E.2 Individual Responses

The following section contains the written comments received on the Draft EIR or the oral comments received during the public hearings on the Draft EIR followed by the responses to those comments. They are presented in the order they were received by the City and/or the Agency, and they are presented with consecutive numbering (e.g., Letter 1, Letter 2, Letter 3, etc.).

Consistent with Sections 15088(a) and 15088(b) of the CEQA Guidelines, comments that raise significant environmental issues are provided with responses. Comments that are outside the scope of CEQA review will be forwarded for consideration to the decision-makers as part of the Project approval process. All comments will be considered by the Lead Agencies when making a decision on the Project.

Responses to Written Comments

The following are written comment letters received, followed by their responses.

Letter 1: Sierra Club (11/25/09)

1 of 1

Letter 1

SIERRA CLUB
FOUNDED 1892

San Francisco Group 85 Second Street San Francisco, CA 94105
Group Hotline: 415-977-5578 Fax: 415-977-5799

November 25, 2009

Bill Wycko,
Environmental Review Officer,
San Francisco Planning Department,
1650 Mission Street, Suite 400,
San Francisco, CA 94103.
Fax: 558-6409

RE: Extension of public comment period request for HP-Candlestick Draft EIR.

Dear Mr. Wycko,

Regarding the recently released Draft EIR for the combined HP-Candlestick Point Phase II Project Draft EIR (Case # 2007. 0946E) the Sierra Club respectfully requests an extension of the public comment period for at least 60 days beyond the current Dec. 28th deadline. Reasons for this request include the extreme complexity of the document, the fact that this is being rushed through during the holiday season, the number of environmental issues and mitigations studied, the number of alternatives studied, and the fact that the direction of the current project will have substantial long-term consequences in determining the future of the Southeast Shoreline for many years to come. In view of the above, and in order to maximize community input for this important planning process, we believe a minimum 60-day extension to be warranted. 1-1

Thank you for your consideration,

Steven Chapman,

For the San Francisco Group of the Sierra Club

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Letter 1: Sierra Club (11/25/09)

Response to Comment 1-1

The comment period was extended by the Agency and the Planning Commission of the City and County of San Francisco from 45 days to 60 days, which extended the end of the public review period from December 28, 2009, to January 12, 2010. The public review period began on November 12, 2009, and ended on January 12, 2010, beginning approximately two weeks before Thanksgiving, and ending approximately two weeks after New Year's Day. While both agencies considered a longer review period, they ultimately decided that a 60-day review period would be adequate, which is two weeks longer than required by CEQA or customarily provided by the City and/or the Agency.

In terms of opportunity for public input, formal public hearings were held on December 15 (Redevelopment Agency), December 17 (Planning Commission), and January 5 (Redevelopment Agency), which provided more opportunities for the public to present oral comments than required under CEQA, which, in fact, does not require a formal hearing. Section 15202(a) of the CEQA Guidelines states that:

> CEQA does not require formal hearings at any stage of the environmental review process. Public comments may be restricted to written communications.

Irrespective of the requirements of CEQA, as required by Section 31.14(d)(3) of Chapter 31 of the *San Francisco Administrative Code*, the City requires that a public hearing shall be held to receive comments on the Draft EIR and the Agency requires the same by virtue of their standard practice. Even still, more public hearings were provided than required by either the City or the Agency.

Further, refer to the responses to Letter 75, which is the comment letter from the Sierra Club dated January 12, 2010.

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Letter 2: POWER (People Organized to Win Employment Rights) (12/14/09)

1 of 1

Letter 2

SUE C. HESTOR
Attorney at Law
870 Market Street, Suite 1128 · San Francisco, CA 94102
(415) 362-2778 · FAX (415) 362-8048

December 14, 2009

Rick Swig, Acting President
San Francisco Redevelopment Agency
1 South Van Ness Ave 5th fl
San Francisco CA 94103

RECEIVED
SFRA
DEC 16 2009
1-4321-008
RECORDS DEPT.

RE: **Candlestick Point-Hunters Point Shipyard Phase II Development Plan DEIR**
December 15, 2009, Item f Public Hearing

Dear Commissioner Swig:

Attached is a copy of my request that the Planning Commission extend to 90 days the review period for written comments on the Candlestick Point/Hunters Point DEIR. I submitted that request on behalf of People Organized to Win Employment Rights (POWER).

POWER reiterates their request for a 90-day review and comment period to the Redevelopment Agency. This is a massive EIR for a complex project. The staff's proposed extension to January 11 is insufficient, given that the review period straddles three major holidays. 2-1

The public deserves an adequate time to review this massive document and prepare their comments.

Respectfully submitted,

Sue C. Hestor
Attorney for POWER

cc: Fred Blackwell, Executive Director
Gina Solis, Commission Secretary
Thor Kaslofsky, Project Manager
Jaron Browne, POWER

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Letter 2: POWER (People Organized to Win Employment Rights) (12/14/09)

Response to Comment 2-1

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.

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Letter 3: Hunters Point Shipyard Citizen's Advisory Committee and Southeast Campus of City College of SF (12/16/09)

1 of 1

Letter 3

RECEIVED
SFRA
DEC 16 2009
1-4322-000
RECORDS DEPT.

Please enter these comments into my public record. Thanks you
Dr. Hunnicutt

Suggested Talking Points:

- Hello, my name is Dr. Veronica Hunnicutt, and I am both the Chair of the Hunters Point Shipyard Citizens Advisory Committee and the Dean of the South East Campus of City College.
- As chair of the CAC, I understand first hand the immense challenges that the Bayview Hunters Point community currently faces including; unemployment, disparities in educational attainment and job skills, lack of access to adequate open space and recreation facilities, poor access to public transportation, affordable housing and economic opportunities.
- This project proposes to invest hundreds of millions of dollars in the Bayview Hunters Point community
- The community, the PAC, the CAC and the City have been working together for nearly a decade to plan the revitalization and redevelopment of the Hunters Point Shipyard and ensure that the development delivers much needed affordable housing, parks and open space and economic opportunities to the existing residents as soon as possible.
- The City has hosted nearly 200 workshops/meetings, discussed and presented a number of components of this project to both the PAC and the CAC over the past 2 years including; the urban design plan, transportation plan, sustainability and infrastructure plan, workforce development strategy and affordable housing plan.
- The PAC, CAC and the community have had extensive input on these critical components of the project.
- Last night the CAC heard an informational presentation from Agency on the Draft Environmental Impact Report, although the CAC did not take any formal action on the document, their was a range of opinions presented by the members present, including some who advocated for an extension of the public comment period.
- However, in my personal opinion as a community leader, educator and someone who has been working on this project for a number of years, it is of the upmost importance that this project move forward and that the public comment period not be extended.
- I have already assembled a special working group of the CAC to review the Draft Environmental Impact Report and provide comments to the city by the close of the public comment period on December 28th.
- The components of this project that we care most about, the affordable housing, workforce development opportunities, open space and transportation will continue to be presented and discussed over the coming months.
- **I strongly support this project and am asking you to please support our**

3-1

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Letter 3: Hunters Point Shipyard Citizen's Advisory Committee and Southeast Campus of City College of SF (12/16/09)

Response to Comment 3-1

Comment noted. No response is required.

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Letter 4: Neighborhood Parks Council (12/17/09)

1 of 2

Letter 4

SAN FRANCISCO PLANNING COMMISSION
SPEAKER CARD

To aid in the preparation of minutes, you are requested, but not required, to provide this information:

Please PRINT then give to Commission Secretary

ITEM NO: 20 or Project Address: _____

Name: Matthew Silva Hearing Date: 12/17/09

Organization (if any): Neighborhood Parks Council

Address: 451 Hayes St. Floor 2 San Francisco, CA 94102

Speaking: In Favor of Project _____; Opposed to Project X; Neutral _____

Regarding Discretionary Reviews (DR):

Speaking: In Favor of DR _____; Opposed to DR _____; Neutral _____

comments on back →

2 of 2

The Neighborhood Parks Council is in favor of extending the EIR review period for 90 days to allow community members time to digest this large and important document. Understanding the implications of this more than 4,000 page report is essential, and especially during this period of holidays, extra time is needed.

4-1

Letter 4: Neighborhood Parks Council (12/17/09)

Response to Comment 4-1

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.

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Letter 5: Loa, Sam (12/17/09)

1 of 2

Letter 5

SAN FRANCISCO PLANNING COMMISSION
SPEAKER CARD

To aid in the preparation of minutes, you are requested, but not required, to provide this information:

Please PRINT then give to Commission Secretary

ITEM NO: 20 or Project Address: Hunters Point Shipyard

Name: Sam Loa Hearing Date: 12-17-9

Organization (if any): _____

Address: 47 Middle Point Rd SF Ca 94124

Speaking: In Favor of Project _____; Opposed to Project _____; Neutral _____

Regarding Discretionary Reviews (DR):

Speaking: In Favor of DR _____; Opposed to DR _____; Neutral _____

2 of 2

This is one of the largest & most Controv
EIR's to Come before this Commission. 5-1
This EIR is inadequate for numerous reasons

~~[illegible]~~ first ~~the~~ major
~~[illegible]~~ Figure III. B-1 is incorrectly 5-2
labeled,

In 2000, Prop P 87% of Voters which called for the S.Y
was passed to be cleaned to unrestricted use 5-3
Pacific Ave was granted full 90 day
anything ~~and~~ less would not be safe.

Letter 5: Loa, Sam (12/17/09)

Response to Comment 5-1

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 5-2

In response to the comment, Figure III.B-1 (Existing Land Use), Draft EIR page III.B-3, 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 5-3

Refer to Master Response 15 (Proposition P and the Precautionary Principle) regarding cleanup of HPS.

SOURCE: San Francisco Planning Department; PBS&J, 2010.

PBS&J 04.19.10 02056 | JCS | 10

Candlestick Point — Hunters Point Shipyard Phase II EIR

FIGURE III.B-1

EXISTING LAND USE

Letter 6: Jackson, Espanola (12/17/09)

1 of 1

Letter 6

DRAFT, ENVIRONMENTAL IMPACT REPORT

PHASE II – SHIPYARD AND CANDLESTICK POINT

My name is Espanola Jackson and I have lived in San Francisco for over 66 years. T his draft, EIR covers a huge area over 1200 acres and is the last frontier of San Francisco. I have seen too many changes and this one bothers me a lot.

This is not the time to fast track any EIR as was done with Phase I and Parcel A at the Shipyard. The consequences of this action haunt us every day.

You Planning Commissioners have to ponder about the thousands of lives that will be lost if you do not do the right thing. If every aspect is evaluated again, perhaps, we can come to some agreement but this takes time – and time will lead to qualified progress. Quality of Life issues are critical to our future and that of our children.

Important aspects such as flooding, liquefaction, the impending Big One have not been taken into full consideration - in this hastily prepared Draft, EIR. After all, the entire site is too close to a fault that will trigger an Earthquake – very soon.

Over 25,000 extra people will make their homes in this area and there has been no mention of this factor in the Transportation Document. In short, send this Draft, EIR back for further review and qualified action. Do this so that lives may be saved, as it stands now too many will die – be it slowly, from the most polluted elements and most of it radiological now – and in greater numbers when the Big One strikes.

6-1

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Letter 6: Jackson, Espanola (12/17/09)

Response to Comment 6-1

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-6 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.

As stated in Response to Comment 96-1, the EIR process officially began on August 31, 2007, with issuance of a Notice of Preparation indicating that an EIR would be prepared. The Draft EIR public review period ended on January 12, 2010, and the Project is not expected to go before the decision-making bodies until April 2010, almost three years after beginning the process. Section 15108 of the CEQA Guidelines requires a much shorter process, stating:

> With a private project, the lead agency shall complete and certify the final EIR as provided in Section 15090 within one year after the date when the lead agency accepted the application as complete. Lead agency procedures may provide that the one-year time limit may be extended once for a period of not more than 90 days upon consent of the lead agency and the applicant.

Therefore, the EIR process for this Project has not been fast-tracked.

Impacts related to flooding are fully addressed in Section III.M (Hydrology and Water Quality) of the Draft EIR, and impacts related to liquefaction and seismic-related events are fully addressed in Section III.L (Geology and Soils) of the Draft EIR. Further, the first page of the Executive Summary, page ES-1, as well as page II-7 of Chapter II (Project Description), states that "Specifically, the Project proposes development of 10,500 residential units with an associated population of 24,465 residents." The population associated with the Project is also fully disclosed and analyzed in Section III.C (Population, Employment, and Housing) of the Draft EIR. Refer also to Master Response 6 (Seismic Hazards), Master Response 7 (Liquefaction), and Master Response 8 (Sea Level Rise).

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Letter 7: City of Brisbane (12/18/09)

1 of 3

Letter 7

CITY OF BRISBANE
50 Park Place
Brisbane, California 94005-1310
(415) 508-2100
Fax (415) 467-4989

December 18, 2009

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

Re: Draft EIR-Candlestick Point-Hunters Point Shipyard Phase II (Cases ER06.05.07 and 2007.0946E

Dear Mr. Muraoka:

Thank you for the opportunity to review the above-referenced Draft EIR. The City of Brisbane offers the following comments:

Figure II-12
-The alignment shown for the proposed City of Brisbane street-Geneva Avenue has not been approved by the City of Brisbane.

-The note adjacent to the new US101 interchange should be modified to clarify there are two separate proposed projects; Candlestick Point Interchange Improvements, US101 Auxiliary Lanes. 7-1

Figure II-13 See Figure II-12 comment above pertaining to Geneva Avenue. 7-2

Page III.B-2, last para. The "Bayshore Sanitary District" operates a sanitary district and sewer pump station, not a water pump station, in the Brisbane Baylands. 7-3

Page III.D-4, Bayshore Boulevard" para. A significant portion of the southern reach of Bayshore Boulevard has TWO travel lanes in each direction, not three. 7-4

Page III.D-8 "Tunnel Avenue" para. South of Sierra Point Lumber, Tunnel Avenue is signed No Parking, not "unrestricted on-street parking". 7-5

Figure III-D.4 SF designated bicycle routes 905 and 805 traverse City of Brisbane streets – if SF wishes to retain these routes they should coordinate this desire with the City of Brisbane's Department of Public Works. 7-6

Page III.D-36 2nd bulleted para. The PSR is expected to be completed in 2010, but due to ongoing delays, *early* 2010 is not likely. 7-7

Providing Quality Services

2 of 3

Page III.D-36 3rd bulleted para. The first sentence would be more accurate if re-written as, ". . . Harney Way interchange **is proposed to be redesigned as a typical diamond-type interchange, subject to review and approval by Caltrans.** In the second paragraph, the current configuration proposed for the US101 crossing in the PSR is six lanes eastbound (three left-turns and three through lanes) and **five** lanes westbound (three left-turn lanes and **two** through lanes) for a total of **eleven** lanes. Note for clarification; one of the three Harney Way westbound lanes ends in a "trap" left turn lane within the intersections. 7-8

Figure III.D-8 The number of lanes shown on the drawing for Harney Way is not consistent with the number of lanes assumed for Harney Way in the Candlestick Interchange PSR. The PSR consultant reviewed the number of lanes proposed on this drawing with city staff and consultants working on the Executive Park EIR. It was eventually determined that this reduced number of lanes would not have a negative impact on the functioning of the proposed new US101 interchange provided that appropriate external and internal access controls were provided at Thomas Mellon Circle and Executive Park Boulevard. Based on this EIR's assumed inability to ensure onsite work at Executive Park, the provision of additional right-of-way for a potential third eastbound lane should be required as mitigation if this third lane is required along Harney Way east of the new interchange. 7-9

Page III.D-84, Impact TR-6 Concur that the traffic impacts at Geneva/US101 southbound are significant and unavoidable. 7-10

Pages III.D-84 & 86 MMs TR-6 and TR-8 The City supports the concept of fair share funding for regional improvements and the use of the Bi-County Study as a means to precisely identify mitigations and apportion fair share funding obligations. However, there should be another way to determine fair share funding obligations in the event the Bi-County study is not completed or otherwise does not complete this task. It is recommended that Mitigation Measures TR-6 and TR-8 both be modified to include a provision that if the Bi-County Transportation Study is, for any reason, discontinued or otherwise does not identify required mitigations and fair share funding obligations, the agencies responsible for contributions toward the required improvements shall meet and confer to establish an alternative method for determination of their respective fair shares of the project cost. 7-11

Page III.D-85, Impact TR-8 Same comment as above. Concur that the traffic impacts at Bayshore/Geneva are significant and unavoidable. 7-12

Page III.D-86, Impact TR-9 The comment section opines that poor operating conditions at Bayshore Boulevard/Old County Road and Sierra Point/Lagoon Way would be due to traffic volume increases from other developments. However, as correctly noted in the DEIR, the City of Brisbane has established a LOS C for the Bayshore/Old County intersection and LOS D elsewhere in the city. Table III.D-10 lists the respective current LOS for these intersections as C and B. Based on the City of Brisbane's General Plan requirements for LOS at these intersections, it is unreasonable to assume that any project within Brisbane's jurisdiction would be allowed to cause intersection LOS degradation beyond C and D. Therefore, the 2030 "Project" LOS degradations to D and F are attributable only to the Project and require mitigation to be identified. Furthermore, it is unclear what metric was used to determine that a project's 7-13

3 of 3

contributions were less than significant to the intersections referenced under impact TR-9. Please clarify. **7-13 cont'd.**

Page III.D-97, Impact TR-15 The DEIR does not address the feasibility of mitigation measures for US101 southbound off-ramp to Sierra Point/Lagoon diverge queue storage impacts. **7-14**

Page III.D-115, Impact TR-27 Concur that the traffic impacts for the 28L-19th Avenue/Geneva Limited are significant and unavoidable because the project does not control the TPS treatment proposed on or parallel to a Geneva Avenue extension in MM TR-27.1. It would be appropriate that a requirement be established for the project applicant and/or lead agency to meet and confer with the affected outside jurisdictions to determine the opportunites for fair share participation in mitigation. **7-15**

Page III.D-116, Impact TR-30 Concur that the traffic impacts on regional transit (esp. SamTrans on Bayshore Boulevard) are significant and unavoidable. It would be appropriate that a requirement be established for the project applicant and/or lead agency to meet and confer with the affected outside jurisdictions to determine the opportunites for fair share participation in mitigation. **7-16**

Figure III.D-13 The map shows a transit-only lane disconnected from Geneva Avenue extension in a stand-alone location that is subject to the approval of the City of Brisbane. **7-17**

Figure III.D-14 This map adds a second western "muni service" in an area where no roadway is currently planned or approved by the City of Brisbane. **7-18**

Thank you for your consideration, and we look forward to reviewing the responses to these comments when available. Should you have any questions regarding this letter, please contact me at 415.508.2120.

Sincerely,

John A. Swiecki, AICP
Principal Planner

c: Randy Breault, City Engineer

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Letter 7: City of Brisbane (12/18/09)

Response to Comment 7-1

The comment is acknowledged. Figure II-12 (Proposed Roadway Improvements) has been revised to clarify the two separate proposed projects at the new US-101 interchange. In response to the comment, the labels in Figure II-12, page II-37, and Figure II-13 (Proposed Transit Improvements), page II-40, have been revised: "US-101/Harney Way Interchange Improvements" has been changed to "Candlestick Point Interchange Improvements/US-101 Auxiliary Lanes" on Figure II-12, and "Geneva Avenue Extension" has been changed to "proposed Geneva Avenue Extension (pending City of Brisbane approval)" on both Figure II-12 and Figure II-13.

Response to Comment 7-2

Refer to Response to Comment 7-1.

Response to Comment 7-3

In response to the comment, text in Section III.B (Land Use and Plans) on page III.B-2, last paragraph, fourth sentence, has been changed as follows:

> Other uses in the Baylands include building supply businesses, lumberyards, the Kinder Morgan Energy tank farm, and the Bayshore Sanitary ~~water~~ Sewer pump station.

Response to Comment 7-4

Text in Section III.D (Transportation and Circulation), text on page III.D-4, last paragraph, first sentence, was revised as follows:

> **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.

Response to Comment 7-5

Text in Section III.D (Transportation and Circulation), Draft EIR page III.D-8, seventh paragraph, was revised as follows:

> **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.

Response to Comment 7-6

This comment on the existing SF bicycle route system will be forwarded to Damon Curtis, the SFMTA Program Manager of the Bicycle Program.

SOURCE: Fehr & Peers; AECOM, 2010.

PBS&J 04.20.10 02056 | JCS | 10

FIGURE II-12 Candlestick Point — Hunters Point Shipyard Phase II EIR

PROPOSED ROADWAY IMPROVEMENTS

SOURCE: Fehr & Peers; AECOM, 2010.

PBS&J 04.09.10 02056 | JCS | 10

Candlestick Point — Hunters Point Shipyard Phase II EIR

PROPOSED TRANSIT IMPROVEMENTS

FIGURE II-13

Response to Comment 7-7

Text in Section III.D (Transportation and Circulation), page III.D-36, second bullet, last sentence, was revised as follows:

> ■ **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.

Response to Comment 7-8

Text in Section III.D (Transportation and Circulation), page III.D-36, third bullet, first paragraph, and second paragraph, first sentence, was revised as follows:

> ■ **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. …
>
> ~~The~~ At the time the analysis was completed, 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). …

Response to Comment 7-9

Mitigation measure MM TR-16 requires construction of Harney Way to its ultimate configuration (either five or six through travel lanes) prior to degradation in intersection levels of service past mid-LOS D (45 seconds of delay per vehicle). The most recent analysis conducted of Harney Way indicates that to maintain acceptable operations, the roadway should ultimately be constructed as follows:

- Three lanes each direction west of Thomas Mellon Circle, with one eastbound lane becoming an eastbound left turn lane onto Thomas Mellon Circle
- Three westbound and two eastbound lanes plus a center turn lane between Thomas Mellon Circle and Arelious Walker Drive

This long-term configuration would ensure acceptable operations along this section of Harney Way during the weekday and weekend peak hours.

Response to Comment 7-10

The comment is acknowledged. No response is required.

Response to Comment 7-11

In response to the comment, the text in Section III.D (Transportation and Circulation), page III.D-84 (and Table ES-2, page ES-15) was revised as follows:

> *MM TR-6* Mitigations and associated fair-share funding measures for cumulative regional roadway system impacts. *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 or its equivalent. The Project Applicant shall contribute its fair share to the Harney Interchange Project.

In response to the comment, the text in Section III.D (Transportation and Circulation), page III.D-86 (and Table ES-2, page ES-16), second paragraph of MM TR-8, was revised as follows:

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.

Response to Comment 7-12

The comment is acknowledged. No response is required.

Response to Comment 7-13

The analysis considered the travel demand generated by the Project and other planned or proposed development in the area, including the proposed Brisbane Baylands project. As indicated by the commenter, the City of Brisbane would likely require mitigations for development within the City of Brisbane that would maintain intersection LOS C for the intersection of Bayshore/Old County and LOS D elsewhere in the City. It would be reasonable to assume that development of the Brisbane Baylands would include improvements to these intersections to accommodate the vehicle trips associated with that development. However, since those potential improvements are not known, no changes to Bayshore Boulevard/Old County Road and Sierra Point/Lagoon Way were assumed for the future year analysis.

The commenter also requests clarification regarding the determination of significant contributions to intersections operating at unacceptable levels of service in year 2030. The year 2030 analysis considers traffic from many sources, not just the project. At the intersection of Bayshore/Old County, Project contributions to the growth between existing conditions and 2030 Cumulative traffic volumes would be 3.4 percent during the AM peak hour, and 8.0 percent during the PM peak hour. At the intersection of Sierra Point/Lagoon Way, Project contributions to the growth between existing conditions and 2030 Cumulative traffic volumes would be less than one percent during both the AM and PM peak hours.

The metric and calculations for determination of the cumulative contributions is provided in the transportation study. At intersections that would operate at LOS E or LOS F under 2030 No Project conditions, and would continue to operate at LOS E or LOS F under Project conditions, the increase in Project vehicle trips were reviewed to determine whether the increase would contribute considerably (i.e., 5 percent or more) to critical movements operating at LOS E or LOS F. Appendix E of the Transportation Study, in Draft EIR Appendix D, provides the cumulative contribution calculations.

Response to Comment 7-14

As noted above, the traffic forecasts include traffic associated with the Project and other planned or proposed development in the area, including the Brisbane Baylands project; however, the analysis does not include the roadway improvements that would likely be required of said development. Although the project's contribution to this impact would be cumulatively considerable, the proposed Brisbane Baylands project would also be a substantial contributor.

The Draft EIR does not identify specific improvements for this facility because they are currently being developed as part of the Bi-County Study. The Project would contribute a fair share contribution to these improvements as determined as part of the Bi-County study.

Response to Comment 7-15

Mitigation measure MM TR-8 establishes the requirement that the Project Applicant contribute its fair share toward construction of the Geneva Avenue Extension Project. Mitigation measure MM TR-27 would require the design of the Geneva Avenue Extension Project to include transit preferential treatments. Therefore, the requirement suggested by the commenter is accounted for in mitigation measure MM TR-8. Refer to Response to Comment 7-11 for changes to mitigation measure MM TR-8.

It should be noted that the San Francisco portion of the Transit Preferential Streets (TPS) treatments for the Geneva Corridor are already recommended and estimated in SFMTA's Capital Improvement Program and related studies.

Response to Comment 7-16

Comment noted. Due to physical constraints on Bayshore Boulevard within San Francisco City limits, there are limited opportunities to implement transit priority treatments. To the extent that opportunities for reducing cumulative impacts on regional transit are identified by San Mateo County Transit Districts (SamTrans) or San Francisco, San Francisco will coordinate with SamTrans.

Response to Comment 7-17

The disconnected transit-only lane was an error on the figure and has been revised. Refer to revised Figure III.D-13 (Stadium Game Day Traffic Control Plan), Draft EIR page III.D-128.

Response to Comment 7-18

The second western "Muni service" was an error in the figure and was revised. Refer to revised Figure III.D-14 (Stadium Game Day Ingress Routes), Draft EIR page III.D-129.

SOURCE: Fehr & Peers, 2010.

PBS&J 04.09.10 02056 | JCS | 10

FIGURE III.D-13

Candlestick Point — Hunters Point Shipyard Phase II EIR

STADIUM GAME DAY TRAFFIC CONTROL PLAN

SOURCE: Fehr & Peers, 2010.

PBS&J 04.09.10 02056 | JCS | 10

FIGURE III.D-14

Candlestick Point — Hunters Point Shipyard Phase II EIR

STADIUM GAME DAY INGRESS ROUTES

Letter 8: Indian Canyon Nation/Costanoan Indian Research Inc. (1/12/10)

Letter 8

Indian Canyon Nation/Costanoan Indian Research, Inc.
P.O. Box 28 Hollister, CA 95024-0028

S.F. Mayor's Office
City Hall, Room 200
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Board of Supervisors
1 Dr. Carlton B. Goodlett Place - Room 244
San Francisco, CA 94102-4689

Office of the City Attorney
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

January 12, 2010

Dear Mayor Gavin Newsom, San Francisco Supervisors, and SF City Attorney Dennis Herrera,

On behalf of the Ohlone people, we are requesting that you grant an immediate extension of the public comment period for the Draft Environmental Impact Report, *Candlestick Point/Hunters Point Shipyard Phase II.*

California Senate Bill 18 requires that representatives of Native Peoples listed with the Native American Heritage Commission be notified of projects such as this that might impact our patrimony and archeological sites. Nevertheless, the San Francisco Planning Department failed to contact our people or provide any notice with regard to the release of the Draft Environmental Impact Report, or the commencement of the public comment period. The bill also requires that they be given 45 days to prepare comments after notification. We believe this failure requires the City to now extend public comment by 45 days from January 12, 2010. 8-1

We don't know why we have been overlooked. Normally, we would have been notified in the summer of 2008 when the plans were initiated and we would have been included in the planning process over the last 18 months. Several Ohlone leaders and organizations are concerned about the 16 archeological sites in the project area. We are concerned that the Planning Department has made a decision to deliberately exclude us and disenfranchise our people.

The draft EIR states that the Ohlone sites are likely to be older, more significant, and more unique than previously assumed. More sites are expected to be discovered during the construction. The lack of notification by the Planning Department prevented us from undertaking a timely review of the DEIR, arrange for technical support in evaluating its details, and consult with our people to determine their view of the project and its impacts on our interests. Were it not for the intervention of community organizations over the last few weeks, we would have not been aware of this process at all. Nevertheless by the time we were notified (received January 9, 2010) we have no time to acquire the

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resources to appropriately evaluate the project's impact on our heritage and patrimony. ***The likelihood of disturbing many Native American burial sites is very high. Without consultation and mitigation, this is a continuation of cultural genocide.***

The 700 acre size and the natural shoreline this development impacts, and the Ohlone heritage within the project site combine to make this an excellent opportunity for San Francisco to acknowledge the difficultly of our shared history. Our people would welcome an opportunity to work together with the City in a process that honors its original people and acknowledges our continuing presence.

8-1 cont'd.

Please do the right thing, extend the comment period and include the Ohlone in the planning.

All Our Relations,

Ohlone representatives: Ann Marie Sayers, Corrina Gould, Charlene Sul, Rosemary Cambra
Ohlone Profiles Project, American Indian Movement West, International Indian Treaty Council, United Native Americans

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Comments on Draft EIR Candlestick Point/Hunters Point Shoreline Plan, Phase II
by Ann Marie Sayers, Tribal Chairperson Indian Canyon Nation

January 12, 2010

Bill Wycko
Environmental Review Officer
Planning Department
1650 Mission Street Ste 400
San Francisco CA 94102

This DEIR including the mitigation process it proposes was developed without Ohlone consultation or input. The plan dramatically breaks with professional standards, common practices and normal expectations I have developed over the last three decades in my professional work with EIR mitigation. Even more seriously, the plan breaks California state law. The plan consolidates unprecedented power in the Environmental Resource Officer, a veritable czar over Ohlone concerns. Key decisions about Ohlone patrimony are left in this individual's hands. Professional standards, common practice and state law require inclusion of Ohlone Most Likely Descendants about what happens to our ancestral burials, cultural artifacts and sacred sites.

8-1 cont'd.

On page III J-30 of the Draft Environmental Impact Report, it states that the Bayview Hunter's Point Area Plan amended the SF General Plan in 2006. Therefore, Senate Bill 18 applies to this project.

Senate Bill 18 requires:
#65092: Public notice to California Native American Indian Tribes on the Native American heritage Commission list.
#65351 requires that local planning agencies provide **opportunities for involvement** for California Native American Tribes on the contact list of the Native American Heritage Commission in the preparation or amendment of the General Plan.
#65560 and #65562.5 require local governments to **conduct meaningful consultation** with California Native Tribes on the contact list maintained by the Native American Heritage Commission.

As an Ohlone on the Native American Heritage Commission list, I was not consulted. So far as I know, there was no consultation with any Ohlone Most Likely Descendants (MLD).
As the tribal chairperson of Indian Canyon, Mutsun Band of Costanoan/Ohlone people, my main concerns are:

1. The mitigation plan that the EIR proposes has not included Ohlone in its development and also does not specifically include Ohlone oversight during the mitigation, as SB 18 requires.
2. The plan does not require a Memorandum of Understanding with Ohlone descendents.
3. The plan does not address what will happen when burials are disturbed. Where and how will the burials be re-interred ceremonially? THIS IS, WITHOUT QUESTION, A TRIBAL DECISION!
4. With cultural materials, when they are found, will there be a center to display the items and educate the public about the original people of the project area? An answer to this question, with consent from the Ohlone people, is required before the DEIR can be accepted.

The DEIR reads as if none of these issues are of concern or interest to San Franciscans or the Planning

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Department. The behavior of the Planning Department has been to act as if there were no Ohlone descendents. This disenfranchises my people. It constitutes a continuation of the cultural genocide of the Ohlone descendants.

We would love to share more of the history and significance of Ohlone tribal renewal if you want to go forward by including us in the planning process. That will require more time to respond to the DEIR.

Noso-n (in breath so it is in spirit.)
Ann Marie Sayers

8-1 cont'd.

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STATE OF CALIFORNIA

Tribal Consultation Guidelines

SUPPLEMENT TO GENERAL PLAN GUIDELINES

April 15, 2005

GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

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III. Basic Requirements of SB 18

This section provides a brief summary of the statutory requirements of SB 18. Later sections of the Supplement provide additional detail regarding these requirements and offer advice to local governments on how to fulfill the notification and consultation requirements of SB 18. (Please refer to Section IV and Section V of these guidelines for additional information regarding the responsibilities outlined below.)

Responsibilities of OPR

Government Code §65040.2(g) requires the Governor's Office of Planning and Research (OPR) to amend the *General Plan Guidelines* to contain advice to local governments on the following:

> Consulting with tribes on the preservation of, or the mitigation of impacts to, cultural places.
>
> Procedures for identifying through the Native American Heritage Commission (NAHC) the appropriate California Native American tribes with whom to consult.
>
> Procedures for continuing to protect the confidentiality of information concerning the specific identity, location, character, and use of cultural places.
>
> Procedures to facilitate voluntary landowner participation to preserve and protect the specific identity, location, character, and use of cultural places.

Responsibilities of Local Governments

SB 18 established responsibilities for local governments to contact, provide notice to, refer plans to, and consult with tribes. The provisions of SB 18 apply only to city and county governments and not to other public agencies. The following list briefly identifies the contact and notification responsibilities of local governments, in sequential order of their occurrence.

> Prior to the adoption or any amendment of a general plan or specific plan, a local government must notify the appropriate tribes (on the contact list maintained by the NAHC) of the opportunity to conduct consultations for the purpose of preserving, or mitigating impacts to, cultural places located on land within the local government's jurisdiction that is affected by the proposed plan adoption or amendment. Tribes have 90 days from the date on which they receive notification to request consultation, unless a shorter timeframe has been agreed to by the tribe (Government Code §65352.3).[6]
>
> Prior to the adoption or substantial amendment of a general plan or specific plan, a local government must refer the proposed action to those tribes that are on the NAHC contact list and have traditional lands located within the city or county's jurisdiction. The referral must allow a 45 day comment period (Government Code §65352). Notice must be sent

[6] SB 18 added this new provision to state planning law. It applies to any amendment or adoption of a general plan or specific plan, regardless of the type or nature of the amendment. Adoption or amendment of a local coastal program by a city or county constitutes a general plan amendment.

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regardless of whether prior consultation has taken place. Such notice does not initiate a new consultation process.[7]

Local governments must send notice of a public hearing, at least 10 days prior to the hearing, to tribes who have filed a written request for such notice (Government Code §65092).[8]

Under SB 18, local governments must consult with tribes under two circumstances:

On or after March 1, 2005, local governments must consult with tribes that have requested consultation in accordance with Government Code §65352.3. The purpose of this consultation is to preserve, or mitigate impacts to, cultural places that may be affected by a general plan or specific plan amendment or adoption.

On or after March 1, 2005, local governments must consult with tribes before designating open space, if the affected land contains a cultural place and if the affected tribe has requested public notice under Government Code §65092. The purpose of this consultation is to protect the identity of the cultural place and to develop treatment with appropriate dignity of the cultural place in any corresponding management plan (Government Code §65562.5).

Responsibilities of NAHC

The NAHC is charged with the responsibility to maintain a list of California Native American tribes with whom local governments must consult or provide notices (as required in Government Code §65352.3, §65352, and §65092). The criteria for defining "tribe" for the purpose of inclusion on this list are the responsibility of the NAHC. The list of tribes, for the purposes of notice and consultation, is distinct from the Most Likely Descendent (MLD) list that the NAHC maintains.

Upon request, the NAHC will provide local governments with a written contact list of tribes with traditional lands or cultural places located within a city's or county's jurisdiction. These are the tribes that a local government must contact, for purposes of consultation, prior to adoption or amendment of a general plan or specific plan. The NAHC will identify the tribes that must be contacted, based on NAHC's understanding of where traditional lands are located within the State.

For more information on the NAHC's roles and responsibilities, contact the NAHC. (See also Part F: Additional Resources)

[7] Government Code §65352 was amended by SB 18 to include tribes among the entities to whom the proposed action must be referred. The term "substantial amendment" has been in the statute for many years and was not modified by SB 18.

[8] Government Code §65092 was modified by SB 18 to include certain tribes as "persons" that are eligible to request and receive notices of public hearing. "Person" now includes a California Native American tribe that is on the contact list maintained by the NAHC.

8 of 11

Other Elements of SB 18

In addition to the notice and consultation requirements outlined above, SB 18 amended Government Code §65560 to allow the protection of cultural places in the open space element of the general plan. *(See Section X.)* Open space is land designated in the city or county open space element of the general plan for one or more of a variety of potential purposes, including protection of cultural places.

SB 18 also amended Civil Code §815.3 and adds California Native American tribes to the list of entities that can acquire and hold conservation easements. Tribes on the contact list maintained by the NAHC now have the ability to acquire, on terms mutually satisfactory to the tribe and the landowner, conservation easements for the purpose of protecting their cultural places. *(See Section IX.)*

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For Immediate Release
Jan. 12, 2010

Contact: Mishwa Lee
cell: (415) 606-9541

Ohlone people ask SF Planning Department to follow the law and protect ancient village sites at Candlestick Point/Hunters Point Shipyard.

Ohlone representatives are calling for an extension in the Draft EIR Comment Period and inclusion in the Planning Process.

Who: Ohlone representatives: Ann Marie Sayers, Carmen Sandoval, Anthony Sul, Francisco Da Costa, Rosemary Cambra, and Espinola Jackson; International Indian Treaty Council, American Indian Movement West, United Native Americans, Ohlone Profiles Project, Indian People Organized for Change, POWER (People Organized to Win Employment Rights), GreenAction for Health and the Environment.

Where: San Francisco City Hall, Polk St. steps, between McAllister and Grove

What: Welcome & Blessing by Ohlone, Press Conference, delivery of letters to Planning Dept. on last day of public comment period on Candlestick Point/Hunters Point Shipyard

When: Tuesday Jan. 12, 2010 at 12 noon

SAN FRANCISCO, CA— In 2006, San Francisco Board of Supervisors amended the General Plan to allow for development of the Hunters Point Shipyard. According to California Senate Bill 18 - Tribal Consultation Guidelines, signed in law on September 29, 2004, local Ohlone tribal members whose names are listed with the Native American Heritage Commission are to be included in the planning process of any such development. It now appears that none of the Ohlone representatives were contacted so that they could be involved in the planning process.

'***We are wondering why no contact was made with Ohlone people.***' **said Neil MacLean.** '***We want the SF Planning Dept. to follow Senate Bill 18 which requires them to include Ohlone people in the planning process.***'

Tuesday January 12th is the deadline for public comment on the draft EIR for the Phase II of the Candlestick Point/Hunters Point Shipyard. Ohlone and their supporters will be turning in their comments and asking for an extension to allow them to meet with the planning department and provide input into the planning for the development of the 700 acres, the largest undeveloped area of San Francisco in recent years.

'***This is an important opportunity to work together to protect these ancient historical sites, honor our ancestors and insure that development pressures do not further damage critical Ohlone Indigenous sites,***' **said Ohlone representative Corrina Gould.**

'The sites affected by the development are extremely significant and are believed to be burial or ceremonial sites.' **said Ohlone Chairperson AnnMarie Sayers** ***'In addition to protecting these sites, we also want to work with the local community to protect their health, the land and the fragile Bay marine environment.'***

At the Press Conference, Ohlone representatives, along with the American Indian Movement and the International Indian Treaty Council will deliver letters to the Mayor, the Board of Supervisors and the City Attorney, asking them for the extension for public response to the draft EIR to allow for Ohlone input.

The draft EIR states that there are at least 4 and probably 5 Ohlone village sites within the development boundaries and another 16 that are within one-quarter mile of the project. According to Ohlone representatives this is an important opportunity to work with the city to create an Ohlone Cultural Center and protect their historic sites, which may be 6,000 years old.

Olhone organizers of the Press Conference would also like to work with the Bayview Hunters Point community to protect the unique characteristics of the neighborhood and allow for the protection and restoration of the important environmental resources. The economic vitality of the neighborhood also depends on the health of the people in the neighborhood.

'The area, including the Shipyard, must be cleaned up so that it can support healthy living and working conditions,' **said Mishwa Lee, a Bayview resident and Ohlone supporter.** ***'We want this land to be a healthy place for the future generations, just as the Ohlone ancestors lived to protect their lands and waters for our generation.'***

Media Contacts:

- Mishwa Lee, Bayview/Hunters Point resident and Ohlone supporter (415) 606-9541
- Neil MacClean, Ohlone Profiles Project (415) 515-8430
- Ann Marie Sayers, Ohlone Chairperson (831)-637-4238
- Jaron Browne, POWER (415) 377-2822

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Ohlone Press Conference

January 12, 2010

12noon – 12:30

I. Mary Jean Robertson – KPOO Radio (MC)

II. Ann Marie Sayers – Ohlone Chairwoman

III. Rosemary Cambra – Mawakma Ohlone

IV. Corrina Gould – Ohlone representative (if present)

V. Catherine Herrera – Ohlone representative (if present)

VI. Morning Star Gali – International Indian Treaty Council

VII. Anthony Sul – song

VIII. Quana Brightman – United Native Americans

IX. Marcus - American Indian Movement West

X. Representative from the Human Rights Commission

XI. Francisco Da Costa and or Espinola Jackson

XII. Mishwa Lee – POWER

XIII. Marie Harrison – GreenAction for Health and the Environment

XIV. Vallery Tulier

XV. Ann Marie Sayers – closing

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Letter 8: Indian Canyon Nation/Costanoan Indian Research Inc. (1/12/10)

Response to Comment 8-1

Refer 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) regarding the Project's potential impacts on Burial Sites.

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Letter 9: POWER (People Organized to Win Employment Rights) (12/21/09)

1 of 1

Letter 9

COMMENT ON
2007.0946E CANDLESTICK POINT - HUNTERS POINT SHIPYARD PHASE II DEIR

SF BUSINESS TIMES | DECEMBER 18-24, 2009 sanfranciscobusinesstimes.com

Business leaders can save the Niners

GUEST OPINION
Michael J. Antonini

The 49ers are deeply and historically identified with San Francisco. San Franciscans Vic and Tony Morabito founded the team in 1946, many years before the Giants moved from New York and the Warriors from Philadelphia.

Hence business, civic, labor and government leaders are joining forces to assist in needed repairs and improvements to Candlestick Park and to expedite development of the Candlestick Point Hunters Point Shipyard, a project that features a "state-of-the art," 69,000-seat football stadium. Leaders from the Committee on Jobs, the San Francisco Chamber of Commerce, Recreation and Park and others are asking businesses and individuals to help with funding of improvements at Candlestick in return for advertising. These improvements could translate into increased revenue for the contributor, the city and the team.

Replacement of aging seats and a highly visible new luxury section are two concepts being studied.

Naming rights to Candlestick Park is an attractive opportunity for a company or an entity to gain nationwide exposure and local acclaim — and, perhaps, position itself to be a key contributor when a new stadium is built at Hunters Point. No new stadium can be built anywhere without significant private investment, in addition to $100 million assured from Lennar Corp. as a precondition of development rights and the amount which the 49ers ownership would invest.

On Thursday, Dec. 17, the San Francisco Planning Commission was to hear comment on the Draft Environmental Impact Report for the Candlestick Point Hunters Point Shipyard Plan. Because this plan features many diverse uses, particularly huge amounts of housing, funding is being rapidly obtained for greatly improved transit and traffic access.

San Francisco must avoid the errors of the past, when we failed to build an arena for indoor sporting, major conventions and entertainment events. Such a facility could have brought huge amounts of revenue to San Francisco businesses.

Leaders have twice stepped up to save the San Francisco Giants. One would expect no less from our leaders when dealing with our home grown, five- time Super Bowl champion San Francisco 49ers!

Michael J. Antonini is a planning commissioner for the City and County of San Francisco ■

9-1

SUBMITTED BY SUE HESTOR
ON BEHALF OF PEOPLE ORGANIZED TO WIN EMPLOYMENT RIGHTS
(POWER)

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Letter 9: POWER (People Organized to Win Employment Rights) (12/21/09)

Response to Comment 9-1

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

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Letter 10: San Francisco Bay Trail (12/18/09)

1 of 1

Letter 10

December 18, 2009

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: Request for Comment Deadline Extension

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.

The Bay Trail Project has a keen interest in the above-referenced project and is in the process of preparing comments. Given the size, scope and scale of the project, we would like to request an extension of the comment period for an additional 45 days. 10-1

Thank you for your consideration of this request.

Sincerely,

Maureen Gaffney
Bay Trail Planner

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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Letter 10: San Francisco Bay Trail (12/18/09)

Response to Comment 10-1

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.

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Letter 11: Alice Griffith Public Housing Tenant Association (11/3/09)

1 of 2

Letter 11

Alice Griffith Public Housing Tenant Association

2 Cameron Way San Francisco Ca, 94124

November 3, 2009

Rick Swig, Vice President
1 Van Ness 5th Fl.
San Francisco, 94102

Dear Mr. Swig and all Redevelopment Commissioners:

As the President of the Alice Griffith Tenant Association representing 1,112 public housing residents, we formally and wholeheartedly support Candlestick Redevelopment Project and are requesting absolutely no delays of the comment period of the EIR. In November of 2008 the citizens of San Francisco stood with us in support of Proposition G. Within the Alice Griffith Housing Development this proposition was overwhelmingly approved by more than 77% of the current residents. The primary reason for this support is simple. Currently, our residents live in unacceptable conditions drastically impacting our quality of life and limiting the ability of our children to experience a decent, healthy living environment. We cannot bear to live in these conditions even one day longer than is absolutely necessary.

11-1

The temporary housing built by the Navy in 1962 is now 32 years beyond its intended useable period. Poorly constructed originally, residents contend daily with a wide range of health and safety issues. These issues include: massive indoor and outdoor sewage backups as a result of faulty plumbing systems underneath all units, rampant mold and mildew problems triggering chronic asthma and other health issues for our children and seniors, rodent and insects are a constant concern and the general development layout isolates us from the rest of the Bayview community.

For the past year, The Redevelopment Agency, Housing Authority and Mayor's Office has held over dozens resident meetings to explain the project in great detail and gather community input by those of us who will be impacted the most. We clearly understand the opportunity and challenges of project impact as it relates to traffic public housing, affordable housing, jobs, education, parks and the environment. Furthermore, we acknowledge, accept and agree with the plan presented by the City

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team to ensure access to opportunity and address all the challenges. This is a sincere request from those who have the least. Don't delay this long awaited progress. We have finally restored trust in government and expect you to honor your commitment to improve our community immediately.

The San Francisco Housing Authority has invested millions in temporary solutions that can only reduce the frequency of these problems. As San Francisco residents who happen to live in public housing, we deserve access to the same quality of life that the majority of citizens enjoy and take for granted.

We urge you to support this effort as the opportunity is here and now, our families cannot wait another 40 years.

11-1 cont'd.

Lavell Shaw

Sincerely,
Lavell Shaw,
President

Letter 11: Alice Griffith Public Housing Tenant Association (11/3/09)

Response to Comment 11-1

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.

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Letter 12: Asian Pacific Democratic Club (12/17/09)

1 of 1

DEC. 17. 2009 9:49AM NO. 5573 P. **Letter 12**

ASIAN PACIFIC DEMOCRATIC CLUB

December 17, 2009

San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Hunters Point Shipyard Phase 2-Candlestick Point Draft Environmental Impact Report (Support)

Dear Commissioners:

We respectfully request your favorable consideration for Shipyard Phase 2-Candlestick Point Project's Draft Environmental Impact Report and request that the public comment period for the document not be extended. The City's plan to revitalize the former Hunters Point Naval Shipyard and Candlestick Point is one of the most important development projects in the city's modern history because of both its scale and the scope of public benefits that it will deliver to a grossly underserved community.

The City's development plans call for building 10,500 new residential homes, more than 32% of which will be offered at below market rates, and millions of square feet of desperately needed job-generating commercial and retail space, including what will be the State of California's largest center for green technology companies. The project will create more than 10,000 permanent jobs as well as thousands of ongoing construction jobs over the life of the project, and the City is developing a strategy to ensure that as many of those jobs as possible are directed to the residents of the surrounding Bayview Hunters Point community. The project will also fund one of the largest and most significant park construction projects in San Francisco since Golden Gate Park, all at no cost to the City's General Fund or the State.

APDC, along with an overwhelming majority of voters, voted in favor of Proposition G in 2008 to support this much-needed revitalization of the Bayview Hunters Point community. We have strongly supported this project because San Francisco needs more parks, open space, housing and transit oriented development – and most importantly, in these dire economic times, this project will give our city and the Bayview Hunters Point community the vital economic boost it so desperately needs.

This project is the result of more than a decade of community based planning and it is time for the city to move this project forward though environmental review and entitlements so that we can finally begin to receive the community and economic benefits that this project stands to deliver. **Therefore, we ask that you not extend the public comment period for the Hunters Point Shipyard Phase 2-Candlestick Point Draft Environmental Impact Report.**

12-1

Sincerely,

Mary Jung
President

Asian Pacific Democratic Club PAC, 320 San Leandro Way, San Francisco, CA 94127
apdcsf@gmail.com

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Letter 12: Asian Pacific Democratic Club (12/17/09)

Response to Comment 12-1

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.

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Letter 13: Toxic Chem Handout—PC Hearing (12/17/09)

1 of 9

Letter 13

The Affects of Toxic Chemicals in the Hunters Point Shipyard on Human Health

Source: ATSDR Information Center / ATSDRIC@cdc.gov / 1-888-422-8737

Volatile Organic Compounds (VOCs)
Even at low levels, these chemicals can cause a number of symptoms. But they sound like symptoms of lots of things, so it can be hard for a doctor to narrow it down to VOCs. Common symptoms include fatigue, headaches, skin and eye irritation, tingling or numbness in the extremities, drowsiness and dizziness.

Total Petroleum Hydrocarbons (TPH)
Total Petroleum Hydrocarbons (TPH) is a term used to describe a broad family of several hundred chemical compounds that originally come from crude oil. In this sense, TPH is really a mixture of chemicals. TPH can enter and leave your body when you breathe it in air; swallow it in water, food, or soil; or touch it. Most components of TPH will enter your bloodstream rapidly when you breathe them as a vapor or mist or when you swallow them. Some of the TPH compounds, particularly the smaller compounds such as benzene, toluene, and xylene (which are present in gasoline), can affect the human central nervous system. If exposures are high enough, death can occur. The International Agency for Research on Cancer (IARC) has determined that one TPH compound (benzene) is carcinogenic to humans. IARC has determined that other TPH compounds (benzo[a]pyrene and gasoline) are probably and possibly carcinogenic to humans. Most of the other TPH compounds are considered not to be classifiable by IARC. 13-1

Beryllium
Beryllium is an element that occurs naturally. It is present in a variety of materials, such as rocks, coal and oil, soil, and volcanic dust. Beryllium can enter your body if you breathe air, eat food, or drink water containing it. Beryllium enters the air, water, and soil as a result of natural and human activities. When you breathe it in, beryllium can damage your lungs. The lung damage resembles pneumonia with reddening and swelling of the lungs. This condition is called chronic beryllium disease (CBD). Beryllium is a metal that can be harmful when you breathe it. Both the short-term, pneumonia-like disease and the chronic beryllium disease can be fatal. EPA has determined that beryllium is a probable human carcinogen.

Vinyl Chloride
Vinyl Chloride is known also as chloroethene, chloroethylene, ethylene monochloride, or monochloroethylene. At room temperature, it is a colorless gas, it burns easily, and it is not stable at high temperatures. Vinyl chloride exists in liquid form if kept under high pressure or at low temperatures. If vinyl chloride gas contacts your skin, tiny amounts may pass through the skin and enter your body. Vinyl chloride is more likely to enter your body when you breathe air or drink water containing it. Because vinyl chloride usually exists in a gaseous state, you are most likely to be exposed to it by breathing it. Vinyl chloride is not normally found in urban, suburban, or rural air in amounts that are detectable by the usual methods of analysis. However, vinyl chloride has been found in the air near vinyl chloride manufacturing and processing plants, hazardous waste sites, and landfills. Some people who have breathed vinyl chloride for several years have changes in the

2 of 9

structure of their livers. People are more likely to develop these changes if they breathe high levels of vinyl chloride. Some people who have worked with vinyl chloride have nerve damage, and others develop an immune reaction. The lowest levels that produce liver changes, nerve damage, and immune reaction in people are not known. The U.S. Department of Health and Human Services has determined that vinyl chloride is a known carcinogen. Studies in workers who have breathed vinyl chloride over many years showed an increased risk of liver, brain, lung cancer, and some cancers of the blood have also been observed in workers.

Arsenic

Arsenic is a naturally occurring element that is widely distributed in the Earths crust. Arsenic is classified chemically as a metalloid, having both properties of a metal and a nonmetal; however, it is frequently referred to as a metal. Arsenic occurs naturally in soil and minerals and it therefore may enter the air, water, and land from wind-blown dust and may get into water from runoff and leaching. Since arsenic is found naturally in the environment, you will be exposed to some arsenic by eating food, drinking water, or breathing air. Children may also be exposed to arsenic by eating soil. Inorganic arsenic has been recognized as a human poison since ancient times, and large oral doses (above 60,000 ppb in water which is 10,000 times higher than 80% of U.S drinking water arsenic levels) can result in death. If you swallow lower levels of inorganic arsenic (ranging from about 300 to 30,000 ppb in water; 100-10,000 times higher than most U.S. drinking water levels), you may experience irritation of your stomach and intestines, with symptoms such as stomachache, nausea, vomiting, and diarrhea. Other effects you might experience from swallowing inorganic arsenic include decreased production of red and white blood cells, which may cause fatigue, abnormal heart rhythm, blood-vessel damage resulting in bruising, and impaired nerve function causing a "pins and needles" sensation in your hands and feet. Perhaps the single-most characteristic effect of long-term oral exposure to inorganic arsenic is a pattern of skin changes. These include patches of darkened skin and the appearance of small "corns" or "warts" on the palms, soles, and torso, and are often associated with changes in the blood vessels of the skin. Skin cancer may also develop. Swallowing arsenic has also been reported to increase the risk of cancer in the liver, bladder, and lungs.

13-1 cont'd.

Polychlorinated biphenyls (PCBs)

Polychlorinated biphenyls (PCBs) are a group of synthetic organic chemicals that can cause a number of different harmful effects. There are no known natural sources of PCBs in the environment. PCBs are either oily liquids or solids and are colorless to light yellow. Concentrations of PCBs in subsurface soil at a Superfund site have been as high as 750ppm. People who live near hazardous waste sites may be exposed to PCBs by consuming PCB-contaminated sportfish and game animals, by breathing PCBs in air, or by drinking PCB-contaminated well water. If you breathe air that contains PCBs, they can enter your body through your lungs and pass into the bloodstream. Skin conditions, such as acne and rashes, may occur in people exposed to high levels of PCBs. Studies of workers provide evidence that PCBs were associated with certain types of cancer in humans, such as cancer of the liver and biliary tract.

Cesium

Cesium is a naturally-occurring element found in rocks, soil, and dust at low concentrations. Radioactive forms of cesium are produced by the fission of uranium in fuel elements (fuel rods) during the normal operation of nuclear power plants, or when nuclear weapons are exploded. You can be exposed to stable or radioactive cesium by breathing air, drinking water, or eating food

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containing cesium. If you were to breathe, eat, drink, touch, or come close to large amounts of radioactive cesium, cells in your body could become damaged from the radiation that might penetrate your entire body, much like x-rays, even if you did not touch the radioactive cesium. Because radioactive cesium emits ionizing radiation, carcinogenic effects similar to those observed in Japanese survivors of the atomic bombing incidents might be expected among individuals acutely exposed to very high levels of radiation from a radioactive cesium source. Rats exposed to high doses of radiation from ^{137}Cs had increased risk of mammary tumors. Older rats seemed more resistant than younger ones.

Chromium

Chromium is a naturally-occurring element found in rocks, animals, plants, and soil. You can be exposed to chromium by breathing air containing it or drinking water containing chromium. Chromium(VI) compounds are more toxic than chromium(III) compounds. The most common health problem in workers exposed to chromium involves the respiratory tract. These health effects include irritation of the lining of the nose, runny nose, and breathing problems (asthma, cough, shortness of breath, wheezing). The Department of Health and Human Services (DHHS), the International Agency for Reseach on Cancer (IARC), and the EPA have determined that chromium(VI) compounds are known human carcinogens. In workers, inhalation of chromium(VI) has been shown to cause lung cancer. Chromium(VI) also causes lung cancer in animals. An increase in stomach tumors was observed in humans and animals exposed to chromium(VI) in drinking water.

13-1 cont'd.

Carbon Tetrachloride

Carbon Tetrachloride is a clear liquid that evaporates very easily. Most carbon tetrachloride that escapes to the environment is therefore found as a gas. Because carbon tetrachloride evaporates easily, most of the compound released to the environment during its production and use reaches the air, where it is found mainly as a gas. It can remain in air for several years before it is broken down to other chemicals. Carbon tetrachloride can enter your body through your lungs if you breathe air containing carbon tetrachloride, or through your stomach and intestines if you swallow food or water containing carbon tetrachloride. Carbon tetrachloride can also pass through the skin into the body. The liver is especially sensitive to carbon tetrachloride since it contains a large amount of the enzymes that change the form of the chemical. Some of the breakdown products may attack cell proteins, interfering with the functions of the liver cells. In mild cases, the liver becomes swollen and tender, and fat builds up inside the organ. In severe cases, liver cells may be damaged or destroyed, leading to a decrease in liver function. The Department of Health and Human Services has determined that carbon tetrachloride may reasonably be anticipated to be a carcinogen. Animals that ingested carbon tetrachloride over a long time developed liver cancer. We do not know if breathing carbon tetrachloride causes cancer in animals. We also do not know if breathing or ingesting it will cause cancer in people.

Chloroform

Chloroform is also known as trichloromethane or methyltrichloride. It is a colorless liquid with a pleasant, nonirritating odor and a slightly sweet taste. Chloroform can enter your body if you breathe air, eat food, or drink water that contains chloroform. Chloroform easily enters your body through the skin. Therefore, chloroform may also enter your body if you take a bath or shower in water containing chloroform. In humans, chloroform affects the central nervous system (brain), liver, and kidneys after a person breathes air or drinks liquids that contain large amounts of chloroform.

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Large amounts of chloroform can cause sores when the chloroform touches your skin. The Department of Health and Human Services (DHHS) has determined that chloroform may reasonably be anticipated to be a carcinogen. Rats and mice that ate food or drank water with chloroform developed cancer of the liver and kidneys.

Naphthalene

Naphthalene is a white solid that evaporates easily. It is also called mothballs, moth flakes, white tar, and tar camphor. When mixed with air, naphthalene vapors easily burn. Naphthalene, 1 methylnaphthalene, or 2 methylnaphthalene can enter your body if you breathe air that contains these chemicals, if you drink water that contains these chemicals, or if they touch your skin. Exposure to a large amount of naphthalene may damage or destroy some of your red blood cells. This could cause you to have too few red blood cells until your body replaces the destroyed cells. This problem is called hemolytic anemia. If your ancestors were from Africa or Mediterranean countries, naphthalene may be more dangerous to you than to people of other origins. Some of the symptoms that occur with hemolytic anemia are fatigue, lack of appetite, restlessness, and a pale appearance to your skin. Exposure to a large amount of naphthalene may cause nausea, vomiting, diarrhea, blood in the urine, and a yellow color to the skin. There is no direct evidence in humans that naphthalene, 1-methylnaphthalene, or 2-methylnaphthalene cause cancer. However, cancer from naphthalene exposure has been seen in animal studies. Some female mice that breathed naphthalene vapors daily for a lifetime developed lung tumors. Some male and female rats exposed to naphthalene in a similar manner also developed nose tumors. Based on the results from animal studies, the Department of Health and Humans Services (DHHS) concluded that naphthalene is reasonably anticipated to be a human carcinogen. The International Agency for Research on Cancer (IARC) concluded that naphthalene is possibly carcinogenic to humans. The EPA determined that naphthalene is a possible human carcinogen (Group C) and that the data are inadequate to assess the human carcinogenic potential of 2-methylnaphthalene.

13-1 cont'd.

Tetrachloroethane

Tetrachloroethane is a synthetic, colorless, dense liquid that does not burn easily. It has a penetrating, sweet odor similar to chloroform. Individuals located near hazardous waste sites and facilities where this substance is used may be exposed to 1,1,2,2-tetrachloroethane in contaminated air, water, or soil. 1,1,2,2-Tetrachloroethane can enter your body through the lungs. Most of the 1,1,2,2-tetrachloroethane in food or water will rapidly enter the body through the digestive tract. Tetrachloroethane can also enter your body through the skin. Breathing concentrated fumes of 1,1,2,2 tetrachloroethane (enough so that you notice its sickeningly sweet smell) can rapidly cause drowsiness, dizziness, nausea, and vomiting. Most people recover from these effects once they are in fresh air. Breathing high levels of 1,1,2,2 tetrachloroethane for a long time can cause liver damage. The EPA has determined that Tetrachloroethane is a possible human carcinogen.

Xylene

Xylene is primarily a synthetic chemical. Chemical industries produce xylene from petroleum. Xylene also occurs naturally in petroleum and coal tar and is formed during forest fires, to a small extent. It is a colorless, flammable liquid with a sweet odor. You are most likely to be exposed to xylene by breathing it in contaminated air. Xylene is sometimes released into water and soil as a result of the

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use, storage, and transport of petroleum products Short-term exposure of people to high levels of xylene can cause irritation of the skin, eyes, nose, and throat; difficulty in breathing; impaired function of the lungs; delayed response to a visual stimulus; impaired memory; stomach discomfort; and possible changes in the liver and kidneys. Both short- and long-term exposure to high concentrations of xylene can also cause a number of effects on the nervous system, such as headaches, lack of muscle coordination, dizziness, confusion, and changes in one's sense of balance.

Methylene Chloride

Methylene Chloride, also known as dichloromethane, is a colorless liquid that has a mild sweet odor, evaporates easily, and does not easily burn. You may be exposed to methylene chloride in air, water, food, or from consumer products. Because methylene chloride evaporates easily, the greatest potential for exposure is when you breathe vapors of contaminated air. If you breathe methylene chloride (300 ppm) or greater for short periods of time (e.g., 3-4 hours), you may not be able to hear faint sounds and your vision may be slightly impaired. If you breathe large amounts (800 ppm) you may not be able to react fast, remain steady, or perform tasks requiring precise hand movements. You may experience dizziness, nausea, tingling or numbness of the fingers and toes, and drunkenness if you breathe methylene chloride for a longer time. The World Health Organization (WHO) has determined that methylene chloride may cause cancer in humans. The Department of Health and Human Services (DHHS) has determined that methylene chloride can be reasonably anticipated to be a cancer-causing chemical. The EPA has determined that methylene chloride is a probable cancer-causing agent in humans.

13-1 cont'd.

Benzene

Benzene, also known as benzol, is a colorless liquid with a sweet odor. Benzene evaporates into air very quickly and dissolves slightly in water. Benzene is highly flammable. Benzene can enter your body through your lungs, gastrointestinal tract, and across your skin. When you are exposed to high levels of benzene in air, about half of the benzene you breathe in passes through the lining of your lungs and enters your bloodstream. Brief exposure (5-10 minutes) to very high levels of benzene in air (10,000-20,000 ppm) can result in death. Lower levels (700-3,000 ppm) can cause drowsiness, dizziness, rapid heart rate, headaches, tremors, confusion, and unconsciousness. Benzene causes problems in the blood. People who breathe benzene for long periods may experience harmful effects in the tissues that form blood cells, especially the bone marrow. These effects can disrupt normal blood production and cause a decrease in important blood components. Long-term exposure to high levels of benzene in the air can cause leukemia, particularly acute myelogenous leukemia, often referred to as AML. This is a cancer of the bloodforming organs. The Department of Health and Human Services (DHHS) has determined that benzene is a known carcinogen. The International Agency for Research on Cancer (IARC) and the EPA have determined that benzene is carcinogenic to humans.

Cobalt

Cobalt is a naturally-occurring element that has properties similar to those of iron and nickel. Cobalt cannot be destroyed in the environment. It can only change its form or become attached or separated from particles. Cobalt can enter your body when you breathe in air containing cobalt dust, when you drink water that contains cobalt, when you eat food that contains cobalt, or when your skin touches materials that contain cobalt. Serious effects on the lungs, including asthma, pneumonia, and wheezing, have been found in people exposed to 0.005 mg cobalt/m3 while working with hard

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metal, a cobalt-tungsten carbide alloy. People exposed to 0.007 mg cobalt/m3 at work have also developed allergies to cobalt that resulted in asthma and skin rashes. Being exposed to radioactive cobalt may be very dangerous to your health. If you come near radioactive cobalt, cells in your body can become damaged from gamma rays that can penetrate your entire body, even if you do not touch the radioactive cobalt. Radiation from radioactive cobalt can also damage cells in your body if you eat, drink, breathe, or touch anything that contains radioactive cobalt. The International Agency for Research on Cancer has determined that cobalt is a possible carcinogen to humans.

Radium

Radium is a naturally-occurring silvery white radioactive metal that can exist in several forms called isotopes. It is formed when uranium and thorium (two other natural radioactive substances) decay (break down) in the environment. Radium can enter the body when it is breathed in or swallowed. If you breathe radium into your lungs, some may remain there for months; but it will gradually enter the blood stream and be carried to all parts of the body, especially the bones. Exposure to higher levels of radium over a long period of time may result in harmful effects including anemia, cataracts, fractured teeth, cancer (especially bone cancer), and death. Some of these effects may take years to develop and are mostly due to gamma radiation. Radium gives off gamma radiation, which can travel fairly long distances through air. Therefore, just being near radium at the high levels that may be found at some hazardous waste sites may be dangerous to your health. Exposure to high levels of radium results in an increased incidence of bone, liver, and breast cancer. The EPA and the National Academy of Sciences, Committee on Biological Effects of Ionizing Radiation, has stated that radium is a known human carcinogen.

13-1 cont'd.

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Parcel by Parcel Toxins Present in the Hunters Point Shipyard

From the Candlestick Point-Hunters Point Shipyard Phase II Draft Environmental EIR
Section III.K Hazards and Hazardous Materials Page III.K-14 – III.K-27

Hunters Point Shipyard Parcel Designation Proposed HPS Phase II Districts

- Parcels A and B HPS Village Center
- Parcel C and UC-2 HPS Village Center and R&D
- Parcels A and D (includes D-1, D-2, and UC-1) Stadium and R&D/Parking
- Parcel E Sports Fields/Parking
- Parcel E-2 Open Space
- Parcel F (off-shore) Marina
- Parcel G (a portion of Parcel D) 49ers Stadium (or No Stadium option)

SOURCE: Lennar Urban, 2009; Navy documents

Toxins in Parcel B

The EIR States that the primary chemicals in Parcel B soils at concentrations above cleanup goals are:

1. Volitile Organic Compounds (VOCs), semi-volatile organic compound (SVOCs), 283 Polychlorinated biphenyl (PCBs), and metals.
2. VOCs, chromium VI (hexavalent chromium), and mercury are the primary chemicals that have been detected in groundwater.
3. Petroleum hydrocarbons have also been detected in Parcel B soil and groundwater.
4. A survey in IR Sites 7/18 found methane present at concentrations that could potentially be explosive if vapors were to accumulate above levels of concern in a structure. (footnote number 284)
5. Potential risks from groundwater are based primarily on breathing VOC vapors in indoor air that have migrated from groundwater in the A-aquifer. The results of a screening-level ecological risk assessment (SLERA) identified potential unacceptable risk to benthic invertebrates, birds, and mammals from exposure to several metals (chromium VI, copper, lead, and mercury), **pesticides, and PCBs in sediment along the shoreline.** (footnote number 285)

13-1 cont'd.

Toxins in Parcel C

The EIR States that the primary chemicals in Parcel C soil and groundwater include:

1. The primary chemical contaminants detected in Parcel C soil and groundwater include VOCs, SVOC PCBs, petroleum hydrocarbons (gasoline and diesel), and metals.
2. Identified sources of these chemicals included leaking sumps containing VOCs and SVOCs, leaking fuel (gasoline and diesel) lines and USTs, sandblast material containing lead and other metals, and leaking PCB-containing transformers.
3. Petroleum hydrocarbon and VOC plumes in groundwater occur in the eastern half and west-central portions of Parcel C. Petroleum hydrocarbons in soil and groundwater pose a risk to aquatic receptors in the Bay.294
4. The current magnitude and extent of these chemicals in groundwater at Parcel C are generally consistent with previous quarters, with the exception of an increase recently of vinyl chloride levels in one monitoring well.

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Toxins present in Parcel D (Including all subparcels D-1, D-2, Parcel G, and UC-1)

The primary chemical contaminants detected in Parcel D soil include:

1. PCBs and petroleum hydrocarbons (diesel and motor oil), and metals.
2. Diesel and motor oil were also detected in groundwater.
3. Elevated concentrations of lead in soil were detected in several areas.
4. Arsenic and beryllium were detected in both soil and groundwater.
5. Other metals found in serpentinite-derived fill materials, such as arsenic, chromium, nickel, and manganese, were also detected throughout the parcel in soil and/or groundwater.
6. Chromium VI (hexavalent chromium) was detected within groundwater below IR-09.
7. Cesium-137 and associated elements strontium and europium were detected on asphalt adjacent to the secondary containment vault behind Buildings 364 and 365.
8. Metals (arsenic, lead, manganese) and a few VOCs are the primary contaminants in soil requiring the need for remediation. The following chemical contaminants in groundwater are associated with potential exposure to A-aquifer groundwater via vapor intrusion: benzene, carbon tetrachloride, chloroform, naphthalene, tetrachlorethene, trichloroethene, xylene, and methylene chloride.

Toxins present in Parcels E and E2

1. The chemicals of concern at Parcel E include metals and organic chemicals such as VOCs, PAHs, PCBs, and pesticides.
2. The chemicals of concern at Parcel E-2 include metals, PCBs, SVOCs, pesticides, and petroleum hydrocarbons.
3. The radionuclides of concern associated with Parcel E-2 include cobalt-60, cesium-137, radium-226, and strontium-90.
4. The HHRA results for groundwater indicated that the risk from potential exposure to VOCs (such as chlorinated solvents and benzene) in the A-aquifer via vapor intrusion exceeded action levels at certain locations.
5. Potential human health risk from exposure to chemicals present in sediment was also evaluated for the shoreline at HPS. Based on this evaluation, hexavalent chromium (chromium VI), total chromium, and PCBs appear to be the primary chemicals of concern for the evaluation of human health in sediment along the Parcel E shoreline.
6. The SLERA found potential risk to benthic invertebrates, birds, and mammals from exposure to metals and total PCBs in surface and subsurface sediments along the shoreline

- **From August 2000 – April 2001 there was a landfill fire in Parcel E of the Shipyard that burned underground for 9 months,** and the Navy was unable or unwilling to put out the fire. The U.S. Navy did not alert anyone about the fire for 3 weeks. In June 2000, the US Environmental Protection Agency issued a fine against the Navy for their actions with respect to the fire.

Toxins present in Parcel F

1. In Subarea III, copper and mercury were identified as the primary risk drivers; PCBs were of greatest concern in Subareas IX and X. These chemicals also exceeded concentrations considered safe for benthic invertebrates directly exposed to sediment.
2. PCBs also were shown to cause potential risk to humans if they were to consume shellfish collected at HPS.

13-1 cont'd.

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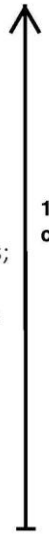
Base-wide Contamination

The primary purpose of the Historical Radiological Assessment (HRA) was to designate sites as —impacted or —non-impacted. As identified in the HRA, an impacted site was one that had the potential for radioactive contamination based on historical information, or was known to contain or have contained radioactive contamination.

1. According to the Historical Radiological Survey, 91 of the 882 Hunters Point Shipyard historical and current sites were identified as "impacted". The impacted sites included: buildings; drydocks; former building sites; outdoor areas; IR sites, ships' berths; the Gun Mole Pier (re-gunning pier); and septic, sanitary, and storm drain systems. As identified in the HRA, an impacted site was one that had the potential for radioactive contamination based on historical information, or was known to contain or have contained radioactive contamination.

2. Of the 91 sites, 29 were recommended for review of the Final Status Survey The Historical Radiological Assessment identified the following potentially contaminated media: surface soils, subsurface soil and media, structures and drainage systems.



13-1 cont'd.

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Letter 13: Toxic Chem Handout—PC Hearing (12/17/09)

Response to Comment 13-1

The article on toxic chemicals does not directly comment upon the adequacy of the Draft EIR or the information contained therein. The information provided will be forwarded to the decision-makers.

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Letter 14: Positive Directions Equals Change (12/17/09)

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Letter 14

POSITIVE DIRECTIONS EQUALS CHANGE INC.

- Our Mission –

To inspire personal and social responsibility to the African American community through advocacy, education and results- oriented service.

For more Information:

Administrative Office

Phone (415) 401-0199
Fax (415) 401-0175

Outpatient Services:

Phone (415) 740-5587

December 17th, 2009

A letter came out this week, authored by Arc Ecology Executive Director Saul Bloom, formally requesting that the Mayor extend the public input time for the Environmental Impact Review (EIR) of the Lennar Hunters Point Shipyard Development Project from 45 days to 90 days. Among the signatories to the letter was an organization calling itself "Positive Directions".

Positive Directions Equals Change, Inc. is unaware of any organization in the community that goes by this name and is struck by its similarity to Positive Directions. ***Positive Directions Equals Change, Inc.*** is not and never has been a signatory to this letter. We are deeply disappointed in Mr. Bloom for misrepresenting our organization's views, be it intentional or otherwise.

We ask that Mr. Bloom remove the "Positive Directions" name immediately from his letter and clarify the organization from which he claims to have the endorsement.

14-1

Cedric G. Akbar
Positive Directions Equals Change, Inc.
4716 Third Street
San Francisco, CA 94124
415.401.0199
415.401.0175 (fax)

4716 3rd street San Francisco CA 94124

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Letter 14: Positive Directions Equals Change (12/17/09)

Response to Comment 14-1

The comment is acknowledged. No response is required.

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Letter 15: Cavella, Barbara (12/12/09)

1 of 1

Letter 15

Barbara I. Cavella
2550 Round Hill Dr.
Alamo, CA. 94507

Saturday, December 12, 2009

SAN FRANCISCO REDEVELOPMENT AGENCY
SAN FRANCISCO PLANNING DEPARTMENT
Stanley Muraoka
Environmental Review Officer
One South Van Ness Ave., Fifth Floor
San Francisco, CA. 94103

Re: S.F. Redeveklopment Agency File No. ER06-05.07

Please be advised that I am a property owner of 1650 and1690 Evans Ave., San Francisco. 94124.

I would like to know the street developments for Evans Avenue leading to Hunters Point. 15-1

Thanking you in advance to my request.

Yours truly,

Barbara Cavella

Barbara Cavella

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Letter 15: Cavella, Barbara (12/12/09)

Response to Comment 15-1

The Project does not propose changes to the segment of Evans Avenue adjacent to the 1650 and 1690 Evans Avenue properties (located between Phelps Street and Quint Street). Further, the Project does not propose changes to Evans Avenue, between Third Street and Jennings Street. The project does propose to re-stripe Hunters Point Boulevard and Innes Avenue from the Project boundary up to Evans Avenue to accommodate two travel lanes in each direction, a Class II bicycle lane in each direction, and on-street parking on the north side of the street. A 10-foot-wide sidewalk would be provided on the north side of the street and an 8-foot-wide sidewalk on the south side.

However, mitigation measure MM TR-24 would convert one travel lane in each direction on Evans Avenue, from Jennings Street to Napoleon Street, to transit-only, leaving one mixed-flow lane in each direction. This mitigation measure would affect the number of available mixed-flow travel lanes on the segment adjacent to 1650 and 1690 Evans Avenue. Refer to Master Response 18 (Transit Mitigation Measures) for clarity on the proposed physical changes to the roadway network.

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Letter 16: Birkelund, James (12/19/09)

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Letter 16

Law Offices of James Birkelund
840 California St., Suite 45
San Francisco, CA 94108
Tel: (415) 602-6223
Email: james@birkelundlaw.com

Via Email and U.S. Mail

December 19, 2009

Joy Navarrete
Senior Environmental Planner
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, California 94103
Email: Joy.Navarrete@sfgov.org

Re: Public Records Act Request – Draft Environmental Impact Report ("DEIR") for the Candlestick Point-Hunters Point Shipyard Phase II Development Plan Project (the "Project")

Dear Joy:

On behalf of the California State Parks Foundation ("CSPF"), I write to request ***immediate access*** to specific documents from the San Francisco Planning Department ("Planning Department") that are referenced in and relied upon in the above-referenced DEIR for the Project. The requested information is critical to our review of the Project. Please treat this letter as a formal request for information under the California Public Records Act, Gov't Code section 6250 *et seq.* ("PRA").

This December 19, 2009 PRA request is in addition to, and not intended to replace or put limitations on, my December 11, 2009 PRA request.

This request includes the following documents referenced in Appendix D of the DEIR as part of the *CHS Consulting, Fehr & Peers, LCW Consulting Candlestick Point–Hunters Point Shipyard Phase II Development Plan Transportation Study, November 4, 2009* (the "Transportation Study"):

(1) Appendix D of the Transportation Study (Roadway Characteristics and Future Baseline Improvements);

(2) Appendix H of the Transportation Study (Transit Calculations);

(3) Appendix J of the Transportation Study (Travel Demand Calculations); and

16-1

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PRA Request
December 19, 2009
Page 2

(4) Appendix K of the Transportation Study (Supporting Technical Memoranda).

CSPF requests the above documents pursuant to § 6253 of the Public Records Act and § 21092(b)(1) of the California Environmental Quality Act ("CEQA"). This request is also made pursuant to Article I, section 3(b) of the California Constitution, which provides a Constitutional right of access to information concerning the conduct of government. Article I, section 3(b) provides that any statutory right to information shall be broadly construed to provide the greatest access to government information and further requires that any statute that limits the right of access to information shall be narrowly construed.

Per our telephone conversation earlier today, my understanding is you are willing to accept this PRA request on behalf of the Planning Department.

Please contact us as soon as possible so we can arrange to have someone view these documents. We request a written response to this request within ten (10) days and access to the requested documents immediately. Gov't Code § 6253(c); CEQA § 21092(b)(1).

Should CSPF desire copies of these materials after viewing, we also apply for a waiver of duplication and other fees under the PRA because CSPF is a nonprofit, public interest organizations and the requested information is for the public benefit. See *North County Parents Organization v. Dept. of Education*, 23 Cal. App. 4th 144, 148 (1994) (public agencies have the power to waive fees related to record requests by nonprofit organizations pursuant to Cal. Gov't Code section 6253.1).

16-1 cont'd.

Thank you for your cooperation with this request.

Very truly yours,

James M. Birkelund
Law Offices of James Birkelund
840 California St., Suite 45
San Francisco, CA 94108

Letter 16: Birkelund, James (12/19/09)

Response to Comment 16-1

The comment is acknowledged. Background documents were made available at the Agency and the San Francisco Planning Department. All documents requested under Section 6253 of the Public Records Act were provided to the commenter.

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Letter 17: Dale-LeWinter, Marcia (1/4/10)

1 of 7

Letter 17

EIR Comments
Marcia Dale-LeWinter to: Stanley Muraoka
Cc: Tiffany Bohee, Wells Lawson
01/04/2010 09:20 AM

From: Marcia Dale-LeWinter <marcia.dale.lewinter@mac.com>
To: Stanley Muraoka <Stanley.Muraoka@sfgov.org>
Cc: Tiffany Bohee <tiffany.bohee@sfgov.org>, Wells Lawson <Wells.Lawson@sfgov.org>

Stanley:

Attached are my comments on the EIR. Please confirm receipt. 17-1

Thank you,

Marcia

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The Need for High–Quality Access to Hunters Point Shipyard On Good Intentions — Is There a Way to Avoid Disappointment?

Commentary on Candlestick Point–Hunters Point Shipyard Phase II Development Plan EIR

This commentary is directed toward what is not in this EIR rather than what is in it.

San Francisco is a world-class city, a global city if you will. It routinely ranks at or near the top of destination cities worldwide. It has a highly educated workforce employed in a diverse array of 21st century occupations: digital entertainment and education, genetic medicine, medical research, biotechnology, and banking and investment. The tourism industry and its component businesses — hotels, restaurants, theaters, and the arts — is also a major part of the City's economic wellbeing. However, the prosperity generated by these sectors of the economy has not extended to all parts of the City and its residents. When the Hunters Point Shipyard shut down the economic engine for the Southeast sector of the City disappeared. The intervening years have been hard times for many of the residents of this part of the City.

Phase II of the proposed and long-awaited Shipyard redevelopment as now included in the new-town-in-town project for Candlestick Point–Hunters Point Shipyard [the Project]. It is the City's selected means of redressing the post-World War II loss of employment, with its social consequences, that the Shipyard once represented. The Project is designed to extend the City's prosperity to the residents of this sector of the City. During the twenty years (plus or minus) of citizens working to this end that it has taken to arrive at this point in the approval process the community's constant mantra concerning its priorities has been:

- **Jobs** – and economic development,
- **Education** – to meet the requirements of these jobs, and
- **The Arts** – as critical components of healthy and productive lives.

From the EIS:

> Specifically, the Project proposes development of 10,500 residential units with an associated population of 24,465 residents; 885,000 gross square feet (gsf) of retail; 150,000 gsf of office; 2.5 million gsf of Research & Development (R&D) uses; a 220-room, 150,000 gsf hotel; 255,000 gsf of artist live/work space; 100,000 gsf of community services; 251.3 acres of new parks, sports fields, and waterfront recreation areas, as well as 84 acres of new and improved State parkland; a 69,000-seat 49ers stadium; and a 75,000 gsf performance arena. The permanent employee population associated with the Project would be 10,730.
>
> In addition, a 300-slip marina would be provided. Shoreline improvements would also be provided to stabilize the shoreline. The Project would include structured and on-street parking and various infrastructure improvements to support the development.

The Project also includes a 7-lane bridge over the Yosemite Slough designed to provide bus rapid transit service, event-day auto access, pedestrian/bicycle access and recreation opportunities.

The Project meets one gold standard set for greenfield new towns of the 1960s and '70s — specifically that approximately fifty percent of total land area be dedicated to parks and open space. At 336.4 acres, the Project's dedicated open space and recreation is 48 percent of the land total. It greatly exceeds the 10 acres per 1,000 residents guidelines developed by the National Recreation and Park Association (NRPA) for an urban area — 240 acres would be required. It also significantly exceeds the 174 acres the existing City ratio of 7.1 acres per 1,000 residents would require. Since the residents of the Project will be assessed to maintain the parks and open space included, this amounts to a substantial gift to the City.

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By any standard the Project is a recreation and open space bonanza for the citizens of San Francisco. In addition to this significant increase of parks and recreation land, the Project also includes the latest in environmental design techniques and technologies — with particular emphasis on sustainability. On the whole the Project is a major addition to the City. And voters in all parts of the City decisively endorsed the Project proposition in the June 2008 election.

The Project is of course the preferred "alternative." Since it is City policy to retain the 49ers in San Francisco if at all possible, it therefore includes elements to meet the team's requirements for an attractive site and first-rate game-day access. The primary alternative to this Project, given the 49ers consistently stated intentions to move to Santa Clara, is a project without the 49ers stadium. To date this alternative has consisted largely of replacing the stadium area with additional green technology R&D and related businesses. Given the amount of land involved and the state of the economy, this alternative is currently deemed to require finding an "anchor tenant," a company with the desire to create a campus setting for new facilities, for this part of the Shipyard commercial/light industrial redevelopment to be successful.

However, the most recently described non-stadium alternative to the Project, as presented by Lennar at the December Policy Committee meeting of the San Francisco Chamber of Commerce, might instead include the placement of 4,000 units of housing in the stadium area of the Shipyard, reducing the density of housing on Candlestick Point by about 3,800 or so units for a small net gain in residential units. Whether or not the stadium area is to become a green R&D/light industry area, a housing area, or a mixed–use area, high-quality access will always be a key component of a non-stadium alternative as well as the Project.

The most outstanding policy decision evident in all of the alternatives to the Project in the EIR is that the Project is the only development scenario with Yosemite Slough bridge auto access to the Hunters Point Shipyard — and that auto access is limited, it is only for game-day event operations. The unspoken correlate of that policy is that nothing else and no one else could possibly require or deserve that level of access. Only Alternative 3 (see Attachment A) would include a Yosemite Slough bridge and this version of the bridge would limit its use to bus rapid transit, bicycles and pedestrians.

San Francisco Metropolitan Transit Authority (SFMTA) planners have projected the transit ridership and concluded that no direct auto access from the south to the Hunters Point Shipyard is needed for development as planned without the stadium. These projections are based on generous assumptions of future ridership (transit planners almost always make generous ridership assumptions, usually overly-generous assumptions, when planning for new transit facilities) and the City's transit-first policy. However, recently enacted cutbacks in the City's transit services demonstrate the futility of relying entirely on transit for high-level individual circulation access.

There are three aspects of traffic and transit planning that require assessing their basic transit assumptions — all related to actual rather than projected human behavior:

1. Jobs/population balance — British new town planning experience has conclusively demonstrated that even when designed with an initial jobs/population balance, over the years initial residents of these new towns tended to remain in residence in their chosen community and travel to new locations for work as they inevitably changed jobs — thus resulting in significant amounts of regional cross commuting.
2. Mass transit — There is no doubt that global warming will require major changes in the way people and goods move about, increasing demand for mass transit of all kinds, particularly for journey-to-work and goods movements. But the realization that personal travel will also remain in high demand is prompting the auto industry to respond with the

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design of smaller, lighter, cleaner vehicles. This demand for point-to-point personal travel is not likely to significantly abate now or anytime soon.

3. High-quality access — The better the access to an area or to a site the higher the real estate value that results. This is particularly true for commercial and/or light industrial properties. The quality of access to be provided will make a significant difference in the type and quality of businesses that can be attracted to the Hunters Point Shipyard jobs development areas. It will also make a significant difference in the success of the attractions to be developed — such as the United Nations Global Warming Center, the International African Marketplace, and the Arts Center and Arts district.

The first two of these aspects of the Project transit ridership assumptions point to the same question — can transit consistently over time provide the quality of service needed to significantly improve existing ridership patterns? SFMTA planners would of course say yes, and no one can or should doubt that their intentions are of the best. Experience, however, would make it wise to question that conclusion. As currently evidenced, transit ridership does not pay the way for the quality of service needed to attract sufficient riders to pay for the level of service generally desired.

The third aspect of the Project transit assumptions points to an area of the site selection process that business managers go through when selecting a site for their new facilities. If this aspect has been explored by project sponsors in any depth it has not been revealed to the communities or citizen bodies involved to date. Area Development Online | Corporate, Industrial and Manufacturing — calling itself "the world's leading magazine and information source for site and facility planning," has this to say:

"Area Development readers have ranked access to interstates and other highways among the top two site selection criteria for the last five years in a row — and, in fact, they ranked this factor first in 2007 and 2008. And those of us who work in logistics could not be more pleased.

"This high ranking acknowledges what we've known for years: Over-the-road transportation efficiency (or the lack thereof) is inextricably linked with everything from corporate profitability and sustainability to employees' quality of life . . ."

Will O'Shea, 3PD Inc. (Aug/Sep 09)

"The development of a Yosemite Slough bridge providing easy access into the proposed Hunters Point project from US-101 and its southerly connections, the airport and to I-380 and I-280 is absolutely essential to the success of the marketing of high–tech green technology and R&D properties. The potential tenants of these kinds of buildings come from the South US-101 R&D corridor, Palo Alto, Menlo Park and of course the expanding South San Francisco area. The other major access point through Evans Avenue is simply too long and circuitous to be effective in generating significant interest from potential tenants. In effect, if this is the only access into the project provided it would be limiting the potential tenant mix to an extension of the Third St. corridor.

It is also appropriate to provide an alternative way for potential residents to get in and out of the area without significant congestion. The above issues are of course important enough considerations to warrant the bridge development even without taking into account the potential traffic generated by a Stadium development."

Richard Marshall SIOR | Senior Broker Associate Commercial Real Estate (Dec 09)

The question, then, is: What does this mean for successful long-term planning for access to the Hunters Point Shipyard jobs centers? As Business Development site selection managers

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affirm, attracting sustainable businesses to the Shipyard, the only area for jobs creation other than service industry jobs elsewhere in the Project, will benefit from high-quality auto access from the south.

The Hunters Point Shipyard will have some significant commercial/light industrial site selection advantages, primarily: 1] direct transit access to downtown San Francisco, 2] an adjacent small mixed-use community commercial center with a significant arts presence, 3] a nearby regional center with significant urban amenities, and 4] mixed-income housing and employee educational opportunities. The extensive bay frontage and panoramic views are also major amenities, but not necessarily limited to the Shipyard. What is missing?

The vehicular access alternatives offered from the south for the Shipyard are limited: only game-day drivers are offered high-quality auto access, all other drivers are relegated to a make-do routes wending their way through residential enclaves and the South Basin light industrial area of the Bayview. If all of the SFMTA predictions are true this route may be technically adequate for the relatively low level of auto travel projected. But that is not only questionable from the narrow point of view of projected traffic demand, it is also questionable from the point of view of competitive attraction. In other words, given all of the potential light industrial sites in the greater Bay Area that are widely marketed, how will Shipyard offerings stack up?

Bishop Ranch has long been one of the premier San Francisco Bay Area business parks. It has, and still depends on, its high-quality highway access to attract and retain new businesses. As a maturing business park it has expanded its transit services to include all available transit modes, including regional bus, commuter rail, and car-pooling services. The lesson for Shipyard business attraction and development is that equal attention must be given to all modes of employee access and goods transport — that's good for business. By inference the Project and Shipyard redevelopment planners contend that it makes sense to deny high-quality access to companies that could provide the jobs that the Bayview so badly wants and needs.

Why is paying attention to all appropriate transportation modes so difficult for the Project and Shipyard redevelopment planners? And better still, why do they think that spending very large sums of public money to build a bridge with four auto lanes that will only serve event-day traffic 12 or so times a year is a fiscally responsible thing to do? Who is behind these anti-redevelopment postures, and why? Who wants to deprive the Bayview of its last best chance for "**Jobs** and economic development?" The stakeholders in the Project and the citizens of San Francisco deserve answers to these questions.

By law anything not appearing in the EIR — not assessed for its physical environmental impacts — cannot be included in the Phase II Development and Disposition Agreement (DDA) to be concluded between to be the San Francisco Redevelopment Agency and Lennar as the Master Developer. To exclude a bridge with year-round auto traffic from any version of the EIR alternatives precludes this high-quality access from being assessed and therefore from even being considered for inclusion in the DDA.

As someone with a long career in international urban and economic development project planning, it is the recommendation of this responder that the EIR include a least one project alternative with a bridge over Yosemite Slough providing for year-round auto traffic. Not to do so is to forego the possibility of satisfying the top site selection priority of industry professionals.

Marcia Dale-LeWinter
Member, Mayor's Hunters Point Shipyard Citizen's Advisory Committee
Chair, Planning and Development Subcommittee

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Attachment A – ALTERNATIVES

A number of alternatives were analyzed that would avoid or substantially lessen some of the significant effects of the project. These alternatives, which are fully addressed in Chapter 6 (Alternatives) of this document, include the following:

- **Alternative 1: No Project** — Consistent with Section 15126.6(e)(1) of the CEQA Guidelines, this alternative assumes that no new development would occur at Candlestick Point and HPS Phase II would be developed with new uses consistent with the existing Hunters Point Shipyard Redevelopment Plan (HPS Redevelopment Plan).

  This alternative was selected in accordance with CEQA Guidelines Section 15126.6(e)(3)(A), which states that when the project is the revision of an existing land use or regulatory plan, policy, or ongoing operation, the "no project" alternative would be the continuation of the existing plan, policy, or operation into the future. This discussion would allow the decision-makers to compare the impacts of approving the Project with the impacts of not approving the Project.

- **Alternative 2: CP-HPS Phase II Development Plan; No Yosemite Slough Bridge** — Alternative 2 would have the same land use program proposed with the Project, including the State Parks agreement. Alternative 2 would not include the Yosemite Slough bridge. The main roadway connection between Candlestick Point and HPS Phase II would be via Ingalls Street. A bus rapid transit route would be constructed along an abandoned railroad right-of-way to provide access between Candlestick Point and HPS Phase IT. This alternative assumes that the 4gers Stadium is relocated to HPS Phase II and the Agency enters into an agreement with CPSRA to reconfigure CPSRA land in the same way as for the Project.

  This alternative was selected to avoid impacts to biological resources associated with bridge construction and operation. Significant traffic, noise, and air quality impacts would not be reduced. This alternative would result in greater transportation-related impacts on game days because vehicular ingress and egress to and from the stadium would be delayed and traffic levels would be increased on local streets, including Innes Avenue, Evans Avenue, and Ingalls Street.

- **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 Transit, Bicycles, and Pedestrians** — Alternative 3 would be a reduced development alternative. Total housing with this alternative would be 5,210 units, about half of the units proposed with the Project. At Candlestick Point, residential development would be decreased and retail and arena uses would not be developed. Replacement of the Alice Griffith Public Housing site would occur and consist of 1,210 housing units. Minor improvements would be made to the CPSRA under the Limited State Parks Agreement. At HPS Phase II, housing would be increased; other uses at HPS Phase II would be similar to the Project. A new Yosemite Slough bridge serving only transit, bike and pedestrian traffic would extend Arelious Walker Drive from Candlestick Point to HPS Phase II. This alternative assumes that the 4gers football team would continue to use the existing Candlestick Park stadium. At HPS Phase II, the alternative would not include a new 49ers Stadium.

  This alternative was selected to provide an alternative to the Project that reduces construction-related impacts generally and operational impacts associated with traffic, air quality, noise, demand for public services, biological resources, and other growth-related

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impacts. The development program of this alternative would be reduced compared to the Project and would generate fewer vehicle trips and reduce the area subject to development. This alternative would reduce traffic and noise impacts associated with an increase in vehicle trips and air quality impacts associated with Project construction and operation. This alternative would reduce impacts to biological resources associated with bridge construction and operation as a result of the narrower bridge footprint and reduced bridge traffic. Construction and/or operational impacts related to the amount of development and the development footprint, such as soil erosion and stormwater runoff, as well as operational impacts related to population and employment growth, such as police and fire services, would also be reduced by this alternative.

- **Alternative 4: Reduced CP–HPS Phase II Development; Historic Preservation; No HPS Phase II Stadium, Marina, or Yosemite Slough Bridge** — Alternative 4 would also be a reduced development alternative. Total housing with this alternative would be 7,350 units, about 30 percent less than proposed with the Project. The proposed floor areas for most uses would be approximately 30 percent smaller at full build-out in comparison to build-out of the Project. No improvements would be made in the CPSRA. This alternative includes preservation of three potentially historic structures at HPS Phase II. This alternative does not include construction of a bridge over Yosemite Slough.

  This alternative was selected 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. Reduced development would result in fewer vehicle trips. This alternative would reduce traffic and noise impacts associated with the increase in vehicle trips and air quality impacts associated with Project operation and construction. This alternative would also avoid impacts to biological resources associated with bridge construction and operation. Construction and/or operational impacts related to the amount of development and the development footprint, such as soil erosion and stormwater runoff, as well as operational impacts related to population and employment growth, such as police and fire services, would also be reduced by this alternative.

- **Alternative 5: Reduced CP-HPS Phase II Development; No HPS Phase II Stadium, State Parks Agreement, or Yosemite Slough Bridge** — Alternative 5 would have the same land use program proposed with the Project, except that the new stadium at HPS Phase II and the Yosemite Slough bridge would not be constructed. The total number of housing units would be the same as for the Project; however, because this alternative would not include the CPSRA boundary reconfiguration, the land area available for development would be smaller. Approximately 1,350 units would be shifted from Candlestick Point to HPS Phase II. This alternative assumes a State Parks agreement does not occur and there is no agreement with the 4gers for a stadium at the Project site.

  This alternative was selected to reduce construction impacts generally and to avoid impacts to biological resources associated with bridge construction and operation. Significant traffic, noise, and air quality impacts would not be reduced. Construction impacts that relate to the size of the development footprint would also be reduced by this alternative.

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Letter 17: Dale-LeWinter, Marcia (1/4/10)

Response to Comment 17-1

These comments regarding the benefits of having a permanent full-time auto-use bridge over the slough do not pertain to the technical adequacy of the environmental analysis of the Project. The commenter is correct that year-round auto use of the bridge could not be approved because the EIR does not analyze this as part of the Project, variants, or alternatives. Year-round auto use of the bridge would require additional environmental review.

For the bridge to be open for public use, the City would need to formally accept the bridge as a public right-of-way through a legislative process. Upon acceptance, the City would designate the bridge as a "for transit only" facility closed to private vehicular traffic except for specified days and times. The Project's Infrastructure Plan will establish conceptual parameters and regulatory guidance that will require that the entrance to the bridge approach streets on both sides of Arelious Walker have facilities that prevent traffic from accessing the bridge on non-game days, but allow traffic on football game days. A barrier in the form of a gate, retractable bollards, or removable barriers would be required to be installed to block the transit-only lanes such that only authorized buses and emergency vehicles can gain access, except as allowed on football game days. Photo enforcement at the bridge approach streets would also be used to monitor and restrict access. The Infrastructure Plan is an exhibit to the Interagency Cooperation Agreement (ICA) between the City and the Agency. The purpose of the ICA is to facilitate the implementation of the Project's redevelopment plans, Proposition G, and the development of the Project Site. The detailed design of the bridge will be further defined in the Developer's Major Phase and Sub-Phase planning documents that are submitted to the Agency for review, as well as the public improvement plans that are reviewed by the City.

Further, the State Parks Reconfiguration, Improvement, and Transfer Agreement, authorized under Senate Bill 792, between State Parks, State Lands, and the Agency will contain a restriction on use of the bridge, requiring that the bridge function primarily for transit, bicycle, and pedestrian use and be closed to private vehicular traffic except on football game days. Private vehicular traffic will be permitted on football game days, and, at all other times, the bridge will serve as a pedestrian, bicycle, and open space amenity.

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Letter 18: Bay Access (12/28/09)

1 of 1

Letter 18

BAY ACCESS

dedicated to creating a water trail on San Francisco Bay

163 Fair Oaks Street
San Francisco, Ca. 94110
December 20, 2009

RECEIVED
SFRA
DEC 2 8 2009
1-4390.09-023
RECORDS DEPT.

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

Re: Extension of time for Review of EIR

Dear Mr. Muraoka:

The shoreline areas on the Candlestick - Hunter's Point - India Basin redevelopment projects are of great interest to those who work to create a Water Trail on the Bay. Many of us have been involved in the process of attempting to insure that the water's edge is friendly and accessible to future residents of the area.

The documents for review in the EIR require a little more time than the December 28, 2009 cut off date allows. Everyone knows how busy people are with family concerns during the holiday season.

We request that the time for comment be extended to a full 90 days so that people may review the documents in depth during a time when our lives are no so hectic.

18-1

Sincerely,

Paul Nixon
Bay Access, San Francisco

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Letter 18: Bay Access (12/28/09)

Response to Comment 18-1

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.

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Letter 19: Whittle, Lola (12/14/09)

1 of 1

Letter 19

From: "Lola Whittle" <lola@rencenter.org>
To: <Andrea.Bruss@sfgov.org>, <apkbayview@yahoo.com>, <fred.blackwell@sfgov.org>, <admin@bvhp-pac.org>, <info@bvhp-pac.org>, <michael.cohen@sfgov.org>, "Sharon Miller" <Sharon@rencenter.org>, <Stanley.Muraoka@sfgov.org>
Date: 12/16/2009 05:47 PM
Subject: FW: Regarding the Joint Meeting of the Hunters Point Shipyard CAC and Bayview Hunters Point PAC on Monday December 14, 2009

*** FOR IMMEDIATE RELEASE ***

A letter came out this week, authored by Arc Ecology Executive Director Saul Bloom, formally requesting that the Mayor extend the public input time for the Environmental Impact Review (EIR) of the Lennar Hunters Point Shipyard Development Project from 45 days to 90 days. Among the signatories to the letter was an organization calling itself the "Bayview Resource Center".

The Renaissance Entrepreneurship Center is unaware of any organization in the community that goes by this name and is struck by its similarity to the Renaissance Bayview Center's former name, the "Bayview Business Resource Center". Renaissance Bayview is not and never has been a signatory to this letter. We are deeply disappointed in Mr. Bloom for misrepresenting our organization's views, be it intentional or otherwise.

19-1

We ask that Mr. Bloom remove the "Bayview Resource Center" name immediately from his letter and clarify the organization from which he claims to have the endorsement.

Lola Whittle, Director
Renaissance, Bayview
3801 Third Street, Suite 616
San Francisco, CA 94124
Tel (415) 647-3728, ext. 401
Fax (415) 647-1542

www.rencenter.org

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Letter 19: Whittle, Lola (12/14/09)

Response to Comment 19-1

The comment is acknowledged. No response is required.

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Letter 20: Multiple Commenters (12/14/09)

1 of 1

Letter 20

Please Extend the Public Comment Period for the Hunters Point Shipyard Candlestick Point Environmental Impact Report (DEIR) to Ninety Days, ending on 12 February 2010.

Mr. Mayor,

We the undersigned organizations and individuals respectfully request a ninety day public comment period for the Candlestick Point Hunters Point Shipyard Draft Environmental Impact Report (DEIR). We believe that a public review period totaling 90 days, ending on February 12, 2010, is necessary and appropriate for the public and our organizations to review, discuss, and comment on this complicated public document.

We are not opposed to the project, Lennar, or your administration. We are not against expeditious development. We are, however, advocates of public engagement and transparency in government. It is our view that a forty-five day public review period for a document as complex and lengthy as this DEIR is simply inadequate under any circumstances. The release of this DEIR over the Thanksgiving, Hanukkah, Kwanza, and Christmas holiday is particularly troubling. Why is it that the City of Santa Clara was able to provide a longer public review period without the complication of the holidays for a DEIR that evaluated the impacts of *only a stadium project*?

20-1

By releasing a six-volume, 4,400 page document one and a half weeks before Thanksgiving, you have demanded that the public and community-based organizations choose between civic duty and national holidays, pre-arranged vacations, and obligations to family and faith. Realistically the holidays consume a minimum of ten days -- functionally reducing the time most people might reasonably devote to DEIR review to 35 days, assuming one works through the weekends. Holding public hearings a little over a month from the document's release further reduces that examination time to just a mere 25 days! Furthermore the public comment period ends December 28th, *only 3 days after Christmas*. By releasing the EIR over the winter holidays, the City has hobbled even an extension of the review period to 60 days because the New Year's holiday falls within that time compromising 4-5 days out of the added two weeks.

We recognize that some in the community, members of your staff, and Lennar are of the opinion that too much time has already been spent discussing this issue. *But this DEIR is completely different.* No prior discussion or committee action since the Phase 1 agreement in 2003, not even Prop G, carried with it the force of law of this Phase 2 DEIR. An Environmental Impact Report is an administrative ***decision*** document. This DEIR is the part of the approval process where ideas become concrete plans to be approved in a lawful process. The Shipyard Candlestick Project cannot be approved without an EIR. No prior discussion required City or Agency staff to present pros and cons or fully report the project's impacts. With all due respect, none of the "hundreds" of conceptual conversations, presentations, and meetings conducted by the City and Agency to this point equal the importance of giving the public the time to evaluate whether the DEIR fully and fairly reports and assesses the impacts of this project and proposes responsible solutions.

Transparency in government is not just a matter of letting the public see information. The capacity to act upon what one sees is critical to transparency and: *The length of the look has a direct effect on the quality of observation.* The Shipyard Candlestick project nearly doubles the population of Bayview Hunters Point. The EIR was nearly two years in the making. The City's project staff reasonably took the time to provide what in their opinion is an adequate review of the project. *The public similarly deserves twelve weeks to examine and comment on your work.* The City has just granted Lennar a six-month delay in the timetable for Phase 1 housing construction to allow the market time to improve and prices to rise. *With Phase 1 delayed, construction for Phase 2 not expected to start until 2015, and project completion not expected before 2035. Mayor Newsom,* ***you have the time to provide the citizens of our City with a responsible period to review this once-in-a-lifetime DEIR.***

Bayview Hunters Point and San Francisco need and deserve ninety days to review the Candlestick Point Hunters Point Shipyard Draft Environmental Impact Report (DEIR). Extend the DEIR comment period to 12 February 2010.

Thank you.

Sierra Club ⌘ Literacy for Environmental Justice ⌘ Potrero Hill Democratic Club ⌘ India Basin Neighborhood Association ⌘ Visitation Valley Greenway Project ⌘ San Francisco Tomorrow ⌘ Urban Strategies Council ⌘ Anders and Anders Foundation ⌘ Neighborhood Parks Council ⌘ Young Community Developers ⌘ California Native Plants Society ⌘ Positive Directions ⌘ San Francisco Group – Bay Access ⌘ Ohlone Profiles ⌘ Visitation Valley Planning Alliance ⌘ Golden Gate Audubon Society ⌘ Visitation Valley Community Development Corporation ⌘ South East Jobs Coalition ⌘ Walden House ⌘ Bayview Resource Center ⌘ Arc Ecology

(Partial Listing)

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Letter 20: Multiple Commenters (12/14/09)

Response to Comment 20-1

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.

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Letter 21: Enea, Kristine (12/11/09)

1 of 1

Letter 21

From: Kristine Enea <kristine@indiabasin.org>
To: Muraoka Stanley <Stanley.Muraoka@sfgov.org>
Cc: Hussain Lila <Lila.Hussain@sfgov.org>, Evans Tom <tom.evans@sfgov.org>, Licinia McMorrow <Licinia.McMorrow@sfgov.org>
Date: 12/11/2009 07:12 AM
Subject: Shipyard-Candlestick DEIR and Innes Avenue mitigations

Hi Stanley,

One of my neighbors has been looking in the Shipyard-Candlestick DEIR for the details about traffic on Innes Avenue but can't find any, much less any proposed mitigations. **21-1**

Can you point us in the right direction?

Thanks,
Kristine

Kristine Enea
kristine@indiabasin.org

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Letter 21: Enea, Kristine (12/11/09)

Response to Comment 21-1

Existing Conditions, Project-Only traffic volumes, and Year 2030 With Project Conditions traffic volumes are depicted on Figures 16, 31, and 32, respectively, in the Candlestick Point–Hunters Point Shipyard Phase II Development Plan Transportation Study (LCW Consulting, Fehr & Peers, and CHS Consulting Group, November 2009) ("Transportation Study"), which is included in Appendix D of the Draft EIR. Table 9 and Table 45 through Table 47 in the Transportation Study depict Existing Conditions and Year 2030 With Project Conditions intersection operating conditions along Innes Avenue.

Refer to Master Response 18 (Transit Mitigation Measures) for details regarding proposed roadway configuration and mitigation measures.

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Letter 22: Parkmerced Residents' Organization (12/9/09)

1 of 2

Letter 22

THE PARKMERCED RESIDENTS' ORGANIZATION
P.O. Box 27609. San Francisco, CA 94127-0609
Voice Mail: 415-267-3961

December 9, 2009

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

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

Project Title: Candlestick Point-Hunters Point Shipyard Phase 2 Development Plan (Project)

Case Numbers: San Francisco Redevelopment Agency File No. ER06.05.07, Planning Dept. Case No. 2007.0946E, State Clearinghouse No. 2007082168

To whom it may concern:

The Parkmerced Residents' Organization represents the largest rental complex in the city of San Francisco. We submit the following comments on behalf of the existing community and planned future population being suggested by the proposed changes and our concerns for the massive redevelopment project proposed.

a) **Open-Space** - The total area is noted as 702 acres, and proposes development of 10,500 residential units, and an associated population of 24,465 residents. It states in your document a total of 240 acres of new parks, fields and waterfront recreation area in addition to 97 acres of new and improved state parkland. We request the environmental review agencies to consider the density of the proposed development in relation to a stated level of density per acre of open space. Currently there is no formal recognition of the need to provide adequate outdoor space to the residential neighborhoods being created. If you estimate alone the 702 acres divided by the approx. 35,000 new and existing total residents and you get .02 acres per person. There is no stated number of bedrooms being created, or how many people may share the developed units, so the actual need to quantify the open space and proposed housing population density is an essential measure in terms of a healthy neighborhood and the negative effects of over-populating a district, and its infrastructure. The Parkmerced neighborhood of 192 acres, was sold off to development and reduced to a current 112-116 acres, in addition we are being scheduled for development that would increase our "load" on the neighborhood by 5,700 units, which can total over 15,000-20,000 new community members in terms of population. There is a definitive need to address the open space to residential "tenant" or inhabitant of these units to ensure a healthy living environment is created for the community. The proposed open space sites and parks already seem under-scaled based on the actual future population being proposed. Please provide accurate projections of housing units and final population density to be achieved, with accurate information on the amount of space per unit being provided the residents of this future community. 22-1

PRO at 35
1974 - 2009

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b)) Transit - routing is shown being a secondary feature, and does not directly remove new residents from the automobile, or bus connections required to get to the downtown areas. We stated prior in memo's regarding this plan, that there was a need to route
the muni system out and around the entire district being created, as a new "loop" with a separate lettered designation for the transit ridership proposed. This should be an essential infrastructure item installed and completed prior to any future building on site. The cumulative effects of these developments on the existing transit system of the T –Third light rail will overburden the current system and requires adequate review per CEQA of the effects. There is also little mention of high-speed rail routing, and the concerns for future routing of rail systems to provide linkages to future rail sites, and existing rail systems such as BART, CALTRANS, and the high-speed rail and ferry services noted. Emphasis must be placed on getting these infrastructural projects built prior to future development so as not to block off possible future transit connectivity, and ease of transit switching between systems. 22-2

c) **Rental Housing** – is not stated clearly in terms of the balance required to provide equal "opportunity" per Section 8.1 of the General Plan to build and provide, enhance and restore rental housing opportunities throughout the district and community. There is a distinct need due to San Francisco's Rent Control status that makes the need for rental housing more acute than ever in the S.F. BVHP district. There needs to be a full accounting of the number of rental units being created versus "for-sale" units, and that the city follows up to ensure that rental units that provide affordable base entry level rental prices are built and provided in EQUAL measure to the "for-sale" units being constructed. There is a need to ensure this balance due to the 2004 housing element not being in compliance, and the 2004 and 2009 housing element updates, which sadly remove protections for the creation of rental housing. Rent Control and the legal statutes of the city are unfairly being unbalanced by local housing development that does not develop equally the need for rental housing. Lennar threatened the city to back out of its agreement if forced to build rental housing. Currently the 1979 and "just-cause" eviction statues proposed by Supervisor Avalos, may be rejected by the Mayor's office, and this makes the future development of rental housing even more precarious for those existing families living in the BVHP that may move into new post 1979 housing and face evictions due to change in ownership or a multitude of issues that can cause loss of housing for working class, seniors, students, and families as a protected class in this neighborhood. 22-3

We strongly recommend reviewing the above noted issues in relation to the proposed project, as we face similar issues of TOD or transit "infill" projects that propose massive re-development and little future affordable rental housing stock with protections against evictions, adequate provisions for open space, and significant community based solutions to transit routing in the district.

Thank you for addressing these concerns in relation to this project proposal, especially the cumulative effects of density in relation to the need for healthy open space and provisions for rental housing, and adequate transit connectivity.

Sincerely ,

Aaron Goodman, President,
The Board of Directors,
The Parkmerced Residents' Organization
cc: Mayor Gavin Newsom, SF Board of Supervisors board.of.supervisors@sfgov.org ,
Nancy Wuerfel, Open Space coordinator at CSFN Coalition for San Francisco Neighborhoods, Jennifer Clary @ SF Tomorrow

Letter 22: Parkmerced Residents' Organization (12/9/09)

Response to Comment 22-1

Impact RE-2, Draft EIR pages III.P-15 to -31, provides the requested analysis of the amount of open space and parkland on the Project site in comparison to the new population. This analysis concludes that the Project area will include sufficient parkland to meet residents' and employees' recreational needs without leading to overuse or physical degradation of facilities.

Response to Comment 22-2

Transit is an essential component of the Project and the transit plan proposed in the Draft EIR is the product of a great deal of analysis and collaboration between key stakeholders. The following deficiencies have been identified as top community concerns in the extensive local and citywide planning efforts for the Project - and across southeastern San Francisco more generally:

- Comprehensive transit coverage, with more direct and faster service to Downtown and other San Francisco neighborhoods, and better access to regional transit (BART, Caltrain) serving regional employment centers and destinations
- Safer, more walkable streets with complete sidewalks and neighborhood traffic-calming
- Connected, safe bicycle routes connecting to the citywide bicycle network
- Area-wide traffic management to ensure access to regional highways and arterials without overwhelming residential and commercial streets
- Comprehensive parking management coordinated with the traffic network to ensure neighborhood livability in a balanced transportation system
- Clear and managed truck routes and good movement corridors to sustain local businesses without exacerbating congestion and street safety concerns

To upgrade the transportation networks in this area and address these deficiencies, various City agencies (including SFMTA, the Planning Department, the DPW, and others) have worked with the Project Applicant and other key transportation providers to ensure that the Project includes the following key improvements:

- A BRT network bringing fast, clean and quiet bus service on transit-exclusive lanes (designed for potential conversion to light rail) that link the area with the Bayview, Executive Park and Visitacion Valley neighborhoods, and connect to Caltrain, BART and the T-Third light rail and numerous Muni bus lines
- The Yosemite Slough bridge, directly connecting Candlestick Point and Hunters Point Shipyard with permanent, dedicated BRT lanes and pedestrian and bicycle paths. The bridge would reduce transit travel times throughout Southeast San Francisco and provide fast, reliable connections to BART and Caltrain. On game days, the bridge would accommodate four lanes of auto traffic for egress to and from the proposed 49ers Stadium, reducing stadium traffic delays and congestion in residential neighborhoods. During the rest of the year, these lanes would convert to a park amenity with additional pedestrian and bicycle paths.
- Extensions of key cross-town Muni trolley and motor coach lines to directly serve every quadrant of San Francisco from this area, and increasing capacity and frequency on these lines to benefit the

Project and the surrounding areas of the Bayview, Visitacion Valley, Dogpatch, the Central Waterfront, the Mission and Potrero Hill

- Two new express bus routes linking Candlestick Point and Hunters Point directly to Downtown
- Two transit transfer hubs in the Project, and a major Caltrain/light-rail/bus/BRT hub at Bayshore Station
- Design of streets within the Project to the City's new "Better Streets" standards of accessible sidewalks, sustainable "green" infrastructure, traffic calming, landscaping, lighting and safe intersection design
- Extensive, continuous bicycle connections within the Project to connect to existing city bicycle paths, lanes and routes, as well as the Bay Trail and the Blue Greenway network
- Pedestrian improvements along main corridors between the Project and surrounding neighborhoods, including streets such as Gilman Avenue, Palou Avenue, Innes Avenue and Harney Way
- Coordinated parking and goods movement strategies to ensure high standards of livability for residents and visitors/employees coming to the area
- On-site Traffic Demand Management program for the entire Project area to maintain a balanced transportation system and ensure that transit, carpool, and other options remain viable and attractive. This includes parking management, resident and employee transit passes, and carsharing and bikesharing facilities.
- Full accommodation of game-day traffic and transit for the proposed 49ers stadium to secure both faster automobile ingress/egress than current conditions, and more frequent, reliable transit access to the rest of San Francisco, the South Bay, and the rest of the Bay Area
- State-of-the-Art "green" sustainable infrastructure innovations that adapt year-round amenities with specific game-day transportation needs, including the Yosemite Slough bridge (described above) and the green play/sports areas that would convert to game-day parking
- A phasing and monitoring plan of these transportation services, coordinated with SFMTA, to ensure the cost-effective, sustainable provision of services matching each development phase of the Project

Page III.D-37 of the Draft EIR describes the transit improvements expected to occur in the area as part of SFMTA's TEP. Page III.D-48 of the Draft EIR describes the additional transit improvements that are proposed as part of the Project.

Refer also to Master Response 18 (Transit Mitigation Measures) for details regarding proposed roadway configuration and mitigation measures designed to reduce transit delays.

The commenter suggests that new Muni routes to Downtown should be required. As described above and in the Draft EIR, the Project would implement two new express bus routes from the Project to Downtown San Francisco, as well connections to regional transit (BART, Caltrain, and the T-Third Light Rail) all of which would provide connections to Downtown San Francisco.

The commenter also suggests that a new "loop" transit route should be created around the entire site to improve connections within the site. The proposed BRT route would travel from the center of the Hunters Point Shipyard development through the center of the Candlestick Point development, providing easy connections between the two sites, as well as to other regional transit connections.

The commenter also notes that the cumulative effects of all development currently proposed in the area should be considered, particularly with respect to capacity of the T-Third light rail line. Potential capacity impacts to transit are analyzed under Impacts TR-18, TR-19, and TR-20 on Draft EIR pages III.D-100 to -104 state that under year 2030 cumulative conditions with the Project, transit service within the project study area cordons, downtown screenlines, and regional screenlines would all operate within capacity standards. The 2030 cumulative conditions include cumulative development projected for the Bayview area and for the rest of San Francisco. Based on the analysis, the Draft EIR concluded that the Project's impacts to transit capacity would be less than significant with implementation of the Project's transit operating plan.

Finally, the commenter notes that the Draft EIR does not mention high-speed rail as a necessary component for implementation of the Project nor does it discuss potential transit connections. Although high-speed rail is currently under study by the High-Speed Rail Authority (HSRA), its funding is not certain and the analysis does not assume it would be in place. The California high-speed rail project is proposed to connect Los Angeles with San Francisco, with stops in major metropolitan areas. The trains would have travel speeds of up to 220 mph, and the journey between Los Angeles and San Francisco would be made in less than 2 hours and 40 minutes. In order to meet the desired travel times between Los Angeles and San Francisco, the train would make limited stops. In the segment between San Jose and San Francisco, three stations are preferred (in San Jose, at the San Francisco International Airport [SFO], and at the San Francisco Transbay Terminal). A potential station at either Mountain View, Palo Alto or Redwood City is also being considered. Given the proximity of the project site to the downtown San Francisco terminus, it is unlikely that a stop at CP-HPS would be provided. If high speed rail were to be implemented with a stop in downtown San Francisco, residents, employees and visitors to CP-HPS would be able to take advantage of high speed intercity rail travel between major metropolitan areas (e.g., instead of taking a plane to Los Angeles, they would take the high speed train). If implemented, the high-speed rail project itself would not likely change the travel modes to and from the project site, and the transportation impacts of the project identified in the Draft EIR would not be affected.

If, independently from or in conjunction with the high-speed rail project, a downtown extension and electrification of Caltrain were implemented (a proposal that is also not funding certain and therefore not assumed or analyzed), additional transit ridership from the Project-enhanced Bayshore Caltrain station and surrounding area would likely be generated. This could have the effect of supplementing and complementing transit ridership between the Visitacion Valley/Executive Park area, and of inducing more automobile-to-transit trips along this corridor. If so, this would likely somewhat relieve both traffic congestion in the corridor and the demand for transit service on parallel existing and proposed lines, such as the T-Third, the 9-San Bruno, and the proposed Candlestick Point Express bus, and, therefore, result in no additional potential impacts.

Response to Comment 22-3

The commenter expresses concern about the balance of rental versus for-sale housing in the Project. Of the Project's below-market housing, approximately 49.2 percent will be rental-only units, and the remainder will be for-sale or rental, consisting of the following:

- 256 Alice Griffith Public Housing replacement units to be rented at rates affordable to households earning between 0 and 60 percent of Area Median Income, as defined by the US Department of

Housing and Urban Development (HUD) for the HUD Metro Fair Market Rent Area (HMFA) that contains San Francisco

- 1,388 Agency Affordable Units to be developed by the Redevelopment Agency and rented to households earning between 0 and 60 percent of Area Median Income (AMI)
- 809 Units to be privately developed as either for-sale or rental units and sold or leased to households earning between 80 and 120 percent of AMI
- 892 Units to be privately developed as either for-sale or rental units and sold or leased to households earning between 121 and 160 percent of AMI

Refer to Response to Comment 50-13 for specific information regarding the income distribution for San Francisco.

Letter 23: Winter, Rhonda (12/8/09)

1 of 1

Letter 23

From: rhonda winter <rhondawinter@yahoo.com>
To: stanley.muraoka@sfgov.org
Date: 12/08/2009 05:04 PM
Subject: public comment on the Bayview Draft EIR?

Dear Mr. Muraoka-

I live in Bayview and want to make a public comment on the recently released Draft EIR. Can public comments be made somewhere online? Are there other forums to solicit feedback from the public, other than the two hearings that are scheduled for next week at City Hall? Do you know if the public comment period is going to be extended to ninety days? **23-1**

Thank you very much for your help-
Rhonda Winter

http://greenoptions.com/author/rhondawinter

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Letter 23: Winter, Rhonda (12/8/09)

Response to Comment 23-1

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.

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Letter 24: City of Brisbane (11/18/09)

1 of 1

Letter 24

From: "Swiecki, John" <jswiecki@ci.brisbane.ca.us>
To: Stanley Muraoka <Stanley.Muraoka@SFGOV.ORG>
Date: 11/18/2009 08:16 AM
Subject: Bayview Waterfront DEIR

Hi Stan:

I understand the DEIR has been published- I've seen neither a copy of the document nor the NOA. Please advise how I can obtain a copy. **24-1**

Regards
John

John A. Swiecki, AICP
Principal Planner
City of Brisbane
50 Park Place
Brisbane, CA 94005
415.508.2120
jswiecki@ci.brisbane.ca.us

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Letter 24: City of Brisbane (11/18/09)

Response to Comment 24-1

The Draft EIR is available for public review by appointment at the San Francisco Redevelopment Agency, One South Van Ness Avenue, Fifth Floor, San Francisco, CA 94103, or at the City Planning Department, 1650 Mission Street, Fourth Floor, San Francisco, CA 94103. The EIR will be posted for public review at http://www.sfplanning.org and www.sfgov.org/sfra. Additionally, the City of Brisbane received a copy of the Draft EIR and provided comments as evidenced by Letter 7 (City of Brisbane).

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Letter 25: Golden Gate Audubon Society (11/16/09)

1 of 1

Letter 25

November 16, 2009

Via U.S. Mail
Mr. Stanley Muraoka
Environmental Review Officer
San Francisco Redevelopment Agency
One South Van Ness Avenue, 5th Floor
San Francisco, CA 94103

RE: Project Title: Candlestick Point- Hunters Point Shipyard Phase II Development Plan (Project)
Case Number: SF Redevelopment Agency File #ER06.05.07
Planning Department Case #2007.0946E
State Clearinghouse#2007082168

Dear Mr. Muraoka:

I am writing on behalf of the Golden Gate Audubon Society and its more than 10,000 members and supporters to request a 90 day extension on the comment period for the Candlestick Point-Hunters Point Shipyard Phase II Development Plan (Project) Draft Environmental Impact Report (DEIR). Forty-five days is too brief a period for adequate review and comment on this 4,400 page DEIR. Moreover, there are many holidays that fall between November 12, 2009 and the current deadline of December 28, 2009.

In order for this project to include adequate review and input from the public, a full 90 day extension is necessary. If no extension is granted, many organizations and citizens that will be greatly affected by the Development Plan will be unable to make their voice heard in this process. With the extension, we can proceed with a final EIR that is more robust, credible, and less vulnerable to political and legal challenges. **25-1**

Therefore, please extend the current comment deadline of December 28, 2009 to March 28, 2010. If you would like to discuss this issue further, please do not hesitate to contact me. Thank you for your consideration.

Sincerely,

Mike Lynes
Conservation Director

Cc: Supervisor Sophie Maxwell, District 10
Arthur Feinstein, Arc Ecology
Ruth Gravanis, Sierra Club
Peter Brastow, Nature in the City

GOLDEN GATE AUDUBON SOCIETY
2530 San Pablo Avenue, Suite G Berkeley, California 94702
phone 510.843.2222 *fax* 510.843.5351 *web* www.goldengateaudubon.org

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Letter 25: Golden Gate Audubon Society (11/16/09)

Response to Comment 25-1

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.

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Letter 26: Dodt, Dan (11/13/09)

1 of 1

Letter 26

From: Dan Dodt <dodt@mac.com>
To: Stanley Muraoka <Stanley.Muraoka@sfgov.org>
Date: 11/13/2009 03:17 PM
Subject: Shipyard EIR

Hello Stanley,
It has been some time since we last connected on our favorite subject (at least after red wine) - Bayview growth and development. I understand that a copy of the Shipyard EIR is available on Cd/DVD. Is it possible for you to send a copy my way? My mailing address is: 1556 Revere Avenue, SF 94124.
Many thanks and best wishes to you and yours.

26-1

Dan Dodt
dodt@mac.com
www.dandodt.com

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Letter 26: Dodt, Dan (11/13/09)

Response to Comment 26-1

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.

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Letter 27: Da Costa, Francisco (1/12/10)

1 of 15

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

Letter 27

To: Michael Cohen <michael.cohen@sfgov.org>, John Rahaim <john.rahaim@sfgov.org>, Rosemary Cambra <muwekma@muwekma.org>, Stanley Muraoka <Stanley.Muraoka@sfgov.org>, Fred Blackwell <fred.blackwell@sfgov.org>, Bill Wycko <bill.wycko@sfgov.org>, Tiffany Bohee <tiffany.bohee@sfgov.org>, Jaron Browne <jaron@peopleorganized.org>, Espanola Jackson <EspanolaJackson@sbcglobal.net>

Date: 01/12/2010 06:42 AM

Subject: California Senate Bill 18.

California Senate Bill 19 mandates outreaching to the First People in this case the Muwekma Ohlone: www,muwekma.org

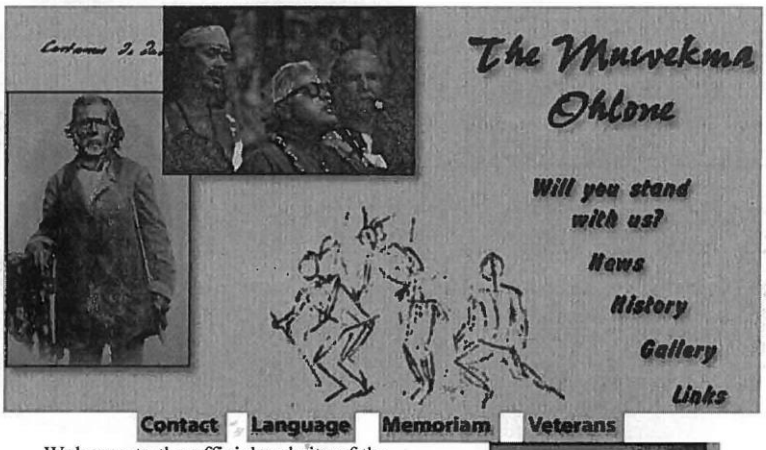
This clearly has not been done by the SF Planning Department and those Departments that are fast tracking this process:

http://www.oc-apa.org/newsletters/2006_1st_qrtr.pdf

Francisco Da Costa

27-1

****Copy of Web Link 1 above****



Welcome to the official website of the Muwekma Ohlone Indian Tribe. We are the original inhabitants of San Francisco, California, USA, and the surrounding Bay Area.

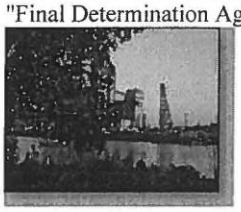
To introduce ourselves, we can do no better than to quote the words of the United States District Court in Washington, DC:
"In the early part of the Twentieth Century, the Department of the Interior ("DOI") recognized the Muwkema Tribe as an Indian tribe under the jurisdiction of the United States. In more recent times, however, and despite its steadfast efforts, the Muwekma Tribe has been unable to obtain federal recognition, a status vital to the Tribe and its members."

We have just received a highly favorable judicial ruling, dated September

27-2

2 of 15

21, 2006, in our action seeking review of the Department of the Interior's "Final Determination Against Federal Acknowledgment.



You may also be interested to watch a short movie on the "Death of the Muwekma Ohlone Pocket Park." The park was once located in our ancestral homeland along the shores of Islais Creek, San Francisco, California. One of our mortuary mounds was found not far from there in 1910, as related in our tribal history.

****Copy of Web Link 2 above****

Senate Bill 18: Expanding CEQA for the Protection of California's Traditional Tribal Cultural Places

Rachel Struglia, PhD, AICP

Mandating Discussion, Building Relationships

With unprecedented development pressures in inland counties, tribes are losing cultural resources without the opportunity to save or record them. California Senate Bill (SB) 18 (Burton, D-San Francisco) helps tribes and jurisdictions define resources and sacred areas more clearly and incorporates protection of these places earlier into General Plan and Specific Plan processes. The SB 18 process mirrors the federal 106 Review process used by archaeologists as part of the environmental review conducted under the National Environmental Policy Act (36 CFR Part 800.16). Senate Bill 18 is the first law in the nation to mandate tribal consultation at the local level.

SB 18 incorporates the protection of California traditional tribal cultural places into land use planning for cities, counties, and agencies. The California Environmental Quality Act (CEQA) has requirements for the evaluation of potential land use impacts to Native American artifacts and sites, but primarily from an archaeological point of view.

SB 18 introduces a separate process that expands the focus to include traditional tribal cultural places on both public and private lands for federally and nonfederally recognized tribes. A cultural place is a landscape feature, site, or cultural resource that has some relationship to particular tribal religious heritage or is an historic

27-2 cont'd.

3 of 15

or archaeological site of significance or potential significance. The cultural place may be outside the reservation boundary. Many tribes have "Traditional Use Areas" that extend miles beyond reservation boundaries, reflecting their historical mobile patterns (as depicted in Figure 1). While SB 18 and CEQA are separate processes, SB 18 consultation occurs simultaneously with implementation of CEQA.

The Participants

SB 18 places the responsibility of initiating consultation on local governments. The purpose of SB 18 is to provide time for tribal input early in the planning process. Besides city staff and tribal representatives, the process may also include applicants and consultants. The local government should contact the tribe first to determine the appropriate level of private landowner involvement, because there may be occasions where the tribe prefers to maintain strict confidentiality without the inclusion of a private, third-party landowner. There is no requirement that the applicant be included. Consultants can assist in many ways: they can coordinate the correspondence to the Native American Heritage Commission (NAHC) and assist with tribal contact, they can prepare materials for the consultation meetings, and they can translate the results of the consultation into new General Plan policy or EIR mitigation, as appropriate. As the *Tribal Consultation Guidelines* state, the consultant should not initiate contact with tribal representatives. This should come from a city department head or director.

Triggering Actions

SB 18 consultation applies to the adoption and amendment of both General and Specific Plans proposed on or after March 1, 2005. SB 18 consultation is a "government to government" interaction between tribal representatives and representatives of the local jurisdiction.

Requirements

Identifying Tribes through the Native American Heritage Commission (NAHC)

Once a local government initiates a proposal to adopt or amend a General or Specific Plan, the local government must send a written request to the NAHC asking for a list of tribes to consult. Requests should clearly state that the local government is

27-2 cont'd.

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seeking information about tribes that are on the "SB 18 Tribal Consultation List." The NAHC is mandated to provide local governments with a written contact list of tribes in the local government's jurisdiction in 30 days.

As Figure 2 shows, in cases where tribal consultation occurs later in the process (Scenarios B or C), the CEQA-mandated timelines can act to define goals and prevent the consultation period from extending into the nebulous future. However, delays could cause significant changes to the land use plan or extensive CEQA mitigation.

Challenges

The NAHC Contact List

The NAHC contact list errs on the side of comprehensiveness and may include tribes far from the jurisdiction in question. Also,

(Continued on page 4)

the tribal contacts may not be the appointed representatives of the tribe. The local government must still send a request to consult to each tribe on the list.

Locating Sacred Sites

The stumbling block in every consultation attended by The Planning Center has been pinpointing the location of tribal cultural places. In many cases, neither the city nor the tribe knew precisely where these sites might be located. It is difficult to develop a method for protection of these sites without this information.

Sharing Information and Protecting Confidentiality

Once the locations of these sites are known by the tribe and/or local jurisdiction, the two parties must reach agreement on how much information should be publicly shared so that these places remain protected. Consultation ends once the two parties agree on the suitability of the actions or have agreed not to agree. SB 18 mandates discussion, not resolution. The hope is that discussion will lead to resolution of potential land use conflicts.

Consultation for Projects Begun before March 1, 2005

The schedule can present a challenge for General Plan and Specific Plan projects already in midstream when SB 18 took effect. Since the tribal input cannot come early in the planning process in these

27-2 cont'd.

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cases, the default has been to fold tribal input into the CEQA document.

Incorporating Open Space into Specific Plans

Responding to tribal input may require the jurisdiction to take several policy actions. Imagine the following scenario: a Specific Plan project is proposed and tribal input indicates that more open space needs to be dedicated to protect a tribal cultural place on-site. The Specific Plan must either increase density or lose residential units to incorporate this open space into the plan, not unlike the scenario of trying to meet an unexpected park acreage requirement. In order to meet the need for additional open space, the Specific Plan is no longer consistent with the adopted General Plan. In this case, the jurisdiction must decide whether to pursue a General Plan Amendment or define the Specific Plan to be consistent by averaging units across the site.

(Continued from page 4)

Recommendations

We recommend the following to agencies facing their first SB 18 consultation.

- Because there is considerable confusion about where cultural places may be located, each jurisdiction should develop, in consultation with the tribes, a cultural resource "filtering" process for determining areas of high and low cultural sensitivity. It can become onerous for a local government to route every development application through each tribal government that defines the jurisdiction as part of its traditional use area. The routing of every development application would not, by itself, constitute fulfillment of the requirements of consultation. The tribe and local jurisdiction should reach a preconsultation agreement that outlines a process for filtering applications and for how the tribe should respond to assist the local government in identifying which applications have a

27-2 cont'd.

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greater likelihood of impacting cultural sites. Cities and counties can do their part by conducting an annual search through the NAHC and the California Historic Resources Information System (CHRIS). Because records maintained by the NAHC and CHRIS are not exhaustive, a tribe may be the only source of information regarding the existence of a cultural place.

- Conduct consultation early in the project's planning phases. This allows the local government and tribe to develop opportunities for preservation of cultural resources and to build preservation or avoidance into the land use plan. When consultation does not occur early in the planning process and a plan is formed without tribal input, the less desirable courses of action would include plan revisions or an EIR with mitigation to avoid or reduce impacts to a cultural resource on-site.
- Keep accurate records to pinpoint the conclusion of the SB 18 consultation. This is particularly important depending on the timing of tribal consultation.
- If no response is received from a tribe within 90 days of the distribution of consultation letters, the request is considered concluded. Any letter received may still be handled as an EIR comment. The CEQA public distribution list may include tribes listed by the NAHC that have not answered the request for consultation, so it can get confusing if a non-listed tribe requests consultation later in the process.

(Continued on page 6)

(Continued from page 5)

- Consult with one tribe at a time. Different tribes may have varying concerns and expectations and it becomes difficult for a jurisdiction

27-2 cont'd.

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to balance each concern, particularly if there are multiple—and potentially divergent—interests involved. Tribes may not always agree, and it is not the intent of SB 18 to make the jurisdiction a mediator.

Conclusion

Variation is likely to be the name of the game when it comes to SB 18 consultation. Some jurisdictions will have many tribal governments responding to consultation and others will have few. One approach may not fit all.

SB 18 may seem unclear on how long or what form consultation may take, but the ambiguity allows jurisdictions and tribes to develop a customized, flexible approach to cultural resource protection that best fits their needs. SB 18 goes far in encouraging jurisdictions and tribes to build on existing relationships, with a focus on cooperation that can streamline subsequent environmental review.

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27-2 cont'd.

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The Orange County PLANNER

THE AMERICAN PLANNING ASSOCIATION

Senate Bill 18: Expanding CEQA for the Protection of California's Traditional Tribal Cultural Places

Rachel Struglia, PhD, AICP

Mandating Discussion, Building Relationships

With unprecedented development pressures in inland counties, tribes are losing cultural resources without the opportunity to save or record them. California Senate Bill (SB) 18 (Burton, D-San Francisco) helps tribes and jurisdictions define resources and sacred areas more clearly and incorporates protection of these places earlier into General Plan and Specific Plan processes. The SB 18 process mirrors the federal 106 Review process used by archaeologists as part of the environmental review conducted under the National Environmental Policy Act (36 CFR Part 800.16). Senate Bill 18 is the first law in the nation to mandate tribal consultation at the local level.

SB 18 incorporates the protection of California traditional tribal cultural places into land use planning for cities, counties, and agencies. The California Environmental Quality Act (CEQA) has requirements for the evaluation of potential land use impacts to Native American artifacts and sites, but primarily from an archaeological point of view.

SB 18 introduces a separate process that expands the focus to include traditional tribal cultural places on both public and private lands for federally and non-federally recognized tribes. A cultural place is a landscape feature, site, or cultural resource that has some relationship to particular tribal religious heritage or is an historic or archaeological site of significance or potential significance. The cultural place may be outside the reservation boundary. Many tribes have "Traditional Use Areas" that extend miles beyond reservation boundaries, reflecting their historical mobile patterns (as depicted in Figure 1). While SB 18 and CEQA are separate processes, SB 18 consultation occurs simultaneously with implementation of CEQA.

The Participants

SB 18 places the responsibility of initiating consultation on local governments. The purpose of SB 18 is to provide time for tribal input early in the planning process. Besides city staff and tribal representatives, the process may also include applicants and consultants. The local government should contact the tribe first to determine the appropriate level of private landowner involvement, because there may be occasions where the tribe prefers to maintain strict confidentiality without the inclusion of a private, third-party landowner. There is no requirement that the applicant be included.

Consultants can assist in many ways: they can coordinate the correspondence to the Native American Heritage Commission (NAHC) and assist with tribal contact, they can prepare materials for the consultation meetings, and they can translate the results of the consultation into new General Plan policy or EIR mitigation, as appropriate. As the *Tribal Consultation Guidelines* state, the consultant should not initiate contact with tribal representatives. This should come from a city department head or director.

Triggering Actions

SB 18 consultation applies to the adoption and amendment of both General and Specific Plans proposed on or after March 1, 2005. SB 18 consultation is a "government to government" interaction between tribal representatives and representatives of the local jurisdiction.

Requirements

Identifying Tribes through the Native American Heritage Commission (NAHC)

Once a local government initiates a proposal to adopt or amend a General or Specific Plan, the local government must send a written request to the NAHC asking for a list of tribes to consult. Requests should clearly state that the local government is seeking information about tribes that are on the "SB 18 Tribal Consultation List." The NAHC is mandated to provide local governments with a written contact list of tribes in the local government's jurisdiction in 30 days.

As Figure 2 shows, in cases where tribal consultation occurs later in the process (Scenarios B or C), the CEQA-mandated timelines can act to define goals and prevent the consultation period from extending into the nebulous future. However, delays could cause significant changes to the land use plan or extensive CEQA mitigation.

Challenges

The NAHC Contact List

The NAHC contact list errs on the side of comprehensiveness and may include tribes far from the jurisdiction in question. Also,

In This Issue:

(Continued on page 4)

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Orange County Section
American Planning Association

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AICP Certification	Claire Flynn, AICP City of Costa Mesa (714) 754-5278 cflynn@ci.costa-mesa.ca.us
Legislative Liaison	Vacant
Membership	David Crook, AICP RBF Consulting 949-855-7033 dcrook@rbf.com
Professional Development	Vacant
Programs	Kimberly Brandt, AICP City of Costa Mesa (714) 754-5278 kbrandt@ci.costa-mesa.ca.us
Public Info/ Newsletter	Lindsay Anderson RBF Consulting 949-855-5772 landerson@rbf.com
Student Rep (until 9/01/06)	Seth Connolly sconnoll@uci.edu UC Irvine
Awards	Jennifer Lilley, AICP Civic Solutions, Inc. 714-446-9965 lilley@civicsolutions.com
Webmaster	Tracy Sato, AICP City of Anaheim 714-765-5139 x.5735 tsato@oc-apa.org http://www.oc-apa.org

DIRECTOR'S MESSAGE

Welcome to 2006!

A new year is upon us! I hope you had a wonderful holiday season and I wish you health and happiness for the new year.

The new year sees the terms of a number of Board Members and appointed positions ending. The Board of Director's would like to thanks the following Board Members for their dedication to volunteering their time for OCAPA;

Brian Jackson, AICP (IBI Group.) – Vice Director for Membership
Victoria Beard, Phd (UCI) – Academic Liaison
Tom Holms, AICP (Michael Brandman Associates) – Legislative Liaison
Anna Pehoushek, AICP (City of Orange) – Vice Director for AICP
Jennifer Lilley, AICP (Civic Solutions, Inc.) – Vice Director for Programs

I would also like to welcome the newest members of the Board of Director's for 2006:

David Crook, AICP – Vice Director for Membership
Claire Flynn, AICP – Vice Director for AICP Certification
Kimberly Brandt, AICP – Vice Director for Programs

The new board officially begins their duties on January 1, 2006 and will be conducting a half-day retreat to set the goals and priorities for the coming year. The development of these goals will respond the input we've received from the membership in 2005. If you have any ideas you would like the Board to consider, please let us know.

A number of exciting changes are in store for 2006 which the Board believes will enhance the quality and effectiveness of your membership in APA:

Bob Goldin Memorial Scholarship Fund

In collaboration with the Planning Director's Association of Orange County, OCAPA is pleased to continue this successful scholarship fund. Scholarships will be announced at our annual Awards Banquet in Spring and professional development stipends are currently available for planning students. Please contact OCAPA for more details

2006 CCAPA Conference in Orange County!

OCAPA will be the host for the 2006 CCAPA conference to be held in October at the Hyatt Anaheim Resort.

We are please to have Brian Jackson, AICP bjackson@ibigroup.com as our Conference Chair to plan for this exciting event in Orange County. Look for updates and more information on OCAPA's website as we plan for the Conference.

Once again, welcome to 2006! On behalf of the Board of Director's I wish you happy and healthy 2005. Remember, the Board is here to serve you. If you have any question, comments or suggestions, please do not hesitate to contact us.

DAVE

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CALENDAR OF EVENTS

DATE	EVENTS	HOST
January 10 — January 12	**Living with Fire in Chaparral Ecosystems: Providing Tools for Decision Makers.** This summit is the culmination of a year-long project by the USDA Forest Service, in conjunction with UC Berkeley Center for Forestry, the Edward J Blakely Center for Sustainable Suburban Development at UC Riverside and the San Diego Natural History Museum. For more information, contact Dr. Pamela Padgett at 951.680.1584 or ppadget@fs.fed.us.	USDA Forest Service Riverside Fire Lab
January 20	**UCLA Extension Land Use Law and Planning Conference**. UCLA Extension Public Policy Program's annual Land Use Law and Planning Conference is a leading source of information for attorneys, planners, public officials, consultants, developers, real estate professionals, and others involved in planning and development issues in California. This year's conference presents an update to important new legislation, case laws, policies, and emerging trends in the fields of land use law and planning and environmental policy. For more information, contact Yumi Hori at yhori@uclaextension.edu.	UCLA Extension Public Policy Program
January 29— January 31	**Legislative and Policy Conference.** Every day, legislators and officials in Washington D.C. make decisions that affect your plans. Come to APA's 2006 Legislative and Policy Conference to find out what they're up to and attend Planners Day on Capitol Hill to meet with your congressional representatives and let them know what your community needs. For more information contact govtaffairs@planning.org	American Planning Association
February 15— February 16	**Land-Use Law After the Four Supreme Court Decisions of 2005.** The nine justices of the U.S. Supreme Court spent much of their 2004-2005 term changing the legal landscape in which planners work. They tackled eminent domain, the "substantially advances" test for takings, telecommunications zoning challenges, and double dipping claims. This workshop will help planners determine what these decisions mean to their communities. For more information, contact Tonicka Little at 312.786.6342 or confregistration@planning.org.	American Planning Association
February 15— February 16	**Tax Policies and Techniques That Support Planning.** As a source of funding for public projects and a frequent incentive for private development, taxes set the framework for many planning decisions. This workshop will give planners a better understanding of how tax policies affect their work and how they can use them to implement plans. For more information, contact Tonicka Little at 312.786.6342 or confregistration@planning.org.	American Planning Association and Lincoln Institute of Land Policy
February 17— February 18	**Paying for Economic Development.** A strong economic development program can bring jobs and economic activity to a community and improve its quality of life. A variety of models and tools can help communities pay for economic development. This workshop will help planners determine which are best suited to their goals. This workshop will cover all the essential skills and tools, providing a solid foundation for financing economic development. For more information, contact Tonicka Little at 312.786.6342 or confregistration@planning.org.	American Planning Association and Lincoln Institute of Land Policy
February 17— February 18	**Growing Green, Achieving Sustainability.** The environmental responsibilities of local governments encompass much of the natural landscape. This workshop will help planners create plans that sustain the quality of the environment, while conforming to State and Federal regulation. The workshop will be held at the Radisson Hotel Harbor View in San Diego. For more information, contact Tonicka Little at 312.786.6342 or confregistration@planning.org.	American Planning Association and Lincoln Institute of Land Policy

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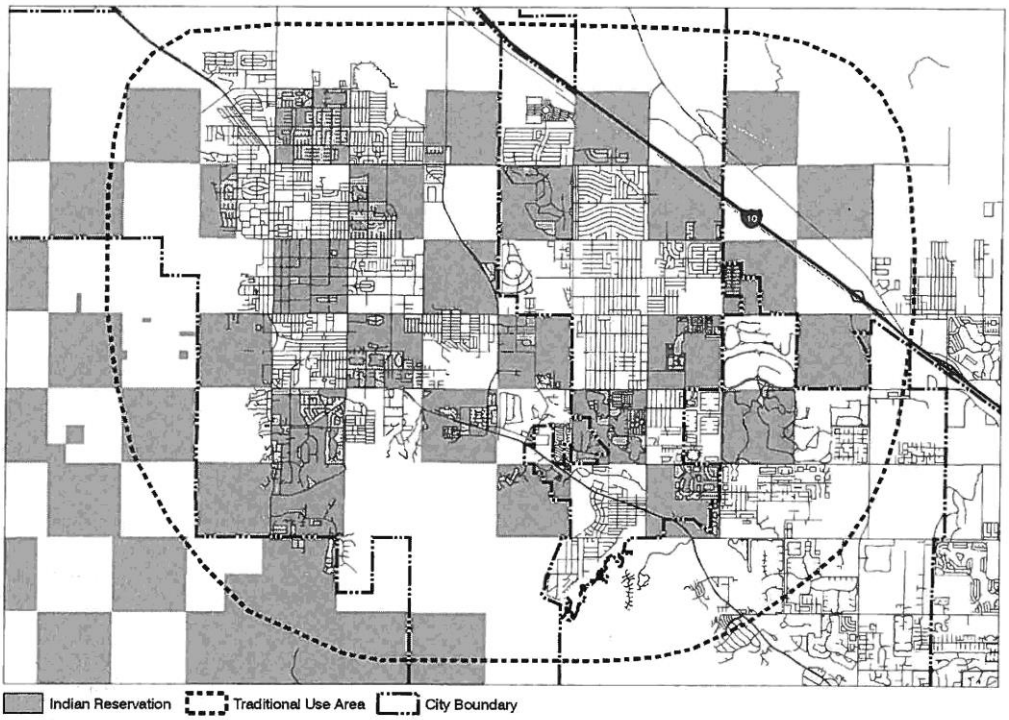
Figure 1
Example of a Traditional Use Area



Traditional Use Areas can cover a broader area than reservation boundaries.

(Continued from page 1)

the tribal contacts may not be the appointed representatives of the tribe. The local government must still send a request to consult to each tribe on the list.

Locating Sacred Sites

The stumbling block in every consultation attended by The Planning Center has been pinpointing the location of tribal cultural places. In many cases, neither the city nor the tribe knew precisely where these sites might be located. It is difficult to develop a method for protection of these sites without this information.

Sharing Information and Protecting Confidentiality

Once the locations of these sites are known by the tribe and/or local jurisdiction, the two parties must reach agreement on how much information should be publicly shared so that these places remain protected. Consultation ends once the two parties agree on the suitability of the actions or have agreed not to agree. SB 18 mandates discussion, not resolution. The hope is that discussion will lead to resolution of potential land use conflicts.

Consultation for Projects Begun before March 1, 2005

The schedule can present a challenge for General Plan and Specific Plan projects already in midstream when SB 18 took effect. Since the tribal input cannot come early in the planning process in these cases, the default has been to fold tribal input into the CEQA document.

Incorporating Open Space into Specific Plans

Responding to tribal input may require the jurisdiction to take several policy actions. Imagine the following scenario: a Specific Plan project is proposed and tribal input indicates that more open space needs to be dedicated to protect a tribal cultural place on-site. The Specific Plan must either increase density or lose residential units to incorporate this open space into the plan, not unlike the scenario of trying to meet an unexpected park acreage requirement. In order to meet the need for additional open space, the Specific Plan is no longer consistent with the adopted General Plan. In this case, the jurisdiction must decide whether to pursue a General Plan Amendment or define the Specific Plan to be consistent by averaging units across the site.

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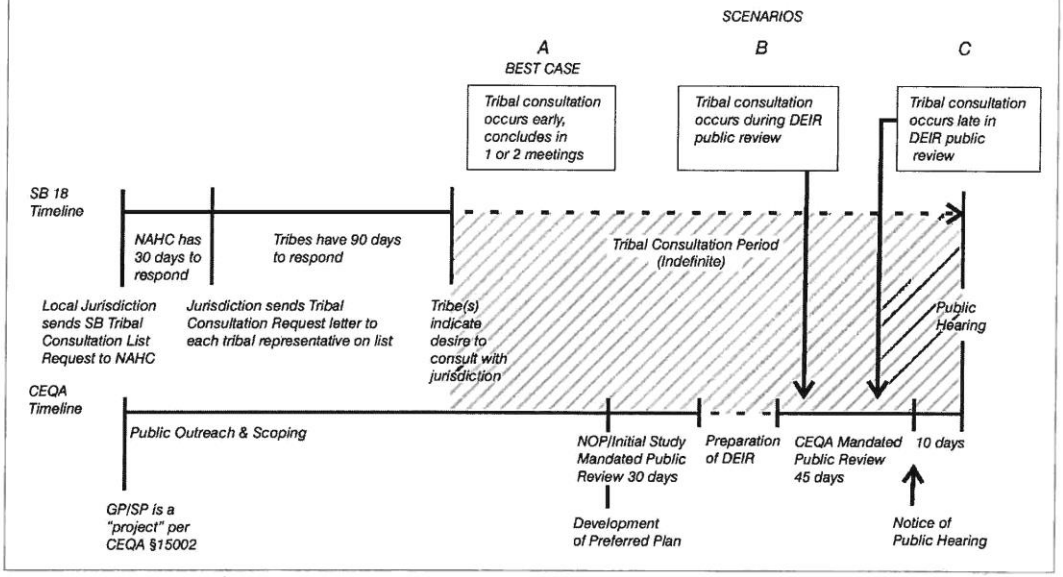
Figure 2
SB 18 and CEQA Timelines



(Continued from page 4)

Recommendations

We recommend the following to agencies facing their first SB 18 consultation.

- Because there is considerable confusion about where cultural places may be located, each jurisdiction should develop, in consultation with the tribes, a cultural resource "filtering" process for determining areas of high and low cultural sensitivity. It can become onerous for a local government to route every development application through each tribal government that defines the jurisdiction as part of its traditional use area. The routing of every development application would not, by itself, constitute fulfillment of the requirements of consultation. The tribe and local jurisdiction should reach a pre-consultation agreement that outlines a process for filtering applications and for how the tribe should respond to assist the local government in identifying which applications have a greater likelihood of impacting cultural sites. Cities and counties can do their part by conducting an annual search through the NAHC and the California Historic Resources Information System (CHRIS). Because records maintained by the NAHC and CHRIS are not exhaustive, a tribe may be the only source of information regarding the existence of a cultural place.

- Conduct consultation early in the project's planning phases. This allows the local government and tribe to develop opportunities for preservation of cultural resources and to build preservation or avoidance into the land use plan. When consultation does not occur early in the planning process and a plan is formed without tribal input, the less desirable courses of action would include plan revisions or an EIR with mitigation to avoid or reduce impacts to a cultural resource on-site.

- Keep accurate records to pinpoint the conclusion of the SB 18 consultation. This is particularly important depending on the timing of tribal consultation.

- If no response is received from a tribe within 90 days of the distribution of consultation letters, the request is considered concluded. Any letter received may still be handled as an EIR comment. The CEQA public distribution list may include tribes listed by the NAHC that have not answered the request for consultation, so it can get confusing if a non-listed tribe requests consultation later in the process.

(Continued on page 6)

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(Continued from page 5)

- Consult with one tribe at a time. Different tribes may have varying concerns and expectations and it becomes difficult for a jurisdiction to balance each concern, particularly if there are multiple—and potentially divergent—interests involved. Tribes may not always agree, and it is not the intent of SB 18 to make the jurisdiction a mediator.

Conclusion

Variation is likely to be the name of the game when it comes to SB 18 consultation. Some jurisdictions will have many tribal governments responding to consultation and others will have few. One approach may not fit all.

SB 18 may seem unclear on how long or what form consultation may take, but the ambiguity allows jurisdictions and tribes to develop a customized, flexible approach to cultural resource protection that best fits their needs. SB 18 goes far in encouraging jurisdictions and tribes to build on existing relationships, with a focus on cooperation that can streamline subsequent environmental review.

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2006 AICP Exam

The next opportunity for certification by the American Institute of Certified Planners (AICP) will be at the examination next May. Now is the time to apply and begin preparing if you are interested. To find out about applying from the APA website, at www.planning.org; click on "About APA," then "AICP," and then "Certification." This page will give you information including dates, fees, and study materials, which can also be viewed at www.planning.org/certification/.

The California Chapter also offers a study guide, which can be obtained from Kimberly Christensen, the chapter Professional Development Officer, by emailing her at Kchristensen@elsegundo.org. The deadline for applying for the May exam has not been announced but will likely be in February 2006. Workshops by AICP and private vendors will also be offered next year with announcements made as they become available.

AICP Code of Ethics

How should planners present themselves to the public and other planners? How should they balance client desires and the public's interest? How should issues be portrayed and information shared? These and other aspects of our responsibilities are addressed through the AICP code of Ethics and Professional Conduct. A new code has been prepared that took effect on June 1, 2005. As Certified Planners, AICP members have obligations to abide by the Code and also share with others the principles by which we practice our profession.

Just to remind everyone, our primary responsibility is to serve the public interest with compassion for the welfare of all people. Doing so will convey the sense that we are concerned with the highest integrity. However, ethics is situational and therefore tricky to implement consistently. Training in ethics is possible from materials provided by AICP at the APA website available at www.planning.org/ethics/.

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WELCOME—OCAPA'S Newest Board Members

Its my pleasure to announce the election results to the Board of Directors for OCAPA! Congratulations and thank you for contributing to the success of OCAPA.

Claire Flynn, AICP (Vice Director for AICP Certification)

Claire Flynn, AICP is a Senior Planner at the City of Costa Mesa, and she formerly served as OCAPA Vice Director of Professional Development (Years 2000-2001). She is member of the American Institute of Certified Planners (AICP) and has a Master's degree in Urban and Regional Planning from UCI.

Ms. Flynn believes that certification is important because it demonstrates a high level of proficiency in the planning profession. Currently about one-third of the OCAPA membership has earned this distinction. Ms. Flynn hopes to increase the number of certified planners in Orange County by coordinating AICP certification activities with California Chapter representatives. One of her goals would be to organize an AICP training workshop with recently certified planners who can provide insight in the following areas: Exam Structure, Question Format and Construction, Personal Experiences, Test Areas, and Helpful Testing Tips. In addition, she would like to work with State/National APA officers on AICP continuing education activities. Her previous service on the Board was a positive experience, and she is looking forward to being involved again with OCAPA.

Kimberly Brandt, AICP (Vice Director for Programs)

Kimberly Brandt, AICP, is a Principal Planner with the City of Costa Mesa Development Services Department, with over 18 years in the planning field. Prior to joining Costa Mesa, Kimberly worked for the City of Rancho Mirage Community Development Department and served on the La Quinta Planning Commission from 1985 to 1987. She received her Bachelors of Art in Social Ecology from the University of California – Irvine.

Kimberly recognizes that the demands of "planning" in Orange County are being redefined at a rapid rate, and she hopes to provide a diverse slate of programs that address these challenges and are relevant to both public and private sector planners. She also sees the APA programs as an excellent opportunity to team with other related professional organizations in providing educational opportunities.

David Crook, AICP (Vice Director for Membership)

David Crook, AICP, is currently an environmental planner with RBF Consulting in Irvine, working on a variety of public and private development projects throughout southern California. Prior to joining RBF, Mr. Crook worked for another consulting firm in Orange County, as well as the County of San Luis Obispo. David received his B.S. in Environmental Studies from the University of California at Santa Barbara and a Master of City and Regional Planning from California Polytechnic State University at San Luis Obispo. As Vice Director for Membership, David will attempt to bolster our OCAPA ranks through continued advertisement in OCAPA publications and at related events, and also through focusing recruitment efforts at Orange County colleges and universities. As our Chapter continues to grow, our ever-expanding, collective knowledge and experience will serve to enhance the value of OCAPA for all members.

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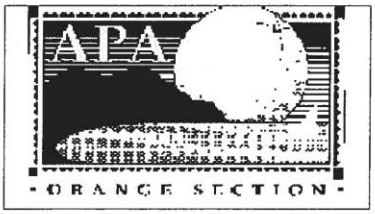

The Orange Section of the
American Planning Association
P.O. Box 51401
Irvine, CA 92619-1401

THE ORANGE COUNTY PLANNER

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Letter 27: Da Costa, Francisco (1/12/10)

Response to Comment 27-1

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

Response to Comment 27-2

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

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Letter 28: Hamman, Michael (1/4/10)

1 of 1

Letter 28

From: Michael Hamman <mhamman@igc.org>
To: Stanley Muraoka <Stanley_Muraoka@ci.sf.ca.us>, Stanley Muraoka <Stanley.Muraoka@SFGOV.ORG>
Cc: Kristine Enea <kristine@indiabasin.org>, Joe Boss <joeboss@joeboss.com>, Chris VerPlanck <cvp73@yahoo.com>, Al Williams <awconsul@aol.com>, Jack Gold <jgold@sfheritage.org>, bruce <bruce@bonacker.com>
Date: 01/04/2010 11:12 PM
Subject: Shipyard EIR

Stanley:

My reading of Section "J" pg 33, second graph indicated that there is a potential "Historic District", *Hunters Point Commercial Dry Dock District* , that includes the drydocks and several surrounding buildings. Further the drydocks **AND** buildings 140, 204, 205, & 207 are **EACH** eligible to be listed in the CRHR. The next page, p 34, second graph indicates that the five buildings that are condemned i.e. #208, 224, 211, 231, & 253 are all contributory to the "Historic District" **AND** if they are destroyed the"Historic District" will no longer be possible. So it is not just the five buildings, but if they go, we are forever precluded from forming the "Historic District" 28-1

To my way of thinking this is a tragic loss and should require more than merely "documenting" the buildings with pictures and descriptions. This is like someone saying they are going to kill you but don't worry you will get a small headstone on your grave. It would take more than that to make me want to take a bullet!

--

Michael Hamman
mhamman@igc.org

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Letter 28: Hamman, Michael (1/4/10)

Response to Comment 28-1

Alternative 4 (Reduced CP-HPS Phase II Development, Historic Preservation) was included in the Draft EIR to analyze an alternative with preservation of all five historically eligible structures (Buildings 208, 211, 224, 231, and 253).[103] Although the text of Alternative 4 in the Draft EIR inadvertently omitted reference to Buildings 208 and 231, this was a typographical error and the text has been revised in the Draft EIR (Section F [Draft EIR Revisions]) to clarify that four buildings would be retained and/or rehabilitated according to the Secretary of the Interior's Standards. (Building 208 is included in the Project, so Alternative 4 has been clarified to indicate that it includes Buildings 211, 224, 231, and 253.) That Alternative 4 includes a reduced development plan compared to the Project does not affect the analysis of the historic preservation component in Alternative 4.

When considering Project approval, the Lead Agencies have the flexibility to approve all or any portion of the Project. This flexibility extends to approving all or any portion of an alternative as well. Therefore, the Lead Agencies could adopt the Project ***and*** the historic preservation component of Alternative 4 without the EIR providing a separate analysis of such an option. Both the Project's land use plan and the historic preservation option were thoroughly analyzed in the Draft EIR. The Project ultimately approved by the Lead Agencies could include a combination of components of the Project, any of the variants, and/or any of the alternatives.

The analysis of the historic preservation component of Alternative 4 would not change regardless of whether that element is combined with a variant, another alternative, or the Project. While not required, a subalternative to Alternative 4—Subalternative 4A (CP-HPS Phase II Development Plan with Historic Preservation)—has been included in the Final EIR to fully respond to comments. This is not a substantially different alternative, but one that combines the Project's development plan with preservation of the historically eligible buildings, both of which were analyzed in the Draft EIR. Similar to Alternative 4, (Draft EIR Chapter VI, pages VI-93 through -126), Subalternative 4A would retain the historic buildings (Buildings 211, 224, 231, and 253) that would otherwise be demolished under the Project. In order to accommodate the historic preservation component in the Project's development plan, some adjustments in the location and intensity of some of the Project's land uses and a more cost-effective approach for providing sea level rise protection for the historic resources area have been included in this subalternative. In all other respects, Subalternative 4A assumes a development plan that is identical to the Project.

Refer to Section F (Draft EIR Revisions) of this document, which discusses Subalternative 4A (CP-HPS Phase II Development Plan with Historic Preservation) that would retain the structures in the California Register of Historical Resources (CRHR)-eligible Hunters Point Commercial Drydock and Naval Shipyard Historic District. As discussed therein, Subalternative 4A would retain and rehabilitate the structures in the CRHR historic district, including structures in this National Register of Historic Places (NRHP)-eligible Hunters Point Commercial Drydock Historic District: Drydocks Nos. 2 and 3, and Buildings 104, 204, 205, and 207. The larger CRHR-eligible historic district would encompass the boundaries and the

[103] It should be noted that, since publication of the Draft EIR, the decision has been made to retain Building 208 under all development scenarios

contributory structures in the NRHP district. Subalternative 4A would avoid significant adverse effects on historic resources.

Draft EIR Section III.J (Cultural Resources and Paleontological Resources) discusses the NRHP-eligible Hunters Point Commercial Drydock Historic District, as identified in 1998. The Hunters Point Commercial Drydock Historic District is shown in Figure III.J-2 (Potential Historic District), page III.J-23. As discussed in Draft EIR Chapter II (Project Description), page II-7, 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 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, 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 measure MM CP-1b.1, pages III.J-34 to -35, requiring documentation of the CRHR-eligible resources before demolition, would reduce but would not avoid the Project's significant effects on CRHR-eligible resources. To clarify this comment, the differences between the NRHP and CRHR are also provided. The CRHR is a listing of State of California resources that are significant within the context of California's history. The CRHR criteria are modeled after NRHP criteria; however, the CRHR focuses more closely on resources that have contributed to the development of California. All resources listed in or formally determined eligible for the NRHP are eligible for the CRHR. In addition, properties designated under municipal or county ordinances are also eligible for listing on the CRHR. The primary difference between the NRHP and the CRHR is that the latter allows for a lower level of integrity for a resource to be considered historically significant.

Alternative 4 and Subalternative 4A 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.

Letter 29: Bay Area Council (1/4/10)

1 of 2

Letter 29

BAY AREA COUNCIL

January 4, 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 Bay Area Council supports the redevelopment of the Hunters Point Shipyard and we believe that the current Draft EIR adequately analyzes the impacts of this proposed development. We believe that the proposed development is of regional significance and importance and should proceed on schedule.

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.

According to the DEIR, the proposed development for southeast San Francisco will "remove and rehabilitate existing structures and 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."

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.

29-1

Key features and benefits of the Project include:

- The creation of up to 10,000 permanent new jobs in San Francisco.
- The replacement of the Alice Griffith Public Housing development without displacing any current residents.
- The creation of 10,500 new homes with 32 percent priced below market rate.
- 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 development of new transit, bicycle and pedestrian routes to serve Bus Rapid Transit and reconnect the Candlestick Point and Hunters Point communities.
- The planting of 10,000 new trees, creation of new wildlife habitat and wetlands and the use of nesting boxes for bird species in southeast San Francisco.

2 of 2

- The creation of neighborhood-serving retail, including shops, cafes and a grocery store for the Bayview-Hunters Point neighborhood.
- The acceleration of the environmental clean up of Hunters Point Shipyard.
- The creation of permanent space at Hunters Point Shipyard for an existing artists colony.
- The commitment to 15 percent greater energy efficiency than required under California energy efficiency standards for building (Title 24 2008 standards).
- The commitment to achieving LEED Gold LEED for Neighborhood Development 2007 pilot standards
- The exploration of innovative district heating and cooling and, water reclamation and re-use systems.
- The development of a football stadium site, performing arts venue and sports arena.

29-1 cont'd.

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.

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."

As such we urge the City agencies to proceed with the review and comment period and move swiftly on the entitlements of this historic project. San Francisco and the Bay Area need affordable housing and jobs to stimulate our economic recovery.

Sincerely,

Matt Regan

Matt Regan
Vice President
Bay Area Council

Cc: Darshan Singh, Vice President
London Breed
Miguel Bustos
Francee Covington
Leroy King

Letter 29: Bay Area Council (1/4/10)

Response to Comment 29-1

The comment is acknowledged. No response is required.

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Letter 30: San Francisco Planning + Urban Research Association (1/4/10)

1 of 1

Letter 30

SPUR SAN FRANCISCO PLANNING + URBAN RESEARCH ASSOCIATION

654 Mission Street
San Francisco, California
94105
415.781.8726 t
415.781.7291 f
www.spur.org

January 4, 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 Urban Planning Association (SPUR) is a member-supported, nonprofit dedicated to unifying citizens to jointly craft solutions to solve our common problems.

The Bayview Hunters Point community and the City have been working together for nearly a decade to plan the revitalization and redevelopment of the Hunters Point Shipyard. It is an extremely significant project, for both the Bayview and the city as a whole. 30-1

The plan is consistent with the City's General Plan, and it is furthermore, the perfect place in the region for this kind of "recycling" of a polluted brownfield site into new uses. It will also create jobs, create housing units, and provide an economic boost to the city.

The legal question before the commission is whether the draft environmental impact report adequately discusses the impacts of the development project. I believe that it does.

This project has been reviewed and discussed for many years, through countless public meetings. The public process surrounding it has been immense.

It is time to move forward.

Sincerely,

Gabriel Metcalf
San Francisco Urban Planning Association

Cc: Darshan Singh, Vice President
London Breed
Miguel Bustos
Francee Covington
Leroy King

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Letter 30: San Francisco Planning + Urban Research Association (1/4/10)

Response to Comment 30-1

The comment is acknowledged. No response is required.

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Letter 31: San Francisco Bay Trail (1/12/10)

1 of 6

Letter 31

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. 31-1

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:

- Transportation and Circulation
- Recreation
- Aesthetics
- Project Description

2 of 6

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".

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.

31-2

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.

31-3

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 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.

31-4

2

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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. **31-5**

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. **31-6**

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. **31-7**

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. **31-8**

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. 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. **31-9**

3

4 of 6

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.

31-9 cont'd.

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.

31-10

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.

31-11

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.

31-12

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 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.

31-13

4

5 of 6

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.

31-13 cont'd.

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."

31-14

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

5

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.

31-14 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.

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.

31-15

Sincerely,

Maureen Gaffney
Bay Trail Planner

Letter 31: San Francisco Bay Trail (1/12/10)

This letter is identical to Letter 87. Both letters are dated January 12, 2010, and both were jointly submitted to the Agency and the San Francisco Planning Department.

Response to Comment 31-1

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 31-2

In response to the comment, the text in Section III.D (Transportation and Circulation), under the San Francisco Bay Trail heading, third sentence, page III.D-19 has been revised as follows:

> … 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~~. …

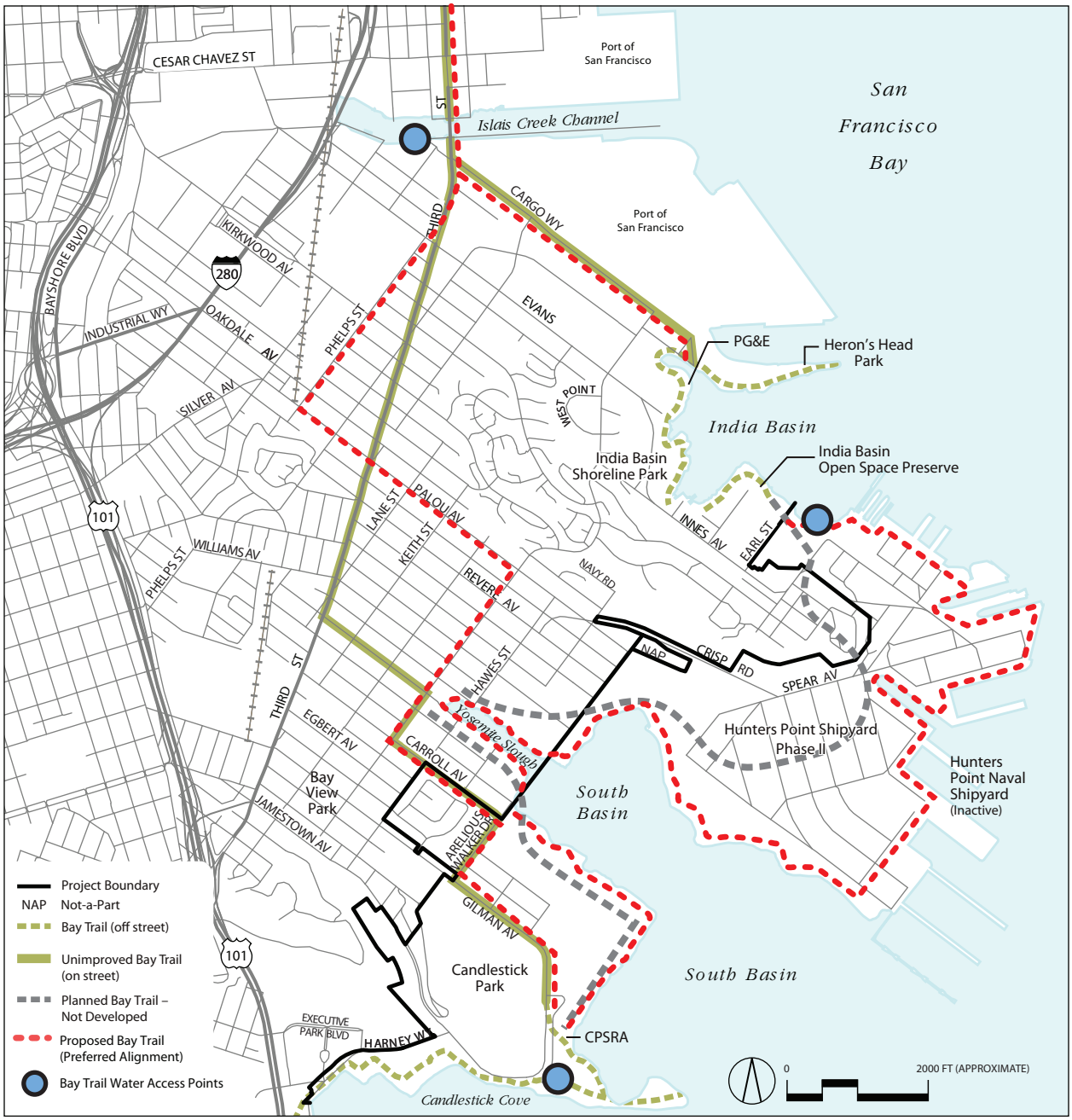
Response to Comment 31-3

In response to the comment, Figure III.B-3 (Existing San Francisco Bay Trail Route) has been revised to show the Bay Trail in the preferred alignment, along the Yosemite Slough shoreline.

Response to Comment 31-4

All proposed streetscape improvements would be designed to improve the safety and experience of pedestrians and bicyclists in the area. Improvements to the pedestrian realm are discussed on Draft EIR pages III.D-50 to -52. Generally, streetscape improvements for internal streets as well as improvements to external streets are consistent with the City Planning Department's Draft Better Streets Plan.

As shown on Figure III.D-10 (Project Bicycle Network and Bay Trail Improvements), the Project would provide a combination of new Class I, Class II, and Class III bicycle facilities throughout the project site, as well as connections to the City's bicycle network outside of the Project site. Specifically, the Project would connect to and extend existing City Bicycle Routes on Innes Avenue (Route #68), Palou Avenue (Route #7), Carroll Avenue (Route #805), and would create a new Class III route along Gilman Avenue, which would connect the Candlestick Pont development to Third Street and Paul Street, both of which are part of the City's bicycle network. The Project would also improve and connect to the Class I shared bicycle/pedestrian facility along Harney Way. Further, the Project would include a number of internal bicycle facilities, including Class I, Class II, and Class III, as shown on Figure III.D-10.



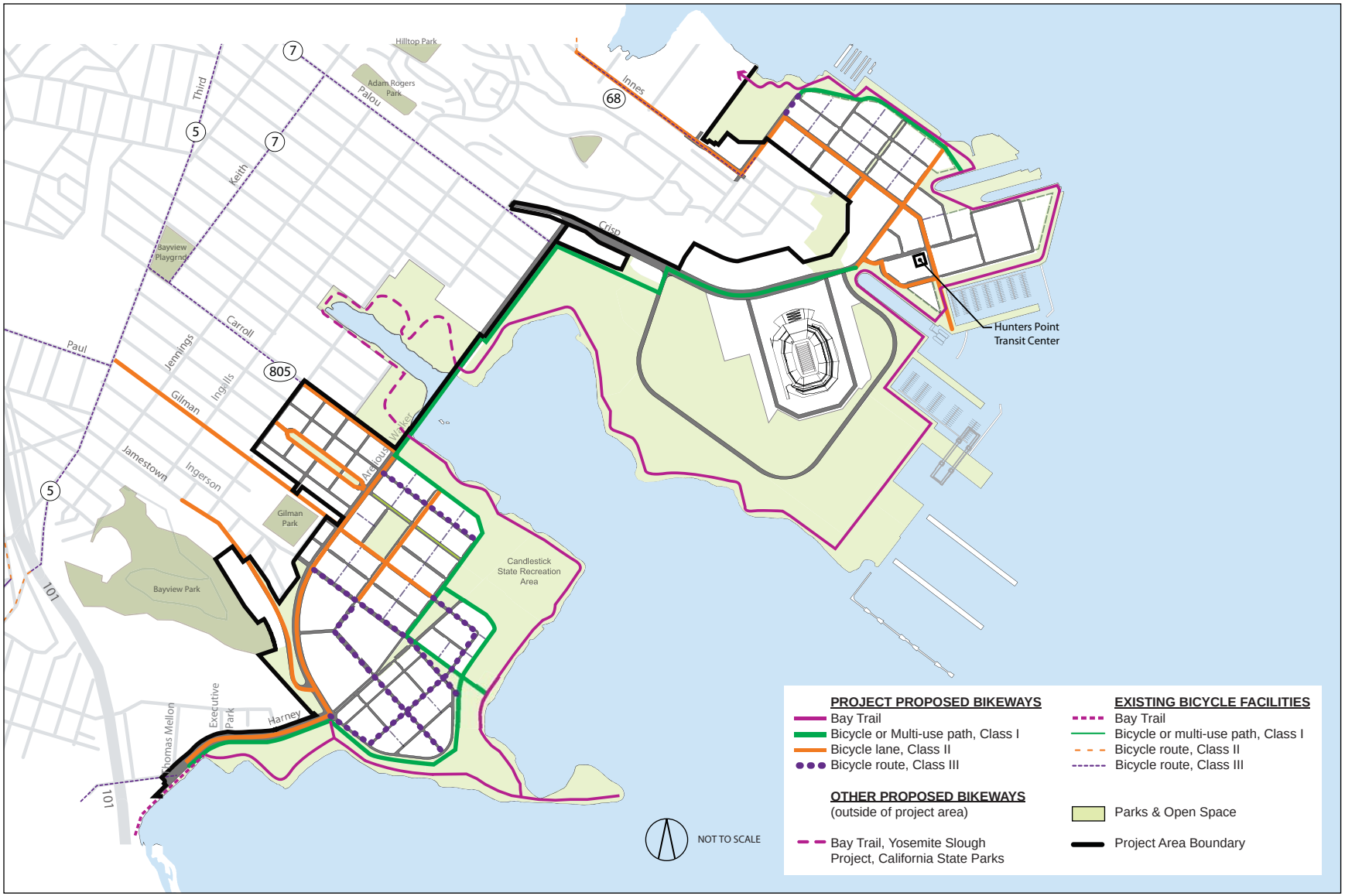
SOURCE: San Francisco Bay Trail Plan; PBS&J, 2010.

PBS&J 04.19.10 02056 | JCS | 10

Candlestick Point — Hunters Point Shipyard Phase II EIR

EXISTING SAN FRANCISCO BAY TRAIL PLAN ROUTE

FIGURE III.B-3



SOURCE: Fehr & Peers, 2010.

PBS&J 04.16.10 02056 | JCS | 10

FIGURE III.D-10

Candlestick Point — Hunters Point Shipyard Phase II EIR

PROJECT BICYCLE NETWORK AND BAY TRAIL IMPROVEMENTS

Response to Comment 31-5

The Bay Trail alignment proposed in the Draft EIR has been amended in response to public comments. The amended alignment traces the slough shoreline and connects with the proposed Bay Trail alignments on Candlestick Point and Hunters Point. The Bay Trail must cross Arelious Walker Street on both sides of the slough. On the north side, the crossing will be possible without substantial deviation from the shoreline alignment. On the south side, visitors walking the Bay Trail will need to walk along Arelious Walker for a block inland (southward) in order to cross the street, then return to the shoreline. The trail alignment along Arelious Walker will be clearly marked. The Bay Trail will remain a continuous shoreline trail.

Response to Comment 31-6

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

Chapter VI of the Draft EIR presents the alternatives and includes discussion of the impacts of a "no bridge" alternative (Alternative 2). Chapter VI includes a discussion of the transportation-related impacts associated with Alternative 2.

Under conditions without the new NFL stadium, the bridge would serve the same users as it would serve under conditions with the stadium on non-game days, including transit passengers, bicyclists, and pedestrians. The bridge would be part of the Project and constructed by Project Applicant. Therefore detailed analysis of subsidy per rider is neither appropriate nor required for this EIR.

Response to Comment 31-7

The commenter requests that Table III.D-6 (Projected Football Game Day Trip Generation by Mode) be revised to reflect the number of spectators arriving by bike or by foot, and what tools the project applicant would employ to actively encourage spectators to arrive by non-motorized modes.

The game day trip generation forecasts used in the analysis are based on actual auto and transit usage at the existing stadium, with modest increases to transit use likely to occur with the robust transit improvements proposed to serve the stadium. While information on the number of patrons that currently walk or bicycle to games is not known, it is reasonable to expect an increase in the number of game day patrons who walk and bicycle to the stadium. Sufficient data is not available to estimate trips by walk and bicycles for special events at the proposed stadium, such as NFL games. However, the potential that some patrons would arrive by bicycle or walking are accounted for in the game day conditions.

The Project would improve bicycle access to the area in terms of new bicycle lanes on existing and reconfigured roadways, and bicycle access within and in the vicinity of the Project site would be maintained on game days. The Project would include a number of wider sidewalks near the stadium connecting to the adjacent neighborhoods and to transit connections to accommodate pedestrians. Further, the game day traffic control plan calls for maintenance of Class II bicycle lanes on several streets that would be reconfigured to increase peak directional auto capacity during pre- and post-game periods. For stadium patrons arriving by bicycle, the proposed stadium would provide improved amenities such as bicycle lockers at stadium entrances and a bicycle valet similar to the service operate at AT&T Park for the San Francisco Giants baseball games.

As described on page III.D-132 and III.D-133 of the Draft EIR, the stadium operator would be required to prepare a Transportation Management Plan (TMP) which would address all modes. Actions included in the TMP to encourage non-motorized modes include:

- The use of charter buses to the stadium shall be encouraged and expanded.
- The stadium operator shall implement measures to encourage carpools of 4-plus persons per vehicle.
- The stadium operator shall charge a higher parking cost for low occupancy vehicles.
- The stadium operator shall develop a separate Travel Demand Management (TDM) plan for employees of the stadium and concessionaries, to reduce number of employees and concessionaries that arrive by auto.

Response to Comment 31-8

Chapter IV of the Draft EIR describes the transportation improvements that would occur under Variants 1 and 2, which would not include a new stadium. As noted on pages IV-18 and IV-87, which describe the transportation improvements associated with Variants 1 and 2, respectively, in the absence of stadium, the proposed Bay Trail alignment would not change from what is proposed as part of the Project.

Alternative 1 (No Project) would not include any Bay Trail improvements. Alternative 2 (CP-HPS Phase II Development, No Bridge), Alternative 4 (Reduced CP-HPS Phase II Development, Historic Preservation) and Alternative 5 (Reduced CP-HPS Phase II Development) which do not include the Yosemite Slough Bridge, and Alternative 3 (Reduced CP-HPS Phase II Development, 49ers stay at Candlestick Park) which includes the Yosemite Slough Bridge, would also have the same Bay Trail alignment as the Project.

Response to Comment 31-9

Revised Figure III.D-10 (Project Bicycle Network and Bay Trail Improvements) presents the location of the proposed bicycle improvements, including proposed Class II bicycle lanes. Note that Figure III.D-10 has been revised such that the improvements to Gilman Avenue are proposed to be Class III bicycle route rather than a Class II route, as shown in the Draft EIR. Major roadways include the streets that provide access through the Project site.

As stated in Response to Comment 44-1, Figure III.B-3 (Existing San Francisco Bay Trail Route) has been revised to include Bay Area Water Trail access points in the Project vicinity. The Bay Area Water Trail Plan, which is still in draft form, shows an existing launch site in the Project area at CPSRA. The development of shoreline parks and open space under the Project will provide access for personal non-motorized watercraft. While the precise location of access points within the Project site will 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.

Response to Comment 31-10

The comment is acknowledged. No response is required.

Response to Comment 31-11

In response to the comment, Figure III.B-3 (Existing San Francisco Bay Trail Route) has been revised to show the Bay Trail in the preferred alignment, along the Yosemite Slough shoreline. Refer to Response to Comment 31-9 for the revised figure.

Response to Comment 31-12

The City parkland noted on Figure III.P-3 (Proposed CPRSRA Reconfiguration) consists of Candlestick Park stadium and its associated parking lots; these facilities are under the jurisdiction of the City through the SFRPD. (Figure III.P-3 has been revised and is presented in Response to Comment 50-23 to correct the legend and clarify the park boundaries around the stadium site.) These facilities do not provide public outdoor recreation opportunities beyond the stadium use. Therefore, the development of these areas as part of the Project will not cause significant environmental impacts related to recreational opportunities. The impacts of construction and operation of the Project in this area are analyzed throughout the Draft EIR.

Further, Proposition G, approved by the San Francisco voters, authorizes removal of this land from SFRPD jurisdiction provided that the Project as a whole meets several conditions. It must include new park or open space land at least as large as the approximately 77-acre stadium site. The Project must also be consistent with the following goals:

- Produce tangible community benefits for the Bayview and the City
- Reunify the Project Site with the Bayview and should protect the character of the Bayview for its existing residents
- Include substantial new housing in a mix of rental and for-sale units, both affordable and market-rate, and encourage the rebuilding of Alice Griffith Housing
- Incorporate environmental sustainability concepts and practices
- Encourage the 49ers—an important source of civic pride—to remain in San Francisco by providing a world-class site for a new waterfront stadium and supporting infrastructure
- Be fiscally prudent, with or without a new stadium

The Project advances each of these goals and, as shown in Table III.P-3 (Residential Units and Park Acreage Provided during Each Stage of Development); it includes approximately 216 acres of new park and open space land. Thus, the Project meets Proposition G's requirements. The transfer of the stadium area out SFRPD jurisdiction is thus authorized by Proposition G, reinforcing the conclusion that such transfer would not constitute a significant environmental impact. (Table III.P-3 has been revised in Section F (Draft EIR Revisions) to reflect that development activities would occur 1 to 2 years later than originally planned.)

Response to Comment 31-13

CPSRA will remain open and accessible throughout the phases of the Project, although construction associated with the proposed improvements will require closures of some areas at some times.

The specific improvements to be provided within CPSRA, including permanent and potential interim Bay Trail alignments, will be identified by the CDPR during the CPSRA's General Plan Amendment process. Outside 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.

Refer to Response to Comment 31-4 for a discussion of development of a "complete, open and accessible Class I multi-use Bay Trail."

Response to Comment 31-14

In general, individual responses to aesthetics and changes in aesthetics are subjective and cannot be quantified. Section III.E (Aesthetics) of the Draft EIR analyzes whether the Project would have a substantial effect on a scenic view or substantially degrade the visual character or quality of the site or its surroundings. These statements are taken directly from Appendix G (Environmental Checklist Form) of the CEQA Guidelines. In accordance with the CEQA Guidelines, the key word in determining whether an aesthetic impact is significant or not is "substantial." Substantial is generally accepted to mean fairly large, or a considerable amount, size, or quantity. This determination is a subjective evaluation based on an analysis of facts. The analysis in the Draft EIR considers the magnitude of the change relating to existing conditions in determining the significance of the impact. The Draft EIR analysis does not determine there would be *no* impact on views or the visual character or quality of the site; it determined the impact would be *less than significant* (that is, not substantial) for the reasons stated in Section III.E.

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 bridge itself. The Project would not interfere with the Bay Trail proposed around the slough. The bridge would be constructed at the periphery of the CPSRA and slough. On the north side, it would be at the CPSRA boundary and would not encroach within the CPSRA. On the south side, it would impinge on the CPSRA for a length of about 270-280 feet (less than 300 feet). 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. Inclusion of a bridge into a natural setting does not necessarily degrade the character or quality of the setting or substantially block views, depending on its design. The final design of the bridge would include maximum consideration for its aesthetic appeal, integration into the natural environment, and view conservation. The bridge has also been designed with a low profile that would not protrude significantly above grade. Views of the slough and the Bay would be offered from the bridge itself, as well as from the improved shoreline areas that would be included as part of the Project, which would provide additional viewing opportunities not currently available. Additional visual simulations are provided in Response to Comment 47-46 of various viewpoints of the Yosemite Slough bridge are provided to help the reader visualize how the bridge would look in its surroundings. Refer to Responses to Comments 47-34, 47-36, 47-46, 47-58, 47-73, and 47-76 regarding aesthetic impacts relative to the bridge, slough, and CPSRA.

The traffic along the bridge would obstruct views of the Bay from only certain vantage points along the slough, and interruptions in view would occur only intermittently and for very brief periods of time when the BRT is operating. The bridge would be open to automobile traffic only on game days (10 to 12 NFL games per year).

Response to Comment 31-15

Refer to Response to Comment 31-13 regarding the City, Agency, and Lennar Urban's commitment to working with Bay Trail planners and stakeholders to develop plans for safe, feasible interim alignments during the construction phasing of the project.

Letter 32: Docomomo/US, Northern California Chapter (1/11/10)

1 of 2

Letter 32

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documentation and conservation
of buildings, sites and neighborhoods of the
modern movement

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January 11, 2010

Mr. Stanley Muraoka
Environmental Review Officer
San Francisco Redevelopment Agency
One 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: Candlestick Point-Hunters Point Shipyard Phase II Development Plan DEIR

Dear Mr. Muraoka and Mr Wycko:

The Northern California Chapter of Docomomo/US would like to take this opportunity to comment on the Draft Environmental Impact Report for Candlestick Point-Hunters Point Shipyard Phase II (File 2007.0946E).

Docomomo is an international organization dedicated to the preservation and significance of Modern architecture and sites. The Northern California chapter of Docomomo (Docomomo NoCa) was established in 1998 as a non profit 501(c)3 organization, and its mission is to promote education and awareness of the modern movement.

32-1

We agree with the statements in the Historic Context Statement (prepared by Circa and part of the EIR) that the Hunters Point Shipyard is a site of national historic significance, and includes a significant number of potentially important modern era buildings. The Context Statement states that Hunters Point Shipyard (along with Mare Island and Puget Naval Shipyard) "compromised the heart of US Navy activities during the second world war on the West Coast. As important as Hunters Point was to World War II Naval campaigns, it gained significance in its own right in the post-war period through its role as home to the Naval Radiological Defenses Laboratory. It was one of the only facilities of its kind in the United States in either private or military control, was recognized as a leading research facility on a national scale and played a major role in every US nuclear weapons test during its 25 year history. Together, these areas of importance are reflected in the built environment."

It is our opinion that the EIR is inadequate in relationship to the analysis and treatment of historic resources. We feel the EIR is inadequate in the following areas:

1. While the Context Statement establishes the significance of the site, the Evaluation of Historic

32-2

2 of 2

docomomo_us

documentation and conservation
of buildings, sites and neighborhoods of the
modern movement

Northern California Chapter

Resources, Volume II, also prepared by Circa, is flawed and inadequate in its evaluation of resources and determination of which resources are eligible to the California or National Register. Resources that we believe would be eligible under Criterion A (events) and Criteria C (Construction) are inadequately assessed and dismissed. The EIR does not include the required assessment of the potential significance of the Candlestick Park Stadium by John Savage Bolles, which is now 50 years old. **32-2 cont'd.**

2. The EIR does not include an adequate Preservation Alternative. Because of the significance of the site as established in the Context Statement, the EIR should include an Alternative whose primary focus is historic preservation, which would include at a minimum buildings within the areas identified to be eligible for a National Register District. This Alternative would include preservation of these buildings as part of a holistic master plan for the site that would strive to meet the majority of project objectives. An alternative which only addresses the configuration of buildings within the National Register historic would not be considered a true preservation alternative. **32-3**
3. We feel that the Feasibility Study by Page & Turnbull / CBRE examining the reuse potential of buildings 211, 231, and 253 is based on flawed logic. A realistic and appropriate feasibility study would look at the broader context of the master plan and include changes that could be made to adjacent blocks to address programmatic modifications required as a result of keeping these three buildings, rather than only examining the buildings in isolation as was done in the Page & Turnbull / CBRE study. In addition, the feasibility study did not adequately study a variety of uses for the buildings, and we believe the selection of parking as the primary use of building 231, which has some of the most dramatic views of any location on the site, is inappropriate. **32-4**

Thank you for the opportunity to comment.

Sincerely Yours

Chandler McCoy, AIA
Northern California Chapter, Docomomo/US

Page 2
Comment Letter on Candlestick Point- Hunters Point EIR

Letter 32: Docomomo/US, Northern California Chapter (1/11/10)

Response to Comment 32-1

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 32-2

Refer to Response to Comment 39-1, for a discussion of the adequacy of the evaluation of historic resources at Hunters Point Shipyard Phase II and 39-4 on the evaluation of Candlestick Park stadium under NRHP and CRHR criteria. As discussed in that Response, Candlestick Park stadium would not meet NRHP or CRHR criteria as an historic resource.

Response to Comment 32-3

Refer to Response to Comment 39-2 with regard to Alternative 4 (Reduced CP-HPS Phase II Development, Historic Preservation) as a preservation alternative, and to Section F (Draft EIR Revisions) of this document, discussing Subalternative 4A (CP-HPS Phase II Development Plan with Historic Preservation) 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.

Response to Comment 32-4

Refer to Response to Comment 28-1 with regard to Alternative 4 (Reduced CP-HPS Phase II Development, Historic Preservation) and Subalternative 4A (CP-HPS Phase II Development Plan with Historic Preservation) as preservation alternatives 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. Section F (Draft EIR Revisions) of this document discusses the reuse of historic structures and reconfiguration of adjacent blocks considered in Subalternative 4A, and the uses proposed in the structures that would be retained. Section F notes that all buildings in the historic district would be rehabilitated according to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. Building 231 would be reused for parking. Buildings 211 and 253 would accommodate R&D uses. 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) That 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. The Page & Turnbull report, page 16, states, with regard to Building 231 reuse:

> Pros
>
> - Existing building is re-used in its original location
> - New program makes relatively minor impact on the original structure
> - Minor upgrades and demolition required to existing structure to accommodate program
> - Additional floor plates help brace the existing structure
> - Parking levels and/or Mechanical floor can be exchanged for office space if desired (building as configured would still meet code)

- Retail use at lower level "activates" long edges of building, engaging pedestrians and creating a lively streetscape
- Large number of cars can be accommodated without any addition of height or density
- Large roof area conducive to alternative energy production, i.e. solar.
- Excellent views from upper floor

Cons

- Addition of a floor plate alters original open plan and volume
- Independent structure is required for new floor plates
- Cost per parking spot is relatively high
- Much of the glass at the upper level would need to be replaced due to breakage
- If alternative (office) use is preferred, not all offices would have direct access to natural light (based on the wide floor plate)

Letter 33: Antonini, Michael J. (1/11/10)

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Letter 33

COMMENTS ON CANDLESTICK POINT HUNTERS POINT SHIPYARD DEIR

This is a very complete and well- written document. I do have some ideas on the need to mention future beneficial enhancements that to the project

The EIR should indicate that additional parking, beyond that identified under the Project's " built out condition", shall be available for many years after the completion of the new football stadium. Far beyond 21,000 parking spaces will be available on game days. Only as the build out of the final proposed uses on Candlestick Point are completed would a potential parking deficit exist. It should be made clear that the City of San Francisco will work with the Forty Niners to assure that game day parking needs are always met. Should projections that deal with percentages of fans using other than automotive means of transport to the stadium prove to be overstated, alternative private or public parking lots could be obtained to replace any lots taken out of service as development proceeds. There should never be a " parking deficit." **33-1**

It should be mentioned that the EIR could allow for football stadium enlargement up to 80,000 person capacity to would qualify it to be Super Bowl or be Olympic ready.

Although India Basin is a separate EIR, the HPCPS EIR should mention a possible traffic, pedestrian and, perhaps, transit bridge over India Basin that would allow more direct and robust access to and from Hunters Point to the north. The DEIR mentions that as early as 1908 a rail bridge of 4,110 feet was built across Islais Creek. One would assume in the 21st century we have the technology to do, at least, the same. Additionally, mention must be made of a looping light rail extension that could occur from the planned multimodal station at Bayshore Cal Train/ end of the Muni Metro "T' line to follow the expanded Harney Way past existing Candlestick Park, proceed along Arelious Walker across the Yosemite Slough bridge, service Hunters Point and its football stadium, cross India Basin either on a new bridge or on Innes, follow Jennings to Cargo and meet existing 3rd Street light rail at Illinois. Also, the other end of this line would follow the Geneva Avenue extension, from the Bayshore Cal Train station, in the southwesterly direction to meet Balboa Park BART. **33-2**

Mention needs to be made of the multiuse turf/parking fields. I understand they are in use at the new Dallas Cowboys stadium as well as over 12,000 such spots in the University of Connecticut stadium.

Emphasis needs to be placed on the increase of the existing grade at Hunters Point. It should be noted that the grading plan for Hunters Point shipyard will provide a stadium site will be raised five feet (60 inches) above its current grade (Volume II Page54) and the rest of the parking/ playing fields areas will be raised 55 inches. This brings the site above the absolute highest sea level rise scenario of 51 inches projected by the year 2100. **33-3**

Why not more lanes on Arelious Walker and Yosemite Slough bridge? Cost can't increase that much to increase to six or eight traffic lanes in addition to bike, transit and pedestrian lanes. This widening might allow for quicker exit times out of parking lots on game days. Once across the bridge much of traffic would choose to go right on Carroll to 3rd Street. A future Carroll extension to meet Paul at the Hwy 101 freeway onramp is a great enhancement. The bridge over Yosemite Slough could be finished within one year of the beginning of construction. If funding is obtained and entitlements in place, a completion date of 2012 is possible. Finally, consideration should be given to having this bridge open to auto traffic at all times. Seems odd to invest transportation funding in a vital structure linking Hunters Point Shipyard to the south, but limit its auto availability to game days. If one were looking to establish a residence or locate a business on Hunters Point, the ability to access that home or workplace would be a strong factor in the selection process. **33-4**

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The EIR should clarify that the stadium completion could also be much sooner than 2017, along with the completion of all the Phase I development improvements noted in the EIR document and diagrams. At least $100 million is assured in the Lennar development agreement; the only limiting factor to completing the stadium earlier is a commitment to funding from the NFL, the 49ers or any other possible investment partners. 33-5

Parking garage at Candlestick Point should be planned for more than 1,000 spaces to serve game day uses. If possible, it should allow for 8,000 spaces. Many persons would exit Harney at this point and could BRT, which should be converted to light rail, or at least a people mover, to access Hunters Point, particularly on game days. Also, at this same location, the turn from Harney on to Arelious Walker / Giants Drive is too sharp. Its 90 degrees. Turn needs to be more gradual to allow continuous traffic flow with no stop. Maybe switch should be made to move light rail site closer to Bayview Hill and roadway to be placed in present parking lot. Both could be to "hill side" on residential development. Maybe parking, commercial should be sited in between. 33-6

We should allow for a Forty Niner Practice Field as part of the acres of new playing fields as well as allow for a training facility and Forty Nine Executive offices in the area. 33-7

The existing recreational vehicle parking lot should be relocated nearby within the Bayview to allow R.V. users to walk to the stadium. 33-8

References to 40% of Forty Niner season ticket holders living in the "South Bay" are misleading. In this case, the term "South Bay" means anywhere south of the San Francisco County line. San Mateo County, beginning a few yards from Candlestick, is not the South Bay. We need to separate ticket holders of San Mateo from those in Santa Clara County. The division used was based on an ABAG method that does not consider the Peninsula (650) as separate from Santa Clara County (408 area code). San Mateo County probably has the highest percentage of Forty Niner season TIX holder- many living within 10 miles of Hunters Point, Candlestick. 33-9

The fan exiting time from the new Hunters Point stadium lots at the Shipyard to the freeways is just over one hour and represents a 29% increase in fan exiting times from the existing stadium. While this is a significant accomplishment and provides for a world class stadium site that will also allow for fans to access the stadium from the Bay at a beautiful ferry terminal (similar to A.T.and T. Park), work should be done to identify traffic enhancements that would bring exit times from parking lots at the new Hunters Point stadium to less than one hour. The NFL average for parking lot exit times is one hour. Wider roads and an India Basin bridge on the North and a wider bridge at Yosemite Slough might help.

Although a "no stadium " option is mentioned in the DEIR, it would be unwise to demolish Candlestick Park unless a new stadium is built in or very near San Francisco. Let's never be a City without a football stadium. Doesn't matter what may happen elsewhere in the Bay Area. There is always a place for a pro football team in San Francisco. 33-10

Some thought might be given to a future expansion of the arena proposed for Candlestick Point for up to 20,000 seats. Some consideration should be given to allowing that facility to be built at Hunters Point as an option.

Is the projection of 24.5% of fans arriving at the new stadium by means other than b autos on game days too high? Enhancements as outlined in this document that propose enhanced northern exit routes with light rail and BRT should base help to make this figure a realistic one. 33-11

Mike Antonini, Member Planning Commission,
City and County of San Francisco
Saturday, January 9, 2010

Letter 33: Antonini, Michael J. (1/11/10)

Response to Comment 33-1

As noted in the comment, the stadium would be completed prior to build-out of the Project land uses within the Candlestick Point area. Between completion of the new stadium and build-out of the land uses and parkland at Candlestick Point, the parking supply for the existing stadium would be available for stadium parking. The number of parking spaces that would be available would depend on the Project phasing and construction plan for the Candlestick Point roadway infrastructure and building construction.

As indicated on page III.D-138 of the Draft EIR, it is anticipated that any parking shortfalls (i.e., game days where parking demand exceeds the supply of 17,415 spaces) would be met similar to existing conditions, where spectators park in satellite parking lots, on street, or within private lots in the area. Some spectators may also switch to alternative modes of transportation, such as transit or charter bus. The Transportation Management Plan (TMP) that would be required to be prepared by the stadium operator as part of mitigation measure MM TR-38 (TMP for the Stadium) on Draft EIR pages III.D-132 and -133, would include parking management strategies. The TMP has not yet been developed, however, would be developed in consultation with SFMTA.

Expansion of the proposed stadium to 80,000-person capacity is not proposed as part of the Project. If it were required as part of a special event such as a Super Bowl or if San Francisco were to be selected to host a future Olympic Games, the associated venue modifications and their configuration, along with regional transportation improvements and overall arrangement of the event, would require extensive planning, analysis, and approvals, all of which are beyond the scope of the Draft EIR.

Response to Comment 33-2

The commenter references a potential multi-modal bridge over India Basin, parallel to Innes Avenue. Such a facility is not proposed by the Project, nor is it required as a mitigation measure to lessen Project impacts. Therefore, no such facility was evaluated as part of this Draft EIR.

The commenter also references a light rail extension from Bayshore Caltrain station (the current terminus of the T-Third route is at Bayshore Boulevard/Sunnydale Avenue, near the Bayshore Caltrain station). The referenced extension would follow the proposed BRT alignment along Harney Way, across Yosemite Slough, through the Hunters Point Shipyard site, and extend along Innes Avenue back toward Third Street, essentially forming a loop around the Bayview neighborhood. Such a route extension is not proposed by the Project, nor is it required as mitigation measure to lessen project impacts. Further, funding for such as system has not been identified. Therefore, no such service modification was evaluated as part of this Draft EIR. However, provision of light rail in the future, as suggested by the commenter, is not precluded by the roadway network improvements proposed by the Project.

The commenter also notes that similar multi-use turf/parking field facilities are provided at the new Dallas Cowboys stadium. This is acknowledged. No response is required.

Response to Comment 33-3

Comment acknowledged. The grading plan for Hunters Point Shipyard will provide a stadium site that is approximately 60 inches above its current grade and the rest of the parking/playing fields areas will be raised about 55 inches. This will bring the site above the 55-inches-sea-level-rise-by-2100 scenario provided as guidance by the State.

Response to Comment 33-4

The commenter suggests that additional lanes be provided on the Yosemite Slough bridge, that an extension of Carroll Avenue be provided, and that the Yosemite Slough bridge be open to traffic at all times.

Additional Lanes on Yosemite Slough Bridge—The Yosemite Slough bridge has been designed to accommodate four lanes of traffic between Harney Way and the proposed stadium. The proposed stadium egress plan would achieve an over 40 percent increase in stadium exit capacity compared to the existing facility and would provide a typical post-game clearance time similar to other new NFL stadiums (approximately 1 hour).

Under conditions with the Yosemite Slough bridge, the primary exit constraint is the gates exiting the stadium parking lot. As a result, widening Yosemite Slough bridge would not increase stadium exit capacity unless additional exits from the stadium parking lot were provided and Crisp Road, Arelious Walker Drive, and Harney Way were all widened beyond their proposed configurations. Widening these roads would be inconsistent with the project's goals of creating a transit-oriented, pedestrian and bicycle-friendly neighborhood because they would increase roadway crossing distances and generally make transit less accessible. Therefore, a wider bridge was not considered since it would not be necessary in order to achieve acceptable stadium exit times and due to the general inconsistency with the Project's goals and the City's Transit First policy.

Carroll Avenue Extension—The commenter also suggests that Carroll Avenue be widened to increase traffic capacity, and that an extension of Carroll Avenue west of Third Street to the Paul Avenue/US-101 interchange be considered. The project proposes to widen Carroll Avenue between the Project and Third Street. The resulting cross section would provide 12-foot sidewalks on each side, a 7-foot on-street parking lane on each side, and two vehicular travel lanes on each side. Further widening to increase stadium egress, as suggested by the commenter, would result in sidewalks that would be inconsistent with the City's Draft Better Streets Plan (which recommends a minimum 12-foot width) or acquisition of private property, including Production, Distribution, and Repair (PDR) businesses and private residences, neither of which would be considered feasible or desirable.

An extension of Carroll Avenue to connect with the Paul Avenue/US-101 interchange was evaluated as part of the Bayview Transportation Improvement Projects (BTIP) Study, and at that time was determined to be difficult due to geometric constraints, costs associated with relocation of the spur tracks that are located adjacent to the main Caltrain tracks in the vicinity of Carroll Avenue, and overall costs even though it would provide some circulation options. Constructing Carroll Avenue to the west to connect with Egbert Avenue west of the Caltrain tracks would require an overcrossing or undercrossing of the Caltrain tracks and spur tracks that run parallel to Third Street. Going under the tracks was determined to be infeasible due to the large-capacity sewer line that runs parallel to the tracks, while an overcrossing was determined

to be challenging and expensive, as it would result in a very steep downgrade and would conflict with entrances to existing and planned development.

Refer to Response to Comment 17-1 for a discussion of the process that would be required for the bridge to be open for public use.

Response to Comment 33-5

As noted on page II-50 of Chapter II (Project Description) of the Draft EIR, new development at HPS Phase II would begin with the construction of the 49ers stadium, scheduled for completion by 2017. It is possible that the stadium could be completed earlier than 2017 depending on availability of funding. If any substantive changes to Project phasing are made during the course of implementation of the Project, City and Agency staff would make a determination whether the changes materially affect the analysis in the EIR and whether additional environmental review is necessary.

As described in Section B (Project Refinements), since publication of the Draft EIR, the development schedule has been updated to reflect that site preparation activities would begin 1 to 2 years later than originally planned, and the completion of building construction would be extended from 2029 to 2031, with full occupancy by 2032. Refer to Section F (Draft EIR Revisions) for the updated text and figures (including page II-50).

Response to Comment 33-6

The parking structure at the Candlestick Point retail center has been proposed to accommodate approximately 2,300 parked vehicles. On game days, 1,000 of these spaces would be reserved for game-day patrons, leaving 1,300 parking spaces available for the retailers located in the 635,000 square foot regional retail center. It is not feasible to reserve additional spaces in this garage for game-day patrons and still provide adequate parking for businesses in the retail center. Further, expanding the proposed facility to 8,000 spaces as suggested by the commenter is not proposed as part of the Project.

Finally, the commenter references travel within the Candlestick Point site and travel to the stadium site by light rail. The transit service proposed would be BRT and not light rail. Although the BRT has been designed so as not to preclude potential conversion to light rail at a later date if deemed desirable by decision makers, it is important to note that light rail is neither proposed as part of the project nor proposed by SFMTA, and has not been considered in the Draft EIR.

Response to Comment 33-7

The comment is acknowledged. No response is required.

Response to Comment 33-8

As indicated on Figure III.D-17 in the Draft EIR, space for 44 RVs, 17 limousines, and 340 buses would be provided in the dual-use turf surface parking lots adjacent to the new stadium.

Response to Comment 33-9

The commenter notes that the term "South Bay" as used in the Draft EIR to describe the geographic distribution of 49er season ticket holders refers to the entire San Francisco Bay Area Peninsula (Peninsula) south of the City of San Francisco, including all of San Mateo County. In response to the comment, the text in Section III.D (Transportation and Circulation), third paragraph, third sentence (under Table III.D-6), page III.D-61, has been revised as follows:

> … 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. …

Additional detail regarding the location of 49ers season ticket holders (i.e., the percentage in San Mateo County versus counties to the south) was unavailable, but would not affect the transportation analysis since the ingress/egress routes would remain the same.

The commenter also suggests that roadways should be widened to improve stadium clearance times beyond those provided by the project. Refer to Response to Comment 33-4, above. Generally, widening existing roadways to provide increased vehicular exit capacities from the stadium beyond those proposed would involve acquisition and demolition of existing private property, affecting existing PDR uses and private residences.

Response to Comment 33-10

Alternative 3, discussed in Section VI.C in the Draft EIR, evaluates the environmental impacts associated with a project that would retain Candlestick Park and not construct a new stadium at the Hunters Point Shipyard. These other ideas (e.g., expanding the arena to 20,000 seats; building the arena at Hunters Point) were addressed in Chapter VI (Alternatives) (Table VI-11, pages VI-170 through VI-172). These ideas were rejected because operation of the arena could increase traffic-related impacts, would result in additional trips to HPS Phase II, and could increase impacts along the Third Street corridor.

These comments do not address the technical adequacy of the environmental analysis of the Project. The comments relate to policy issues that will be identified herein for review by decision makers during the Project approval process.

Response to Comment 33-11

Currently, there is no regularly scheduled transit service to Candlestick Park. On game days, special express and shuttle bus service is implemented connecting the stadium with regional transit. Despite the fact that transit service to Candlestick Park is very unique and not part of the City's regular transit system, approximately 19 percent of existing patrons opt to take transit to 49ers football games, based on data provided by the San Francisco 49ers.

According to the 49ers, patrons have consistently expressed a desire to see new and improved transit service to football games as an alternative to travel by auto. The Project would enhance transit service during game days, and would:

- Include substantial investment in regularly scheduled transit service to and from the new stadium (including extension of trolley and motor coach service and introduction of new Bus Rapid Transit service)
- Provide transit preferential treatments designed to improve transit travel time and reliability through exclusive transit right-of-way on Palou Avenue and along the BRT route
- Manage the provision of parking immediately adjacent to the stadium to accommodate multi-modal access and support realistic transit ridership goals

Given these factors, the familiarity and sophistication of Bay Area patrons with respect to using transit, and the demonstrated evidence from other NFL stadium locations that NFL patrons are interested and willing to use transit as a means to reach games, an increase in transit ridership of six percentage points from 19 percent to 25 percent would be within a reasonable range of increased transit utilization.

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