor locations as a result of implementation of the Project, including implementation of the following mitigation measures. The mitigation measures would require TAC emitting facilities that are located on a lot 1 acre or larger in size to establish that their TAC emissions are below the BAAQMD thresholds. If they exceed these thresholds, or if a TAC emitting facility locates on a lot smaller than 1 acre in size, the facility would further need to analyze the effect of its emissions in combination with other TAC emitting facility emissions to establish that the combined emissions would be below the BAAQMD thresholds. Impacts would be less than significant.

MM AQ-6.1 *~~In accordance with the approach used to evaluate this impact, the minimum plot size for facility with sources of TAC emissions in R&D areas will be no smaller than 1 acre. If a facility with sources of TAC emission wishes to locate on a plot size smaller than 1 acre, an analysis will be required to show the facility, in conjunction with all other TAC emitting facilities in the R&D areas, will not cause these thresholds of a residential cancer risk of 10 in one million and a chronic noncancer HI of 1.0 to be exceeded at the nearest residential locations.~~*

MM AQ-6.2 *Each facility with sources of TAC emissions on a plot of 1 acre or larger will limit their emissions such that residential cancer risk and chronic non-cancer hazard index evaluated at the facility boundary does not exceed 10 in one million or 1.0, respectively. If these thresholds are exceeded at the boundary, an*

analysis will be required to show the facility, in conjunction with all other TAC emitting facilities in the R&D areas, will not cause these thresholds to be exceeded at the nearest residential locations.

Impact AQ-7: Traffic PM_{2.5}

Impact AQ-7 **Operation of the Project would not exceed SFDPH thresholds or otherwise expose receptors to concentrations of PM_{2.5} above a 0.2 µg/m³ action level for PM_{2.5} and, therefore, would not substantially affect the health of nearby receptors as a result of an increase in local concentrations of vehicle emissions (PM_{2.5}) associated with vehicle use attributable to operation of the Project. (Less than Significant) [Criterion H.d]**

With development of the Project, vehicle trips and thereby vehicle emissions along local roadways would increase. The exposure of residential receptors to increased vehicle emissions could affect human health. As a result, and as discussed above, potential PM_{2.5} concentrations at select roadways with the addition of Project traffic were estimated compared against SFDPH thresholds to determine the potential health risks. ~~an identified 0.2 µg/m³ action level to determine whether sensitive receptors would be exposed to a~~ substantial increase in PM_{2.5} concentrations attributed to vehicle emissions that would be associated with the Project. Several roadway segments were chosen based on whether Project-related traffic would use these streets to access neighboring freeways and other areas of San Francisco and/or currently or would experience significant truck traffic. The roadways chosen include:

- Third Street
- Innes Avenue/Hunters Point Boulevard/Evans Avenue
- Palou Avenue
- Gilman Avenue/Paul Avenue
- Harney Way
- Jamestown Avenue
- Ingerson Avenue

With the addition of Project-related traffic, no receptors along the streets listed above would experience and increase in PM_{2.5} concentrations in excess of SFDPH's 0.2 µg/m³ threshold.²⁰² the identified 0.2 µg/m³ action level. The details of the HRA for PM_{2.5} can be found in Appendix H3, Attachment IV. As concentrations of PM_{2.5} at sensitive receptor locations would not exceed the identified 0.2 µg/m³ action level, impacts would be less than significant. No mitigation is required.

~~Concentrations would not exceed SFDPH's threshold, or the BAAQMD's proposed threshold, and as such, impacts would be less than significant. No mitigation is required.~~

²⁰² ENVIRON, *Ambient Air Quality Human Health Risk Assessment: Candlestick Point–Hunters Point Shipyard Phase II Development Plan*, Attachment III, ~~September 28, 2009~~ May 4, 2010. See Appendix H3.

²⁰³ ENVIRON, *Ambient Air Quality Human Health Risk Assessment: Candlestick Point–Hunters Point Shipyard Phase II Development Plan*, Appendix IV, September 28, 2009.

Page III.H-37, new first bullet

- Yosemite Slough Restoration Project: Re-vegetation, recreational and trails only; no structures
- Hunters View: 550 new homes
- ...

Pages III.H-37 and -38, last paragraph

When evaluating combined impacts, the relative location of the other proposed project to the Project is a critical factor to consider as local wind patterns affect the transport of pollutants from each location. As shown in Figure 1 of the HHRA Appendix V,²⁰⁵ the winds in the vicinity of the Project are predominantly from the west, blowing directly east. As such, only construction activities on other projects directly west of the Project are likely to combine with Project-related construction activities. As the Project is on the San Francisco Bay shoreline, there are no additional projects immediately east. ... The Project will not substantially impact HPS Phase I; the impacts of Project-related construction activities on HPS Phase I were explicitly evaluated in Impact AQ-2 and Impact AQ-3, as discussed above. Depending on the construction schedule for the Yosemite Slough Restoration Project, air quality impacts from construction equipment could combine with construction emissions of the Project. However, construction emissions from the Yosemite Slough Restoration Project would be predominantly blown east over the Bay and would not be anticipated to combine with construction emissions of the Project to cause a significant impact on sensitive receptors.

²⁰⁵ ENVIRON, *Ambient Air Quality Human Health Risk Assessment: Candlestick Point–Hunters Point Shipyard Phase II Development Plan*, Appendix V, September 28, 2009, May 4, 2010. See Appendix H3.

Page III.H-38, third full paragraph

Project operational emissions of the ozone precursors, ROG and NO_x, and of the criteria pollutants PM₁₀ and PM_{2.5} would exceed the BAAQMD project-specific significance thresholds. Therefore, as discussed earlier, these emissions would be considered to have a significant and unavoidable cumulative impact. However, these emissions are typically addressed through the BAAQMD Clean Air Plan so that Project emissions, in combination with all adjacent projects, will be addressed at a regional level.

Pages III.H-38 and -39, last partial paragraph

~~Project stationary-source TACs and the PM_{2.5} from motor vehicles on site access roads, which could present human health risks to nearby receptors as a result of operation of the Project, would not exceed current or proposed BAAQMD thresholds. In addition, the analysis of potential health hazards resulting from mobile emissions took into account future (including all existing) traffic, including that attributed to future growth within the cumulative context, and the relative health risks future motor vehicle traffic would impose would not exceed BAAQMD thresholds. Therefore, in accordance with BAAQMD guidelines, TAC and PM_{2.5} emissions would be considered to have a less-than-significant cumulative impact.²⁰⁶~~

No guidance is currently available for the assessment of PM_{2.5} cumulative impacts from Project operations. PM_{2.5} cumulative effects are assessed below based on the proposed BAAQMD CEQA guidelines.

F.12 Changes to Section III.I (Noise)

Page III.I-1, second paragraph

Data used to prepare this analysis were obtained from the *San Francisco General Plan (General Plan) Environmental Protection Element*; the *Bayview DEIR San Francisco 49ers Stadium Operational Noise Study*, prepared by Wilson, Ihrig & Associates (included as Appendix I1); the Federal Transit Administration's *Transit Noise and Vibration and Impact Assessment* methodology; and by measuring and modeling existing and future noise levels within the Project site and at surrounding land uses. ... All construction activity estimates were based on the September 2009 and March 2010 MACTEC Engineering Construction Phasing Plan.

Page III.I-6, second paragraph

The Project site is located in the southeastern area of San Francisco and extends east to San Francisco Bay (refer to Figure II-1 [Project Location]). This promontory is bounded on the south and west by the Bayview Hunters Point neighborhood and on the north and east by San Francisco Bay. The ground surface across the entire Project site is relatively flat with elevations ranging from approximately 0 feet to +20 feet (San Francisco City Datum [SFCD]).²¹⁰ ...

²¹⁰ San Francisco City Datum (SFCD) is a local vertical geodetic reference system specific to the City and County of San Francisco and formally established in 1964 as 8.616 feet above the National Geodetic Vertical Datum of 1929 (NGVD29), making it about 8.13 feet above mean sea level. The North American Vertical Datum was established in 1988 (NAVD88) and generally has replaced NGVD29 as a standard reference. Elevations expressed in NGVD29 may be converted to NAVD88 by adding 2.69 feet.

Page III.I-24, first paragraph

It is anticipated that the Project would be constructed beginning in ~~2010~~2011, with full build-out by ~~2029~~2031 and full occupancy in ~~2032~~, which represents an approximately ~~19~~20-year construction period. ...

Page III.I-26, Figure III.I-5 (Existing and Future Noise-Sensitive Land Use in Project Site and Vicinity) has been revised

[The figure has been modified to more accurately depict land uses identified as noise sensitive by the City of San Francisco's General Plan or Municipal Code. The figure also identifies Yosemite Slough as a noise-sensitive land use.]

**Figure III.I-5 Existing and Future Noise-Sensitive Land Use in Project Site and Vicinity
[Revised]**

Page III.I-27, third paragraph

Off-site roadway improvements would utilize a pavement crusher (similar in noise levels to a grader), loaders and graders, as well as water and haul trucks. Based on the noise levels presented in Table III.I-11, the approximate noise levels experienced by adjacent noise-sensitive uses due to construction activities occurring during off-site roadway improvements, which are conservatively assumed to be 5025 feet from the proposed improvement activity, would be approximately 8592 dBA during the loudest off-site activities (noise from a grader).

Page III.I-28, first paragraph

Residential uses that would be developed as part of the Project in Candlestick Point would be occupied starting in 20172019, as shown in Table II-15 (Building Construction Completion Dates) in Chapter II (Project Description). These residential uses would be located in the Alice Griffith district. Subsequent residential uses in Candlestick Point are scheduled for occupancy in 20242023, 20252027, and 20292032 in the CP North, CP South, CP Center, and Jamestown districts as shown in Figure II-16 (Proposed Site Preparation Schedule) and Figure II-17 (Proposed Building and Parks Construction Schedule). As shown in Table II-15, the commercial, neighborhood and regional retail, hotel and performance venue associated with Candlestick Point would be completed by 20242023.

Page III.I-30, second paragraph

While the construction activities would occur over an approximately 4920-year timeline, the activities that impact individual receptors would be temporary. ...

Page III.I-31, last paragraph

At HPS Phase II, new development would begin with the construction of the 49ers stadium, scheduled for completion during the 2014–2017 time period. HPS North district residential development would begin during 2011–2015 and is planned for completion by 20172019. Build-out of the R&D district is planned by 20172027. The mixed-use, neighborhood retail, and residential development at the HPS Village Center district would be completed in 20242023. ...

Page III.I-33, first paragraph

Construction activities for the Project would create a substantial temporary increase in ambient noise levels on the site and in existing residential neighborhoods adjacent to the site. While construction activities would occur over a 4920-year timeline, the conditions under which noise levels would be considered excessive during construction activities, such as excavation or pile driving, would only occur for the duration of the specified and would only impact receptors located within 150 feet or closer of the noise producing activity. ...

Page III.I-39, last paragraph

Mitigation measures MM NO-1a.1, MM NO-1a.2, and MM NO-2a have been identified to minimize or reduce construction related noise levels to the extent feasible. ... However, pile-driving and excavation

activities would last throughout the ~~18~~²⁰-year construction phasing, and, therefore, this temporary increase in ambient noise levels would be noticeable and would likely be cause for human annoyance. ...

Page III.I-43, Figure III.I-6 (Project-Related Roadway Noise Level Increases) has been revised

[NOTE: This figure has been corrected to show a less-than-3 dBA increase along Harney Way instead of the 5 dBA increase shown in the Draft EIR.]

Figure III.I-6 Project-Related Roadway Noise Level Increases [Revised]

Page III.I-51, mitigation measures MM NO-7.1 and Mm NO-7.2

MM NO-7.1 ...

- ~~After certification of the EIR, Stadium Operator enters into lease agreement with Agency, send notification of the establishment of a stadium noise mitigation program (SNMP) to the residential property owners in the identified neighborhood potentially affected by noise from the proposed Stadium~~
- ...

MM NO-7.2

Residential Use Plan Review by Qualified Acoustical Consultant. *To ensure that stadium game-and event-induced interior L_{max} noise levels do not exceed an interior noise level of 60 dBA and interfere with speech and other indoor activities in the proposed on-site residential uses closest to the proposed Stadium, the Stadium Operator-Project Applicant shall choose a qualified acoustical consultant to review plans for the new residential uses planned for areas closest to the proposed Stadium and follow their recommendations to provide acoustic insulation or other equivalent measures to ensure that interior peak noise events would not exceed 60 dBA L_{max} .*

Page III.I-54, Table III.I-18 (Modeled Cumulative Traffic Noise Levels along Major Project Site Access Roads) has been revised

[NOTE: This table has been revised at the request of City/ Agency staff to correct a typographical error.]

Table III.I-18		Modeled Cumulative Traffic Noise Levels along Major Project Site Access Roads [Revised]						
Roadway	Land Use	Existing Noise Level	2030 Without Project	2030 With Project	Cumulative Increase	Allowable Increase	Significant Cumulative Impact?	
...								
Ingalls Street north of Carroll Avenue	Residential	56.7	61.7	63.1	6.4	3	Yes	
Carroll Avenue east of 3 rd Street	Residential Commercial	52.6	53.8	58.1	5.5	5	Yes	
Gilman Avenue east of 3 rd Street	Residential	57.7	60.6	64.6	6.9	3	Yes	
...								

F.13 Changes to Section III.J (Cultural Resources)

Page III.J-1, second paragraph

The cultural resources section is based on the following technical studies: *Historical Context for the Archaeology of the Bayview Waterfront Project*,²²⁵ San Francisco, California, ~~July-November 2008~~,²²⁶ *Archaeological Research Design and Treatment Plan for the Bayview Waterfront Project*, San Francisco, California, ~~October-November 2009~~, and Addendum, March 2010;²²⁷ *Historic Context for the Bayview Waterfront Plan*, ~~December 2008~~ July 2009,²²⁸ and the *Bayview Waterfront Plan Historic Resources Evaluation, Volume II: Historic Resources Survey and Technical Report*, October 2009;²²⁹ *Historic Resource Evaluation for Candlestick Park Sports Stadium, San Francisco*, April 2010;^{229a} and *Memorandum on Comparative Rarity of World-War-II Era Buildings at Hunters Point Shipyard*, April 2010.^{229b} ...

²²⁶ Archeo-Tec, *Historical Context for the Archaeology of the Bayview Waterfront Project, San Francisco, California*, ~~July-November~~ 2008. Archaeological reports are on file with the City, but are not available to the public.

²²⁷ Archeo-Tec, *Archaeological Research Design and Treatment Plan for the Bayview Waterfront Project, San Francisco, California*, ~~October-November~~ 2009, and *Addendum*, March 2010. Archaeological reports are on file with the City, but are not available to the public.

²²⁸ Circa Historic Property Development, *Historical Context for the Bayview Waterfront Plan*, December 2008. ~~This report is on file at the City and is available for review upon request (refer to Appendix J1 [CIRCA, *Historical Context Statement*, July 2009]).~~

²²⁹ Circa Historic Property Development, *Bayview Waterfront Plan Historic Resources Evaluation, Volume II: Draft Historic Resource Survey and Technical Report*, ~~July-October~~ 2009. ~~This report is on file at the City and is available for review upon request (refer to Appendix J2 [CIRCA, *Historic Resources Survey*, October 2009]).~~

^{229a} Circa: Historic Property Development, *Historic Resource Evaluation for Candlestick Park Sports Stadium, San Francisco, CA*, April 2010 (refer to Appendix J3 [CIRCA, *Historic Resources Evaluation for Candlestick*, April 2010]).

^{229b} Circa: Historic Property Development, *Memorandum on Comparative Rarity of World-War-II Era Buildings at Hunters Point Shipyard*, April 2010 (refer to Appendix J4 [CIRCA, *Rarity of HPS Military/Industrial Buildings*, April 2010]).

Page III.J-18, third paragraph and new fourth paragraph

Based on archival research, the following indigenous sites are known or are believed to be located within the boundaries of the Project site. ~~Those~~ Some sites have not been evaluated for eligibility for listing on the California Register of Historic Resources (CRHR) or National Register of Historic Places, since most are under fill or on areas that have been developed. However, if a site or portion of a site contains intact archaeological deposits it would be considered a significant archaeological resource.²³⁸

CA-SFR-7

Site CA-SFR-7, as described above, has been determined to be eligible for the National Register of Historic Places (NRHP). The site is at the western end of Candlestick Point.

Pages III.J-18 and III.J-19, beginning with last partial paragraph

CA-SFR-12

Site CA SFR 12 is a shellmound, recorded by Nelson as Site #391 on the south side of Hunters Point. More recently, Hamusek-McGann et al. used an archaeological predictive model identified to identify the likely location of the site in HPS.²⁴¹

CA-SFR-13

Recorded by Nelson as Site #392, site CA-SFR-13 may be located at the eastern end of Hunters Point.²⁴² More recently, Hamusek-McGann et al. used an archaeological predictive model have spotted to identify the likely location of the site in HPS.²⁴³ Hamusek-McGann et al. report that based on historical maps the probable location of this site would have placed it at the original shoreline where Drydock 4 was later built. Due to extensive excavations that occurred during construction of the drydock Hamusek-McGann et al. assume that CA-SFR-13 was destroyed; however, as with other sites that were later determined to be wholly or partially intact, such as CA-SFR-7, CA-SFR-17, and CA-SFR-140, this site might also present intact discoveries.

CA-SFR-14

Site CA-SFR-14 is probably a mound, recorded by Nelson as Site #392a on the northeast end of Hunters Point. More recently, Hamusek-McGann et al. used an archaeological predictive model have identified to identify the likely location of the site in HPS.²⁴⁴

CA-SFR-11

Site CA-SFR-11 is a shell midden recorded as Nelson's Site #390 on the south side of Hunters Point.²⁴⁵ More recently, Hamusek-McGann et al. used an archaeological predictive model have identified to identify the likely location of the site inside HPS.²⁴⁶

Page III.J-19, fourth paragraph

However, the MEA Shellmound Archaeo GIS Project map also places the site at another location—one immediately northeast of the Project boundary.²⁴⁷ This appears to support Olmsted's original observation that the site Nelson designated as Mound #390 was situated on Palou Avenue near the shoreline.²⁴⁸ ~~Although these two alternative locations fall outside the Project site, their location and boundaries are not precisely known. Given the vagaries of overlaying historic and modern maps, the latter alternative location lies close to, and may extend into the Project site. The site appears to be in the western part of Hunters Point Shipyard Phase II.~~

Page III.J-21, first paragraph

The Candlestick Point site does not contain historic resources. In 2007, Jones & Stokes completed a review of Candlestick Park stadium, built in 1960, for potential eligibility in the NRHP.²⁵¹ The evaluation determined that the stadium did not meet the criteria to qualify as an exceptional property less than 50 years old. The report noted extensive alterations since its construction, including the expansion and enclosure in 1970 and more recent modifications to convert the stadium into a football-only facility. ~~The stadium, if reviewed at the 50-year mark, would not meet criteria for listing on the NRHP or CRHR due to lack of physical integrity resulting from the extensive alterations discussed above. A recent Historic Resource Evaluation (HRE) reviewed the stadium as a 50-year-old structure and the HRE concluded that, while the stadium would meet certain NRHP and CRHR criteria for association with events and persons, specifically the expansion of Major League Baseball to the West Coast and the career of Willie Mays with the San Francisco Giants, the stadium does not retain sufficient integrity to qualify as an historic resource under NRHP or CRHR criteria.~~^{251a} ...

^{251a} Circa: Historic Property Development, *Historic Resource Evaluation for Candlestick Park Stadium, San Francisco, CA, April 2010* (refer to Appendix J3 [CIRCA, *Historic Resources Evaluation for Candlestick, April 2010*]).

Page III.J-21, second paragraph

The HPS Phase II site contains buildings and structures identified historic significance. Since Shipyard decommissioning ... inclusion in the NRHP.²⁵³ The Navy is currently completing National Register nominations and Historic American Engineering Records documentation for the Hunters Point Commercial Dry Dock Historic District, pursuant to the Memorandum of Agreement with SHPO and the Advisory Council on Historic Preservation, discussed under "Regulatory Framework," below.

Page III.J-21, last paragraph

The Office of Historic Preservation Directory of Properties in the Historic Property Data File included Drydocks 2 and 3 and ~~associated wharves and seawalls~~, pump houses (Buildings 205 and 140), the western portion of Drydock 1, the Gatehouse (Building 204), and the Paint and Tool Building (Building 207) as the only structures on HPS considered eligible for listing on the NRHP, consistent with the findings of the 1997 JRP report and the subsequent SHPO concurrence. No other buildings or structures had previously been evaluated for listing on the CRHR.

Page III.J-22, first paragraph, new third sentence

In 2008, Circa Historic Property Development performed another investigation of HPS for this EIR. Circa identified a total of 134 buildings and structures at the HPS Phase II site. The investigation evaluated the eligibility of buildings and structures for the NRHP, the CRHR, or local historic registers. . . .

Page III.J-25, second paragraph

A district can comprise both features that lack individual distinction and individually distinctive features that serve as focal points. While Buildings 208, 211, 224, 231, and 253 may not be individually eligible for listing on the CRHR, when combined with the historic drydocks and associated buildings, the district is a physical representation of the broad history of HPS. Figure III.J-3 (Potential Historic Structures) illustrates views of Buildings 211, 224, 231, and 253.

Page III.J-26, Figure III.J-3 (Potential Historic Structures) has been revised

[NOTE: The figure has been revised to add “North Elevation – Building 224.”]

Figure III.J-3 Potential Historic Structures [Revised]

Page III.J-33, first paragraph

The Project would demolish Candlestick Park stadium, and would demolish and redevelop the Alice Griffith public housing site. Neither Candlestick Park stadium, nor the Alice Griffith public housing sites are considered eligible for listing on the NRHP, CRHR, or City landmark registers. As discussed above, Jones & Stokes completed a review of Candlestick Park stadium in 2007 and determined that the stadium did not meet the eligibility criteria for the NRHP while the stadium would meet certain NRHP and CRHR criteria for association with events and persons, the stadium does not retain sufficient integrity to qualify as a historic resource. ...

Page III.J-34, first full paragraph

Development at HPS Phase II would result in the demolition of Buildings ~~208~~, 211, 224, 231, and 253, which have been determined eligible for the CRHR and are contributors to the potential Hunters Point Commercial Dry Dock and Naval Shipyard Historic District. ... Therefore, the Project would have a significant and unavoidable impact on the potential Hunters Point Commercial Dry Dock and Naval Shipyard Historic District, because of demolition of Buildings ~~208~~, 211, 224, 231, and 253. Chapter VI (Alternatives) analyzes Alternative 4 (Reduced CP-HPS Phase II Development; Historic Preservation; State Parks Agreement; No HPS Phase II Stadium, No State Parks Agreement, and Without the Marina, or Yosemite Slough Bridge). Alternative 4 would include rehabilitation and reuse of Buildings 211, ~~224~~, 231, and 253 in the potential Hunters Point Commercial Dry Dock and Naval Shipyard Historic District. Building 208 would be mothballed and maintained as an element of the cultural landscape. Chapter VI also contains an analysis of Subalternative 4A (CP-HPS Phase II Development Plan with Historic Preservation), which would additionally include rehabilitation and/or reuse of Buildings 211, 224, 231, and 253, while keeping all other components of the Project the same.

Pages III.J-34 and -35, mitigation measures MM CP-1b.1 and MM CP-1b.2

MM CP-1b.1 ...

All written and photographic documentation of the potential Hunters Point Commercial Dry Dock and Naval Shipyard Historic District shall be approved by the ~~Historic Preservation Commission~~ SFRA, in consultation with the ERO, prior to any demolition and removal activities.

MM CP-1b.2 Interpretive Displays Depicting History of HPS. *Interpretive displays related to the history of HPS shall be installed at Heritage Park at Dry Dock Nos. 2 and 3. The number and type of displays shall be approved by the ~~Historic Preservation Commission~~ SFRA, in consultation with the ERO.*

Pages III.J-35 to -36, last paragraph

As discussed above, the Project would result in the demolition of Buildings ~~208~~, 211, 224, 231, and 253, which are historic resources in the potential Hunters Point Commercial Dry Dock and Naval Shipyard Historic District. ... Alternative 4 would include rehabilitation and reuse of Buildings 211, ~~224~~, 231, and 253 and retention of Building 208 as a cultural landscape element in the potential Hunters Point Commercial Dry Dock and Naval Shipyard Historic District. Chapter VI also contains an analysis of Subalternative 4A (CP-HPS Phase II Development Plan with Historic Preservation), which would include rehabilitation and reuse of Buildings 211, 224, 231, and 253, while keeping all other components of the Project the same.

Page III.J-36, first full paragraph

The Project archaeological research has found that archaeological resources expected to be found on the Project ... practices; (vii) prehistoric changes in social stratification; and (viii) the relationship between Hunters Point-Bayview and South of Market area prehistoric settlements. The Project could also disturb potential Native American burial sites of symbolic and cultural importance to present-day Native American tribes and representatives. Any potential archaeological resources, e.g., CA-SFR-9, fishing camps, that are covered by existing development will remain covered and unavailable unless the site is redeveloped.

Page III.J-40, second paragraph under Impact CP-2b

Moreover, previous archaeological investigations have shown that prehistoric archaeological sites in the HPS Phase II site tend to be located along the original shoreline. Therefore, it is possible that Project-related construction activities may encounter previously unknown archaeological resources. The Project could also disturb potential Native American burial sites of symbolic and cultural importance to present-day Native American tribes and representatives.

Page III.J-40, last partial paragraph

As discussed above, the Project site is expected to contain subsurface archaeological resources from the Native ... unavailable unless the site is redeveloped. Construction activities associated with the Project could disturb those archaeological resources, and result in potentially significant impacts. The Project could also disturb potential Native American burial sites of symbolic and cultural importance to present-day Native American tribes and representatives. Refer to Impact CP-2a and Impact CP-2b and associated discussions, above. Mitigation measure MM CP-2a would reduce the Project potentially significant effects on archaeological resources to a less-than-significant level through implementation of the *Archaeological Research Design and Treatment Plan for the Bayview Waterfront Project, San Francisco, California*.

F.14 Changes to Section III.K (Hazards and Hazardous Materials)

Page III.K-2, first sentence

There are substantial ongoing remediation programs at known hazardous material release sites at portions of the Project site from former Navy operations, Triple A Machine Shop, Inc., and/or its lessees throughout HPS Phase II. ...

Page III.K-11, last full paragraph

After the site identification process, the next step under the Navy's program is the preparation of Remedial Investigation (RI) reports for ~~all~~ the IR sites and other locations of concern in each parcel. ...

Page III.K-26, new Figure III.K-6 (Status of CERCLA Process) is added

[NOTE: The figure has been added to illustrate the steps in the CERCLA process and the current status of the parcels in the process.]

Figure III.K-6 Status of CERCLA Process [New]

Page III.K-33, last bullet

- All remedial investigations, ~~and~~ response actions, ~~and oversight activities~~ will be completed by the transferee notwithstanding the transfer of the property.

Page III.K-51, Figure III.K-5 (Hunters Point Shipyard Phase II Navy Parcel Overlay) has been revised

[The figure has been revised to show Parcel A' and Parcel A-3 as Parcel A; and a portion of Parcel B as Parcel C.]

Figure III.K-5 Hunters Point Shipyard Phase II Navy Parcel Overlay [Revised]

Page III.K-54, second full paragraph

The requirement for a site assessment prior to obtaining a grading permit for new construction would be triggered by Article 22A for sites at Candlestick Point located bayward of the 1851 high-tide line, which are the Candlestick Point North and Candlestick Point South districts, comprising the bulk of the area previously investigated in 1998. Compliance with Article 22A requirements would ensure current conditions are assessed in the area previously investigated in 1998, and that they are assessed in light of the specific planned depths of excavation. As stated below on page III.K-68, Hunters Point Shipyard soil shall not be used for grading adjustments within CPSRA, but may be reused on the Shipyard to the extent permissible under the Navy remedial program.

Pages III.K-54 to -55, mitigation measure MM HZ-1a

MM HZ-1a Article 22A Site Mitigation Plans. (Applies only to Candlestick Point.) Prior to obtaining a site, building or other permit from the City for development activities involving subsurface disturbance at portions of Candlestick Point bayward of the high tide line, the Project Applicant shall comply with the requirements of San Francisco Health Code Article 22A. If the site investigation required by Article 22A (or, in the case of development activity in CPSRA, which is not subject to Article 22A, a comparable site investigation that is carried out to comply with this measure, and which involves notification to California State Parks if a site mitigation plan is prepared), indicates the presence of a hazardous materials release, a site mitigation plan must be prepared. ...

To the extent that Article 22A does not apply to state-owned land at CPSRA, prior to undertaking subsurface disturbance activities at CPSRA, the Agency and the California Department of Parks and Recreation shall enter into an agreement to follow procedures ~~comparable~~ equivalent to those set forth in Article 22A for construction and development activities conducted at Candlestick Point State Recreation Area.

Page III.K-56, mitigation measure MM HZ-1b

MM HZ-1b Compliance with Requirements Imposed by Cleanup Decision Documents and Property Transfer Documents. (Applies only to HPS Phase II) Prior to obtaining a grading, excavation, site, building or other permit from the City for development activity at HPS Phase II involving subsurface disturbance, the Project Applicant shall submit documentation acceptable to the San Francisco Department of Public Health that the work will be undertaken in compliance with all notices, restrictions, and requirements imposed pursuant to a CERCLA ROD, Petroleum Corrective Action Plan, FOST, FOSET or FOSSL, including notices, restrictions, and requirements imposed in deeds, covenants, leases, easements, and LIFOCs, and requirements set forth in Land Use Control Remedial Design Documents, Risk Management Plans, Community Involvement Plans, and health and safety plans. ...

Pages III.K-58 and -59, mitigation measure MM HZ-2a.1

MM HZ-2a.1 Unknown Contaminant Contingency Plan. (Applies to Candlestick Point, HPS Phase II, and off-site improvements.) Prior to obtaining the first site, building or other permit for development activities involving subsurface disturbance, the Project Applicant shall prepare and the San Francisco Department of Public Health shall approve a contingency plan to address unknown contaminants encountered during development activities. This plan, the conditions of which shall be incorporated into the first permit and any applicable permit thereafter, shall establish and describe procedures for implementing a contingency plan, including appropriate notification to nearby property owners, schools, and residents and appropriate

site control procedures, in the event unanticipated subsurface hazards or hazardous material releases are discovered during construction. ...

Page III.K-68, second full paragraph

Various construction activities at HPS Phase II, such as grading, trenching, compacting, and excavating, would result in soil being handled and moved. The excavated soil may be used as fill elsewhere at HPS Phase II, to the extent permissible under the restrictions discussed below, but would not be reused at CPSRA or any other off-site locations. ...

Page III.K-77, after the first paragraph under Impact HZ-9

It is expected that construction of the bridge would occur in the early phase of the Project, likely before the Navy completes remediation of Parcels E and E-2. This section describes the impacts that could occur under such a scenario due to the presence of radiological materials and the actions that would be taken to address the presence of radiological materials within the bridge construction area.

Pages III.K-78 and -79, mitigation measure MM HZ-9

MM HZ-9 Navy-approved workplans for construction and remediation activities on Navy-owned property. *(Applies only to the portions of HPS Phase II on Navy-owned property). Construction activities and remediation activities conducted on behalf of the Agency or the Project Applicant, on Navy-owned property shall be conducted in compliance with all required notices, restrictions, or other requirements set forth in the applicable lease, easement, or license or other form of right of entry and in accordance with a Navy-approved workplan. This mitigation measure also requires that such activities be conducted in accordance with applicable health and safety plans, dust control plans, stormwater pollution prevention plans, community involvement plans, or any other documents or plans required under applicable law. ...*

Page III.K-83, the last sentences of items a, b, c, and d

- a. ... ~~A-Review by the DMMO permit~~ would likely be required.
- b. ... ~~A-Review by the DMMO permit~~ would likely be required.
- c. ... ~~A-Review by the DMMO permit~~ would likely be required.
- d. ... ~~a-review by the DMMO permit~~ would likely be required.

Pages III.K-87 and -88, mitigation measure MM HZ-12

MM HZ-12 Compliance with Administrative Order on Consent at Early Transferred Parcels. *(Applies only at HPS Phase II.) Prior to undertaking any remediation activities at HPS Phase II on property that the Navy has transferred to the Agency as part of an early-transfer, the Agency or its contractor or Project Applicant shall comply with all requirements incorporated into remedial design documents, work plans, health and safety plans, dust control plans, community involvement plans, and any other document or plan required under the Administrative Order on Consent. This includes all notices, restrictions, and requirements imposed pursuant to a CERCLA ROD, Petroleum Corrective Action Plan, FOSET, including restrictions imposed in deeds, covenants, and requirements set forth in Land Use Control Remedial Design Documents, Risk Management Plans, community involvement plans, and health and safety plans. ...*

Pages III.K-99 to -101, mitigation measure MM HZ-15

MM HZ-15 Asbestos Dust Mitigation Plans and Dust Control Plans. ...

If required by the BAAQMD, air monitoring shall be implemented to monitor for off-site migration of asbestos dust during construction activities, and appropriate protocols shall be established and implemented for notification of nearby schools, property owners, and residents when monitoring results indicate asbestos levels that have exceeded the standards set forth in the plan.

...

Page III.K-108, second full paragraph

Construction impacts associated with the potential to encounter hazardous materials or hazardous conditions during construction anywhere in the Project site, whether at Candlestick Point or HPS Phase II would for the most part be site specific and not additive because development activities at one site would be localized and would not combine with activities at another site to create a greater, combined effect. ... The Project would be sequenced as described in Chapter II and is anticipated to be complete by ~~2029~~2031. Some off-site roadway improvements would be done as part of the Project, but these would be of a limited nature, largely involving streetscape improvements, and would be developed over time. On Candlestick Point and HPS Phase II, the development of both areas is expected to continue through approximately ~~2024~~2031, with only portions of each area under development at any one time.

Page III.K-118, third and fourth full paragraphs

The geographic context for the analysis of cumulative impacts related to the routine transport of hazardous materials is ... Reasonably foreseeable development in this area would consist of the Yosemite Slough Restoration Project, Executive Park, Jamestown, Hunters View, India Basin Shoreline, and Hunters Point Shipyard Phase I.

The cumulative context for an analysis of impacts related to use and disposal of hazardous materials would include ... Reasonably foreseeable development in this area would consist of the Yosemite Slough Restoration Project, Executive Park, Jamestown, Hunters View, India Basin Shoreline, and Hunters Point Shipyard Phase I.

Page III.K-120, first full paragraph

The cumulative context for an analysis of impacts related to risk of upset or accident is ... Reasonably foreseeable development in this area would consist of the Yosemite Slough Restoration Project, Executive Park, Jamestown, Hunters View, India Basin Shoreline, and Hunters Point Shipyard Phase I.

Page III.K-122, first full paragraph

The cumulative context for an analysis of impacts related to hazardous materials sites is defined as ... Reasonably foreseeable development in this area would consist of the Yosemite Slough Restoration Project, Executive Park, Jamestown, Hunters View, India Basin Shoreline, and Hunters Point Shipyard Phase I.

F.15 Changes to Section III.L (Geology and Soils)

Page III.L-12, fourth paragraph

The intensity of earthquake-induced ground motions can be described using peak ground accelerations, ... exceeded in any given year. The CGS Probabilistic Seismic Hazard Assessment map accounts for amplification. Amplification effects can occur when seismic waves travel through soft soils underlain by shallow bedrock.

Page III.L-15, new first paragraph after Table III.L-3 (Active Bay Area Faults)

Amplification

Amplification effects can occur when seismic waves travel through soft soils underlain by shallow bedrock. During the design-level, site-specific seismic hazards assessment, appropriate attenuation relationships will be selected to account for amplification effects. All structures and improvements will be designed based on the appropriate seismic design parameters recommended in the seismic hazards assessment required by mitigation measure MM GE-4a.1.

Page III.L-15, second paragraph

Based on existing data, there is little or no risk of large translational movements.^{386a,386b} Design-level liquefaction studies, which are further described in mitigation measures ~~MM GE-4~~MM GE-5a, would address five general types of localized potential hazards, and provide treatment methods, including the following:

^{386a} ENGENEER, 2009.

^{386b} Engineering/Remediation Resources Group, Inc. and Shaw Environmental, Inc., *Remedial Investigation/Feasibility Study Report for Parcel E-2, Hunters Point Shipyard, San Francisco, California*, February 2009.

Page III.L-46, second paragraph

The potential for adverse ~~ae~~effects caused by seismically induced ground failure such as liquefaction, lateral spreading, and settlement exists at the Project site. ... The structural design review required by MM GE-4a.1, MM GE-4a.2, MM GE4a.3, and MM GE-5a would ensure that all necessary methods and techniques would be incorporated in the design for Project foundations and structures to reduce potential impacts from ground failure or liquefaction to a less-than-significant level.

Page III.L-49, first paragraph after Impact GE-7a

The shoreline along Candlestick Point consists of slopes protected by rip-rap or concrete debris and several areas of unprotected, beach-fronted slopes, exposed mudflats, and vegetation. ... and include an adaptive management strategy that would provide further protection for future sea level rise ~~up to~~ of 55 inches or more if this should become necessary. These improvements are intended to, will be designed to, and, therefore, would improve the stability of the shoreline. ...

Page III.L-52, first paragraph

The Candlestick Point site could be exposed to settlement hazards. ... The rate of settlement of the Young Bay Mud from the load of the artificial fill is now very small, but further increase in loads, whether resulting from placement of new fill or the construction of buildings, would initiate a new cycle of consolidation settlement.^{416a,416b} The Young Bay Mud is underlain by firmer soils and bedrock that do not pose settlement hazards.

^{416a} ENGEO, 2009.

^{416b} Engineering/Remediation Resources Group, Inc. and Shaw Environmental, Inc., 2009.

Page III.L-55, first full paragraph

... Extensive Young Bay Mud deposits are predominant in Parcels D and E. The rate of settlement of the Young Bay Mud from the load of the artificial fill is now very small, but any increase in loads, whether resulting from placement of new fill or the construction of buildings, would initiate a new cycle of consolidation settlement.^{417a,417b} ...

^{417a} ENGEO, 2009.

^{417b} Engineering/Remediation Resources Group, Inc. and Shaw Environmental, Inc., 2009.

Page III.L-64, third full paragraph

Implementation of the Project would modify soil and topographic conditions at the site to accommodate development and provide a stable and safe physical environment. The construction phase of the Project could expose soil to erosion by wind or water. Development of other cumulative projects in the vicinity of the Project site, including the Yosemite Slough Restoration Project, could expose soil surfaces and further alter soil conditions. ...

F.16 Changes to Section III.M (Hydrology and Water Quality)

Page III.M-59, mitigation measure MM HY-1a

MM HY-1a.1 [...]

- > *Erosion Control BMPs—Preserve existing vegetation where feasible, apply mulch or hydroseed areas with native, non-invasive species, until permanent stabilization is established, and use soil binders, geotextiles and mats, earth dikes and drainage swales, velocity dissipation devices, slope drains, or polyacrylamide to protect soil from erosion.*

Pages III.M-61 through -64, mitigation measure MM HY-1a.2

MM HY-1a.2 Stormwater Pollution Prevention Plan: Separate Storm Sewer System. *Consistent with the requirements of the SWRCB General Permit for Storm Water Discharges Associated with Construction and Land Disturbing Activities (Construction General Permit), the Project Applicant shall undertake the proposed Project in accordance with a project-specific Storm Water Pollution Prevention Plan (SWPPP) prepared by Qualified SWPPP Developer, who shall consult with California State Parks on those elements of the SWPPP that cover the Candlestick Park State Recreation Area, including selection of best management practices and other SWPPP improvements.*

The SFRWQCB, the primary agency responsible for protecting water quality within the project area, is responsible for reviewing and ensuring compliance with the SWPPP. This review is based on the Construction General Permit issued by the SWRCB.

...

■ *Erosion and Sedimentation:*

...

- > *Stabilize and re-vegetate disturbed areas as soon as possible after construction with planting, seeding, and/or mulch (e.g., straw or hay, erosion control blankets, hydromulch, or other similar material) except in actively cultivated areas. Planting and seeding shall use native, non-invasive species.*

...

■ *Post-construction BMPs:*

- > *Re-vegetate all temporarily disturbed areas as required after construction activities are completed. Re-vegetation shall use native, non-invasive species.*

...

Page III.M-92, under Impact HY-6c

Stormwater runoff from the Yosemite Slough bridge and discharges of materials from bridge maintenance activities would not cause or contribute to an exceedance of water quality standards. Primary pollutants of concern in stormwater runoff from transportation-related land uses include fuels, PAHs, sediment, metals, and litter and debris. The pollutants could originate from automobiles, transit vehicles, cyclists, and pedestrians. Automobiles would only be a source of stormwater pollutants on game days, which occur twelve days out of the year, because the bridge would only allow automobile traffic on game days. As described in Chapter II (Project Description) on page II-38, the Yosemite Slough bridge would be constructed with a 40-foot-wide greenway, which would be converted to automobile travel lanes on 49ers game days only. The greenway would also provide vegetative treatment for stormwater pollutants associated with automobiles, and would reduce the impacts of automobile-related stormwater runoff to a less than significant level. Runoff from the transit vehicle lanes would also be routed to the greenway and/or to land-based stormwater treatment controls such as swales. The stormwater treatment measures for the bridge would be described in the Project's Stormwater Control Plan, which is subject to SFPUC's approval.

Bridge maintenance activities such as welding and grinding, sandblasting, and painting can also adversely affect water quality if materials generated from maintenance are allowed to discharge into the Bay. It is anticipated that bridge operation would be under the jurisdiction of the City, and thus stormwater runoff mitigation would be performed under the Municipal Stormwater General Permit, which requires development of a pollution prevention program for municipal operations. The municipal operations program would also include street sweeping to remove litter and sediment-associated pollutants generated by transportation land uses.

Pollutants generated from transit vehicles, cyclists and pedestrians would also be addressed under the pollution prevention program for municipal operations implemented by the City. The pollutants would also be reduced through compliance with local stormwater treatment requirements (i.e., San Francisco

Stormwater Design Guidelines), which were put into effect to comply with the new development requirements in the Municipal Stormwater General Permit.

Impacts from bridge operation would be reduced via compliance with the existing stormwater runoff programs, specifically, elements of the Municipal Stormwater General Permit, and local requirements for stormwater treatment measures that would be subject to approval by the SFPUC. Operation of the Yosemite Slough bridge would not cause an exceedance of water quality standards or contribute to or cause a violation of waste discharge requirements and a less than significant impact would result. No mitigation is required.

Page III.M-96, the following sentence has been added to the first partial paragraph

... Because of the increase in permeable surface area, infiltration would be expected to increase, resulting in a corresponding decrease in runoff volumes. Grading would reduce slopes at both sites, slowing runoff rates. The runoff flow rates and volumes do not account for the effect of Project BMPs.

Table III.M-5 (Estimated Existing and Project Stormwater Peak Flow Rates and Runoff Volumes without BMPs) lists the estimated Project site stormwater runoff flow rates for existing and Project conditions, calculated using the Rational Method. ...

Page III.M-96, Table III.M-5 has been revised

[NOTE: This table has been revised in response to comments and to correct a typographical error in the table title.]

Table III.M-5 Estimated Existing and Project Stormwater Peak Flow Rates and Runoff Volumes <u>without BMPs</u> [Revised]				
Storm Event	Existing (cfs)^b	Project (cfs)^c	Project Increase^a	
			(cfs)	(%)
Candlestick Point				
5-Year	477 (130) ^d	249 (0) ^d	-228	-48%
10-Year	545	284	-261	-48%
100-Year	783	408	-375	-48%
Hunters Point Shipyard^e				
5-Year	644	448	-196	-30%
10-Year	730	509	-221	-30%
100-Year	1,052	733	-319	-30%
2-year 24-hour (acre-feet)				
Candlestick Point	36	20	-16	-44%
HPS Phase II	64	39	-24	-38%

SOURCE: PBS&J 2009

- a. A negative number denotes a reduction in Project flow rates compared to existing conditions.
- b. Existing flows are based on 72 percent impervious surfaces (505.3 acres).
- c. Project flows are based on 54 percent impervious surfaces 9(379.1 acres).
- d. Values in parenthesis denote the amount of total Candlestick Point site runoff flowing to the combined sewer system.
- e. Off-site flow from HPS Phase I is not included in these runoff calculations. Required HPS Phase I diversions into the HPS Phase II separate stormwater sewer system would be 108 cfs.

Page III.M-100

MM HY-12a.1 Finished Grade Elevations Above Base Flood Elevation. The Project site shall be graded such that finished floor elevations are ~~6~~53.5 feet above the Base Flood Elevation (BFE), and streets and

pads are 3 feet above BFE to allow for future sea level rise, thereby elevating all housing and structures above the existing and potential future flood hazard area. If the FIRM for San Francisco is not finalized prior to implementation of the Project, the Project Applicant shall work with the City Surveyor to revise the City's Interim Floodplain Map. If the FIRM for San Francisco is finalized prior to implementation of the Project, the Project Applicant shall request that the Office of the City Administrator (Floodplain Manager) request a Letter of Map Revision based on Fill (LOMR-F) from FEMA that places the Project outside a SFHA and requires that the FIRM is updated by FEMA to reflect revised regulatory floodplain designations.

Page III.M-102, mitigation measure MM HY-12a.2

MM HY-12a.2 Shoreline Improvements for Future Sea-Level Rise. Shoreline and public access improvements shall be designed to allow future increases in elevation along the shoreline edge to keep up with higher sea level rise values, should they occur. Design elements shall include providing adequate setbacks to allow for future elevation increases of at least 3 feet along the shoreline from the existing elevation along the shoreline. Before the first Small Lot Final Map is approved, the Project Applicant must petition the appropriate governing body to form (or annex into if appropriate) and administer a special assessment district or other funding mechanism to finance and construct future improvements necessary to ensure that the shoreline, public facilities, and public access improvements will be protected should sea level rise exceed 16 inches at the perimeter of the Project. Prior to the sale of the first residential unit within the Project, the legislative body shall have acted upon the petition to include the property within the district boundary. The newly formed district shall also administer a Monitoring and Adaptive Management Plan to monitor sea level and implement and maintain the protective improvements.

Page III.M-102, first and second paragraphs after Impact HY-12b

According to proposed site plans, the portions of HPS Phase II that fall within a SFHA are proposed to be used for stadium parking. However, housing could be located in an area subject to flooding if the rate of sea level rise were to exceed the 36 inches that serves as the basis for Project grading plans and fill elevations, and no improvements were to be made along the shoreline.

Mitigation measure MM HY-12.a.1 requires Project finished grade elevations to be above the BFE accounting for future sea level rise. Mitigation measure MM HY-12a.2 requires that shoreline and public access improvements be designed to incorporate setbacks ~~in the event that to accommodate~~ sea level rise-related improvements exceeds 36 inches. With implementation of this mitigation measure, impacts pertaining to the placement of flooding housing within a potential future mapped flood hazard area would remain at less-than-significant levels.

Page III.M-103, first paragraph after Impact HY-12

The Project would place housing within a SFHA according to the preliminary FIRM for San Francisco and the City's Interim Floodplain Map (refer to Figure III.M-4). However, the preliminary grading plan for the Project site⁶³⁰ shows that the site would be graded to be above the Base Flood Elevation with a safety factor of +3 feet to allow for future sea level rise with building finish floor elevations 6 inches above that (total of 3.5 feet above Base Flood Elevation). ~~such that finished grade would comply with recommendations by Moffatt and Nichol,⁶³¹ which require land elevations to be graded above the Base Flood Elevation with a safety factor of +3.5 feet to allow for future sea level rise.~~ However, future sea

levels may rise at a more rapid rate than estimated. Implementation of mitigation measures MM HY-12a.1 and MM HY-12a.2 would ...

Page III.M-104, second paragraph after Impact HY-13b

Development at HPS Phase II would also place structures, including the marina; and the shoreline improvements, and a portion of the Yosemite Slough bridge, within a Zone V SFHA, according to the preliminary FIRM for San Francisco.⁶³³ Structures in Zone V could be subject to high-velocity wave forces that could cause damage to the structures or redirection of flood flows onto other parts of the site. Existing piers within Zone V would only be used as breakwaters for the marina and for wildlife habitat uses, and no buildings would be constructed. The shoreline improvements, including open space public access areas, would be initially designed and constructed to accommodate a 16-inch increase in sea level rise, with an adaptive management approach to accommodate greater sea level rise increases should they occur, as required by mitigation measure MM HY-12a.2. This conservative shoreline design for sea level rise, as well as the development setback from the shoreline required by MM HY-12a.2, would protect the site against coastal flooding hazards including high-velocity wave forces that could impede flood flows or cause flood flows to be directed to any portions of the site including open space or developed areas. Implementation of MM HY-12a.2 would reduce the impacts of placing structures in a Zone V SFHA to a less-than-significant level. Mitigation measure MM HY-13b would require and the Project Applicant to obtain a Floodplain Development Permit from the City Administrator and to provide a V Zone Certification for development within any such designated areas.

MM HY-13b — Floodplain Development Permit. To reduce the impacts of placing structures in a 100-year flood hazard area that could impede or redirect flows, the Project Applicant shall implement the following measures:

- *The Project Applicant shall obtain a Floodplain Development Permit from the Office of the City Administrator in accordance with the City's floodplain management ordinance that includes a hydraulic evaluation to determine whether structures or structural elements would impede or redirect flood flows and mandates minimum design and construction standards. Design and construction methods shall comply with NFIP requirements for placing structures in Zone V.*
- *The Floodplain Development Permit shall include a "V Zone Certification" in accordance with the NFIP. As part of the certification, a professional engineer or architect shall consider the NFIP "Free of Obstruction" requirement, to ensure that floodwaters or waves would not be deflected into a building or adjacent structure.*

Placement of structures in a Zone A SFHA or Zone V SFHA would result in a less than significant impact with implementation of mitigation measure MM HY-13b.

Pages III.M-104 to -105, first paragraph after Impact HY-13c

The bridge across Yosemite Slough would not place structures within a SFHA that could generate high-velocity flood forces that could cause damage to the structure itself or adjacent structures. The Yosemite Slough bridge would be designed such that the superstructure would be well above the current 100-year flood hazard elevation in Zone V, to account for future sea level rise. Because the bridge was would be designed to avoid potential impedance of flood flows; therefore, the impacts would be less than significant. No mitigation is required.

Page III.M-105, second paragraph after Impact HY-13

As discussed in Impact HY-13b, the Project would place structures within locations designated as Zone V on the preliminary FIRMs. Structures in Zone V could be subject to high-velocity flood forces that could cause damage to the structure itself or redirect flood flows into adjacent areas. There would be no buildings located in Zone V, and implementation of mitigation measure MM HY-13b-MM HY-12a.2 would require the Project Applicant to obtain a Floodplain Development Permit from the City Administrator and provide a Zone V Certification prior to development, development setbacks and an adaptive strategy for future increases in sea level rise, which would protect the shoreline Zone V areas from the effects of high-velocity flood forces and reduce the impacts to a less-than-significant level.

As discussed in Impact HY-13c, the bridge would be designed to avoid potential impedance of flood flows, and the superstructure would be raised well above the current 100-year flood elevation. Therefore, the impacts would be less than significant.

Page III.M-106, mitigation measure MM HY-14

MM HY-14 Shoreline Improvements to Reduce Flood Risk. To reduce the flood impacts of failure of existing shoreline ~~protection structures~~, the Project Applicant shall implement shoreline improvements for flood control protection, as identified in the Candlestick Point/Hunters Point Development Project Proposed Shoreline Improvements report.⁶³⁵ Where feasible, elements of living shorelines shall be incorporated into the shoreline protection improvement measures.

Page III.M-106, third paragraph after Impact HY-15

The expected 100-year wave run-up height from a tsunami at the South Basin is -3.8 feet SFCD. ~~Accounting for a planned~~ Even with a sea level rise of 3 feet, the 100-year wave run-up at South Basin would increase to -0.7 SFCD. ...

Page III.M-107, third paragraph after "Cumulative Impacts"

Construction and operation of cumulative development would not deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. The groundwater basins underlying the Project site are not used for water supply ...

Page III.M-108, first full paragraph

Cumulative development in the watershed, including development of the Yosemite Slough Restoration Project and at Executive Park, HPS Phase I, India Basin Shoreline, Jamestown, Brisbane Baylands, and Visitacion Valley, could contribute to violations of water quality standards or WDRs. ...

F.17 Changes to Section III.N (Biological Resources)

Page III.N-1, third paragraph

... The off-site aquatic resources discussed include Yosemite Slough (except the area of construction, which is included in the on-site impact analysis), the open water area between Candlestick Point and HPS Phase II (known as South Basin), and adjacent open waters that would be impacted by Project components (i.e., breakwaters, gangways, floats, etc.). ...

Page III.N-4, first full paragraph

Information from these sources and from PBS&J's reconnaissance-level surveys ~~were~~ was used to identify and characterize existing conditions at the Project site, and accordingly, were substantially relied upon for this analysis. ...

Page III.N-5, second full paragraph

... The vegetation communities are defined according to CDFG's Vegetation Classification and Mapping Program of the Biogeographic Data Branch ~~Wildlife and Habitat Data Analysis Branch List of California Terrestrial Natural Communities~~,⁶⁴⁷ H.T. Harvey & Associates' wetland delineation for HPS Phase II and Candlestick Point,⁶⁴⁸ and PBS&J's Biological Technical Report prepared for the Project.⁶⁴⁹

⁶⁴⁷ California Department of Fish and Game (CDFG), *The Vegetation Classification and Mapping Program: List of Terrestrial Natural Communities Recognized by the California Natural Diversity Database*, ~~Wildlife and Habitat Data Analysis Branch~~, Sacramento, California, September 2003 edition.

Page III.N-9, third paragraph

... One of these wetlands, in the southwestern portion of HPS Phase II, consists of pools that ~~pools~~ are shallow basins that lack drainage outlets. ...

Page III.N-21, first paragraph

... However, because they tend to gather in winter roosting sites along the California coast in relatively few locations, roost sites that are used traditionally by large numbers of individuals are considered sensitive biological resources and, thus, this common butterfly is discussed here as a sensitive species. ...

Page III.N-22, last paragraph

... This striking recovery is due in large measure to the ban on the use of DDT (a synthetic pesticide) in many places, including the United States. ...

Page III.N-26, last paragraph

Using the likelihood of occurrence definitions provided in Table III.N-5, this species is "known" to occur within the Study Area. ...

Page III.N-28, first paragraph

The only special-status bat species ~~likely to occur~~ potentially occurring within the Study Area is the western red bat (*Lasiurus blossevillii*). ...

Pages III.N-28 and III.N-29, last paragraph

... Because ~~of~~ the larval forms of oysters are free-floating in the Bay, and a large population exists south of the Study Area at Oyster Point Marina,⁷²⁹ native oysters are likely present on suitable substrate throughout the Study Area.

Page III.N-32, first full paragraph

... Fall-run Chinook salmon is the most abundant ESU, documented to comprise about ~~80~~92 percent of the Sacramento Basin stock ~~in the early 1980s~~ over the past 10 years of available data.^{741a} ...

^{741a} California Department of Fish and Game, Fisheries Branch, *Anadromous Resources Assessment, Chinook Salmon Escapement—All Runs*, February 18, 2009.

Page III.N-40, first full paragraph

The tidal aquatic habitats adjacent to the Project site are considered EFH by NMFS for a species assemblage that includes anchovies, sardines, rockfish, sharks, sole, and flounder.^{768,769} Areas supporting the native Olympia oyster found in San Francisco Bay are also considered EFH by NMFS because oyster beds generally increase fish abundance. In addition, eelgrass beds are considered EFH. ...

Page III.N-43, first heading

■ Regional

The McAteer-Petris Act (California Government Code 66600–66682)

The *McAteer-Petris Act* created the San Francisco Bay Conservation and Development Commission ... and, therefore, subject to BCDC's jurisdiction.

■ Regional

Page III.N-50, under Impact BI-2, add new sixth sentence to first paragraph

... operation of stadium lights. In addition, an increase in trash, particularly food waste, could potentially subsidize nuisance species such as common ravens (*Corvus corax*), American crows (*Corvus brachyrhynchos*), raccoons, rats, and feral cats, which in turn could increase predation on more sensitive wildlife species. ...

Page III.N-53, second full paragraph

Of 118 bird species observed during the Yosemite Slough Watershed Wildlife Survey, 51 (43 percent) were represented by a maximum count (the maximum number of individuals recorded on a given survey) of 5 or fewer, and thus use the Project site in low numbers. The most abundant wildlife species recorded were

waterbirds. Project impacts to waterbird habitat within the Yosemite Slough bridge footprint would be mitigated by ~~a contribution to the restoration of Yosemite Slough or restoration elsewhere~~ on site or off site, as discussed under mitigation measure MM BI-4a.1 below. Increased human use of the Project site may reduce abundance in aquatic habitats along the immediate shoreline, but ample aquatic habitat is present around the Project site, and, even without restoration, no substantial changes in common waterbird abundance (particularly relative to regional populations) are expected as a result of the Project.

Page III.N-56, under Impact BI-4a, first paragraph

As detailed in Table III.N-4 (Impacts to Wetlands and Other Jurisdictional Waters of the United States [Section 404]) and depicted in Figure III.N-5 (Impacts to Wetlands and Other Waters), through site grading, materials laydown, facilities construction, vegetation removal, and installation of shoreline treatments, Project activities at Candlestick Point would permanently impact 0.29 acre of tidal salt marsh and 4.34 acres of Section 404 “other waters,” relative to existing conditions (i.e., prior to completion of remediation efforts by the Navy). Both wetlands and mud flats, the latter comprising a subset of Section 404 “other waters,” are considered Special Aquatic Sites under *Clean Water Act* Section 404. ...

Page III.N-57, Table III.N-4 (Impacts to Wetlands and Other Jurisdictional Waters of the United States [Section 404]) has been revised

[NOTE: This table has been revised to reflect modified construction access areas per preliminary bridge drawings.]

Table III.N-4 Impacts to Wetlands and Other Jurisdictional Waters of the United States (Section 404) [Revised]													
<i>Jurisdictional Feature (Waters of the United States)</i>	<i>Area</i>					<i>Yosemite Slough</i>							
	<i>Candlestick Point</i>		<i>HPS Phase II</i>			<i>On Site</i>			<i>Off Site</i>				
	<i>Temporary Impacts</i>	<i>Permanent Impacts</i>	<i>Temporary Impacts</i>	<i>Permanent Impacts</i>	<i>Shadow Fill</i>	<i>Temporary Impacts</i>	<i>Permanent Impacts</i>	<i>Shadow Fill</i>	<i>Temporary Impacts</i>	<i>Permanent Impacts</i>	<i>Temporary Totals</i>	<i>Permanent Totals</i>	<i>Grand Totals^a</i>
Freshwater Wetland	—	—	<0.01 (61 sf)	0.17	—	—	—	—	—	—	<0.01 (61 sf)	0.17	0.17
Non-tidal Salt Marsh	—	—	0.09	0.06 0.15	—	—	—	—	—	—	0.09	0.06 0.15	0.15
Tidal Salt Marsh	0.01	0.29	0.01	0.08 0.09	—	—	0.01	—	<0.01 (40 sf)	0.03	0.02 0.01	0.44 0.42	0.43
“Other Waters”	0.64	4.34	0.85	20.26	0.08	0.53 0.52	0.17 0.18	0.96	0.75	0.19	2.77 2.76	24.96 24.97	27.73
Totals for Impacted Section 404 Jurisdictional Features	0.65	4.63	0.95 0.85	20.57 20.67	0.08	0.53 0.52	0.18 0.19	0.96	0.75	0.22	2.88 2.77	25.60 25.71	28.48

SOURCES: H.T. Harvey & Associates, *Hunters Point Shipyard and Candlestick Point State Recreation Area Final Delineation of Wetlands and Other Waters, San Francisco, California*, February 2009 and revised July 13 and October 13, 2009.
 MACTEC, *Work Program for the Construction of the Yosemite Slough Bridge Corridor*, May 2009, March 2010.

a. Totals may not add up due to rounding.

Page III.N-58, Figure III.N-5 (Impacts to Wetlands and Other Waters) has been revised

[NOTE: The figure has been revised to reflect impacts resulting from construction access areas provided in MACTEC's bridge design drawings.]

Figure III.N-5 Impacts to Wetlands and Other Waters [Revised]

Pages III.N-61 and -62, MM BI-4a.1, beginning with the last bullet on page III.N-61

- ...
- *Year 3 after restored areas reach colonization elevation: 50 percent combined area and basal cover (rhizomatous turf) of all vegetation; prevalence of hydrophytic species in terms of both cover and dominant species composition of the vegetation; native vascular species shall comprise ~~40~~25 percent of the vegetation in the preserve wetland.*
 - *Year 5 after restored areas reach colonization elevation: 70 percent combined area and basal cover (rhizomatous turf) of all vegetation; more than 50 percent dominance in terms of both cover and species composition of facultative (FAC), facultative wetland (FACW), and obligate (OBL) species; native vascular species shall comprise ~~65~~25 percent of the vegetation in the preserve wetlands.*
- ...

Page III.N-63, mitigation measure MM BI-4a.2

- ...
- *Testing and disposal of any dredged sediment shall be conducted as required by the USACE and the Long-Term Management Strategy (LTMS)⁷⁹⁰*
 - *All temporarily impacted wetlands and other jurisdictional waters, whether in tidal or non-tidal areas, shall be restored to pre-construction contours following construction. Such impact areas include areas that are dewatered (e.g., using coffer dams) and/or used for construction access. Temporarily impacted wetlands that were vegetated prior to construction shall be revegetated in accordance with a Wetlands and Jurisdictional Water Mitigation and Monitoring Plan as described above.*
 - *For impacts to tidal habitats: ...*

Page III.N-64, first paragraph

As detailed in Table III.N-4 and depicted in Figure III.N-5, through site grading, materials laydown, facilities construction, vegetation removal, installation of shoreline treatments, and construction of the marina, Project activities at HPS Phase II would permanently impact existing wetlands and other waters as follows: 0.17 acre of nontidal freshwater wetland, ~~0.08~~0.09 acre of tidal salt marsh, ~~0.06~~0.15 acre of non-tidal salt marsh, and 20.26 acres of Section 404 other waters. It would also temporarily impact ~~0.01~~ acre of tidal salt marsh, ~~0.09~~ acre of nontidal salt marsh, less than 0.01 acre of freshwater wetland, and 0.85 acre of Section 404 other waters...

Page III.N-67, second full paragraph

As detailed in Table III.N-4 and depicted in Figure III.N-5, bridge construction equipment and materials would be staged at the site in designated lay down areas. Construction access and dewatering would result in temporary impacts to ~~0.53~~0.52 acre of Section 404 other waters. It would also result in permanent impacts to 0.01 acre of tidal salt marsh, and ~~0.17~~0.18 acre of Section 404 other waters. ...

Page III.N-67, last paragraph

... The “shadow fill” produced by the Yosemite Slough bridge may change the biological functions and values of aquatic and mud flat habitats below to some extent; such an impact would cover approximately ~~0.96~~1.48 acres based on the acreage of mud flat below the immediate bridge surface. ...

Page III.N-68, second paragraph

... However, shading of ~~0.941~~1.48 acres of mud flats and aquatic habitats would have only moderate effects on the functions and values of these habitats and would not result in the loss of these habitats. Mitigation measure MM BI-4a.2 shall be implemented to minimize indirect construction-related impacts on wetlands and other jurisdictional waters. Further, shading impacts to mud flats and aquatic habitats would be reduced by implementation of mitigation measure MM BI-4c.

Page III.N-68, last paragraph

Mitigation measures MM BI-4a.1 and MM BI-4a.2 (first discussed in Impact BI-4a) would be implemented to reduce the effects of construction-related activities to wetlands by mitigating for the temporary and permanent loss of the wetlands and jurisdictional waters through avoidance of impacts, requiring compensatory mitigation (i.e., creation and/or restoration), obtaining permits from the USACE, SFRWQCB, BCDC, and other agencies as applicable that are designed to protect wetlands and jurisdictional waters, and implementing construction BMPs to reduce and/or prevent impacts to ~~on~~ waters of the United States, including wetlands and navigable waters. ...

Pages III.N-69 and -70, Impact BI-5b

Impact of Hunters Point Shipyard Phase II and Yosemite Slough Bridge

Impact BI-5b Construction at HPS Phase II and construction of the Yosemite Slough bridge would not have a substantial adverse effect on eelgrass beds, a sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFG or USFWS. (Less than Significant with Mitigation) [Criterion N.b]

Within HPS Phase II a total of 1.99 acres of eelgrass ~~occurs~~has been mapped at two locations (refer to Figure III.N-2). A small eelgrass occurrence was reported along the north shore of the South Basin directly across from Candlestick Point. The only other reported occurrence of eelgrass within HPS Phase II is on the north shore, east of the northern end of Earl Street. This eelgrass bed extends from the end of Earl Street to the pier that forms Drydock 5. These eelgrass beds are mapped as being below mean sea level and, therefore, are spatially separated from areas where shoreline treatments would occur. There are no mapped eelgrass beds where the marina improvements would occur or where the Yosemite Slough bridge would be constructed. However, because the locations of eelgrass occurrence may vary over time, eelgrass not detected during previous surveys could potentially occur in the shallow waters in or near the Yosemite Slough bridge construction footprint, either now or in the future.

The shoreline improvements associated with HPS Phase II include transforming the revetment edge in wave-protected reaches to a more natural looking shoreline by placing suitable fill to cover the revetment that would be constructed by the Navy, which may include Articulated Concrete Block (ACB) mats and/or marsh soils. Shoreline wave berms may be included along the southwest facing shoreline at the bayward end of the ACB mats. If wave berms or other shoreline improvements, or the Yosemite Slough bridge, were constructed in ~~either of the two~~ areas where eelgrass beds ~~are known to exist~~, they could directly impact them through excavation/removal or placement of fill material. Construction of these features or other shoreline treatments near eelgrass beds could also result in the mobilization of some sediment, which,

if it were to settle out on eelgrass, could reduce photosynthesis and, therefore, productivity and survival. Because of the ecological importance but regional scarcity of eelgrass beds and the potential contribution of eelgrass beds in the Study Area to populations of aquatic species (and their predators) throughout larger portions of the Bay, any impacts would be considered a substantial reduction in the local population and, therefore, a substantial adverse effect.

To reduce this impact, the following mitigation measures shall be implemented.

MM BI-5b.1 Avoidance of Impacts to Eelgrass. ~~As the design of shoreline treatments progresses, and a specific Shoreline Treatment Plan is determined, the Plan shall minimize any in-water construction required for installation of any treatment measures near either of the two eelgrass locations noted above. If in-water work is completely avoided within 750 feet of these areas, there would be no impact and no further mitigation would be required. If complete avoidance of work within 750 feet of these areas is not feasible, measure MM BI-5b.2 shall be implemented.~~

MM BI-5b.2 Eelgrass Survey. ~~If avoidance of work within 750 feet of two known eelgrass locations is not feasible~~ Prior to the initiation of construction of the Yosemite Slough bridge or construction of shoreline treatments, an update to the existing eelgrass mapping shall be conducted to determine the precise locations of the eelgrass beds. For the shoreline treatments, this survey shall occur when a final Shoreline Treatment Plan has been prepared. The survey shall be conducted by a biologist(s) familiar with eelgrass identification and ecology and approved by NMFS to conduct such a survey. The area to be surveyed shall encompass the mapped eelgrass beds, plus a buffer of 750 feet around any in-water construction areas on Hunters Point or associated with the Yosemite Slough bridge. Survey methods shall employ either SCUBA or sufficient grab samples to ensure that the bottom was adequately inventoried. The survey shall occur between August and October and collect data on eelgrass distribution, density, and depth of occurrence for the survey areas. The edges of the eelgrass beds shall be mapped. At the conclusion of the survey a report shall be prepared documenting the survey methods, results, and eelgrass distribution within the survey area. This report shall be submitted to NMFS for approval. The survey data shall feed back into the shoreline treatment design process so that Project engineers can redesign the treatments to avoid or minimize any direct impacts to eelgrass beds.

~~If the shoreline treatments can be adjusted so that no direct impacts to eelgrass beds would occur, no further mitigation under this measure would be required for shoreline treatment construction. Management of water quality concerns is addressed through mitigation measure MM BI-5b.4 and shall be required to minimize sediment accumulation on the eelgrass. If direct impacts to eelgrass beds cannot be avoided, either by Hunters Point shoreline treatments or Yosemite Slough bridge construction, mitigation measure MM BI-5b.3 shall be implemented.~~

Page III.N-75, first full paragraph

Similar to development at Candlestick Point, ... Implementation of mitigation measures MM BI-6a.1 and MM BI-6a.2 (as detailed in Impact BI-6a), both at HPS Phase II and Yosemite Slough, would reduce the effects of Project construction and implementation on nesting special-status and legally protected avian species to less-than-significant levels.

Page III.N-82, mitigation measure MM BI-9b

MM BI-9b

...

Design Measures:

...

2. *Design structures that can be installed in a short period of time (i.e., during periods of slack tide when fish movements are lower).*
3. *Do not use unsheathed creosote-soaked wood pilings.*

...

Construction Measures:

...

3. *Avoid installation of any piles during the Pacific herring spawning season of December through February. Consult with the CDFG regarding actual spawning times if pile installation occurs between October and April.*
34. *If steel piles must be driven with an impact hammer, an air curtain shall be installed to disrupt sound wave propagation, or the area around the piles being driven shall be dewatered using a cofferdam. The goal of either measure is to disrupt the sound wave as it moves from water into air.*
45. *If an air curtain is used, a qualified biologist shall monitor pile driving to ensure that the air curtain is functioning properly and Project-generated sound waves do not exceed the threshold of 180-decibels generating 1 micropascal (as established by NMFS guidelines). This shall require monitoring of in-water sound waves during pile driving.*
56. *Unless the area around the piles is dewatered during pile driving, a qualified biologist shall be present during driving of steel piles to monitor the work area for marine mammals. Driving of steel piles shall cease if a marine mammal approaches within 250 feet of the work area or until the animal leaves the work area of its own accord.*

Page III.N-86, first full paragraph

... Implementation of mitigation measure MM BI-12a.1 and MM BI-12a.2 would reduce effects of construction activities on special-status fish by avoiding in-water construction during periods when sensitive species are most likely to be present in waters of the Project site and by educating construction personnel regarding measures to be implemented to protect fish and their habitats. Implementation of these mitigation measures would minimize any adverse effects on aquatic habitat of special-status fish, ...

Page III.N-87, first full paragraph

... Implementation of mitigation measure MM BI-12a.1 and MM BI-12a.2 would reduce effects of construction activities on special-status fish by avoiding in-water construction during periods when sensitive species are most likely to be present in waters of the Project site and by educating construction personnel regarding measures to be implemented to protect fish and their habitats. Implementation of these measures would reduce potential adverse effects on special-status fish species to less-than-significant levels.

Page III.N-87

Impact BI-11c Construction of the Yosemite Slough bridge would not have a substantial adverse effect on designated critical habitat for green sturgeon and Central California Coast steelhead ~~through permanent and temporary impacts to aquatic and mudflat foraging habitat and would not result in impacts to individuals of these species, Chinook salmon, or longfin smelt through disturbance or loss of aquatic and mudflat habitat as a result of construction of shoreline revetments.~~ (Less than Significant with Mitigation) [*Criteria N.a and N.d*]

Page III.N-87, first and second paragraphs following Impact BI-11c

Construction of the Yosemite Slough bridge would impact designated critical habitat for green sturgeon and ... loss of 0.11 acre of mudflat and aquatic habitat in the footprints of the bridge piers. In addition, shading from the bridge could adversely affect aquatic and mud flat habitat, and fish that use these habitats, under the bridge (refer to Impact BI-4c). Because of the regional rarity of all these special-status fish, any impacts to individuals or to habitat used by these fish would be significant.

As described under Impact BI-11b above, some Project components would benefit these fish by increasing the extent of open water in the Project area through removal of existing structures and by reducing coastal erosion. In addition, compensatory mitigation for impacts of the bridge to aquatic habitat would be provided as described by mitigation measures MM BI-4a.1 and MM BI-4c, and mitigation measure MM BI-4a.2 shall be implemented to minimize impacts to wetlands, aquatic habitats, and water quality during construction. Implementation of mitigation measure MM BI-12a.1 and MM BI-12a.2 would reduce effects of construction activities on special-status fish by avoiding in-water construction during periods when sensitive species are most likely to be present in waters of the Project site and by educating construction personnel regarding measures to be implemented to protect fish and their habitats. Implementation of these measures would reduce potential adverse effects on special-status fish species to less-than-significant levels.

Pages III.N-89 to -90, last partial paragraph

The same three fishery management plans and the species covered in those plans discussed in the previous impact statement apply to HPS Phase II. The modifications to EFH that could arise from HPS Phase II are associated with the proposed marina, placement of rock fill to buttress existing bulkheads, and the shoreline treatments. Marina operations could affect EFH through potential impacts to water quality and fish habitat resulting primarily from spills or intentional discharges of fuel or other harmful substances from boats using, or fueling facilities associated with, the marina. The most substantial loss of EFH would result from the placement of rock buttress fill necessary to protect the integrity of existing bulkheads. Although aquatic habitat would remain above the buttresses, this rock would occupy existing fish habitat, and the Project would thus substantially modify EFH within the waters adjacent to the HPS Phase II site.

Page III.N-93, Impact BI-12c discussion, first and second paragraphs

Construction of the Yosemite Slough bridge would impact EFH through the construction of pilings required to support the bridge. As detailed in Table III.N-4, the amount of area impacted is approximately

1.28 acres of temporary impacts and 0.40 acre of permanent impacts, which includes both on site and off site areas. These impacts would have a substantial adverse effect on EFH because the function of portions of the impacted habitat would be permanently altered by the Project, a significant impact. In addition, shading from the bridge could adversely affect aquatic and mud flat habitat, and fish that use these habitats, under the bridge (refer to Impact BI-4c).

Any loss or modification of EFH that would result from the Yosemite Slough bridge would be mitigated via the compensatory mitigation for impacts to jurisdictional waters (mitigation measures MM BI-4a.1 and MM BI-4c). ...

Page III.N-100, first full paragraph

As discussed in Section III.K, the Navy is responsible for some remediation activities (i.e., radiological contamination) on HPS Phase II. Because contaminants have been identified in those parcels for which remedial actions have been selected but not yet implemented by the Navy, construction of shoreline improvements has the potential to disturb sediment or soil that may contain chemical contaminants. However, if the Navy does not complete its remediation activities in advance of Project activities, the San Francisco Redevelopment Agency (SFRA Agency) or the Project Applicant would implement the remaining remediation activities in conjunction with shoreline improvement activities, with appropriate regulatory oversight, as required by mitigation measure MM HZ-10b. Impact HZ-10b discusses the process that would be followed by SFRA Agency or the Project Applicant in conjunction with development activities with appropriate regulatory oversight to manage potentially contaminated sediments that could be affected by Project shoreline improvements.

Page III.N-101, second paragraph, new third sentence

... and other impacts. In addition, an increase in trash, particularly food waste, could potentially subsidize nuisance species, which in turn could increase predation on more sensitive wildlife species. ...

Page III.N-115, first paragraph after Impact BI-24

Table III.N-4 depicts on-site and off-site impact acreages resulting from site grading, materials laydown, facilities construction, vegetation removal, and installation of shoreline treatments for Candlestick Point, HPS Phase II, and Yosemite Slough bridge. Project implementation would permanently impact ~~0.64~~0.74 acre of wetlands; including 0.17 acre of freshwater wetland, ~~0.41~~0.42 acre of tidal salt marsh and ~~0.06~~0.15 acre of non-tidal salt marsh. In addition, Project implementation would permanently impact ~~24.96~~24.97 acres of Section 404 other waters. The Project would temporarily impact ~~0.44~~0.01 acre of jurisdictional wetlands and ~~2.77~~2.76 acres of Section 404 other waters...

Page III.N-121, first and third paragraphs

The geographic context for the cumulative analysis of effects on wetlands or navigable waters is ... Reasonably foreseeable development would consist of projects proposed or under construction along the shoreline of the San Francisco Bay, including the Yosemite Slough Restoration Project, that could affect federally protected wetlands or jurisdictional waters, either adversely (i.e., development projects) or beneficially (i.e., restoration projects). ...

...

As detailed in Table III.N-4, the Project would permanently impact ~~0.640.74~~ acre of wetlands and ~~24.96~~24.97 acres of Section 404 other waters. The Project may also permanently impact 0.0992 acre and temporarily impact 0.1532 acre of a proposed Navy wetland mitigation site (refer to Figure III.N-6), if the mitigation site is constructed prior to construction of the Yosemite Slough bridge and its approaches. Temporary Project impacts would occur to ~~0.440.01~~ acre of wetlands and ~~2.772.76~~ acres of Section 404 other waters. Consequently, without mitigation of these impacts and compliance with regulations governing wetlands and jurisdictional waters, the Project would contribute to loss of wetlands and jurisdictional waters within the Region.

Page III.N-122, following first partial paragraph

In response to public concerns, additional impacts to future wetland and aquatic habitat in consideration of the Yosemite Slough Restoration Project have been quantified. If the Restoration Project is implemented before the Yosemite Slough bridge is constructed, then the bridge would impact not only existing wetlands, aquatic habitats, and mud flats, but also sensitive habitats that have been restored by the Yosemite Slough Restoration Project. Based on the final Phase I Restoration Plan (on the north side of Yosemite Slough) provided by WRA, Inc. (the firm that designed the restoration plans) on 19 January 2010 and 50 percent plans for Phase II of the Restoration Plan (on the south side of Yosemite Slough) provided by WRA on 4 February 2010, additional impacts to sensitive habitats were calculated and are illustrated by Figure III.N-7 (Impacts to Wetlands and Other Waters after Yosemite Slough Wetland Restoration). Bridge construction access would result in temporary impacts to 0.21 acre of new vegetated tidal marsh that is proposed as part of the Yosemite Slough Restoration Project, but the CP-HPS Project would result in no permanent fill of new/restored wetland, aquatic, or mud flat habitat. Further, if the Restoration Project is implemented prior to bridge construction, shoreline improvements that would otherwise have been constructed to extend along the southern Yosemite Slough shoreline will not be necessary. Therefore, 0.03 acre of permanent impacts to wetlands and 0.19 acre of permanent impacts to Section 404 waters along the southern Yosemite Slough shoreline (off site) that were originally identified for the Project would not occur if Phase II of the Restoration Plan is implemented prior to bridge construction (though these existing jurisdictional areas would be temporarily impacted during bridge construction). Temporary impacts would be mitigated through implementation of mitigation measures MM BI-4a.1 and MM BI-4a.2, as required by the Project. Based on the plans for the restoration site provided by WRA as described above, less than 0.01 acre of wetlands that would be restored by the Restoration Project would be impacted by shading as a result of being located directly under the shadow of the bridge. If additional vegetated wetlands are proposed within the bridge footprint as design for Phase II of the Restoration Plan proceeds, such that additional shading impacts to vegetated wetlands would occur, and if such wetlands are constructed prior to construction of the bridge, mitigation for such impacts will be provided by the CP-HPS Project at a 1:1 ratio as described above.

Page III.N-122, new Figure III.N-7 (Impacts to Wetlands and Other Waters after Yosemite Slough Wetland Restoration) has been added after page III.N-121

[NOTE: The figure has been added to identify post-Yosemite Slough Restoration Project impacts.]

**Figure III.N-7 Impacts to Wetlands and Other Waters after Yosemite Slough Wetland
Restoration [New]**

Page III.N-134, Table III.N-5, fourth row, first column

Longfin Smelt

F.18 Changes to Section III.O (Public Services)

Page III.O-8

Impact PS-2 Implementation of the Project would not result in a need for new or physically altered facilities beyond those included as part of this Project in order to maintain acceptable service ratios, response times, or other performance objectives for police protection. ~~(Refer to the various sections identified in this impact discussion~~ Sections III.D [Transportation and Circulation], III.H [Air Quality], III.I [Noise], III.J [Cultural Resources and Paleontological Resources], III.K [Hazards and Hazardous Materials], and III.M [Hydrology and Water Quality] [Criterion O.a]

Page III.O-9, last paragraph

From ~~2010~~2011 to 2017, demolition and abatement activities would occur on HPS Phase II, as this is where most of the initial development would occur; the construction of a new 49ers stadium would occur between 2014 and 2017. Aside from earlier demolition and replacement of Alice Griffith housing, most construction at Candlestick Point would occur between 2017 and ~~2029~~2031. ... As addressed in Impact PS-1, security of the construction areas would be the responsibility of the Applicant. Between ~~2020~~2019 and ~~2029~~2032, as new residential and non-residential uses come on_line, there would be an increased need for police protection services.

Page III.O-10, second paragraph

The SFPD evaluates the need for additional officers by sector, and not station or district needs. The Project site is located in two of the five sectors within the Bayview District, both of which have been identified as high demand areas. While it is unlikely that 53 new officers would be needed at the outset of project development as development would occur over a ~~49~~20-year time period, some redistribution of the police presence in the southeastern portion of the City would be warranted by Project development, as described above.

Page III.O-12, first full paragraph

As the Project identifies community service use areas that could be used for police services, and as police services are not tied to a specific station, the SFPD would be able to maintain acceptable levels of police service during operation of the Project. ~~Therefore, w~~While the development of the Project may require new or physically altered police facilities in order to maintain acceptable police services, the potential impacts associated with the construction of a new facility have been addressed in this EIR and would not require further environmental review. As such, no mitigation is required.

Page III.O-12, third full paragraph

Development of cumulative projects within the City of San Francisco would result in increased population and employment-generating uses, based on recent projections, and associated increased demand for police protection. ... Development projections estimate an increase of 61,814 households, 133,359 persons, and 195,010 jobs from 2005 to 2030, either the latest year for which projections have been formulated or the closest year to Project build-out for projections which extend in five-year increments beyond 2030, consistent with other projections in this EIR.

Page III.O-18

Impact PS-4 **Implementation of the Project would not result in a need for new or physically altered facilities beyond those included as part of this Project in order to maintain acceptable response times for fire protection and emergency medical services. (Refer to the various sections identified in this impact discussion Sections III.D [Transportation and Circulation], III.H [Air Quality], III.I [Noise], III.J [Cultural Resources and Paleontological Resources], III.K [Hazards and Hazardous Materials], and III.M [Hydrology and Water Quality]) [Criterion O.b]**

Page III.O-22, last paragraph

Development of cumulative projects within the City of San Francisco would result in increased population and employment-generating uses, based on recent projections, and associated increased demand for police protection. ... Development projections estimate an increase of 61,814 households, 133,359 persons, and 195,010 jobs from 2005 to 2030, either the latest year for which projections have been formulated or the closest year to Project build-out for projections that extend in 5-year increments beyond 2030, consistent with other projections in this EIR.

Page III.O-28, first paragraph under "Analytic Method"

Impacts on schools are determined by analyzing the estimated increase in student population as a result of Project build-out in ~~2029~~2032 and comparing the increase to the capacity of schools in ~~2029~~2030, the closest year to Project build-out for which housing projections have been calculated, to determine whether new or altered facilities would be required, the construction of which could result in substantial adverse environmental effects.

Page III.O-30, first and second paragraphs

Comparing the 2008 SFUSD school capacity of 63,835 to a projected 2030 population of 71,573 school-age children (recognizing that Project ~~build-out occupancy~~ is projected to occur ~~one year earlier~~ two years later, in ~~2029~~2032), there is a projected shortfall of about 7,738 seats Citywide, or about a 12 percent shortfall.

As discussed in Section III.O.2 (Setting), improvements are planned for many SFUSD schools, such as replacing older schools and modernizing other facilities. ... While there are no plans to reduce school capacity at the Project site, in the event that schools located in the Project site reach capacity by the year

~~2029~~2032 (or 2030 as the projections indicate), either due to a reduction in space or an increase in classroom size, the SFUSD may assign students to schools based on a lottery system, which would ensure that student enrollment is distributed to facilities that have sufficient capacity to adequately serve the educational needs of students.

F.19 Changes to Section III.P (Recreation)

Page III.P-1, first paragraph

... The analysis in this section concludes that ~~no the Project could have potentially significant or significant~~ environmental impacts ~~would result from the Project related to the timing of proposed park~~; therefore, ~~no~~ a mitigation measures ~~are is~~ included.

Pages III.P-2 to -4, last partial paragraph

CPSRA (120.2 acres), on the shoreline of Candlestick Point, was acquired ... underutilized (totaling approximately 73 acres). The CPSRA lands to the northeast of Yosemite Slough include a now defunct auto salvage yard, old warehouse, and two business locations that are currently occupied by a sound studio and a cabinet shop. CDPR leases the buildings to these tenants on a month-to-month basis. The southern portions ... Until recently, the Last Rubble area was characterized by large piles of rubble and debris, remnants of the site's previous use as a dumping ground. California State Parks, with a grant from the California Integrated Waste Management Board, removed 10 acres of rubble and debris in 2009. The California Integrated Waste Management Board completed a rubble and debris removal project in April 2009. As a result of this, the majority of the rubble and debris was either removed or crushed on site. Yosemite Slough is part of the CPSRA, but is not within the Project site except for at its neck, where the proposed bridge would be constructed.

Page III.P-3, Figure III.P-1 (Existing and Approved Parks and Open Space) has been revised

[NOTE: The figure has been revised to add "Approved" to Hillside Parks & Open Space; and to expand the boundaries of Gilman Park and Bayview Hill Park Open Space.]

Figure III.P-1 Existing and Approved Parks and Open Space [Revised]

Page III.P-12, Impact RE-1

Impact RE-1 Construction of the parks, recreational uses, and open space proposed by the Project would not result in substantial adverse physical environmental impacts beyond those analyzed and disclosed in this EIR. ~~(Refer to the various sections identified in this impact discussion~~ Sections III.D [Transportation and Circulation], III.H [Air Quality], III.I [Noise], III.J [Cultural Resources and Paleontological Resources], III.K [Hazards and Hazardous Materials], and III.M [Hydrology and Water Quality]) *[Criterion P.c]*

Page III.P-12, last partial paragraph

Construction activities associated with the proposed parks and recreational facilities are considered part of the overall Project. A discussion of Project-related construction impacts, including those associated with the construction of parks and recreational facilities, is provided in the applicable sections of this EIR, including Section III.D (Transportation and Circulation), Section III.H (Air Quality), Section III.I (Noise), Section III.J (Cultural Resources and Paleontological Resources), Section III.K (Hazards and Hazardous Materials), ~~and~~ Section III.M (Hydrology and Water Quality), ~~and~~ Section III.N (Biological Resources). ...

Page III.P-18, Figure III.P-3 (Proposed CPSRA Reconfiguration) has been revised

[NOTE: The figure has been revised to add “Approved” to Hillside Parks & Open Space; and to expand the boundaries of Gilman Park and Bayview Hill Park Open Space.]

Figure III.P-3 Proposed CPSRA Reconfiguration [Revised]

Page III.P-25, last paragraph

... In addition, The Last Rubble would contain a new beach area ~~and marshland (refer to Figure II-21)~~. Other features here may include parking, picnic areas, overlook terraces, restrooms, and a restaurant/café.

Page III.P-26, third paragraph

As briefly described in Section III.P.3 (Regulatory Framework) discussion, ... The footings for the Yosemite Slough bridge, under preliminary design, would cross the proposed extension of the Bay Trail under the Bay Trail Plan. Visitors utilizing the Bay Trail in the area of the bridge would be able to cross Arelious Walker Drive and pick up the Bay Trail on the other side of the bridge. Bay Trail would be incorporated into the Yosemite Slough bridge, which would serve bus transit and pedestrian and bicycle routes between Candlestick Point and HPS Phase II (refer to Figure III.P-2).

Page III.P-27, second and third bullets after "Other Parks and Open Space"

- Hillside Parks and Open Space within the Project site. The hillside parks and open space include the eastern 'tail' of Bayview Park and other hillside areas below Jamestown Road. The steeper areas will be maintained in a more natural state, while the flatter portion of Bayview Hill may be further developed as a neighborhood-serving park space. The steeper areas and the flatter portion of Bayview Hill will be maintained in a more natural state.
- Yosemite Slough. While not located within the Project site except for the mouth of the slough, where the proposed bridge would be located, the Yosemite Slough is located directly adjacent to but outside of the Project site and is planned for restoration by the California State Parks and the California State Parks Foundation. The restoration will focus on providing new wetland habitat and environmental education opportunities. The proposed Yosemite Slough bridge would cross a small portion of the CPSRA on the southern side of the slough and pass along the edge of the eastern boundary of the CPSRA on the north side.

page III.P-27, last paragraph

... environmental education. The 44.9-acre Grasslands Ecology Park at Parcel E and the 37.2-acre Grasslands Ecology Park at Parcel E-2 on HPS Phase II are contiguous to CPSRA ~~and may be offered to the CDPR by the Agency.~~

Page III.P-30, first paragraph

Despite the availability of sufficient park acreage on the Project site, new residents or employees of the Project site may also choose to use existing ~~nearby~~ parks outside of the Project site (refer to the Setting section for discussion of nearby parks), which could result in the deterioration or degradation of those existing resources. ...

Pages III.P-30 to -31, last partial paragraph

The conceptual development plan described in Chapter II would result in the development of residential units and parks during all of four stages of development. Figure ~~4II-17~~ II-17 shows the particular residential and park areas that would be developed or improved in each phase. Table III.P-3 (Residential Units and Park Acreage Provided during Each Stage of Development) outlines the number of residential units and

the acreage of parkland to be provided during each stage of development, as well as the resulting park-to-population ratio for residents of the Project site. As this table indicates, at the end of each phase, the park-to-population ratio would be no lower than 13.8 acres per 1,000 residents. Table III.P-3a (Residential Units, Employment, and Park Acreage Provided during Each Stage of Development) identifies the resulting park-to-population ratio for residents and employees of the Project site. Similarly, if With the employee population ~~were~~ added, the lowest park-to-population ratio at the end of a phase would be 9.65 acres per 1,000 residents/employees following the last stage of development.

Pages III.P-31, Table III.P-3 (Residential Units and Park Acreage Provided during Each Stage of Development) has been revised. For readability, the new data are shown without underline, and deleted numbers are not shown.

[NOTE: This table has been updated to reflect the revised development schedule.]

Table III.P-3 Residential Units and Park Acreage Provided during Each Stage of Development [Revised]				
<i>Stage of Development</i>	<i>Residential Units</i>	<i>Population</i>	<i>Total Parkland (ac)</i>	<i>Park-to-Population Ratio (acres per 1,000 Residents)</i>
Existing	256	1,113 ^a	120.2	108
Phase 1	3,160	7,363 ^b	235.6	32.0
Phase 2	5,165	12,035 ^b	246.9	20.5
Phase 3	7,670	17,872 ^b	250.4	14.0
Phase 4	10,500	24,465 ^b	336.4	13.8

a. Refer to Table III.C-1 (Existing Population [2005]) in Section III.C (Population, Housing, and Employment). This population correlates to the total number of households in the Traffic Analysis Zone, which includes more than the 256 households located in the Candlestick portion of the Project site (e.g., 292). It is likely, therefore, that the population within the Candlestick portion of the Project site is less than 1,113, which would only increase the existing park-to-population ratio.

b. Calculated as 2.33 people per residential unit.

Page III.P-31, new Table III.P-3a (Residential Units, Employment, and Park Acreage Provided during Each Stage of Development) has been added

[NOTE: This table has been updated in response to comments and to reflect the revised development schedule and to add information and calculations of park-to-population ratio including Project employees as well as residents.]

Table III.P-3a Residential Units, Employment, and Park Acreage Provided during Each Stage of Development [New]

<u>Stage of Development</u>	<u>Residential Units</u>	<u>Population</u>	<u>Total Parkland (ac)</u>	<u>Park-to-Population Ratio (acres per 1,000 Residents)</u>	<u>Employees</u>	<u>Park-to-Population Ratio (acres per 1,000 Residents & employees)</u>
Existing	256	1,113 ^a	120.2	108	=	201.5
Phase 1	3,160	7,363	235.6	32.0	2,346	24.3
Phase 2	5,165	12,035	246.9	20.5	7,474	12.7
Phase 3	7,670	17,872	250.4	14.0	10,595	8.8
Phase 4	10,500	24,465 ^b	336.4	13.8	10,730	9.6

a. Refer to Table III.C-1 (Existing Population [2005]) in Section III.C (Population, Housing, and Employment). This population correlates to the total number of households in the Traffic Analysis Zone, which includes more than the 256 households located in the Candlestick portion of the Project site (e.g., 292). It is likely, therefore, that the population within the Candlestick portion of the Project site is less than 1,113, which would only increase the existing park-to-population ratio.

b. Calculated as 2.33 people per residential unit.

Page III.P-32, Impact RE-3

Impact RE-3 Implementation of the Project would decrease the size of CPSRA but would not, overall, have an adversely effect on the recreational opportunities offered by that park, nor would it substantially adversely affect windsurfing opportunities at the Project site. (Less than Significant) [Criterion P.d]

Page III.P-32, second paragraph

Moreover, the Project would provide substantial improvements throughout the CPSRA. These improvements, which are described at length in the discussion of Impact RE-2, include revegetation and landscaping, shoreline restoration and stabilization, infrastructure improvements (such as trails, pathways, and visitor facilities), the provision of habitat and opportunities for environmental education, “Eco-Gardens,” and salt-marsh restoration. The proposed Yosemite Slough bridge would cross a small portion of the CPSRA on the southern side of the slough and pass along the edge of the eastern boundary of the CPSRA on the north side. The area removed for bridge footings would impinge on approximately 300 feet or less (270 feet) through the CPSRA. On the south side, the bridge would extend Arelious Walker Drive through a portion of the CPSRA. Persons using the Bay Trail would be able to cross Arelious Walker Drive and easily access the opposite portion of the CPSRA. Thus, while the road and bridge approach on the south side of the slough would cross the CPSRA, it would not act as a physical barrier preventing use of the entire CPSRA. While the proposed road and bridge would cut through the open space in one location, the majority of the restored Slough area would remain unaffected and available for its intended use. Figure III.P-8 shows the existing unimproved and improved areas of the CPSRA and indicates where land would be removed or added relative to the existing CPSRA uses. ...

Page III.P-32, third paragraph

... Moreover, the agreement between CDPD and the City or the Agency, providing for the reconfiguration of CPSRA, would also provide ~~at least \$10 million in substantial~~ funding for operation and maintenance of the park. The precise amount of operations and maintenance funding to be provided has not yet been determined, but per the requirements of SB 792, it is likely to be at least \$10 million. This funding will further enabling the park to accommodate increased demand.

Page III.P-33, fourth paragraph

The geographic context for an analysis of cumulative impacts to recreational resources is the City of San Francisco. ... Reasonably foreseeable future development forecasts are based on projections of future growth and take into account projects going through the entitlement process, including the Yosemite Slough Restoration Project, Executive Park, Jamestown, Hunters Point Shipyard Phase I, Hunters View, and India Basin Shoreline, as well as additional growth in the City envisioned through 2030 (refer to analysis below).

F.20 Changes to Section III.Q (Utilities)

Page III.Q-1, second paragraph

Data used to prepare this section include information obtained from the San Francisco Public Utilities Commission (SFPUC), the California Integrated Waste Management Board (CIWMB), the San Francisco Bay Regional Water Quality Control Board (RWQCB), and other regulatory agencies and service providers. Water demand was estimated in the *Water Supply Assessment for the Proposed Candlestick Point–Hunters Point Shipyard Phase II Project* (WSA) prepared by PBS&J for the SFPUC, included as Appendix Q1 (Water Supply Assessment). Additional information was obtained from several studies prepared on behalf of Lennar Urban, including the *Candlestick Point/Hunters Point Shipyard Infrastructure Concept Report* (2007) prepared by Winzler & Kelly Consulting Engineers; the *Low Impact Development Analysis* (2008) prepared by Winzler & Kelly; the *LID Stormwater Opportunity Study* (2009) prepared by Arup; the *Revised Water Demand Memorandum*s dated October 15, 2009, and April 28, 2010,^{981a} by Arup, included as Appendix Q2 (Arup, Amendment to Water Demand Memorandum #16—Variant 2A [Housing/R&D Variant], April 28, 2010); Technical Memorandum from Hydroconsult Engineers dated October 2009 (Appendix Q3 [Technical Memorandum from Hydroconsult Engineers]); and the *CPHPS Infrastructure Plan* (October 2009) prepared by Winzler & Kelly and Arup.

^{981a} An April 28, 2010, Addendum to the Water Demand Memorandum #16—Variant 2A (Housing/R&D Variant) (dated October 15, 2009) is included as Appendix Q2 of this C&R document.

Page III.Q-10, first full paragraph

The deficit shown in 2010 is the result of the Phased WSIP, which restricts the SFPUC's allocation from the RWS supply to 81 mgd. Full development of the additional 10 mgd of new local supplies is projected to be available by 2015. ... The first phase of development of the Project is projected to be completed in ~~2017~~2019. ...

Page III.Q-18, mitigation measure MM UT-2

MM UT-2 Auxiliary Water Supply System. Prior to issuance of occupancy permits, as part of the Infrastructure Plan to be approved, the Project Applicant shall construct an Auxiliary Water Supply System

(AWSS) loop within Candlestick Point to connect to the City's planned extension of the off-site system off-site on Gilman Street from Ingalls Street to Candlestick Point. The Project Applicant shall construct an additional AWSS loop on HPS Phase II to connect to the existing system at Earl Street and Innes Avenue and at Palou and Griffith Avenues, with looped service along Spear Avenue/ Crisp Road.

Page III.Q-43, first paragraph after Impact UT-5a

It is anticipated that the Project would be constructed in phases beginning in ~~2010~~2011, with full build-out by ~~2029~~2031, which represents an approximately ~~19~~20-year construction period; however, as indicated by Figure II-16 (Proposed Site Preparation Schedule), all demolition activities would be concluded by ~~2024~~2028 in Candlestick Point.

Page III.Q-45, second paragraph

At current disposal rates, the Altamont Landfill would be expected to reach capacity in January 2032; however, its permit expires three years earlier, in January 2029. Demolition activities, which generate construction debris, are expected to conclude in ~~2024~~2028 at Candlestick Point, ~~five years one year~~ before the landfill is expected to close. ...

Page III.Q-46, first paragraph

At HPS Phase II, new development would begin with the construction of the 49ers stadium, scheduled for completion ... Demolition activities at the rest of HPS Phase II would begin in ~~2010~~2011 and conclude by ~~2021~~2028, as indicated by Figure II-16.

Page III.Q-46, fourth paragraph

As noted, at current disposal rates, the Altamont Landfill would be expected to reach capacity in January 2032; however, it may close three years earlier, in January 2029.¹⁰³⁴ ~~Most of the d~~Demolition activities, which generate construction debris, are expected to conclude in ~~2021~~2028 at HPS Phase II, ~~eight six~~ years before the landfill is expected to close. ...

Page III.Q-47, first paragraph

It is anticipated that the Project would be constructed in phases beginning in ~~2010~~2011, with full build-out by ~~2029~~2031, which represents an approximately ~~19~~20-year construction period; however, as indicated by Figure II-16, all demolition activities would be concluded by ~~2024~~2028 in both Candlestick Point and ~~by 2021 in~~ HPS Phase II.

Page III.Q-47, third paragraph

At current disposal rates, the Altamont Landfill would be expected to reach capacity in January 2032; however, it may close three years earlier, in January 2029. Demolition activities, which generate construction debris, are expected to conclude in ~~2024~~2028 at both Candlestick Point and ~~in 2021 at~~ HPS Phase II, a minimum of ~~five years one year~~ before the landfill is expected to close. ...

Page III.Q-48, first partial paragraph

... disposal by a licensed transporter to a TSD authorized to treat such hazardous waste. Disposal of these wastes would occur intermittently as construction occurs over the ~~49~~20-year construction period, and would not likely represent a substantial amount of hazardous waste in a given year. ...

Page III.Q-52, first full paragraph

As noted, above, the Altamont Landfill is scheduled to close in January 2029, ~~concurrent with~~ prior to full build-out of Candlestick Point, and the City’s existing contract with Altamont Landfill expires in 2014, before build-out of Candlestick Point. ...

Page III.Q-53, third paragraph after Impact UT-7

The Altamont Landfill is scheduled to close in January 2029, ~~concurrent with~~ prior to full build-out of the Project, and the City’s existing contract with Altamont Landfill expires in 2014, before build-out of the Project. ...

F.21 Changes to Section III.R (Energy)

Page III.R-24, first full paragraph and Table III.R-11 (Project Petroleum Demand)

The Project would increase trips to and from the Project site, increasing the use of petroleum fuels. Based on average fuel efficiencies for the City of San Francisco and the Project VMT (reported in the *Candlestick Point–Hunters Point Shipyard Phase II Development Plan Transportation Study*), the Project would result in a demand for 14.01 million gallons of gasoline and 0.93 million gallons of diesel annually (refer to Table III.R-~~44~~10 [Project Petroleum Demand]).

[NOTE: This table has been updated to correct its numbering.]

Table III.R-~~11~~10 Project Petroleum Demand

	Project Annual VMT (million miles travelled)^a	Average Countywide Vehicle Fuel Efficiency (2030)^b	Project Total Fuel Consumption (million gallons)	Project Gasoline Consumption (million gallons)^c	Project Diesel Consumption (million gallons)^c
Candlestick Point	223.67	21.15	10.58	9.92	0.66
Hunters Point Shipyard	92.36	21.15	4.37	4.09	0.27
Total	316.03		14.95	14.01	0.93

SOURCES:

- a. Annual VMT was calculated by PBS&J based on trip generation information and average trip lengths reported in: CHS Consulting Group, Fehr and Peers, and LCW Consulting, *Candlestick Point–Hunters Point Shipyard Phase II Development Plan Transportation Study*, 2009.
- b. Equals the projected 2030 VMT (3,495 million miles travelled) divided by the projected total transportation fuel consumed (171.27 million gallons) for San Francisco County, as reported in: California Department of Transportation (Caltrans), *California Motor Vehicle Stock, Travel and Fuel Forecast*, website: <http://www.dot.ca.gov/hq/tsip/smb/documents/mvstaff/mvstaff08.pdf>, accessed August 20, 2009. This factor does not take into account recently adopted fuel efficiency standards.
- c. On average 94 percent of the transportation fuels consumed in San Francisco were gasoline fuels, while 6 percent were diesel fuels, as reported in: California Department of Transportation (Caltrans), *California Motor Vehicle Stock, Travel and Fuel Forecast*, website: <http://www.dot.ca.gov/hq/tsip/smb/documents/mvstaff/mvstaff08.pdf>, accessed August 20, 2009.

F.22 Changes to Section III.S (Greenhouse Gas Emissions)

Page III.S-9, second paragraph

In 2007, 102.6 million metric tonnes of CO₂-equivalent (MMTCO₂E₂e) greenhouse gases were emitted by the San Francisco Bay Area (95.5 MMTCO₂E₂e were emitted within the Bay Area Air District and 7.1 MMTCO₂E₂e were indirect emissions from imported electricity).^{1132a} ...

^{1132a} In February 2010, BAAQMD revised their 2007 GHG emission inventory to 95.8 MMTCO₂e. This reduction in emissions is attributable to decreased emissions assigned to ships and boats under the transportation category.

Page III.S-25, second full paragraph and Table III.S-2 (Project Construction GHG Emissions)

Table III.S-2 (Project Construction GHG Emissions) summarizes the output results from Table 3-5 of the GHG inventory and presents the emissions estimates in metric tonnes of CO₂. The table indicates that an estimated ~~405,587~~129,274 tonnes CO₂e emissions from Project construction equipment would be emitted over the course of the ~~minimum-entire~~ construction period ~~of 16 years~~.

[NOTE: This table has been updated to reflect the revised development schedule.]

Table III.S-2 Project Construction GHG Emissions [Revised]				
Location	Construction Equipment	Worker Commuting	Hauling	Total GHG Emissions
Candlestick Point	56,403	4,807 <u>2,913</u>	4346 <u>6,103</u>	59,526 <u>65,419</u>
Hunters Point Shipyard Phase II	42,895	2,265 <u>2,734</u>	904 <u>18,226</u>	46,064 <u>63,854</u>
Total	99,298	4,072 <u>5,647</u>	2,217 <u>24,329</u>	105,587 <u>129,274</u>

SOURCE: ENVIRON, Updated Project Phasing Effect on Air Quality and Climate Change Analyses, Candlestick Point-Hunters Point Shipyard Phase II Development Plan, 2010.

If these one-time emissions are annualized assuming a 40-year development life (which is likely low), the one-time emissions contribute approximately ~~2,6403,232~~ tonnes CO₂e emissions annually. ...

F.23 Changes to Section IV.A (Introduction) [in Chapter IV (Project Variants)]¹⁴⁷

Page IV-1, first paragraph

This section introduces six variants of the Project that were formulated by the Agency, the City and Lennar Urban. These variants are addressed at a project level of detail in this chapter of this EIR, and include the following:

- Variant 1: San Francisco 49ers move outside the project area (no football stadium constructed at HPS Phase II)—R&D Variant
- Variant 2: San Francisco 49ers move outside the project area (no football stadium constructed at HPS Phase II)—Housing Variant

¹⁴⁷ Text changes on pages IV-18, IV-19, IV-21, IV-23, IV-87, and IV-89 related to the R&D Variant (Variant 1) and the Housing Variant (Variant 2) are made to conform the text of the Draft EIR to Appendix D of the Draft EIR.

- Variant 2A: San Francisco 49ers move outside the project area (no football stadium constructed at HPS Phase II)—Housing/R&D Variant
- Variant 3 (Tower Variants A, B, C, and D): Four Candlestick Point tower variants would have the same land use program and overall description as with the Project, but would have different locations, massings, and heights for residential towers at Candlestick Point
- Variant 4: A utilities variant would include an automated solid waste collection system, decentralized wastewater treatment, and district energy
- Variant 5: Shared stadium where both the San Francisco 49ers and Oakland Raiders would play at the stadium at HPS Phase II

Three variants (Variants 1, 2, and 2A) address the scenario of the San Francisco 49ers moving to the City of Santa Clara or elsewhere with no football stadium constructed at HPS Phase II. Each of those three variants includes a different land use program at the HPS Phase II site. Variant 1 (R&D Variant) would include increases in R&D space at the stadium location. Variant 2 (Housing Variant) would relocate 1,350 residential units from Candlestick Point to the stadium site. Variant 2A (Housing/R&D Variant) would relocate 1,650 housing units from Candlestick Point to the stadium site, and, in addition, includes an additional 500,000 sf of R&D compared to the Project (for a total of 3,000,000 sf of R&D); 1,000,000 sf of the total R&D for Variant 2A would be constructed on the stadium site along with the residential uses.

The Candlestick Point Tower Variant (Variant 3) would have the same land use program and overall description as the Project, but would have different locations, massings, and heights for residential towers at Candlestick Point (expressed as four options for this variant: Candlestick Point Tower Variants A, B, C, and D).

A Utilities Variant (Variant 4) would include an automated solid waste collection system, decentralized wastewater treatment, and district energy. A 49ers/Raiders Shared Stadium Variant (Variant 5) would include the scenario of a shared stadium, where both the 49ers and Oakland Raiders would play at a new stadium at HPS Phase II.

None of the variants would alter the Project Objectives, which are provided in detail in Chapter II (Project Description) of this EIR. The variants are analyzed at a project level of detail, which is equal to the Project analysis included in Chapter III (Environmental Setting, Impacts, and Mitigation Measures), Section III.A through Section III.S of this EIR. The environmental impacts that would result from implementation of the variants are presented following the description of each variant. A comparison of the variant development programs to the Project is presented in Table IV-1 (Comparison of Variants to the Project). Table IV-2 (Impact Comparison of Project Variants) summarizes the effects of the Project compared to the variants.

This section introduces five variants of the Project that were formulated by the Agency, the City and Lennar Urban, and other stakeholders. Two variants address the scenario of the San Francisco 49ers moving to the City of Santa Clara with no football stadium constructed at HPS Phase II. Those two variants include a different land use program at the HPS Phase II site. Compared to the Project, the development program of these variants at HPS Phase II would include increases in R&D space with the No Stadium—Additional Research and Development Variant (R&D Variant), and relocating residential units to HPS Phase II with the No Stadium—Housing Variant (Housing Variant). The Candlestick Point tower variant would have the same land use program and overall description as the Project, but would have different locations and heights for

~~residential towers at Candlestick Point (expressed as three options for this variant: Candlestick Point Tower Variants A, B, and C). A utilities variant would include an automated solid waste collection system, decentralized wastewater treatment, and district energy. Another variant would include the scenario of a shared stadium where both the 49ers and Oakland Raiders would play at a new stadium at HPS Phase II.~~

Page IV-1, second paragraph

Most of the features of the variants would be similar to the features of the Project. None of the variants would alter the Project Objectives, which are provided in detail in Chapter II (Project Description). The Project could be approved in combination with Variants 3 (Tower Variants A, B, C, and D), 4, and/or 5, any of which can be overlaid on the Project. Variants 1, 2, and 2A represent variants of the Project without a stadium; either of these variants, if approved, could also include components of Variants 3 (Tower Variants A, B, C, and D), 4, and/or 5. For all of these variants, this ~~e~~Chapter IV (Project Variants) provides an environmental analysis such that this EIR would be adequate under CEQA for purposes of review and approval for any of the variants of the Project either individually or in combination with elements of the Project. The variants are analyzed at a project-level of detail, which is equal to the Project analysis included in Chapter III (Environmental Setting, Impacts, and Mitigation Measures) Section III.A through Section III.S of this document. The environmental impacts that would result from implementation of the variants are presented following the description of each variant. A comparison of the variant development programs to the Project is presented in Table IV-1 (Comparison of Variants to the Project). Table IV-2 (Impact Comparison of Project Variants) summarizes the effects of the Project compared to the variants. ~~As necessary, figures are included to illustrate key details of the Variants and are presented below with the variant descriptions.~~

Pages IV-2 and IV-3, Table IV-1 (Comparison of Variants to the Project) and Table IV-2 (Impact Comparison of Project Variants) have been revised

[NOTE: These tables have been revised to include information concerning Variant 2A and Tower Variant D.]

Table IV-1 Comparison of Variants to the Project [Revised]							
<i>Differences</i>	<i>Project</i>	<i>Variant 1: R&D Variant (No Stadium, Additional R&D)</i>	<i>Variant 2: Housing Variant (No Stadium, Housing)</i>	<i>Variant 2A: Housing/ R&D Variant (No Stadium)</i>	<i>Variant 3: Candlestick Point Tower Variants (Different Tower Heights and Locations, Larger Floor Plates)</i>	<i>Variant 4: Utilities Variant (Additional On-Site Infrastructure)</i>	<i>Variant 5: 49ers/Raiders Shared Stadium</i>
						Same overall development plan as Project, but with minor shifts in building locations to accommodate 570,000 gsf for the proposed utility systems (with 330,000 gsf located below ground).	Same development plan as Project
Land Use Plan							
Residential (units)—Candlestick Point	7,850	7,850	6,500	<u>6,225^a</u>	7,850	7,850	7,850
Residential (units)—Hunters Point Phase II	2,650	2,650	4,000	<u>4,275^a</u>	2,650	2,650	2,650
					Same number of residential units, but different placement of towers		
<u>Office</u>	<u>150,000</u>	<u>150,000</u>	<u>150,000</u>	<u>150,000</u>	<u>150,000</u>	<u>150,000</u>	<u>150,000</u>
Research & Development (gsf)	2,500,000	5,000,000	2,500,000	<u>3,000,000</u>	2,500,000	2,500,000	2,500,000
<u>Regional Retail</u>	<u>635,000</u>	<u>635,000</u>	<u>635,000</u>	<u>635,000</u>	<u>635,000</u>	<u>635,000</u>	<u>635,000</u>
Neighborhood Retail	425 250,000	425 250,000	425 250,000	<u>250,000</u>	425 250,000	425 250,000	425 250,000
			Same overall amount of neighborhood retail as Project, but different distribution within HPS Phase II (refer to text for a description)	Same overall amount of neighborhood retail as Project, but different distribution within HPS Phase II (refer to text for a description)			
Tower Floor Plates	10,000 sf	10,000 sf	10,000 sf	<u>10,000 sf</u>	12,500 sf	N/A	N/A

Table IV-1 Comparison of Variants to the Project [Revised]

<i>Differences</i>	<i>Project</i>	<i>Variant 1: R&D Variant (No Stadium, Additional R&D)</i>	<i>Variant 2: Housing Variant (No Stadium, Housing)</i>	<i>Variant 2A: Housing/ R&D Variant (No Stadium)</i>	<i>Variant 3: Candlestick Point Tower Variants (Different Tower Heights and Locations, Larger Floor Plates)</i>	<i>Variant 4: Utilities Variant (Additional On-Site Infrastructure)</i>	<i>Variant 5: 49ers/Raiders Shared Stadium</i>
Football Stadium (seats)	69,000 Stadium built by 2017	0	0	<u>0</u>	69,000 Stadium built by 2017	69,000 Stadium built by 2017	69,000 Shared stadium with 49ers and Oakland Raiders Stadium site built by 2017
Yosemite Slough Bridge	Auto/BRT/Ped	BRT/Ped	BRT/Ped	<u>BRT/Ped</u>	Auto/BRT/Ped	Auto/BRT/Ped	Auto/BRT/Ped
Parks, Open Space, and Recreation Uses							
Total Parks, Open Space, and Recreational Uses	336.4	327.0	349.4	<u>326.6</u>	336.4	336.4	337.5
New Parks	148.1	160.5	158	<u>159</u>	148.1	148.1	148.6
Sports Fields and Active Recreation	91.6	69.8	96.7	<u>70.9</u>	91.6	91.6	91.6
State Parklands (acres)	96.7	96.7	<u>94.796.7</u>	<u>96.7</u>	96.7	96.7	96.7

SOURCE: Lennar Urban, 2010.

Boxes indicate a change in comparison to the Project.

a. The bridge would be open to automobiles only on game days.

Table IV-2 Impact Comparison of Project Variants [Revised]										
Topic	Impacts									
	Variant 1: R&D Variant (No Stadium, Additional R&D)		Variant 2: Housing Variant (No Stadium, Housing)	Variant 2A: Housing Variant with R&D (No Stadium)	Variant 3: Candlestick Point Tower Variants				Variant 4: Utilities Variant (Additional On-Site Infrastructure)	Variant 5: 49ers/Raiders Shared Stadium
					Tower Variant 3A	Tower Variant 3B	Tower Variant 3C	Tower Variant 3D		
III.B Land Use and Plans	=	=	=	=	=	=	=	=	=	=
III.C Population, Housing, and Employment	=	=	=	=	=	=	=	=	=	=
III.D Transportation and Circulation	>	<	≥	=	=	=	=	=	=	=
III.E Aesthetics	=	<	≤	>	>	>	≥	=	=	=
III.F Shadows	<	<	≤	>	=	<	≤	=	=	=
III.G Wind	<	<	≤	=	=	=	=	=	=	=
III.H Air Quality	=	=	=	=	=	=	=	=	=	=
III.I Noise	>	<	=	=	=	=	=	=	=	=
III.J Cultural Resources and Paleontological Resources	=	=	=	=	=	=	=	=	=	=
III.K Hazards and Hazardous Materials	=	=	=	=	=	=	=	=	=	=
III.L Geology and Soils	=	=	=	=	=	=	=	=	=	=
III.M Hydrology and Water Quality	>	<	=	=	=	=	=	<	=	=
III.N Biological Resources	=	=	=	=	=	=	=	=	=	=
III.O Public Services	>	<	=	=	=	=	=	=	=	=
III.P Recreation	=	=	=	=	=	=	=	=	=	=
III.Q Utilities	=	=	=	=	=	=	=	<	=	=
III.R Energy	=	=	=	=	=	=	=	=	=	=
III.S Greenhouse Gas Emissions	>	=	=	=	=	=	=	=	=	=

SOURCE: PBS&J, 2009.

Each topic is compared to the Project and for each impact area, impacts are equal to (=), greater than (>), or less than (<) the Project impacts.

F.24 Changes to Section IV.B (Variant 1: R&D Variant [No Stadium—Additional Research & Development])

Page IV-4, last paragraph

The land use program outlined in the Chapter II for Candlestick Point would be the same for ~~this the~~ Housing R&D Variant (Variant 1), with fewer housing units.^{1178a} The discussion below is focused on the changes that would occur at HPS Phase II.

^{1178a} The number of residential units in each district may be adjusted depending on market demand; however, the sum total of housing units for Candlestick Point would not exceed 7,850 units.

Page IV-8, first paragraph

As discussed in Chapter II, the HPS Phase II land use plan would consist of four districts: HPS Village Center, HPS North, R&D, and HPS South. ... A summary of the development proposed in each of the districts with the R&D Variant (Variant 1) is provided in Table IV-4.^{1178b} ...

^{1178b} The number of residential units in each district may be adjusted depending on market demand; however, the sum total of housing units for HPS Phase II would not exceed 2,650 units.

Page IV-12, first paragraph

Build-out of the R&D uses would begin in ~~2017~~2011, with completion in ~~2021~~2031. Figure IV-4 (R&D Variant Building and Park Construction Schedule) illustrates the overall sequence of development for the R&D Variant (Variant 1).

Page IV-12, last paragraph

The R&D Variant (Variant 1) proposes infill development, centered on nodes of commercial and retail activity at Candlestick Point and HPS Phase II with no physical divisions. Residential and non-residential infill around these nodes of activity would provide a more continuous land use pattern and street grid, provide new services and community amenities in the Bayview Hunters Point neighborhood, allow better access to parks and recreational facilities (which would be improved under the R&D Variant [Variant 1]), and remove existing barriers to circulation and access. There are five blocks with privately owned parcels on Candlestick Point that the Applicant seeks to acquire for the development, including one on Jamestown Avenue in the Jamestown District (currently vacant) and four contiguous blocks in the Candlestick Point North District (currently vacant or developed with an RV park). If the private parcels are not acquired by the Applicant, they would be permitted under the BVHP Redevelopment Plan and the Planning Code to develop via an Owner Participation Agreement (OPA) in a manner that is consistent with the BVHP Redevelopment Plan or would be allowed to operate as an existing non-conforming use. For those parcels that are currently developed, or for any of the parcels if they develop via an OPA, that development would be included in the overall total development that would occur on the Project site. The total amount of development under this variant would not change; that is, the Applicant's development on the remaining portion of the site plus any development under separate OPAs as envisioned under the R&D Variant (Variant 1) would result in the same overall development level as proposed by the Applicant. The R&D

Variant (Variant 1) would not divide an established community; therefore, no impact would occur, similar to the Project.

Page IV-13, Figure IV-4 (R&D Variant [Variant 1] Building and Park Construction Schedule) has been revised

[NOTE: The figure has been revised to indicate building construction activities starting 1 to 2 years later than originally planned.]

Figure IV-4 R&D Variant (Variant 1) Building and Park Construction Schedule [Revised]

Page IV-15, first paragraph

With the R&D Variant (Variant 1), construction is scheduled for completion beginning in the Year ~~2017~~2011, extending through the Year 2031, a period of approximately ~~12~~20 years. ...

Page IV-18, first paragraph

The R&D Variant (Variant 1) would increase the total amount of development compared to the Project with an increase in R&D space at HPS Phase II of 2,500,000 gsf; there would be no 69,000-seat football stadium. ... ~~The R&D Variant would have the same arena-related transportation effects as with the Project.~~ The R&D Variant (Variant 1) would have the same roadway, transit, bikeway, and Bay Trail improvements proposed with the Project, including the Yosemite Slough bridge. ...

Page IV-18, last paragraph

With the R&D Variant (Variant 1), 44 of the 60 study intersections would operate at LOS E or LOS F conditions during the weekday AM or PM, or Sunday PM peak hours. Development associated with the R&D Variant (Variant 1) would result in significant unavoidable impacts at 31 intersections, six more than for the Project. ...

Page IV-19, first complete sentence at top of page

... would apply as well to the R&D Variant. At ~~five-six~~ locations, the R&D Variant (Variant 1) would have significant project-level or cumulative effects on intersection conditions that would not occur with the Project. As discussed below, at ~~three-four~~ of the ~~five-six~~ intersections, the R&D Variant (Variant 1) impacts would be significant and unavoidable, and at two of the ~~five-six~~ intersections (Crisp/Palou and Innes/Earl), the impacts would be less than significant with mitigation.

Page IV-21, the following text is inserted after the first complete paragraph

At the signalized intersection of Cesar Chavez/Evans, the R&D Variant (Variant 1) would contribute significantly to cumulative impacts identified for the 2030 No Project conditions. The Transportation Study (Appendix D) explains in the 2030 No Project analysis, that the Hunters Point Shipyard Redevelopment Plan FEIR identified a mitigation measure at this intersection that involved a reconfiguration of the northbound approach of Evans Avenue to Cesar Chavez Street to provide exclusive northbound left and right turn lanes, and changing the signal timing plan to include the exclusive left turn and right turn movements. The measure identified that the northeast corner curb return would require structural modifications to the existing viaduct. DPW, as part of the BTI Project analysis, determined that widening of the existing structure supporting the intersection of Evans Avenue and Cesar Chavez Street is not feasible. The R&D Variant (Variant 1) and cumulative impacts at this intersection would be significant and unavoidable.

Page IV-23, first partial paragraph

... The R&D Variant would have less-than-significant effects on other transportation conditions (loading, air traffic, emergency access).

Arena Impacts

The R&D Variant (Variant 1) would have the same arena-related transportation effects as with the Project, that is, significant and unavoidable impacts on traffic and transit operations, except the impact to transit operations would be caused by traffic congestion (as for the Project) and by possibly added transit demand. Since the amount of background transit demand under the R&D Variant (Variant 1) would be higher than the Project, it is possible that the added transit demand associated with a sold-out arena event would create demand for transit service greater than the capacity of the transit supply to the arena. This possible effect would be reduced by having SFMTA increase the frequency on regularly scheduled Muni routes (primarily the CPX-Candlestick Express) serving the arena area prior to large events at the arena. Additional shuttle service provided by the arena operator to key regional transit destinations, such as BART, Caltrain, and the T-Third light rail route would also reduce this possible effect, but as for the Project, even with this mitigation and the mitigation identified for the Project to address impacts on transit operations, MM TR-23.1 (Maintain proposed headways for the 29 Sunset), the impact on transit operations would, like the Project, remain significant and unavoidable. Likewise, impacts on traffic, as for the Project, would be reduced but not avoided with implementation of mitigation measure MM TR-41 (Transportation Management Plan for the arena).

Page IV-23, first paragraph after “Construction”

As noted above, construction impacts of the R&D Variant (Variant 1) on the visual character of the area would be similar to the Project, except that the R&D uses would be constructed by 2024~~2021~~, later than the 2017 construction of the Project stadium. This would not change the significance of impacts. Construction activities would occur throughout the 702-acre R&D Variant (Variant 1) site over the approximately 49~~20~~-year build-out period, ending in 2029~~2031~~.

Page IV-29, first paragraph after “Construction”

As stated above, overall construction impacts of the R&D Variant (Variant 1) with respect to air quality would be similar to the Project. Construction activities would occur throughout the 702-acre R&D Variant (Variant 1) site over the approximately 20-year build-out period ending in 2029~~2031~~, with the construction of the additional R&D facilities occurring between ~~2017 and 2024~~ 2018 and 2031. ...

Page IV-31, Table IV-7 (R&D Variant [Variant 1] Operational Criteria Pollutant Emissions (Year 2032) has been revised

[NOTE: The title of this table has been updated to reflect the revised development schedule.]

Table IV-7 R&D Variant (Variant 1) Operational Criteria Pollutant Emissions (Year 2030-2032) [Revised]					
Scenario/Emission Source	ROG (lbs/day)	NO_x (lbs/day)	CO (lbs/day)	PM₁₀ (lbs/day)	PM_{2.5} (lbs/day)
Hunters Point Shipyard					
Area ^a	182	55	44	1	1
Motor Vehicles (External)	119	109	1,247	576	108
<i>Subtotal</i>	302	164	1,291	578	110
Candlestick Point					
Area ^a	449	70	53	4	4
Motor Vehicles (External)	216	195	2,221	1,025	193
<i>Subtotal</i>	665	265	2,274	1,028	196
All Development Sites					
Area ^a	631	125	97	5	5
Motor Vehicles (External)	335	304	3,468	1,601	301
Motor Vehicles (Internal)	30	13	228	45	9
All Sources (R&D Variant)	997	442	3,793	1,650	315
Comparison to Proposed Project	106%	112%	111%	111%	111%
<i>Change from Proposed Project</i>	6%	12%	11%	11%	11%
Comparison to Business as Usual	89%	74%	70%	64%	65%
<i>Reduction from Business as Usual</i>	-11%	-26%	-30%	-36%	-35%
All Development Sites (Business as Usual)					
Area ^a	631	125	97	5	5
Motor Vehicles	485	476	5,292	2,561	481
All Sources (Business as Usual)	1,117	601	5,389	2,566	486
Comparison to R&D Variant	112%	136%	142%	155%	154%

SOURCE: PBS&J, 2009. Based on URBEMIS 2007 Version 9.2.4.

Daily emissions of ROG and NO_x were calculated under Summer conditions when ambient ozone concentrations are highest. Daily emissions of CO, PM₁₀, and PM_{2.5} were calculated under winter conditions when associated ambient concentrations are highest.

* Area emissions are from sources located on the project site, such as natural gas combustion for heating/cooling, maintenance equipment, consumer product use, etc.

Page IV-34, beginning with first paragraph

In terms of human health risks associated with vehicle emissions, vehicle trips and thereby vehicle emissions along local roadways would increase with development of the R&D Variant (Variant 1), similar to the Project. The prolonged exposure of receptors to increased vehicle emissions could affect human health. Potential PM_{2.5} concentrations from traffic associated with the R&D Variant (Variant 1) were estimated at selected roadways and compared against the 0.2 µg/m³ action level to determine the potential

health risks on receptors attributed to vehicle emissions from the R&D Variant (Variant 1). Potential PM_{2.5} concentrations at select roadways with the addition of future traffic volumes, including the traffic associated with the R&D Variant (which were assumed to be similar to Project traffic), were estimated compared against SFDPH thresholds to determine the potential health risks attributed to vehicle emissions. Several roadway segments were chosen based on whether Project-related traffic would use these streets to access neighboring freeways and other areas of *San Francisco* and/or currently or would experience significant truck traffic. The roadways chosen include:

- Third Street
- Innes Avenue/Hunters Point Boulevard/Evans Avenue
- Palou Avenue
- Gilman Avenue/Paul Avenue
- Harney Way
- Jamestown Avenue
- Ingerson Avenue

With the addition of ProjectVariant-related traffic, no receptors along the streets listed above would experience an increase in PM_{2.5} concentrations in excess of SFDPH's the 0.2 µg/m³ threshold action level.¹¹⁸⁷ As eConcentrations would not exceed SFDPH's threshold the action level, and as such, impacts would be less than significant, similar to the Project.

¹¹⁸⁷ ENVIRON, *Ambient Air Quality Human Health Risk Assessment: Candlestick Point–Hunters Point Shipyard Phase II Development Plan*, Appendix IV, September 28, 2009 May 4, 2010.

Page IV-37, second paragraph

As with the Project, development at HPS Phase II with the R&D Variant (Variant 1) would result in the demolition of Buildings 208, 211, 224, 231, and 253, which have been determined eligible as contributors to the California Register of Historic Resources (CRHR)—eligible Hunters Point Commercial Dry Dock and Naval Shipyard Historic District. ...

Page IV-49, Table IV-9 (Citywide Number of Police Officers and Estimated R&D Variant [Variant 1] Demand) has been revised

[NOTE: This table has been updated to reflect the revised development schedule.]

Table IV-9 Citywide Number of Police Officers and Estimated R&D Variant (Variant 1) Demand [Revised]		
	Population	Police Officers
Citywide (2005)		
Residents	799,302	
Employees	552,167	
Total	1,351,469	2,033
Ratio (officer to population)	1:665	
Project (20292032)		
Residents	24,465	

Table IV-9 Citywide Number of Police Officers and Estimated R&D Variant (Variant 1) Demand [Revised]

	Population	Police Officers
Employees	16,635	
Total	41,100	62^a
Ratio (officer to population)	1:663	
Project Total		53

SOURCES: The population and households data reported for San Francisco is 2005 data provided in a Memorandum from John Rahaim, Director of Planning, San Francisco Planning Department to Michael Carlin, Deputy General Manager, San Francisco Public Utilities Commissions, *Projections of Growth by 2030*, July 9, 2009; SFPD 2005 total staffing: PSSG District Station Boundaries Analysis, 2008; Proposed population and employment: Section III.C.

a. The projected number of police officers for the R&D Variant is rounded up, and most closely reflects the 1:665 ratio of the Project.

Page IV-54, first paragraph

The conceptual development plan for this Variant would result in the development of residential units and parks during all of four stages of development. ... As this table indicates, the park-to-population ratio would not drop below ~~12.38.4~~ acres per 1,000 population at any time during the four stages of development, which exceeds the benchmark of 5.5 acres of parkland per 1,000 population. ...

Page IV-54, Table IV-10 (R&D Variant [Variant 1] Residential Units and Park Acreage Provided during each Stage of Development) has been revised. For readability, the new data are shown without underline, and deleted numbers are not shown.

[NOTE: This table has been updated to reflect the revised development schedule.]

Table IV-10 R&D Variant (Variant 1) Residential Units and Park Acreage Provided during Each Stage of Development [Revised]				
Stage of Development	Residential Units	Population	Total Parkland (ac)	Park-to-Population Ratio (acres per 1,000 Residents)
Existing	256	1,113 ^a	120.2	108
Phase 1	3,120 3,160	7,270 7,363 ^b	463.6 135.8	22.5 18.4
Phase 2	6,125 5,165	44,274 12,034 ^b	475.9 147.1	12.3 12.2
Phase 3	9,345 7,670	24,774 17,871 ^b	326.2 150.6	15.0 8.4
Phase 4	10,500	24,465 ^b	327.0	13.4

- a. Refer to Table III.C-1 (Existing Population [2005]) in Section III.C (Population, Employment, and Housing). This population correlates to the total number of households in the Traffic Analysis Zone, which includes more than the 256 households located in the Candlestick portion of the Project site (e.g., 292). It is likely, therefore, that the population within the Candlestick portion of the Project site is less than 1,113, which would only increase the existing park-to-population ratio.
- b. Calculated as 2.33 people per residential unit.

Page IV-61, second full paragraph

The City has issued a Request for Qualifications to solicit bids for a new contract to accommodate the City’s disposal capacity beyond the expiry of the current agreement. ... Demolition activities, which

generate construction debris, are expected to conclude in ~~2024~~2028 at Candlestick Point and in ~~2024~~2023 at HPS Phase II, ~~a minimum of five years~~ one year before the landfill is expected to close. ...

Page IV-68, last paragraph

As stated above, overall construction impacts of the R&D Variant (Variant 1) with respect to climate change and GHG emissions would be similar to the Project. ...The GHG emissions associated with the construction activities are short-term in duration and ~~will~~ would be a total of ~~405,587~~129,274 tonnes CO₂e. When this is distributed over an anticipated time schedule of ~~16~~20 years, approximately ~~6,600~~6,464 tonnes per year ~~will~~ would be emitted. ...

F.25 Changes to Section IV.C (Variant 2: Housing Variant [No Stadium—Relocation of Housing])

Page IV-79, last paragraph

Residential development at HPS Phase II would begin in ~~2017~~2012 with completion in ~~2021~~2023. ...

Page IV-82, last paragraph

The Housing Variant (Variant 2) proposes infill development, centered on nodes of commercial and retail activity at Candlestick Point and HPS Phase II with no physical divisions. Residential and non-residential infill around these nodes of activity would provide a more continuous land use pattern and street grid, provide new services and community amenities in the Bayview Hunters Point neighborhood, allow better access to parks and recreational facilities (which would be improved under the Housing Variant), and remove existing barriers to circulation and access. There are five privately owned parcels on Candlestick Point that the Applicant seeks to acquire for the development, including one block on Jamestown Avenue in the Jamestown District (currently vacant) and four contiguous parcels in the Candlestick Point North District (either vacant or containing an RV park). If these private parcels are not acquired by the Applicant, they would be permitted under the BVHP Redevelopment Plan and the Planning Code to develop via an Owner Participation Agreement (OPA) in a manner that is consistent with the BVHP Redevelopment Plan or would be allowed to operate as an existing non-conforming use. For those parcels that are currently developed, or for any of the parcels if they develop via an OPA, that development would be included in the overall total development that would occur on the Project site. The total amount of development under this variant would not change; that is, the Applicant's development on the remaining portion of the site plus any development under separate OPAs as envisioned under the Housing Variant would result in the same overall development level as proposed by the Applicant. The Housing Variant (Variant 2) would not divide an established community; therefore, no impact would occur, similar to the Project.

Page IV-84, first full paragraph

With the Housing Variant (Variant 2), the first phase of construction is scheduled for completion beginning in the Year 20172019, extending through the Year 20292031, a period of approximately 12 years. ...

Page IV-87, first paragraph

Overall, the Housing Variant would not increase the total amount of development compared to the Project but would relocate approximately 1,350 housing units from Candlestick Point to HPS Phase II. Therefore, 4,000 residential units (rather than 2,650 residential units) would be developed at HPS Phase II. The Housing Variant would include all uses proposed with the Project with the exception of the stadium, which would be replaced by the relocated housing units. ... There would be no football stadium. Therefore, the Housing Variant would not have game day or other stadium event transportation impacts associated with the Project. ~~The Housing Variant would have the same arena-related transportation effects as with the Project. ...~~

Page IV-87, sixth paragraph

The Housing Variant would have similar project and cumulative effects at most study intersections as would occur with the Project; only cumulative impacts at the intersections of Cesar Chavez/Evans and Bayshore/Oakdale would worsen as compared to the Project. Section III.D; discusses traffic effects at those intersections; and the feasibility of mitigation measures. As noted in Impact TR-3, Impact TR-4, Impact TR-5, Impact TR-6, and Impact TR-8, Project intersection impacts would be significant and unavoidable. Those conclusions would apply as well to the Housing Variant. Like the R&D Variant, the Housing Variant would contribute to cumulative traffic in the 2030 condition at Cesar Chavez/Evans and cause intersection operating conditions at Bayshore/Oakdale to worsen in the PM peak hour from LOS C under 2030 conditions to LOS E. No feasible mitigation exists for either intersection and the Housing Variant's contribution to cumulative impacts would be significant and unavoidable.

Page IV-89, the following text is inserted after the second paragraph

... Therefore, the parking shortfall would not result in significant parking impacts, and Housing Variant impacts on parking would be less than significant.

The Housing Variant would have the same arena-related transportation effects as with the Project, that is, significant and unavoidable impacts on traffic and transit operations, except that, like the R&D Variant, the impact to transit operations would be caused by traffic congestion (as for the Project) and by possibly added transit demand. As for the R&D Variant, this possible effect would be reduced by having SFMTA increase the frequency on regularly scheduled Muni routes (primarily the CPX-Candlestick Express) serving the arena area prior to large events at the arena and having the arena operator provide additional shuttle service to key regional transit destinations, such as BART, Caltrain, and the T-Third light-rail route. Implementation of this mitigation and MM TR-23.1 would reduce but not avoid significant impacts on transit operations. Also as for the Project and the R&D Variant, implementation of mitigation measure MM TR-41 (Transportation Management Plan for the arena) would reduce but not avoid significant impacts on traffic.

Page IV-90, first paragraph

As noted above, construction impacts of the Housing Variant (Variant 2) on the visual character of the area would be similar to the Project because construction practices and activities would be similar for similar types of construction. Construction of the housing on the proposed stadium site would occur later in the 1920-year building period than construction of the stadium under the Project. Construction activities would occur throughout the 702-acre Housing Variant site over the build-out period, ending in 2029~~2031~~.

Page IV-96, fourth full paragraph

As stated above, overall construction impacts of the Housing Variant (Variant 2) with respect to air quality would be similar to the Project. Construction activities would occur throughout the 702-acre Housing Variant site over the approximately 20-year build-out period ending in ~~2029~~2031, with the construction of the additional dwelling units occurring between ~~2017~~2019 and ~~2021~~2023.

Page IV-100, beginning with fourth paragraph

In terms of human health risks associated with vehicle emissions, vehicle emissions along local roadways would shift location with development of the Housing Variant (Variant 2), as some residential units will be relocated from Candlestick Point to HPS Phase II. The prolonged exposure of receptors to increased vehicle emissions could affect human health. Potential PM_{2.5} concentrations from traffic associated with the Housing Variant (Variant 2) were estimated at selected roadways and compared against the 0.2 µg/m³ action level to determine the potential health risks on receptors attributed to vehicle emissions from the Housing Variant (Variant 2). ~~Potential PM_{2.5} concentrations at select roadways with the addition of future traffic volumes, including the traffic associated with the Housing Variant (which were assumed to be similar to Project traffic), were estimated compared against SFDPH thresholds to determine the potential health risks attributed to vehicle emissions.~~ Several roadway segments were chosen based on whether Project-related traffic would use these streets to access neighboring freeways and other areas of San Francisco and/or currently or would experience significant truck traffic. The roadways chosen include:

- Third Street
- Innes Avenue/Hunters Point Boulevard/Evans Avenue
- Palou Avenue
- Gilman Avenue/Paul Avenue
- Harney Way
- Jamestown Avenue
- Ingerson Avenue

With the addition of ~~ProjectVariant~~-related traffic, no receptors along the streets listed above would experience an increase in PM_{2.5} concentrations in excess of SFDPH's 0.2 µg/m³ threshold action level.¹²²⁰ ~~As e~~Concentrations would not exceed the SFDPH's threshold action level, and as such, impacts would be less than significant, similar to the Project.

¹²²⁰ ENVIRON, *Ambient Air Quality Human Health Risk Assessment: Candlestick Point–Hunters Point Shipyard Phase II Development Plan*, Appendix IV, ~~September 28, 2009~~ May 4, 2010.

Page IV-104, second full paragraph

As with the Project, development at HPS Phase II with the Housing Variant (Variant 2) would result in the demolition of Buildings ~~208~~, 211, 224, 231, and 253, which have been determined eligible as contributors to the California Register of Historic Resources (CRHR)–eligible Hunters Point Commercial Dry Dock and Naval Shipyard Historic District. ...

Page IV-117, Table IV-25 (Citywide Number of Police Officers and Estimated Housing Variant [Variant 2] Demand) has been revised

[NOTE: This table has been updated to reflect the revised development schedule.]

Table IV-25 Citywide Number of Police Officers and Estimated Housing Variant (Variant 2) Demand [Revised]		
	<i>Population</i>	<i>Police Officers</i>
Citywide (2005)		
Residents	799,302	
Employees	552,167	
Total	1,351,469	2,033
Ratio (officer to population)	1:665	
Project (20292032)		
Residents	24,465	
Employees	10,378	
Total	34,843	52^a
Ratio (officer to population)	1:665	

SOURCE: The population and households data reported for San Francisco is 2005 data provided in a Memorandum from John Rahaim, Director of Planning, San Francisco Planning Department to Michael Carlin, Deputy General Manager, San Francisco Public Utilities Commissions, *Projections of Growth by 2030*, July 9, 2009; SFPD 2005 total staffing; PSSG District Station Boundaries Analysis, 2008; Proposed population and employment: Section III.C.

a. The projected number of police officers for the R&D Variant is rounded up, and most closely reflects the 1:665 ratio of the Project.

Page IV-130, third paragraph

As noted, at current disposal rates, the Altamont Landfill would be expected to reach capacity in January 2032; however, it may close three years earlier, in January 2029. Demolition activities, which generate construction debris, are expected to conclude in ~~2024~~2028 at Candlestick Point and in ~~2021~~2023 at HPS Phase II, ~~a minimum of five years~~ one year before the landfill is expected to close. ...

Page IV-136, last paragraph

As stated above, overall construction impacts of the Housing Variant with respect to climate change and GHG emissions would be similar to the Project. Construction activities would occur from the use of construction equipment, workers commuting, and soil hauling activities. The GHG emissions associated with the construction activities are short-term in duration and ~~will~~ would be a total of ~~405,587~~129,274 tonnes CO₂e. When this is distributed over an anticipated time schedule of ~~46~~20 years, approximately ~~6,600~~6,464 tonnes per year ~~will~~ would be emitted. Since these emissions are short in duration and small in comparison to the overall construction and mining emissions for the San Francisco Bay Area Air Basin GHG emission inventory, the Housing Variant GHG emissions for construction would be less than significant, similar to the Project.

F.26 Addition of Section IV.Ca (Variant 2A: Housing/R&D Variant [No Stadium—Relocation of Housing; Additional R&D]) [New Section]

The following text in its entirety is inserted following Page IV-139. Although this text is new, for readability, it is not underlined.

IV.Ca VARIANT 2A: HOUSING/R&D VARIANT (NO STADIUM—RELOCATION OF HOUSING; ADDITIONAL R&D)

IV.Ca.1 Overview

An option to Variant 2 (Housing Variant)—Variant 2A (Housing/R&D Variant)—has been identified that would allow for additional R&D on the stadium site, along with housing, in the event the 49ers do not choose to develop a stadium in the HPS Phase II area. As compared to the Housing Variant (Variant 2), described on pages IV-72 through IV-81 of the Draft EIR, the Housing/R&D Variant (Variant 2A) would relocate 275 residential units from Candlestick Point to HPS Phase II and redistribute 50 residential units within other districts on Candlestick Point. The Housing/R&D Variant (Variant 2A) would not develop the uses in the Jamestown District that would occur under the Housing Variant (Variant 2). If the parcels on the privately owned block in the Jamestown District and the four additional blocks in Candlestick Point North District (currently vacant or developed with an RV park) are not acquired by the Project Applicant, the property owners could develop their property under the BVHP Redevelopment Plan via an Owner Participation Agreement or continue the current non-conforming use. The total amount of residential development would remain at 10,500 units, the same as for the Project and the Housing Variant (Variant 2).

An additional 500,000 sf of R&D use would be constructed on the stadium site as compared to the Housing Variant (Variant 2), for a total of 3,000,000 sf of R&D at the HPS Phase II site. The Project includes 2,500,000 sf of R&D, the R&D Variant (Variant 1) includes 5,000,000 sf of R&D, and the Housing Variant (Variant 2) analyzes 2,500,000 sf of R&D; therefore, the 3,000,000 sf of R&D under the Housing/R&D Variant (Variant 2A) would fall within the range of development programs analyzed by the R&D Variant (Variant 1), the Project, and the Housing Variant (Variant 2).

The total amount of park acreage with the Housing/R&D Variant (Variant 2A) would be 326.6 acres, which represents a decrease of approximately 9.8 acres as compared to the Project (which would provide 336.4 acres), about 22.8 acres less than the Housing Variant (Variant 2), which would provide 349.4 acres, and 0.4 acre less than the R&D Variant (Variant 1), which would provide 327.0 acres, because of increased development on the stadium site. However, the decrease in park acreage would not reduce park acreage below the identified threshold of 5.5 acres of park per 1,000 residents, as further described in this section.

Table IV-19a (Housing/R&D Variant [Variant 2A] Land Use Summary) presents the land use summary for the Housing/R&D Variant. Figure IV-7a (Housing/R&D Variant [Variant 2A] Land Use Plan) illustrates the proposed Housing/R&D Variant (Variant 2A) land uses.

[NOTE: This table is included to provide detailed information concerning land uses proposed under the Housing/R&D Variant (Variant 2A).]

Table IV-19a Housing/R&D Variant (Variant 2A) Land Use Summary [New]			
<i>Land Use</i>	<i>Candlestick Point</i>	<i>HPS Phase II</i>	<i>Total</i>
Residential^a			
Residential Density Range I (15 to 75 units per acre)	940	1,320	2,260
Residential Density Range II (50 to 125 units per acre)	3,855	2,185	6,040
Residential Density Range III (100 to 175 units per acre)	270	460	730
Residential Density Range IV (175 to 285 units per acre)	1,160	310	1,470
Total (units)	6,225^b	4,275^c	10,500
Retail			
Regional Retail (gsf)	635,000	N/A	635,000
Neighborhood Retail (gsf)	125,000	125,000	250,000
Total (gsf)	760,000	125,000	885,000
Office (gsf)	150,000	N/A	150,000
Research & Development	N/A	3,000,000	3,000,000
Hotel (gsf)			
Hotel (gsf)	150,000	N/A	150,000
Rooms	220	N/A	220
Artists' Studios/Art Center (gsf)	N/A	255,000	255,000
Community Services (gsf)^d	50,000	50,000	100,000
Parks & Open Space			
New Parks (acres)	8.1	150.9	159.0
New Dual-Use Sports Fields/Multi-Use Lawn and Stadium Parking and Waterfront Recreation (acres)	N/A	70.9	70.9
New and Improved State Parkland (acres)	96.7	N/A	96.7
Total (acres)	104.8	221.8	326.6
Marina (slips)	N/A	300	300
Performance Venue/Arena (gsf)	75,000	N/A	75,000
Seats	10,000	N/A	10,000
Parking (spaces)			
Residential (structured)	6,225	4,275 ^e	10,500
Commercial (structured)	2,346	4,428	6,774
General and Commercial (on-street)	1,360	1,428	2,788

Table IV-19a Housing/R&D Variant (Variant 2A) Land Use Summary [New]

<i>Land Use</i>	<i>Candlestick Point</i>	<i>HPS Phase II</i>	<i>Total</i>
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SOURCE: Lennar Urban, 2010.

- a. The number of residential units in each district may be adjusted depending on market demand; however, the total of housing units for Candlestick Park would not exceed 6,225 units and the total number of housing units for HPS Phase II would not exceed 4,275 units.
- b. 1,625 units less than the Project (moved to HPS Phase II).
- c. 1,625 units more than the Project (moved from Candlestick Point).
- d. Community facilities parcels are intended to provide the existing BVHP community and the future Project community with dedicated land for uses designed to provide, preserve, and leverage such critical local resources as social services, education, the arts, other community services (including public safety facilities such as fire and police stations), and facilities for the benefit of senior citizens. Additional uses proposed for the community facilities parcels such as retail, services, offices, and R&D space, beyond the 100,000 proposed for community facilities, would be absorbed within the retail or R&D program proposed in HPS Phase II. Total uses would not exceed those amounts identified in this table.
- e. Residential parking at HPS Phase II would be increased compared to the Project to provide parking for the additional residential units and R&D.

There would be no new significant environmental impacts or an increase in the severity of impacts compared to the impacts analyzed for the Project, R&D Variant (Variant 1), or the Housing Variant (Variant 2) as a result of the modification presented by the Housing/R&D Variant (Variant 2A). An environmental analysis of these modifications, with associated illustrative graphics, is contained in this section.

IV.Ca.2 Project Objectives

The objectives for the Housing/R&D Variant (Variant 2A) would be the same as for the Project. A full list of Project objectives is provided in Section II.D of this EIR. In particular, the Housing/R&D Variant (Variant 2A) was prepared to address the following portion of Objective 1:

- Implement the CP-HPS Development Plan with public benefits, whether or not the 49ers decide to remain in San Francisco, including developing alternate uses for the stadium site on the Shipyard Property that are consistent with the overall CP-HPS Development Plan objectives.

IV.Ca.3 Characteristics

Section II.E outlines the Project’s land use plan, parks and open space plan, transportation improvements, infrastructure plan, community benefits, and green building concepts. While many of these components of the Project would also apply to this variant, the discussion below outlines the principal differences.

■ Land Use Plan

The land use program outlined in Chapter II (Project Description) for Candlestick Point would generally be the same for this Housing/R&D Variant (Variant 2A) as for the Project, with the exception that 1,625 residential units that would have been constructed on Candlestick Point would be relocated to HPS Phase II. The total number of residential units to be developed would remain the same at 10,500. The discussion below is focused on the changes that would occur at HPS Phase II, relative to the Project, the R&D Variant (Variant 1), and the Housing Variant (Variant 2).

Figure IV-7a Housing/R&D Variant (Variant 2A) Land Use Plan [New]

The changes proposed with the Housing/R&D Variant (Variant 2A) compared to the Project include residential, R&D, and neighborhood commercial land uses for the HPS South district and the same small reductions in neighborhood commercial uses in other HPS Phase II districts as noted for the Housing Variant (Variant 2). One thousand, six hundred and twenty-five residential units would be relocated to HPS Phase II from Candlestick Point compared to the Project, but the overall total number of residential units would remain the same (i.e., 10,500) as under the Project. The Housing/R&D Variant (Variant 2A) would include 3,000,000 sf of R&D, which is 500,000 sf more when compared to the Project and the Housing Variant (Variant 2) and 2,000,000 sf less than under the R&D Variant (Variant 1). All other land uses within the HPS Phase II districts would be the same as the Project, as described in detail in Chapter II (Project Description). A summary of the development in HPS Phase II proposed with the Housing/R&D Variant (Variant 2A) is provided in Table IV-20a (Housing/R&D Variant [Variant 2A] HPS Phase II Land Use Summary). Figure IV-8a (Housing/R&D Variant [Variant 2A] Maximum Building Heights) illustrates the maximum building heights for Variant 2A.

With the Housing/R&D Variant (Variant 2A), the 69,000-seat NFL stadium proposed with the Project would not be constructed in the HPS South district. Instead, the Housing/R&D Variant would result in construction of 1,625 dwelling units at Density Ranges I and II and 1,000,000 sf of R&D in the HPS South district. The Project includes no residential or R&D in this district. In addition, with the Housing/R&D Variant, the HPS South district would develop 25,000 gsf of neighborhood retail, while the Project would not develop any neighborhood retail adjacent to the stadium.

■ Parks and Open Space at HPS Phase II

The Housing/R&D Variant (Variant 2A) parks and open space on Candlestick Point would be the same as for the Project; this discussion focuses on HPS Phase II changes. The Housing/R&D Variant (Variant 2A) would include additional parks and would reconfigure the design and sizes of parks and open space areas at HPS Phase II compared to the Project. As presented in Table IV-21a (Housing/R&D Variant [Variant 2A] HPS Phase II Parks and Open Space), HPS Phase II would have 221.8 acres of parks and open space compared to the 230 acres on HPS Phase II under the Project. The Sports Field Complex proposed with the Housing/R&D Variant (Variant 2A) would be 39 acres, which is approximately 20 acres less than proposed with the Project. The 2.0-acre Hunters Point South Park, 0.7-acre Hunters Point Mini Park, 0.9-acre Hunters Point Neighborhood Park, and 3.1-acre Hunters Point Wedge Park would be constructed in the HPS South district, which is not included in the Project. Table IV-21a presents the proposed park and open space at HPS Phase II in the Housing/R&D Variant (Variant 2A).

F. Draft EIR Revisions

F.26. Addition of Section IV.Ca (Variant 2A: Housing/R&D Variant
[No Stadium—Relocation of Housing; Additional R&D]) [New Section]

[NOTE: This table is included to provide detailed information concerning land uses proposed under the Housing/R&D Variant (Variant 2A).]

Table IV-20a Housing/R&D Variant [Variant 2A] HPS Phase II Land Use Summary [New]								
<i>District</i>	<i>Net Acres^a</i>	<i>Dwelling Units^{b,c}</i>	<i>Density</i>	<i>Neighborhood Retail (gsf)</i>	<i>Artist Space (gsf)</i>	<i>R&D (gsf)</i>	<i>Community Services (gsf)</i>	<i>Total Commercial (gsf)</i>
Hunters Point Shipyard North	26.88	2,090	I, II, III, IV	18,000 ^d	0	0	0	18,000
Hunters Point Shipyard Village Center	7.69	125	I, II, III	20,000 ^e	255,000	0	0	275,000
Research & Development	26.75	435	II, III	62,000 ^f	0	2,000,000	0	2,062,000
Hunters Point Shipyard South	61.24 ^g	1,625 ^h	I, II	25,000 ⁱ	0	1,000,000	50,000	1,075,000
Total	122.56	4,275^h	N/A	125,000	255,000	3,000,000	50,000	3,430,000

SOURCE: Lennar Urban, 2009.

a. Net Acreage excludes the street network.

b. 1,320 Residential Density Range I (15 to 75 units per net acre)
 2,185 Residential Density Range II (50 to 125 units per net acre)
 460 Residential Density Range III (100 to 175 units per net acre)
 310 Residential Density Range IV (175 to 270 units per net acre)
 4,275 Total units

c. The number of residential units in each district may be adjusted depending on market demand; however, the total of housing units for HPS Phase II would not exceed 4,275 units.

d. 7,000 gsf less than the Project.

e. 5,000 gsf less than the Project.

f. 13,000 gsf less than the Project.

g. The net acreage of the HPS South district would be increased compared to the Project (32.26 acres with stadium).

h. 1,625 units more than the Project.

i. 25,000 more than the Project.

Figure IV-8a Housing/R&D Variant (Variant 2A) Maximum Building Heights [New]

[NOTE: This table is included to provide detailed information concerning land uses proposed under the Housing/R&D Variant (Variant 2A).]

Table IV-21a Housing/R&D Variant (Variant 2A) HPS Phase II Parks and Open Space [New]	
<i>Park/Open Space</i>	<i>Acres</i>
New Parks	
Northside Park	12.8
Waterfront Promenade	32.4
Heritage Park	15.6
Grasslands Ecology Park at Parcel E	45.2
Grasslands Ecology Park at Parcel E-2	38.2
Hunters Point Wedge Park	3.1
Hunters Point South Park	2.0
Hunters Point Neighborhood Park	0.9
Hunters Point Mini Park	0.7
<i>Subtotal</i>	150.9
New Sports Fields and Active Urban Recreation	
Sports Field Complex	39.0
Multi-Use Lawn	25.2
Waterfront Recreation & Event Pier	6.7
<i>Subtotal</i>	70.9
Total	221.8

SOURCE: Lennar Urban 2010.

Figure IV-9a (Housing/R&D Variant [Variant 2A] Parks and Open Space) illustrates the location of the proposed parks and open space. Figure IV-10a (Housing/R&D Variant [Variant 2A] Building and Park Construction Schedule) provides phasing and construction information for development of the buildings and parks under Variant 2A.

■ Transportation and Circulation

The transportation and circulation plan under the Housing/R&D Variant (Variant 2A) would be the same as proposed for the Housing Variant (Variant 2).

■ Infrastructure

The location of major infrastructure improvements under the Housing/R&D Variant (Variant 2A) would be the same as that proposed for the Housing Variant (Variant 2).

Figure IV-9a Housing/R&D Variant (Variant 2A) Parks and Open Space [New]

**Figure IV-10a Housing/R&D Variant (Variant 2A) Building and Park Construction Schedule
[New]**

■ Implementation

Build-out of the housing and R&D uses at HPS Phase II would begin in the first phase of development and would be completed by 2027. Figure IV-10a illustrates the overall sequence of development for the Housing/R&D Variant (Variant 2A).

IV.Ca.4 Potential Environmental Effects

■ Analytic Method

The Housing/R&D Variant (Variant 2A) represents a modification of the Housing Variant (Variant 2) and also includes components of the R&D Variant (Variant 1). The R&D Variant (Variant 1) analyzes 5,000,000 sf of R&D on the stadium site and the Housing/R&D Variant (Variant 2A) contemplates 3,000,000 sf of R&D on the stadium site. The Housing Variant (Variant 2) proposes relocating 1,350 residential units to HPS Phase II, and the Housing/R&D Variant (Variant 2A) contemplates relocating 1,625 residential units to HPS Phase II.

For environmental resources that are dependent on types of land uses, rather than size, (Land Use and Plans, Hazards and Hazardous Materials, and, to some extent, Utilities and Energy) it would be appropriate to compare the impacts of the Housing/R&D Variant (Variant 2A) to those impacts analyzed for the R&D Variant (Variant 1) and/or the Housing Variant (Variant 2) to demonstrate that the impacts from the Housing/R&D Variant (Variant 2A) are “bracketed” within the range of impacts already analyzed.

The footprint of development for Variant 2A is approximately the same as that of the R&D Variant (Variant 1) but slightly less than that of the Project.¹⁴⁸ The Housing/R&D Variant (Variant 2A) would result in a total of 46.8 percent area of impervious surface (an indicator of development footprint) on HPS; the Project would result in total impervious surface area on HPS of 48.4 percent; and the R&D Variant (Variant 1) would have total impervious surface area on HPS of 46.7 percent. For environmental resources whose impacts depend on the extent or intensity of development and extent of ground disturbance (Cultural/Paleontological Resources, Hazards and Hazardous Materials, Geology and Soils, Hydrology and Water Quality), it would be appropriate to compare the impacts of the Housing/R&D Variant (Variant 2A) to the Project, as the Project’s development “footprint” is slightly greater than the footprint of the Housing/R&D Variant (Variant 2A). The location of development would remain the same under the Housing/R&D Variant (Variant 2A) and the impact conclusions made for the Project that also depend on the specific location of development (Biological Resources and Cultural/Paleontological Resources) would also apply to Variant 2A. Thus, the impacts of the Housing/R&D Variant (Variant 2A) have been bracketed by the impacts analyzed for the Project with respect to Cultural Resources and Paleontological Resources, Hazards and Hazardous Materials, Geology and Soils, Hydrology and Water Quality, and Biological Resources. Impacts of the Housing/R&D Variant (Variant 2A) that are dependent on intensity of development or extent of land disturbance would be substantially the same as the impacts for the development proposed for the Project.

¹⁴⁸ IBI Group, April 8, 2010.

With respect to Wind and Shadow impacts, which are dependent on the heights and massing of structures, building heights and massing for the Housing/R&D Variant (Variant 2A) would be substantially similar to the Project, and within the height limits established by the Project districts. Therefore, the impacts of the Housing/R&D Variant (Variant 2A) for these topics would be appropriately compared to the impacts of the Project.

For Transportation and Circulation, Aesthetics, Air Quality, Noise, Recreation, and Greenhouse Gas Emissions, the combination of housing and R&D on the stadium site and development schedule modifications require a somewhat more comprehensive analysis to determine the impacts of the Housing/R&D Variant (Variant 2A) compared to the Project, the R&D Variant (Variant 1), or the Housing Variant (Variant 2).

Therefore, the impacts of the Housing/R&D Variant (Variant 2A) are analyzed in the following sections compared to the impacts of the Project, Variant 1, and/or Variant 2, whichever is the most appropriate for the particular resource, to demonstrate that the impacts of Variant 2A would be bracketed by one or more of the analyses previously provided in the EIR.

■ Construction Impacts

Potential construction-related environmental effects of the Housing/R&D Variant (Variant 2A) would be approximately the same as those analyzed for the R&D Variant (Variant 1), as it would include approximately the same intensity of development. Therefore, all construction-related environmental effects of the Housing/R&D Variant (Variant 2A) are the same as contained in the analysis of the R&D Variant on pages IV-12 through IV-71 of the EIR.

Depending on the phasing of the additional development, the Housing/R&D Variant (Variant 2A) may result in fewer construction traffic impacts between future years 2012 and 2017, when the new stadium would be constructed, and somewhat greater impacts in the years the housing and additional R&D would be constructed. Implementation of a Construction Traffic Management Program (the same as described for the Project in mitigation measure MM TR-1) would help minimize the Housing/R&D Variant's contribution to cumulative construction-related traffic impacts. However, localized construction-related traffic impacts would remain significant and unavoidable, similar to the Project, and would be bracketed by the analysis for the Project.

With regard to air quality, construction activities would occur over the same construction period and would be essentially the same as those identified for the Project and the R&D Variant (Variant 1). Any project within the City of San Francisco, including the Housing/R&D Variant, would be required to comply with *San Francisco Health Code* Article 22B, Construction Dust Control, which requires the preparation of a site-specific dust control plan, (with mandatory mitigation measures similar to the BAAQMD's) for construction projects within 1,000 feet of sensitive receptors (residence, school, childcare center, hospital or other health-care facility or group-living quarters). Implementation of mitigation measure MM HZ-15, which identifies specific mitigation that would be used to reduce emissions associated with construction. As the development footprint of the Housing/R&D Variant (Variant 2A) would be substantially similar to and have been "bracketed by" the analyses for the Project and the R&D Variant (Variant 1), impacts would be less than significant as previously identified in the analyses of construction air quality impacts for the

Project and the R&D Variant (Variant 1), and would be bracketed by the impact analysis for the Project and the R&D Variant (Variant 1).

With respect to airborne human health risks, construction measures MM AQ-2.1 and MM AQ-2.2 would be implemented for the Housing/R&D Variant (Variant 2A), reducing diesel particulate matter (DPM) and dust or particular matter (PM₁₀) to less than significant. As construction emissions associated with the Housing/R&D Variant (Variant 2A) are expected to be lower than those associated with construction of a stadium in the same location (e.g., Project), the Housing/R&D Variant (Variant 2A) would have reduced impacts compared to the Project. Refer to Appendix T4 (ENVIRON, Updated Air Quality Analysis Candlestick Point—Hunters Point Shipyard Phase II Development Plan—Updated Variants 2A and 3 [Tower Variant D], Alternative 2, and Subalternative 4A, April 26, 2010). The Health Risk Assessment (HRA) performed for the Project (Appendix H3 to the EIR) concluded that the inhalation cancer risk at the Maximum Extent of Impact (MEI) for the Project would be 4.5 in one million. This represents the maximum level of DPM experienced by all off-site and on-site (i.e., Alice Griffith) sensitive receptors during Project construction activities. Exposure to DPM from construction activities associated with the Project would not exceed the BAAQMD threshold. The Housing/R&D Variant (Variant 2A) is not anticipated to exceed Project impacts and, therefore, would not exceed the BAAQMD CEQA threshold. In addition, the HRA concluded the maximum chronic noncancer HI to be 0.01, which is below the BAAQMD's HI significance threshold of 1.0. Therefore, this impact would be bracketed by the impact analyzed in the Project, and would similarly be less than significant.

The HRA for the Project analyzed the potential for construction activities to generate toxic air contaminants (TACs) associated with soil-PM₁₀ and evaluated the potential concentrations of airborne soil-PM₁₀ at numerous receptors on site (residents at the Alice Griffith Public Housing units) and off site (adult and child residents, workers, and schoolchildren) in the Project vicinity. The inhalation cancer risk at the point of maximum impact or MEI as a result of construction activities at the Project site would be 0.04 in one million and would not exceed the BAAQMD threshold, similar to the Project. In addition, the HRA concluded the maximum non-cancer HI to be 0.03, which would be below the BAAQMD's significance threshold of 1.0. The impacts of the Housing/R&D Variant (Variant 2A) would be bracketed by the analysis for the Project.

All construction-related mitigation measures outlined for the Project would also apply to the Housing/R&D Variant (Variant 2). These include: MM TR-1, MM AE-2, MM AQ-2.1, MM AQ-2.2, MM NO-1a.1, MM NO-1a.2, MM NO-2a, MM CP-1b.1, MM CP-2a, MM CP-3a, MM HZ-1a, MM HZ-1b, MM HZ-2a.1, MM HZ-2a.2, MM HZ-5a, MM HZ-9, MM HZ-10b, MM HZ-12, MM HZ-15, MM GE-2a, MM GE-3, MM GE-4a.1, MM GE-4a.2, MM GE-4a.3, MM GE-5a, MM GE-6a, MM GE-10a, MM GE-11a, MM HY-1a.1, MM HY-1a.2, MM HY-1a.3, MM HY-6a.1, MM HY-12a.1, MM HY-12a.2, MM HY-14, MM BI-4a.1, MM BI-4a.2, MM BI-5b.1, MM BI-5b.3, MM BI-5b.4, MM BI-6a.1, MM BI-6a.2, MM BI-6b, MM BI-9b, MM BI-12a.1, MM BI-12a.2, MM BI-12b.1, MM BI-12b.2, MM BI-14a, MM PS-1, MM UT-3a, and MM UT-5a. (Refer to Table ES-2.)

■ Operational Impacts

Land Use and Plans

The Housing/R&D Variant (Variant 2A) would develop 3,000,000 sf of R&D on the HPS Phase II site, which is 2,000,000 less square footage than the R&D Variant (Variant 1). However, 1,625 additional housing units and 500,000 additional sf of R&D compared to the R&D Variant (Variant 1) would be constructed on HPS Phase II on the stadium site. The impacts of the types of land uses proposed for the stadium site under the Housing/R&D Variant (Variant 2A) have been analyzed in both the R&D and Housing Variant analyses contained on pages IV-12 through IV-139 of the Draft EIR.

The Housing/R&D Variant (Variant 2A) would not introduce any new land uses that were not analyzed in the R&D and Housing Variants. The residential units and R&D would be located on the stadium site, the same as for the R&D and Housing Variants, and would not divide an established community. The Housing/R&D Variant (Variant 2A) would not conflict with any policies of applicable land use plans or result in urban decay, as analyzed for the R&D and Housing Variants, as the proposed uses and densities are within the range of development analyzed for the R&D and Housing Variants. The impacts would be less than significant, similar to the R&D and Housing Variants.

Population, Housing, and Employment

The Housing/R&D Variant (Variant 2A) would result in construction of the same number of dwelling units as the Project (10,500), with the same resulting resident population increase. The Housing/R&D Variant (Variant 2A) would generate 11,629 jobs,¹⁴⁹ less than the 16,635 jobs estimated for the R&D Variant (Variant 1), but more than for the Project. Therefore, impacts related to population, housing, and employment would be bracketed by the analysis for the Project and Variant 1, and would be similarly less than significant.

Transportation and Circulation

Overall, the Housing/R&D Variant (Variant 2A) would not increase the total amount of residential development compared to the Project, but would relocate approximately 1,625 housing units from Candlestick Point to HPS Phase II, and would add 500,000 gsf of R&D to HPS Phase II. Therefore, 4,275 residential units (rather than 2,650 residential units as under the Project) and 3,000,000 gsf (rather than 2,500,000 gsf as under the Project) of R&D would be developed at HPS Phase II. The Housing/R&D Variant (Variant 2A) would include all uses proposed with the Project with the exception of the stadium, which would be replaced by the relocated housing units and additional R&D. There would be no football stadium. Therefore, the Housing/R&D Variant (Variant 2A) would not have game day or other stadium event transportation impacts associated with the Project. The Housing/R&D Variant (Variant 2A) would have the same roadway, transit, bikeway, and Bay Trail improvements proposed with the Project, including the Yosemite Slough bridge. However, as with all non-stadium variants, the bridge would be narrower than the bridge with the Project, with a 41-foot-wide right-of-way to accommodate two BRT lanes, a sidewalk, and a Class I bicycle path.

¹⁴⁹ Utilizing generation factor of one job for every 4,000 sf.

As with the Project, the Housing/R&D Variant (Variant 2A) would implement a Transportation Demand Management plan as described in Project mitigation measure MM TR-2 and a Transit Operating Plan as described in Project mitigation measure MM TR-17.

A transportation analysis was conducted for the Housing/R&D Variant (Variant 2A) and key conclusions are presented below. The analysis is provided as Appendix T6 (LCW Consulting, CP-HPS Phase II Development Plan Transportation Study—Project Variant 2A, March 15, 2010) to this document.

Trip Generation

The Housing/R&D Variant (Variant 2A) would have 220,323 total daily person trips, slightly more than the trips generated with the Project (219,651), but less than the R&D Variant (236,291). Similarly, the Housing/R&D Variant (Variant 2A) would generate slightly more peak hour person trips during both the AM and PM peak hours (14,042 weekday AM trips, 20,727 weekday PM trips, and 18,240 Sunday PM trips) than the Project (13,558 weekday AM trips, 20,412 weekday PM trips, and 18,128 Sunday PM trips), but fewer peak hour trips than the R&D Variant (16,253 weekday AM trips, 22,586 weekday PM trips, and 19,719 Sunday PM trips). Thus, the impacts from the Housing/R&D Variant (Variant 2A with respect to trip generation have been bracketed by the analysis for the Project and the R&D Variant (Variant 1).

Intersection LOS

There are three intersections—Cesar Chavez/Evans, Crisp/Palou, and Bayshore/Oakdale—where the Housing/R&D Variant (Variant 2A) would result in a greater impact than as identified for the Project. The intersections of Crisp/Palou and Bayshore/Oakdale would have a project-level significant impact that does not occur under the Project. At these same two intersections, however, the R&D Variant (Variant 1) was identified to have a significant and unavoidable impact, with greater levels of delay (although same level of service) when compared to the Housing/R&D Variant (Variant 2A). Therefore, for these two intersections, the impacts have been bracketed by the analysis for the Project and for the R&D Variant (Variant 1).

For the intersection of Cesar Chavez/Evans, the Housing/R&D Variant (Variant 2A) would make a significant contribution to cumulative impacts as well as a project-level significant impact compared to the no significant contribution and no significant project-level impact under the Project. For the same intersection, the analysis for the R&D Variant (Variant 1) concluded that there would be a significant contribution and a significant project-level impact, and the contribution from the R&D Variant (Variant 1) would be greater for the R&D Variant (Variant 1) than for the Housing/R&D Variant (Variant 2A). The average delay at this intersection would be less under the Housing/R&D Variant (Variant 2A) than under the R&D Variant (Variant 1). Therefore, for this intersection, the impacts have been bracketed by the analysis for the Project and the R&D Variant (Variant 1).

Freeway Conditions

The Housing/R&D Variant (Variant 2A) would generate more trips than the Project but fewer than the R&D Variant (Variant 1), as noted, above. The Housing/R&D Variant (Variant 2A) effects on freeway mainline sections and freeway ramp junctions would be greater compared to the Project, but less than with the R&D Variant (Variant 1). The Housing/R&D Variant (Variant 2A) ramp queuing effects would be similar to Project effects. The Housing/R&D Variant (Variant 2A) would result in significant impacts with

respect to ramp queuing at the same off-ramp locations as the Project, with one exception. With the Housing/R&D Variant (Variant 2A), the US-101 northbound off-ramp to Harney Way would not be likely to experience queues extending back to the mainline in the PM peak hour. However, the Housing/R&D Variant's contribution to other off-ramps expected to experience significant traffic impacts associated with queuing under Project conditions would be the same as the Project. As described for Project impacts, no feasible mitigation measures have been identified for the freeway off-ramps expected to experience significant impacts. Impacts of the Housing/R&D Variant (Variant 2A) on freeway conditions would be significant and unavoidable, the same as for the Project and the R&D Variant (Variant 1), except for the one off-ramp location noted where the impact of the Housing/R&D Variant (Variant 2A) would be less than significant, compared to the significant and unavoidable impact on this off-ramp under both the Project and the R&D Variant (Variant 1). Thus, the impacts of the Housing/R&D Variant (Variant 2A) with respect to freeway conditions would be bracketed by the impact analysis for the Project and the R&D Variant (Variant 1) as contained in the EIR.

Transit Impacts

The Housing/R&D Variant (Variant 2A), as with the Project, would include extended and new transit services; transit trips with the Housing/R&D Variant (Variant 2A) would be accommodated within the capacity of these services. The Housing/R&D Variant (Variant 2A), as with the Project, would have a less-than-significant impact with mitigation (i.e., implementation of MM TR-27—the Transit Operating Plan) on local and regional transit capacity. However, as with the Project, transit impacts would occur from traffic congestion delay. Overall, those transit delay conditions with the Housing/R&D Variant (Variant 2A) would affect the same lines as with the Project as presented in Section III.D, Impact TR-21 to Impact TR-30. Project mitigation measures MM TR-21 to MM TR-30 would also apply to the Housing/R&D Variant (Variant 2A), but, as concluded in Section III.D of the EIR, the feasibility or implementation of the measures is uncertain, and the transit delay effects would remain significant and unavoidable. The Housing/R&D Variant (Variant 2A) would require a similar number of additional vehicles on the same routes as the Project to mitigate transit congestion delays. Impacts associated with the Housing/R&D Variant (Variant 2A) would be more extensive than those for the Project and the Housing Variant (Variant 2), but less than the R&D Variant (Variant 1), and would be significant and unavoidable.

Bicycle Impacts

The Housing/R&D Variant (Variant 2A) bicycle trips would be accommodated within the proposed street and network, and impacts on bicycle circulation would be less than significant.

As with the Project, potential significant impacts on bicycle travel on Palou Avenue would occur under Housing/R&D Variant. Project mitigation measure MM TR-32 would reduce impacts on bicyclists; however, because a feasibility study would be required, the implementation of Project mitigation measure MM TR-32 is uncertain, and, therefore, the Housing/R&D Variant (Variant 2A) impacts on bicycle circulation would remain significant and unavoidable, the same as for the Project.

Pedestrian Impacts

The Housing/R&D Variant (Variant 2A) would be accommodated within the proposed sidewalk and pedestrian network, and impacts on pedestrian circulation would be less than significant.

Parking Impacts

The Housing/R&D Variant (Variant 2A) would result in a demand for about 21,776 spaces, compared with a maximum permitted supply of about 17,274 spaces; therefore, the maximum off-street parking supply would be about 4,502 spaces fewer than the estimated peak demand. The Project would have a demand for 21,233 spaces and maximum supply of 16,874 spaces, about 4,360 spaces fewer than estimated peak demand. Due to parking supply constraints and accessibility to transit, future Housing/R&D Variant (Variant 2A) parking demand may be somewhat lower than estimated, and, therefore, the parking space shortfall would also be less than the number of spaces that would be required in order to accommodate all the vehicles anticipated if the proposed parking supply were unconstrained. Since the parking supply would be constrained, the actual parking demand would be expected to be less. As discussed in Section III.D, peak parking demand would not occur simultaneously; public parking facilities, such as the one proposed in Candlestick Point, and on-street parking spaces can usually be shared efficiently among many destinations, and the Housing/R&D Variant (Variant 2A) would include a Travel Demand Management program that includes a number of parking strategies to make auto use and ownership less attractive, as well as strategies to encourage alternative modes.

As noted for the Project, it is possible that some drivers may seek available parking in adjacent Bayview residential areas to the west. The potential increase in parking demand in adjacent neighborhoods would likely spill over to streets with existing industrial uses in the vicinity, which could, in turn, increase demand for parking in nearby Bayview residential areas. Parking supply is not considered a permanent physical condition, and changes in the parking supply would not be a significant environmental impact. The loss of parking may cause potential secondary effects, which would include cars circling and looking for a parking space in neighboring streets. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to some drivers who are aware of constrained parking conditions in a given area shifting to other modes. Hence, any secondary environmental impacts that may result from a shortfall in parking would be minor. Therefore, the parking shortfall would not result in significant parking impacts, and Housing/R&D Variant (Variant 2A) impacts on parking would be less than significant.

The Housing/R&D Variant (Variant 2A) would have less-than-significant effects on other transportation conditions (loading, air traffic, and emergency access).

Arena Impacts

As with the R&D Variant (Variant 1), since the amount of background transit demand under the Housing/R&D Variant (Variant 2A) would be higher than the Project, it is possible that the added transit demand associated with a sold-out arena event would create demand for transit service greater than the capacity of the transit supply to the arena. Project mitigation measure MM TR-51 (Transportation Management Plan for the arena) and MM TR-23.1 (Maintain the proposed headways of the 29-Sunset) would apply to the Housing/R&D Variant (Variant 2A) and would help minimize the impacts. This mitigation requires that SFMTA increase frequency on regularly scheduled Muni routes (primarily the CPX-Candlestick Express) serving the arena area prior to large events at the arena and convert one of the two automobile travel lanes in each direction into a transit-only travel lane on Gilman Avenue between Arelious Walker Drive and Third Street. Additionally, westbound Paul Avenue, between Third Street and Bayshore Boulevard, provides one westbound travel lane and on-street parking. Additional shuttle service

to key regional transit destinations, such as BART, Caltrain, and the T-Third light rail route would also be provided by the arena operator. With implementation of the mitigation measure, the Housing/R&D Variant's impacts to transit service would be reduced, but not to less-than-significant levels. In addition, traffic impacts during events at the arena would not be mitigated, and would impact transit operations. Because transit demand would be greater under the Housing/R&D Variant (Variant 2A) compared to the Project and less than the demand under the R&D Variant (Variant 1), the impacts of the Housing/R&D Variant (Variant 2A) have been bracketed in the analysis contained in the EIR for the Project and the R&D Variant (Variant 1).

Aesthetics

Compared to the R&D Variant (Variant 1) and Housing Variant (Variant 2), building heights and massing would appear substantially similar to what was analyzed for those variants. All other urban design and building forms with the Housing/R&D Variant, and resulting effects, would be similar to conditions with the R&D and Housing Variants. Building heights and massing would remain within the parameters analyzed for the R&D and Housing Variants. Building heights would be maintained within the height limits established for the Project districts (refer to Figure IV-8a). There would be new development along the south side of Crisp, which would not occur under the Project, Variant 1, or Variant 2. However, as illustrated in Figure IV-7a and Figure IV-8a, the structures proposed south of Crisp under Variant 2A would not exceed 85 feet in height or be taller than proposed buildings farther east. The area where additional structures (compared to the Project) would be constructed would be limited to a small portion of the site.

The Housing/R&D Variant (Variant 2A) would not introduce new land uses or types of structures that were not previously considered and analyzed with respect to effects on scenic resources. Similarly, as the Housing/R&D Variant (Variant 2A) would develop the same mix of uses on the same site, the impacts to visual character or quality would be the same as analyzed for the Project, the R&D Variant (Variant 1), and the Housing Variant (Variant 2).

Figure IV-10b through Figure IV-10d provide visual simulations of the general appearance, height, bulk, and location of structures proposed under Variant 2A. Figure III.E-10 (Viewpoint Locations) also identifies Views 16a and 18a. As can be seen, the overall appearance of Variant 2A would be substantially similar to the Project and the other variants. No long- or mid-range views would be blocked and no scenic resources would be affected, similar to the Project and the other variants. As the amount of development would be within the development envelope analyzed for the Project, Variant 1, and Variant 2, and with implementation of the same mitigation measures identified for the Project, impacts from light and glare would be less than significant.

Therefore, the impacts on scenic vistas, scenic resources, visual character, and from light and glare would be less than significant, similar to the Project, the R&D Variant (Variant 1), and the Housing Variant (Variant 2).

Figure IV-10b Housing/R&D Variant (Variant 2A) View 17: Northeast from CPSRA [New]

**Figure IV-10c Housing/R&D Variant (Variant 2A) View 18: South from Hilltop Open Space
[New]**

**Figure IV-10d Housing/R&D Variant (Variant 2A) View 16a: Southwest from Crisp Road
[New]**

Shadow

The buildings proposed under the Housing/R&D Variant (Variant 2A) on the stadium site would be lower in height than those analyzed for the Project; none of the buildings proposed on the stadium site would be greater than the 156-foot height of the proposed stadium as analyzed for the Project. Therefore, shadow impacts of the Housing/R&D Variant (Variant 2A) would be less than the Project and less than significant.

Wind

Maximum building heights would be subject to the same height limitations as the Project. Heights of the R&D and residential structures would be less than the 156-foot height of the stadium structure, and there would be no new structures of 100 feet or greater. The impacts would be less than significant, similar to the Project.

Air Quality

Other than the stadium site and removal of housing units in the Jamestown District on Candlestick Point, land uses provided with the Housing/R&D Variant (Variant 2A) would be the same as the Project. The additional R&D and housing on the stadium site were evaluated considering the 350-foot restriction (buffer) required by the HPS Redevelopment Plan.¹⁵⁰ The Housing/R&D Variant (Variant 2A) was also evaluated to update the traffic PM_{2.5} and cumulative analyses presented in the technical memoranda prepared by ENVIRON as Appendix H4 (Community Hazards and San Francisco Health Code Article 38 Analyses Candlestick Point–Hunters Point Shipyard Phase II Redevelopment Project, May 2010) and as Appendix T4 ENVIRON, Updated Air Quality Analysis Candlestick Point–Hunters Point Shipyard Phase II Development Plan—Updated Variants 2A and 3 [Tower Variant D], Alternative 2, and Subalternative 4A, April 26, 2010).

Operational impacts to regional and local air quality would be substantially similar to the Project, less in most respects but slightly greater for PM₁₀. Under the Housing/R&D Variant, the football stadium proposed under the Project would be replaced with 1,625 residential units redistributed from Candlestick Point to HPS Phase II as well as 500,000 sf of R&D. Due to the redistribution of uses under this variant, approximately 672 additional vehicle trips over that of the Project would occur and would result in a somewhat higher level of daily VMT than the Project. As such, the level of certain emissions anticipated under the Housing/R&D Variant (Variant 2A) would be slightly greater than the Project. As shown in Table IV-23a (Housing/R&D Variant [Variant 2A] Operational Criteria Pollutant Emissions [Year 2030]), the difference in daily emissions of ROX, NO_x, CO, and PM_{2.5} would decrease under this variant compared to the Project by 1 to 6 percent, while PM₁₀ emissions would increase by 1.6 percent. Compared to the R&D Variant (Variant 1), because Variant 1 would have substantially greater trips and VMT, the Housing/R&D Variant (Variant 2A) emissions would be less than under the R&D Variant (Variant 1) during operation.

¹⁵⁰ The HPS Redevelopment Plan states, “No Laboratory, Life Sciences, Light Industrial, and/or Green Technology uses containing a facility that emits regulated toxic air contaminants shall be permitted within 350 feet of any residential use south of Crisp Road in Hunters Point South.”

[NOTE: This table is included to provide detailed information concerning land uses proposed under the Housing/R&D Variant (Variant 2A).]

Table IV-23a Housing/R&D Variant (Variant 2A) Operational Criteria Pollutant Emissions (Year 2030) [New]					
Scenario/Emission Source	ROG (lbs/day)	NO_x (lbs/day)	CO (lbs/day)	PM₁₀ (lbs/day)	PM_{2.5} (lbs/day)
Hunters Point Shipyard (Variant 2A)					
Area ^a	261	54	38	0	0
Motor Vehicles (External)	107	96	1,062	508	96
<i>Subtotal</i>	<u>368</u>	<u>150</u>	<u>1,100</u>	<u>508</u>	<u>96</u>
Candlestick Point (Variant 2A)					
Area ^a	358	58	38	0	0
Motor Vehicles (External)	207	188	2,049	1,006	186
<i>Subtotal</i>	<u>564</u>	<u>246</u>	<u>2,087</u>	<u>1,006</u>	<u>186</u>
All Sources (Variant 2A)	932	396	3,187	1,514	282
All Development Sites (Proposed Project)					
Area ^a	616	108	83	5	5
Motor Vehicles (External)	308	278	3,177	1,466	276
Motor Vehicles (Internal)	30	13	229	45	9
All Sources (Proposed Project)	945	394	3,406	1,490	285
Comparison to Proposed Project	99%	99.5%	94%	101.6%	99%
<i>Change from Proposed Project</i>	<i>-1%</i>	<i>0.5%</i>	<i>-6%</i>	<i>1.6%</i>	<i>-1%</i>
All Sources (R&D Variant)	997	442	3,793	1,650	315
Comparison to Proposed Project	106%	112%	111%	111%	111%
<i>Change from Proposed Project</i>	<i>6%</i>	<i>12%</i>	<i>11%</i>	<i>11%</i>	<i>11%</i>
All Development Sites (Business as Usual)					
Area ^a	616	108	83	5	5
Motor Vehicles	485	476	5,292	2,561	481
All Sources (Business as Usual)	1,101	585	5,375	2,566	486
Comparison to Proposed Project	116.5%	148%	158%	172%	170.5%
Comparison to R&D Variant	110%	132%	142%	155%	154%
Comparison to Variant 2A to Business as Usual	84%	67%	59%	58%	59%
<i>Reduction from Business as Usual</i>	<i>-16%</i>	<i>-33%</i>	<i>-41%</i>	<i>-42%</i>	<i>-41%</i>

SOURCE: PBS&J, 2010. Based on URBEMIS 2007 Version 9.2.4; model input/output included in Appendix H1.

Daily emissions of ROG and NO_x were calculated under Summer conditions when ambient ozone concentrations are highest. Daily emissions of CO, PM₁₀, and PM_{2.5} were calculated under winter conditions when associated ambient concentrations are highest.

* Area emissions are from sources located on the project site, such as natural gas combustion for heating/cooling, maintenance equipment, consumer product use, etc.

All variants and the Project would result in fewer emissions during the operation of their respective land uses compared to a similar level of development without the energy and transportation considerations

discussed in this EIR. The Housing/R&D Variant (Variant 2A), similar to the Project and the other variants, would incorporate features intended to reduce motor vehicle trips, designed as a dense, compact development with a mix of land uses that would facilitate pedestrian, bicycle, and transit travel. The Housing/R&D Variant's transportation analysis estimates that a similar housing development that did not include the trip reduction features of the Housing/R&D Variant (Variant 2A) would generate 220,323 daily external motor vehicle trips (about 0.6 percent more than the Project, which would generate 219,651 daily trips and 6.8 percent less than the R&D Variant [Variant 1], which would generate 236,291 daily trips). The comparison of the Housing/R&D Variant (Variant 2A) to a similar level of development under "business as usual" conditions shows a 16 to 42 percent reduction in criteria pollutant emissions.

Nonetheless, criteria pollutant emissions of ROG, NO_x, PM₁₀, and PM_{2.5} associated with land uses anticipated under the Housing/R&D Variant (Variant 2A) would exceed existing BAAQMD thresholds. Under BAAQMD's current thresholds, impacts are considered significant if daily emissions of criteria pollutants exceed 80 lbs/day of ROG, NO_x, and PM₁₀. Similar to the Project and the R&D Variant (Variant 1), no additional feasible mitigation measures are available to would reduce the Housing/R&D Variant's operational criteria emissions below the BAAQMD thresholds. This would be a significant and unavoidable impact. It should be noted that, as stated above, although the significance under this variant would be similar to the Project and the R&D Variant (Variant 1), all criteria pollutant emissions, with the exception of PM₁₀, and a slight increase of NO_x associated with the operation of uses under the Housing/R&D Variant (Variant 2A) would be less than the Project, and all criteria pollutant emissions would be less than with the R&D Variant (Variant 1), as stated in Table IV-23a.

With respect to airborne human health risks, emissions associated with operation activities under the Housing/R&D Variant (Variant 2A) would increase the levels of two potential human health risks: (1) TACs and (2) vehicle emissions (PM_{2.5}). Under the Housing/R&D Variant, dwelling units would be relocated from CP to the HPS Phase II area.

The Housing/R&D Variant (Variant 2A) continues to include R&D facilities at HPS Phase II, which are situated partly on the stadium site to the west of the proposed housing on the stadium site and the remainder on a peninsula extending to the east of the proposed additional housing and south of other proposed residential areas. As the predominant winds are out of the west, some on-site receptors would be downwind from some of these R&D areas, particularly the R&D area on the stadium site. As such, a health risk analysis (HRA) was conducted to determine the potential impacts from a variety of TAC sources in the R&D areas for the Housing/R&D Variant, similar to those discussed for the Project and R&D Variant (Variant 1). Details regarding this assessment can be found in a technical memorandum prepared by ENVIRON on April 26, 2010.¹⁵¹

The HRA estimated the excess lifetime cancer risk and chronic noncancer HI due to the combined TAC emissions from the R&D areas at any surrounding receptor location. The HPS Redevelopment Plan states "no Laboratory, Life Sciences, Light Industrial, and/or Green Technology uses containing a facility that emits regulated toxic air contaminants shall be permitted within 350 feet of any residential use south of Crisp Road in Hunters Point South." Though the Housing/R&D Variant (Variant 2A) has residential areas

¹⁵¹ ENVIRON, *Updated Air Quality Analysis Candlestick Point—Hunters Point Shipyard Phase II Development Plan—Updated Variants 2A and 3 (Tower Variant D), Alternative 2, and Subalternative 4A*, April 26, 2010.

immediately adjacent to the R&D on the stadium site, with the provision in the HPS Redevelopment Plan, the estimated cancer risks for long-term residential exposure not exceed 10 in one million in the residential areas. The estimated health risks would be above BAAQMD thresholds for all residential receptor locations as a result of implementation of the Variant without the following mitigation measure. Impacts from this Variant would be less than significant with implementation of MM AQ-6.1 and MM AQ-6.2, developed for the Project.

In terms of human health risks associated with vehicle emissions, vehicle trips and thereby vehicle emissions along local roadways would increase with development of the Housing/R&D Variant, similar to the Project. The prolonged exposure of receptors to increased vehicle emissions could affect human health. Potential PM_{2.5} concentrations from traffic associated with the Housing/R&D Variant were estimated at selected roadways and compared against the 0.2 µg/m³ action level to determine the potential health risks on receptors attributed to vehicle emissions from the Housing/R&D Variant.

Several roadway segments were chosen based on whether Variant-related traffic would use these streets to access neighboring freeways and other areas of *San Francisco* and/or currently or would experience significant truck traffic. The roadways chosen include:

- Third Street
- Innes Avenue/Hunters Point Boulevard/Evans Avenue
- Palou Avenue
- Gilman Avenue/Paul Avenue
- Harney Way
- Jamestown Avenue
- Ingerson Avenue

With the Housing/R&D Variant (Variant 2A), no receptors along the streets listed above would experience an increase in PM_{2.5} concentrations in excess of the 0.2 µg/m³ action level.¹⁵² Concentrations would not exceed the action level, and as such, impacts would be less than significant, similar to the Project.

Overall, the operational emissions generated by the Housing/R&D Variant (Variant 2A) would be bracketed by the amounts generated by the Project and the R&D Variant (Variant 1).

Noise and Vibration

As with the Project, construction activities for the Housing/R&D Variant (Variant 2A) would create a substantial temporary increase in ambient noise levels on the site and in existing residential neighborhoods adjacent to the site. Construction activities would need to comply with the San Francisco Noise Ordinance, which prohibits construction between 8:00 P.M. and 7:00 A.M. and limits noise from any individual piece of construction equipment (except impact tools) to 80 dBA at 100 feet. Implementation of mitigation measures MM NO-1a.1 and MM NO-1a, which would require implementation of construction best management practices to reduce construction noise and the use of noise-reducing pile driving techniques, would reduce any potentially significant impacts to less-than-significant levels, similar to the Project.

¹⁵² ENVIRON, *Updated Air Quality Analysis Candlestick Point—Hunters Point Shipyard Phase II Development Plan—Updated Variants 2A and 3 (Tower Variant D), Alternative 2, and Subalternative 4A*, April 26, 2010.

Construction activities could also create excessive ground-borne vibration levels in existing residential neighborhoods adjacent to the site and at proposed on-site residential uses, should the latter be occupied before construction activity on adjacent parcels is complete. Implementation of MM NO-1a.1, MM NO-1a.2, and MM NO-2a would require implementation of construction best management practices, noise-reducing pile driving techniques as feasible, and monitoring of buildings within 50 feet of pile driving activities. Implementation of these measures would reduce vibration impacts under the Housing/R&D Variant, but not to a less-than-significant level, as vibration levels from pile driving activities could be as high as 103 VdB for the residential uses within the HPS North District, the CP Center, and South Districts when occupied; therefore, this impact would remain significant and unavoidable, similar to the Project.

Daily operation of a Housing/R&D Variant, such as mechanical equipment and delivery of goods, would not expose noise-sensitive land uses on or off site to noise levels that exceed the standards established by the City of San Francisco. This impact would be less than significant, similar to the Project. Operation activities associated with a Housing/R&D Variant, such as delivery trucks, would not generate or expose persons on or off site to excessive groundborne vibration. This impact would also be less than significant, similar to the Project.

Operation of a Housing/R&D Variant (Variant 2A) would generate increased local traffic volumes that would cause a substantial permanent increase in ambient noise levels in existing residential areas along the major Project site access routes. Noise level increases associated with the Housing/R&D Variant (Variant 2A) are shown in Table IV-24a (Housing/R&D Variant (Variant 2A) Modeled Traffic Noise Levels along Major Project Site Access Roads). Impacts would be significant along Carroll Avenue, Gilman Avenue, and Jamestown Avenue, similar to the Project. However, the Housing/R&D Variant (Variant 2A) would have slightly lower noise levels than the Project along Carroll Avenue and Gilman Avenue but would still be significant, as shown in the table. Measures available to address significant traffic noise increases in these residential areas are limited. As the ultimate feasibility and implementation of the noise insulation measures that would be required to reduce roadway noise levels to below the threshold of significance would be dependent on factors that would be beyond the control of the City/Agency as the Lead Agency or the Project Applicant to guarantee. Therefore, this impact would remain significant and unavoidable, as with the Project.

Because the Housing/R&D Variant (Variant 2A) would not include a football stadium, noise impacts identified for the Project from football games and concerts would not occur with implementation of the Housing/R&D Variant (Variant 2A).

The Housing/R&D Variant (Variant 2A) site is not located within an airport land use plan area or near a private airstrip. Furthermore, the Housing/R&D Variant (Variant 2A) does not include an aviation component. Therefore, the Housing/R&D Variant (Variant 2A) would not result in the exposure of people to excessive aircraft noise levels. Impacts would be less than significant, similar to the Project.

[NOTE: This table is included to provide detailed information concerning land uses proposed under the Housing/R&D Variant (Variant 2A).]

Table IV-24a Housing/R&D Variant (Variant 2A) Modeled Traffic Noise Levels along Major Project Site Access Roads [New]								
Roadway	Land Use	Existing Noise Level	2030 Without Project	2030 With Project	2030 With Housing/R&D Variant	Variant-Related Increase	Allowable Increase	Significant Impact?
Innes north of Carroll Avenue	Residential	53.3	60.9	60.9	60.9	0	2	No
3 rd Street south of Carroll Avenue	Residential	62.8	67.3	68.3	67.4	0.1	1	No
Cesar Chavez Boulevard west of 3 rd Street	Residential	59	63.5	63.5	63.6	0.1	2	No
Palou Avenue east of 3 rd Street	Residential	56.8	61.6	62.1	61.7	0.1	2	No
Ingalls Street north of Carroll Avenue	Residential	56.7	61.7	63.1	62.7	1.0	2	No
Carroll Avenue east of 3 rd Street	Commercial	52.6	53.8	58.1	57.3	3.5	3	Yes
Gilman Avenue east of 3 rd Street	Residential	57.7	60.6	64.6	63.0	2.4	2	Yes
Jamestown Avenue north of Harney Way	Residential	51.4	55.5	61.2	59.2	3.7	5	No
Harney Way west of Jamestown Avenue	Residential	52.6	59.0	59.6	59.7	0.7	3	No
Bayshore Boulevard north of Visitacion	Residential	65.1	68.5	68.6	67.9	-0.6	1	No

SOURCE: PBS&J, 2010

Cultural Resources and Paleontological Resources

As the Housing/R&D Variant (Variant 2A) would have a smaller footprint than the Project and would develop in the same location, the impact analysis for the Project to cultural and paleontological resources would be applicable to the Housing/R&D Variant (Variant 2A). The same significant and unavoidable impact to historic resources would occur with demolition of Buildings 211, 224, 231, and 253. Mitigation measures identified for the Project would be implemented for the Housing/R&D Variant (Variant 2A), reducing all other cultural/paleontological resource impacts to less than significant, the same as the Project.

Hazards and Hazardous Materials

As the Housing/R&D Variant (Variant 2A) would have the same types and mix of land uses and slightly less ground disturbance as the Project, the impact analysis for the Project with regard to hazards and

hazardous materials would be applicable to the Housing/R&D Variant (Variant 2A). The Housing/R&D Variant (Variant 2A) would not introduce any uses that would handle or transport hazardous materials, other than routine household-type and landscaping chemicals, the risk of which was analyzed in the Draft EIR for the Project. There would be similar amounts of grading and excavation, with similar risks as the Project, of exposure to hazardous materials. The same structures would be demolished during site preparation. The introduction of housing and R&D on the stadium site would not be different from the significance conclusions set forth for the Project. All mitigation measures identified for the Project would be implemented for the Housing/R&D Variant (Variant 2A), reducing the impacts to less than significant, the same as for the Project. Therefore, the impact analysis for hazards and hazardous materials for the Housing/R&D Variant (Variant 2A) would be bracketed by the impact analysis for the Project.

Geology and Soils

As the Housing/R&D Variant (Variant 2A) would have a smaller development footprint than the Project, and would place development in the same locations as the Project, the impact analysis for the Project with regard to geology and soils would apply to the Housing/R&D Variant (Variant 2A). In some areas of the stadium site, slightly different portions would be covered by structures (e.g., west of the stadium footprint); however, there are no geologic conditions in the portion of the stadium site that would be developed under the Housing/R&D Variant (Variant 2A) that would differ from the geologic conditions on the portion of the site where the stadium would be constructed. The potential impact from rock fragmentation at the Jamestown District under the R&D Variant (Variant 1) and Housing Variant (Variant 2) would not occur under the Housing/R&D Variant (Variant 2A). Mitigation measures identified for the Project would be implemented for the Housing/R&D Variant (Variant 2A), reducing the impacts to less than significant, the same as for the Project. The impacts of the Housing/R&D Variant (Variant 2a) with respect to geology and soils would be bracketed by the analysis for the Project.

Hydrology and Water Quality

The Housing/R&D Variant (Variant 2A) would have slightly less impermeable surface area than the Project, as noted, above. The same type and mix of land uses would be developed under Variant 2A as the Project. Therefore, the impact analysis for the Project with regard to Hydrology and Water Quality would also apply to the Housing/R&D Variant (Variant 2A). Mitigation measures identified for the Project would be implemented for the Housing/R&D Variant (Variant 2A), reducing the impacts to less than significant, the same as for the Project.

Biological Resources

The Housing/R&D Variant (Variant 2A) would disturb slightly less surface area than the Project, as noted, above. The locations of development are substantially the same as under the Project. Development would not occur on any portion of the site that has not been previously analyzed, except for a small portion on the south side of Crisp Road that would now contain structures. However, there are no sensitive species or habitat in this location that would be adversely affected by development. Therefore, the impact analysis for the Project with regard to biological resources would apply to the Housing/R&D Variant (Variant 2A). Mitigation measures identified for the Project would be implemented for the Housing/R&D Variant (Variant 2A), reducing the impacts to less than significant, the same as for the Project.

Public Services

Public Services impacts are based on adequacy of service provided to the population. The Housing/R&D Variant (Variant 2A) would result in the same number of residents as the Project, as the number of dwelling units would be the same. The Housing/R&D Variant (Variant 2A) would generate 11,629 jobs, less than the 16,635 jobs estimated for the R&D Variant. Therefore, the impacts on Public Services analyzed for the R&D Variant (Variant 1) would also apply to the Housing/R&D Variant (Variant 2A), as the population and employment generated are within the maximums previously analyzed under the R&D Variant (Variant 1). The impacts would be less than significant, bracketed within the analysis for the Project and the R&D Variant (Variant 1). Mitigation measures identified for the Project would be implemented for the Housing/R&D Variant (Variant 2A), reducing the impacts to less than significant.

Recreation

The Housing/R&D Variant (Variant 2A) would provide 326.6 acres of parkland, which is 9.8 acres less than the Project. The conceptual development plan for this Variant would result in the development of residential units and parks during all stages of development. Table IV-26a (Housing/R&D Variant [Variant 2A] Residential Units and Park Acreage Provided during Each Stage of Development) outlines the number of residential units and the acreage of parkland provided during each stage of development, as well as the resulting park-to-population ratio for residents of the Project site (even if developed under the Housing/R&D Variant). As this table indicates, the park-to-population ratio would not drop below 13.3 acres per 1,000 population at any time during the four stages of development, which exceeds the benchmark of 5.5 acres of parkland per 1,000 population.

Mitigation measures identified for the Project would be implemented for the Housing/R&D Variant (Variant 2A), reducing the impacts to less than significant, the same as for the Project.

[NOTE: This table is included to provide detailed information concerning land uses proposed under the Housing/R&D Variant (Variant 2A).]

Table IV-26a Housing/R&D Variant (Variant 2A) Residential Units and Park Acreage Provided during Each Stage of Development [New]				
Stage of Development	Residential Units	Population	Total Parkland (ac)	Park-to-Population Ratio (acres per 1,000 Residents)
Existing	256	1,113 ^a	120.2	108
Phase 1	3,160	7,363 ^b	136.0	18.5
Phase 2	4,410	10,275 ^b	162.5	15.8
Phase 3	7,785	18,139 ^b	246.7	13.6
Phase 4	10,500	24,465 ^b	326.6	13.3

SOURCE: Lennar Urban, 2010.

a. Refer to Table III.C-1 (Existing Population [2005]) in Section III.C (Population, Employment, and Housing). This population correlates to the total number of households in the Traffic Analysis Zone, which includes more than the 256 households located in the Candlestick portion of the Project site (e.g., 292). It is likely, therefore, that the population within the Candlestick portion of the Project site is less than 1,113, which would only increase the existing park-to-population ratio.

b. Calculated as 2.33 people per residential unit.

Utilities

A supplemental Water Demand Memo (refer to Appendix Q2 [Arup, Amendment to Water Demand Memorandum #16—Variant 2A (Housing/R&D Variant), April 28, 2010]) was prepared to calculate the water demand for the Housing/R&D Variant (Variant 2A). As shown in Table IV-27a (Housing/R&D Variant [Variant 2A] Water Demands Adjusted for Plumbing Codes and SF Green Building Ordinance [mgd]), total demand for potable water would be 1.73 mgd, which is less than the 1.99 mgd calculated for the R&D Variant (Variant 1). Calculating wastewater generation based on land use (residential, football stadium, and performance venue calculated at 95 percent of water demand; all other land uses calculated at 57 percent of water demand), the total wastewater generated by the Housing/R&D Variant (Variant 2A) would be 1.23 mgd (refer to Table IV-28a [Housing/R&D Variant [Variant 2A] Wastewater Generation]), which is less than the 1.35 mgd calculated for the R&D Variant (Variant 1). Mitigation measures identified for the Project and the R&D Variant (Variant 1) would be implemented for the Housing/R&D Variant (Variant 2A), reducing the impacts to less than significant.

[NOTE: This table is included to provide detailed information concerning land uses proposed under the Housing/R&D Variant (Variant 2A).]

Table IV-27a Housing/R&D Variant (Variant 2A) Water Demands Adjusted for Plumbing Codes and SF Green Building Ordinance (mgd) [New]			
Land Use	Candlestick Point	Hunters Bay Shipyard	Total
Residential	0.48	0.35	0.83 ^a
Hotel	0.05	0.00	0.05
Office	0.04	0.00	0.04
Artists Studios	0.00	0.01	0.01
R&D	0.00	0.43	0.43
Neighborhood Retail	0.02	0.02	0.03 ^a
Regional Retail	0.08	0.00	0.08
Community Uses	0.01	0.01	0.02
Football Stadium	0.00	0.00	0.00
Performance Venue	0.01	0.00	0.01
	<i>Subtotal</i>	<i>0.70^a</i>	<i>0.82^a</i>
Parks and Open Space	0.06	0.15	0.22
	Total Demand	0.76^a	0.97^a
			1.73

SOURCE: Arup, Candlestick Point–Hunters Point Shipyard Phase II Water Demand Memorandum, April 2010.

a. Numbers are rounded according to standard rounding practices and may not add up due to hidden decimals used in this table. These entries are correct and are consistent with Table 13 of the Water Demand Memorandum.

[NOTE: This table is included to provide detailed information concerning land uses proposed under the Housing/R&D Variant (Variant 2A).]

Table IV-28a Housing/R&D Variant (Variant 2A) Wastewater Generation [New]				
Land Use	Estimated Wastewater Generation Expressed as % of Water Demand (or as otherwise specified)	Candlestick Point (mgd)	Hunters Point (mgd)	Total Housing Variant (mgd)
Residential	95%	0.46	0.33	0.79
Hotel	95%	0.03	0.00	0.03
Office	57%	0.02	0.00	0.02
Artists Studios	57%	0.00	0.01	0.01
R&D	57%	0.00	0.25	0.25
Neighborhood Retail	57%	0.01	0.01	0.02
Regional Retail	57%	0.05	0.00	0.08
Community Uses	57%	0.01	0.01	0.02
Football Stadium	95%	0.00	0.00	0.00
Performance Venue	95%	0.01	0.00	0.01
Total		0.59	0.61	1.23

SOURCE: Arup, March 31, 2010.

With regard to solid waste generation, Table IV-30a (Housing/R&D Variant (Variant 2A) Solid Waste Generation) shows that the total amount of solid waste that would result from implementation of the Housing/R&D Variant (Variant 2A) would be 20,036 tons per year, 2,189 tons less than under the R&D Variant (Variant 1), which would generate 22,225 tons (refer to Table IV-14 [R&D Variant Solid Waste Generation] on page IV-62 of the EIR). Therefore, the analysis of solid waste for the Housing/R&D Variant (Variant 2A) would be bracketed by the analysis for the R&D Variant (Variant 1). Similar to the R&D Variant (Variant 1), solid waste generated by the Housing/R&D Variant (Variant 2A) could be accommodated by the remaining landfill capacity with implementation of the strategies for diversion of waste as described in Section III.Q (Utilities) of the EIR. Mitigation measures identified for the Project and the R&D Variant (Variant 1) would be implemented for the Housing/R&D Variant (Variant 2A), reducing the impacts to less than significant.

[NOTE: This table is included to provide detailed information concerning land uses proposed under the Housing/R&D Variant (Variant 2A).]

Table IV-30a Housing/R&D Variant (Variant 2A) Solid Waste Generation [New]										
Use	Generation Factor (per day)	Candlestick Point			HPS Phase II			Total		
		Area or Units	Tons per Day or Event	Tons per Year	Area or Units	Tons per Day or Event	Tons per Year	Area or Units	Tons per Day or Event	Tons per Year or per Total Number of Events ^a
Residential	5.653 lbs/unit	6,225	17.6	6,422	4,275	12.1	4,410	10,500	29.7	10,832
Retail	0.02600411 lbs/sf	760,000 sf	9.9	3,613.5	125,000 sf	1.6	584.0	885,000 sf	11.5	4,197.5
Office	0.006 lbs/sf	150,000 sf	0.5	182.5	0	0	0	150,000 sf	0.5	182.5
Hotel	0.0108 lbs/sf	150,000 sf	0.8	292.0	0	0	0	150,000 sf	0.8	292.0
R&D	0.006 lbs/sf	0	0	0	3,000,000 sf	9	3,285	3,000,000 sf	9	3,285
Performance Venue	2.23 lbs/seat	10,000 seats	5.6 ^b	836.3 ^c	0	0	0	10,000 seats	5.6	836.3 ^c
Stadium	2.23 lbs/seat	0	0	0	0	0	0	0	0	0
Artist Studios/Art Center	0.006 lbs/sf	0	0	0	255,000 sf	0.8	292	255,000 sf	0.8	292.0
Community Facilities	0.006 lbs/sf	50,000 sf	0.15	54.8	50,000 sf	0.15	54.8	100,000 sf	0.3	109.6
Total				13,082			6,954			20,036

SOURCE: PBS&J 2010; Generation Factors from Arup, *Carbon Footprint Report*, March 24, 2009.

a. Calculated by adding the horizontal columns, rather than calculating total number of units by the generation rate.

b. The Performance venue is projected to be 50 percent attendance.

c. Assumes 150 events per year at 50 percent attendance.

Energy

As shown below in Table IV-31a (Housing/R&D Variant [Variant 2A] Electricity Demand from Building Envelopes [MWh]), the Housing/R&D Variant (Variant 2A) would be expected to result in an electricity demand of approximately 33,105 Megawatt hours (MWh). This represents a 21 percent decrease in electrical consumption compared to the R&D Variant (Variant 1). Therefore, as the electricity demand for Variant 2A would be less than what has been analyzed for Variant 1, the impacts have been bracketed by the analysis for the R&D Variant (Variant 1) and would be similarly less than significant. Mitigation measures identified for the Project would be implemented for the Housing/R&D Variant (Variant 2A), reducing the impacts to less than significant.

Greenhouse Gas Emissions

A greenhouse gas emissions analysis was conducted for the Housing/R&D Variant (Variant 2A) and the analysis is provided in Appendix T5 (ENVIRON, Updated Greenhouse Gas Emissions Calculation for Candlestick Point–Hunters Point Shipyard Phase II Development Plan—Variants 2A and 3 [Tower Variant D], Alternative 2, and Subalternative 4A, March 12, 2010).

Operational impacts to climate change and GHG emissions would be substantially similar to the Project. Under the Housing/R&D Variant (Variant 2A), as shown in Appendix T5, the operational GHG emissions for the Housing/R&D Variant (Variant 2A) would be higher than the Project GHG emissions by 7,013 tonnes of CO₂e per year. As noted in Table IV-17 on page IV-69 of the Draft EIR, the R&D Variant (Variant 1) would emit 178,651 tonnes of CO₂e per year, 14,488 tonnes more than the Housing/R&D Variant (Variant 2A). All mitigation measures and improvements in electricity carbon intensity and energy efficiency of the buildings under the Project and the R&D Variant (Variant 1) would be implemented with the Housing/R&D Variant (Variant 2A). This would result in substantially similar reductions of GHG emissions as the Project and, like the Project and the R&D Variant (Variant 1), the Housing/R&D Variant (Variant 2A) would make a less-than-significant contribution to the cumulative impacts of climate change and GHG emissions. For the same reasons as stated for the Project, the Housing/R&D Variant (Variant 2A) would not impede the achievement of San Francisco's GHG emission reduction ordinance nor the statewide emission reductions required under AB 32, which is also called the *California Global Warming Solutions Act of 2006*.

BAAQMD Draft GHG Thresholds

With mitigation, the Housing/R&D Variant-related operational emissions of 161,596 tonnes per year result in 4.6 tonnes CO₂e per service population per year based on a service population of 35,498 (this accounts for 23,869 net new residents [based on 2.33 residents per household and accounting for existing units on site] and all 11,629 jobs). The operational emissions of the Project were identified as totaling 4.5 tonnes CO₂e per year, and emissions of the Housing Variant (Variant 2) were identified as totaling 4.6 tonnes CO₂e per year. As the Housing/R&D Variant (Variant 2A) would result in a substantially similar amount of CO₂e per year as the Project and the Housing Variant (Variant 2), previously analyzed, like the Project and the Housing Variant (Variant 2), the Housing/R&D Variant (Variant 2A) would result in a less-than-significant impact on climate change.

F.26. Addition of Section IV.Ca (Variant 2A: Housing/R&D Variant
[No Stadium—Relocation of Housing; Additional R&D]) [New Section]

[NOTE: This table is included to provide detailed information concerning land uses proposed under the Housing/R&D Variant (Variant 2A).]

Table IV-31a Housing/R&D Variant (Variant 2A) Electricity Demand from Building Envelopes (MWh) [New]											
Type of Use	Electricity Use Factor, 2008 Title 24 Standards (MWh/gsf or unit) ^a	Candlestick Point			HPS Phase II			Project Site Total			Percent of Total Electricity by Land Use
		Development Program ^b	MWh Consumed Annually, 2008 Title 24 Standards ^c	MWh Consumed Annually, with 15% Reduction	Development Program ^b	MWh Consumed Annually, Title 24 Standards ^c	MWh Consumed Annually, with 15% Reduction	Development Program	MWh Consumed Annually, Title 24 Standards	MWh Consumed Annually, with 15% Reduction	
Residential Units	1.7350 ^d	6,225	10,800	9,180	4,275	7,417	6,304	10,500	18,218	15,485	47%
Retail	0.0027	635,000	1,715	1,457	—	0	0	635,000	1,715	1,457	4%
Neighborhood Retail	0.0027	125,000	338	287	125,000	338	287	250,000	675	574	2%
Office	0.0052	150,000	780	663	—	0	0	150,000	780	663	2%
R&D	0.0052	—	0	0	3,000,000	15,600	13,260	3,000,000	15,600	13,260	40%
Hotel	0.0027	220	1	1	—	0	0	220	1	1	0%
Artist Studios/ Center	0.0052	—	0	0	255,000	1,326	1,127	255,000	1,326	1,127	3%
Community Space	0.0052	50,000	260	221	50,000	260	221	100,000	520	442	1%
Arena	0.0015	75,000	113	96	—	0	0	75,000	113	96	0.3%
Total			14,007	11,905		24,941	21,200		38,948	33,105	100%

SOURCES:

Housing/R&D Variant (Variant 2A) electricity demand was estimated based on the Applicant's commitment to achieve 15 percent energy reductions below Title 24 standards and use ENERGY STAR appliances in all residential units.

- a. The energy use factor cited for residential units is from: ENVIRON International Corporation, *Climate Change Technical Report: Candlestick Point—Hunters Point Shipyard Phase II Development Plan*, October 2009, Table 3-8 (Appendix S to this EIR). The factor was derived by subtracting the "Plug-in" factor from the "Electricity Delivered, Total" column (in the "15 percent Better than Title 24 2008 and ENERGY STAR Appliances" row). The factor was converted from kWh to MWh (1 MWh = 1,000 kWh).
- b. Based on buildout floor areas provided in Table IV-3 of this EIR.
- c. Calculated by multiplying energy use factor by number of units or gsf.
- d. The electricity factors cited for non-residential uses are from: ENVIRON International Corporation, *Climate Change Technical Report: Candlestick Point—Hunters Point Shipyard Phase II Development Plan*, October 2009, Table 3-16 (Appendix S to this EIR). The factors are in the "Non-Title 24" column. The factors were converted from kWh to MWh.
- e. Numbers are rounded according to standard rounding practices and may not add up due to hidden decimals.

F.27 Changes to Section IV.D (Variant 3: Candlestick Point Tower Variants)

Page IV-140, first paragraph

The Candlestick Point Tower Variants (Tower Variants) would have different locations and heights and bulk of residential towers at Candlestick Point. The ~~three~~four Candlestick Point Tower Variants (Tower Variants A, B, ~~and C,~~ and D) would have the same overall land use program as the Project. ...

Page IV-140, add new fourth bullet

- Tower Variant D would reduce a 37-story tower to 31 stories within Candlestick Point South; one 27-story residential tower at Candlestick Point South would be lowered to 24 stories, or three fewer floors; and one 32-story tower would be relocated from Candlestick Point South to Candlestick Point North. This Variant would add 10 stories to one of the 22-story residential towers at Candlestick Point North, resulting in a 32-story residential tower; one 22-story tower and one 17-story tower would be relocated within Candlestick Point North; and one residential tower at Candlestick Point North would be lowered to 24 stories, or three fewer floors. This Variant would have an additional 24-story residential tower at Candlestick Point Center. This Variant would have 12 towers at Candlestick Point, compared to 11 towers with the Project. The floor plate area of the residential towers would be increased to 12,500 sf compared to the 10,000 sf analyzed for the Project, which would result in slightly greater tower bulk. However, the larger floor plates would be accommodated on the existing podium design and, therefore, the building footprint would not increase.

Page IV-140, fifth paragraph, new Figure IV-16a (Tower Variant D) has been added

As shown in Figure IV-13 through Figure IV-16a (Tower Variant D), the Tower Variants' overall street and block plan would be same as that of the Project. All other features of the Tower Variants would also be the same as the Project.

Figure IV-16a Tower Variant D [New]

Page IV-145, add new fourth section after Tower Variant C discussion

■ **Tower Variant D**

Tower Variant D is based on height, bulk and massing requirements for vertical development within the Project site as described in the Design For Development. The Design For Development identifies specific locations for certain towers and allows towers in certain “tower zones.” Where the Design For Development allows placement of towers within a “tower zone,” the Tower Variant D analysis assumes a specific tower location within proposed tower zones, which in some instances could potentially increase new shading on existing open space owned by or under the jurisdiction of the San Francisco Recreation and Park Department (SFRPD). Figure C&R-1 (Tower Variant D Tower Zones Map) indicates where the Design For Development identifies tower zones and the assumed location of towers within those zones for purposes of the Tower Variant D analysis.

Tower Variant D would reduce one 37-story tower to 31 stories, or six fewer floors, in Candlestick Point South; one 27-story residential tower at Candlestick Point South would be lowered to 24 stories, or three fewer floors; and one 32-story tower would be relocated from Candlestick Point South to Candlestick Point North. This Variant would add 10 stories to one of the 22-story residential towers at Candlestick Point North, resulting in a 32-story residential tower, as with Tower Variants A and C; one 22-story tower and one 17-story tower would be relocated within Candlestick Point North; one residential tower at Candlestick Point North and one residential tower at Candlestick Point South would be lowered to 24 stories, or three fewer floors, as with Tower Variant A. This Variant would have an additional 24-story residential tower at Candlestick Point Center, as with Tower Variants B and C. This Variant would have 12 towers at Candlestick Point, compared to 11 towers with the Project.

The residential tower floor sizes with Tower Variant D would be a maximum of 12,500 square feet, compared to 10,500-square-foot maximum floor sizes with the Project. All other features of Tower Variant D would be the same as the Project, with the same land uses, the same total amount of development, and the same development footprint. With Tower Variant D, the two residential towers at HPS Phase II proposed with the Project would also have floor sizes with a maximum of 12,500 square feet, compared to 10,500-square-foot maximum floor sizes with the Project.

Page IV-147, last paragraph

The pattern and scale of buildings at Candlestick Point with the Tower Variants would be similar to the Project. All Tower Variants would have 10 or ~~11~~12 towers, compared to 11 towers with the Project. As shown in Figure IV-14 to Figure IV-16a, the Tower Variants would include at least ~~nine~~six of the 11 residential towers proposed with the Project in the identical location, with differences in the number floors of four of the towers (Tower Variant A); or would relocate a tower from Candlestick Point North to Candlestick Point Center and reduce the number floors of three other towers (Tower Variant B); or relocate a tower from Candlestick Point North to Candlestick Point Center, remove another tower from Candlestick Point North and reduce the number floors of two other towers, and add 10 floors at one tower (Tower Variant C and D); Tower Variant D would relocate a 37-story tower and reduce total floors to 31 stories within Candlestick Point South; one 32-story tower would be relocated from Candlestick Point South to Candlestick Point North; one 22-story tower and one 17-story tower would be relocated within Candlestick

Point North; and one additional 24-story residential tower would be added at Candlestick Point Center. Tower Variant D would have 12 towers at Candlestick Point, compared to 11 towers with the Project.

Tower Variant D would have maximum floor sizes of 12,500 square feet, compared to 10,500 square foot maximum floor sizes with the Project. Tower Variant D dimensions and visibility would be slightly greater than with the Project; overall visual effects would be similar to the Project.

Page IV-148, first paragraph and adding Figure IV-16b through Figure IV-16k

Views of Candlestick Point from long-range vantage points to the north and south or from nearby locations at CPSRA would be similar to views with the Project. Some the towers would have different heights compared to the Project, depending upon the Variant. Views of the relocated 24-story tower with Tower Variant B, ~~or C,~~ or D would be apparent from locations to the south, but Tower Variant B or C would also remove one or two towers from Candlestick Point North near Candlestick Point North Neighborhood Park, and views of residential towers from near that proposed park would vary from those with the Project. The towers at Candlestick Point would range from 220 feet to 420 feet in height. Tower Variant D would relocate one 32-story tower farther from CPSRA and would reduce the height of three towers adjacent to CPSRA (two by three stories and one by six stories), compared to the Project (see Figure IV-16a. Those changes would reduce the visibility of towers from CPSRA open space. Among the Tower Variants, Tower Variant D would have the most changes, compared to the Project, in terms total numbers of towers and larger maximum floor sizes. Therefore, the text below provides more detailed discussion of the visual quality effects of Tower Variant D.

Figure IV-16b (Tower Variant D, View 4: South from Potrero Hill) through Figure IV-16k (Tower Variant D, View 19: East from Hunters Point Hill Open Space) include visual simulations of Tower Variant D from 10 of the 20 viewpoints provided in Section III.E (Aesthetics). Figure III.E-11 (View 1: Southeast from Twin Peaks) through Figure III.E-30 (View 20: Southeast from Heron's Head Park). Figure IV-16b through Figure IV-16k can be compared to the corresponding visual simulations for the Project from those ten locations. The ten locations provide representative information of visual effects of Candlestick Point Tower Variant D (refer to Figure III.E-10 [Viewpoint Locations], page III.E-23).

Figure IV-16b (Tower Variant D, View 4: South from Potrero Hill) illustrates the long-range view from Potrero Hill to the south and the Bay beyond that would include Tower Variant D residential towers at Candlestick Point, between Hunters Point Hill and Bayview Hill, ranging from 240 feet to a maximum 420 feet in height, as with the Project. The towers would replace distant existing views of Candlestick Park stadium and surrounding parking areas. The towers would appear similar to conditions with the Project, as shown in Figure III.E-14 (View 4: South from Potrero Hill). The Tower Variant would be visible from this location, against San Francisco Bay as a background, and the residential towers at Candlestick Point would be a new built element between Bayview Hill and Hunters Point Hill. As with the Project, views of the Bay or the East Bay hills would be partially blocked, but a substantial portion of the view would remain. HPS Phase II would also be a new element seen against the Bay and the East Bay hills.

Figure IV-16b Tower Variant D, View 4: South from Potrero Hill [New]

Figure IV-16c Tower Variant D, View 5: Northeast from Northbound US-101 [New]

**Figure IV-16d Tower Variant D, View 6: Northeast from US-101 at Harney Way Off-Ramp
[New]**

Figure IV-16e Tower Variant D, View 7: Northeast from San Bruno Mountain [New]

Figure IV-16f Tower Variant D, View 9: North from CPSRA South of Harney Way [New]

Figure IV-16g Tower Variant D, View 11: Northwest from CPSRA [New]

Figure IV-16h Tower Variant D, View 17: Northeast from CPSRA [New]

Figure IV-16i Tower Variant D, View 12: Southeast from Gilman Avenue [New]

Figure IV-16j Tower Variant D, View 16: Southwest from Mariner Village [New]

Figure IV-16k Tower Variant D, View 19: East from Hunters Point Hill Open Space [New]

Figure IV-16c (Tower Variant D, View 5: Northeast from Northbound US-101) illustrates the long-range view with Tower Variant D high-rise structures that would be visible on the Candlestick Point portion of the site, ranging from 240 feet to a maximum 420 feet in height, with lower-scale development to the west. Tower Variant D would include an additional 240-foot tower at Candlestick Point Center, visible east of Bayview Hill in Figure IV-16c. The towers would appear relatively clustered, compared to conditions with the Project shown in Figure III.E-15 (View 5: Northeast from Northbound US-101). The high-rise buildings would be prominent, but would not obstruct views of Bayview Hill. As with the Project, the easterly towers in this view would be on land that was formerly part of the CPSRA. The shoreline of CPSRA would be visible as the foreground. Bayview Hill would continue as a landmark and the Bay would continue as foreground in this view.

As shown in Figure IV-16d (Tower Variant D, View 6: Northeast from US-101 at Harney Way Off-Ramp), Tower Variant D would introduce high-rise structures that would be visible on the Candlestick Point portion of the site, ranging from 240 feet to a maximum 420 feet in height, with lower-scale development to the west. The high-rise buildings would be prominent, but would not obstruct views of Bayview Hill. Two 32-story towers in Candlestick Point North would be visible east of Bayview Hill. The easterly towers in this view would be on part of the land exchanged with the CPSRA. Conditions would be similar to those with the Project, shown in Figure III.E-16 (View 6: Northeast from US-101 at Harney Way Off-Ramp). The proposed residential development at Executive Park (not a part of the Project), west of Candlestick Point, would be visible against the background of Bayview Hill. The Bay would continue to be visible in the foreground. Bayview Hill would continue as a key visual feature in this view.

As shown in Figure IV-16e (Tower Variant D, View 7: Northeast from San Bruno Mountain), Tower Variant D would introduce high-rise buildings, ranging from 240 feet to a maximum 420 feet in height, at Candlestick Point, and views of the 49ers Stadium, the new marina, and two towers up to 240 feet to 370 feet high at HPS Phase II. Two 32-story towers in Candlestick Point North would be visible east of Bayview Hill. From this viewpoint, the Tower Variant and the Project would have similar effects, as shown in Figure III.E-17 (View 7: Northeast from San Bruno Mountain). The panoramic view of the Bay would still be held from this viewpoint. The shoreline of CPSRA would be visible as the foreground.

Figure IV-16f (Tower Variant D, View 9: North from CPSRA South of Harney Way) is a short-range view from CPSRA towards Candlestick Park stadium, the upper sections of which are visible in the existing setting. The planted areas in the foreground are within the CPSRA. With Tower Variant D and the Project, Candlestick Park stadium would be demolished and residential towers would be visible. From this location in the western part of CPSRA, short- and mid-range views of the stadium would be replaced with Tower Variant development, including the additional 24-story tower at Candlestick Point Center, and the 31-story (reduced from 37 stories) towers in Candlestick Point South. Compared to Project conditions viewed at this location, as shown in Figure III.E-19 (View 9: North from CPSRA South of Harney Way), Tower Variant D would include views of more new development. From other locations in CPSRA, however, views of new development would be reduced, because one tower would be relocated farther away from CPSRA, and three towers adjacent to CPSRA would be reduced in height by three to six stories.

As shown in Figure IV-16g (Tower Variant D, View 11: Northwest from CPSRA), the Tower Variant would introduce residential towers and other structures at Candlestick Point, as seen beyond the shoreline of the CPSRA, and would obstruct the view of portions of Bayview Hill. West of Candlestick Point, existing

and approved residential development at Executive Park would be visible. The Candlestick Point towers, including the additional 24-story tower at Candlestick Point Center, and the 31-story (reduced from 37 stories) towers in Candlestick Point South, ranging from 220 feet to a maximum 420 feet in height, would be a substantial change in the existing low-scale pattern in this view, and would block distant views of neighborhoods to the north. The shoreline of CPSRA would be visible as the foreground. As with Project conditions viewed at this location, shown in Figure III.E-21 (View 11: Northwest from CPSRA), Tower Variant D would include views of new development clustered near Bayview Hill. Views of Candlestick Point development to east would also be similar with Tower Variant D and the Project. The larger, 12,500-square-foot maximum floor sizes with Tower Variant D would be apparent in this view, compared to the 10,500-square-foot maximum floor sizes with the Project; the overall change in views would be similar.

Figure IV-16i (Tower Variant D, View 12: Southeast from Gilman Avenue) shows the residential streetscape on Gilman Avenue looking southeast toward the Candlestick Point site. Tower Variant D would introduce two buildings up to 320 feet in height on the north side of Gilman Avenue visible in the distance. The Project would also have two towers at that location; Tower Variant D would increase the height of one tower closer to the viewpoint from 22 stories to 32 stories. As with the Project, the Tower Variant would include roadway and streetscape improvements, also illustrated in Figure IV-16h. Compared to Project conditions viewed at this location, as shown in Figure III.E-22 (View 12: Southeast from Gilman Avenue), Tower Variant D would have more limited views of 31-story (reduced from 37 stories) towers in Candlestick Point South.

Figure IV-16j (Tower Variant D, View 16: Southwest from Mariner Village) shows a view south from Mariner Village on LaSalle Avenue on Hunters Point Hill. The existing foreground includes undeveloped areas of the Shipyard south of Crisp Road. The existing buildings south of Crisp are UCSF facilities that are not part of the HPS Phase II site. With Tower Variant D, Candlestick Point towers, ranging from 220 feet to 420 feet in height, would be a substantial change in the existing low-scale pattern in this view. The shoreline of CPSRA would be visible as the foreground. Other Candlestick Park development would be visible to the north and on Jamestown Avenue at the base of Bayview Hill. The view would also include the Yosemite Slough bridge, improved open space at HPS Phase II, and buildings on Crisp Road. Compared to Project conditions viewed at this location, as shown in Figure III.E-26 (View 16: Southwest from Mariner Village), Tower Variant D would have similar effects.

Figure IV-16h (Tower Variant D, View 17: Northeast from CPSRA) includes the Bay in the foreground and existing buildings at the Shipyard. Views of Tower Variant D development at the Shipyard would include 49ers Stadium, the new marina, and Research & Development buildings. A residential tower, up to 370 feet in height, would be visible beyond the stadium. As noted in the description of Tower Variant D, above, the only change at HPS Phase II would be the maximum 12,500-square-foot residential tower floor sizes, compared to the 10,500-square-foot maximum floor sizes with the Project. As shown in this view, the change in floor sizes with Tower Variant D would not alter visual conditions compared with the Project, illustrated by Figure III.E-27 (View 17: Northeast from CPSRA).

Figure IV-16k (Tower Variant D, View 19: East from Hunters Point Hill Open Space) shows a view from open space on Northridge Road on Hunters Point Hill towards the southeast. Tower Variant D would replace the existing structures in the mid ground with mid-rise and two residential towers, up to 270 feet to 370 feet in height. New open space at the Shipyard would be visible at the base of the hill. To the south,

the approved HPS Phase I development, not part of the Project and currently under construction, would be visible. As noted in the description of Tower Variant D, above, the only change at HPS Phase II would be the maximum 12,500-square-foot residential tower floor sizes, compared to the 10,500-square-foot maximum floor sizes with the Project. As shown in this view, the change in floor sizes with Tower Variant would not alter visual conditions with the Project in Figure III.E-29 (View 19: East from Hunters Point Hill Open Space).

Page IV-148, fourth paragraph

Development of a Tower Variant would not substantially degrade the existing visual character or quality of the site or its surroundings. Each of the Tower Variants would change the heights of some the towers or relocate or remove one or two towers residential tower, or would change the location of a tower up to five towers. Tower Variant D would have a maximum 12,500-square-foot residential tower floor size, compared to the 10,500-square-foot maximum floor size with the Project. The Tower Variants' effects on visual character would vary from Project effects, with more potential clustering of towers in Candlestick Point, and changes in visibility of some towers from locations in CPSRA. The change in tower floor sizes would not change the visual effects at HPS Phase II, compared with the Project. Thus, the Project area would still be developed with mixed land uses and buildings of various heights, including towers between 220 and 420 feet in height. The Tower Variants, as with the Project, would have a less-than-significant effect on aesthetics, visual character, scenic resources, or scenic vista, As discussed in Section III.E, Draft EIR pages III.E-56 to 57, overall, development of the Project would not block publicly accessible views of the Bay or other scenic vistas. Public access areas, both City and State parks, would maintain views from the Project site toward the East Bay and the Bay. While development of the Project would include several high-rise towers, these towers are not clustered, and would not substantially obstruct, alter, or degrade the quality of views of the Bay or beyond from any long-range viewpoints.

Pages IV-148 to -152, "Shadows"

A Tower Variant would include one additional residential tower and could change the location of one or two to three towers, depending on the Variant. The introduction of a new tower, the increased or decreased height of some towers, the change in maximum floor sizes from 10,500 square feet to 12,500 square feet, and the changed location of some towers would modify shadow impacts compared to the Project effects.

Construction

As with the Project, construction activities of the Tower Variant would not result in shadow effects on open space.

Operation

Development of a Tower Variant would result in new structures over 40 feet in height ranging up to 420 feet in height and would extend well above surrounding buildings and cast shadows on nearby public open spaces. Tower Variant A would add ten stories to one of the 22-story residential towers at Candlestick Point North, resulting in a 32-story residential tower, as shown in Figure IV-14. Three other residential towers at Candlestick Point South would have three to four fewer floors. Tower Variant B would have an additional 24-story residential tower at Candlestick Point Center. One 17-story tower at Candlestick Point

North would be removed as shown in Figure IV-15. Three other towers at Candlestick Point South would have two to four fewer floors. Tower Variant C would have an additional 24-story residential tower at Candlestick Point Center, as with Tower Variant B, as shown in Figure IV-16. Tower Variant C would also add ten stories to one of the 22-story residential towers at Candlestick Point North, as with Tower Variant A, resulting in a 32-story residential tower; one 17-story tower and one 22-story at Candlestick Point North would be removed and at Candlestick Point South, one tower would have two fewer floors and one would have six fewer floors. Tower Variant D would reduce one 37-story tower to 31 stories, or six fewer floors, in Candlestick Point South; one 27-story residential tower at Candlestick Point South would be lowered to 24 stories, or three fewer floors; and one 32-story tower would be relocated from Candlestick Point South to Candlestick Point North. This Variant would add 10 stories to one of the 22-story residential towers at Candlestick Point North, resulting in a 32-story residential tower, as with Tower Variants A and C; one 22-story tower and one 17-story tower would be relocated within Candlestick Point North; one residential tower at Candlestick Point North and one residential tower at Candlestick Point South would be lowered to 24 stories, or three fewer floors, as with Tower Variant A. This Variant would have an additional 24-story residential tower at Candlestick Point Center, as with Tower Variants B and C. This Variant would have 12 towers at Candlestick Point, compared to 11 towers with the Project.

Project plans have identified the locations of towers, but tower designs are preliminary. The length and duration of shadows cast would be influenced by elements of building design, such as building height, shape, massing, and setbacks. Potential impacts to shade-sensitive locations, such as parks and open space, would be influenced by the location of shade-sensitive uses within the parks and open spaces. The increase in height of one residential tower, from ~~240~~220 to 320 feet (per Variant A, ~~and Variant C, and Variant D~~) and the inclusion of one new residential tower (with a height of 240 feet) and the relocation of towers (per Variant B, ~~and Variant C, and Variant D~~), would increase potential shading impacts on existing parks and open spaces—Gilman Park—and proposed parks and open spaces—Candlestick Point Neighborhood Park; Bayview Gardens/Wedge Park; and Mini Wedge-Park—and in CPSRA areas near the additional towers. The Tower Variants would also remove one or two residential towers (per Variant B and Variant C), and would reduce the number of stories on up to three towers (all Tower Variants).

As discussed in Section III.F (Shadows), *Planning Code* Section 295 prohibits the issuance of building permits for structures over 40 feet in height that would cast shade or shadow on property with the jurisdiction of, or designated to be acquired by, the Recreation and Park Commission between one hour after sunrise to one hour before sunset at any time of year, unless the Planning Commission determines that the shade or shadow would have an insignificant adverse impact on the use of such property.

As required by *Planning Code* Section 295, the Recreation and Park Commission and the Planning Commission have adopted criteria for the review of shadow effects. For parks for which “shadow budgets” have not been adopted, the current criteria allow an additional new shadow budget of 0.1 percent for parks larger than 2 acres with annual shadow loads between 20 and 40 percent, expressed in available square-foot-hours of sunlight compared to square-foot-hours of shade. For larger parks with existing shadow loads less than 20 percent, an additional new shadow budget of 1.0 percent would be allowed. The increase is based on calculations of the “Annual Available Sunlight” (AAS) for that park, expressed in square-foot-hours of sunlight (during each day an hour after sunrise to an hour before sunset summed over the course

of a year, ignoring shadow from any surrounding structures, and from clouds, fog, and solar eclipses). The shadow impact of the Project is defined as the shadow in square-foot-hours cast by the Project divided by the AAS, expressed as a percentage.

To evaluate potential effects, a shadow modeling study of Tower Variants C and D was completed by CADP, Inc.¹⁵³ Figure IV-17 (Candlestick Point: Tower Variant C Year-Round Shadow Trace) and Figure IV-17a (Candlestick Point: Tower Variant D Year-Round Shadow Trace) are the “shadow fan” or “shadow trace” identifying the maximum extent of all Project-related shadows from one hour after sunrise to one hour before sunset over an entire year, which is the time period specified in Planning Code Section 295. The year-round shadow trace is further over-inclusive in that it includes shadow from all buildings within the Project site, including those that would not exceed 40 feet in height and, therefore, would not be subject to the requirements of Section 295. The shadow trace shows that Tower Variant C and Tower Variant D, with an additional residential tower in Candlestick Point North, compared to the Project plans, would shade Gilman Park during the hours specified in Section 295. (As discussed in Section III.F, the Project would add shadows to Gilman Park, but those effects would be from potential 40-foot-high Project buildings south of the park, which are not considered to be adverse effects under Section 295.)

Gilman Park, at 4.4 acres, is a larger park without an adopted shadow budget, and an existing shadow load of less than 20 percent. Therefore, under Section 295, an annual increase of 1.0 percent would be permitted and would not be considered to create a significant effect on the park.

The CADP study also evaluated the Tower Variant C and Tower Variant D effects on Gilman Park with respect to AAS. CADP used computer models to calculate the net increase in square feet, and square-foot-hours, of shade on the park, from one hour after sunrise to one hour before sunset, at 15-minute intervals, at one-week increments, for six months of the year. The calculations are converted to a total annual increase in square-foot-hours of shade, compared to total theoretical square-foot-hours of sun in the park. Because the streets adjacent to the park are bounded by parking lots and low-rise buildings, the analysis conservatively assumed there is no existing shadow load on the park, and that the Tower Variant effects would be net new conditions. The analysis also does not account for existing shading from trees or the service building within the park. On the basis of available observations of Gilman Park, the park is used during mid-day and afternoon periods, by neighborhood residents, and students at adjacent Bret Harte Elementary School. The park is relatively less patronized in morning hours.

¹⁵³This shadow analysis evaluated Tower Variant C and Tower Variant D, which would include ~~both~~ a 24-story tower at a location near Gilman Park, up to three relocated towers and the additional stories on a tower at Candlestick Point North. Variants C and D would have the greatest differences in increased shadow effects, compared to those with the Project. Tower Variant D would have floor sizes with a maximum of 12,500 square feet, compared to 10,500-square-foot maximum floor sizes with the Project. (CADP, Inc., Gilman Park Shadow Calculations, Variant C, October 2009; CADP, Inc., Gilman Park Shadow Calculations, Variant D, March 2010.)

Figure IV-17a Candlestick Point: Tower Variant D Year-Round Shadow Trace [New]

Tower Variant C and Tower Variant D would shade a portion of Gilman Park from morning to mid-day periods throughout the year, in the first ~~75 minutes~~ three to four hours after the sunrise plus one-hour cutoff specified by Section 295.¹⁵⁴ There would be no new shadow from the Tower Variant after about 12:30 P.M. on any day of the year. The effects would vary by season. On June 21, new shadow would occur between about 6:45 A.M. PDT (1 hour after sunrise), and would cover about 21 percent of the park to about 9:45 A.M. on less than 1 percent of the park. On September 21 and March 21, new shadow would occur between about 8:00 A.M. PDT (~~one~~ 1 hour after sunrise), on about 32 percent of the park, to about 11:30 A.M., on less than 1 percent of the park. On December 21, new shadow would occur between about 8:45 ~~00~~ A.M. PST (1 hour after sunrise), on about 54 percent of the park (Tower Variant C) or 44 percent (Tower Variant D), to about 12:15 P.M. on less than 1 percent of the park. Overall, while those effects would occur for up to four hours after the sunrise plus one-hour cutoff time, in spring, summer, and fall months, the new shade would affect 10 percent or less of Gilman Park by 9:00 A.M. or earlier. In December, the new shade would affect 10 percent or less of Gilman Park by about 10:15 A.M.

Figure IV-18 (Gilman Park—Existing Conditions) is an aerial view showing existing features of Gilman Park. Figure IV-19 (Gilman Park: Tower Variant C Shadows—November 29 [8:05 A.M.]) and Figure IV-20 (Gilman Park: Tower Variant C Shadows—December 20 [8:20 A.M.]) illustrate Tower Variant C shadow at periods of maximum shadow impact, at one hour after sunrise in late fall and winter. Figure IV-20a (Gilman Park: Tower Variant D Shadows—November 8 [7:45 A.M.]) and Figure IV-20b (Gilman Park: Tower Variant D Shadows—December 20 [8:20 A.M.]) illustrate Tower Variant D shadow at periods of maximum shadow impact, at one hour after sunrise in late fall and winter.

Gilman Park is 191,631 square feet (4.4 acres). Tower Variant C would add approximately 21,847,927 new annual square-foot-hours of shadow to the potential of approximately 696,493,920 square-foot-hours of sun, increasing shade square-foot-hours by 3.1 percent. Tower Variant D would add approximately 21,666,526 new annual square-foot-hours of shadow, also increasing shade square-foot-hours by 3.1 percent. This would be greater than the 1.0 percent permitted as new shadow on parks larger than two acres with existing shadow loads less than 20 percent, under current Planning Department criteria.

Therefore, the Tower Variant would add shadows to Gilman Park during the hours between one hour after sunrise and one hour before sunset, with a new shadow load greater than 1.0 percent. This new shadow could have an adverse effect on the use of park. While Tower Variant A would not add shade after late morning or midday periods at any time of year, and the park would not be affected in afternoon periods of use, the shadow effect is conservatively considered to be a significant and unavoidable impact of Tower Variants C and D.

¹⁵⁴ The sunrise plus one hour cutoff on days when the Tower Variant would cast a shadow on the park would range from about 6:50 A.M. PDT on June 20 to about 8:15 A.M. PST on December 20.

Figure IV-20a Gilman Park: Tower Variant D Shadows—November 8 (7:45 A.M.) [New]

Figure IV-20b Gilman Park: Tower Variant D Shadows—December 20 (8:20 A.M.) [New]

As with the Project, the Tower Variants would shade an area of Bayview Park, owned by the SFRPD, that does not provide any active uses and is relatively steep. The Tower Variants would only shade Bayview Park during the first hour after sunrise in spring, summer, and fall months, and would not create any new shadow by 10:00 A.M. at any time of year. This would not be considered a significant adverse shadow impact on SFRPD open space.

~~Other shadow conditions with the Tower Variants would be as described for the Project in Section III.F. The Tower Variant effects on shadows on the CPSRA would be similar or slightly reduced compared to the Project, as depending upon the variant: towers near the CPSRA would be two-three to six stories shorter, depending upon the variant.~~

As with the Project, the CPSRA would be affected by new shade in the afternoons, but most areas would experience limited to no new shadow from the Project. Other areas of the CPSRA would largely continue to remain in sun throughout the year. Tower Variant D shadow would not interfere with the public's use or enjoyment of the CPSRA. Activities in these areas, such as windsurfing launching, walking, jogging, and fishing, would not be affected by the new shade.

Shadows cast by Tower Variant D, as with the Project, on proposed new neighborhood parks at Candlestick Point throughout the year would range from little or no shading to large areas of certain parks receiving new shade, particularly in the late afternoon during the vernal and autumnal equinoxes. The orientation of the relatively narrow Alice Griffith Neighborhood and Mini-Wedge Parks with respect to the path of the sun and the close proximity of Tower Variant buildings along the parks' southwestern boundaries combine to make them most susceptible to new shade. Tower Variant D, because of changes in tower locations and height, would shade different areas of proposed open space compared to the Project effects. Overall, given the heights, layouts, and orientations of the Tower Variant buildings, the neighborhood parks would experience variable levels of shading throughout the day, generally receiving some new shade from morning until noon in spring, summer, and fall with a lesser increase in the afternoons in winter, spring, and fall. Public use of these proposed new parks would not be expected to be adversely affected by the shade conditions.

Tower Variant D would not change any tower locations or heights at HPS Phase II; the two residential towers at HPS Phase II would have floor sizes with a maximum of 12,500 square feet, compared to 10,500-square-foot maximum floor sizes with the Project. Shadow effects at HPS Phase II with this change in tower dimension would be similar to the Project and would be less than significant, as shown Figure III.F-15 (Hunters Point Shipyard Phase II: Proposed Project Year-Round Shadow Trace) through Figure III.F-27 (Hunters Point Shipyard Phase II: Shadow Patterns—September 21 [3 PM PDT]) for shadow conditions at HPS Phase II with the Project at 10:00 A.M., noon, and 3:00 P.M. Pacific Standard Time (PST) on December 21 and March 21, and Pacific Daylight Time (PDT) on June 21 and September 21, and discussed on pages III.F-26 through -40 of the Draft EIR.

With appropriate design of the proposed parks and open space, to minimize the installation of shade-sensitive uses at locations that would receive the greatest amount of shading, adverse shadow impacts would be minimized, and Tower Variant impacts to proposed new parks would be less than significant.

Pages IV-156, third paragraph

As with the Project, all ~~three-four~~ Tower Variants would have the potential to create potentially significant pedestrian-level wind impacts that exceed the identified threshold of 26 miles per hour (mph) equivalent wind speed for a single hour of the year. Implementation of mitigation measure MM W-1a (wind modeling), which would require a ~~design review process~~ wind analysis for buildings greater than 100 feet in height, and if determined to be necessary, would require inclusion of a design criteria to reduce pedestrian-level impacts below the threshold, would reduce impacts to a less-than-significant level, similar to the Project.

Page IV-159, beginning with second full paragraph

In terms of human health risks associated with vehicle emissions, vehicle emissions along local roadways for the Tower Variant (Variant 3) would remain unchanged from the Project. The prolonged exposure of receptors to increased vehicle emissions could affect human health. Potential PM_{2.5} concentrations from traffic associated with the Tower Variant (Variant 3) were estimated at selected roadways and compared against the 0.2 µg/m³ action level to determine the potential health risks on receptors attributed to vehicle emissions from the Tower Variant (Variant 3). ~~Potential PM_{2.5} concentrations at select roadways with the addition of future traffic volumes, including the traffic associated with the Tower Variant (which were assumed to be similar to Project traffic), were estimated compared against SFDPH thresholds to determine the potential health risks attributed to vehicle emissions.~~

Several roadway segments were chosen based on whether Project-related traffic would use these streets to access neighboring freeways and other areas of San Francisco and/or currently or would experience significant truck traffic. The roadways chosen include:

- Third Street
- Innes Avenue/Hunters Point Boulevard/Evans Avenue
- Palou Avenue
- Gilman Avenue/Paul Avenue
- Harney Way
- Jamestown Avenue
- Ingerson Avenue

With the addition of ~~Project~~ Variant-related traffic, no receptors along the streets listed above would experience an increase in PM_{2.5} concentrations in excess of SFDPH's the 0.2 µg/m³ threshold action level. ~~As e~~ ^{1252,1252a} Concentrations would not exceed SFDPH's threshold the action level, and as such, impacts would be less than significant, similar to the Project.

¹²⁵² ENVIRON, *Ambient Air Quality Human Health Risk Assessment: Candlestick Point–Hunters Point Shipyard Phase II Development Plan*, Appendix IV, ~~September 28, 2009~~ May 4, 2010.

^{1252a} ENVIRON, *Updated Air Quality Analysis, Candlestick Point–Hunters Point Shipyard Phase II Development Plan—Updated Variants 2A and 3D, Alternative 2, and Subalternative 4A*, April 26, 2010.

F.28 Changes to Section IV.E (Variant 4: Utilities Variant)

Page IV-192, third full paragraph

In terms of human health risks associated with vehicle emissions, vehicle emissions along local roadways for the Utilities Variant (Variant 4) would remain unchanged from the Project. The prolonged exposure of receptors to increased vehicle emissions could affect human health. Potential PM_{2.5} concentrations from traffic associated with the Utilities Variant (Variant 4) were estimated at selected roadways with the addition of future traffic volumes, including the traffic associated with the Utilities Variant (which were assumed to be similar to Project traffic), were estimated and compared against SFDPH thresholds the 0.2 µg/m³ action level to determine the potential health risks on receptors attributed to vehicle emissions from the Utilities Variant.

Several roadway segments were chosen based on whether Project-related traffic would use these streets to access neighboring freeways and other areas of San Francisco and/or currently or would experience significant truck traffic. The roadways chosen include:

- Third Street
- Innes Avenue/Hunters Point Boulevard/Evans Avenue
- Palou Avenue
- Gilman Avenue/Paul Avenue
- Harney Way
- Jamestown Avenue
- Ingerson Avenue

With the addition of ~~ProjectVariant~~-related traffic, no receptors along the streets listed above would experience an increase in PM_{2.5} concentrations in excess of SFDPH's the 0.2 µg/m³ threshold action level.¹²⁶⁵ ~~As e~~Concentrations would not exceed SFDPH's threshold the action level, and as such, impacts would be less than significant, similar to the Project.

¹²⁶⁵ ENVIRON, *Ambient Air Quality Human Health Risk Assessment: Candlestick Point–Hunters Point Shipyard Phase II Development Plan*, Appendix IV, ~~September 28, 2009~~ May 4, 2010.

F.29 Changes to Section IV.F (Variant 5: San Francisco 49ers and Oakland Raiders Shared Stadium at Hunters Point Shipyard)

Page IV-214, first paragraph

The San Francisco 49ers and Oakland Raiders Shared Stadium at Hunters Point Shipyard Variant (49ers/Raiders Shared Stadium Variant) assumes that development would occur exactly as proposed for the Project, except that the new stadium would be home to both the San Francisco 49ers and the Oakland Raiders. . . . For the purposes of this analysis, 20 football games and 20 other events per year were assumed. This assumption assumes a conservative, but possible scenario. It includes two pre-season and eight regular season games, and the possibility that either team could host up to two post-season playoff games. However, a maximum of four post-season games would only occur at the proposed stadium if (1) both teams were in separate conferences (American Football Conference or National Football Conference), (2) each team hosted and won either a first round wild-card playoff game or a second round divisional

playoff game, and (3) each team then hosted a conference championship game. The likelihood of four post-season games occurring is remote; therefore, this EIR analysis only assumes up to two playoff games per year total, for a total of 20 games annually, the same as for the Project.

Page IV-223, second full paragraph

In terms of human health risks associated with vehicle emissions, vehicle emissions along local roadways for the 49ers/Raiders Shared Stadium Variant (Variant 5) would remain unchanged from the Project. The prolonged exposure of receptors to increased vehicle emissions could affect human health. Potential PM_{2.5} concentrations ~~at select roadways with the addition of future traffic volumes, including the from~~ traffic associated with the 49ers/Raiders Shared Stadium Variant (Variant 5) ~~(which were assumed to be similar to Project traffic as an annual average)~~, were estimated compared against SFDPH thresholds ~~the 0.2 µg/m³ action level~~ to determine the potential health risks on receptors attributed to vehicle emissions from the 49ers/Raiders Shared Stadium Variant (Variant 5).

Several roadway segments were chosen based on whether Project-related traffic would use these streets to access neighboring freeways and other areas of San Francisco and/or currently or would experience significant truck traffic. The roadways chosen include:

- Third Street
- Innes Avenue/Hunters Point Boulevard/Evans Avenue
- Palou Avenue
- Gilman Avenue/Paul Avenue
- Harney Way
- Jamestown Avenue
- Ingerson Avenue

With the addition of ~~ProjectVariant~~-related traffic, no receptors along the streets listed above would experience an increase in PM_{2.5} concentrations in excess of SFDPH's ~~the 0.2 µg/m³ threshold action level~~.¹²⁷³ ~~As e~~Concentrations would not exceed SFDPH's ~~threshold the action level~~, and as such, impacts would be less than significant, similar to the Project.

¹²⁷³ ENVIRON, *Ambient Air Quality Human Health Risk Assessment: Candlestick Point–Hunters Point Shipyard Phase II Development Plan*, Appendix IV, ~~September 28, 2009~~ May 4, 2010.

Page IV-225, last paragraph

Similar to the Project, development with the 49ers/Raiders Shared Stadium Variant would result in the demolition of Buildings ~~208,~~ 211, 224, 231, and 253, which ...

F.30 Changes to Chapter V (Other CEQA Considerations)

Page V-1, third paragraph

Table ES-42 (Summary of Environmental Effects and Project Requirements/Mitigation Measures), which is contained in the Executive Summary chapter of this EIR, and Section III.A through Section III.S of this EIR provide a comprehensive identification of the Project's environmental effects, including the level of significance both before and after mitigation.

Page V-18, first full paragraph

While the first new retail may open as early as ~~2015~~2019, full build-out is expected to be completed in ~~2029~~2027 such that many Project retailers are likely to open and to have a first full year of operations in 2030. ...

F.31 Changes to Chapter VI (Alternatives)

Page VI-4, second bullet

- **Alternative 4: Reduced CP-HPS Phase II Development; Historic Preservation; No HPS Phase II Stadium, Marina, or Yosemite Slough Bridge**— ... This alternative includes preservation of ~~three~~five potentially historic structures at HPS Phase II.^{1318a} This alternative does not include construction of a bridge over Yosemite Slough.

This alternative was selected to include historic preservation of the five eligible structures on HPS and to provide a reduced development alternative to the Project. This alternative would reduce the area subject to development and would avoid significant impacts to historic resources at HPS Phase II. ...

^{1318a} Since publication of the Draft EIR, the Project has been revised to incorporate preservation of Building 208.

Page VI-5, the following is inserted above the bulleted item (Alternative 5 description)

- > **Subalternative 4A: CP-HPS Phase II Development Plan with Historic Preservation**—This subalternative to Alternative 4 retains all of the historic buildings, but includes the same land use plan as described for the Project rather than a reduced development plan as under Alternative 4. The Project's land use plan would be implemented under this alternative in terms of total square footage of land uses and district locations. However, unlike the Project, Buildings 211, 224, 231, and 253 would be retained. The R&D square footage that, under the Project, would be built at the location of Buildings 211, 224, 231, and 253 would be distributed throughout other areas of the HPS Phase II development. Consequently, under this subalternative, the total floor area for R&D would remain the same as the Project, at 2,500,000 sf. However, the building heights in the R&D District on HPS Phase II would increase to accommodate the displaced square footage. Buildings 211, 231, and 253 would be rehabilitated under the Secretary of Interior's Standards to accommodate approximately 338,000 gsf of R&D and 1,000 parking spaces. Building 224, the air raid shelter, would be rehabilitated to provide museum space.

Subalternative 4A would also retain existing grades, allowing railroad spurs and other historic elements to remain. A wave protection berm is proposed to accommodate a 36-inch sea level rise. The Bay Trail would run on top of the berm, which would be designed to include seat steps. All other components of Subalternative 4A would remain the same as under the Project.

Page VI-6, Table VI-1 (Summary of Project Alternatives) has been revised

[NOTE: This table has been revised to correct typographical errors as well as to include detailed land use information concerning Subalternative 4A.]

Table VI-1		Summary of Project Alternatives [Revised]					
Use	Project	Alternative 1 No Project^a	Alternative 2 No Bridge Alt	Alternative 3 49ers at Candlestick	Alternative 4 Lesser Build	Subalternative 4A: CP-HPS Phase II Development Plan with Historic Preservation	Alternative 5 No Park Agreement
Candlestick Point							
Residential (units)	7,850	0	7,850	1,210	5,495	<u>7,850</u>	6,500
Retail (gsf):							
Regional Retail	635,000	0	635,000	0	444,500	<u>635,000</u>	635,000
Neighborhood Retail	125,000	0	125,000	0	87,500	<u>125,000</u>	125,000
Retail Subtotal (gsf)	<u>760,000</u>	<u>0</u>	<u>760,000</u>	<u>0</u>	<u>532,000</u>	<u>760,000</u>	<u>760,000</u>
Community Services (gsf) ^a	50,000	0	50,000	0	50,000	<u>50,000</u>	50,000
Hotel (gsf) ^{ba}	150,000	0	150,000	0	105,000	<u>150,000</u>	150,000
Office (gsf)	150,000	0	150,000	0	105,000	<u>150,000</u>	150,000
10,000-seat Arena (gsf)	75,000	0	75,000	0	75,000	<u>75,000</u>	75,000
Football Stadium (seats)	0	70,000	0	70,000	0	<u>0</u>	70,000
HPS Phase II							
Residential (units)	2,650	1,800 ^{eb}	2,650	4,000	1,855	<u>2,650</u>	4,000
Neighborhood Retail (gsf)	125,000	570,000	125,000	125,000	87,500	<u>125,000</u>	125,000
Research & Development (gsf)	2,500,000	1,087,000	2,500,000	2,500,000	1,750,000	<u>2,500,000</u>	2,500,000
Artists' Studios (gsf):							
1:1 Studio Renovation and Replacement (gsf) ^{ec}	225,000	225,000	225,000	225,000	225,000	<u>225,000</u>	225,000
New Artist Center (gsf)	30,000	0	30,000	30,000	30,000	<u>30,000</u>	30,000
Artist Studio Sub-Total (gsf)	<u>255,000</u>	<u>225,000</u>	<u>255,000</u>	<u>255,000</u>	<u>255,000</u>	<u>255,000</u>	<u>255,000</u>
Community Services (gsf) ^b	50,000	0	50,000	50,000	50,000	<u>50,000</u>	50,000
Football Stadium (seats)	69,000	0	69,000	0	0	<u>69,000</u>	0
Mixed-Use	0	580,000	0	0	0	<u>0</u>	0
Cultural and Education	0	330,600	0	0	0	<u>0</u>	0
Marina (slips)	300	0	300	300	0	<u>300</u>	300
Other Elements							
Yosemite Slough bridge	Bridge	No bridge	No bridge	BRT/Pedestrian bridge	No bridge	<u>Bridge</u>	No bridge

Table VI-1 Summary of Project Alternatives [Revised]

Use	Project	Alternative 1 No Project ^a	Alternative 2 No Bridge Alt	Alternative 3 49ers at Candlestick	Alternative 4 Lesser Build	Subalternative 4A:	Alternative 5 No Park Agreement
						CP-HPS Phase II Development Plan with Historic Preservation	
Shoreline Improvements	Yes	No	Yes	Yes	Yes	Yes	Yes
State Parks Agreement/ total acres of State Parkland	Yes/96.7	No/120.2	Yes/96.7	Yes/117.2 ^{ed}	Yes/96.7	Yes/96.7	No/120.2

SOURCE: Lennar Urban, PBS&J, 2009.

a. Community Services have not been precisely defined but could include uses such as library, educational facility, police station/substation, or fire station.

b.a. Hotel uses include 220 rooms at the proposed Regional Retail Center.

b.b. 1,800 housing units on the entire Shipyard including the Phase I site.

c.c. Existing artist studios would be replaced at a one-to-one ratio under all alternatives.

d.d. Limited exchange of 3.03 acres to construct BRT/pedestrian only Yosemite Slough bridge and Alice Griffith Public Housing

Page VI-10, "Construction Impacts"

Construction activities associated with Alternative 1 would be reduced compared to the Project, depending on the phasing of the development. Localized construction-related traffic impacts would ~~therefore remain significant and unavoidable~~ be less than significant under Alternative 1.

Page VI-30, fourth and fifth paragraphs

Under Alternative 2, ~~motorized transit~~ and non-motorized traffic would be required to circumnavigate Yosemite Slough because no bridge would be constructed. On game days, motorized and non-motorized traffic, which would travel across Yosemite Slough Bridge under the Project, would also be required to circumnavigate Yosemite Slough because no bridge would be constructed under Alternative 2. Figure VI-1 (Alternative 2 Circulation Plan Railroad Right-of-Way for Bus Rapid Transit) illustrates the proposed route. The rest of the street network at Candlestick Point and HPS Phase II would be the same as the Project.

Similar to the Project, under Alternative 2, the primary roadway connection for automobiles and other vehicular traffic between Candlestick Point and HPS Phase II would be west on Carroll Avenue to Ingalls Street, north along Ingalls Street to Thomas Avenue, and east on Thomas Avenue to Griffith Street. Ingalls Street would remain an industrial mixed-use street with two auto lanes and parking and loading zones on its northern and southern sides. The width of sidewalks on that portion of Ingalls Street from Carroll Avenue to Yosemite Avenue would be decreased from 16 feet to 11 feet to create a uniform street width to accommodate the auto lanes, parking, and loading.

Page VI-31, Figure VI-1 (Alternative 2 Circulation Plan Railroad Right-of-Way for Bus Rapid Transit) has been revised

[NOTE: The figure has been revised to show the Alternative 2 BRT route following the RR ROW where the ROW is south of Ingalls Street.]

**Figure VI-1 Alternative 2 Circulation Plan Railroad Right-of-Way for Bus Rapid Transit
[Revised]**

Page VI-33, third full paragraph

Alternative 2 would be the same as the Project, except it would not include the Yosemite Slough bridge. Because vehicular traffic could not use the bridge on non-game days, the main roadway connection between Candlestick Point and HPS Phase II would be the same as with the Project, via Ingalls Street. The bus rapid transit (BRT) route would be along Carroll Avenue, Hawes Street, Armstrong Avenue, and the abandoned railroad right-of-way to provide access between Candlestick Point and HPS Phase II. Alternative 2 would otherwise have the same transportation improvements as proposed with the Project.

Generally, travel demand associated with all Variants and Alternatives studied would be similar with or without the Yosemite Slough bridge. Because the Yosemite Slough bridge would not accommodate auto travel on non-game days, the traffic circulation patterns are expected to be the same under Alternative 2 as the Project. Similarly, since auto traffic would only use the bridge on game days for any Alternative or Variant considered, the typical non-game day travel patterns for any of the Alternatives or Variants that include the bridge would be the same under conditions without the bridge.

Without the bridge across Yosemite Slough, the proposed new BRT route traveling between Balboa Park BART Station and the Hunters Point Shipyard Transit Center would follow a different alignment than under the Project. Instead of a direct route across Yosemite Slough, the BRT route would travel west along Carroll Avenue, north along Hawes Street, and then west on Armstrong Avenue, where it would join the Navy railroad right-of-way. The BRT route would travel in the railroad right-of-way around Yosemite Slough, rejoining the existing roadway network at Shafter Avenue. The route would continue east on Shafter Avenue to Arelious Walker, where it would reassume the same alignment as the Project.

This additional travel distance and travel time would have a notable effect on passengers who use the BRT to travel to or from the Hunters Point Shipyard (the analysis indicates a reduction of 15 percent for these trips). However, because this represents a relatively small portion of overall Project-generated transit riders, the overall change in transit ridership and auto trip generation is negligible. This conclusion applies to any Variant or Alternative that was analyzed assuming a bridge over Yosemite Slough.

Operation of the BRT within the rail right-of-way would not affect study intersection operations. Therefore, the traffic impacts associated with Alternative 2 would be the same as the Project. Similarly, traffic impacts associated with any Variant or Alternative that was analyzed assuming a bridge over Yosemite Slough would be the same as the equivalent Variant or Alternative without the bridge.

Page VI-33, last paragraph on page

Construction activities associated with Alternative 42 would be similar to effects with the Project. Localized construction-related traffic impacts would therefore remain significant and unavoidable.

Page VI-34, second paragraph

During game days at the football stadium, with no Yosemite Slough Bridge, the entrance and exiting capacity for vehicles would be reduced about 40 percent compared to the Project; four out of a total of 11 exit lanes would be available without the bridge. As with the Project, a mitigation measure to implement a

Travel Demand Management Plan for stadium events would reduce but not avoid traffic impacts, which would be significant and unavoidable.

Page VI-34, fifth paragraph

Although the alternative BRT route around Yosemite Slough would be technically feasible, it would not be an optimal configuration for a BRT system. BRT service would provide direct, fast, and reliable travel in a dedicated right-of-way, typically with signal priority for ~~the~~BRT vehicles. When these elements are combined, the BRT service takes on a higher quality character than typical local bus service. The Yosemite Slough bridge would provide a dedicated right-of-way and the most direct route between Hunters Point Shipyard and points to the west, including Candlestick Point, the Bayshore Caltrain Station, and Balboa Park BART. Although the route around Yosemite Slough proposed under Alternative 2 would provide exclusive right-of-way, the route would involve a number of right-angle turns and additional signalized intersections and would not accommodate the BRT route provide a comparably direct route as that provided on the bridge proposed with by the Project.

Page VI-59, the following text is inserted after Table VI-4 (Attainment of Project Objectives Alternative 2)

Alternative 2 analyzes the full Project land use program without construction of the Yosemite Slough bridge. Generally, travel demand associated with all Variants and Alternatives studied would be similar with or without the Yosemite Slough bridge. Because the Yosemite Slough bridge would not accommodate auto travel on non-game days, the traffic circulation patterns are expected to be the same under Alternative 2 as the Project. Similarly, since auto traffic would only use the bridge on game days for any Alternative or Variant considered, the typical non-game day travel patterns for any of the Alternatives or Variants that include the bridge would be the same under conditions without the bridge. If Variants 1 (R&D Variant), Variant 2 (Housing Variant), or Variant 2A (Housing/R&D Variant) were approved, and no bridge were constructed, the impacts would not increase from those identified for Variant 1, Variant 2, or Variant 2A with the bridge. In fact, all operational and construction impacts associated with the bridge, although identified as less than significant, would be eliminated.

Without the bridge across Yosemite Slough, the proposed new BRT route traveling between Balboa Park BART Station and the Hunters Point Shipyard Transit Center would follow a different alignment than under the Project. Instead of a direct route across Yosemite Slough, the BRT route would travel west along Carroll Avenue, north along Hawes Street, and then west on Armstrong Avenue, where it would join the Navy railroad right-of-way. The BRT route would travel in the railroad right-of-way around Yosemite Slough, rejoining the existing roadway network at Shafter Avenue. The route would continue east on Shafter Avenue to Arelious Walker, where it would reassume the same alignment as the Project.

This additional travel distance and travel time would have a notable effect on passengers who use the BRT to travel to or from the Hunters Point Shipyard (the analysis indicates a reduction of 15 percent for these trips). However, because this represents a relatively small portion of overall Project-generated transit riders, the overall change in transit ridership and auto trip generation is negligible. This conclusion applies to any Variant or Alternative that was analyzed assuming a bridge over Yosemite Slough.

Operation of the BRT within the rail right-of-way would not affect study intersection operations. Therefore, the traffic impacts associated with Alternative 2 would be the same as the Project. Similarly, traffic impacts associated with any Variant or Alternative that was analyzed assuming a bridge over Yosemite Slough would be the same as the equivalent Variant or Alternative without the bridge.

Page VI-65, fourth full paragraph

Construction activities associated with Alternative 43 would be similar to effects with the Project. Localized construction-related traffic impacts would therefore remain significant and unavoidable.

Page VI-93, first paragraph

Alternative 4 is a reduced-development alternative. ... This alternative also includes preservation of ~~three~~ four potentially historic structures at HPS Phase II. ...

Page VI-93, third paragraph

As stated above, retail and R&D floor area would be approximately 30 percent less under this alternative in comparison to the Project. This alternative proposes the expansion of the existing historic district at Drydocks 2 and 3 to include Drydock 4 and Buildings 208, 211, 224, 231, and 253. These buildings would be rehabilitated under Secretary of Interior Standards to accommodate a mix of uses, primarily R&D (refer to Section III.J for more information on ~~b~~Buildings 208, 211, 224, 231, and 253 as historic resources). ...

Page VI-97, last paragraph

~~Without a State Parks land agreement, there would be no changes to State Parks land use within the Project site and no development would occur on the CPSRA. Therefore, because State Parks land would not be developed with any structural uses under Alternative 4, there would be no impacts to the land use character of State Parks, which would less than the Project. Also worth noting is that the land use character of the CPSRA would not benefit from the improvements as proposed under the Project. However, because all of the existing State Parks land would ultimately remain undeveloped, this is considered a lesser impact than the Project from a visual standpoint.~~

Page VI-98, last paragraph

Construction activities associated with Alternative 44 would be similar to effects with the Project. Localized construction-related traffic impacts would therefore remain significant and unavoidable.

Page VI-102, second full paragraph

~~Without a State Parks land agreement, there would be no established funding mechanism for future maintenance of the State Parks on site from the Project Applicant, and no development or park improvements would occur in the CPSRA. The CPSRA would essentially remain in its current condition. However, increased use of the CPSRA as a result of population and employment growth associated with Alternative 4 could result in deterioration of the areas currently used by the public for recreation activities in the CPSRA. This could potentially result in a substantial adverse impact on the visual character and quality of the Project site. Without an established funding mechanism to address the increased use,~~

~~improvements and maintenance of the CPSRA would be the responsibility of CDPR. In addition, new and improved parkland in the CPSRA would not occur as proposed under the Project. Therefore, development of Alternative 4 would result in greater impacts to the visual character of CPSRA compared to the Project, unless a funding mechanism is established.~~

Page VI-103, first full paragraph

~~The State Parks agreement would not occur under Alternative 4, which would result in a reduced density of development at Candlestick Point compared to the Project because the development area would be smaller and the development program would be reduced. Vertical development under Alternative 4 would have a reduced bulk and mass compared to the Project. Alternative 4 would include four towers at Candlestick Point, compared to 11 towers with the Project, and the average tower height would be similar under Alternative 4. ...~~

Page VI-106, last paragraph

~~Compared to the Project, development under Alternative 4 would not result in the demolition of Buildings 211, 224, 231, and 253, which are potential historic resources in the CRHR-eligible Hunters Point Commercial Dry Dock and Naval Shipyard Historic District (refer to Appendix V1 [Page & Turnbull Feasibility Report]). The Project Applicant would rehabilitate these buildings in accordance with the Secretary of the Interior Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. ... The buildings occupy approximately 10 acres in the R&D district and would consist of approximately 880,000 gsf of floor area. Building 208 would be mothballed, the same as under the Project. Building ~~244~~231 would be rehabilitated to accommodate parking and Buildings ~~234~~211 and 253 would be rehabilitated to accommodate R&D uses ~~9~~(refer to Appendix ~~V2~~V1 [~~CBRE Consulting Financial Feasibility Analysis~~Page & Turnbull Hunters Point Shipyard Feasibility Study, Revised September 9, 2009]). ...~~

Page VI-108, third full paragraph

Alternative 4 would not include construction of the Yosemite Slough Bridge, which would avoid impacts associated with disturbance of potentially radiologically impacted soils at HPS Phase II in the vicinity of Parcels E and E-2. Also, because Alternative 4 would preserve historically significant buildings on HPS Phase II proposed for demolition under the Project (Buildings 211, 224, 231, and 253), this Alternative would result in less land disturbance in the area of the site where these buildings are located as compared to the Project, thus reducing the potential for exposure to hazardous materials in soil or groundwater in this area.

Page VI-108, the following paragraph is inserted prior to the last paragraph

As part of Alternative 4, the retained historic buildings would require abatement of existing hazardous materials such as asbestos, PCBs from electric fixtures, and lead-based paint. Those abatement activities would be a typical step in a reuse and rehabilitation plan. In addition, any contaminated soil or groundwater at the site of those buildings would be remediated or encapsulated under methods subject to the various legal or administrative requirements outlined in Draft EIR Section III.K. Those remediation activities would not preclude rehabilitation or reuse of the buildings in the identified Hunters Point Commercial Dry Dock and Naval Shipyard Historic District if they have been cleared for reuse by the Navy. The Navy has identified Buildings 211 and 253 as radiologically impacted buildings. The Navy would not make a

determination as to whether these buildings can be cleared for reuse until at the earliest, fall 2010, but all required radiological remediation would be completed before the Navy transfers the property to the Agency. As noted in Draft EIR Section III.K, pages III.K-27 to -28, “Basewide Historical Radiological Assessment” section:

The overall conclusion of the Historical Radiological Assessment (HRA) was that although low levels of radioactive contamination exist at HPS, no imminent threat or substantial risk exists to tenants, the environment of HPS, or the local community.³¹³ This conclusion has been reinforced by subsequent Finding of Suitability for Lease (FOSL)³¹⁴ issued by the Navy for areas in Parcel B and Building 606 in Parcel D and approved by the regulatory agencies authorizing leases for various uses involving hundreds of employees, artists, and visitors in close proximity to various “impacted” sites each day. A Basewide Radiological Work Plan was subsequently prepared, describing survey and decontamination approaches to be implemented in support of radiological release of buildings and areas.³¹⁵

Alternative 4 would place housing in the area of the HPS Phase II site proposed for the stadium and stadium parking. ...

Page VI-117, first full paragraph

~~Implementation of Alternative 4 would include parks and open space areas similar to the Project, except it would not include a State Parks land agreement, resulting in a different configuration of parks at Candlestick Point and no improvements to the CPSRA. Compared to the Project, the CPSRA would remain 120.2 acres, compared to the 23.5-acre reduction under the Project and the same State Parks land agreement, which would result in improvements to the CPSRA. Construction activities associated with the proposed parks and recreational facilities are considered part of the overall development footprint. ... In addition, because the State Parks agreement would not occur, the improvements to the CPSRA as proposed under the Project would not be constructed. Therefore, construction activities at Candlestick Point would be reduced and eConstruction impacts associated with development of new parks and recreational facilities would be less than significant.~~

At build-out of Alternative 4, the projected population within the Project site would increase from approximately 1,113 residents to approximately 17,126 residents, while employment would increase from 529 jobs to approximately 7,219 jobs. Similar to the Project, parks and open space included in Alternative 4 would provide a ratio of about ~~43.7~~20.4 acres of parkland per thousand residents, which is substantially higher than the benchmark ratio of 5.5 acres per thousand residents (refer to Section III.P). ...

The following text is inserted in its entirety following page VI-126. Although this text is new, for readability, it is not underlined.

VI.C.4a Subalternative 4A: CP-HPS Phase II Development Plan with Historic Preservation

Alternative 4 (Reduced CP-HPS Phase II Development; Historic Preservation; No HPS Phase II Stadium, Marina, or Yosemite Slough Bridge) analyzes a reduced-development alternative while preserving the five historic structures (Buildings 208, 211, 224, 231, and 253) that are part of the California Register of Historical Resources (CRHR)-eligible Hunters Point Commercial Drydock and Naval Shipyard Historic District. Subalternative 4A includes the Project's full land use program and the historic preservation component of Alternative 4. Refer to Figure VI-3a (Subalternative 4A Land Use Plan) for an illustration of the proposed Subalternative 4A land use plan.

This subalternative, like the Project, would retain Drydocks 2 and 3 and four buildings (Buildings 140, 204, 205, and 207) previously identified as historic resources in National Register of Historic Places (NRHP)-eligible Hunters Point Commercial Drydock Historic District. This subalternative and the Project would also retain Drydock 4, considered individually eligible for the NRHP, and Building 208, part of the CRHR-eligible historic district. Like Alternative 4, Subalternative 4A would retain Buildings 208, 211, 224, 231, and 253. Building 208 would be mothballed, the same as under the Project. Buildings 211, 231, and 253 would be rehabilitated under the Secretary of the Interior Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Secretary's Standards) to accommodate approximately 338,000 gsf of R&D and 1,000 parking spaces. The rehabilitation would occur generally as recommended by Page & Turnbull's *Hunters Point Shipyard Feasibility Study* (July 1, 2009, included in the EIR as part of Appendix J). Total floor area for R&D would remain the same as the Project, i.e., 2,500,000 gsf. Building 231 would be reused for parking. Buildings 211 and 253 would accommodate R&D uses. The feasibility study proposed parking uses for Building 231, to accommodate parking as part of the overall HPS Phase II land use program, and as a use appropriate for the large volume of Building 231. Building 224, the air raid shelter, would be retained as museum space. All mitigation measures for the Project would also be applied to Subalternative 4A except for MM CP-1b.1, which requires documentation of demolished buildings.

Because Subalternative 4A proposes the Project's land use program, except for Impact CR-1b, the impacts identified for the Project would also occur with Subalternative 4A. Preservation of these buildings would change some of the analysis in Aesthetics, Hydrology and Water Quality, and Greenhouse Gas Emissions, but not the impact conclusions in these sections. The impacts and analysis identified for the Project in the following issue areas would be the same for Subalternative 4A as identified for the Project:

- Land Use and Plans
- Population, Housing, and Employment
- Transportation and Circulation
- Air Quality
- Noise
- Paleontological Resources
- Hazards and Hazardous Materials
- Geology and Soils

- Hydrology and Water Quality (except sea level rise)
- Public Services
- Recreation
- Utilities
- Energy

The impacts and analysis identified for Alternative 4 in the following issue area would be the same for Subalternative 4A as identified for the Project, as Subalternative proposes the historic preservation component of Alternative 4:

- Cultural Resources

To document that there would be no change with respect to Transportation and Circulation, Air Quality, or Greenhouse Gas Emissions, refer to Appendix T4 (ENVIRON, Updated Air Quality Analysis Candlestick Point–Hunters Point Shipyard Phase II Development Plan—Updated Variants 2A and 3 [Tower Variant D], Alternative 2, and Subalternative 4A, April 26, 2010), Appendix T5 (ENVIRON, Updated Greenhouse Gas Emissions Calculation for Candlestick Point–Hunters Point Shipyard Phase II Development Plan—Variants 2A and 3 [Tower Variant D], Alternative 2, and Subalternative 4A, March 12, 2010), and Appendix T7 (LCW Consulting, CP-HPS Phase II Development Plan Transportation Study—Subalternative 4A, March 15, 2010).

Revised analyses for Aesthetics, Hydrology, and Greenhouse Gases are discussed, below.

Aesthetics

To provide for the same land use program as the Project, the height of some buildings in the R&D District of HPS Phase II would be greater than that analyzed under the Project to accommodate the displaced R&D resulting from preserving Buildings 211, 224, 231, and 253. The structures in the R&D District immediately west of the buildings to be preserved would increase from 85 feet maximum with the Project to 120 feet maximum with Subalternative 4A. Refer to Figure VI-3b (Subalternative 4A Maximum Building Heights) above, showing areas that would have maximum heights of 65 feet, 85 feet, or 120 feet, compared to 65 feet to 105 feet with the Project. For reference, existing Building 211 is about 45 feet in height, Building 231 is about 80 feet, and Building 253 ranges from 70 feet to 122 feet (and to 158 feet at the top of its tower element).

Figure VI-3c (Subalternative 4A View 18a: Southeast from Hilltop Open Space) is a visual simulation of building height and massing of Subalternative 4A from a viewpoint on Hillpoint Park. As noted in this figure, the proposed building heights with Subalternative 4A would still preserve expansive Bay views. From long distances, the change would be relatively unnoticeable, and, thus, would not adversely affect scenic vistas. From mid-range views as identified for the Project, the changes in height would be noticeable, but the residential towers at HPS would remain a predominant feature in the views from and to the north. The scale of development would be similar to other areas of San Francisco, such as parts of downtown or Rincon Hill. Development of Subalternative 4A would provide a continuation of the

Figure VI-3a

Subalternative 4A Land Use Plan [New]

Figure VI-3b Subalternative 4A Maximum Building Heights [New]

Figure VI-3c Subalternative 4A View 18a: Southeast from Hilltop Open Space [New]

existing street grid, thereby maintaining existing view corridors to the Bay and East Bay hills. Public access areas, both City and State parks, would maintain views from the Project site toward the East Bay and the Bay. Subalternative 4A would not result in additional tower clustering or other structures that would substantially obstruct, alter, or degrade the quality of views of the Bay or beyond from any long-range viewpoints. Views of Bayview Hill and Hunters Point Hill from the East Bay would be partially obstructed from Alameda and the Oakland area by Subalternative 4A structures; however, the amount of the obstruction would be minimal and not considered to be significant because of the distance across the Bay. Subalternative 4A development would not obstruct, alter, or degrade the quality of any existing views of the site from these locations. The impact on scenic vistas would remain less than significant, the same as for the Project.

With regard to impacts on scenic resources such as the Yosemite Slough, the Re-gunning crane, Double Rock, Bayview Hill, and Hunters Point Hill, the somewhat taller building heights in the R&D District are far from all of these features except the gantry crane and Hunters Point Hill. Hunters Point Hill is a prominent scenic resource west of the HPS Phase II site and would remain intact with development of Subalternative 4A. Views of Bayview Hill would not be significantly obstructed by Subalternative 4A development in HPS Phase II except from close-in vantage points. Subalternative 4A would retain structures in the CRHR-eligible Hunters Point Commercial Drydock and Naval Shipyard Historic District, as well as the Re-gunning crane, a highly visible feature. The Re-gunning crane is so large and visible that an increase in some building heights of 35 feet at the center of the R&D District would have no discernable impact on this visual resource. Development of the HPS Phase II site would also include about 240 acres of new and renovated parkland with improved public access, thereby improving the scenic quality of the area. The proposed shoreline improvements and construction of the new marina would improve the aesthetic quality of the shoreline along HPS Phase II, reducing erosion, including marsh plantings where appropriate, and removing debris. These improvements would represent a beneficial impact of the development, improving the overall visual character of the shoreline.

The CRHR-eligible historic district as part of Subalternative 4A would be bounded by new R&D development to the west and by the shoreline areas of HPS and San Francisco Bay to the north and south. Structures in the historic district, including Buildings 208, 211, 224, 231, and 253, are large-scale industrial buildings ranging from 45 feet to 122 feet, with part of Building 253 rising to 158 feet. While R&D development up to 120 feet in height would be a different design than most of the existing structures in the historic district, that new development would not alter the visual setting of the historic district such that its integrity would be impaired. In addition, the historic district would retain its waterfront setting, including the drydocks. Therefore, development at the HPS Phase II site under Subalternative 4A, as for the Project, would not have significant adverse impacts on scenic resources or other features that contribute to a scenic public setting, and the impact would be less than significant. No mitigation is required.

The height modifications in the R&D District under Subalternative 4A would not increase any impacts to visual character. The towers to be developed on HPS Phase II would remain the predominant visual element in terms of buildings, and the additional heights of some of the R&D buildings would not affect the planned urban character of the site. Subalternative 4A would replace deteriorating structures, vacant parcels, expanses of asphalt and dirt, and piles of rubble and debris with a high-quality environment that

would include a variety of architectural styles and open space. Therefore, Subalternative 4A, in replacing existing uses and structures, and in light of the analysis of changes in visual conditions presented throughout Section III.E (Aesthetics) of the EIR, would not substantially degrade the visual quality or character of the HPS Phase II site or its surroundings and the impact would be less than significant. No mitigation is required.

The wave protection berm for the historic district and the grade change from the remainder of HPS development would result in a “step-down” effect from the western portions of the R&D District to this area. The resulting visual change would be less than significant.

The wave protection berm would alter the view of visitors and employees in the area of the rehabilitated buildings toward the Bay, but since the berm is only 3 feet high, it would not block views. The Bay Trail would be located on top of this berm in some areas, and outside the berm in others. Refer to Figure VI-3d (Subalternative 4A: Conceptual Berm Design for Historic Preservation Area) for a conceptual drawing of the proposed berm. The impacts would be less than significant, the same as for the Project.

Hydrology and Water Quality (Sea Level Rise)

To address sea level rise, Alternative 4 would raise the grade at the site of Buildings 208, 211, 224, 231, and 253 to match the grade on the remainder of the development at HPS Phase II, i.e., 3.5 feet above the Base Flood Elevation, as required by mitigation measure MM HY-12a.1. Subalternative 4A, instead, would maintain the existing grade at the site of Buildings 208, 211, 224, 231, and 253, allowing railroad spurs and other historic elements such as bollards, to remain. To protect the historic district from potential sea level rise, a wave protection berm would be constructed around the eligible historic district to accommodate a 36-inch sea level rise, on top of which the Bay Trail would be constructed. The remainder of the site would be graded in accordance with MM HY-12a.1. The impact would be less than significant, the same as for the Project.

Greenhouse Gas Emissions

Implementation of Subalternative 4A would result in baseline GHG emissions similar to the Project and would include the GHG emission reductions associated with mitigation measures, including MM GC-1 through MM GC-4, which require the implementation of the Project Applicant’s conceptual commitments to (1) reduce energy use to 15 percent below Title 24 2008 standards for all development components, and (2) use ENERGY STAR appliances for all appliances installed by builders in residential units. This subalternative would also be required to comply with the City’s Green Building Ordinance, per Chapter 13C of the *Environment Code*. The existing building space may not be as energy efficient as newly built structures. Therefore, there may be a slight increase in GHG emissions compared to the Project due to this small amount of R&D building space that is contained in the historic buildings. Otherwise, there would be no difference in the greenhouse gas emissions impacts of Subalternative 4A compared to the Project.

**Figure VI-3d Subalternative 4A: Conceptual Berm Design for Historic Preservation Area
[New]**

Page VI-160, second paragraph

Alternative 1 (No Project) would reduce Project impacts because development would only occur at HPS Phase II, resulting in reduced construction-related impacts and fewer or less substantial operational impacts due to the reduced population and employment growth. Alternative 2 (CP-HPS Phase II Development Project, HPS Phase II Stadium, State Parks Agreement, and without the Yosemite Slough Bridge) would avoid Project impacts related to biological resources, water quality, and hazardous materials because the Yosemite Slough bridge would not be constructed. However, because the Yosemite Slough bridge would not be constructed, Alternative 2 would result in increased traffic-related impacts, particularly on game days. ... Alternative 4 (Reduced CP-HPS Phase II Development, Historic Preservation, No HPS Phase II Stadium, Marina, or Yosemite Slough Bridge) would reduce the most significant Project impacts to a less-than-significant level (reduced traffic-related air quality and noise impacts, avoidance of historic resource impacts, and avoidance of construction-related impacts to water quality and biological resources because the bridge and marina would not be constructed). Subalternative 4A (CP-HPS Phase II Development Plan with Historic Preservation) would avoid the significant Project impacts to historic resources, but all other impacts would be the same as for the Project. Alternative 5 (Reduced CP-HPS Phase II Development, No HPS Phase II Stadium, No State Parks Agreement, and without the Yosemite Slough Bridge) would avoid Project impacts related to biological resources, water quality, and hazardous materials because the Yosemite Slough bridge would not be constructed. However, because the Yosemite Slough bridge would not be constructed, Alternative 5 would result in increased traffic-related impacts resulting from population and employment growth at HPS Phase II. Alternative 4 would be the environmentally superior alternative. However, this Alternative would not meet the objectives to the same extent as the Project.

Page VI-173, Table VI-12 (Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives) has been revised (only those rows where there are changes are shown)

[NOTE: This table has been revised to correct typographical errors. Table VI-12 is identical Table ES-1d; however, Table VI-12 only includes those rows with text that has changed, whereas Table ES-1d contains all of the significant and unavoidable impacts, similar to Table VI-12 in the Draft EIR.]

Table VI-12 Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives [Revised]					
	Alternative 1 No Project^a	Alternative 2 No Bridge Alt^b	Alternative 3 49ers at Candlestick^c	Alternative 4 Lesser Build with Historic Preservation^d	Alternative 5 No Park Agreement^e

TRANSPORTATION

Impact TR-1 The Project would result in construction-related transportation impacts in the Project vicinity due to construction vehicle traffic and roadway construction and would contribute to cumulative construction impacts in the Project vicinity. Mitigation measure MM TR-1 would reduce but not avoid construction-related transportation impacts during construction activities. Therefore, construction transportation impacts would remain significant.

Significance of Alternative Compared to Project	<	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU <u>LTS</u>	SU/SU	SU/SU	SU/SU	SU/SU

Table VI-12 Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives [Revised]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
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Impact TR-2 Implementation of the Project would cause an increase in traffic that would be substantial relative to the existing and proposed capacity of the street system, and result in significant and unavoidable impacts. Although implementation of a Travel Demand Management Plan was assumed in developing Project travel demand estimates, and would be essential to ensure that impacts at additional locations do not occur, traffic congestion caused by the Project and the Project's contribution to cumulative impacts would still be significant.

Significance of Alternative Compared to Project	≤	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Impact TR-3 The Project would result in significant impacts and would contribute to significant cumulative impacts at intersections in the Project vicinity where no feasible traffic mitigation measures have been identified.

Significance of Alternative Compared to Project	≤	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Impact TR-4 At the intersection of Tunnel/Blanken, the Project would result in significant Project AM peak hour traffic impacts, and contribute to cumulative PM peak hour traffic impacts, for which a feasible mitigation measure has been identified. The identified mitigation measure would improve traffic operations, but not to acceptable levels of service.

Significance of Alternative Compared to Project	≤	=	≤	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/LTSSU	SU/SU	SU/SU	SU/SU	SU/SU

Impact TR-10 The Project would result in significant Project traffic spillover impacts and contribute to cumulative traffic spillover impacts. The identified mitigation measures would reduce, but not avoid, traffic spillover impacts.

Significance of Alternative Compared to Project	<	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SULTS	SU/SU	SU/SU	SU/SU	SU/SU

Impact TR-27 The Project would increase congestion at the intersection of Geneva Avenue and Bayshore Boulevard. This would increase travel times and impact operations of the 28L-19th Avenue/Geneva Limited. Implementation of mitigation measures MM TR-27.1 and MM TR-27.2 would reduce impacts to transit operations. However, since feasibility of MM TR-27.1 is uncertain, and since MM TR-27.2, without MM TR-27.1, would reduce, but not completely avoid, impacts on the 28L-19th Avenue/Geneva Limited, Project impacts and Project contributions to cumulative impacts on the 28L-19th Avenue/Geneva Limited would remain significant.

Significance of Alternative Compared to Project	≤	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/MSU	SU/SU	SU/SU	SU/SU	SU/SU

Table VI-12 Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives [Revised]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
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NOISE

Impact NO-2 Construction activities associated with the Project would create excessive groundborne vibration levels in existing residential neighborhoods adjacent to the Project site and at proposed on-site residential uses should the latter be occupied before Project construction activity on adjacent parcels is complete. Although the Project's construction vibration impacts would be temporary, would not occur during recognized sleep hours, and would be consistent with the requirements for construction activities that exist in Sections 2907 and 2908 of the *Municipal Code*, vibration levels would still be significant.

Significance of Alternative Compared to Project	≤	=	≤	≤	≤
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Impact NO-3 Construction activities associated with the Project would result in a substantial temporary or periodic increase in ambient noise levels.

Significance of Alternative Compared to Project	<	=	≤	≤	=
Level of Significance after Mitigation (Project/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU

Impact NO-6 Operation of the Project would generate increased local traffic volumes that could cause a substantial permanent increase in ambient noise levels in existing residential areas along the major Project site access routes.

Significance of Alternative Compared to Project	<	=	≤	≤	≤
Level of Significance after Mitigation (Project/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU

...

- < Alternative does lessen the severity of the impact
- > Alternative increases the severity of the impact
- = Alternative impact is similar to the Project impact
- NI = No Impact
- LTS = Less-Than-Significant impact
- SU = Significant and Unavoidable Impact
- a. No Project
- b. CP-HPS Phase II Development Plan, HPS Phase II Stadium, State Parks Agreement, and without the Yosemite Slough Bridge
- c. Reduced CP-HPS Phase II Development, San Francisco 49ers Stay at Existing Candlestick Park Stadium, with Limited State Parks Agreement, and Yosemite Slough Bridge Serving Only Transit, Bicycles, and Pedestrians
- d. Reduced CP-HPS Phase II Development; Historic Preservation; State Parks Agreement; No HPS Phase II Stadium, ~~no State Parks Agreement, and without the Marina, or~~ Yosemite Slough Bridge
- e. Reduced CP-HPS Phase II Development, No HPS Phase II Stadium, No State Parks Agreement, and without the Yosemite Slough Bridge

Page VI-180, Table VI-13 (Comparison of the Significant and Unavoidable Impacts of Variant 1: No Stadium, Additional R&D to Each of the Alternatives) has been revised (only those rows where there are changes are shown)

[NOTE: This table has been revised at the request of City/Agency staff to correct a typographical error.]

Table VI-13 Comparison of the Significant and Unavoidable Impacts of Variant 1: No Stadium, Additional R&D to Each of the Alternatives [Revised]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
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TRANSPORTATION

The R&D Variant would result in construction-related transportation impacts in the R&D Variant vicinity due to construction vehicle traffic and roadway construction and would contribute to cumulative construction impacts in the R&D Variant vicinity.

Significance of Alternative Compared to Variant	<	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU <u>LT</u> S	SU/SU	SU/SU	SU/SU	SU/SU

Implementation of the R&D Variant would cause an increase in traffic that would be substantial relative to the existing and proposed capacity of the street system, and result in significant and unavoidable impacts.

Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

The R&D Variant would result in significant impacts and would contribute to significant cumulative impacts at intersections in the R&D Variant vicinity where no feasible traffic mitigation measures have been identified.

Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

At the intersection of Tunnel/Blanken, the R&D Variant would result in significant Project AM peak hour traffic impacts, and contribute to cumulative PM peak hour traffic impacts, for which a feasible mitigation measure has been identified. The identified mitigation measure would improve traffic operations, but not to acceptable levels of service.

Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

...

The R&D Variant would result in significant traffic spillover impacts and contribute to cumulative traffic spillover impacts. The identified mitigation measures would reduce, but not avoid, traffic spillover impacts.

Significance of Alternative Compared to Variant	<	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU <u>LT</u> S	SU/SU	SU/SU	SU/SU	SU/SU

...

Table VI-13 Comparison of the Significant and Unavoidable Impacts of Variant 1: No Stadium, Additional R&D to Each of the Alternatives [Revised]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge All^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
AIR QUALITY					
Operation of the R&D Variant would violate BAAQMD CEQA significance thresholds for mass criteria pollutant emissions from mobile and area sources and contribute substantially to an existing or projected air quality violation at full build-out in the year 2029.					
Significance of Alternative Compared to Variant	<	≤	≤	>	≥
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
NOISE					
Construction activities associated with the R&D Variant would create excessive groundborne vibration levels in existing residential neighborhoods adjacent to the Project site and at proposed on-site residential uses should the latter be occupied before Project construction activity on adjacent parcels is complete. Although the R&D Variant's construction vibration impacts would be temporary, would not occur during recognized sleep hours, and would be consistent with the requirements for construction activities that exist in Sections 2907 and 2908 of the <i>Municipal Code</i> , vibration levels would still be significant.					
Significance of Alternative Compared to Variant	≤	=	≤	=	≤
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
Construction activities associated with the R&D Variant would result in a substantial temporary or periodic increase in ambient noise levels.					
Significance of Alternative Compared to Variant	<	≤	≤	≤	≤
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
Operation of the R&D Variant would generate increased local traffic volumes that would cause a substantial permanent increase in ambient noise levels in existing residential areas along the major Project site access routes.					
Significance of Alternative Compared to Variant	<	=	≤	≤	≤
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU

...
 < Alternative does lessen the severity of the impact
 > Alternative increases the severity of the impact
 = Alternative impact is similar to the Project impact
 NI = No Impact
 LTS = Less-Than-Significant impact
 SU = Significant and Unavoidable Impact

a. No Project
 b. CP-HPS Phase II Development Plan, HPS Phase II Stadium, State Parks Agreement, and without the Yosemite Slough Bridge
 c. Reduced CP-HPS Phase II Development, San Francisco 49ers Stay at Existing Candlestick Park Stadium, with Limited State Parks Agreement, and Yosemite Slough Bridge Serving Only Transit, Bicycles, and Pedestrians
 d. Reduced CP-HPS Phase II Development; Historic Preservation; State Parks Agreement; No HPS Phase II Stadium, no State Parks Agreement, and without the Marina, or Yosemite Slough Bridge
 e. Reduced CP-HPS Phase II Development, No HPS Phase II Stadium, No State Parks Agreement, and without the Yosemite Slough Bridge

Page VI-185, Table VI-14 (Comparison of the Significant and Unavoidable Impacts of Variant 2: No Stadium, Relocation of Housing to Each of the Alternatives) has been revised (only those rows where there are changes are shown)

[NOTE: This table has been revised at the request of City/Agency staff to correct a typographical error.]

Table VI-14 Comparison of the Significant and Unavoidable Impacts of Variant 2: No Stadium, Relocation of Housing to Each of the Alternatives [Revised]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
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TRANSPORTATION

The Housing Variant would result in construction-related transportation impacts in the Housing Variant vicinity due to construction vehicle traffic and roadway construction and would contribute to cumulative construction impacts in the Housing Variant vicinity.

Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Implementation of the Housing Variant would cause an increase in traffic that would be substantial relative to the existing and proposed capacity of the street system, and result in significant and unavoidable impacts.

Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

The Housing Variant would result in significant impacts and would contribute to significant cumulative impacts at intersections in the Housing Variant vicinity where no feasible traffic mitigation measures have been identified.

Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

At the intersection of Tunnel/Blanken, the Housing Variant would result in significant Project AM peak hour traffic impacts, and contribute to cumulative PM peak hour traffic impacts, for which a feasible mitigation measure has been identified. The identified mitigation measure would improve traffic operations, but not to acceptable levels of service.

Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Housing Variant contributions at some study area intersections that would operate at LOS E or LOS F under 2030 No Project conditions were determined to be significant, and no feasible mitigation measures have been identified.

Significance of Alternative Compared to Variant	=	≤	≤	≤	≤
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

...

The Housing Variant would result in significant traffic spillover impacts and contribute to cumulative traffic spillover impacts. The identified mitigation measures would reduce, but not avoid, traffic spillover impacts.

Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

...

Table VI-14 Comparison of the Significant and Unavoidable Impacts of Variant 2: No Stadium, Relocation of Housing to Each of the Alternatives [Revised]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
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AIR QUALITY

Operation of the Housing Variant would violate BAAQMD CEQA significance thresholds for mass criteria pollutant emissions from mobile and area sources and contribute substantially to an existing or projected air quality violation at full build-out in the year 2029.

Significance of Alternative Compared to Variant	<	=	≤	≤	≤
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU

NOISE

...

Construction activities associated with the Housing Variant would result in a substantial temporary or periodic increase in ambient noise levels.

Significance of Alternative Compared to Variant	<	=	≤	≤	=
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU

Operation of the Housing Variant would generate increased local traffic volumes that would cause a substantial permanent increase in ambient noise levels in existing residential areas along the major Project site access routes.

Significance of Alternative Compared to Variant	<	=	≤	≤	≤
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU

...

< Alternative does lessen the severity of the impact

> Alternative increases the severity of the impact

= Alternative impact is similar to the Project impact

NI = No Impact

LTS = Less-Than-Significant impact

SU = Significant and Unavoidable Impact

a. No Project

b. CP-HPS Phase II Development Plan, HPS Phase II Stadium, State Parks Agreement, and without the Yosemite Slough Bridge

c. Reduced CP-HPS Phase II Development, San Francisco 49ers Stay at Existing Candlestick Park Stadium, with Limited State Parks Agreement, and Yosemite Slough Bridge Serving Only Transit, Bicycles, and Pedestrians

d. Reduced CP-HPS Phase II Development; Historic Preservation; State Parks Agreement; No HPS Phase II Stadium, no State Parks Agreement, and without the Marina, or Yosemite Slough Bridge

e. Reduced CP-HPS Phase II Development, No HPS Phase II Stadium, No State Parks Agreement, and without the Yosemite Slough Bridge

Page VI-194, new Table VI-14a (Comparison of the Significant and Unavoidable Impacts of Variant 2A: Housing/R&D Variant to Each of the Alternatives) has been inserted (for readability, text is not underlined)

[NOTE: This table has been inserted to include information concerning Variant 2A.]

Table VI-14a Comparison of the Significant and Unavoidable Impacts of Variant 2A: Housing/R&D Variant, No Stadium, Relocation of Housing, Additional R&D to Each of the Alternatives [New]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
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TRANSPORTATION

The Housing/R&D Variant would result in construction-related transportation impacts in the Housing/R&D Variant vicinity due to construction vehicle traffic and roadway construction and would contribute to cumulative construction impacts in the Housing/R&D Variant vicinity.

Significance of Alternative Compared to Variant	<	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU

Implementation of the Housing/R&D Variant would cause an increase in traffic that would be substantial relative to the existing and proposed capacity of the street system, and result in significant and unavoidable impacts.

Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

The Housing/R&D Variant would result in significant impacts and would contribute to significant cumulative impacts at intersections in the Housing/R&D Variant vicinity where no feasible traffic mitigation measures have been identified.

Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

At the intersection of Tunnel/Blanken, the Housing/R&D Variant would result in significant Project AM peak hour traffic impacts, and contribute to cumulative PM peak hour traffic impacts, for which a feasible mitigation measure has been identified. The identified mitigation measure would improve traffic operations, but not to acceptable levels of service.

Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Housing/R&D Variant contributions at some study area intersections that would operate at LOS E or LOS F under 2030 No Project conditions were determined to be significant, and no feasible mitigation measures have been identified.

Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

The Housing/R&D Variant's contributions at the intersections of Geneva/US-101 Southbound Ramps and Harney/US-101 Northbound Ramps, which would operate at LOS F under 2030 No Project conditions, were determined to be significant, and a mitigation measure has been identified to avoid this impact. However, implementation of mitigation measure MM TR-6 is uncertain, and this impact would remain significant.

Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Table VI-14a Comparison of the Significant and Unavoidable Impacts of Variant 2A: Housing/R&D Variant, No Stadium, Relocation of Housing, Additional R&D to Each of the Alternatives [New]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
Housing/R&D Variant contributions at the intersections of Bayshore/Geneva, which would operate at LOS F under 2030 No Project conditions, were determined to be significant, and a mitigation measure has been identified to avoid this impact. However, implementation of mitigation measure MM TR-8 is uncertain, and this impact would remain significant.					
Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
The Housing/R&D Variant would result in significant traffic spillover impacts and contribute to cumulative traffic spillover impacts. The identified mitigation measures would reduce, but not avoid, traffic spillover impacts.					
Significance of Alternative Compared to Variant	<	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
The Housing/R&D Variant would contribute to significant traffic impacts on freeway conditions.					
Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
The Housing/R&D Variant would result in significant impacts at four freeway on-ramp locations. No feasible traffic mitigation is available.					
Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
The Housing/R&D Variant would contribute to significant cumulative traffic impacts at freeway ramp locations. No feasible traffic mitigation is available.					
Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
The Housing/R&D Variant would result in significant impacts related to freeway diverge queue storage at the Harney/US-101 Northbound Off-ramp. Mitigation measure MM TR-6 has been identified to avoid this impact, but its implementation is uncertain. Therefore, this impact would remain significant.					
Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
The Housing/R&D Variant would contribute to significant cumulative traffic impacts related to freeway diverge queue storage at some off-ramp locations. Mitigation measure MM TR-6 has been identified to avoid this impact at the US-101 Northbound off-ramp to Harney Way, and US-101 Southbound Off-ramp to Harney Way/Geneva Avenue. However, implementation is uncertain. For the other ramps, no feasible mitigations have been identified. Therefore, this impact would remain significant.					
Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Table VI-14a Comparison of the Significant and Unavoidable Impacts of Variant 2A: Housing/R&D Variant, No Stadium, Relocation of Housing, Additional R&D to Each of the Alternatives [New]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
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The Housing/R&D Variant would increase congestion and contribute to cumulative conditions at intersections along San Bruno Avenue, which would increase travel times and impact operations of the 9-San Bruno. Implementation of mitigation measures MM TR-21.1 and MM TR-21.2 could reduce impacts to transit operations. However, since feasibility of MM TR-21.1 is uncertain, and since MM TR-21.2, without MM TR-21.1, would reduce, but not completely avoid, impacts on the 9-San Bruno, Project impacts and Project contributions to cumulative impacts on the 9-San Bruno would remain significant.

Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

The Housing/R&D Variant would increase congestion and contribute to cumulative conditions at intersections, which would increase travel times and impact transit operations of the 23-Monterey, 24-Divisadero, and the 44-O'Shaughnessy. Feasibility of mitigation measures is unclear or would not completely avoid impacts.

Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

The Housing/R&D Variant would increase congestion at intersections along Gilman Avenue and Paul Avenue, which would increase travel times and would impact operations of the 29-Sunset. Implementation of mitigation measures MM TR-23.1 and MM TR-23.2 would reduce impacts to transit operations. However, since feasibility of MM TR-23.1 is uncertain, and since MM TR-23.2, without MM TR-23.1, would reduce, but not completely avoid, impacts on the 29-Sunset, Project impacts and Project contributions to cumulative impacts on the 29-Sunset would remain significant.

Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

The Housing/R&D Variant would increase congestion at intersections along Evans Avenue, which would increase travel times and impact operations of the 48-Quintara-24th Street. Implementation of mitigation measures MM TR-24.1 and MM TR-24.2 would reduce impacts to transit operations. However, since feasibility of MM TR-24.1 is uncertain, and since MM TR-24.2, without MM TR-24.1, would reduce, but not completely avoid, impacts on the 48-Quintara-24th Street, Housing/R&D Variant impacts and Housing/R&D Variant contributions to cumulative impacts on the 48-Quintara-24th Street would remain significant.

Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

The Housing/R&D Variant would increase congestion at intersections in the study area, and make a considerable contribution to cumulative impacts that would increase travel times and impact operations of the 54-Felton. Implementation of mitigation measure MM TR-25 would reduce, but not avoid impacts.

Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Table VI-14a Comparison of the Significant and Unavoidable Impacts of Variant 2A: Housing/R&D Variant, No Stadium, Relocation of Housing, Additional R&D to Each of the Alternatives [New]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
<p>The Housing/R&D Variant would increase congestion at intersections along Third Street, and make a considerable contribution to cumulative impacts that would increase travel times and impact operations of the T-Third. Implementation of mitigation measures MM TR-26.1 and MM TR-26.2 would reduce impacts to transit operations. However, since feasibility of MM TR-26.1 is uncertain, and since MM TR-26.2, without MM TR-26.1, would reduce, but not completely avoid, impacts on the T-Third, Project impacts and Project contributions to cumulative impacts on the T-Third would remain significant.</p>					
Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<p>The Housing/R&D Variant would increase congestion at the intersection of Geneva Avenue and Bayshore Boulevard. This would increase travel times and impact operations of the 28L-19th Avenue/Geneva Limited. Implementation of mitigation measures MM TR-27.1 and MM TR-27.2 would reduce impacts to transit operations. However, since feasibility of MM TR-27.1 is uncertain, and since MM TR-27.2, without MM TR-27.1, would reduce, but not completely avoid, impacts on the 28L-19th Avenue/Geneva Limited, Project impacts and Project contributions to cumulative impacts on the 28L-19th Avenue/Geneva Limited would remain significant.</p>					
Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<p>The Housing/R&D Variant would increase congestion on US-101 mainline and ramps, which would increase travel times and impact operations of the 9X, 9AX, 9BX-Bayshore Expresses, and 14X-Mission Express. The Project would also contribute to cumulative impacts on these transit routes on US-101.</p>					
Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<p>The Housing/R&D Variant would increase congestion and contribute to cumulative congestion on US-101 and on Bayshore Boulevard, which would increase travel times and adversely affect operations of SamTrans bus lines on these facilities.</p>					
Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<p>The Housing/R&D Variant's proposed transit preferential treatments and significant increases in traffic volumes on Palou Avenue would result in impacts on bicycle travel on Bicycle Routes #70 and #170 between Griffith Street and Third Street. The effectiveness of mitigation is uncertain. Therefore, the impact would remain significant.</p>					
Significance of Alternative Compared to Variant	<	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
<p>For as many as 12 times a year 49ers games at the proposed stadium would result in significant impacts on study area roadways and intersections. Implementation of mitigation measure MM TR-38 would lessen game-day impacts; however, traffic impacts would remain significant.</p>					
Significance of Alternative Compared to Variant	=	=	=	<	<
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/NI	SU/NI

Table VI-14a Comparison of the Significant and Unavoidable Impacts of Variant 2A: Housing/R&D Variant, No Stadium, Relocation of Housing, Additional R&D to Each of the Alternatives [New]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
The existing game day service and transit improvements would not be adequate to accommodate projected transit demand. Implementation of mitigation measure MM TR-39 would reduce game-day impacts on transit capacity; however, traffic impacts on transit operations would remain significant.					
Significance of Alternative Compared to Variant	=	=	=	<	<
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/NI	SU/NI
Weekday evening secondary events at the stadium would result in increased congestion at intersections, freeway mainline, and freeway ramps already operating at unacceptable LOS under Project conditions without a secondary event, and result in significant impacts at nine additional intersections and one additional freeway off-ramp. Implementation of mitigation measure MM TR-46 would reduce but not avoid impacts.					
Significance of Alternative Compared to Variant	<	=	<	<	<
Level of Significance after Mitigation (Variant/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/NI
The existing transit service and Housing/R&D Variant improvements would not be adequate to accommodate projected transit demand during secondary events with attendance of 37,500 spectators. In addition, transit lines serving the area would experience additional delays due to traffic generated by the secondary event.					
Significance of Alternative Compared to Variant	<	=	<	<	<
Level of Significance after Mitigation (Variant/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/NI
Weekday evening events at the arena would exacerbate congestion at intersections, freeway mainline, and freeway ramps already operating at unacceptable LOS under Housing/R&D Variant conditions without an arena event, and result in significant traffic impacts at Harney Way and Jamestown Avenue, which was operating acceptably under Housing/R&D Variant conditions without an arena event. Mitigation measure MM TR-51 would reduce but not avoid impacts.					
Significance of Alternative Compared to Variant	<	=	<	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/NI	SU/SU	SU/NI	SU/SU	SU/SU
Sell-out weekday evening events at the arena could impact existing and proposed transit service.					
Significance of Alternative Compared to Variant	<	=	<	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/NI	SU/SU	SU/NI	SU/SU	SU/SU
AIR QUALITY					
Operation of the Housing/R&D Variant would violate BAAQMD CEQA significance thresholds for mass criteria pollutant emissions from mobile and area sources and contribute substantially to an existing or projected air quality violation at full build-out.					
Significance of Alternative Compared to Variant	<	=	<	<	<
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU

Table VI-14a Comparison of the Significant and Unavoidable Impacts of Variant 2A: Housing/R&D Variant, No Stadium, Relocation of Housing, Additional R&D to Each of the Alternatives [New]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
NOISE					
Construction of the Housing/R&D Variant would create excessive groundborne vibration levels in existing residential neighborhoods adjacent to the Project site and at proposed on-site residential uses should the latter be occupied before construction activity on adjacent parcels is complete. Although the construction vibration impacts would be temporary, would not occur during recognized sleep hours, and would be consistent with the requirements for construction activities that exist in Sections 2907 and 2908 of the <i>Municipal Code</i> , vibration levels would still be significant.					
Significance of Alternative Compared to Variant	=	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
Construction activities associated with the Housing/R&D Variant would result in a substantial temporary or periodic increase in ambient noise levels.					
Significance of Alternative Compared to Variant	<	=	<	<	=
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
Operation of the Housing/R&D Variant would generate increased local traffic volumes that would cause a substantial permanent increase in ambient noise levels in existing residential areas along the major Project site access routes.					
Significance of Alternative Compared to Variant	<	=	<	<	<
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
Noise during football games and concerts at the proposed stadium would result in temporary increases in ambient noise levels that could adversely affect surrounding residents for the duration of a game or concert.					
Significance of Alternative Compared to Variant	=	>	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	NI/NI	NI/SU	NI/NI	NI/NI	NI/NI

CULTURAL RESOURCES

The Housing/R&D Variant would result in a substantial adverse change in the significance of a historical resource. Implementation of mitigation measure MM CP-3b would reduce the impact, but not to a less-than-significant level. The impact would be significant and unavoidable.

Significance of Alternative Compared to Variant	<	=	=	<	=
Level of Significance after Mitigation (Variant/Alternative)	SU/NI	SU/SU	SU/SU	SU/LTS	SU/SU

Table VI-14a Comparison of the Significant and Unavoidable Impacts of Variant 2A: Housing/R&D Variant, No Stadium, Relocation of Housing, Additional R&D to Each of the Alternatives [New]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
--	---	--	---	--	--

< Alternative does lessen the severity of the impact
 > Alternative increases the severity of the impact
 = Alternative impact is similar to the Project impact
 NI = No Impact
 LTS = Less-Than-Significant impact
 SU = Significant and Unavoidable Impact

- a. No Project
- b. CP-HPS Phase II Development Plan, HPS Phase II Stadium, State Parks Agreement, and without the Yosemite Slough Bridge
- c. Reduced CP-HPS Phase II Development, San Francisco 49ers Stay at Existing Candlestick Park Stadium, with Limited State Parks Agreement, and Yosemite Slough Bridge Serving Only Transit, Bicycles, and Pedestrians
- d. Reduced CP-HPS Phase II Development; Historic Preservation; State Parks Agreement: No HPS Phase II Stadium, Marina, or Yosemite Slough Bridge
- e. Reduced CP-HPS Phase II Development, No HPS Phase II Stadium, No State Parks Agreement, and without the Yosemite Slough Bridge

Page VI-194, Table VI-15 (Comparison of the Significant and Unavoidable Impacts of Variant 3: Candlestick Point Tower to Each of the Alternatives) has been revised (only those rows where there are changes are shown)

[NOTE: This table has been revised at the request of City/Agency staff to correct a typographical error.]

Table VI-15 Comparison of the Significant and Unavoidable Impacts of Variant 3: Candlestick Point Tower to Each of the Alternatives [Revised]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
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TRANSPORTATION

The Tower Variants would result in construction-related transportation impacts in the Variant vicinity due to construction vehicle traffic and roadway construction and would contribute to cumulative construction impacts in the Variant vicinity. Mitigation measure MM TR-1 would reduce but not avoid construction-related transportation impacts during construction activities. Therefore, construction transportation impacts would remain significant.

Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Implementation of the Tower Variants would cause an increase in traffic that would be substantial relative to the existing and proposed capacity of the street system, and result in significant and unavoidable impacts. Although implementation of a Travel Demand Management Plan was assumed in developing Variant travel demand estimates, and would be essential to ensure that impacts at additional locations do not occur, traffic congestion caused by the Variant and the Variant's contribution to cumulative impacts would still be significant.

Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Table VI-15 Comparison of the Significant and Unavoidable Impacts of Variant 3: Candlestick Point Tower to Each of the Alternatives [Revised]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
The Tower Variants would result in significant impacts and would contribute to significant cumulative impacts at intersections in the Variant vicinity where no feasible traffic mitigation measures have been identified.					
Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
At the intersection of Tunnel/Blanken, the Tower Variants would result in significant AM peak hour traffic impacts, and contribute to cumulative PM peak hour traffic impacts, for which a feasible mitigation measure has been identified. The identified mitigation measure would improve traffic operations, but not to acceptable levels of service.					
Significance of Alternative Compared to Variant	<	=	≤	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
...					
The Tower Variants would result in significant Tower Variants traffic spillover impacts and contribute to cumulative traffic spillover impacts. The identified mitigation measures would reduce, but not avoid, traffic spillover impacts.					
Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
...					

NOISE

Construction of the Tower Variants would create excessive groundborne vibration levels in existing residential neighborhoods adjacent to the Project site and at proposed on-site residential uses should the latter be occupied before construction activity on adjacent parcels is complete. Although the construction vibration impacts would be temporary, would not occur during recognized sleep hours, and would be consistent with the requirements for construction activities that exist in Sections 2907 and 2908 of the *Municipal Code*, vibration levels would still be significant.

Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Construction activities associated with the Tower Variants would result in a substantial temporary or periodic increase in ambient noise levels.

Significance of Alternative Compared to Variant	<	=	≤	≤	=
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU

Operation of the Tower Variants would generate increased local traffic volumes that would cause a substantial permanent increase in ambient noise levels in existing residential areas along the major Project site access routes.

Significance of Alternative Compared to Variant	<	=	≤	≤	=
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU

...

Table VI-15 Comparison of the Significant and Unavoidable Impacts of Variant 3: Candlestick Point Tower to Each of the Alternatives [Revised]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge All^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
< Alternative does lessen the severity of the impact					
> Alternative increases the severity of the impact					
= Alternative impact is similar to the Project impact					
NI = No Impact					
LTS = Less-Than-Significant impact					
SU = Significant and Unavoidable Impact					
a. No Project					
b. CP-HPS Phase II Development Plan, HPS Phase II Stadium, State Parks Agreement, and without the Yosemite Slough Bridge					
c. Reduced CP-HPS Phase II Development, San Francisco 49ers Stay at Existing Candlestick Park Stadium, with Limited State Parks Agreement, and Yosemite Slough Bridge Serving Only Transit, Bicycles, and Pedestrians					
d. Reduced CP-HPS Phase II Development; <u>Historic Preservation; State Parks Agreement; No</u> HPS Phase II Stadium, <u>no</u> State Parks Agreement, and without the <u>Marina, or</u> Yosemite Slough Bridge					
e. Reduced CP-HPS Phase II Development, No HPS Phase II Stadium, No State Parks Agreement, and without the Yosemite Slough Bridge					

Page VI-201, Table VI-16 (Comparison of the Significant and Unavoidable Impacts of Variant 4: Utilities to Each of the Alternatives) has been revised (only those rows where there are changes are shown)

[NOTE: This table has been revised at the request of City/ Agency staff to correct a typographical error.]

Table VI-16 Comparison of the Significant and Unavoidable Impacts of Variant 4: Utilities to Each of the Alternatives [Revised]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge All^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
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TRANSPORTATION

The Utilities Variant would result in construction-related transportation impacts in the Utilities Variant vicinity due to construction vehicle traffic and roadway construction and would contribute to cumulative construction impacts in the Utilities Variant vicinity. Mitigation measure MM TR-1 would reduce but not avoid construction-related transportation impacts during construction activities. Therefore, construction transportation impacts would remain significant.

Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Implementation of the Utilities Variant would cause an increase in traffic that would be substantial relative to the existing and proposed capacity of the street system, and result in significant and unavoidable impacts. Although implementation of a Travel Demand Management Plan was assumed in developing Utilities Variant travel demand estimates, and would be essential to ensure that impacts at additional locations do not occur, traffic congestion caused by the Utilities Variant and the Utilities Variant's contribution to cumulative impacts would still be significant.

Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Table VI-16 Comparison of the Significant and Unavoidable Impacts of Variant 4: Utilities to Each of the Alternatives [Revised]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
The Utilities Variant would result in significant impacts and would contribute to significant cumulative impacts at intersections in the Variant vicinity where no feasible traffic mitigation measures have been identified.					
Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
At the intersection of Tunnel/Blanken, the Utilities Variant would result in significant AM peak hour traffic impacts, and contribute to cumulative PM peak hour traffic impacts, for which a feasible mitigation measure has been identified. The identified mitigation measure would improve traffic operations, but not to acceptable levels of service.					
Significance of Alternative Compared to Variant	<	=	≤	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
...					
The Utilities Variant would result in significant Variant traffic spillover impacts and contribute to cumulative traffic spillover impacts. The identified mitigation measures would reduce, but not avoid, traffic spillover impacts.					
Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
...					

AIR QUALITY

Operation of the Utilities Variant would violate BAAQMD CEQA significance thresholds for mass criteria pollutant emissions from mobile and area sources and contribute substantially to an existing or projected air quality violation at full build-out in the year 2029.

Significance of Alternative Compared to Variant	<	=	≤	≤	=
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SUSU	SU/SU	SU/SU

NOISE

Construction of the Utilities Variant would create excessive groundborne vibration levels in existing residential neighborhoods adjacent to the Project site and at proposed on-site residential uses should the latter be occupied before construction activity on adjacent parcels is complete. Although the construction vibration impacts would be temporary, would not occur during recognized sleep hours, and would be consistent with the requirements for construction activities that exist in Sections 2907 and 2908 of the *Municipal Code*, vibration levels would still be significant.

Significance of Alternative Compared to Variant	≤	=	≤	≤	≤
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
Construction activities associated with the Utilities Variant would result in a substantial temporary or periodic increase in ambient noise levels.					
Significance of Alternative Compared to Variant	<	=	≤	≤	=
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU

Table VI-16 Comparison of the Significant and Unavoidable Impacts of Variant 4: Utilities to Each of the Alternatives [Revised]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge All^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
--	---	--	---	--	--

Operation of the Utilities Variant would generate increased local traffic volumes that would cause a substantial permanent increase in ambient noise levels in existing residential areas along the major Project site access routes.

Significance of Alternative Compared to Variant	<	=	≤	≤	≤
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU

...

< Alternative does lessen the severity of the impact

> Alternative increases the severity of the impact

= Alternative impact is similar to the Project impact

NI = No Impact

LTS = Less-Than-Significant impact

SU = Significant and Unavoidable Impact

a. No Project

b. CP-HPS Phase II Development Plan, HPS Phase II Stadium, State Parks Agreement, and without the Yosemite Slough Bridge

c. Reduced CP-HPS Phase II Development, San Francisco 49ers Stay at Existing Candlestick Park Stadium, with Limited State Parks Agreement, and Yosemite Slough Bridge Serving Only Transit, Bicycles, and Pedestrians

d. Reduced CP-HPS Phase II Development, Historic Preservation, State Parks Agreement, No HPS Phase II Stadium, ~~no State Parks Agreement, and without the Marina, or~~ Yosemite Slough Bridge

e. Reduced CP-HPS Phase II Development, No HPS Phase II Stadium, No State Parks Agreement, and without the Yosemite Slough Bridge

Page VI-208, Table VI-17 (Comparison of the Significant and Unavoidable Impacts of Variant 5: 49ers/Raiders Shared Stadium to Each of the Alternatives) has been revised (only those rows where there are changes are shown)

[NOTE: This table has been revised at the request of City/Agency staff to correct a typographical error.]

Table VI-17 Comparison of the Significant and Unavoidable Impacts of Variant 5: 49ers/Raiders Shared Stadium to Each of the Alternatives [Revised]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge All^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
--	---	--	---	--	--

TRANSPORTATION

The 49ers/Shared Stadium Variant would result in construction-related transportation impacts in the 49ers/Shared Stadium Variant vicinity due to construction vehicle traffic and roadway construction and would contribute to cumulative construction impacts in the 49ers/Shared Stadium Variant vicinity. Mitigation measure MM TR-1 would reduce but not avoid construction-related transportation impacts during construction activities. Therefore, construction transportation impacts would remain significant.

Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

Table VI-17 Comparison of the Significant and Unavoidable Impacts of Variant 5: 49ers/Raiders Shared Stadium to Each of the Alternatives [Revised]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge Alt^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
Implementation of the 49ers/Shared Stadium Variant would cause an increase in traffic that would be substantial relative to the existing and proposed capacity of the street system, and result in significant and unavoidable impacts. Although implementation of a Travel Demand Management Plan was assumed in developing 49ers/Shared Stadium Variant travel demand estimates, and would be essential to ensure that impacts at additional locations do not occur, traffic congestion caused by the 49ers/Shared Stadium Variant and the 49ers/Shared Stadium Variant's contribution to cumulative impacts would still be significant.					
Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
The 49ers/Shared Stadium Variant would result in significant impacts and would contribute to significant cumulative impacts at intersections in the Variant vicinity where no feasible traffic mitigation measures have been identified.					
Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
At the intersection of Tunnel/Blanken, the 49ers/Shared Stadium Variant would result in significant AM peak hour traffic impacts, and contribute to cumulative PM peak hour traffic impacts, for which a feasible mitigation measure has been identified. The identified mitigation measure would improve traffic operations, but not to acceptable levels of service.					
Significance of Alternative Compared to Variant	<	=	≤	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
...					
The 49ers/Shared Stadium Variant would result in significant Variant traffic spillover impacts and contribute to cumulative traffic spillover impacts. The identified mitigation measures would reduce, but not avoid, traffic spillover impacts.					
Significance of Alternative Compared to Variant	≤	=	=	=	=
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
...					
For as many as 24 times a year 49ers/Raiders games at the proposed stadium would result in significant impacts on study area roadways and intersections. Implementation of mitigation measure MM TR-38 would lessen game-day impacts; however, traffic impacts would remain significant.					
Significance of Alternative Compared to Variant	<	≤	<	<	<
Level of Significance after Mitigation (Variant/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/NI
The existing game day service and 49ers/Shared Stadium Variant transit improvements would not be adequate to accommodate projected transit demand. Implementation of mitigation measure MM TR-39 would reduce game-day impacts on transit capacity; however, traffic impacts on transit operations would remain significant.					
Significance of Alternative Compared to Variant	<	≤	<	<	<
Level of Significance after Mitigation (Variant/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/NI
...					

Table VI-17 Comparison of the Significant and Unavoidable Impacts of Variant 5: 49ers/Raiders Shared Stadium to Each of the Alternatives [Revised]

	<i>Alternative 1 No Project^a</i>	<i>Alternative 2 No Bridge All^b</i>	<i>Alternative 3 49ers at Candlestick^c</i>	<i>Alternative 4 Lesser Build with Historic Preservation^d</i>	<i>Alternative 5 No Park Agreement^e</i>
AIR QUALITY					
Operation of the 49ers/Shared Stadium Variant would violate BAAQMD CEQA significance thresholds for mass criteria pollutant emissions from mobile and area sources and contribute substantially to an existing or projected air quality violation at full build-out in the year 2029.					
Significance of Alternative Compared to Variant	<	≤	≤	≤	≤
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
NOISE					
Construction of the 49ers/Shared Stadium Variant would create excessive groundborne vibration levels in existing residential neighborhoods adjacent to the Project site and at proposed on-site residential uses should the latter be occupied before construction activity on adjacent parcels is complete. Although the construction vibration impacts would be temporary, would not occur during recognized sleep hours, and would be consistent with the requirements for construction activities that exist in Sections 2907 and 2908 of the <i>Municipal Code</i> , vibration levels would still be significant.					
Significance of Alternative Compared to Variant	≤	=	≤	≤	≤
Level of Significance after Mitigation (Variant/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
Construction activities associated with the 49ers/Shared Stadium Variant would result in a substantial temporary or periodic increase in ambient noise levels.					
Significance of Alternative Compared to Variant	<	=	≤	≤	=
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
Operation of the 49ers/Raiders Shared Stadium Variant would generate increased local traffic volumes that would cause a substantial permanent increase in ambient noise levels in existing residential areas along the major Project site access routes.					
Significance of Alternative Compared to Variant	<	=	≤	≤	≤
Level of Significance after Mitigation (Variant/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU

...

- < Alternative does lessen the severity of the impact
- > Alternative increases the severity of the impact
- = Alternative impact is similar to the Project impact
- NI = No Impact
- LTS = Less-Than-Significant impact
- SU = Significant and Unavoidable Impact
- a. No Project
- b. CP-HPS Phase II Development Plan, HPS Phase II Stadium, State Parks Agreement, and without the Yosemite Slough Bridge
- c. Reduced CP-HPS Phase II Development, San Francisco 49ers Stay at Existing Candlestick Park Stadium, with Limited State Parks Agreement, and Yosemite Slough Bridge Serving Only Transit, Bicycles, and Pedestrians
- d. Reduced CP-HPS Phase II Development; Historic Preservation; State Parks Agreement; No HPS Phase II Stadium, ~~no State Parks Agreement, and without the Marina or Yosemite Slough Bridge~~
- e. Reduced CP-HPS Phase II Development, No HPS Phase II Stadium, No State Parks Agreement, and without the Yosemite Slough Bridge

F.32 Changes to Chapter VIII (Acronyms/Abbreviations and Glossary)

Pages VIII-1 through -13

[NOTE: The acronyms/abbreviations table has been revised to add new acronyms included in responses to comments.]

Acronym/ Abbreviation	Definition
AAQS	Ambient Air Quality Standards
AB	Assembly Bill
AB 32	California Global Warming Solutions Act of 2006
ABAG	Association of Bay Area Governments
ACB	Articulated Concrete Block
ACBM	Asbestos Containing Building Materials
ACORN	Association of Community Organizations for Reform Now
ADA	American Disabilities Act
ADMP	Asbestos Dust Mitigation Plan
ADRP	Archaeological Data Recovery Plan
AEP	Association of Environmental Professionals
AERMOD	American Meteorological Society/Environmental Protection Agency Regulatory Model
Agency	San Francisco Redevelopment Agency
Agency Commission	San Francisco Redevelopment Agency Commission
AGO	California Attorney General's Office
ALS	Advanced Life Support
AMI	Area Median Income
AMP	Archaeological Monitoring Program
ANSI	American National Standards Institute
AOC	Administrative Order of Consent
ARB	California Air Resources Board
<u>ARDTP</u>	<u>Agency for Toxic Substances and Disease Registry</u>
<u>ARIC</u>	<u>Area Requiring Institutional Controls</u>
AST	Above-Ground Storage Tank
AT&T Park	San Francisco Giants Ballpark
ATCM	Asbestos Airborne Toxic Control Measure
ATP	Archaeological Testing Plan
ATSDR	Agency for Toxic Substances and Disease Registry
AWSC	All-Way Stop Controlled
AWSS	Auxiliary Water Supply System
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
Basin Plan	San Francisco Bay Basin Water Quality Control Plan
BASMAA	Bay Area Stormwater Management Agencies Association
BAT	Best Available Technology Economically Achievable
BAU	Business as Usual
Bay	San Francisco Bay
Bay Area	San Francisco Bay Area

Acronym/ Abbreviation	Definition
Bay Plan	San Francisco Bay Plan
Bay Trail	San Francisco Bay Trail
Bay Trail Plan	San Francisco Bay Trail Plan
<u>BayCAMP</u>	<u>Bayview Community Air Monitoring Project</u>
BCDC	San Francisco Bay Conservation and Development Commission
BCT	Best Conventional Pollutant Control Technology
BERA	Baseline Ecological Risk Assessment
BFE	Base Flood Elevation
BIT	Bayview Industrial Triangle
BLIP	Branch Library Improvement Program
BLS	Basic Life Support
BMPs	Best Management Practices
Board of Supervisors	San Francisco Board of Supervisors
BOE	Bureau of Engineering
Boundaries Analysis	San Francisco Police Department District Station Boundaries Analysis
BRAC	Base Realignment and Closure
Brisbane Baylands North	Brisbane Baylands Future Phase Area
Brisbane Baylands South	Brisbane Baylands Phase I Specific Plan Area
BRT	Bus Rapid Transit
BTI	Bayview Transportation Improvements
BTIP	Bayview Transportation Improvements Project
BVHP	Bayview Hunters Point
BVHP Area Plan	Bayview Hunters Point Area Plan
BVHP Redevelopment Plan	Bayview Hunters Point Redevelopment Plan
BWWF	Bayside Wet Weather Facilities
C&D	Construction and Demolition
<u>C&R</u>	<u>Comment and Response</u>
C-1 Baylands	Commercial Mixed-Use Zoning District
C ₂ F ₆	PFC: Hexafluoroethane
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAC	Citizens Advisory Committee
CAFE	Corporate Average Fuel Economy
Cal/EPA	California Environmental Protection Agency
Cal/OSHA	California Department of Occupational Safety and Health Administration
Caltrans	California Department of Transportation
CAP	Climate Action Plan (as used in the Greenhouse Gas Emissions section)
CAP	Corrective Action Plan
CAPCOA	California Air Pollution Control Officers Association
CARE	Community Air Risk Evaluation
CAT	Climate Action Team
CBC	California Building Code
CCAR	California Climate Action Registry
CCBA	Core Community Benefits Agreement
<u>CCCC</u>	<u>California Climate Change Center</u>

Acronym/ Abbreviation	Definition
CCR	California Code of Regulations
CCSF	City and County of San Francisco
<u>CCTA</u>	<u>Contra Costa Transportation Authority</u>
CDC	Centers for Disease Control
CDFG	California Department of Fish and Game
CDPH	California Department of Public Health
CDPR	California Department of Parks and Recreation
CEC	California Energy Commission
CEG	Certified Engineering Geologist
Central Bay	San Francisco Bay Central
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Cleanup and Liability Act
CESA	California Endangered Species Act of 1984
CEUS	California Commercial End-Use Survey
CF ₄	PFC: Tetrafluoromethane
CFCs	Chlorofluorocarbons
<u>CFD</u>	<u>Community Facilities District</u>
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH ₄	Methane
CHP	California Highway Patrol
CIE	Cultural/Institutional/Educational
City	City and County of San Francisco
CIWMB	California Integrated Waste Management Board
CMP	Congestion Management Program
CMTF	Construction Management Traffic Plan
CNDDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CNRA	California Natural Resources Agency
CO	Carbon Monoxide
CO ₂	Carbon Dioxide
CO _{2e}	Carbon Dioxide Equivalent
COG	Council of Governments
Concept Plan	Bayview Hunters Point Community Revitalization Concept Plan
Construction General Permit	NPDES General Permit for Storm Water Discharges Associated with Construction Activity
Corps	United States Army Corps of Engineers
CP	Candlestick Point
CP-HPS Phase II	Candlestick Point–Hunters Point Shipyard Phase II
CPSRA	Candlestick Point State Recreation Area
CPSRA General Plan	Candlestick Point State Recreation Area General Plan
CPUC	California Public Utilities Commission
CPX	Candlestick Point Downtown Express
CRHR	California Register of Historic Resources
<u>CSLC</u>	<u>California State Lands Commission</u>

Acronym/ Abbreviation	Definition
CSMP	Construction Site Monitoring Program
CSO	Combined Sewer Overflow
<u>CTC</u>	<u>California Transportation Commission</u>
CTMP	Construction Transportation Management Plan
CTTP 2000	Census 2000 Transportation Planning Package
CWA	Clean Water Act of 1977
CY	Cubic Yards
D4D	Design for Development
<u>dBA</u>	<u>A-weighted decibel scale</u>
DBH	Diameter at Breast Height
DBI	Department of Building Inspection
DCP	Dust Control Plan
DDA	Disposition and Development Agreement
DDC	Deep Dynamic Compaction
DDT	Dichloro-diphenyl-trichloroethane
<u>DEIS</u>	<u>Draft Environmental Impact Statement</u>
Demand Report	2004 San Francisco Retail Water Demands and Conservation Potential Report
DHS	California Department of Health Services
DMMO	Dredged Material Management Office
DOD	Department of Defense
DOE	United States Department of Energy
DOT	United States Department of Transportation
DPH	Department of Public Health
DPM	Diesel Particulate Matter
DPR	California Department of Parks and Recreation
DPS	Distinct Population Segment
DPW	Department of Public Works
DTSC	California Department of Toxic Substances Control
Dust Ordinance	Construction Dust Control Ordinance
DWR	Department of Water Resources
EAM	Early Action Measure
eb	East Bound
<u>EC</u>	<u>Elemental carbon</u>
EE	Environmental Evaluation
EFH	Essential Fish Habitat
<u>EHS</u>	<u>Electromagnetic hypersensitivity</u>
EHSP	Environmental Health and Safety Plan
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EISA	Energy Independence and Security Act of 2007
EMFAC	Emission Factor Model
EMS	Emergency Medical Services
EMS	Environmental Management System (as used in the Utilities section)
ENA	Exclusive Negotiations Agreement
ENVIRON	ENVIRON International Corporation

Acronym/ Abbreviation	Definition
EPA	United States Environmental Protection Agency
ERA	Ecological Risk Assessment
ERM	Effects Range Median
ERO	Environmental Review Officer
ESA	Environmental Site Assessment (as used in the Hazards and Hazardous Materials section)
ESA	Endangered Species Act (as used in the Biological Resources section)
ESCP	Erosion and Sediment Control Plan
ESUs	Evolutionary Significant Units
ETCA	Early Transfer Cooperation Agreement
F	Fahrenheit
FAA	Federal Aviation Administration
FAC	Facultative
FACW	Facultative Wetland
FARR	Final Archaeological Resources Report
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act of 1973
FFA	Federal Facilities Agreement
FHWA	Federal Highway Administration
Findings	Findings of Fact
FIRM	Flood Insurance Rate Map
FMP	Fisheries Management Plan
FOSET	Finding of Suitability for Early Transfer
FOSL	Finding of Suitability to Lease
FOST	Finding of Suitability Transfer
FS	Feasibility Study
FTA	Federal Transit Administration
FTE	Full-time Equivalent
g	Gravity
<u>GCMs</u>	<u>General Circulation Models</u>
GE	California Registered Geotechnical Engineer
General Plan	San Francisco General Plan
Geomatrix	Geomatrix Consultants, Inc.
GGBHTD	Golden Gate Bridge, Highway, and Transportation District
GGNRA	Golden Gate National Recreation Area
GHG	Greenhouse Gas
GIS	Geographic Information Systems
<u>GMP</u>	<u>Gas Monitoring Probe</u>
GP Guidelines	General Plan Guidelines 2003
GPM	Gallons Per Minute
GPR	Green Point Rated
GPRC	Geotechnical Peer Review Committee
<u>GRACE</u>	<u>Gravity Recovery and Climate Experiment</u>
gsf	Gross Square Feet
GWP	Global Warming Potential
HABS	Historic American Building Survey

Acronym/ Abbreviation	Definition
HAER	Historic American Engineering Record
HASP	Health and Safety Plan
HBO	Home Based Other Trip
HBS	Home Based Shopping
HBW	Home Based Work
HCD	Housing and Community Development
HCM	Highway Capacity Manual
HCM	Highway Capacity Manual
HFCs	Hydrofluorocarbons
HHRA	Human Health Risk Assessment
HHWP	Hetch Hetchy Water and Power
HI	Hazard Index
HMBP	Hazardous Materials Business Plan
<u>HMFA</u>	<u>Housing and Fair Market Development Metro Fair Market Rent Area</u>
Housing Program	Citywide Tax Increment Housing Program
Housing Variant	Variant 2: No Stadium – Housing Variant
HOV	High Occupancy Vehicle
HPRP	Hunters Point Redevelopment Plan
HPS	Hunters Point Shipyard
HPS Phase II	Hunters Point Shipyard Phase II
HPS Redevelopment Plan	Hunters Point Shipyard Redevelopment Plan
HPX	Hunters Point Shipyard Downtown Express
HR 2764	The Consolidated Appropriations Act of 2008
HRA	Historical Radiological Assessment
<u>HRE</u>	<u>Historic Resource Evaluation</u>
<u>HSRA</u>	<u>High-Speed Rail Authority</u>
HTL	High Tide Level
HUD	US Department of Housing and Urban Development
HVAC	Heating, Ventilation, and Air Conditioning
I-280	Interstate 280
IB	India Basin
IBC	International Building Code
IBIP	India Basin Industrial Park
ICBO	International Conference of Building Officials
ICC	International Code Council
ICs	Institutional Controls
IEPR	Integrated Energy Policy Report
Industrial General Permit	NPDES General Industrial Permit for Discharges of Storm Water Associated with Industrial Activities
Interim CIP	Wastewater Enterprise Interim Capital Improvement Program
IPCC	Intergovernmental Panel on Climate Change
IR Sites	Installation Restoration Sites
IRP	Installation Restoration Program
<u>IS</u>	<u>Initial Study</u>
<u>ITE</u>	<u>Institute of Transportation Engineers</u>

Acronym/ Abbreviation	Definition
ITL	Interim Target Level
JARPA	Joint Aquatic Resources Permit Applications
JPB	The Peninsula Corridor Joint Powers Board
K	Kindergarten (as used in the Public Services section)
KJ	Franciscan Complex
Kyoto Protocol	United Nations' Framework Convention on Climate Change Agreement
lbs	pounds
LCA	Life Cycle Assessment
LCFS	Low Carbon Fuel Standard
LEED®	Leadership in Energy and Environmental Design
Lennar Urban	Lennar/Bayview Hunters Point Limited Liability Corporation
L_{eq}	Average Noise Level
LID	Low Impact Development
LIFOC	Lease in Furtherance of Conveyance
L_{max}	Highest Peak Noise
L_n	Statistical Sound Level
LOMR-F	Letter of Map Revision Based on Fill
LOS	Level of Service
Lower Bay	San Francisco Bay Lower
<u>LRT</u>	<u>Light Rail Transit</u>
LRV	Light-Rail Vehicle
LRV	Light Rail Vehicle
LTMS	Long-Term Management Strategy for the Placement of Dredged Material in the San Francisco Bay Region
LTS	Less-Than-Significant Impact
LTS/M	Less-Than-Significant Impact with Mitigation
<u>LUCRD</u>	<u>Land Use Control Remedial Designs</u>
LUPs	Linear Underground/Overhead Projects
LWCF	Land and Water Conservation Fund
LWCFA	Land and Water Conservation Fund Act of 1965
M	Moment Magnitude (as used in the Geology and Soils section)
M	Manufacturing
M-1	Light Industrial District
M-2	Heavy Industrial District
MBRs	Membrane Bioreactors
MBTA	Migratory Bird Treaty Act
MBtu	Million British Thermal Units
MC	Motor Coach
MEA	Major Environmental Analysis
MED	Medical and Health Services
MEI	Maximally Exposed Individual
MEP	Maximum Extent Practicable (as used in the Hydrology and Water Quality section)
MEP	Maximum Extent Possible (as used in the Hydrology and Water Quality section)
MGD	Million Gallons per Day

Acronym/ Abbreviation	Definition
MHW	Mean High Water
MID	Modesto Irrigation District
MIP	Management and Information Professional Services
Mitigation Monitoring Plan	Wetland and Jurisdictional Waters Mitigation Monitoring Plan
MLD	Most Likely Descendant
MLLW	Mean Lower Low Water
MM	Mitigation Measure
MMI	Modified Mercalli Intensity
MMPA	Marine Mammal Protection Act
MMRP	Mitigation Monitoring and Report Program
MMTCO ₂ E	Million Metric Tons of CO ₂ -Equivalent
MOA	Memorandum of Agreement
<u>MPH</u>	<u>Miles per hour</u>
MPO	Metropolitan Planning Organization
MS4	Municipal Separate Storm Sewer System
MSA	Magnuson-Stevens Act
MT	Metric Tonnes
MTC	Metropolitan Transportation Commission
MTS	Metropolitan Transportation System
MU	Mixed-Use
Muni	San Francisco Municipal Railway
Municipal Stormwater General Permit	Phase II NPDES General Permit for the Discharge of Storm Water from Small MS4s
N ₂ O	Nitrous Oxide
NAHC	Native American Heritage Commission
NALs	Technology-Based Numeric Action Levels
<u>NASA</u>	<u>National Aeronautics and Space Administration</u>
NAT	No Action Taken
NAVD88	North American Vertical Datum of 1988
Navy	United States Navy
nb	North Bound
NC	Neighborhood Commercial
NC-1	Neighborhood Commercial Cluster
NC-2	Small-Scale Neighborhood Commercial
NCD-IB	Neighborhood Commercial District, India Basin
<u>NCP</u>	<u>National Contingency Plan</u>
NEHRP	National Earthquake Hazards Reduction Program
NELs	Technology-Based Numeric Effluent Limitations
<u>NEP</u>	<u>New Expenditure Plan</u>
<u>NEPA</u>	<u>National Environmental Policy Act</u>
NFA	No Further Action
NFIP	National Flood Insurance Program
NFL	National Football League
NGVD29	National Geodetic Vertical Datum
NHB	Non-home Based

Acronym/ Abbreviation	Definition
NHPA	National Historic Preservation Act of 1966
NHTSA	National Highway Traffic Safety Administration
NI	No Impact
NMFS	National Marine Fisheries Services
NO ₂	Nitrogen Dioxide
<u>NOA</u>	<u>Notice of Availability</u>
NOAA	National Oceanic and Atmospheric Administration
NOI	Notice of Intent
NOP	Notice of Preparation
NO _x	Nitrogen Oxides
NPDES	National Pollutant Discharge Elimination System
NPL	National Priorities List
NPRA	National Parks and Recreation Association
NPS	National Park Service
NPSs	Nonpoint Sources (as used in the Hydrology and Water Quality section)
NPWWF	North Point Wet Weather Facility
<u>NRC</u>	<u>National Resource Council</u>
NRDL	Naval Radiological Defense Laboratory
NRHP	National Register of Historic Places
NSC	No Significant Contribution
NSMCSD	North San Mateo County Sanitation District
NTP	Neighborhood Transportation Plan
NURP	Nationwide Urban Runoff Program
NWIC	California Archaeological Site Survey Northwest Information Center
O&G	Oil and Grease
O ₃	Ozone
<u>OAL</u>	<u>Office of Administrative Law</u>
OBL	Obligate
°F	degrees Fahrenheit
OHW	Ordinary High Water
<u>OPA</u>	<u>Owner Participation Agreement</u>
OPR	California Office of Planning and Research
OS	Open Space
OSHA	Occupational Safety and Health Agency
P	Public
PA	Programmatic Agreement
PA	Public Address System (as used in the Noise and Vibration section)
PA&ED	Project Approval and Environmental Document
PA/SI	Preliminary Assessment and Site Identification
PAC	Bayview Hunters Point Project Area Committee
PAHs	Polycyclic Aromatic Hydrocarbons
Pathogens	Bacteria and Viruses
Pb	Lead
pc/h	Passenger cars per hour
pc/mi/ln	Passengers cars per mile per lane
PCBs	Polychlorinated Biphenyls

Acronym/ Abbreviation	Definition
PCC	Portland Concrete Cement
PCEs	Primary Constituent Elements
PCOs	Parking Control Officers
PCWQCA	Porter-Cologne Water Quality Control Act
PDF	Project Design Feature
PDR	Production, Distribution, and Repair
PDT	Pacific Daylight Time
PE	Professional Engineer
PEIR	Program Environmental Impact Report
Peninsula	San Francisco Bay Area Peninsula
PFCs	Perfluorocarbons
PG&E	Pacific Gas and Electric
Phase I ESA	Phase I Environmental Site Assessment
PI	Project Impact
Pier 80 Outfall	Southeast Pollution Control Outfall
Planning Code	San Francisco Planning Code
Planning Commission	San Francisco Planning Commission
Planning Department	San Francisco Planning Department
PM	Particle Matter
PM ₁₀	Respirable Particulate Matter
PM _{2.5}	Fine Particulate Matter
Port	Port of San Francisco
ppm	Parts per Million
PPRF	Pulse Plasma Rock Fragmentation
PRC	Public Resources Code
PRDs	Permit Registration Documents
PRMMP	Paleontological Resources Monitoring and Mitigation Program
Project	Candlestick Point–Hunters Point Shipyard Phase II Development Plan Project
PSSG	Public Safety Strategies Group
PST	Pacific Standard Time
PV	Photovoltaic
Qaf	Artificial Fill
Qc	Colma Formation
Qm	Bay Mud Deposits
QMS	Quality Management System
QSD	Qualified SWPPP Developer
QSP	Qualified SWPPP Practitioner
Qsr	Slope Debris and Revise Fill
Qu	Undifferentiated Sedimentary Deposits
R Value	Rainfall Erosivity Value
R&D	Research and Development
R&D Variant	Variant 1: No Stadium – Additional Research and Development Variant
<u>RAP</u>	<u>Rammed Aggregate Piers</u>
RBCA	Risk Based Corrective Action
RCRA	Resource Conservation and Recovery Act

<i>Acronym/ Abbreviation</i>	<i>Definition</i>
RD	Remedial Design
REAP	Rain Event Action Plan
REB	Resource Efficient Building
RECs	Recognized Environmental Conditions
Recycled Water General Permit	General Waste Discharge Requirements for Landscaping Irrigation Uses of Municipal Recycled Water
RET	Retail
RFS	Renewable Fuel Standard
RFS	Renewable Fuel Standard
RH-1	Residential House One-Family District
RH-1D	Residential House Character District
RH-2	Residential House Two-Family District
RHNA	Regional Housing Needs Assessment
RHNP	Regional Housing Needs Plan
RI	Remedial Investigation
<u>RI/FS</u>	<u>Remedial Investigation/Feasibility Study</u>
RIC	Rapid Impact Compaction
RM-1	Residential, Mixed District
RM-2	Residential, Mixed Moderate Density District
RMP	Risk Management Plan
ROD	Record of Decision
ROG	Reactive Organic Gas
ROWD	Report of Waste Discharge
RPD	San Francisco Recreation and Park Department
RPP	Residential Permit Parking
RPS	Renewables Portfolio Standard
RTAC	Regional Targets Advisory Committee
RTPs	Regional Transportation Plans
RUSLE	Revised Universal Soil Loss Equation
RV	Recreational Vehicle
RWMP	Recycled Water Master Plan
RWQCB	Regional Water Quality Control Board
RWS	Regional Water System
RWSAP	Retail Water Shortage Allocation Plan
<u>SACOG</u>	<u>Sacramento Area Council of Governments</u>
SamTrans	San Mateo County Transit Districts
SAP	Special Area Plan
SB	Senate Bill
sb	South Bound
SC	Specific Conductance
SC	Standard Condition (as used in the Climate Change section)
SC/PI	Significant Contribution/Project Impact
SCBA	Self-Contained Breathing Apparatus
<u>SCC</u>	<u>California State Coastal Conservancy</u>
SCP	Stormwater Control Plan
SDMP	Stormwater Drainage Master Plan

Acronym/ Abbreviation	Definition
Seaport Plan	San Francisco Bay Area Seaport Plan
SEIS	Supplemental Environmental Impact Statement
SF ₆	Sulfur Hexafluoride
SFBAAB	San Francisco Bay Area Air Basin
SFBC	San Francisco Building Code
SFCAP	San Francisco Climate Action Plan
SFCD	San Francisco City Datum
SF-CHAMP	San Francisco County's travel demand model
SFCTA	San Francisco County Transportation Authority
SFDPH	San Francisco Department of Public Health
SFDPW	San Francisco Department of Public Works
SFEI	San Francisco Estuary Institute
SFFD	San Francisco Fire Department
SFGSP	San Francisco Groundwater Supply Project
SFHA	San Francisco Housing Authority
SFHA	Special Flood Hazard Area (as used in the Hydrology and Water Quality section)
SFMTA	The San Francisco Municipal Transportation Agency
SFO	San Francisco International Airport
SFPD	San Francisco Police Department
SFPL	San Francisco Public Library
SFPUC	San Francisco Public Utilities Commission
SFPUC	San Francisco Public Utilities Commission
SFRPD	San Francisco Recreation and Park Department
SFRWQCB	San Francisco Bay Regional Water Quality Control Board
SFUSD	San Francisco Unified School District
<u>SGMP</u>	<u>Soil and Groundwater Management Plan</u>
SHPO	State Historic Preservation Officer
<u>SI</u>	<u>Site Identification</u>
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SLERA	Screening-Level Ecological Risk Assessment
SO ₂	Sulfur Dioxide
SoMa	South of Market
SP	Service Population
SPP	Spill Prevention Plans
<u>SPT</u>	<u>Standard Penetration Test</u>
SRA	State Recreation Area
SRRE	Source Reduction and Recycling Element
SSSC	Side-Street Stop Controlled
Stormwater Design Guidelines	Draft San Francisco Stormwater Design Guidelines
SU	Significant and Unavoidable Impact
SUD	Special Use District
SVE	Soil Vapor Extraction System
SVOCs	Semi-Volatile Organic Compounds

Acronym/ Abbreviation	Definition
SVP	Society for Vertebrate Paleontology
SWIS	Solid Waste Information
SWMP	Site Waste Management Plan (as used in the Utilities section)
SWMP	Stormwater Management Plan (as used in the Hydrology and Water Quality section)
SWPCP	Southeast Water Pollution Control Plant
SWPPP	Storm Water Pollution Prevention Plans
SWRCB	State Regional Water Quality Control Board
TAC	Toxic Air Contaminants
<u>TAR</u>	<u>Third Assessment Report</u>
TAZ	Traffic Analysis Zones
TBD	To Be Determined
TC	Trolley Coach
<u>TCRA</u>	<u>Time Critical Removal Action</u>
TDM	Transportation Demand Management
TDM Plan	Transportation Demand Management Plan
TDS	Total Dissolved Solids
TEP	Transit Effectiveness Project
TEPHd	Total Extractable Petroleum Hydrocarbons as Diesel
Tg	Teragram
TMDL	Total Maximum Daily Load
<u>TMP</u>	<u>Transportation Management Plan</u>
TNM	Traffic Noise Model
TOC	Total Organic Carbon
Tower Variants	Candlestick Point Tower Variants
TPH	Total Petroleum Hydrocarbons
TPS	Transit Preferential Street
TPS	Transit Preferential Street
Triple A	Triple A Machine Shop
TSDs	Treatment, Storage, and Disposal Facilities
TSS	Total Suspended Solids
UCSF	University of California, San Francisco
UPC	Universal Paragon Corporation
URBEMIS	Urban Emissions Model
US	United States
USDA	United States Department of Agriculture
US DOT	United States Department of Transportation
USEPA Levels	Information of Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety
US-101	United States Highway 101
USACE	United States Army Corps of Engineers
USC	United States Code
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGBC	United States Green Building Council
USGS	United State Geological Survey

Acronym/ Abbreviation	Definition
UST	Underground Storage Tank
UWMP	Urban Water Management Plan
v/c	Volume/Capacity
VCA	Voluntary Cleanup Agreement
VdB	Vibration Decibels
<u>VDECS</u>	<u>Verified Diesel Emission Control Strategies</u>
VIS	Visitor Lodging
VMT	Vehicle Miles Traveled
VOCs	Volatile Organic Compounds
VOR	Vehicle Occupancy Rate
VTA	Santa Clara Valley Transportation Authority
V-Zones	Coastal High Hazard Areas
Waterfront Plan	Port of San Francisco Waterfront Land Use Plan
wb	West Bound
WDR	Waste Discharge Requirement
WEPA	Worker Environmental Awareness Program
WETA	San Francisco Bay Area Water Emergency Transportation Agency
WETA	Water Emergency Transit Authority
WHO	World Health Organization
WSA	Water Supply Assessment
WSAP	Water Shortage Allocation Plan
WSAS	Water Supply Availability Study
WSIP	Water Supply Improvement Program
WTP	Water Treatment Plant
WWII	World War II
XII	Total Destruction on the Modified Mercalli Intensity Scale
ZVI	Zero-Valent Iron

F.33 Changes to Draft EIR Appendices

Appendices A1 through A5 have been added

[NOTE: Since publication of the Draft EIR, modifications have been made in the Project Development Schedule, as outline in Section B.1 (Project Refinements) of this document. These appendices present memoranda supporting the fact that the changes do not result in new or substantially more severe environmental impacts.]

Appendix D1 has been added

[NOTE: Since publication of the Draft EIR, some transit travel time increases associated with the Project have changed. A memorandum supplementing the Transportation Impact Study (Appendix D of the Draft EIR) is now included as Appendix D1.]

Appendix H3 has been revised

[NOTE: Appendix H3 has been revised in the main text and Attachment IV to conform to the revised text in Section III.H (Air Quality) and the text provided in Master Response 19 (Proposed BAAQMD Guidelines). While the other components

of Appendix H3 remain unchanged [Attachments I, II, III, V, and VI], the date of Appendix H3 has been changed in the footnotes and citations from September 28, 2009, which was the date of the appendix in the Draft EIR, to May 2010, to reflect the most current updates.]

Appendix H4 has been added

[NOTE: Appendix H4 presents additional analysis related to cumulative impacts and compliance with Article 38 of the San Francisco Health Code.]

Appendices J1 through J4 have been added

[NOTE: Two of the historical resources reports relied upon in the Draft EIR have been added as appendix material, rather than provided only as reference material, and two new historic resources reports (one related to the stadium and the other to the buildings and structures at HPS Phase II) have been added.]

Appendix N2 has been revised

[NOTE: Appendix N2 has been revised to include Yosemite Slough bridge plans and profiles for both the stadium and non-stadium options.]

Appendix Q2 has been revised

[NOTE: Appendix Q2 has been revised to include an additional water demand memorandum that presents results and analysis for Variant 2A (Housing/R&D Variant).]

Appendices T4 through T7 have been added

[NOTE: Since publication of the Draft EIR, modifications have been made to Variant 3 and Alternative 2, and Variant 2A and Subalternative 4A have been added. These appendices present memoranda supporting the fact that the changes do not result in new or substantially more severe environmental impacts.]

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