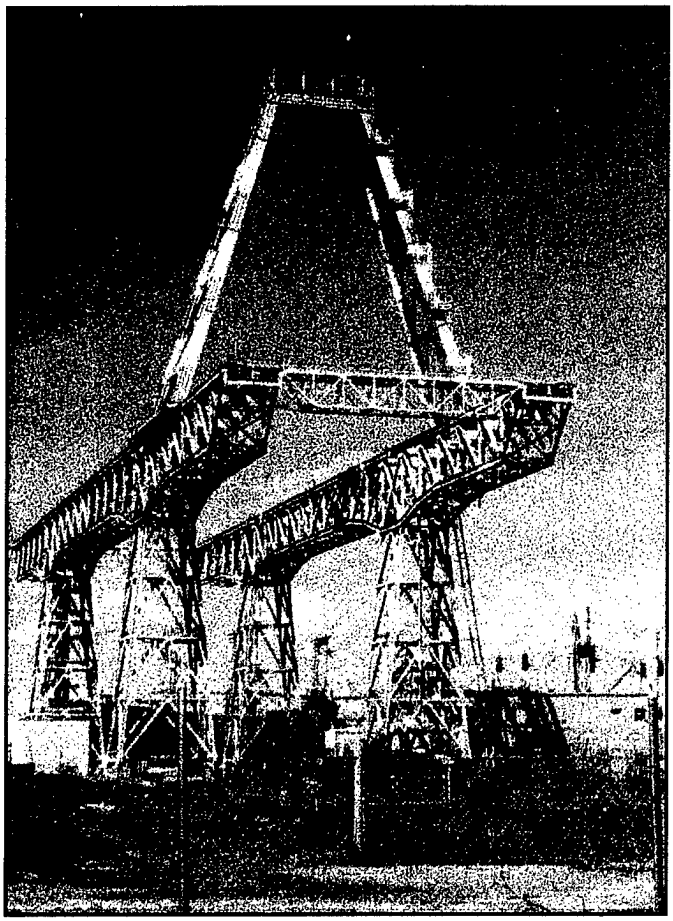
Final
Environmental Impact Statement For the Disposal and Reuse of Hunters Point Shipyard

Volume 2: Response to Comments



March 2000

Southwest Division
Naval Facilities Engineering Command

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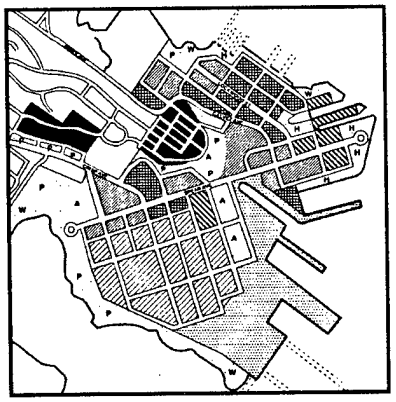
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Federal Agencies



UNITED STATES DEPARTMENT OF COMMERCE
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December 10, 1998 F/SWO22:MH

Mr. Douglas R. Pomeroy
Leader, Base Conversion/Biology Group
Naval Facilities Engineering command
900 Commodore Drive
San Bruno, California 94066

Dear Mr. Pomeroy:

The National Marine Fisheries Service (NMFS) reviewed the "Revised Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Disposal and Reuse of the Hunters Point Shipyard (HPS) in San Francisco, California (Revised Draft).

NMFS appreciates the Navy's effort to review potential impacts to fish resources in the Revised Draft. However, information regarding Federally threatened or endangered fish species in the Revised Draft is both incomplete and incorrect. On March 9, 1998, the southern Oregon and California Coastal evolutionarily significant unit (ESU) of chinook salmon were proposed for listing as threatened under the Endangered Species Act. The significance of this listing relative to disposal and reuse of HPS is that this ESU is known to utilize the Guadalupe River and, at least, Coyote Creek and Alameda Creek, all tributaries to south San Francisco Bay. In fact, recent chinook populations in the south Bay have been encouraging. In a 1994 mark and recapture study by San Jose State University, approximately 200 chinook salmon were found. These salmon are also known to spawn in the lower reaches of the Guadalupe in September to late November. The south Bay distribution implies that adult chinook migrate in a southerly direction through the Bay to spawn in south Bay tributaries and the resulting juvenile life stages move out of the Bay in the opposite direction. This information was omitted in Section 3.13.4 of the Revised Draft. F1-1

Section 3.13.4 is also incorrect in stating that Central Coast steelhead may only stray in the area of HPS. Steelhead are known to use numerous south Bay tributaries including the three mentioned above as well Stevens Creek at the very bottom of the Bay. The use of south Bay tributaries may mean that incidents of steelhead ocurring in the vicinity of HPS occur frequently, not rarely, as suggested in the Revised Draft. In fact, revisions to the draft should note that conceivably both species occupy HPS waters as a migration route during the spawning season and as a foraging area as the juveniles make their way to the open sea.

Because the probability for chinook and steelhead to routinely transit the waters off the HPS shoreline is high, your analysis regarding potentially significant impacts to threatened and endangered species in Section 4.13.2 may be in error. Specifically, potential impacts to water F1-2

quality due to changes in surface water runoff or other discharges from the subsequent use of the HPS parcel may occur which in turn may affect these species. NMFS is aware that specific upgrades to the sanitary sewer and storm drainage systems have yet to be designed and the proposed options for water treatment are general in nature. However, NMFS strongly urges that the option providing best treatment of storm water be adopted by the City and County of San Francisco. F1-2

Another issue that may be problematic to disposal rather than reuse is the undecided final remedy for addressing submerged contaminated sediment at Parcel F. While the Revised Draft makes it clear that the proposed future land use for Parcel F will be considered in selecting the final remedy for this parcel, NMFS is troubled that the Department of Navy is using the Revised Draft to discuss conveyance of property out of Federal ownership before clarifying how, when or to what extent the contaminated Bay sediments will be dealt with prior to property disposal. Without this information, NMFS is not in a position to concur with the disposal of the property by the Navy. F1-3

There are two reasons for this position. First, as mentioned earlier, there is good reason to surmise that out-migrating, chinook salmon and steelhead trout juveniles could use the area as feeding habitat. As noted in the Revised Draft, benthic invertebrates are exposed to the potential risk of the contaminated submerged lands and these same invertebrates conceivably could be consumed by foraging young fall-run salmon and steelhead leaving the Bay.

The second reason concerns northern anchovy, a species federally managed under the Coastal Pelagics Fishery Management Plan, as authorized by the Magnuson-Stevens Fishery Conservation and Management Act. The Revised Draft mentions that northern anchovy are common to the region of influence of HPS. While considered a water-column species, northern anchovy are known to partially feed on "emergent zooplankton", that is, demersal zooplankton that vertically migrate into the water column at night. It is possible that northern anchovy may forage on these very same benthic invertebrates considered exposed to the contaminated sediments in parcel F.

With regard to the development of four small wetland areas under the Proposed Reuse Plan, NMFS is keenly interested in this proposal assuming these are tidal wetlands. In fact, the agency would be supportive of any plan proposing to connect the wetland sites into a single wetland once sediment cleanup was resolved. While the Revised Draft mentions that this would provide addtional habitat for waterfowl, shorebirds, and aquatic wildlife, NMFS is hopeful that this objective is intended to include benefits to fish resources and their prey. F1-4

Lastly, your letter of November 9, 1998 states that my January 23, 1998 letter was a concurrence letter to your earlier draft EIS/EIR. To set the record straight, the January 23 letter was not a concurrence letter but rather a comment and response letter. F1-5

In conclusion, NMFS reviewed the request for concurrence with the Navy's determination that the actual property disposal and subsequent community reuse of HPS will have no adverse effect on these Federally threatened or endangered species. Based on the lack of information provided

specifically to chinook salmon and steelhead trout in the south Bay and that the condition of contaminated sediments has not been adequately resolved, NMFS is unable to concur. That is, NMFS cannot acknowledge that the action you identified in the Revised Draft will have no adverse effect on NOAA's trust resources at this time. In addition, NMFS recommends that the Navy keep in mind the agency's concern for tidal wetlands and submerged lands and the important habitat function it plays in south San Francisco Bay's ecosystem for supporting fish resources.

F1-5

Thank you for the opportunity to comment and please feel free to contact Mark Helvey of my staff at (707) 575-6078 if you have any questions.

Sincerely,

James Bybee
Northern California
Program Manager

Letter F1: National Marine Fisheries Service

Response to Comment F1-1:

A discussion of the populations of chinook salmon and steelhead in the south Bay tributaries has been added to Section 3.13.4, subsection *"Animals"*, paragraph 8.

Response to Comment F1-2:

No specific impacts on water quality have been identified as a result of reuse, and the quality of storm water discharges is projected to improve as HPS is remediated. Specific upgrades to the sanitary sewer and storm drainage systems, though not yet designed, will meet both City and County of San Francisco and state NPDES permitting requirements. The permit requirements include development of BMPs to minimize or control the discharge of pollutants to the Bay and therefore are protective of aquatic resources offshore of HPS. Your recommendation to the City and County of San Francisco concerning treatment of storm water is noted.

Response to Comment F1-3:

The Navy decision under consideration in the EIS is the disposal of Federal property. Navy is considering the environmental response actions necessary for remediation of contaminated sediments at Hunters Point Shipyard, including Parcel F, under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the implementing regulations of the National Contingency Plan (NCP). Although under CERCLA Navy does not conduct consultations under Section 7 of the Endangered Species Act, Navy is required by law to meet the substantive requirements of the Endangered Species Act and will do so by considering the Endangered Species Act as an Applicable or Relevant and Appropriate Requirement for the selection of a remedy for Parcel F. The remedy for Parcel F will be selected in consultation with the NMFS and documented in a future decision document under CERCLA and the NCP.

Response to Comment F1-4:

Navy acknowledges your support of any plan to combine the existing wetlands into a larger wetland area and consider benefits to fish resources and their prey in that process.

Response to Comment F1-5:

NMFS indicates that it is unable to concur with Navy's no adverse effect determination based on the lack of information provided concerning south Bay chinook salmon and steelhead populations, as well as the lack of resolution concerning the ultimate condition of the offshore (Parcel F) sediments upon disposal and reuse. The lack of information regarding threatened and endangered fish species has been addressed by subsequent additions to the EIS text (see response to Comment F1-1). The ultimate condition of the offshore sediments will be protective of these species as discussed in the response to Comment F1-3. Consequently, Navy believes that NMFS can now concur with Navy's no adverse effect determination.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

Mr. Gary J. Munekawa, Code 7032, Bldg.209/1
Engineering Field Activity, West
Naval Facilities Engineering Command
900 Commodore Drive
San Bruno, CA 94066-5006

Dear Mr. Munekawa:

The U.S. Environmental Protection Agency (EPA) has reviewed the U.S. Navy's Draft Environmental Impact Statement/Report (DEIS/R) for the ***Disposal and Reuse of Hunters Point Shipyard (HPS), San Francisco, California.*** Our comments are provided under the National Environmental Policy Act (NEPA), Section 309 of the Clean Air Act and the Council on Environmental Quality's (CEQ) NEPA Implementing Regulations (40 CFR 1500-1508).

In collaboration with the City and County of San Francisco, the Navy has prepared a DEIS/R to analyze the environmental impacts of the disposal and reuse of HPS. Navy disposal of the property, two reuse alternatives, and a No Action alternative are described. Disposal of the property would be a transfer of title, however, the reuse alternatives are considered in this NEPA document because reuse is an indirect effect of Navy action. The City of San Francisco Proposed Reuse Plan and the Reduced Development Alternative both propose a mix of future land uses including general industrial (16%), maritime industrial (7%), mixed use (33%, including combined living and working space), and residential uses (26%), cultural/education (11%), research and development (6%). Percentages are approximated by unit space and would be effective in 2025. The reduced development alternative would result in 49% as much industrial and maritime industrial development, 24% of the mixed use, 23% of the residential, 62% of the cultural/educational use, and 32% of the research and development. The DEIS states that the proposed reuse plan could potentially result in the creation of 6,400 new jobs while the reduced plan could result in 2,700. Under the No Action alternative, HPS would remain a closed property under caretaker status and would not be reused or redeveloped. Existing leases could be continued under the No Action scenario.

We have rated the document ***EO-2, Environmental Objections- Insufficient Information.*** Please refer to the ratings summary for a more detailed description of EPA's rating system (attached). Although we commend the Navy and the City and County of San Francisco on providing a much more detailed analysis in the revised DEIS/R, we object to the proposed project due to the number and severity of impacts in the following resource areas: traffic (unmitigable), air quality (unmitigable), noise, hazardous materials, water resources, utilities, and biological resources. Though the reuse alternatives have not altered significantly since the November 1997 version of the DEIS/R, these impacts are new to the analysis. We believe that substantial changes to the proposed reuse alternatives or creation of new alternatives could be accomplished to protect human health and the environment. Our objections are further clarified in the attached detailed comments.

F2-1

Please send two copies of the FEIS/R to David Farrel, Chief, Federal Activities Office (code: CMD-2) at the letterhead address at the same time that it is sent to EPA's Washington, D.C. office for filing. Please contact David Farrel or Rosalyn Johnson of my staff at (415) 744-1584/74 if you have questions regarding our comments. We look forward to discussing our objections with the Navy in a meeting which we will schedule in the near future. We would like to encourage the City and County of San Francisco to participate in this meeting in recognition of the fact that the reuse proposals are the product of a City and County of San Francisco planning process.

Sincerely,

Deanna Wieman, Deputy Director
Cross-Media Division

cc:	Tom Huetteman	SFD-8
	Karen Henry	CMD-6
	Roy Ford	AIR-8
	Ken Israels	AIR-8

Attachments (3): Summary of EPA ratings
Detailed Comments
Pollution Prevention/Environmental Impact Reduction Checklist for Military Base Closure and Reutilization

c:/myf/letters/dei/hunters.dei.wpd 002784

SUMMARY OF EPA RATING DEFINITIONS

This rating system was developed as a means to summarize EPA's level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the EIS.

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

ADEQUACY OF THE IMPACT STATEMENT

Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."

DETAILED COMMENTS

GENERAL

The reuse plans that are presented do not reflect a potential enhancement of the environment in the Hunters Point community. Though the reuse plans address job creation, and possible economic revitalization in the community, we are very concerned that the environmental viability of the reuse plans have not received enough attention. The reuse plans that are presented are vague, likely reflecting the uncertainties of drawing new businesses and jobs to this area of the city, but by their vagueness they suggest the possibility of additional emissions and contamination from future industrial sources and community exposure to toxins in the future. Even in their current form, the reuse proposals are expected to create significant, unmitigable impacts in the areas of air and traffic that could impact on the health of the Hunters Point community and the environment. Because residents of the community have lived in close proximity to hazardous wastes and toxic emissions from Navy and leasee actvities at HPS, we hope that the continuing NEPA process can be used to display those aspects of the reuse plans that are concerned with the Hunters Point community's future health and the health of its environment in addition to future economic improvements.

F2-2

This DEIS/R is the second produced by the Navy and the City and County of San Francisco on the disposal and reuse of Hunters Point Shipyard. We commend the Navy on increasing the depth of analysis for the existing reuse alternatives. We consider the analysis of environmental impacts to be much improved over the November 1997 DEIS/R. However, because there are more impacts and the severity of most of those impacts has increased, we have rated the proposed action ***Environmental Objections- Insufficient Information***. The number and severity of impacts has increased in the following resource areas: traffic (unmitigable), air quality (unmitigable), noise, hazardous materials, water resources, utilities, and biological resources. We believe that changes to the proposed reuse alternatives or creation of new alternatives should be undertaken to protect the environment.

Same as F2-1

When we submitted our comments to the Navy and the City and County of San Francisco on 1/19/98 one of EPA's concerns was that a full range of alternatives had not been developed for this project. It is unfortunate that in revising the DEIS/R the Navy and City did not work together to present a new reuse alternative that would avoid or reduce the environmental impacts associated with the existing reuse. A new alternative, presented as the proposed action, could have served to eliminate or reduce our early concerns regarding threats to human health and the environment. We suggested previously that land uses proposed under the current alternatives could be arranged and distributed differently, or that activities and plans could be incorporated directly into the alternatives that would, for example, reduce traffic and air quality impacts, and reduce potential exposures to hazardous materials. All or some of these of this ideas should still be used used to create a wider range of alternatives with reduced environmental impacts. See the Alternatives section of these detailed comments.

F2-3

The reuse plans' principle objectives are described as follows on page 2-3:

> "to foster employment, business, and entrepreneurial opportunities; to stimulate and attract private investments, thereby improving the City's economic health, tax base, and employment opportunities; to provide for the development of mixed-income housing; to preserve historic structures; to provide necessary

> infrastructure improvements; to remove conditions of blight; to encourage cost- and energy efficient measures; and to retain existing, viable industries and businesses at HPS."

These objectives are generally economic goals for the reuse planning process, and include no mention of objectives from, for example, the Sustainability Plan of San Francisco, a document endorsed by the city's Board of Supervisors which would relate to planning for the enhancement of the community's environment in the long-term. The text in Section 3.7 indicates that the Hunters Point Shipyard area (e.g., the soil and/or groundwater) contains a variety of chemical contaminants (e.g., volatile and semivolatile organic compounds, PCBs, petroleum hydrocarbons, pesticides, heavy metals, and dissolved solvents) from past industrial and shipping-related uses of the site. In addition to this environmental contamination from the past, an existing complex of industrial sites along the Army and 3rd street corridors contribute to local pollution. While the Navy will finalize plans in upcoming months for the degree of clean up that will be undertaken at the site, the reuse plans are vague enough that they do not preclude or set a goal of minimizing the possibility of future contamination and exposure to toxins. EPA Administrator Carol Browner summarized the following idea in a statement on Executive Order #12898 on Environmental Justice: F2-3

> All Americans deserve to be protected from pollution-- not just those who can afford to live in the cleanest, safest communities. All Americans deserve clean air, pure water, land that is safe to live on, food that is safe to eat.

The reuse alternatives and associated impact analysis do not provide assurance that the concept of Environmental Justice has been given due consideration in the NEPA process (see Environmental Justice). This apparent oversight can be remedied by analyzing additional reuse scenarios in the the FEIS/R that reduce the expected impacts of the currently proposed reuse alternatives.

ALTERNATIVES

The revised DEIS/R does not offer a full range of alternatives as required by NEPA. NEPA guidelines specifically require that the analysis "rigorously explore and objectively evaluate all reasonable alternatives and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated" (40 CFR 1502.14[a]). This range, which is intended to sharply define the issues and provide "a clear basis of choice among options by the decision maker and the public," should include "reasonable alternatives not within the jurisdiction of the lead agency." CEQ further refines this obligation in their "40 Most Asked Questions About NEPA" by citing that even when there exists a potentially large number of alternatives, "a reasonable number of examples, covering the full spectrum of alternatives, must be analyzed and compared in the EIS." A mitigated alternative should be developed which seeks to reduce significant and unmitigable traffic and air quality impacts expected to result from both of the reuse alternatives. F2-4

In its description of the proposed reuse action and alternative, the DEIS/R provides only general descriptions of the types of uses that "could" occur under either scenario; specific details are limited to potential areas in square feet for each major use category. While this might be appropriate for a programmatic document, the DEIS/R identifies that no further NEPA or CEQA documentation is expected for this project. While we acknowledge that the Navy's analysis is dependent upon the F2-5

specificity of the City's reuse plan, the FEIS/R should contain a substantially more detailed description of the proposed action with attention to detailing the nature of the general industrial and maritime industrial businesses that City hopes to attract and believes are viable possibilities. For example, Hunter's Point appears to have the facilities to undertake shipbreaking as a maritime industry, and the reuse plans give no indication as to whether the City would consider it an acceptable use of the site. If that is an industry that the reuse plans might encourage, the nature of the expected activity and its adverse impacts on human health and the environment should be described in the FEIS/R. Also, in further describing the existing alternatives it seems that dredging of channels to allow modern vessels access to the shipyard area could be necessary, impacts and mitigations for dredging should be addressed in the FEIS/R. F2-5 F2-6

RELEVANT, REASONABLE MITIGATIONS AND POLLUTION PREVENTION

Pursuant to the Pollution Prevention Act of 1990 (PPA), "It is the policy of the United States that pollution should be prevented or reduced at the source whenever feasible; pollution that cannot be prevented should be recycled in an environmentally safe manner, whenever feasible; pollution that cannot be prevented or recycled should be treated in an environmentally safe manner whenever feasible, and disposal of other release into the environment should be employed only as a last resort and should be conducted in an environmentally safe manner." The FEIS should describe mitigations for the reasonably foreseeable impacts of reuse that would encourage compliance with the PPA. Such general mitigations could include techniques for prevention of runoff from the site into San Francisco Bay, development of waste reduction and recycling strategies, and early commitments by local government bodies to work with new businesses in encouraging compliance with state and federal environmental regulations. F2-7

CEQ's "40 Most Asked Questions" about NEPA states that "All relevant, reasonable mitigation measures that could improve the project are to be identified, even if they are outside the jurisdiction of the lead agency, and thus would not be committed as part of the RODs [Records of Decision] of these agencies. [Sections 1502.16(h), 1505.2(c)] This will serve to [46 FR 18032] alert agencies or officials who can implement these extra measures, and will encourage them to do so. Because this EIS is the most comprehensive environmental document that would be prepared for the proposed reuse, it is an ideal vehicle in which to lay out not only the full range of environmental impacts but also the full spectrum of appropriate mitigation. EPA strongly encourages the Navy to incorporate pollution prevention measures (see below) into the text of the FEIS with preliminary commitments by the City and County of San Francisco (if those commitments are obtainable). Reuse planning for military bases is an excellent opportunity to incorporate tools to improve future reuse for protection of local communities and the health of the natural environment.

As reuse plans continue, we encourage the City and County of San Francisco to develop a pollution prevention plan. A sample checklist of pollution prevention measures specifically designed for military base closure and reutilization is attached to this letter. At this time, this and other pollution prevention checklists are available on the internet at www.hanford.gov/polprev/nepa/appendix.htm or through EPA.

AIR QUALITY

PM_{10} impacts are primarily local in nature and include some hazardous air pollutants (HAPs), as defined by section 112(b) of the Clean Air Act. Also, while ozone is a regional issue, there may be some ozone precursors, which are also HAPs, which have localized impacts. These impacts are currently the focus of a complaint under Title VI of the Civil Rights Act of 1964 in Los Angeles, CA. The complaint is Communities for a Better Environment, Los Angeles Comunidades Asambladas Unidas Para Un Sostenible Ambiente ("LA CAUSA") vs. South Coast Air Quality Management District, California Air Resources Board, filed in July, 1997. Analysis of the potential for impacts of HAPs from ozone precursors and PM_{10} should be addressed in both the Air and Environmental Justice sections of the FEIS/R. F2-8

Section 4.2 (page 4-27) indicates that cumulative toxic air contaminant emissions from multiple facilities could exceed acceptable exposure levels for individual ones and that there is no guidance as to the adequacy of buffer zones around proposed facilities (according to the Bay Area Air Quality Management District). Prevention of Significant Deterioration (PSD) increments exist for PM_{10} (particulates smaller than 10 microns in diameter), which may assist with this portion of the analysis. The annual total suspended particulate (TSP) increment is 17 micrograms/cubic meter and 30 micrograms/cubic meter over 24-hours (not to be exceeded more than once per year). The FEIS/R should estimate project emissions from all facilities and roads related to the proposed alternatives, and discuss whether a PSD permit would be required for the proposed project. The FEIS/R should estimate the amount of increment the project and its alternatives would consume, and should discuss impacts to the National Ambient Air Quality Standards and PSD increments from estimated emissions of the project and alternatives, considering the cumulative effects from aspects of construction, operation, and vehicle traffic. F2-9

ENVIRONMENTAL JUSTICE

We disagree with some of the assertions in the DEIS/R that the Hunter's Point community (a minority and low income population) would not be disproportionately impacted by the disposal and reuse of HPS. Specifically, we do not believe that the proposals for reuse are detailed enough to provide data to support the conclusion that none of the significant impacts would disproportionately effect the minority and low-income residents of the HPS area, especially for toxic air contaminants from stationary sources, and PM_{10} emissions. This should be clarified by including more detail on new and existing reuse alternatives and providing explicit descriptions of the modeling assumptions made for the traffic and Air analyses in the FEIS/R. F2-10

The following statement appears in the EJ section "...some members of the community have suggested that residents of the Bayview-Hunters Point who work at HPS under the reuse plan alternatives may be disproportionately exposed to health risks because of the likelihood that they are exposed to potential sources of environmental contamination in their residential neighborhoods" In response to this community concern the City and Navy reply in the DEIS/R 1) concluding that there would be a significant impact would be speculative, 2) increased awareness of hazardous materials in the neighborhood (presumably through this process) should serve to reduce risk, and 3) that "other potential responses to this community concern, such as limiting HPS employment, would not be consistent with the objectives of reuse." It appears, considering the lack of data on the proposed reuse plans, that it may F2-11

be speculative to conclude that there would be no significant impact. The DEIS/R seems to acknowledge in this statement that potential reuse industries could be a source of additional health risk to the community. The FEIS/R should include more specific information on prospective reuse industries that could pose additional health risk in order to make a more robust determination on levels of impact. If it is not possible to predict which industries may have an interest in the HPS area, perhaps the reuse proposals could define which types of industries would be acceptable neighbors to the residents of the community. F2-11

At the beginning of Section 3.2 on Air Quality, the Navy suggests that the link between environmental factors and high incidences of respiratory illnesses and cancers are only assumed, citing studies that have purportedly found that "the poor health status of residents in ...[the] Bayview-Hunters Point neighborhood...*reflects, in large part, racial disparities in health status among San Francisco residents.*" A second cited study, according to the Navy, "*showed that cancer incidence during the 1993 to 1995 period was not meaningfully higher among the neighborhood population than among their counterparts in the rest of the Bay Area*" [Italics added.] The Navy concludes that despite these results, "public concerns regarding human health and potential environmental factors persist...and are attributed to the concentration of air polluting industries in the neighborhood." The suggestion by the Navy that health impacts on this community are not environmental in origin without ruling out environmental effects is short-sighted because it may lead less-informed readers of the DEIS to believe that asthma, hypertension, congestive heart failure, and diabetes mellitus (as mentioned by one of the cited studies) are the side effects of living in a minority or low-income neighborhood. To make this type of statement with any authority, the Navy should find studies showing that other groups (e.g., middle and high income whites) living under the environmental conditions typical of Bayview/Hunters Point exhibit a significantly different health response. In the absence of this type of supporting evidence, we strongly suggest that the text be removed from the document. The studies conducted by the Department of Public Health and others should be included in the appendices of the FEIS/R, length permitting.

The FEIS/R should describe the Environmental Justice concerns related to minority and low income fisherpersons in the area of Hunters Point and other Bay fishing spots that could be at risk by consuming fish that have bioaccumulated contaminants from Hunters Point. F2-12

HAZARDOUS MATERIALS AND WASTE

Under both reuse plans, most of the area in parcels D, E, and F would be put to use in industrial, or maritime industrial activities with a small portion of the area (Figure 2.2-1) proposed for research and development, mixed use (work and residential space), or education reuse activities. Section 3.7, the Affected Environment section for Hazardous Materials and Waste, describes interim and proposed remedial activities for parcels D, E, and F (Figure 3.7-2) since remedial plans for these parcels have not been finalized. We encourage the Navy and the City and County of San Francisco to consider that portions of these parcels could be remediated to a level that would minimize possibilities for future toxic contamination and community exposure to environmental health risks. Reuse proposals should be included in this process that would not potentially contribute to future environmental health risks to the residents of the Bayview/Hunter's point neighborhood, even if there are compelling economic reasons for the structure of the remediation plans and the proposed reuse alternatives. Incorporating such alternative proposals into the existing plans or into new alternatives in the EIS/R process would be consistent with F2-13

EPA's desire to see an expanded range of alternatives (see Alternatives) for this project which would provide "a clear basis of choice among the options by the decision maker and the public." F2-13

The Human Health Risks section for parcel F (page 3-116) indicates that the Navy "has not prepared an HHRA [Human Health Risk Assessment] for Parcel F, because there is no pathway for human exposure to the submerged contaminated sediments." The pathway for human exposure to contaminated fish does exist through recreational, commercial, or subsistence fishing. EPA strongly recommends that this pathway be evaluated and the results incorporated into the HHRA and the FEIS/R (if the timing of the study permits). F2-14

Explain in the FEIS/R how institutional controls will be used to protect future users from any residual contamination, particularly below the depth of soil cleanup. F2-15

Ecological Risk (Page 3-103). In addition to Total Petroleum Hydrocarbons, metals, and other CERCLA regulated substances could pose a risk to Bay receptors and will be included in the groundwater monitoring program for Parcel B. The FEIS/R should reflect this information. F2-16

Interim Removal Actions (Page 3-103). Include the exploratory excavations removal action and tank farm (IR-6) removal action in the FEIS/R. These have not been included in the DEIS/R. F2-17

The Explanation of Significant Differences was signed by the Navy on October 13, 1998. Again, in addition to TPH mentioned in the DEIS/R, please note that metals and other CERCLA regulated substances could pose a risk to Bay receptors and will be included in the groundwater monitoring program for Parcel B (Page 3-104. Paragraph 2). The FEIS/R should reflect this information. F2-18

Page 3-106. Paragraph 2. Second "trichloroethylene"? This should probably be tetracloroethylene. F2-19

Page 3-109. Paragraph 1, last sentence. EPA understands that the small Cesium 137 spill was on the ground behind Bldg 364 not in a secondary containment vault (see last sentence of paragraph 2 on page 3-110). Please elaborate or correct this in the FEIS/R. F2-20

Page 3-112. First full paragraph, last sentence. ROD for Parcel D expected to be signed in 1999. F2-21

Page 3-112. Second to last paragraph. Please confirm whether cesium and other radioactive contamination noted in the DEIS/R was found at bldg 707 and provide supporting documentation. F2-22

CHECKLIST FOR MILITARY BASE CLOSURE AND REUTILIZATION

How Can Military Base Closure and Reutilization Affect the Environment?

Military base closure and reutilization projects can have a variety of effects on the environment. These impacts may include air quality effects from demolition/construction dust and increased vehicle/aircraft emissions, hazardous materials and waste management concerns (including Installation Restoration Program sites, unexploded ordnance, PCBs, asbestos, lead-based paint, and underground storage tanks), noise impacts, pollution of surface water and groundwater sources, impacts to biological resources, and soil erosion and contamination.

Also see checklists on Ecosystem Preservation and Protection, Energy Management, Water Use, Landscaping, Waste Site Investigations and Cleanup Activities, Solid Waste Landfills, Building/Housing Construction, Airports, and Water Use.

What Questions Should Be Asked To Ensure That These Effects Are Minimized or Eliminated?

Air Quality Concerns. Demolition and construction as part of military base closure activities can cause air quality impacts from fugitive dust and construction equipment emissions. In addition, proposed base reuse plans may result in an increase of air pollutants from mobile sources (e.g., vehicles and aircraft) and point sources (e.g., generators, incinerators, and storage tanks).

* Are there opportunities to reduce the adverse effects of air emissions by considering alternative reuse plans for the military base?

* Will fugitive dust reduction measures (such as ground watering and reduced speed limits on unpaved roads) be incorporated into demolition/construction activities?

* Are adequate containment measures specified to avoid the accidental release of friable asbestos during demolition or modification of structures?

Hazardous Material/Waste Management Concerns. Concerns associated with military base closure and reuse projects include the management of hazardous materials and wastes (such as solvents, pesticides, aviation fuels, POL, and heavy metals), remediation of existing Installation Restoration Program (IRP) sites, removal of unexploded ordnance, and management of asbestos, PCBs, lead-based paint, and underground storage tanks.

* Are there provisions for reducing potential spills and uncontrolled releases of hazardous materials? Is there a spill prevention and control plan?

* Will new and reused underground storage tanks be equipped with leak detection mechanisms, secondary containment systems, spill and overfill protection, and cathodic protection?

* Will PCB-contaminated equipment be removed prior to base closure? Will remaining PCB-contaminated equipment be routinely inspected for leaks? Will transformers be retrofilled with

non-PCB-containing oils?

* Are measures specified for the proper removal and disposal of structural material containing toxic lead-based paint associated with demolition activities? *

Noise Concerns. Noise associated with demolition/construction equipment and planned land uses, such as airfields or industrial activities, can affect both humans and wildlife.

* If aircraft operations are planned to continue, are noise buffer zones and a wide range of sound attenuation measures, such as noise barriers and concrete bunkers, included to reduce noise impacts?

Surface Water Concerns. Surface water quality could be affected by spills or leaks of hazardous materials and by contaminated storm water runoff.

* Does the project require the preparation of Spill Prevention Control and Countermeasures Plans, Stormwater Pollution Prevention Plans, and Soil Erosion and Sediment Control Plans?

* Will oil/water separators be installed to prevent fuels, oils, and other residual contaminants in storm water runoff from contaminating any nearby streams or other surface water?

* Do construction designs incorporate provisions to reduce storm water runoff/sediment transport? Such designs include creating landscaped areas that are pervious to surface water, minimizing areas of surface disturbance, and constructing runoff/sediment transport barriers around soil stockpiles.

New Use Concerns. Public utilities, such as wastewater treatment facilities, solid waste landfills, and electricity/natural gas supplies, may be affected by military base closure and reuse projects. Reuse plans may propose new commercial and residential uses that would increase water and electricity/natural gas consumption and increase wastewater and solid waste disposal requirements.

* Does the project require the collection of inert demolition/construction wastes, such as wood, metals, concrete, and asphalt, for reuse or recycling to decrease potential impacts on landfills?

* Will energy efficiency and water conservation devices be incorporated into all new residential and commercial structures?

Biological Resources Concerns. The construction of new or expanded facilities could require the filling of wetlands and could result in habitat loss from the siting of structures and utilities. Potential impacts to wildlife could result from noise and dust during demolition/construction activities.

* Does the siting of any new construction take into consideration avoiding proximity to wetlands, wildlife habitat, and ecologically sensitive areas? *

* Are measures included to avoid disturbing the habitat of any threatened or endangered species located on or in the vicinity of the military base?

* Are measures specified to control construction runoff, such as the use of berms, silt curtains, straw

bales, and other erosion control techniques?

* Will native trees and vegetation be planted to increase favorable habitat for wildlife and help prevent erosion? *

Geology/Soils Concerns. Demolition/construction activities may cause soil erosion and soil contamination.

* Can existing facilities and paved areas be remodeled and used to minimize soil disturbance caused by extensive new construction?

* Does the project call for preparation of soil erosion and sediment control plans? Are specific control measures suggested, such as seeding exposed soil, watering to prevent fugitive dust, and using sediment basins and fences?

Other References

Army Regulation 200-1, Environmental Protection and Enhancement.

Army Regulation 220-2, Environmental Effects of Army Actions.

U.S. Department of the Interior, Denver Service Center. September 1993. Guiding Principles of Sustainable Design. National Park Service (NPS) publication number NPS D-902; GPO publication number GPO 777442.

Letter F2: U.S. Environmental Protection Agency

Response to Comment F2-1:

It is true that the *Revised* Draft EIS/EIR identified significant impacts that were not identified in the earlier Draft. Based on a reassessment of appropriate factors for determining the significance of impacts, the Final EIS analysis reduced or eliminated some of the impacts identified in the *Revised* Draft EIS/EIR related to air quality, hazardous materials and waste, water resources, utilities, and cultural resources. Please refer to the response to Comment F2-10 regarding the reduced level of significance of air quality impacts.

Hunters Point Shipyard (HPS) is a 493-acre facility located in a dense, urban region, where freeways and arterial roadways are projected to become increasingly congested whether or not HPS is reused. For this reason, it is not surprising to find significant impacts associated with any reuse proposal that provides jobs, housing, and a strong economic base, as desired by the community. All of the significant impacts identified in the Final EIS, with the exception of one project and one cumulative traffic impact, are proposed to be mitigated to less than significant levels.

The Proposed Reuse Plan was developed with substantial public input and support, as described in EIS Section 1.6 and in response to Comment F2-3, below. The EIS's programmatic analysis of this alternative, along with the Reduced Development and No Action Alternatives, effectively brackets a reasonable range of reuse options, and further alternatives need not be considered. Nonetheless, the U.S. EPA's concerns regarding compliance with environmental regulations and mitigation measures can be addressed through development of the Mitigation Monitoring Plan required under state law (California Environmental Quality Act [CEQA]), as described in responses to Comments F2-3 and F2-4.

Response to Comment F2-2:

Because economic revitilization of the Bayview-Hunters Point area is needed and desired by the community, the Proposed Reuse Plan emphasizes the economic benefits of the project. However, a major component of the Proposed Reuse Plan is to enhance the environment by creating an attractive, high-quality project where persons can work, live, and visit. The current condition of HPS is an underutilized industrial area contaminated with hazardous substances, placed by U.S. EPA on the National Priorities List. By contrast, the Proposed Reuse Plan envisions remediation of HPS under the direction of U.S. EPA to a level that would safely allow a mix of new uses and would result in significant environmental improvement over the current environment. The Proposed Reuse Plan, as explained in the response to Comment F2-3, is the result of a multi-year community planning effort that considered a number of land use alternatives. The chosen alternative, called the Education and Arts Alternative, would change the former largely industrial shipyard area to a mix of educational and cultural facilities, residences, commercial uses, industrial uses, and research and development uses. The Proposed Reuse Plan sets aside about 124 acres (50 hectares [ha]) for open space uses, including wetlands.

While the Proposed Reuse Plan designates some of the area for maritime and industrial uses, the emphasis on industrial or maritime uses is less than under other alternatives considered and rejected, including an industrial use alternative and a maritime use alternative (see Section 2.4 of the EIS). The provision for maritime and industrial uses at HPS is in part in recognition of the public trust designation of approximately 238 acres of HPS. Public trust areas, under the jurisdiction of the State Lands Commission, must be used for purposes consistent with the public trust, such as maritime commerce, navigation, fishing, or environmental and recreational purposes. Also, 55 acres of HPS are designated by the Bay Conservation and Development Commission in its Seaport Plan as port priority uses. Allowable uses for these acres include marine terminals, ship repair, and marine support transportation services (see Section 3.4.3). Although the Proposed Reuse Plan allows a mix of uses, it does not ignore environmental considerations. Among the stated objectives and policies in the *Land Use Alternatives and Proposed Draft Plan* are the following:

Objective 13: Ensure that Hunters Point Shipyard is developed according to established environmental quality standards.

Policy 1: Prior to completion of any new construction or occupancy, ensure hazardous materials remediation by the Navy to levels appropriate for the planned uses.

Policy 2: Ensure that all new development and uses do not increase health risks to current of future residents of Hunters Point Shipyard and its environs.

Policy 3: Encourage the development and use of innovative environmental technology.

Objective 14: Achieve a balance between conservation, use and development of Hunters Point Shipyard's natural resources.

Policy 1: Protect and enhance the Shipyard's remaining natural resources.

Policy 2: Encourage the development of open space that reflects the natural and historic qualities of Hunters Point Shipyard.

To the extent U.S. EPA allows residual contaminants to remain at HPS after remediation under the Installation Restoration Program (IRP), institutional controls would protect new occupants and workers from significant exposure to remaining contaminants. Future occupants of HPS are unknown and specific impacts associated with individual projects cannot be detailed. Therefore, the EIS impact analysis addresses uses at a programmatic level. It should be noted that future proposals for specific industrial or other uses within HPS would be evaluated to ensure that their impacts fit within the "program" evaluated in this EIS. If significant impacts not identified in this document might occur as a result of specific subsequent proposals, additional environmental analysis would be required under state law and would likely result in additional, site- and use-specific mitigation.

U.S. EPA states that residents of the community have lived in close proximity to hazardous wastes and toxic emissions. However, Navy, the City, and lessees are all regulated under Federal, state, and local hazardous material and hazardous waste regulations, and toxic emissions are regulated by the Bay Area Air Quality Management District (BAAQMD).

Response to Comment F2-3:

In determining the scope of alternatives to be considered under NEPA, the emphasis is on what is "reasonable." Reasonable alternatives include those that are practical or feasible from a technical and economic standpoint and using common sense (40 Questions No. 2a, 46 Fed. Reg. 18026 [March 23, 1981], as amended, 51 Fed. Reg. 15618 [April 25, 1986]). Screening potential HPS alternatives for feasibility involved developing a statement of purpose and need, developing a broad range of alternatives that met the need, and developing criteria (e.g., technical, economic, and environmental factors) to screen the alternatives. The City used this approach during its extensive efforts to develop comprehensive reuse alternatives for HPS during its reuse planning process, as described in EIS Chapter 1. The City has been jointly working with the community on a focused effort to develop and evaluate land use alternatives for the reuse of HPS since early 1994. Through this planning process, a wide range of land use alternatives was identified and evaluated. The result of the multi-year planning process was the Proposed Reuse Plan evaluated in the EIS.

The Base Realignment and Closure (BRAC) process presents unique circumstances for determining the reasonable range of alternatives. Reuse is controlled through the local zoning process, a process under the exclusive authority of the state as a part of its police powers. Federal agencies have no control over the specific use of property once title transfers. Consequently, the reuse planning process conducted by the local zoning authority is the best indicator of what reuse alternatives are practical and feasible. By analyzing the Proposed Reuse Plan in conjunction with the Reduced Development Alternative and No Action Alternative, the EIS effectively brackets a range of reuse options, and no further alternatives are necessary under NEPA. An alternative that would re-arrange uses on the site would result in environmental impacts that are similar to those of the Proposed Reuse Plan, since the impacts identified in the EIS are virtually all associated with the type and intensity of uses proposed, rather than the location of those uses. An alternative that meets the project objectives and incorporates activities or plans to reduce or avoid identified environmental effects would be equivalent to the Proposed Reuse Plan plus mitigation measures proposed in Chapter 4 of the EIS. Implementation of mitigation measures associated with either alternative would result in the "mitigated alternative" sought by U.S. EPA.

Proposed Reuse Plan objectives were developed by the City and the San Francisco Redevelopment Agency with substantial community input well in advance of the Board of Supervisor's endorsement of the *Sustainability Plan* as non-binding policy for the City and County of San Francisco. Nonetheless, some of the objectives of the *Sustainability Plan* are relevant to the Proposed Reuse Plan, as described in Section 4.4.2 of the EIS under the subheading "Less Than Significant Impacts."

The EIS describes the contamination at HPS. The remediation process is being conducted under the Installation Restoration Program (IRP) in compliance with the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Prior to or during reuse, substantial remediation activities will be conducted by Navy, under U.S. EPA oversight, to remediate contamination at HPS. Institutional controls will eliminate significant impacts during or/and after completion of CERCLA cleanup activities. In addition, while specific future industrial users of HPS are unknown, the EIS analyses the potential for use and generation of hazardous materials by those future users. Potential impacts would be addressed through application of existing regulatory programs, such as the City's Hazardous Materials Ordinance, described in Section 4.7.2; the Resource Conservation and Recovery Act and the California Hazardous Waste Control Act, enforced by the City's Department of Public Health through the certified unified program; BAAQMD's permit program; and permit programs under the Clean Water Act and the City's Industrial Waste Ordinance.

As stated in the response to Comment F2-2, the Proposed Reuse Plan would result in environmental benefits, including infrastructure improvements, additional open space, and provision of jobs and housing for the community. The EIS describes these benefits, describes the impacts associated with disposal and reuse, and considers environmental justice issues in Section 5.5. Potentially significant impacts would be reduced or eliminated via mitigation measures proposed for inclusion in the project. Implementation of these mitigation measures would be assured through a Mitigation Monitoring Program, required under state law, which would be adopted by the San Francisco Redevelopment Agency Commission following certification of the EIR under CEQA. As explained in the responses to Comments F2-1 and F2-4, analysis of additional alternatives is not required.

Response to Comment F2-4:

As explained in the responses to Comments F2-1 and F2-3 above, the Proposed Reuse Plan was developed with considerable public input through a screening process. The Proposed Reuse Plan, Reduced Development Alternative, and No Action Alternative constitute a reasonable range of reuse options consistent with community objectives, and the EIS describes a resulting range of impacts. Alternatives considered and eliminated from further study are described in revised Section 2.4, along with reasons for their elimination.

President Clinton, in announcing his Five-Part Plan for Revitalizing Base Closure Communities, emphasized local economic redevelopment of the closing military facilities and creation of new jobs as the means to revitalize these communities. The Reduced Development Alternative would provide only 2,700 new jobs over a 25-year period and would not achieve the social and economic community objectives represented by the Proposed Reuse Plan. Based on the EIS's analysis, this alternative would contribute to significant traffic congestion, although to a lesser extent than the Proposed Reuse Plan. Within the urban context of the project area, the EIS authors consider it infeasible to develop an alternative of even lesser intensity than the Reduced Development Alternative that could both eliminate these unavoidable significant environmental effects and achieve

the community's stated economic and social objectives, which include development of a variety of land use districts fostering a range of employment opportunities.

Mitigation measures provided in Chapter 4 of the EIS would be applied to the Proposed Reuse Plan prior to implementation, making this alternative a "mitigated alternative" to the greatest extent feasible. As discussed in the response to Comment F2-1, all impacts, with the exception of one project and one cumulative traffic impact, are proposed to be mitigated to a less than significant level. Compliance with mitigation measures would be assured through development and adoption of a Mitigation Monitoring Program, which is required under state law. For reuse of HPS, the Mitigation Monitoring Program would specify who is responsible for implementing each mitigation measure in the EIS/EIR, when measures must be implemented, and how and by whom their implementation and effectiveness would be monitored.

Response to Comment F2-5:

The EIS clearly acknowledges that the analysis of impacts associated with the community reuse alternatives is programmatic in nature and that the local redevelopment authority could be required to undertake additional environmental analysis under state law (CEQA Guidelines § 15162 and 15163). See Section ES.1, last paragraph, and Section 1.1, fourth paragraph. While the types of uses that would occupy HPS have been identified (EIS Section 2.5), the future occupants of HPS are unknown, and additional detail regarding future uses is not available at this time.

Response to Comment F2-6:

In the San Francisco Bay Area, the agencies responsible for permitting dredging and dredged material disposal projects have formed the Dredged Material Management Office (DMMO). This interagency work group reviews dredged materials testing programs and testing results to evaluate the adequacy and suitability of the materials for disposal or reuse in proposed locations. Dredging projects cannot be approved without concurrence from all permitting and commenting agencies, including the Bay Conservation and Development Commission, San Francisco Regional Water Quality Control Board, and U.S. Army Corps of Engineers. Compliance with institutional controls for handling dredged materials would ensure that potential impacts associated with these activities would be less than significant.

Response to Comment F2-7:

Mitigations for the reasonably foreseeable impacts of reuse are fully documented in the EIS. In addition, the City has numerous mechanisms to encourage businesses to prevent pollution through ordinances and programs such as the following:

- Hazardous Materials Ordinance: Businesses must report the quantity of hazardous materials they store and prepare waste reduction strategies and waste minimization plans.

- Industrial Waste Ordinance: Dischargers to the City's sanitary sewer must pre-treat discharges and implement pollution prevention, reclamation, and waste minimization measures as required by the Public Utilities Commission (PUC).

- Reclaimed Water Ordinance: Developments over 40,000 square feet must implement reclaimed water measures (e.g., install dual piping) during development.

- National Pollutant Discharge Elimination System (NPDES) permits: The City's permits require the City to implement pollution prevention programs for its sewer/storm water outfalls. As part of the City's pollution prevention programs, the City provides educational materials on pollution prevention to the City's residents and businesses and assists businesses in pollution prevention activities.

- Solid waste program: The city operates a household hazardous waste facility for residents and small businesses, conducts waste minimization audits of businesses, and sponsors numerous solid waste recycling programs.

All of these programs would apply to future development at HPS.

Response to Comment F2-8:

The referenced Federal civil rights complaint charged that a major air pollution strategy (i.e., allowing trading of air pollution credits) violates the civil rights of people living in low-income, minority communities. The legal challenge questions pollution trading. Under the South Coast Air Quality Management District's (AQMD's) "smog markets," Los Angeles-area manufacturers can buy and scrap old, high-polluting cars driven by motorists and, in return, collect credits without having to clean up emissions from their operations. Oil refineries had released about 590 tons of hydrocarbons into the air over the previous 3 years in exchange for scrapping more than 7,400 old cars. The complaint asks the U.S. EPA to overturn the program and withdraw all funds to AQMD.

The action being reviewed in the EIS is disposal and reuse of a deactivated Navy facility. By definition, the reuse alternatives addressed in the EIS are general in nature and do not reflect specific development proposals. The referenced "pollution trading" program implemented by the South Coast AQMD is not proposed at HPS. It is acknowledged that some specific chemicals, such as benzene and chlorofluorocarbons, are toxic air contaminants (TACs) that could be emitted both regionally and locally as a result of the Proposed Reuse Plan. However, the San Francisco Redevelopment Agency intends to implement measures to ensure that local TAC emissions from stationary sources are reduced the greatest extent feasible. The San Francisco Redevelopment Agency has committed to requiring all potential stationary sources of TACs allowed at HPS to be evaluated and permitted as one facility. New potential stationary sources would only be allowed if the estimated incremental TAC health risk from all stationary sources were consistent with BAAQMD significance criteria for an individual facility. This mitigation measure would effectively ensure that no significant impact occurs as a result of TAC emissions from stationary sources. To control TACs from mobile sources, the EIS identifies the proposed HPS Transportation System Management Plan (TSMP), which is intended to reduce vehicle trips and vehicle miles traveled (see EIS Section 4.1.2, subheading "Significant Unmitigable Impact." Furthermore, reformulation of gasoline and diesel fuel is projected to reduce regional TAC emissions from mobile sources over time, whether or not reuse of HPS occurs.

Response to Comment F2-9:

There are no specific industrial development proposals or users of emission credits under consideration in connection with this EIS. While the types of uses that would occupy HPS have been identified (see EIS Section 2.4), the future occupants are unknown. Therefore, project-related stationary sources cannot be described in detail at this time. Without specific information about the types of pollutants, how these pollutants would be emitted (e.g., stack locations and parameters), locations of receptors, and meteorological conditions, it is impossible to quantify the resulting risk from the stationary sources of the various types of facilities that could be located at HPS. Consequently, discussion of Prevention of Significant Deterioration (PSD) analyses and requirements is not applicable to this document. PSD requirements do not apply to generalized land use plans, although they could be triggered as specific development projects are proposed. Further analysis of hazardous emissions from industrial facilities would be speculative.

As discussed in the response to Comment F2-10, the significance of the cumulative TAC emissions has been reduced to a less than significant level in the EIS, based on reassessment of appropriate factors for determining significance. In addition, the San Francisco Redevelopment Agency intents to take measures to reduce TAC emissions from stationary sources to the extent feasible, as discussed in the response to Comment F2-8.

Response to Comment F2-10:

After careful review of appropriate factors, the three significant unmitigable air quality impacts identified in the *Revised* Draft EIS/EIR have been reduced to a less than significant level under NEPA. As discussed in EIS Section 4.2, former Significant Impacts 1 and 2, "Ozone Precursor Emissions from Increased Traffic" and "PM10 Emissions from Increased Traffic," are considered less than significant because traffic-related ozone precursor and PM_{10} emissions are not expected to cause or contribute to a violation of Federal or state ambient air quality standards.

Former Impact 3, "Toxic Air Contaminants from Stationary, Mobile, and Cumulative Sources" is considered less than significant because at this time, no specific types or sizes of stationary sources have been proposed. When specific projects are proposed, BAAQMD will evaluate the significance of stationary source emissions. As discussed in Section 3.2.6, subheading Toxic Air Contaminants, BAAQMD requires that any incremental increase in emission of TACs from new or modified stationary sources be evaluated for human health impacts, especially cancer risk. BAAQMD can deny a permit if the estimated excess cancer risk is greater than certain threshold values. In addition, the San Francisco Redevelopment Agency has committed to measures to reduce TAC emissions from stationary sources to the extent feasible, as discussed in the response to Comment F2-8. Exposure to toxic air contaminant emissions from mobile sources would be roughly proportional to traffic volumes on the area roadway network. Reuse of HPS would not result in traffic volumes on the local roadway network that would be unusually high in comparison to traffic volumes on comparable types of roadways elsewhere in the urbanized portions of the Bay Area. Furthermore, the BAAQMD's impact assessment guidelines (BAAQMD, 1996) do not include a requirement for including mobile sources of toxic air contaminants when evaluating impacts. Therefore,

exposure to TAC emissions from stationary, mobile, and cumulative sources would be considered less than significant.

The Proposed Reuse Plan, although general in nature, is detailed enough to support the EIS's conclusions with respect to both the significance of impacts as well as whether or not these impacts would disproportionately affect minority and low-income residents of the HPS area. As requested in the comment, additional modeling data have been provided in the EIS. Refer to Appendix B and Tables B-33 through B-39.

There is no evidence to suggest that the Bayview-Hunters Point community has any disproportionate exposure to PM_{10}. Federal PM_{10} standards are not violated anywhere in the San Francisco Bay Area and have not been for many years. There is no evidence that PM_{10} conditions in the Bay Area represent localized impact situations. The general uniformity of PM_{10} concentrations throughout the Bay Area (California Air Resources Board [CARB], 1993-1997) clearly indicates that PM_{10} conditions in the Bay Area are a regional pollution issue, not a localized issue. The uniformity of PM_{10} concentrations also indicates that localized concentrations of emission sources of PM_{10} are not the dominant contributors to current PM_{10} conditions.

The BAAQMD Clean Air Plan identifies widely distributed emission sources (wood smoke during the winter, fuel combustion associated with industrial and commercial land uses, and resuspended dust from vehicle traffic) and photochemically generated aerosols as the major contributors to PM_{10} in the Bay Area. The Bayview-Hunters Point community is not disproportionately impacted by any of these sources.

Although not discussed in the 1997 Clean Air Plan, sea salt is an additional component of PM_{10} in the Bay Area. Sea salt would be expected to affect the San Francisco peninsula, coastal Marin County, and coastal San Mateo County more than other parts of the Bay Area. The average chloride content of PM_{10} samples from the Arkansas Street station is two to four times higher than the chloride content of PM_{10} samples from other locations in the Bay Area (CARB 1993-1997). Based on average chloride content, sea salt accounts for about 15 percent of the PM_{10} levels measured at the Arkansas Street station.

The EIS estimated the amount of PM_{10} that would be generated by vehicle traffic under the reuse alternatives. These emissions (vehicle exhaust, tire wear, and re-suspended roadway dust) would be distributed throughout the Bay Area in proportion to the distribution of project-related traffic. These regional emissions have been estimated at 264.3 lbs (120 kg) per day using the project-level analysis methodology promulgated by the BAAQMD. Because the calculated emissions would result from all projected vehicle trips to and from HPS, the impacts would be spread over a large part of the region.

To estimate what percentage of the PM_{10} emissions would be experienced locally, supplemental dispersion modeling (Appendix B) has been performed. Results for four specific locations are given below:

- 4.5 – 9.9 micrograms per cubic meter (3.0 to 6.6 percent of the Federal standard) around the intersection of Evans and Third Streets.

- 1.5 – 2.8 micrograms per cubic meter (1.0 to 1.9 percent of the Federal standard) around the intersection of Palau and Third Streets.

- 11.3 – 13.4 micrograms per cubic meter (7.5 to 8.9 percent of the Federal standard) around the intersection of Innes and Donahue.

- 1.3 – 5.7 micrograms per cubic meter (0.9 to 3.8 percent of the Federal standard) around the intersection of H Street and Spear.

These concentration increments apply to locations 50 feet (15 m) from the roadway centerlines. Concentration increments further away from the intersections would be lower. The modeled peak 24-hour concentration increments are less than the estimated sea salt content of peak PM_{10} levels monitored at the Arkansas Street monitoring station.

Monitoring data from the Arkansas Street station already include re-suspended roadway dust generated by traffic on Highway 101, Highway 280, Sixteenth Street, and other roadways in the immediate neighborhood. The resulting re-suspended roadway dust contribution is expected to be at least as great as the increments generated by future traffic in the HPS area. Consequently, future PM_{10} concentrations with build-out of the Proposed Reuse Plan are expected to be similar to PM_{10} concentrations currently monitored at the Arkansas Street station. Thus, PM_{10} levels in the Bayview-Hunters Point neighborhood are expected to remain well below the level of the Federal PM_{10} standards, resulting in no disproportionate PM_{10} impacts from traffic associated with the Proposed Reuse Plan.

Developing additional detail for this programmatic analysis of potential impacts would be highly speculative and is not warranted. Details on vehicle emission rates used for the EIS analyses and procedures used for the PM_{10} dispersion modeling are provided in Appendix B.

Response to Comment F2-11:

While the potential types of industries that could develop at HPS have been identified (as described in EIS Section 2.4), the future occupants of HPS are unknown; therefore, project-related stationary sources cannot be described or evaluated in detail at this time. As discussed in the responses to Comments F2-8 and F2-9 above, it is impossible to quantify the potential health risk that emissions from a future industrial facility could pose to the community. Nonetheless, in the absence of specific data, the San Francisco Redevelopment Agency plans to mitigate for potential health effects of TAC emissions from stationary (industrial) sources in a highly conservative manner to ensure that the project would not adversely affect (disproportionately or otherwise) the surrounding Hunters Point community. The San Francisco Redevelopment Agency has committed to requiring that all potential stationary sources of TACs allowed at HPS be evaluated and permitted as one facility. New potential stationary sources would be allowed only if the estimated incremental health risk from all stationary sources of TACs were consistent with BAAQMD significance criteria for an individual facility.

With respect to the commentor's concern about health risks in the Bayview-Hunters Point neighborhood, the purpose of the referenced discussion in EIS Section 3.2 is to disclose known public concerns regarding health risks in the community and to summarize the conclusions from published research on this topic. The two referenced studies (Glazer, et al. 1998 and Aragon and Grumback, 1997) have been included as an attachment to these responses to comments. The EIS does not suggest that health conditions in the community are "not environmental in origin." Since there is public concern about this issue, the acknowledgement of these studies has been retained. As discussed in the response to Comment F-2, the developer of HPS would be required to meet a number of environmental goals.

Response to Comment F2-12:

It is acknowledged that a large majority of people who fish San Francisco Bay are minorities and low-income. Section 3.9 of the EIS lists various beneficial uses of San Francisco Bay waters, including fishing. Candlestick Point includes two fishing piers. The San Francisco Department of Health monitors fishing conditions at Candlestick Point and posts warning signs as appropriate. Fishing and water-contact recreation are not currently permitted at HPS and would be similarly restricted in the future under reuse.

The level of contaminants in fish reflect the overall water quality of the areas in which they feed. When there are numerous sources of industrial pollution within the range of a species, it is not possible to determine the contribution of each source to the bioaccumulated contaminants within that species.

The submerged contaminated sediments offshore of Hunters Point in Parcel F are being addressed under the Navy's IRP program. The final remedy for these sediments will be determined by the Navy in conjunction with U.S. EPA and the San Francisco RWQCB. The selected remedy will be protective of human health and the environment and will be consistent with land reuse.

Response to Comment F2-13:

Navy policy regarding the remediation of hazardous materials and waste is consistent with U.S. EPA's comment regarding remediation "to a level that would minimize possibilities for future toxic contamination and community exposure to environmental health risks." As stated in Section 4.7.2, "Prior to real property conveyance, Navy is required by law to remediate the property to a level consistent with the protection of human health and the environment, taking into consideration the intended land uses." The EIS analyzes potential impacts resulting from reuse (as well as Navy disposal and No Action). Based on reassessment of appropriate factors for determining significance, the EIS does not identify any significant impacts related to residual contamination remaining at HPS (see Section 4.7). Thus, no expanded range of alternatives is required to address impacts related to hazardous materials and waste. As required by law, Navy would include appropriate covenants, conditions, or restrictions in the conveyance document to ensure the protection of human health and the environment, taking into consideration the intended land uses. From a hazardous waste and materials perspective, both reuse alternatives are tenable, differing primarily in cost, methodology, and type of

administrative controls. Regarding an expanded range of alternatives, please see the response to comment F2-4.

Response to Comment F2-14:

Text in the discussion of Parcel F has been revised to acknowledge that there is a potential pathway for human exposure to contaminated sediments in Parcel F through ingestion of contaminated fish. Navy is addressing this issue under the IRP in consultation with U.S. EPA's Superfund Program, Federal Facilities Cleanup Branch. Your comment has been forwarded to Navy's remedial project manager handling the CERCLA actions at HPS.

Response to Comment F2-15:

Institutional controls related to residual contamination at HPS will be developed by Navy in conjunction with U.S. EPA, Superfund Program, Federal Facilities Cleanup Branch. These controls will be included in the conveyance document for the HPS property.

Response to Comment F2-16:

Section 3.7.3, heading *"Parcel B"*, has been revised with recent data from the IRP. The fifth paragraph has been revised to include "metals and other CERCLA-regulated substances" as posing a potential risk to Bay receptors and for inclusion in the groundwater monitoring program for Parcel B.

Response to Comment F2-17:

Section 3.7.3, heading *"Parcel B"*, has been revised with recent data from the IRP.

Response to Comment F2-18:

The date of the signing of the Explanation of Significant Differences has been added.

Response to Comment F2-19:

The description of Parcel C has been revised with recent data from the IRP. The referenced sentence has been deleted.

Response to Comment F2-20:

All discussion of radiation issues has been moved to Section 3.7.4, Basewide Compliance Programs. The location of the cesium and associated elements has been revised to "asphalt adjacent to the secondary contaminant vault."

Response to Comment F2-21:

The sentence about the signing of the CERCLA ROD for Parcel D has been deleted from the EIS.

Response to Comment F2-22:

Building 707 was a kennel and was not a source of radioactive contamination. The contamination was present on a concrete pad adjacent to building 707, where drums containing radioactive waste were stored. This finding was documented in the *Hunters Point Shipyard, Draft Final Parcel E Remedial Investigation Report* (U.S. Navy, 1997g).

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CANCER INCIDENCE AMONG RESIDENTS OF THE BAYVIEW-HUNTERS POINT NEIGHBORHOOD, SAN FRANCISCO, CALIFORNIA 1993-1995

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CANCER INCIDENCE AMONG RESIDENTS OF THE BAYVIEW-HUNTERS POINT NEIGHBORHOOD, SAN FRANCISCO, CALIFORNIA 1993-1995

Summary

As a follow up to the finding by the San Francisco Department of Health that the incidence of breast and cervical cancer among women in Bayview-Hunters Point was elevated during the time period 1988-1992, we reviewed cancer incidence in the neighborhood for the period 1993-1995, the most recent years for which cancer reporting is considered complete. We compared the observed number of cancers, that is, cancers that had actually occurred among the residents during the three-year period, 1993-1995, with the expected number, that is, the average number that would be expected to have occurred if Bayview-Hunters Point residents had the same cancer rate as their counterparts in the Bay Area as a whole.

We obtained information on the cancers that had occurred in the area from the Northern California Cancer Center's Greater Bay Area Cancer Registry, the regional cancer registry that covers the entire Bay Area. We estimated the approximate number of cancers that would be expected to occur by applying 1993-1995 Bay Area cancer rates to estimates of the Bayview-Hunters Point population during that time period. Both the cancer rates and the population estimates were specific for gender, race/ethnicity, and age group.

Our findings for the three-year period, 1993-1995, were that the observed numbers of cancers among Bayview-Hunters Point residents were very similar to the expected numbers. There were no meaningful increases. Specifically:

- Forty-five invasive breast cancers were diagnosed among women in Bayview-Hunters Point, compared to 52.5 expected. The number of breast cancers was not elevated in women under 50 or women aged 50 years or older, nor in African American women in either age group. The number of breast cancers diagnosed each year and the stage at diagnosis (the proportion of cancers diagnosed at an early stage) is consistent with the possibility that the observed increase during 1988-1992 could be explained by increased breast cancer screening starting in the late 1980s.

- Six invasive cancers of the uterine cervix were diagnosed among women in Bayview-Hunters Point, compared to 5.3 expected. The number of cases in African American women and in the two age groups was small; none was meaningfully increased.

- The observed numbers of cancers of the bladder, brain, colon, lung, prostate, rectum, as well as leukemia, non-Hodgkin's lymphoma, cancers among children and adolescents, and the total of all cancers combined, were not meaningfully increased over the expected number.

The elevated breast and cervical cancer incidence seen among women in Bayview-Hunters Point during 1988-1992 did not persist during the period 1993-1995.

Introduction

In August of 1995, in response to residents' concerns about a possible elevation in cancer rates in Bayview-Hunters Point, the San Francisco Department of Public Health issued a report on the incidence of cancer among residents of the area during the five years, 1988-1992. The report reviewed data on cancers diagnosed among residents of the seven census tracts that include the area, and compared them to cancer rates in both the five-county Bay Area (Alameda, Contra Costa, Marin, San Francisco, and San Mateo counties), and in San Francisco alone. The findings for that five-year time period were:

- The incidence of invasive breast cancer was elevated in comparison to both the Bay Area and San Francisco, especially among African American women younger than 50 years, in whom the elevation was statistically significant at the 95 percent confidence level. A total of 107 cases was observed in comparison to an expected 83 cases based on Bay Area rates, and 84.5 cases based on San Francisco rates. Among African American women less than 50 years of age, the observed number of cases was 28; the expected numbers were 13.5 based on Bay Area rates, and 14 based on San Francisco rates.

- The incidence of invasive cervical cancer was higher, at a statistically significant level, than would be expected in comparison to both Bay Area and San Francisco rates. Twenty-two cases were observed compared to 8.5 based on Bay Area rates, and 11.5 based on San Francisco rates.

- The incidence of other cancers, specifically, cancer of all anatomical sites combined, lung and bronchus, prostate, colorectal, bladder, brain, leukemia, and childhood cancers, was not elevated in comparison to either Bay Area or San Francisco rates.

A review of the incidence of cancer among Bayview-Hunters Point residents during the three years, 1993-1995, the most recent time period for which cancer reporting is considered relatively complete, is described below.

Methods

We compared the number of cancers that had occurred among residents of the Bayview-Hunters Point area during the three-year period, 1993-1995 (the "observed number"), to the number of cancers that would be expected to have occurred, if the residents had the same cancer rates as the entire Bay Area (the "expected number"). As in the 1988-1992 evaluation, the Bayview-Hunters Point area was defined as San Francisco County census tracts 230-234, 606, and 610. The 1990 population of these census tracts totaled 27,704 persons, of whom 17,097, or about 62 percent, were African American. We also reviewed cancer cases among the small number of residents of census tract 609, which was not included in the previous analysis and is not included in this analysis.

In 1990, approximately 22 percent of the African American population of San Francisco lived in Bayview-Hunters Point, so that the cancer rates for the African American population of San Francisco are heavily influenced by cancer rates in Bayview-Hunters Point. For this reason, we used the entire Bay Area rather than San Francisco alone as the reference population. In general, cancer rates are lower in the Bay Area as a whole than in San Francisco; consequently, expected numbers based on Bay Area rates would tend to be lower than expected numbers based on San Francisco rates, and the ratio of observed to expected numbers would be higher.

For some cancers, the assessment was done for *in situ* as well as invasive cancer cases. *In situ* cancers are cancers that show no evidence of invasion; the malignant process has not spread beyond the body cells in which it originated. For bladder cancer, *in situ* cancers were included with invasive cases. The Surveillance, Epidemiology, and End Results Program of the National Cancer Institute uses the combination of *in situ* and invasive cancers as the accepted method for calculating bladder cancer rates, because of lack of agreement about which pathological descriptions indicate *in situ* or localized invasive cancer. Breast and cervical cancers were assessed both for invasive cases only, and, in order to measure the proportion of early stage diagnoses, for the combination of invasive plus *in situ* cancers.

Cancer cases

The Northern California Cancer Center's Greater Bay Area Cancer Registry (GBACR), the regional cancer registry which collects data on all newly diagnosed cancers in the Greater Bay Area, provided information on cancer cases that had been reported as of October 1997 for the Bayview-Hunters Point neighborhood during the three years, 1993 to 1995. The observed cases included all cancers diagnosed in Bayview-Hunters Point residents whose address at the time of diagnosis was assigned to one of the seven census tracts that include the area, plus three cases with addresses which had a Bayview-Hunters Point zip code but could not be assigned to a census tract. The data were reviewed for any cancer cases that had occurred among the small number of residents of census tract 609.

Expected numbers

To calculate the approximate number of cancers that would be expected, we first had to obtain estimates of the population of the seven Bayview-Hunters Point census tracts during 1993 to 1995. Since cancer rates vary by gender and race/ethnicity as well as by age, it was important that the population estimates be specific for these variables.

The California Department of Finance (DOF) Demographic Research Unit has issued 1990 mid-year census tract population estimates, specific for gender, five-year age group, and race/ethnicity (Hispanics, non-Hispanic Asian/Others, non-Hispanic African Americans, and non-Hispanic whites), derived from the U.S. Census, but such specific estimates are not available for intercensal years. We were able to obtain 1990 and 1995 census tract population estimates from the Association of Bay Area Governments (ABAG). ABAG used econometric models

based on various data sources to project census tract populations through 2005 for five broad age groups, 0-4, 5-19, 20-44, 45-64, and 65+ years (*Projections 96 by census tract, ABAG, Oakland, California, May 1996*). ABAG estimated an overall population increase of about 7.3 percent in the seven Bayview-Hunters Point census tracts between 1990 and 1995, predominantly in the age group 45 years and over. We derived the 1993-1995 population from the ABAG data by linear interpolation between the 1990 to 1995 populations. However, the ABAG estimates are not specific for gender or race/ethnicity. We therefore combined the DOF estimates of the 1990 census tract populations with the ABAG data to estimate gender-, and race/ethnicity-specific populations within the above five age groups, and, for females, also for the 20-49 and 50-64 year age groups. This was done by applying the percentages in each of the DOF gender, race/ethnicity, (and for females five-year age category) groups to the 1993-1995 populations we had derived from the ABAG estimates.

The expected numbers of cancer cases were then calculated by applying the 1993-1995 Bay Area average annual rates of invasive cancer by age, gender, and race/ethnicity groups (*Department of Health Services, Cancer Surveillance Section, unpublished data*) to the corresponding 1993-1995 population estimates for the seven census tracts.

Comparison between observed and expected numbers of cancers

We compared the observed and expected numbers, calculated standardized incidence ratios (SIRs) by dividing the observed number by the expected number, and estimated 99 percent confidence intervals, based on the Poisson distribution, around the SIRs. The confidence interval is a measure of statistical significance. If the confidence interval includes the value of 1, the difference between the observed and expected numbers is not considered statistically significant. The CSS routinely uses 99 percent confidence intervals for statistical comparisons of numbers of cancer cases occurring in census tracts because there are almost 6000 census tracts in California. Using 99 percent confidence intervals, about 30 census tracts would be expected to have a statistically significant excess for any given cancer at any given time, and 30 census tracts would be expected to have a statistically significant deficit, just by chance.

Other data review

Since the time period of the current review is only three years, we also obtained from GBACR information on *in situ* and invasive breast and cervical cancers diagnosed among Bayview-Hunters Point residents from 1985 to 1995. We reviewed the number of breast and cervical cancers diagnosed per year and the stage at diagnosis, that is, whether the cancers were localized or had already spread beyond the breast or cervix when they were first diagnosed.

Results

Tables 1, 2, and 3 show the observed numbers of cancers among Bayview-Hunters Point residents during the three-year period, 1993-1995, and the approximate numbers that would be expected if Bayview-Hunters Point residents had the same cancer rates as the entire five-county

Bay Area. Also shown for each cancer is the SIR and the 99 percent confidence interval around the SIR. Table 1 shows the cancers which were included in the earlier evaluation, cancers of all anatomical sites combined and other selected cancers, excepting breast and cervical cancers, which are shown separately in Tables 2 and 3. Breast and cervical cancers were elevated during the 1988 to 1992 time period. Table 2 shows invasive breast and cervical cancers, and Table 3 shows invasive plus *in situ* cancers of the breast and cervix. In Tables 2 and 3, cancers are shown in the age and race/ethnicity categories analyzed in the earlier evaluation.

Observed and expected numbers for cancers of the bladder, brain, colon, lung, prostate, and rectum, for leukemia and non-Hodgkin's lymphoma, for cancers in children and adolescents (ages 0-19 years), and for cancers of all anatomical sites and all ages combined, are shown in Table 1. None of the observed and expected numbers for the various cancers were substantially different from one another. In some cases the observed numbers were lower than the expected numbers, and in some cases higher, so that the SIRs vary from 0.6 to 1.7. However, the numerical differences between the observed and expected numbers are small and the corresponding confidence intervals are wide. All the differences between the observed and expected numbers are well within the range of what can be expected to occur through normal fluctuations. Using 95 percent confidence intervals (not shown) does not affect the results.

Forty-five Bayview-Hunters Point women were diagnosed with invasive breast cancer between 1993 and 1995, compared with 52.4 cases which would be expected on average (Table 2). Fewer cases were diagnosed than expected among women in both age groups (0-49 years old, and 50 or older), but the differences were within the limits of normal variation. Thirty-three breast cancers were diagnosed among African American women, compared to an average expected number of 35.0. Fewer cases than expected were diagnosed in African American women under 50 years old (6 cases compared to 8.2 expected), while the number of cases diagnosed was equal to the number expected (27 and 26.8 cases respectively) in older African American women. Again, the difference between the observed and expected numbers among younger African American women was consistent with normal variation.

Six invasive cervical cancers were diagnosed among Bayview-Hunters Point women over the three-year period, compared to an average of 5.2 expected cases (Table 2). To protect the privacy of individuals, specific numbers are not shown for fewer than five cases. As can be seen from the SIRs, any differences between the observed and expected numbers were small.

The data shown in Table 2 for invasive breast and cervical cancers is shown in Table 3 for the combination of invasive plus *in situ* cases. Again, the numbers of observed cases are all close to the average numbers expected, both among women of all races combined, and among African American women.

Table 4 shows the annual incidence of invasive plus *in situ* breast cancers among women in Bayview-Hunters Point from 1985 to 1995, the numbers diagnosed per year among women of all races combined and among African American women. Among African American women, the numbers fluctuated between 8 and 21 per year, the higher numbers occurring during the years, 1988 to 1992; the average number per year was 15. Also shown is the percentage of cancers that

were diagnosed at an early stage, that is, cancers that were classified as either *in situ* or localized, relative to the total number of invasive cancers. The percentage of early stage cancers increased fairly steadily from 1988 onward.

Table 5 combines the data in Table 4 into three time periods, and shows the annual averages of invasive breast cancers and the percentages of early stage cancers during the periods 1985-1987, 1988-1992, and 1993-1995. This shows the increase in the annual average of cancers diagnosed as well as the increase in the average percentage of early stage diagnoses from the period 1985-1987 to the period 1988-1992. The average number of cancers diagnosed dropped during 1993-1995, but the average percentage of early stage cancers continued to increase.

Table 6 shows the average numbers and average percent of early stage diagnoses (*in situ* or localized) for cervical cancer for the same three time periods. The average annual number of cases increased from the period 1985-1987 to the period 1988-1993, then decreased during the period 1993-1995. The percentage of early stage diagnoses was similar during 1985-1987 and 1988-1992 (77.8 percent and 77.1 percent) but was higher during 1993-1995 (84.6 percent). The cancers that occurred among the residents of census tract 609 during the three-year period were not increased. The total number was less than five.

Discussion

During the three years, 1993 to 1995, Bayview-Hunters Point residents, both female and male, had approximately the number of cancers that they would be expected to have if they had the same cancer rates as their equivalent age, gender, and race/ethnicity groups in the entire Bay Area. This was also true for breast and cervical cancer, which were elevated from 1988 to 1992, as well as for other individual cancers. From 1993 to 1995, women under 50 and women 50 and over, both African American women and women of all races, were diagnosed with breast and cervical cancer at about the same rate as their counterparts in the Bay Area as a whole. The elevations seen in the earlier five-year period, 1988 to 1992, were not evident during the more recent three-year period. The review of the numbers and the stage at diagnosis of breast cancers diagnosed annually from 1985 to 1995 showed an increase in the percentage of early stage, that is, *in situ* or localized cancers, from 1988 onward.

For cancers such as breast and cervical cancer, the number diagnosed during a particular time period and the stage of the cancers when they are first diagnosed, will be influenced by the amount of screening being conducted among the population. Mammography potentially can detect breast cancers several years before they are large enough to be felt by palpation, because many breast cancers tend to grow relatively slowly. Consequently, an increase in the amount of mammography being done among a group of women can lead to a temporary increase in the breast cancer incidence rate. As the amount of screening increases, cancers may be diagnosed over a relatively short time period that without mammography would have been diagnosed several years later when the cancers were large enough to be felt as lumps in the breast. The incidence rate may decline as breast cancer screening becomes a routine part of health care, but the percentage of early stage diagnoses will remain higher than it was before the screening was implemented. Similarly, intensification of cervical cancer screening has the potential to detect

cervical cancer before women have symptoms that would cause them to seek medical attention, and may lead to a temporary increase in the numbers of cervical cancers diagnosed. Although specific information on breast and cervical screening programs in Bayview-Hunters Point was not obtainable, there are anecdotal reports that breast cancer screening programs in the Bayview-Hunters Point neighborhood started in the late 1980s. The breast cancer data are consistent with this explanation; it is possible that some of the elevated numbers of cancers diagnosed during the 1988-1992 time period may be due to increased screening during that time.

The data are not as clear for cervical cancer; while the average number of cases per year doubled from the 1985-1987 period to the 1988-1992 period (14 and 27 cases respectively), the percentage of early stage diagnoses did not increase between the two time periods (77.8 percent and 77.1 percent respectively). During the 1993-1995 period, the average number of cases dropped to 11 per year and the percentage of early stage diagnoses rose to 84.6. This is still consistent with a screening effect.

Cancer registry assessments of cancer incidence in particular geographic areas have to be interpreted with caution because the available data include only the patient's address at the time of diagnosis; there is no information on the length of residence at that address. Many cancers have a long latency period, that is, there may be a long time, up to 10 or 20 years or more, from the initiation of the carcinogenic process to the development of a cancer that can be diagnosed clinically. If there were a past exposure in a given area that conveyed an increased cancer risk, many of the people exposed could have moved out of the area before any cancers that they may have developed were diagnosed.

Cancer incidence data are not complete for more recent years. Because of the need to collect treatment information and to perform extensive quality control procedures, there is always a lag period of about 6 to 18 months until data are complete enough to be analyzed. Also, when the numbers are small, as happens when an assessment is done in a relatively small population over a short time period, the numbers can fluctuate randomly; chance can play a large role in the number of cancers that occur.

In summary, the elevated breast and cervical cancer incidence seen among women in Bayview-Hunters Point during 1988-1992 did not persist during the period 1993-1995.

Table 1.

THE INCIDENCE OF INVASIVE CANCER IN BAYVIEW-HUNTERS POINT
1993-1995

Cancer Category	Males				Females			
	Expected number 1993-95[1]	Observed number 1993-1995[2]	Standardized Incidence Ratio[3]	99% Confidence Interval[4]	Expected number 1993-95[1]	Observed number 1993-1995[2]	Standardized Incidence Ratio[3]	99% Confidence Interval[4]
Bladder[5]	8.0	10	1.3	0.4 - 2.1	<5[6]	<5[6]	0.6	0.1 - 4.6
Brain	<5[6]	<5[6]	1.7	0.2 - 3.1	<5[6]	<5[6]	0.6	0.0 - 7.4
Colon	17.7	21	1.2	0.5 - 1.7	17.5	10	0.6	0.4 - 2.1
Leukemia	4.5	6	1.3	0.3 - 2.6	<5[6]	<5[6]	1.1	0.2 - 3.1
Lung	38.1	36	0.9	0.6 - 1.5	24.7	19	0.8	0.5 - 1.8
NHL	9.0	8	0.9	0.3 - 2.3	5.2	7	1.3	0.3 - 2.4
Prostate	73.0	76	1.0	0.7 - 1.3	n.a.	n.a.	n.a.	n.a.
Rectum	6.3	<5[6]	<1	0.1 - 3.7	5.3	<5[6]	<1	0.2 - 3.1
Child & adol.[7]	<5[6]	<5[6]	1.7	0.1 - 3.7	<5[6]	<5[6]	0.6	0.0 - 7.4
All cancers combined	221.2	248	1.1	0.8 - 1.2	178.7	162	0.9	0.8 - 1.2

1 Expected numbers are based on: A) 1994 population estimates derived from 1990 population data from the California Department of Finance together with 1990 population data and 1995 projections from the Association of Bay Area Governments; and B) 1993-1995 average annual cancer rates for the five-county Bay Area.
2 Cancers reported to GBACR as of October 1997.
3 The standardized incidence ratio equals the observed number of cases divided by the expected number.
4 Approximate 99% confidence interval around the standardized incidence ratio based on the Poisson distribution.
5 Bladder cancer cases and expected numbers include both invasive and *in situ* cases.
6 Data not shown for fewer than 5 cases.
7 Cases in children and adolescents aged 0-19.

Table 2.

BAYVIEW-HUNTERS POINT
INVASIVE BREAST AND CERVICAL CANCER INCIDENCE AMONG WOMEN
1993-1995

Cancer	Race/ethnicity	Age Group	Expected number 1993-1995[1]	Observed number 1993-1995[2]	Standardized Incidence Ratio[3]	99% Confidence Interval[4]
Breast	All races combined					
		00 - 49	12.2	8	0.7	0.2 - 1.5
		50 - 85+	40.2	37	0.9	0.6 - 1.4
		All ages	52.4	45	0.9	0.6 - 1.2
	African American					
		00 - 49	8.2	6	0.7	0.2 - 1.9
		50 - 85+	26.8	27	1.0	0.6 - 1.6
		All ages	35.0	33	0.9	0.6 - 1.5
Cervix	All races combined					
		00 - 49	<5[5]	<5[5]	1.3	0.1 - 4.8
		50 - 85+	<5[5]	<5[5]	1.0	0.1 - 3.8
		All ages	5.2	6	1.2	0.3 - 3.0
	African American					
		00 - 49	<5[5]	<5[5]	1.3	0.1 - 6.1
		50 - 85+	<5[5]	<5[5]	0.5	0.0 - 3.9
		All ages	<5[5]	<5[5]	0.9	0.1 - 3.2

1 Expected numbers are based on: 1994 population estimates derived from 1990 population data from the California Department of Finance together with 1990 population data and 1995 projections from the Association of Bay Area Governments; and 1993-1995 average annual cancer rates for the five-county Bay Area.
2 Cases reported to GBACR as of October 1997.
3 The standardized incidence ratio equals the observed number of cases divided by the expected number.
4 Approximate 99 % confidence interval around the standardized incidence ratio based on the Poisson distribution.
5 Data not shown for fewer than 5 cases.

Table 3.

BAYVIEW-HUNTERS POINT
INVASIVE PLUS *IN SITU* BREAST CANCER INCIDENCE AMONG WOMEN
1993-1995

Cancer	Race/ethnicity	Age Group	Expected number 1993-1995[1]	Observed number 1993-1995[2]	Standardized Incidence Ratio[3]	99% Confidence Interval[4]
Breast: invasive and in situ	All races					
		00 - 49	13.9	<13.9[5]	<1	0.3 - 1.5
		50 - 85+	48.6	47	1.0	0.6 - 1.4
		All ages	62.5	57	0.9	0.6 - 1.3
	African American					
		00 - 49	9.0	<9.0[5]	<1	0.2 - 1.9
		50 - 85+	32.5	32	1.0	0.6 - 1.5
		All ages	41.5	39	0.9	0.6 - 1.4
Cervix: invasive and in situ	All races					
		00 - 49	18.8	18	1.0	0.5 - 1.7
		50 - 85+	6.2	5	0.8	0.2 - 2.3
		All ages	25.0	23	0.9	0.5 - 1.5
	African American					
		00 - 49	13.0	11	0.8	0.3 - 1.8
		50 - 85+	<5[6]	<5[6]	0.5	0.0 - 2.3
		All ages	17.1	13	0.8	0.3 - 1.5

1 Expected numbers are based on: 1994 population estimates derived from 1990 population data from the California Department of Finance together with 1990 population data and 1995 projections from the Association of Bay Area Governments; and 1993-1995 average annual cancer rates for the five-county Bay Area.
2 Cases reported to GBACR as of October 1997.
3 The standardized incidence ratio equals the observed number of cases divided by the expected number.
4 Approximate 99% confidence interval around the standardized incidence ratio based on the Poisson distribution.
5 Data not shown for fewer than the expected number of cases because of the small number of *in situ* cases.
6 Data not shown for fewer than 5 cases.

Table 4.

BAYVIEW-HUNTERS POINT
BREAST CANCER INCIDENCE AMONG WOMEN
ANNUAL NUMBER OF INVASIVE PLUS *IN SITU* CASES AND PERCENTAGE OF EARLY STAGE DIAGNOSES
1985-1995

	Women of all races combined		African American women	
Year	Total number of breast cancers[1]	Percentage early stage diagnoses[2]	Total number of breast cancers[1]	Percentage early stage diagnoses[2]
1985	17	53	13	54
1986	17	53	9	56
1987	19	47	11	55
1988	27	59	21	67
1989	23	70	17	65
1990	23	61	14	64
1991	23	52	19	53
1992	27	63	20	65
1993	15	73	8	63
1994	21	81	14	79
1995	21	62	17	59

1 Cases reported to GBACR as of October 1997.
2 The percentage of early stage cancers equals the number of localized plus *in situ* cancers divided by the total number of all cancers, multiplied by 100.

Table 5.

BAYVIEW-HUNTERS POINT
BREAST CANCER INCIDENCE AMONG WOMEN
THE ANNUAL AVERAGE NUMBER OF CASES AND AVERAGE PERCENTAGE OF EARLY STAGE DIAGNOSES
DURING THREE TIME PERIODS
1985-1987, 1988-1992, 1993-1995

	Women of all races combined		African American women	
Time period	Annual average of invasive plus *in situ* cancers[1]	Average percentage early stage diagnoses[2]	Annual average of invasive plus *in situ* cancers[1]	Average percentage early stage diagnoses[2]
1985-1987	16	51	10	55
1988-1992	22	61	16	63
1993-1995	15	72	11	67

1 Cases reported to GBACR as of October 1997.
2 The percentage of early stage cancers equals the number of localized plus in situ cancers divided by the total number of all cancers, multiplied by 100.

Table 6.

BAYVIEW-HUNTERS POINT
CERVICAL CANCER INCIDENCE AMONG WOMEN
THE ANNUAL AVERAGE NUMBER OF CASES AND AVERAGE PERCENTAGE OF EARLY STAGE DIAGNOSES
DURING THREE TIME PERIODS
1985-1987, 1988-1992, 1993-1995

	Women of all races combined		African American women	
Time period	Annual average of invasive plus *in situ* cancers[1]	Average percentage early stage diagnoses[2]	Annual average of invasive plus *in situ* cancers[1]	Average percentage early stage diagnoses[2]
1985-1987	23	85.2	14	77.8
1988-1992	47	82.5	27	77.1
1993-1995	21	91.3	11	84.6

1 Cases reported to GBACR as of October 1997.
2 The percentage of early stage cancers equals the number of localized plus in situ cancers divided by the total number of all cancers, multiplied by 100.

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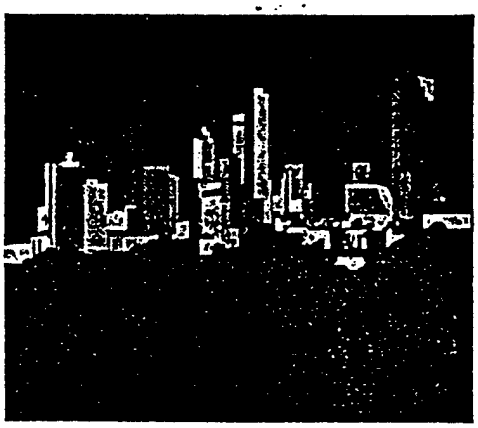
JUN 2 4 1998

CITY & COUNTY OF S.F.
DEPT OF CITY PLANNING

Community Health Profile

Bayview Hunters Point Health & Environmental Assessment Project

Summary of Prelimary Results from Community Health Profiles Research





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The Bayview Hunters Point Health & Environmental Assessment Task Force is a collaborative effort between Bayview Hunters Point neighborhood residents and the following organizations: Golden Gate University Environmental Law & Justice Clinic; Southeast Alliance for Environmental Justice; Northern California Cancer Center; Lead Poisoning Prevention Project; University of California, San Francisco; Southeast Health Center; San Francisco Department of Public Health; California Department of Health Services, and more.

Bayview-Hunters Point Health & Environmental Assessment Project
Summary of Current Research Findings

The Bayview Hunters Point Health & Environmental Assessment Task Force is a collaborative effort between Bayview Hunters Point neighborhood residents and the following organizations: Golden Gate University Environmental Law & Justice Clinic; Southeast Alliance for Environmental Justice; Northern California Cancer Center; Lead Poisoning Prevention Project; Southeast Health Center, University of California, San Francisco; San Francisco Department of Public Health; California Department of Health Services, and more.

Community Health Research

Challenges faced by the Task Force in conducting community health research have included the following: (1) Being responsive to community concerns; (2) developing ongoing communication with the community and earning community trust; (3) acknowledge and support environmental equity concerns independent of our research efforts; (4) asking and studying feasible research questions relevant to the community; (5) recognizing the limitations of epidemiology to establish 'causal links' between complex environmental exposures and adverse health outcomes and acknowledging that a 'negative' study does not rule out the occurrence of environmentally-related illnesses; (6) maintaining a broad approach to community health and supporting community efforts at health promotion, disease prevention, and health protection; and, (7) securing funds to conduct needed community health assessments and research.

Research Committee

The Task Force's Research Committee consists of three subcommittees: (1) Environmental Technical Advisory Subcommittee (ETAS). (2) Community Health Survey Subcommittee, and (3) Community Health Profiles Subcommittee. The results in this summary report are based on the Community Health Profiles.

Community Health Profiles

The purpose of the Community Health Profiles (CHPs) is to develop a comprehensive health needs assessment ("health profile") of BVHP for community residents, community-based organizations, and community and city planners. Each CHP will specifically present primary health data, analysis, and interpretation. The goals are summarized in Table 1.

Table 1. Goals of Community Health Profiles

1. to assess community health needs;
2. to provide community and city planners with accurate health data and information; and
3. to serve other San Francisco communities by analyzing, whenever possible, other communities, neighborhoods, or districts.

Although the primary emphasis is on the BVHP community, whenever data are available and analyses are feasible, the CHPs will also provide the primary data for other San Francisco communities. BVHP HEAP is committed to supporting the efforts of other San Francisco communities by providing them with useful and relevant health-related data and information.

The CHPs are short summary reports to be compiled into a binder and each report will be periodically updated. A primary goal of these Profiles is to assess community health needs for the purposes of community education and planning, and not specifically to compare neighborhoods or racial/ethnic groups. Although some comparisons across racial/ethnic groups or geographic locations are unavoidable, valid conclusions or inferences drawn from these comparisons are limited because (1) the Profiles are not designed to test causal hypotheses and (2) individual-level risk factor data are often not available to sort out 'causal associations'. Instead, the hope is that these reports will be used by community and city planners, educators and organizers to develop educational materials, identify problem areas requiring further research, allocate needed resources, assist community planning and define other necessary projects for BVHP.

All Community Health Profiles will become available to the general public.

Summary of Key findings

Preventable hospitalizations

For the period 1991-1992, hospitalization rates for asthma, chronic obstructive pulmonary disease (COPD), hypertension, congestive heart failure (CHF), and diabetes mellitus were evaluated for San Francisco neighborhoods as defined by Medical Service Study Areas (Appendix A) [1]. In addition to serving as indicators of increased incidence and prevalence of these diseases, these conditions are regarded as Ambulatory Care Sensitive (ACS) conditions and also serve as indicators of hospitalizations that are preventable by appropriate primary care. BVHP has among the highest hospitalization rates in all age groups not only in the City of San Francisco but also in the State of California for asthma (Figure 1), hypertension (Figure 2.), congestive heart failure (Figure 3), and diabetes mellitus (Figure 4).

Cancers amenable to primary and/or secondary prevention

For the period 1987-1993, age-adjusted incidence rates for breast, cervical, colorectal, lung, and prostate cancer by race/ethnicity and by neighborhood (as defined by City Planning District boundaries - see Appendix B) were evaluated (Figures 5-8) [2]. African American males have significantly higher lung cancer rates compared to other ethnic groups (Figure 5A) and BVHP has among the highest male lung cancer rates compared to other neighborhoods (Figure 5B). Likewise, African American males have significantly higher prostate cancer rates compared to other ethnic groups (Figure 6A) and BVHP has among the highest male prostate cancer rates compared to other neighborhoods (Figure 5B). White females have the highest breast cancer rates in San Francisco, followed by African American, Latino, and Asian females (Figure 7A). Compared to other S.F. neighborhoods, BVHP has among the highest age-adjusted breast cancer rates (Figure

7B). Latino females have the highest cervical cancer rates in San Francisco, followed by African American, Asian, and white females (Figure 8A). Compared to other S.F. neighborhoods, BVHP has among the highest age-adjusted cervical cancer rates (Figure 8B).

Breast cancer incidence & survival

For each racial/ethnic group, the San Francisco Bay Area has among the highest age-adjusted breast cancer rates in the State of California (Figure 9). Invasive breast cancer is the most commonly diagnosed cancer among women in San Francisco in all racial/ethnic groups. White females have the highest rates, however, for women under the age of 45, African American women have the highest breast cancer rates [3]. For the twenty-one year period 1973-1993, the survival experience after a diagnosis with invasive breast cancer was evaluated for San Francisco women [3]. During this period, 9624 women were diagnosed with 10,098 cases of primary invasive breast cancer.

Overall, survival after the diagnosis of breast cancer has improved in San Francisco since 1973. However, differences in survival experience exist between racial/ethnic groups: African American race and Chinese ethnicity were associated with an increased breast cancer mortality rate, after adjusting for age, period of diagnosis, stage, and tumor histology,. Compared to white women, African American women had a 43% increased rate of breast cancer deaths and Chinese had a 20% increase (Table 2). For each consecutive seven-year period (1973-1979, 1980-1986, 1987-1993), African American women died from breast cancer at 33%, 46%, and 54% higher rates than white women (Table 3), after adjusting for age, stage, and tumor histology. The disparity between breast cancer mortality has grown over this period. Compared to white women with similar local stage breast cancer at diagnosis, African American women had a 77% higher rate of breast cancer deaths, after adjusting for age, period of diagnosis, and tumor histology. Compared to San Francisco overall, BVHP has an 87% higher age-adjusted breast cancer mortality rate and reflects, in large part, the higher breast cancer mortality rates for San Francisco African American women [4].

Leading specific causes of death

For the six-year period 1990-1995, leading causes of death were evaluated in BVHP and San Francisco overall utilizing age-adjusted mortality rates and standardized expected years of life lost (SEYLL) [4, 5]. Compared to San Francisco males, BVHP males had a 15% higher ischemic heart disease mortality rate, 48% lower AIDS mortality rate, 484% higher homicide mortality rate, 44% higher lung cancer mortality rate, and 90% higher stroke mortality rate, (Figure 10). Compared to San Francisco females, BVHP females had a 50% higher ischemic heart disease mortality rate, 87% higher breast cancer mortality rate, 23% higher stroke mortality rate, 15% lung cancer mortality rate, and 255% higher AIDS mortality rate (Figure 11).

Standardized expected years of life (SEYLL) lost is a mortality measure that gives more weight to deaths that occur at younger ages and allows a higher ranking of preventable causes of premature deaths that occur more commonly in younger people (e.g., homicides, accidents, etc.). Using this metric it is clear that for BVHP males homicide is the leading

cause of death, followed by AIDS, ischemic hearth, disease, lung cancer, and stroke (Figure 12). And for BVHP females, ischemic heart disease is the leading cause of death followed by breast cancer, stroke, AIDS, and lung cancer. For comparison of ranking, San Francisco SEYLLs are shown in Figure 13.

The poor health status of residents in BVHP reflects, in large part, the racial disparities in health status among San Francisco residents. For example, based on current San Francisco race and age-specific mortality rates, S.F. African American males have a life expectancy of 59.9 years compared to 64.6 years for U.S. African American males and 73.1 years for U.S. white males (Table 5) [5]. The last time males had a life expectancy this low was 27 years ago (1970) for U.S. African Americans males and 57 years ago (1940) for U.S. white males. The differences between San Francisco and U.S. male life expectancy estimates is largely explained by the impact of the AIDS epidemic in San Francisco. The AIDS epidemic has taken the already poor health status of African Americans and has lowered it even further.

Of special concern for African Americans, especially males, is death from violence. An African American male born in San Francisco today has and a 1 in 20 crude lifetime risk of dying from homicide [5]. This is about eight times the lifetime risk of San Francisco white males. The 484% increase in male homicide mortality rates comparing BVHP to S.F. largely reflects the homicide rate among African American males that are concentrated in BVHP. However, as a neighborhood, BVHP African American males had a 65% higher age-adjusted homicide rate compared to S.F. African American males. This means that the lifetime risk of dying from a homicide for a BVHP African American male is even higher than 1 in 20 [5].

Toxic air contaminants emissions

BVHP has the highest concentration of air polluting industries compared to other San Francisco zipcodes. In fact, the only zipcode second to BVHP is the San Francisco International Airport [6].

References

1. Grumbach, K. "Rates of Preventable Hospitalizations: Bayview Hunters Points Compared to San Francisco Neighborhoods and California Averages", BVHP HEAP CHP (draft in progress)
2. Cabral Evins D, Aragón T. "Breast, Cervical, Colorectal, Lung, and Prostate Cancer: Incidence by San Francisco Planning District", BVHP HEAP CHP (draft in progress)
3. Aragón T, Cabral Evins D. "The Epidemiology of Breast Cancer in San Francisco 1973-1993: Incidence, Cumulative Risk, and Survival", SFDPH Report (draft in progress)
4. Reiter R, Aragón T. "Leading Causes of Death in Bayview-Hunters Point Compared to San Francisco". BVHP HEAP CHP (draft in progress)
5. Aragón T. "Leading Causes of Death in San Francisco 1987-1995: Incidence, Lifetime Risk, and Impact on Life Expectancy", SFDPH Report (draft in progress)
6. Fairley D. "Distribution of Toxic Air Contaminant Emissions in San Francisco", BVHP HEAP CHP (draft in progress)

Figure 1A. Asthma Hospitalizations
Children (1991-1992)

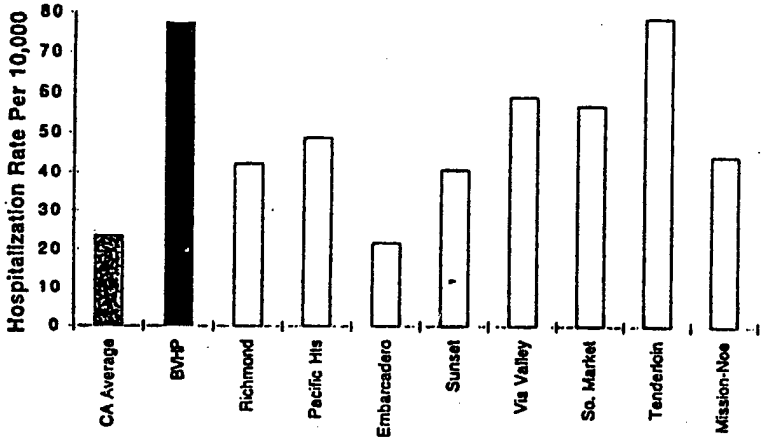


Figure 2A. Hypertension Hospitalizations
Adult Ages 19-64
(1991-1992)

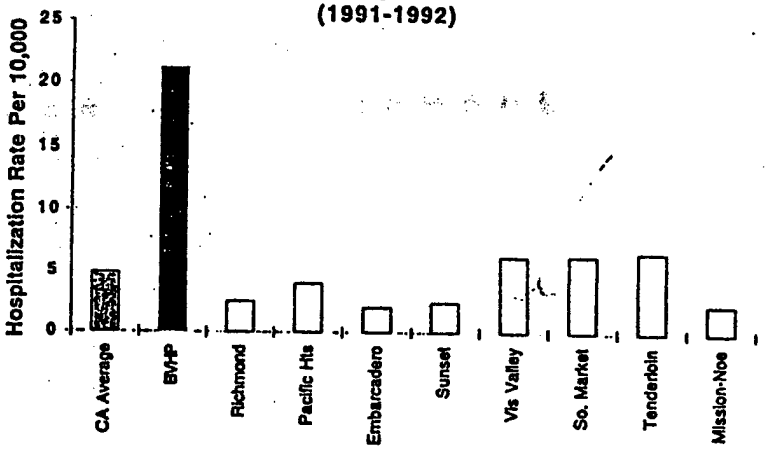


Figure 1B. Asthma Hospitalizations
Adult Ages 19-64
(1991-1992)

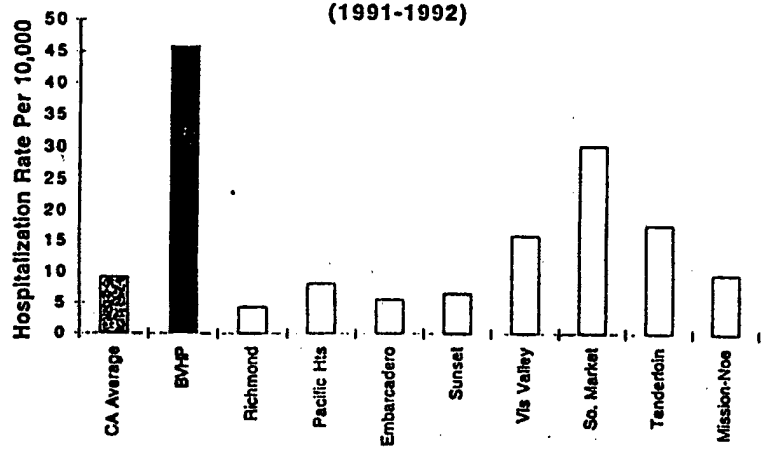


Figure 2B. Hypertension Hospitalizations
Elderly (1991-1992)

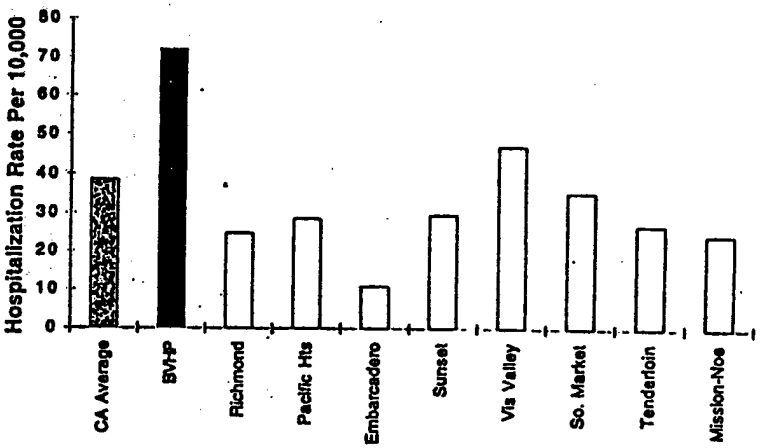


Figure 3A. Heart Failure Hospitalizations
Adult Ages 19-64
(1991-1992)

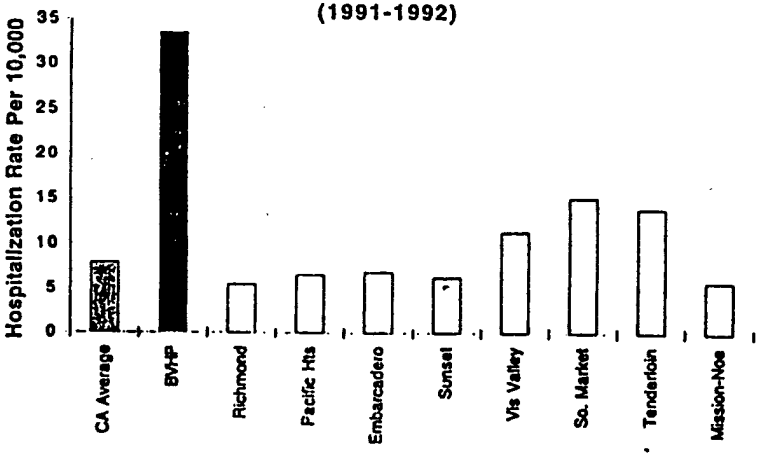


Figure 3B. Heart Failure Hospitalizations
Elderly (1991-1992)

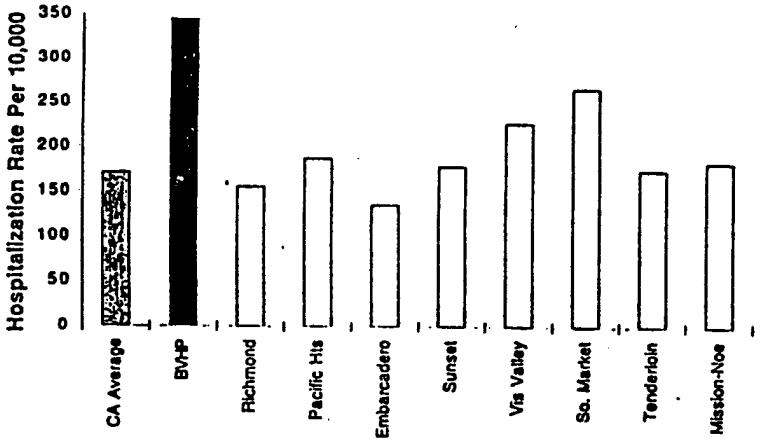


Figure 4A. Diabetes Hospitalizations
Adult Ages 19-64
(1991-1992)

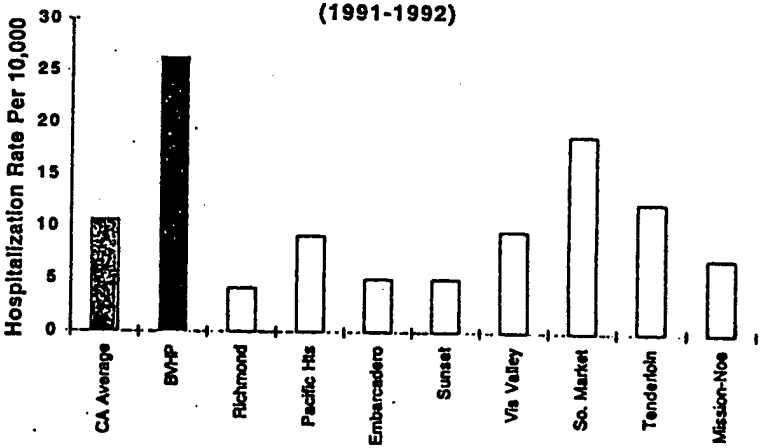
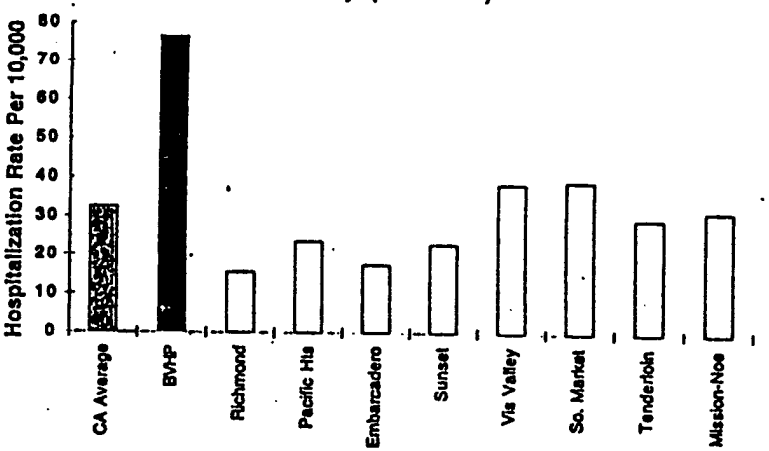


Figure 4B. Diabetes Hospitalizations
Elderly (1991-1992)



San Francisco Female Breast & Cervical Cancer Rates

Figure 5A. Female Breast Cancer Rates 1987-1993
By Race/Ethnicity and Age-adjusted

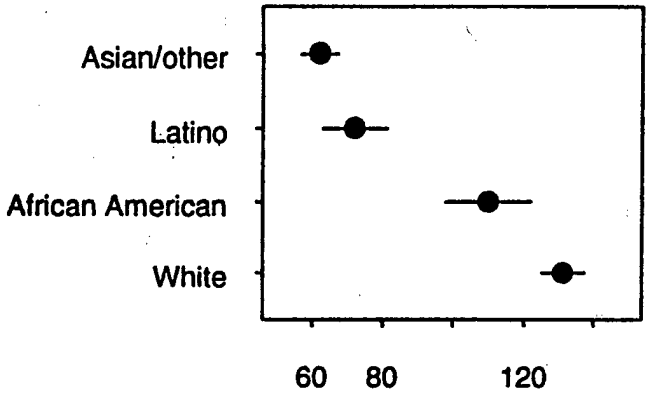


Figure 6A. Female Cervical Cancer Rates 1987-1993
By Race/Ethnicity and Age-adjusted

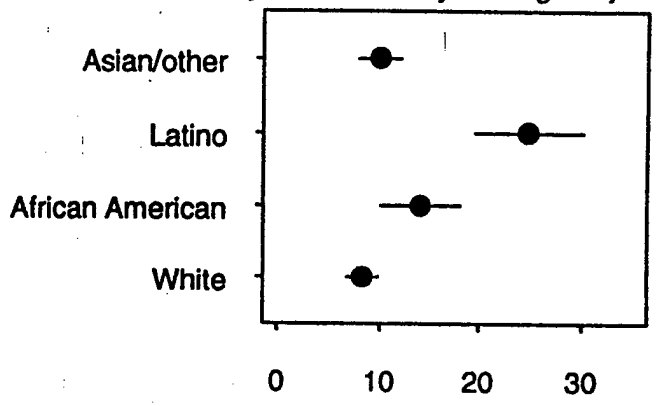


Figure 5B. Female Breast Cancer Rates 1987-1993
By Planning District and Age-adjusted

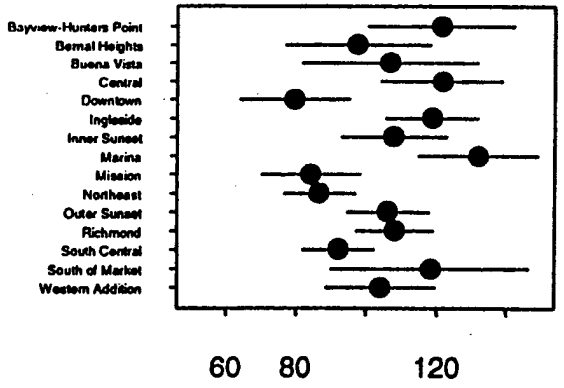
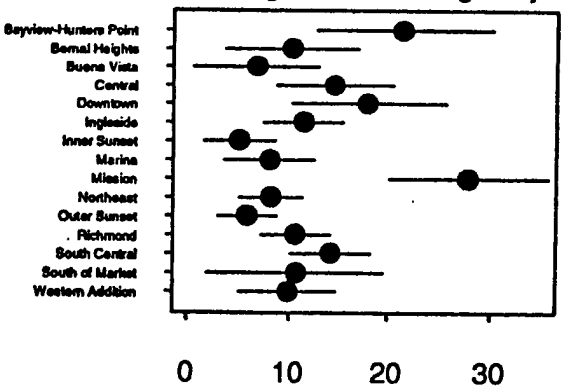


Figure 6B. Female Cervical Cancer Rates 1987-1993
By Planning District and Age-adjusted



Source: Community Health Epidemiology Section, SFDPH

San Francisco Male Lung & Prostate Cancer Rates

Figure 7A. Male Lung Cancer Rates 1987-1993
By Race/Ethnicity and Age-adjusted

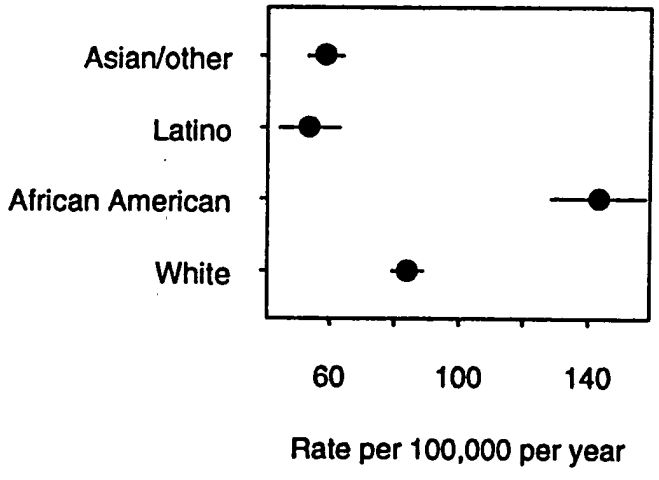


Figure 8A. Male Prostate Cancer Rates 1987-1993
By Race/Ethnicity and Age-adjusted

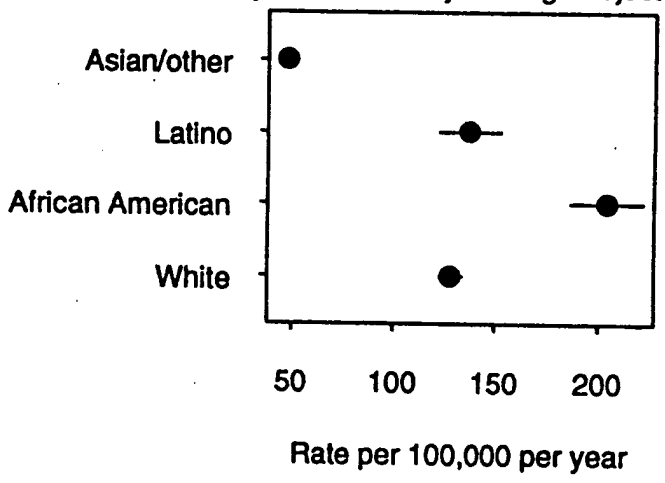


Figure 7B. Male Lung Cancer Rates 1987-1993
By Planning District and Age-adjusted

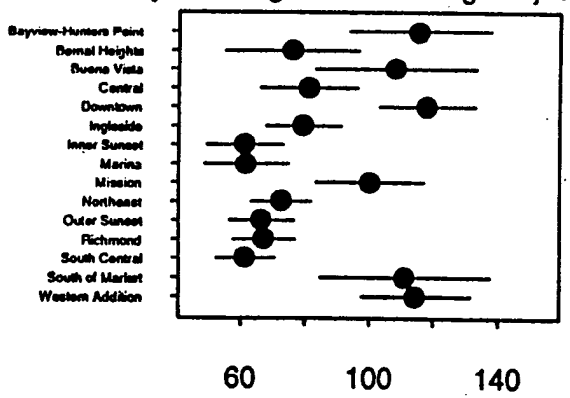
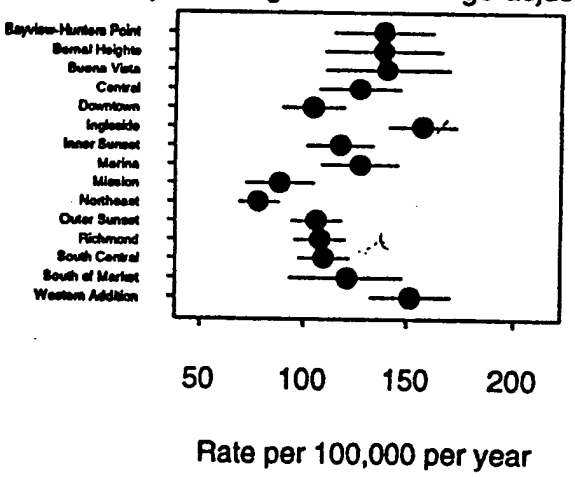


Figure 8B. Male Prostate Cancer Rates 1987-1993
By Planning District and Age-adjusted



Source: Community Health Epidemiology Section, SFDPH

Selected Counties and Race, California Cancer Registry 1989-1993

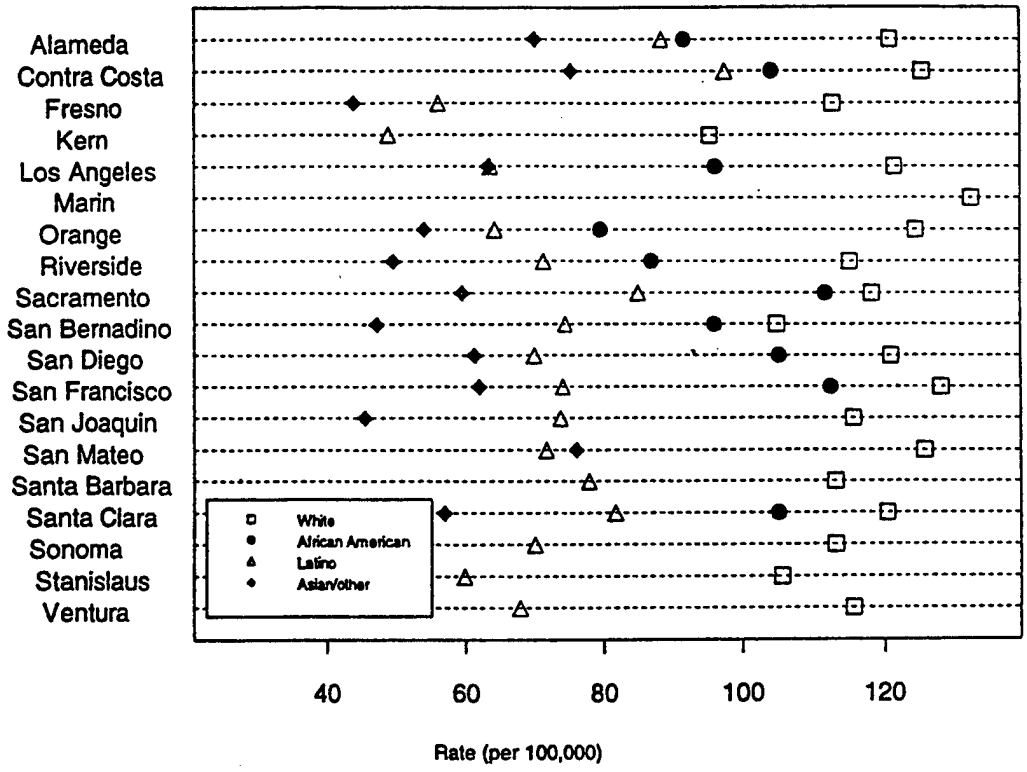


Table 2. Adjusted Rate Ratios from Multivariable Cox Model: Variables Associated with Survival After Diagnosis with Breast Cancer in San Francisco 1973-93 (N = 9414)

Variable		Breast Cancer Deaths			All Deaths		
		No.	Hazard Rate Ratio	(95% C.I.)	Hazard Rate Ratio	(95% C.I.)
Race/ethnicity							
	White	6754	1.00	(Reference)	1.00	(Reference)
	African American	860	1.43	(1.25 - 1.62)	1.25	(1.13 - 1.38)
	Latino	586	0.94	(0.79 - 1.12)	0.84	(0.74 - 0.96)
	Chinese	682	1.20	(1.02 - 1.41)	1.00	(0.88 - 1.14)
	Filipino	291	0.80	(0.60 - 1.06)	0.94	(0.77 - 1.15)
	Other Asian/other	241	0.89	(0.65 - 1.20)	0.81	(0.64 - 1.01)
Age category							
	20 - 49	1916	1.00	(Reference)	1.00	(Reference)
	50 - 64	2885	1.06	(0.94 - 1.19)	1.34	(1.21 - 1.47)
	65 - 79	3339	1.24	(1.10 - 1.39)	2.32	(2.12 - 2.55)
	80 +	1274	1.74	(1.49 - 2.03)	5.16	(4.64 - 5.73)
Summary Stage							
	Local	5181	1.00	(Reference)	1.00	(Reference)
	Regional	3156	3.66	(3.29 - 4.06)	1.90	(1.78 - 2.03)
	Distant	651	21.2	(18.6 - 24.0)	8.57	(7.80 - 9.42)
	Unstaged	426	4.06	(3.40 - 4.85)	2.25	(2.00 - 2.53)
Histological grade							
	Well differentiated	441	1.00	(Reference)	1.00	(Reference)
	Moderately different	1359	2.13	(1.34 - 3.38)	1.19	(0.97 - 1.46)
	Poorly differentiated	1579	4.09	(2.61 - 6.42)	1.86	(1.52 - 2.27)
	Undifferent/anaplastic	140	3.94	(2.37 - 6.56)	1.71	(1.29 - 2.26)
	Unknown	5895	3.02	(1.94 - 4.71)	1.44	(1.19 - 1.74)
Era of diagnosis							
	Years 1973-79	3006	1.00	(Reference)	1.00	(Reference)
	Years 1980-86	3105	0.83	(0.76 - 0.92)	0.90	(0.84 - 0.96)
	Years 1987-93	3303	0.68	(0.60 - 0.77)	0.80	(0.73 - 0.88)

Table 3. Adjusted Rate Ratios for Race/Ethnicity from Multivariable Cox Models* Stratified by Era of Diagnosis, Breast Cancer in San Francisco 1973-93 (N = 9414)

Variable		Breast Cancer Deaths		All Deaths	
	No.	Hazard Rate Ratio	(95% C.I.)	Hazard Rate Ratio	(95% C.I.)
Model 1: Years 1973-79					
Race/ethnicity					
White	2346	1.00	(Reference)	1.00	(Reference)
African American	235	1.33	(1.08 - 1.63)	1.18	(1.00 - 1.38)
Latino	153	0.95	(0.71 - 1.25)	0.90	(0.73 - 1.11)
Asian/other	272	0.90	(0.72 - 1.13)	0.83	(0.70 - 0.98)
Model 2: Years 1980-86					
Race/ethnicity					
White	2252	1.00	(Reference)	1.00	(Reference)
African American	294	1.46	(1.18 - 1.81)	1.29	(1.10 - 1.51)
Latino	187	1.02	(0.77 - 1.36)	0.86	(0.69 - 1.07)
Asian/other	372	1.15	(0.92 - 1.43)	1.00	(0.85 - 1.18)
Model 3: Years 1987-93					
Race/ethnicity					
White	2156	1.00	(Reference)	1.00	(Reference)
African American	331	1.54	(1.16 - 2.04)	1.32	(1.06 - 1.64)
Latino	246	0.80	(0.54 - 1.18)	0.71	(0.53 - 0.95)
Asian/other	570	1.12	(0.85 - 1.47)	1.10	(0.90 - 1.33)

* All models adjusted for age, summary stage, and histological grade

Table 4. Adjusted Rate Ratios for Race/Ethnicity from Multivariable Cox Models* Stratified by Stage at Diagnosis, Breast Cancer in San Francisco 1973-93 (N = 8988)

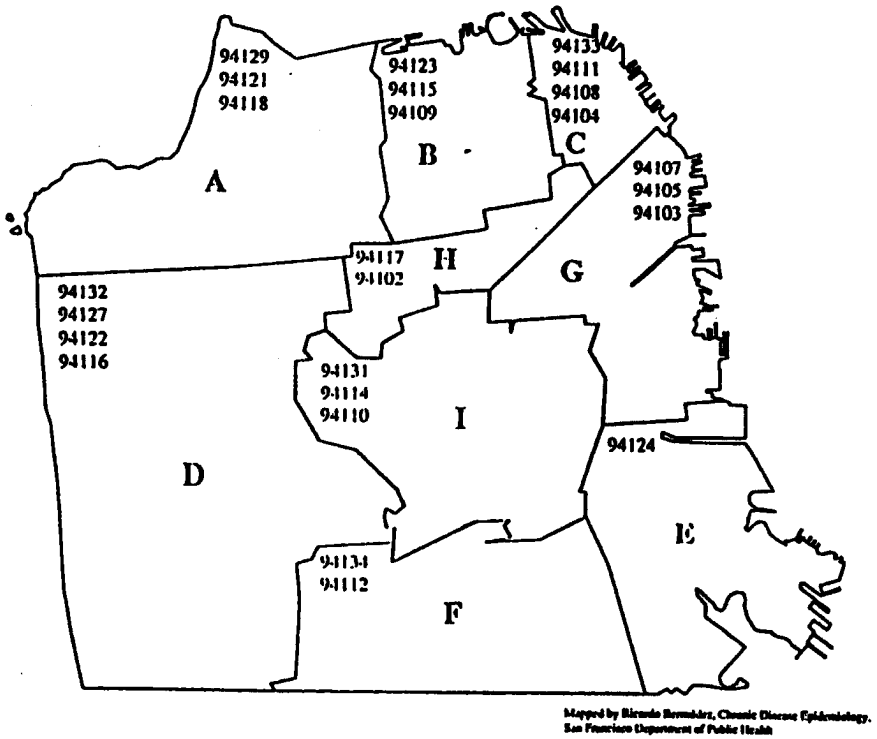
Variable		Breast Cancer Deaths		All Deaths	
	No.	Hazard Rate Ratio	(95% C.I.)	Hazard Rate Ratio	(95% C.I.)
Model 1: Local Stage					
Race/ethnicity					
White	3764	1.00	(Reference)	1.00	(Reference)
African American	415	1.77	(1.35 - 2.32)	1.26	(1.06 - 1.49)
Latino	302	1.11	(0.76 - 1.62)	0.99	(0.80 - 1.23)
Asian/other	700	1.28	(0.98 - 1.65)	0.91	(0.77 - 1.07)
Model 2: Regional Stage					
Race/ethnicity					
White	2229	1.00	(Reference)	1.00	(Reference)
African American	310	1.43	(1.19 - 1.73)	1.25	(1.07 - 1.46)
Latino	217	0.95	(0.73 - 1.23)	0.86	(0.70 - 1.06)
Asian/other	400	1.03	(0.85 - 1.25)	1.02	(0.87 - 1.19)
Model 3: Distant Stage					
Race/ethnicity					
White	451	1.00	(Reference)	1.00	(Reference)
African American	92	1.15	(0.88 - 1.50)	1.17	(0.92 - 1.48)
Latino	35	0.62	(0.40 - 0.94)	0.66	(0.45 - 0.96)
Asian/other	73	0.82	(0.60 - 1.11)	0.94	(0.70 - 1.19)

* All models adjusted for age, era of diagnosis, and histological grade

Appendix A.

Medical Service Study Area

San Francisco by Zip Code Cluster, 1990



Mapped by Ricardo Bermúdez, Chronic Disease Epidemiology, San Francisco Department of Public Health

Medical Service Study Area:

A. Richmond	E. Bayview Hunters Point
B. Pacific Heights	F. Visitacion Valley
C. Embarcadero	G. South of Market
D. Sunset	H. Tenderloin

I. Mission - Noe Valley

Appendix B.

San Francisco Planning Districts



Mapped by Ricardo E. Bermúdez
SF DPH Chronic Disease Epidemiology

Appendix C.

BVHP-HEAP Community Health Mini-Profiles

Section	Subsection	Source	Authors
Demographics	Population	Census	Bermúdez
	Gender	Census	
	Age	Census	
	Newcomers	Census	
	Race/ethnicity	Census	
	Primary language	Census	
	Households	Census	
	Gay/Lesbians	tbd	
Socioeconomic indicators	Income	Census	Bermúdez
	Housing	Census	
	Employment	Census	
	Education	Census	
	Poverty	Census	
	Social Service Programs	tbd	
	Homelessness	DPH	
Health & Wellness Indicators	Births	DPH	-
	Teen pregnancy	DPH	-
	Low-Birth Weight	DPH	-
	Premature births	DPH	-
	Mortality		
	Cause-specific	State	Reiter, Aragón
	Infant	State	-
	Selected health indicators		
	AIDS/HIV	DPH	-
	Cancer	NCCC	Cabral Evins, Aragón
	Cardiovascular	CORE, UCSF	-
	Communicable diseases	DPH	-
	Sexually transmitted diseases	DPH	-
	Diabetes	tbd	-
	Disabilities	?	-
	Asthma	OSHPD	-
	Mental Health	tbd	-
	Birth Defects	CBDMP, CDHS	CBDMP
Behavioral risk factors	Tobacco	TFP, DPH	-
	Alcohol	CSAS, DPH	-
	Other drugs	CSAS, DPH	Carol Scott
Health Care Access	Health insurance	MERC, UCSF	-
	Provider Distribution	MERC, UCSF	-
	Ambulatory Care Sensitive Conditions	FHOP, MERC, UCSF	-
	Childhood immunizations	DPH	-
Community & Personal Safety	Unintentional injuries	Trauma Foundation, SFGH	-
	Violent crime	DPH	-
	Firearms	DPH	-
	Domestic violence	tbd	-
	Child abuse	tbd	-
	Elder abuse	tbd	-
Environmental Health	Water quality	tbd	-
	Air Quality		
	Toxic Air Contaminants	DPH	Fairley
	Hazardous materials & wastes	DPH	Cone (1996)
	Leading poisoning	DPH	-

Appendix D

Bayview-Hunters Point Health and Environmental Assessment Task Force Research Committee Subcommittees as of June 30, 1997*

	Community Health Survey	Community Health Mini-Profiles	Environmental Technic: Advisory (ETAS)
Community & CBOs	Francine Carter (Community Resident) Zakiya Somburu, MPH (Project Coordinator) Ray Tompkins, MA (Educator)	Francine Carter (Community Resident) Zakiya Somburu, MPH (Project Coordinator) Ray Tompkins, MA (Educator)	Zakiya Somburu, MPH (Project Coordinator)
SFDPH	Tomás Aragón, MD, MPH (Medical Epidemiologist) Jennifer Mann, MPH (Environmental Epidemiologist)	Tomás Aragón, MD, MPH† (Medical Epidemiologist) Ricardo Bermúdez, MS (Epidemiologist) Daramola Cabral Evins, DrPH (Cancer Epidemiologist) Randy Reiter, PhD (Planner/Social Epidemiologist) Carol Scott (CSAS Epidemiologist)	Tomás Aragón, MD, MPH (Medical Epidemiologist) Jennifer Mann, MPH (Environmental Epidemiologist
UCSF	Kevin Grumbach, MD† (Primary Care Research Center)	Kevin Grumbach, MD (Primary Care Research Center) Susan Watson, MPH (Medical Effectiveness Research Ctr)	
SFSU			Peter Palmer, PhD (Environmental Chemistry)
BAAQMD			David Fairley, PhD† (Statistician)
UCB SPH Environmental Health			Melissa Gonzales, MPH (Environ. Exposure Assessmen Catherine Wright, MPH† (Env Health Risk Assessment)
CDHS-EHIB			Debra Gillis, MD, MPH (Public Health Medical Officer)

* Research committee members participate by either attending subcommittee meetings or working on a specific objective and/or product (e.g., Community Health Mini-Profile)

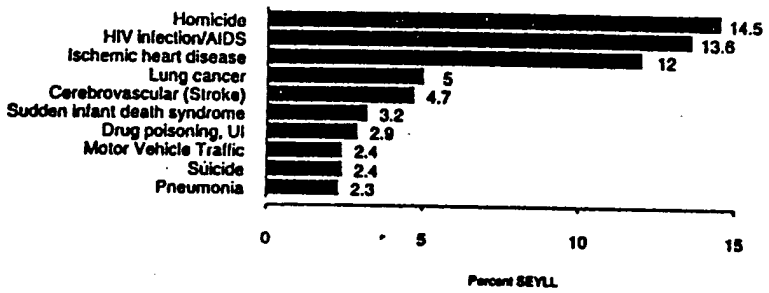
† Subcommittee chair or co-chair

BAAQMD = Bay Area Air Quality Management District, CBO = Community-Based Organization, CDHS-EHIB = California Department of Health Services Environmental Health Investigations Branch, SFDPH = San Francisco Department of Public Health, SFSU = San Francisco State University, UCB SPH = UC Berkeley School of Public Health, UCSF = UC San Francisco.

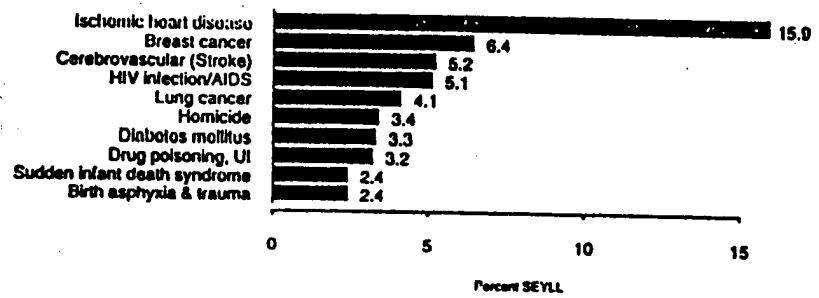
Figure 12.

Bayview-Hunters Point (94124) Leading Specific Causes of Death 1990-1995

Proportionate SEYLL for Males (SEYLL = 28754)



Proportionate SEYLL for Females (SEYLL = 17071)



Proportionate SEYLL for Total (SEYLL = 45826)

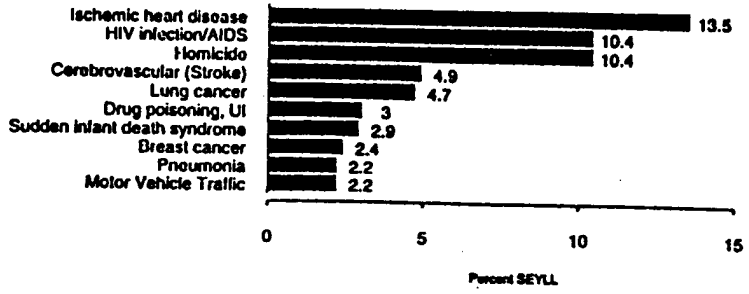
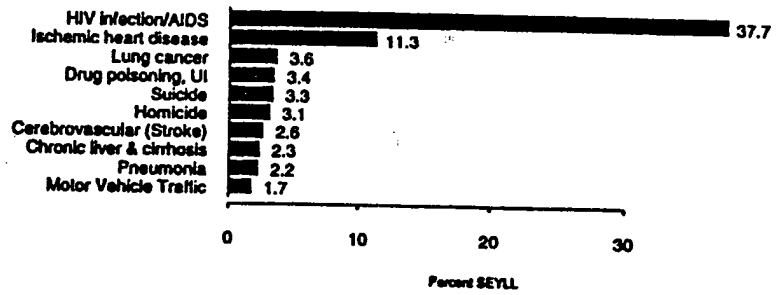


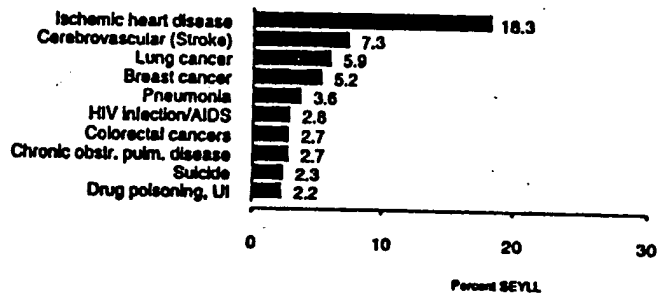
Figure 13.

San Francisco Leading Specific Causes of Death 1990-1995

Proportionate SEYLL for Males (SEYLL = 776759)



Proportionate SEYLL for Females (SEYLL = 291450)



Proportionate SEYLL for Total (SEYLL = 1068209)

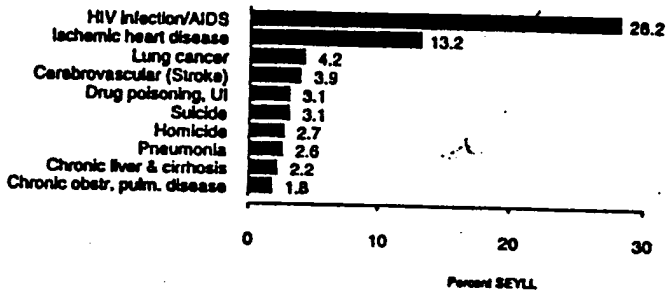


Figure 10. **Leading Male Mortality Rates by Specific Causes for Bayview-Hunter's Point Compared to San Francisco (1990-95)**

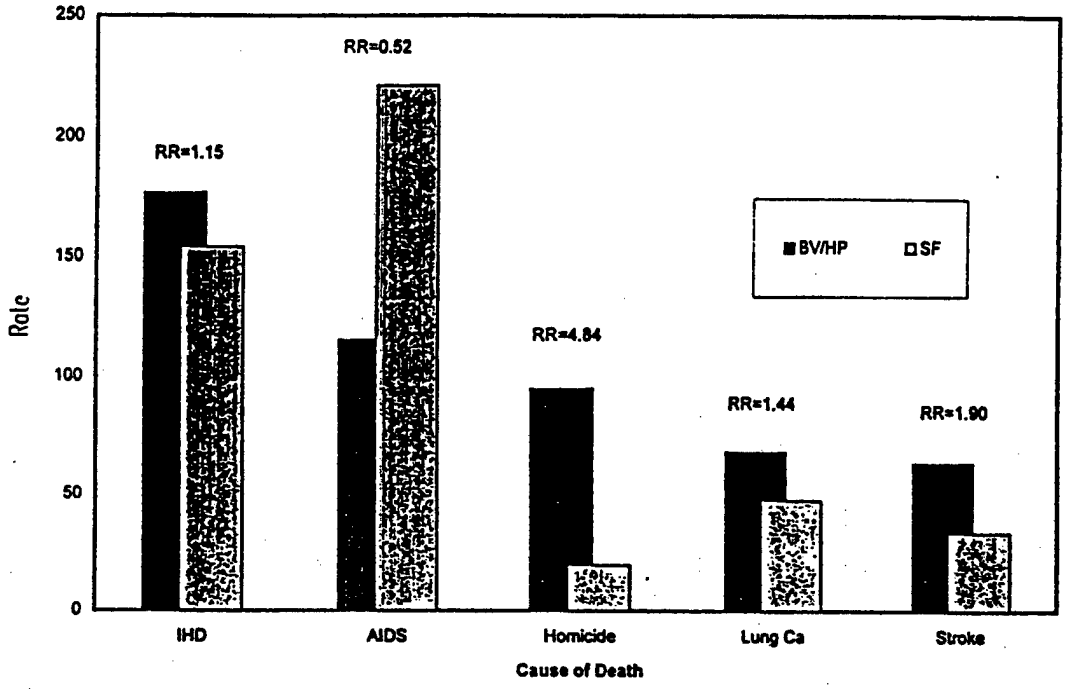


Figure 11. **Leading Female Mortality Rates by Specific Cause for Bayview-Hunter's Point Compared to San Francisco (1990-95)**

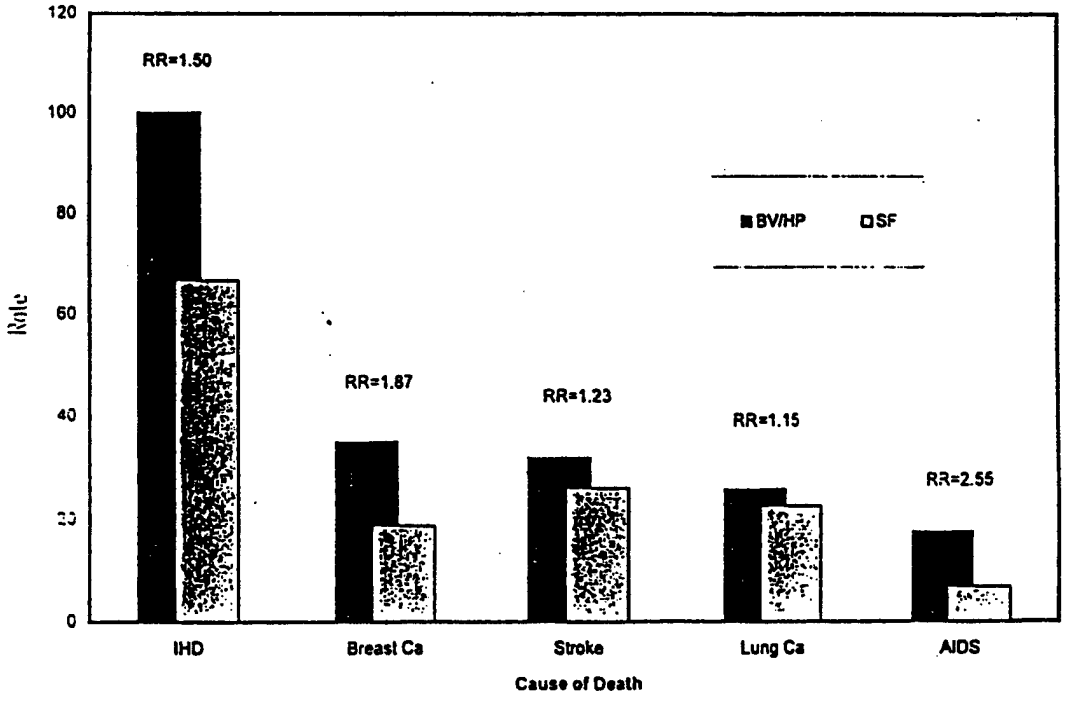


Table 5.

Life Expectancy at Birth based on San Francisco Mortality Data 1987 - 1995

Population and years	Males				Females			
	White	African American	Latino	Asian / other	White	African American	Latino	Asian / other
San Francisco 1987-1995	64.9	59.9	73.9	76.5	79.2	72.5	86.5	83.7
United States 1993*	73.1	64.6	na	na	79.5	73.7	na	na
United States 1970*	68.0	60.0	na	na	75.6	68.3	na	na
United States 1940*	62.1	na	na	na	66.6	na	na	na

*Gardner P, Hudson BL. Advance report of final mortality statistics, 1993. Monthly vital statistics report; vol 44 no 7, supp

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
600 Harrison Street, Suite 515
San Francisco, California 94107-1376

January 4, 1999

ER 98/703

Gary J. Munekawa
Engineering Field Activity, West
Naval Facilities Engineering Command
900 Commodore Drive
San Bruno, CA 94066-5006

Dear Mr. Gary J. Munekawa:

The Department of the Interior has reviewed the Revised Draft Environmental Impact Statement (RDEIS) for the Disposal and Resuse of Hunters Point Shipyard, City and County of San Francisco, and has no comments to offer. F3-1

Thank you for the opportunity to comment on this document.

Sincerely,

Patricia Sanderson Port
Regional Environmental Officer

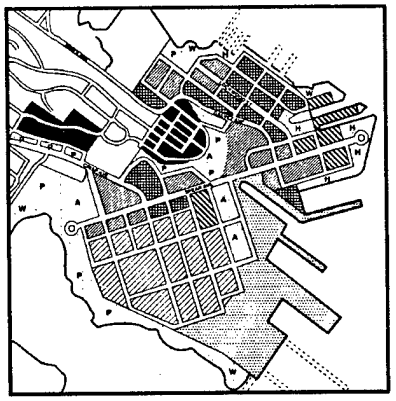
cc: Director, OEPC (w/orig. incoming)
Regional Director, FWS, Region I
San Francisco Planning Department

Letter F3: Department of the Interior, Office of Environmental Policy and Compliance

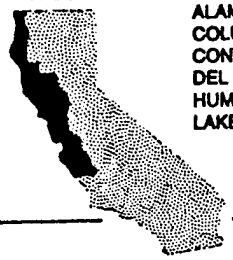
Response to Comment F3-1:

No response required.

State Agencies



CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE
HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO
SAN FRANCISCO
SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
1801 East Cotati Avenue
Rohnert Park, California 94928-3609
Tel: 707.664.2494 • Fax: 707.664.3947
E-mail: nwic@sonoma.edu

December 15, 1998

File Number: 98-SF-81E

Engineering Field Activitity West
Naval Facilities Engineering Command
Attn.: Mr. Gary Munekawa, Code 7032, Bldg. 209/1
900 Commodore Drive
San Bruno, CA 94066-5066

RE: Disposal and Proposed Reuse of Hunters Point Shipyard, San Francisco, CA

Dear Mr. Munekawa:

Our office has no additional comments on the above referenced document. Thank you for your continued concern for protecting our historical heritage. S1-1

Sincerely,

Lynn Compas, M.A.
Record Search Coordinator for

Leigh Jordan, M.A.
Coordinator

Letter S1: California Historical Resources Information System

Response to Comment S1-1:
No response required.

STATE OF CALIFORNIA
PETE WILSON, *Governor*

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
THIRTY VAN NESS AVENUE, SUITE 2011
SAN FRANCISCO, CALIFORNIA 94102-6080
PHONE: (415) 557-3686

December 30, 1998

Commanding Officer
Engineering Field Activity, West
Attn: Mr. Gary Munekawa, Code 7032, Bldg 209/1
900 Commodore Drive
San Bruno, California 94066-5006

City and County of San Francisco
San Francisco Planning Department
Attn: Ms. Hillary Gitelman
1660 Mission Street, Fifth Floor
San Francisco, California 94103-6426

SUBJECT: Revised Draft Environmental Impact Statement/Environmental Impact Report for Disposal and Reuse of Former Hunters Point Naval Shipyard, San Francisco, California; BCDC Inquiry File No. SF.SB.7126.1.

Dear Mr. Munekawa and Ms. Gitelman:

Thank you for the opportunity to comment on the Revised Draft Environmental Impact Statement/Environmental Impact Report (Revised DEIS/EIR) for the disposal and reuse of the former Hunters Point Naval Shipyard. Although the San Francisco Bay Conservation and Development Commission (Commission) has not reviewed the document, the following are staff comments based on our review of the Revised DEIS/EIR in the context of the Commission's authority under the McAteer-Petris Act (California Government Code Sections 66600 et. seq.) and the federal Coastal Zone Management Act.

One of the Commission's charges under the McAteer–Petris Act is to reserve adequate shoreline areas for those water-oriented uses that must be located on the shore of the Bay, such as ports, airports, and water-related industry (Section 66602). Areas needed for the region's port development are reserved in the *San Francisco Bay Area Seaport Plan* (Seaport Plan) and the *San Francisco Bay Plan* (Bay Plan) as port priority use areas. These areas must be reserved by federal, state, and local agencies for cargo handling and related activities, thereby avoiding situations in which other uses preempt use of the shoreline, and the Bay is filled to accommodate port and marine terminal development.

Under the federal Coastal Zone Management Act of 1972, as amended, federal activities or federally-approved, funded, or licensed activities that affect the coastal zone must be consistent with the Commission's plans and policies for the San Francisco Bay segment of the coastal zone (16 USC 1456 (c)). Accordingly, federal agencies or applicants for federal funding for projects in the coastal zone must submit a consistency determination to the Commission prior to commencing their project. In the case of base reuse and transfer of ownership to local governments, the Commission must concur with the federal agency that the reuse plan and transfer of ownership is consistent with the Commission's management program before the transfer occurs or the reuse plan implemented.

S2-1

As the Revised DEIS/EIR correctly states, the Seaport Plan and the Bay Plan designate a 55-acre area at the Hunters Point Shipyard for port priority use. This designation is part of a carefully balanced long-term plan for port growth in the San Francisco Bay region. The proposed reuse plan reflects this designation in reserving 55 acres in the southeast portion of the shipyard for maritime industrial use.

The Revised DEIS/EIR correctly states that a consistency determination is required to ensure that the disposal of Hunters Point Shipyard is consistent with the Commission's management program for San Francisco Bay. The Revised DEIS/EIR continues to state that a consistency determination will be submitted to the Commission by the Navy before the Record of Decision under the National Environmental Policy Act is issued.

Please contact Steve McAdam, Deputy Director and Chief of Regulatory Services, at your earliest convenience to discuss the procedures for submitting a consistency determination.

Sincerely,

Linda Scourtis

LINDA SCOURTIS
Coastal Program Analyst

LS/bb

cc: Nadell Gayou, Resources Agency
Tom Conrad, San Francisco Redevelopment Agency

BCDC File: Base Closure - Hunters Point

Letter S2: San Francisco Bay Conservation and Development Commission

Response to Comment S2-1:

Navy submitted a consistency determination to the San Francisco Bay Conservation and Development Commission (BCDC) on January 12, 1999. BCDC administratively executed the consistency action on March 8, 1999, as documented in Letter of Agreement for Consistency Determination No. CN 1-99. This letter is reproduced in Appendix B of the EIS.

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STATE OF CALIFORNIA

Governor's Office of Planning and Research

1400 TENTH STREET SACRAMENTO, CALIFORNIA 95812-3044

January 6, 1999

Hillary E. Gitelman
San Francisco Planning Dept and Redevelopment Agency
1660 Mission Street
San Francisco, CA 94103

Subject: HUNTERS POINT SHIPYARD REUSE PLAN
SCH#: 95072085

Dear Hillary E. Gitelman:

The State Clearinghouse submitted the above named environmental document to selected state agencies for review. The review period is closed and none of the state agencies have comments. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

S3-1

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. When contacting the Clearinghouse in this matter, please use the eight-digit State Clearinghouse number so that we may respond promptly.

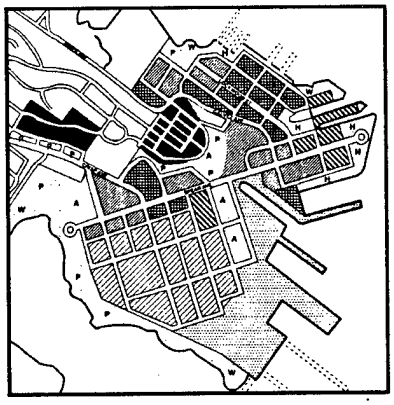
Sincerely,

Antero A. Rivasplata
Chief, State Clearinghouse

Letter S3: Governor's Office of Planning and Research

Response to Comment S3-1:
No response required.

Local Agencies



RECEIVED AT CPC HEARING 12/17/98
94.061E Gitelman

MICHAEL YAKI
MEMBER
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO



CHAIR,
COMMITTEE ON ECONOMIC DEVELOPMENT,
TRANSPORTATION AND TECHNOLOGY

December 17, 1998

Dear Friends:

I am writing to express my support for a 30 day extension of the Hunters Point Reuse Plan Environmental Impact Report (EIR) public review period. L1-1

The environmental review process is a necessary first step towards the completion of any redevelopment project and the input of the public is a crucial component of this process. Historically, good faith efforts to make the public a true partner in the initial planning phases of development projects has proven to be essential for timely completion.

The most recent EIR for the Hunters Point Shipyard was released November 2, 1998 for a sixty day public review period that coincided with the busy holiday season. Various neighborhood, environmental and community development organizations have contacted my office concerned that the timing of the public review period made it difficult to conduct adequate and thorough analysis of the plans and findings of the EIR.

I strongly believe that a thirty day extension will allow time for all San Franciscans to contribute to this process and provide meaningful suggestions and feedback.

Thank you for your consideration of this request.

Sincerely,

MICHAEL YAKI
Member, Board of Supervisors

401 Van Ness Avenue • Room 308 • San Francisco, California 94102-4543 • (415) 554-7901 • FAX (415) 554-7904 • TDD (415) 554-5227

Letter L1: Michael Yaki, San Francisco Board of Supervisors

Response to Comment L1-1:

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

Member
Board of Supervisors
City and County of San Francisco

RECEIVED AT CPC HEARING 12/17/98
94.061E
Gitelman

TOM AMMIANO

December 17, 1998

President Hector Chinchilla and Commission Members
San Francisco Planning Commission
1660 Mission Street, 5th Floor
San Francisco, CA 94103

President Lynette Sweet and Commission Members
San Francisco Redevelopment Agency
770 Golden Gate Avenue, 3rd Floor
San Francisco, CA 94102

Dear Commissioners:

I am writing to request that you extend the public comment period for the Environmental Impact Statement/Report for the Disposal and Proposed Reuse of Hunters Point Shipyard by one month, until February 5, 1999, and that you hold a third public hearing on the EIS/EIR in Hunters Point in January. L2-1

Given the complexity of the EIS/EIR, it seems only reasonable not to limit public comment to the holiday season when people's schedules are focused on family and friends. The future of the Hunters Point Shipyard is critical to the surrounding community, both in terms of economic development and environmental health and safety. It is therefore vital that we make all elements of the community feel that their voices are heard and that their ideas are addressed in key planning documents.

Finally, I appreciate your hard work on this project: I realize that both Commissioners and members of your staff have invested a great deal of time and energy to reach this point in the process. Thank you for your time and consideration.

Sincerely,

Supervisor Tom Ammiano

401 Van Ness Avenue • San Francisco, California 94102-4535
Reception: (415) 554-5144 • TDD (415) 554-5227 • supammiano@aol.com

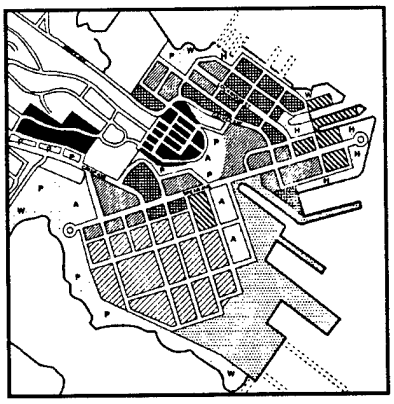
Letter L2: Tom Ammiano, San Francisco Board of Supervisors

Response to Comment L2-1:

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

The Redevelopment Agency and Planning Development Commissioners did not schedule a third public hearing.

Public Interest Groups



ALLIANCE FOR A CLEAN WATERFRONT

A Network of San Francisco Environmental Organizations

November 9, 1998

City and County of San Francisco
San Francisco Planning Department
1660 Mission Street, Fifth Floor
San Francisco, CA 94103
Attn: Ms. Hillery Gitelman

Engineering Field Activity West
Naval Facilities Engineering Command
900 Commodore Drive
San Bruno, CA 94066-5006
Attn: Mr. Gary Munekawa, Code 7032, Bldg 209/1

We the undersigned organizations and individuals request a thirty day extension to the deadline for public comment for the Environmental Impact Statement/Report for the Disposal and Proposed Reuse of Hunters Point Shipyard from January 5, 1999 to February 5, 1999. We further request that a third public hearing be held in January, preferably in Hunters Point. P1-1

The period of time proposed for public comment is simply inadequate for the community to productively review a document of this importance. Although the comment period runs sixty calendar days, it is important to recognize that it also runs through the Thanksgiving, Christmas and New Years Holiday season. As a result, what was a sixty day comment period has for all practical purposes been reduced to slightly more than thirty days when one takes into account the three weeks usually associated with holiday vacations during this period of the year.

As the Planning Department and the Navy will remember, we lodged a similar concern last year when the previous version of this document was released during the Thanksgiving, Christmas, New Years holiday season. Our concerns about running a public comment period during the holiday season have not changed in the ensuing months and both the Navy and the San Francisco Planning Department have been reminded of our scheduling concern repeatedly over the year. If one were to be cynical, one could easily conclude that the Agencies had intend to be confrontational with the public, knowing as they are that the timing of the release flies in the face of repeated requests and input. Despite appearances however, we are assuming good faith on the part of the Planning Department and it is our hope that the extension we have requested will be granted.

The thirty-day extension will enable San Franciscans to review the document, discuss its contents among our numerous environmental, neighborhood and community development organizations, and develop comments that both improve the quality of the report as well as expedite the redevelopment the EIS/R was produced to support. The extension would demonstrate that the public is truly a partner in the process of redeveloping the Hunters Point Shipyard, a condition history has repeatedly demonstrated to be essential to the rapid completion of projects undertaken in San Francisco.

Thank you for your kind attention.

Contact: Eve Bach, Arc Ecology 833 Market Street, Suite 1107, San Francisco, CA 94103 Phone 415-495-1786

Michael Thomas, Communities for a Better Environment/ Safer Project • Esperanza Jacinto, District Seven Democratic Club
Corinne Woods, Mission Bay Conservancy • Mike Lopez, San Francisco BayKeeper
Kim Gruenich, San Francisco Tomorrow • Keith Nakatani, Save San Francisco Bay Association
Connie Wilson, Southeast Alliance For Environmental Justice • Amy Zuro, Sunset Community Democratic Club
Janet Jacobs, Sustainable San Francisco • Doug Kern, Urban Watershed Project

cc: The San Francisco Board of Supervisors, Gerald Green San Francisco Planning Department, Jim Morales San Francisco Redevelopment Agency, Congresswoman Nancy Pelosi, Senator Barbara Boxer

Letter P1: Alliance for a Clean Waterfront

Response to Comment P1-1:

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

The Redevelopment Agency and Planning Development Commissioners did not schedule a third public hearing.

SAN FRANCISCO BICYCLE COALITION

San Francisco CA 94103
415.431.BIKE
415.431.2468 fax
sfbc@igc.org

PROMOTING THE BICYCLE FOR EVERYDAY TRANSPORTATION

November 16, 1998

City and County of San Francisco
San Francisco Planning Department
1660 Mission St., 5th Floor
San Francisco, CA 94103
Attn: Ms. Hillary Gittleman

Engineering Field Activity West
Naval Facilities Engineering Command
900 Commodore Dr.
San Bruno, CA 94066-5006
Attn: Mr. Gary Munekawa, Code 7032, Bldg. 209/1

We submit this letter to formally request a thirty-day extension to the deadline for public comment for the Environmental Impact Statement/Report for the Disposal and Proposed Reuse of Hunters Point Shipyard from January 5, 1999 to February 5, 1999. Additionally, we request that an additional public hearing be held in January, preferably in the Bayview-Hunters Point community. P2-1

Although the current public comment period is sixty calendar days, the fact that it runs through the Thanksgiving and Winter Holiday seasons effectively reduces it to about thirty days. The Planning Department and Navy may remember when numerous environmental and community organizations requested an extension last year for the same reason.

As a volunteer based organization, with limited staff time, the thirty day extension will allow our members to review the document, discuss its contents with allied environmental and neighborhood organizations, and develop comments that will both address our concerns, improve the report, and expedite its approval.

Thank you for your attention to this important request.

Regards,

Alex Lantsberg

STAFF • Dave Snyder EXECUTIVE DIRECTOR • Leah Shahum PROGRAM DIRECTOR • Mary Brown MEMBERSHIP DIRECTOR
BOARD OF DIRECTORS • Stephanie Alting-Mees • Kate Bickert • Stacey Camillo • Joe Carroll • Robert Collins • Stuart Coulthard • Paul Dorn • John Fall • Kathleen Haviland • Dave Snyder
Milo Letunic PRESIDENT • Marianne Skoczek SECRETARY • Ted Strawser TREASURER

Letter P2: San Francisco Bicycle Coalition

Response to Comment P2-1:

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

The Redevelopment Agency and Planning Development Commissioners did not schedule a third public hearing.

SAN FRANCISCO BAY TRAIL

December 16, 1998

Hillary Gitelman
City and County of San Francisco Planning Department
1660 Mission Street, Fifth Floor
San Francisco, CA 94103

Subject: Revised Draft Environmental Impact Statement/Environmental Impact Report for the Disposal and Proposed Reuse of Hunters Point Shipyard

Dear Ms. Gitelman:

I am submitting comments on behalf of the San Francisco Bay Trail Project on the Revised Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Disposal and Reuse of Hunters Point Shipyard (HPS), dated October, 1998. The Bay Trail Project is an organization administered by the Association of Bay Area Governments (ABAG) that coordinates implementation of the Bay Trail. When complete, the Bay Trail will be a continuous 400-mile network of bicycling and hiking paths that will encircle San Francisco and San Pablo bays in their entirety. It will link the shoreline of all nine Bay Area counties, passing through 47 cities (including San Francisco), and will cross seven of the eight toll bridges in the region. To date, approximately half the length of the proposed system has been developed. (Enclosed for your reference are a map of the Bay Trail system, a full-color map of the alignment through San Francisco, a copy of a more detailed map of the alignment through the area, and a fact sheet about the Bay Trail.)

The reuse of Hunters Point Shipyard is an exciting project that will balance economic development and environmental protection by providing for the development of mixed-income housing, fostering employment and business opportunities, removing conditions of blight, preserving historic structures, and increasing public access to the area's shoreline. These are commendable objectives that will reintegrate the Shipyard into the social and physical fabric of the surrounding neighborhoods. We are concerned, however, with the lack of specific information and commitments in the EIS/EIR regarding the development of bicycle and pedestrian facilities, especially along the shoreline.

P3-1

The project's design objectives, standards and guidelines, reproduced in Appendix D of the EIS/EIR, specifically mention a "system of shoreline trails" and state that "[r]ecreational walkers and bicyclists will be accommodated on an extension of the Bay Trail located in an open space corridor along much

Administered by the Association of Bay Area Governments
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of the Shipyard's shoreline." Specific design guidelines include providing "opportunities for maximum public access and use of the waterfront" as well as "a corridor for the Bay Trail ... close to the Bay shoreline, and linking up with the regional Bay Trail alignments to the north (India Basin), and south (South Basin and Candlestick Point State Recreation Area)." Finally, the document's concept plans show a trail that winds through the entire site, mostly along the shoreline. Similarly, page 2-7 of the EIS/EIR states that the reuse plan "would open areas of HPS for public use and would include public access trails along the waterfront, including a possible link to the regional Bay Trail." Page 3-13 mentions that the "trail system will run along the HPS waterfront and provide access for pedestrians, bicyclists and non-motorized vehicles." Unfortunately, despite the above, the EIS/EIR contains little evidence of planning for the trail system or of a commitment to develop the trails:

P3-1

- According to page 3-13, the "proposed San Francisco Bicycle Plan includes the addition of pedestrian and bicycle facilities at HPS." However, the City's bike plan does not cover pedestrian facilities and, regarding HPS, only states that the "specific streets at the easternmost sections of [the Hunters Point bike route] may vary depending on the land use pattern and street network when this area redevelops."
- Pages 4-3 to 4-4 state that "[f]uture transportation conditions have been assessed assuming that ... pedestrian and bicycle facilities would be provided." However, figure 4.1-2, "Proposed Traffic Routes Within the Project Site," shows no shoreline trail and only one commuter bike route, and nowhere is there a satisfactory description of the trail system or mention of the bike route.
- To compensate for a potential increase in cycling and walking, mitigation 4 of the "Transportation, Traffic, and Circulation" section (page 4-15), requires "completion of planned pedestrian and bicycle facilities as part of adjacent development." Again, however, there is little information provided about these facilities, and not enough to judge the effectiveness of this mitigation measure.

We request that the Final EIS/EIR include a map and an adequate description of planned and proposed facilities for pedestrians and bicyclists. This is especially important in making transportation mitigation 4 meaningful.

In closing, I offer our assistance to the City in planning bicycling and hiking facilities as part of the HPS reuse plan, and in integrating these facilities with the Bay Trail spine alignment. The Bay Trail is a unique regional resource that will provide residents of the Bayview/Hunters Point neighborhood and the rest of the Bay Area with greater transportation options, increased access to the outdoors and the shoreline, and inexpensive recreation, exercise and sightseeing opportunities. Call me at 510/464-7915 if you have any questions about the comments in this letter, would like additional information about the Bay Trail, or need technical assistance on developing trail segments.

Sincerely,

Niko Letunic
Bay Trail Planner

Enclosures

A Few Facts About The San Francisco Bay Trail

- When complete, the Bay Trail will be a continuous 400-mile recreational corridor that will encircle the entire Bay Area, connecting communities to each other and to the Bay. It will link the shorelines of all nine counties in the Bay Area and 47 of its cities. To date, 210 miles of the Bay Trail, or slightly more than half its ultimate length, has been developed.

- The Bay Trail provides easily accessible recreational opportunities for outdoor enthusiasts, including hikers, joggers, bicyclists and skaters. It also offers a setting for wildlife viewing and environmental education, and it increases public respect and appreciation for the Bay.

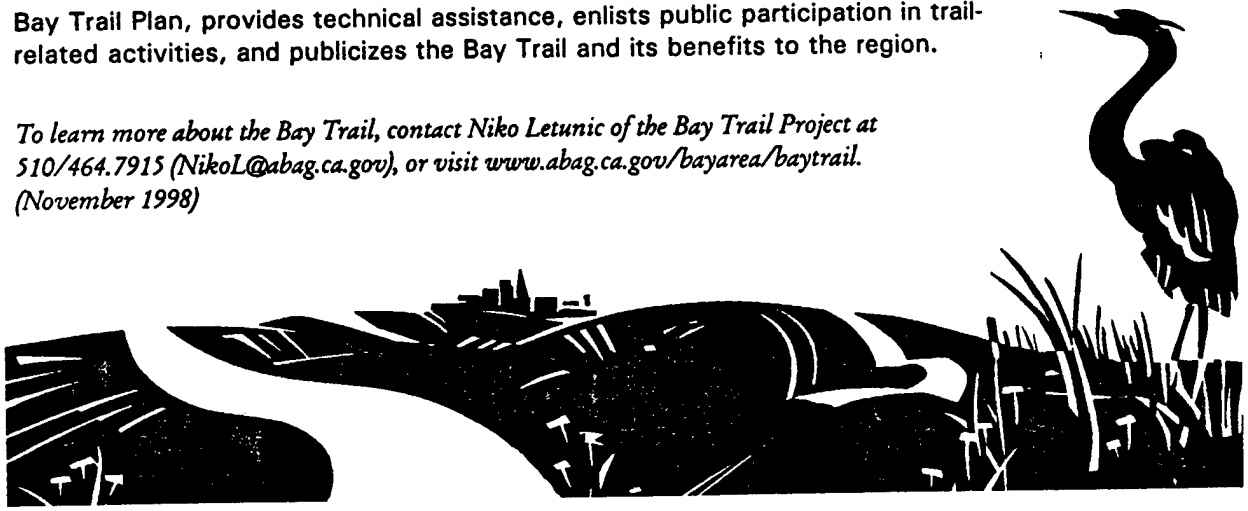
- The Bay Trail also has important transportation benefits: it provides a commute alternative for cyclists, and it connects to numerous public transportation facilities, including ferry terminals, light-rail lines, bus stops and Caltrain, Amtrak, and BART stations. Also, the Bay Trail will eventually cross all the major toll bridges in the Bay Area.

- The Bay Trail provides access to commercial, industrial and residential neighborhoods; points of historic, natural and cultural interest; recreational areas like beaches, marinas and fishing piers; and over 130 parks totaling 57,000 acres of open space. It passes through highly urbanized areas like downtown San Francisco as well as remote natural areas like the San Francisco Bay National Wildlife Refuge. Depending on the location of its segments, the Bay Trail consists of paved multi-use paths, dirt trails, bike lanes, sidewalks or signed bike routes.

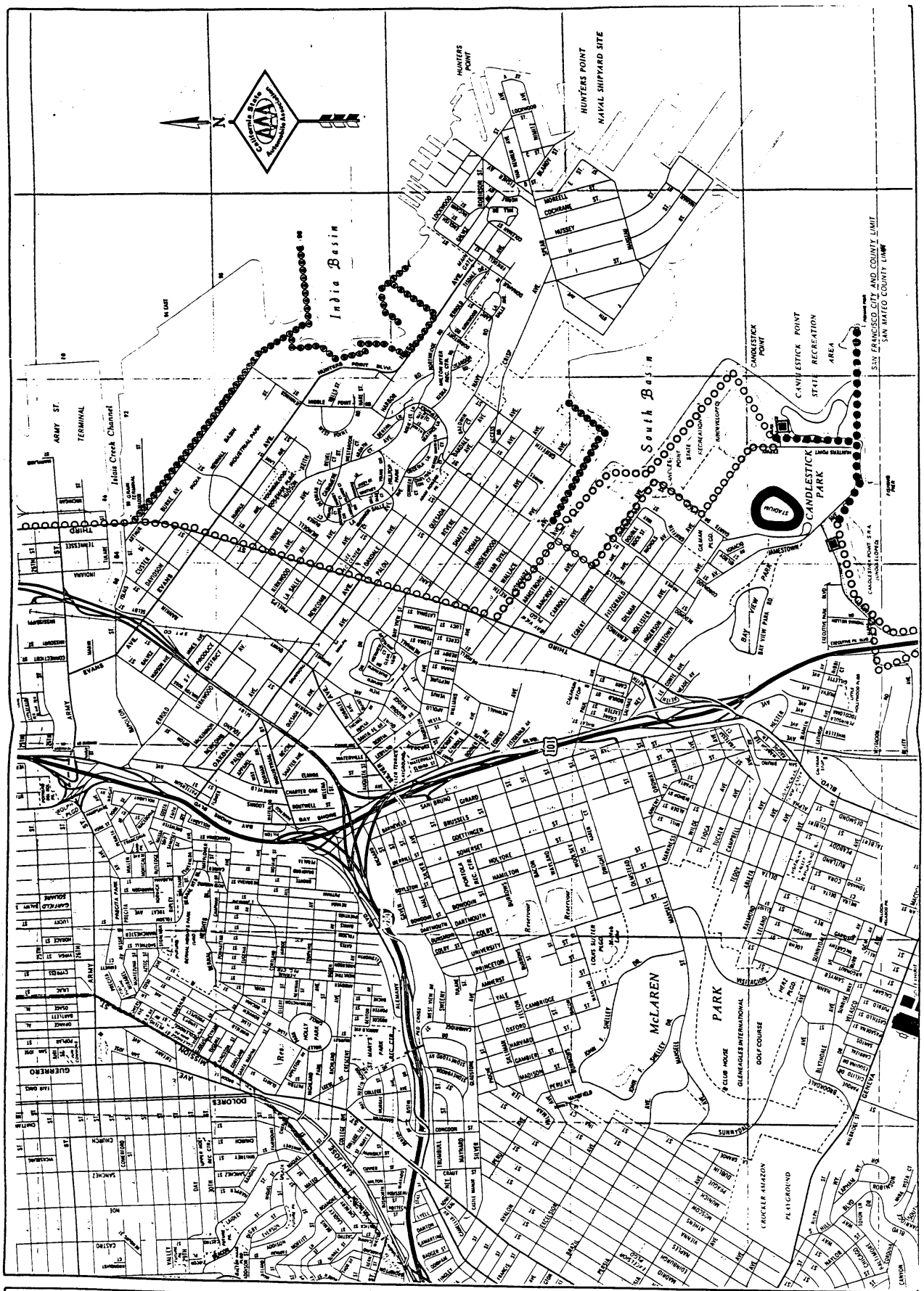
- State Senate Bill 100, authored by Senator Bill Lockyer and passed into law in 1987 with the endorsement of the entire Bay Area legislative delegation, advanced the concept of a "Ring around the Bay." SB 100 directed the Association of Bay Area Governments (ABAG) to develop an alignment for the Bay Trail as well as funding and implementation plans.

- Implementation of the Bay Trail is being coordinated by the Bay Trail Project, a nonprofit organization housed at ABAG. To carry out its mission, the Project raises funds for trail construction and maintenance, ensures consistency with the adopted Bay Trail Plan, provides technical assistance, enlists public participation in trail-related activities, and publicizes the Bay Trail and its benefits to the region.

To learn more about the Bay Trail, contact Niko Letunic of the Bay Trail Project at 510/464.7915 (NikoL@abag.ca.gov), or visit www.abag.ca.gov/bayarea/baytrail.
(November 1998)



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SAN FRANCISCO BAY TRAIL

	Proposed	Existing
Spine Trail	○○○○	●●●● (path) ■■■■ (bike lane)
Spur Trail	⊙⊙⊙⊙	◕◕◕◕
Connector Trail	|||||||||	(same)
Observation Platform	△	▲
Parking Area	(none proposed)	▣

Bay Trail: San Francisco

Map 3

Approx. Scale 0 .5 miles

N

Map copyrighted 1979 by the California State Automobile Association. Reproduced by permission.

ABAG

Letter P3: San Francisco Bay Trail

Response to Comment P3-1:

Figure 4.1.2 has been revised to include proposed bicycle routes within HPS. The implementing document for reuse, *Design for Development* (City and County of San Francisco, Planning Department and the San Francisco Redevelopment Agency, 1997c), sets forth street designs for HPS in Figures 15, 16, 17, 21, 22 and 24. Sidewalks, as depicted in these figures, would range from 10 to 15 feet (3 to 4.6 meters) in width. A discussion of the plans for HPS in the *San Francisco Bicycle Plan* (City of San Francisco, Department of Parking and Traffic, 1997) has been added to Section 4.1, subsection "Bicycle and Pedestrian Circulation."

11 *This page intentionally left blank.*

RECEIVED AT CPC HEARING 12/17/98
94.0618 GITELMAN

SAN FRANCISCO BRANCH NAACP

December 17, 1998

Honorable Hector J. Chinchilla
President
San Francisco Planning Commission
1660 Mission Street
San Francisco, CA 94103-2414

Re : Revised EIR for Naval Shipyard

Dear President Hector :

The revised draft EIR/EIR (the "new Eir") provides much more information about the environmental hazards at the shipyard and the remediation program for the site installation restoration program ("IRP").

It also looks at ways to cover contaminants and hazards that might remain after the IRP is completed.

Finally, the new EIR addresses design development and clean-up in parallel phases and provides more complete health and safety measure through the course of the development.

I support moving the process forward. P4-1

Respectfully submitted.

Alex Pitcher
President

1290 Fillmore Street • San Francisco, CA 94115 • Suite 109 • (415) 922-0650 • Fax: (415) 922-0856

Letter P4: National Association for the Advancement of Colored People

Response to Comment P4-1:
Comment noted.

Revised Draft EIS/EIR for the
Disposal and Reuse of Hunters Point Shipyard
Public Hearing, December 9, 1998



SPEAKER REGISTRATION / COMMENT CARD

PLEASE CHECK YOUR AFFILIATION BELOW:

____ Individual (no affiliation)	✓ Citizen's Group
____ Private Organization	____ Elected Representative
____ Federal, State or Local Government	____ Regulatory Agency

Name:
Organization (if applicable):
Your Community:
Street Address (optional):
City/State/Zip (optional):
Phone # (optional):

Do you wish to speak this evening? ☐ **Yes** ☐ **No**

If you wish to provide written comments only, please write your comments below and turn them in at this meeting. Thank you.

Comments:

I am a member of South East Alliance for Environmental Justice & my concern is with the time limit that is being allowed for the Citizen's Groups to Review Environmental Impact Report.

Please delay final decision on EIR/EIR until February 1999

Henrietta Jones

P5-1

Turn in tonight or mail by January 5, 1999 to: Engineering Field Activity West, Naval Facilities Engineering Command, 900 Commodore Drive, San Bruno, CA 94066-5006, Attn: Mr. Gary Munekawa (Code 7032GM), Building 209/1.

(continue on reverse if necessary)

Letter P5: Southeast Alliance for Environmental Justice

Response to Comment P5-1:

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

San Francisco Planning and
Urban Research Association

Citizens Planning for San Francisco's Future

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Chair

James Chappell
President

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Stephen Taber
Sherry Thomas
Cheryl Towns
Mauricio Vela
Steven Vettel
Jay Vta
Kitti Johnson White
Robert Wilhelm
Evelyn Wilson
Peter Winkelstein

January 5, 1999

Ms. Hillary Gitelman
San Francisco Planning Department
Via fax 558-6426

RE; 5090.1B
703/EP-1600

Revised Draft Environmental Impact Statement/Environmental Impact Report for the Disposal and Proposed Reuse of Hunters Point Shipyard, San Francisco, California

Dear Hillary:

SPUR has reviewed the subject document and believes that it meets the requirements of a program-level EIR under CEQA. SPUR recommends that the EIS/EIR be certified. While some may feel that consideration of all factors, such as clean-up and remediation, may not be optimally covered in the document, there will be other future venues to consider those issues as development proceeds. P6-1

We believe that the reuse of Hunters Point Shipyard is of such importance to the social and economic health of San Francisco that the certification, issuance of the Final EIR/EIS, and ROD proceed with all deliberate speed.

Thank you for the opportunity to comment on this document.

Sincerely,

James Chappell
President

cc: Thomas Conrad, SFRA 749-2526

JC Corr Hunters Point EIR

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San Francisco, CA 94108-4305
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(FAX) 415.781.7291
spur@well.org
http://www.spur.org

Letter P6: San Francisco Planning and Urban Research Association

Response to Comment P6-1:
Comment noted.

The CANTEC Corporation Ltd.

MARCIA DALE-LEWINTER
DIRECTOR, SPECIAL PROJECTS

FACSIMILE

- Date: 05 January 1999
- To: Ms. Hillary Gitleman
- At: San Francisco Planning Department
- FAX Nº: [415] 558-6426
- Nº Pages: - 1 - (including this page)
- Reference: Revised Draft EIS/EIR for the Disposal and Reuse of the Hunters Point Shipyard

Dear Madam:

I urge the City accept the referenced document as fulfilling the requirements and intent of the regulations to which it is addressod, and to keep the process of redeveloping the Hunters Point Shipyard moving forward. In well over 30 years spent in urban and project planning, I have yet to see a perfect environmental impact report, EIR or EIS, and perfection is not the point—moving the process forward in an environmentally sound manner is. In a summary review of the revised document, it is my observation that it is, at the vary least, adequate. To keep rehashing this document is not likely to further improve the product or the process. P7-1

Furthermore, the four master developers under consideration for redevelopment of the Shipyard by the San Francisco Redevelopment Agency in their presentations to the community all expressed commitment to moving the site cleanup forward seeking out innovative technologies used at other bases being redeveloped around the U.S. The community will continue to be concerned and involved in the cleanup process. There will be no lack of ongoing concern or oversight.

It is in the interests of the community and the City of San Francisco to proceed with the redevelopment of the Shipyard as expeditiously as possible. Any development-related problems of the City's Southeast waterfront [the ball park to ball park side of the City] such as traffic and other infrastructure [water, sewage treatment, etc.] and their environmental and quality-of-life impacts need to be addressed by the City on an area-wide basis and not on a project-by-project basis. There is still much to do, but the City's commitment to sustainability should keep the end goal of a healthful and attractive City on target.

Therefore, I urge you to move the process forward with the acceptance of this document.

Very truly yours,

Marcia Dale-LeWinter

Marcia Dale-LeWinter
Member, The Mayor's Hunters Point Citizens Advisory Committee
Member, SPUR's Base Marketing Committee [for the Hunters Point Shipyard]

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San Francisco, CA 94115-2316
Telephone & Fax: [415] 346-0680
email: mlewinter@earthlink.net

■ X Normal ■ ____ Urgent ■ ____ Confidential

Letter P7: CANTECCorporation Ltd.

Response to Comment P7-1:
Comment noted.

Save San Francisco Bay Association

1736 Franklin Street, Fourth Floor • Oakland, California 94612
phone (510) 452-9261 fax (510) 452-9266
website: www.savesfbay.org
email: savebay@savesfbay.org

January 7, 1999

San Francisco Planning Department
City and County of San Francisco
Attn: Hillary Gitelman
1660 Mission St. 5th Fl.
San Francisco, CA 94103

Engineering Field Activity West
Naval Facilities Engineering Command
Attn: Gary Munekawa, Code 7032, Bldg. 209/1
900 Commodore Drive
San Bruno, CA 94066-5006

Re: Comments on the revised draft EIS/R for the Hunters Point Shipyard

Dear Ms. Gitelman and Mr. Munekawa:

This letter provides comments on the revised draft Environmental Impact Statement/Report (EIS/R) for the Hunters Point Shipyard. The revised EIS/R is substantially improved, but unfortunately we still believe it is inadequate. We also request that the comment period be extended for an additional month. Releasing the revised EIR during the holidays has made it difficult to conduct a proper review of the document. P8-1 P8-2

We understand that the EIR says it is not intended to assess the impacts of remediation, but is intended to assess the impacts of reuse. However, remediation is a critical component of reuse and property cannot be conveyed unless it has been remediated to protect human health and the environment. Therefore, the EIR must also assess the impacts of remediation. P8-3

The following lists our substantive concerns:

Regarding hazardous materials and wastes in Parcel F, the EIR states there is no need for a human health risk assessment, "because there is no pathway for human exposure to the submerged contaminated sediments." This is completely inaccurate. It is well-known that people regularly fish in the area for subsistence purposes. P8-4

The EIR correctly states that the "primary exposure pathway for fish is ingestion of contaminated prey and incidental ingestion of sediment," and that "portions of parcel F are characterized by concentrations of chemicals that are generally toxic to aquatic life."

Recycled Paper

The EIR states that some chemicals "such as DDT, PCBs, and mercury, have high bioaccumulation factors, which means that they accumulate and are magnified in the natural food chain." In other words, the higher up the food chain, the greater the level of exposure. Clearly human health is jeopardized because of exposure to toxic chemicals from consumption of Bay fish. Therefore a human health risk assessment must be conducted. P8-4

Regarding contaminated sediment remediation, we find most of the alternatives unacceptable. Two of the remediation alternatives propose placing contaminated sediments in a confined aquatic disposal facility. They differ in that one proposes constructing a wetland on top of the disposal facility. We do not consider this remediation. This view is shared by the Bay Conservation and Development Commission (BCDC), which denied approval of a similar proposal for the Bay West Cove (Shearwater) project at Oyster Point.

In reference to disposing of contaminated sediments in a confined aquatic disposal facility, the EIR says "reusing material in an environment that isolates the contaminants from sensitive biological receptors would largely eliminate these concerns." Research conducted by BCDC and others has found no evidence of successful confined aquatic disposal projects. P8-5

There is evidence, however, of projects which were catastrophic failures, such as the Ross Island project in the Portland area. Monitoring at Ross Island found that contaminants were leaching from the disposal facility and were having significant adverse impacts on habitat and wildlife. The sediments had to be redredged and placed in an upland disposal facility.

We also do not support capping contaminated sediments in place. Contaminated sediments should be disposed of at an off-site permitted landfill.

We are also concerned about storm water runoff impacts on Bay water quality. The EIR acknowledges that the storm water system does not meet City of San Francisco standards and will require substantial repairs or replacement. We believe an on-site treatment facility should be developed. P8-6

We urge you to incorporate these changes in the final EIR. Thank you for the opportunity to provide comments.

Sincerely,

David Lewis
Executive Director

Letter P8: Save San Francisco Bay Association

Response to Comment P8-1:

Please see responses to specific comments, below.

Response to Comment P8-2:

The San Francisco Redevelopment Agency Commissioners and Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

Response to Comment P8-3:

Remediation is being conducted under the Installation Restoration Program (IRP) pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and under other Navy compliance programs. As stated in EIS Section 3.7, Navy's goal is to remediate HPS to a level protective of human health and the environment, consistent with the intended reuse. Potential impacts associated with residual contamination remaining after remediation has been completed are addressed in EIS Section 4.7. Specific issues related to the IRP are being handled in the IRP process.

Response to Comment P8-4:

As discussed in the response to Comment P8-3, remediation is being conducted under the IRP pursuant to CERCLA. Text in the discussion of Parcel F has been revised to acknowledge that there is a potential pathway for human exposure to contaminated sediments in Parcel F through ingestion of contaminated fish. Navy is addressing this issue in consultation with the U.S. Environmental Protection Agency.

Response to Comment P8-5:

The alternatives presented in the *Revised* Draft EIS/EIR were summarized from the Parcel F feasibility study, prepared under the IRP pursuant to CERCLA. This EIS is not a decision-making document for environmental cleanup at HPS. The final remedy for Parcel F will be developed in consultation with U.S. EPA and will be documented in the CERCLA Record of Decision. Your comments have been forwarded to the remedial project manager handling the CERCLA actions at HPS.

Response to Comment P8-6:

The commentor's preference for an on-site treatment facility is noted. As stated in the EIS, remediation and mitigation measures included in Section 4.9 are expected to improve storm water quality, and the quantity of storm water discharged is expected to remain the same or decline. Thus no impacts would occur and no additional mitigation is required. Nonetheless, on-site storm water treatment could be proposed and constructed at HPS as a result of a policy decision by the City/San Francisco Redevelopment Agency in consultation with the HPS developer. This decision would be made separately from the EIS and would likely include a consideration of overall development costs and potentially competing community objectives. Construction of an on-site treatment facility would be subject to City environmental review under the California Environmental Quality Act.

40 *This page intentionally left blank.*



San Francisco Tomorrow

Since 1970. Working to Protect the Urban Environment

January 19, 1999

Mr. Gary J. Munekawa
Engineering Field Activity, West
Naval Facilities Engineering Command
900 Commodore Dr.
San Bruno, CA 94066-5006

RE: Revised Draft, Hunters Point EIR/EI

Dear Mr. Munekawa:

San Francisco Tomorrow would like to offer the following comments on the EIR/EIS for the Hunters Point Naval Shipyard Reuse Plan. We also strongly endorse the comments submitted by ARC Ecology which were prepared in cooperation with San Francisco Tomorrow and the other members of the Alliance for a Clean Waterfront. P9-1

San Francisco Tomorrow is concerned with the short shrift given to transportation and specifically to public transit, in this document. Because air pollution remains the most significant unmitigable impact of this project, it is irresponsible not to address transit more thoroughly as a mitigation.

Transportation, Traffic, and Circulation

Table 2.6-1, page 2-13 Mitigation: To reduce vehicle miles traveled, traffic congestion, and air quality impacts and to ensure that ridership is encouraged ad transit services meet or exceed demand for those services, the Agency and its designees would adopt a transportation system management approach. This would consist of the formation of an HPS Transportation Management Association (TMA), which would develop and implement a Transportation System Management Plan(TSMP). The TSMP would include transit pass sales; transit, pedestrian, and bicycle information, employee transit subsidies; monitoring of transit demand ad expansion of transit services as necessary, secure bicycle parking; and parking management guidelines. P9-2

If deemed appropriate by the TMA, the TSMP could also contain the following additional elements: flexible work time/telecommuting, shuttle service, monitoring of physical transportation improvements, ferry service studies, and encouraging local hiring practices.

Impact 3: Unmet demand for Public Transportation Mitigation 3. Ensure that adequate transit service is provided to meet or exceed demand, as required by the transportation system management



San Francisco Tomorrow

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2054

approach described under significant Impact 1.

These mitigation measures are vague and unenforceable. The decision on what elements to include in the TSMP should be based on specific goals, such as reaching 50% of employees using alternative transportation by the time buildout is complete. Also, how can adequate transit service be ensured without funding? Specific funding requirements should be part of the TSMP, and could include a transit assessment on new businesses as part of the sale or lease of the property. P9-2 P9-3

Also, why is "encouraging local hiring practices" listed only as a possible element of the TSMP, when it is one of the cornerstones of the project? It also seems inappropriate to include the shuttle only as a possible element. A shuttle system linking key transit systems, such as Cal-Train, Bart, SamTrans, and the Third Street light rail line, should be studied as possible mitigation of traffic impacts for the project. P9-4

Page 4-7. Form an HPS Transportation Management Association (TMA) of HPS property owners and tenants to implement a Transportation System Management Plan (TSMP). Establish a coordinating committee with representatives of the Citizen's Advisory Committee (CAC), Agency, and appropriate City staff, including representatives from the Department of Parking and Traffic, San Francisco Municipal Railway (MUNI), and the Department of Public Works. P9-5

Since the decisions made by the TMA will impact the neighborhood at large, it seems only reasonable that the neighborhood be represented on the TMA. It is also not clear from this EIR what the chain of command will be; will the Coordinating Committee make decisions based on the recommendations of the CAC and TMA? Will the CAC have a greater say than the TMA? Please clarify this.

The TSMP should include additional elements to encourage transit use: subsidized Transit passes for HPS employees, and a provision that fees will be charged for commuter parking that will make it more expensive than the subsidized transit fares. P9-6

In addition to monitoring transit demand, the TSMP should set annual and progressively higher goals for non-auto travel to HPS, and implement strategies designed to meet those goals.



San Francisco Tomorrow

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Page 4-8 If deemed appropriate by the TMA, the TSMP could contain the following additional elements:

Should the TMA have the final responsibility for determining the elements of the TSMP? This seems like a clear conflict: of course they'll want free parking for their tenants, and mass transit funded by MUNI rather than by a transit assessment. The CAC should have equal input into the creation of the TSMP. Again, please clarify the process for approving and implementing the TSMP.

P9-7

Page 4-13 Impact 3: Unmet demand for Public Transportation....The Proposed Reuse Plan includes a transit implementation plan to accommodate public transportation demand associate with anticipated land uses.

There are no tables showing current or anticipated MUNI ridership. In fact, this is the only paragraph concerning public transit in the entire section of Transportation Impacts! Why has mass transit been left out of this document? Transit is one of the few mitigations available to alleviate the impacts of air pollution on the neighborhood's population. The lack of transit information makes it impossible to properly assess the Transportation or Air Quality impacts cited in this document.

P9-8

Why isn't the transit implementation plan that is cited here included in this document, at least as part of the Reuse Plan in Appendix D? I can't find it anywhere in this document. If this is a component of the Reuse Plan, a description of it and an analysis of its impacts must be included in this document.

Air Quality

Table 2.6-1 page 2-16, 2-16 Impact 1: Ozone Precursor Emissions from Increased Traffic. Impact 2: PM10 Emissions from Increased Traffic. The vehicle emissions analysis already assumes a substantial amount of ridesharing, transit use, and nonvehicular travel modes Because the effectiveness of these measures is not known, the impact still would be considered significant and unmitigable

P9-9

The transit mitigation measures should be tied to specific goals for Ozone and PM10 Emissions from the project. Also, how can the vehicle emissions analysis assume transit use and nonvehicular travel modes, when information on them is not provided in this document?



San Francisco Tomorrow

4 OF 4

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Environment

Page 5-10. ...the Agency is considering constructing a bridge across Yosemite Slough, along with extending Carroll Avenue between Third Street and Bayshore Boulevard

This is mentioned in the context on its impact on traffic and congestion, but not in terms of its negative impact on the proposed open space and wetlands. Could you please include a drawing of the proposed bridge, showing its location in conjunction with the proposed land uses, and its land use and open space impacts? P9-10

Also, in connection with traffic impacts, you state that 75% of the project employees will be City residents. That number seems high compared to other studies I've seen, which would put the proportion of city residents working at the site at below 60%. Can you please explain where this figure came from? P9-11

Socioeconomics

4-60 Housing Affordability

The rationalization for asserting that local residents will qualify to purchase the affordable or market rate units is not clear. Could you present this in table form, quantify the number of local residents who will qualify for market-rate housing, and, separately, the number who will qualify for the affordable units? Also, what provisions are included in the Reuse Plan for giving preference to local residents? This should be a necessary mitigation for the Social Justice, Transportation, and Air Quality impacts. P9-12

Sincerely,

San Francisco Tomorrow
Jennifer Clary(668-8393)
Jane Morrison(564-1482)

Letter P9: San Francisco Tomorrow

Response to Comment P9-1:

Please refer to specific comments by the Alliance for a Clean Waterfront (Letter 12).

Response to Comment P9-2:

Specific transit improvements for HPS are identified in the *Hunters Point Shipyard Transportation Plan* (San Francisco Redevelopment Agency, 1996), which is available for review at the San Francisco Redevelopment Agency. A discussion of potential transit improvements has been added to Section 4.1, subheading "Public Transportation." These potential improvements, as well as those transit improvements assumed to exist by 2010 and 2020 in the *1994 Regional Transportation Plan for the San Francisco Bay Area (RTP)* (MTC, 1994), were considered when developing modal split data for future conditions.

At this programmatic stage of planning, the Transportation Demand Management (TDM) approach is the most efficient and effective means for mitigating traffic impacts and assuring appropriate transit development at HPS. This approach is described in Section 4.1.2, under the discussion of the Significant Unmitigable Impact.

To reduce vehicle miles traveled, traffic congestion, and air quality impacts and to ensure that transit ridership is encouraged and transit services meet or exceed demand for those services, the San Francisco Redevelopment Agency and its designees would fund and adopt a TDM approach. A performance standard for the TDM program could be established by the Transportation Management Association (TMA) that would require future tenants at HPS to meet or exceed the mode splits used for the EIS analysis. For example, the Transportation System Management Plan (TSMP) could be charged with achieving 12.9 percent of work trips to and from HPS via transit.

Response to Comment P9-3:

The TSMP envisions a phased approach to development and transit improvements at HPS, under which some development would proceed, transit service would be expanded, additional development would proceed, and additional service would be provided. Thus, development and transit service are interrelated, and development would provide a funding mechanism and ridership for transit, while provision of transit would allow more development. It is anticipated that at any time in the development process, transit service would meet the demand of existing residents and employees of HPS, and transit ridership would meet or exceed levels discussed in P9-2.

The San Francisco Redevelopment Agency would have the ultimate responsibility for establishing the TMA and implementing the TSMP. The San Francisco Redevelopment Agency could 1) ask City departments or the Board of Supervisors to fund certain improvements, 2) fund certain improvements via its own tax increment revenues, and/or 3) require future tenants of HPS to fund and implement improvements. The precise funding mechanisms cannot be established until required improvements are identified and reuse of HPS is initiated.

Response to Comment P9-4:

The "local hiring" and "shuttle service elements" of the TSMP have been revised. Both elements are now "required" instead of "possible." Please see Section 4.1.2, subheading "Significant Unmitigable Impact," regarding the shuttle service element. See response to Comment P11-12 regarding local hiring.

Response to Comment P9-5:

The TMA would be appointed by the Mayor. The TMA and the coordinating committee are one and the same and would include property owners, community members, representatives of the CAC, and appropriate City staff. The role of the coordinating committee would be to prepare a TSMP for HPS and monitor its implementation to ensure the effectiveness of the measures.

Members of the Bayview-Hunters Point community would not be excluded from the TMA. See Section 4.1.2, Significant Unmitigable Impact, first bullet.

The TMA would have no funding authority, but would prioritize investments, monitor compliance with the TSMP, and make recommendations to the Redevelopment Agency Commission. The TMA would represent diverse perspectives, and conflicts of interest are not anticipated. See also response to Comment P9-3.

Response to Comment P9-6:

See the elements of the TSMP regarding "Employee Transit Subsides" and "Parking Management Guidelines" in Section 4.1.2, subheading "Significant Unmitigable Impact." These elements would require major employees to provide a transit subsidy system for their employees and create guidelines to discourage automobile use.

The TMA could establish a performance standard for the TSMP that would require future tenants of HPS to meet or exceed the transit mode splits used in the traffic analysis, as discussed in response to Comment P9-2. The TMA could also establish annual and progressively higher goals for non-auto travel.

Response to Comment P9-7:

Please see the response to Comment P9-5.

Response to Comment P9-8:

MUNI ridership information is not available for HPS. Observations indicate ridership is light. Please see the discussion of HPS ridership in Section 3.1.1, subheading "Public Transportation." Public transit is an integral part of the traffic analysis and planning and design for HPS. Refer to the *Design for Development* (City and County of San Francisco, Planning Department and the San Francisco Redevelopment Agency, 1997c) and the *Hunters Point Shipyard Transportation Plan* (San Francisco Redevelopment Agency, 1996), both available for review at the San Francisco Redevelopment Agency.

Response to Comment P9-9:

It is not feasible to directly measure ozone precursor or PM_{10} emissions from vehicle traffic. Therefore, there is no purpose served by trying to phrase transportation mitigation measures as air pollutant emission goals. The analysis of traffic-related air quality impacts is based on the trip generation and traffic distribution analyses presented in EIS Section 4.1, Traffic, Transportation, and Circulation. Appendix B, Table B-12 describes the basis for the non-vehicular travel assumptions used in the traffic analyses. The San Francisco Redevelopment Agency has agreed to implement the TMA and TSMP (see response to Comment P9-4), the goal of which would be to ensure that assumed levels of transit use are achieved.

Response to Comment P9-10:

The proposed alignment of Yosemite Bridge has not been determined. The bridge is a possible future project, totally separate and distinct from the disposal and reuse alternatives analyzed in the EIS. Yosemite Slough is currently surrounded by open space (see revised EIS Figure 3.4-1). Land to the north and west of the slough is zoned "P" for use as some form of public use, including open space, public structures, and use of government agencies, including accessory nonpublic uses in conformity with the General Plan and other applicable codes. Land to the south is zoned for "Restricted Light Industry Special Use District." Environmental review of Yosemite Bridge is outside the scope of this document and will occur when a project has been defined.

Response to Comment P9-11:

The comment refers to the percentage of trips (generated by users at HPS) that would begin and end in San Francisco. Appendix B, Table B-12 shows the origin and destination information used in the traffic analysis. This information is from the *Citywide Travel Behavior Survey* (City and County of San Francisco, 1993b) and is not adjusted for local hiring. Local hiring practices are an element of the TSMP. See Section 4.1, "Significant Unmitigable Impact."

Response to Comment P9-12:

The median household income for San Francisco is $33,413. This means that 50 percent of the household incomes in San Francisco are less than $33,413 and 50 percent are greater. HUD uses this City-wide median income statistic to determine eligibility for affordable housing, as discussed in EIS Section 4.6.2. "Affordable" units are targeted at households earning between 60 percent and 100 percent of this City-wide median income, that is, annual household incomes ranging between $20,048 and $33,413. The table below shows the median household income for the census tracts in the Hunters Point vicinity as depicted in Figure 3.6-1.

Census Tract	Median Household Income
609	$70,543
230	$33,498
231	$15,089
232	$26,152
233	$26,364
234	$22,708
606	$27,083
610	$36,583

Source: 1990 Census, Table 19, "Income and Poverty Status in 1989."

Because information on individual household income is not publicly available, it is not possible to quantify the number of local residents eligible for affordable housing in the South Bayshore planning area. With regard to affordable housing preferences for local residents, please refer to EIS Section 4.6.

GOLDEN GATE UNIVERSITY

ENVIRONMENTAL LAW AND JUSTICE CLINIC • SCHOOL OF LAW

January 19, 1999

Via Hand-Delivery
Ms. Hillary Gitelman
Environmental Review Officer
San Francisco Planning Department
1660 Mission Street, Fifth Floor
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RECEIVED

JAN 19 1999

CITY & COUNTY OF S.F.
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Re: Comments on the Joint Revised Draft EIS/EIR for the Disposal and Reuse of the Hunters Point Shipyard (SCH# 95072085)

Dear Ms. Gitelman and Mr. Munekawa:

The Environmental Law and Justice Clinic ("ELJC") of Golden Gate University School of Law is submitting the following comments on behalf of the Southeast Alliance for Environmental Justice ("SAEJ"), in connection with the Revised Draft Environmental Impact Statement/Environmental Impact Report dated October 1998 ("Revised Draft EIS/EIR") for the U.S. Navy's disposal and San Francisco's proposed reuse of the Hunters Point Shipyard ("HPS"). These comments are being submitted pursuant to the federal National Environmental Policy Act of 1969 ("NEPA"), 42 U.S.C. §§ 4321 *et seq.*, NEPA's implementing regulations, 40 C.F.R. §§ 1500 *et seq.*, California Environmental Quality Act ("CEQA"), Public Resources Code §§ 21000 *et seq.*, and CEQA's regulations, known as "CEQA Guidelines," 14 C.C.R. §§ 15000 *et seq.*

The following comments are intended to supplement the written comments which are being submitted by the Alliance for a Clean Waterfront. SAEJ shares the concerns

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raised in the Alliance comment letter, and incorporates them herein by this reference. The issues addressed in these comments are organized into the following categories: mitigation measures; air quality; traffic; cumulative impacts; and environmental justice.

As a preliminary matter, we would like to thank the Lead Agencies for extending the comment period to January 19, 1999. We would also like to commend the staff of the San Francisco Planning Department and Redevelopment Agency for seriously considering the issues and concerns expressed by interested parties during the earlier public review period for the first draft EIS/EIR (issued November 1997), and making several revisions in recognition of the significance of the potential environmental impacts caused by the U.S. Navy's disposal and San Francisco's proposed reuse of the HPS (the "Project"). In contrast to the first draft EIS/EIR, the October 1998 Revised Draft EIS/EIR identifies the Project's impacts as "significant" in the following areas: transportation, traffic and circulation; air quality, including toxic air contaminants from stationary, mobile and cumulative sources; on-site traffic noise; hazardous materials and waste; water resources; utilities, including the storm water collection system and sanitary collection system; and biological resources. Generally, we believe these changes are an improvement and agree with the revised draft EIS/EIR's conclusions that the HPS Project will most likely cause significant adverse impacts in these subject areas.

A. The Revised Draft EIS/EIR Fails to Adequately Analyze Mitigation Measures and Alternatives to Reduce the Project's Impacts

The Revised Draft EIS/EIR, however, does not provide a thorough, detailed analysis of feasible mitigation measures or alternatives to eliminate or reduce the significant adverse impacts associated with the Project, in violation of CEQA and NEPA. In particular, the Lead Agencies have failed to adequately evaluate feasible mitigation measures to avoid or reduce significant impacts in the areas of traffic and air quality.

P10-1

We recognize that the Revised Draft EIS/EIR is prepared at a programmatic level, under CEQA Guidelines § 15180. Even on this programmatic level, lead agencies are required to identify feasible alternatives and mitigation measures to avoid or reduce the project's potential adverse impacts. See CEQA, Pub. Resources Code § 21002 and

§ 21002.1; CEQA Guidelines § 15092; NEPA, 40 C.F.R. § 1502.14, § 1502.16. See also, Bay Area Air Quality Management District ("BAAQMD") CEQA Guidelines, Chapter 4 (April 1996). The San Francisco Planning Department and Redevelopment Agency, as well as the U.S. Navy, have a legal obligation under CEQA and NEPA to ensure that any avoidable impacts caused by the Project are reduced.

We raised this same issue in an earlier comment letter submitted on behalf of SAEJ for the first draft EIS/EIR:

> "SAEJ rejects the Lead Agencies' conclusions that the transportation-related air pollution impacts are unmitigable. The Bay Area Air Quality Control District (BAAQMD) and the South Coast Air Quality Management District (SCAQMD) have produced CEQA guidance documents and identify several available and feasible mitigation measures which can be taken to reduce air quality impacts, especially from transportation-related sources. See BAAQMD Air Quality and Urban Development Guidelines for Assessing Impacts of Projects and Plans, Chapter IX and SCAQMD CEQA Guidelines, Chapter 11, referred to and incorporated herein by reference. Mitigation measures for the HPS Project can be on-site as well as off-site measures, and may include landscaping, transit improvements and amenities, street improvements, ridesharing incentives, transit incentives, site plan changes, design changes, operational changes, parking redesign and buffer strips. These feasible mitigation measures should be examined in the Draft EIS/EIR." ELJC comment letter, dated January 20, 1998, pp.9-10.

P10-1

The Lead Agencies have continued this deficiency in the Revised Draft EIS/EIR and our earlier comment quoted above is still relevant. The Revised Draft EIS/EIR provides a superficial and inadequate analysis of feasible mitigation measures, thus preventing a meaningful evaluation and selection of measures to mitigate the adverse impacts of the Project. This constitutes a violation of NEPA and CEQA, making the Revised Draft EIS/EIR fundamentally flawed.

B. The Revised Draft EIS/EIR Fails to Seriously Consider the Project's Traffic-Related Air Quality Impacts and Their Public Health Effects

P10-2

1. The Revised Draft EIS/EIR Fails to Seriously Consider the PM_{10} and Ozone Violations

The San Francisco Bay Area ("Bay Area") during the winter months is routinely in violation of the state's particulate matter (PM_{10}) standard, meaning that thousands already are suffering early deaths or asthma and emphysema exacerbations as a result of PM_{10} exposure. In the summer months, the Bay Area routinely violates the state ozone standard and occasionally the federal ozone standard, resulting in the area being designated a nonattainment area by state and federal air quality agencies. At the same time, there is no state PM_{10} attainment plan in place, the state ozone plan makes no pretense of assuring attainment by any date certain, and the US EPA has determined the federal maintenance plan is now inadequate to attain the federal ozone standard. Thus it is crucial that the HPS Project not contribute to existing air quality conditions or delay the attainment of these standards.

P10-2

The HPS Project's air quality impacts, especially those resulting from the Project's increased traffic, are critical and should be carefully evaluated by the Lead Agencies, given the existing PM_{10} and ozone violations and the relatively high rates of respiratory problems in the Bayview-Hunters Point neighborhood that have been well documented by the San Francisco Public Health Department (the community's respiratory problems are mentioned on p. 3-26 of the Revised Draft EIS/EIR). Unfortunately, the Revised Draft EIS/EIR does not present a clear and complete description of the current ambient air conditions and the HPS Project's air quality impacts, nor does the Revised Draft EIS/EIR provide a clear description of the relationship between air pollution and public health.

We recommend that you expand the air quality section (3.2) of the Revised Draft EIS/EIR to include a description of the potential adverse health effects associated with certain pollutants, including carbon monoxide (CO); ozone (O_3); nitrogen dioxide (NO_2); sulfur dioxide (SO_2); particulate matter (PM) and lead (Pb). We recognize that the Revised Draft EIS/EIR mentions air pollution's health-related effects on p. 3-27 with regard to the new standards adopted by U.S. EPA for ozone (O_3) and particulate matter 2.5 microns or less in diameter ($PM_{2.5}$), and on pages 3-27 and 3-34 regarding some toxic air contaminants (TACs). However, we believe that a clearer understanding of the Project's air quality impacts will be promoted with an expanded discussion about this topic.

When U.S. EPA adopted the new standards for O_3 and $PM_{2.5}$, it determined that the previous national standards were not adequately protective of public health. Also, in June 1998, U.S. EPA redesignated the San Francisco Bay Area as non-attainment for the federal 1-hour ozone standard. In U.S. EPA's letter announcing its final decision to redesignate the Bay Area for ozone, it stated:

> "When the federal ozone standard is exceeded, people, and in particular children, the elderly, and those with respiratory diseases, may experience ozone's ill effects, such as chest pain, cough, lung inflammation, respiratory infection, and chronic bronchitis. In light of these significant public health concerns, we believe that it is important to provide the public with accurate information and the correct message that ozone pollution is still a problem.
>
> We are compelled to redesignate the Bay Area to nonattainment because of the numerous and widespread violations of the 1-hour ozone standard, a standard that was designed to protect public health. The Bay Area's air quality during 1996 ranked as the 6th worst in the nation and for the three-year period 1995-1997, it was the 8th smoggiest of the major metropolitan areas in the country. . ." Letter by Felicia Marcus, Regional Administrator, U.S. EPA, dated June 25, 1998.

P10-2

The Revised Draft EIS/EIR (page 3-30) minimizes the Project's air quality impacts by stating that San Francisco's monitoring station on Arkansas Street showed no ozone violations between 1991 and 1996 and suggesting that there is no ozone problem in San Francisco. While there may be no ozone violations identified in San Francisco, traffic in the City contributes to ozone violations in other parts of the Bay Area. "[M]orning emissions from the San Francisco-Oakland area contributed significantly to the production of high afternoon ozone in Livermore and other downwind areas" (quote from BAAQMD's web page at www.baaqmd.gov). The HPS Project's ozone impacts should be mitigated to ensure that these impacts do not contribute to the Bay region's ozone.

In Section 4.2 of the Revised Draft EIS/EIR, it is predicted that the HPS Project's increased traffic will cause ozone precursor emissions and the Lead Agencies described these air quality impacts as significant and unmitigable. See Revised Draft EIS/EIR, p. 4-24. The Revised Draft EIS/EIR provides no discussion whatsoever as to what

mitigation measures were examined to reduce the Project's ozone impacts. The Lead Agencies have a responsibility to implement feasible mitigation to reduce the Project's potential ozone impacts. Mitigation measures for ozone are important because the BAAQMD does not have an adequate attainment plan in effect at this time for ozone.

P10-2

2. The Revised Draft EIS/EIR Fails To Describe Air Quality Emissions Modeling

Additionally, the Revised Draft EIS/EIR does not contain facts and analysis to show how the various PM_{10} predictions were derived. Air quality emissions modeling assumptions are presented for ozone and carbon monoxide in Appendix B, but no information is provided for how the Revised Draft EIS/EIR calculates PM_{10} emissions and dispersion. "The EIR must contain facts and analysis, not just the bare conclusions of a public agency. An agency's opinion concerning matters within its expertise is of obvious value, but the public and decision-makers, for whom the EIR is prepared, should also have before them the basis for that opinion so as to enable them to make an independent, reasoned judgment." *Santiago Water District v. County of Orange*, 118 Cal. App. 3d 818, 831 (4th dist. 1981). "[A]n EIR must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project." *Laurel Heights Improvement Association v. Regents of the University of California*, 47 Cal. 3d. 376 (1988).

P10-3

The Revised Draft EIS/EIR fails to provide needed data on the air quality baseline in the vicinity of the Hunters Point Shipyard and neighborhoods. In preparing an EIR, the project's impacts must be evaluated against the backdrop of the "environment." CEQA Guidelines §15063. CEQA Guidelines define the "environment" as the "physical conditions which exist within the area" including "both natural and man-made conditions." CEQA Guidelines §15360. An EIR must describe "the environment in the vicinity of the project as it exists before the commencement of the project, from both a local and regional perspective." CEQA Guidelines §15125. No air quality data is presented for the local vicinity of the Hunters Point Shipyard and neighborhoods. In fact, the only baseline air quality data presented is for the Arkansas Street Monitoring Station,

which is over 2 mile away and predominately upwind or cross wind from the Hunters Point Shipyard and Hunters Point neighborhoods. Conversely, no information is presented that would suggest a correlation or relationship between air quality at the Arkansas Street Monitoring Station and air pollutants in the Hunters Point Shipyard or Hunters Point neighborhood. If interpreted with the information presented on page 3- 26 the Arkansas Street Station most likely represents air quality from areas at least 2 ½ miles northwest of the Hunters Point Shipyard and Hunters Point neighborhoods, such as the Mission District and US 101 Freeway. The Revised Draft EIS/EIR needs to explain the relationship between the monitoring station and modeling results and justify the relevance of comparing modeling results with the ambient air quality data from the Arkansas Street Monitoring Station. The CEC 1995 report cited by the Revised Draft EIS/EIR on page 3-26 as representing HPS specific air quality is erroneous in that the cited report refers to data from the Arkansas Street Station, over 2 miles away from HPS. P10-3

The Revised Draft EIS/EIR fails to present sufficient details of the modeling analysis of PM_{10} to allow the public and decision-makers to evaluate the model data inputs, assumptions and findings in order to have some level of confidence in the model's conclusions. For the model to be usable as a way to predict future events it must, at a minimum, be demonstrated that the model can actually predict present effects from present pollution source conditions. In other words, data from actual PM_{10} data should be used as input data to the model and the model's prediction of pollutant concentrations at the receptors (where the people are located) should match actual field measurements at those locations. Additionally, it should be demonstrated how changes in model assumptions and changes in input data will effect the output. This is the only way that the results from the model can be considered meaningfully. P10-4

3. The Revised Draft EIS/EIR Fails To Identify Health Effects of Project's Particulate Matter (PM) Impacts

P10-5

Furthermore, the Revised Draft EIS/EIR's treatment of the Project's particulate matter impacts is superficial. Particulate matter, especially those related to diesel emissions, can cause severe adverse health effects and San Francisco's monitoring station

at Arkansas Street regularly identifies exceedances of the state PM standard. In 1998, the California Air Resources Board (CARB) classified diesel exhaust as an air toxic contaminant. Diesel exhaust has also been listed as a "probable" human carcinogen by the International Agency for Research on Cancer.

According to the survey of health studies conducted by the City and County of San Francisco Department of Public Health (DPH), any increase in particulate matter may cause health effects. 11/27/95 DEP letter to the California Energy Commission (CEC), attached hereto as Exhibit A. This is particularly true in this case, where the state PM_{10} standard is often exceeded during winter months in San Francisco and the rest of the San Francisco Bay Area. A DPG survey report on particulate matter health effects studies indicate that "there is no lower threshold below which...problems do not occur" and that "these effects occur at levels well below the current federal standards for PM_{10} pollution." Exhibit A at 2.

P10-5

An additional study by G.D. Thurston, summarized in the documents attached hereto as Exhibit B, suggests that PM_{10} impacts may even be more severe in San Francisco than in other locations in the country, although its ambient level is lower. Thurston suggests that residents rely less upon air conditioning in San Francisco than in other hotter communities, and therefore are more exposed to the PM_{10}, thereby increasing the impact from the level of exposure. The Revised Draft EIS/EIR should take account of this study.

The Revised Draft EIS/EIR provides a casual treatment of the Project's air quality impacts from mobile sources. For example, Table 4.2-2 (p.4-25) estimates that the Project's average weekday particulate emissions (PM_{10}) are expected to be 264.3 pounds per day for Year 2010 and 451.2 pounds per day for Year 2025. In comparison, San Francisco Energy Company's cogeneration power facility was expected to generate approximately 283 pounds of PM emissions daily. See California Energy Commission's Final Staff Assessment for the SFEC Cogeneration Project, p. 140. Thus, when the HPS Project is finally built out in Year 2025, it will produce 1.5 times the PM emissions which were predicted for SFEC's power plant. The Project's PM impacts are a critical issue because the state standard for PM is exceeded in San Francisco regularly. The Revised Draft EIS/EIR should take into consideration the greater vulnerability of Bayview-

Hunters Point residential population to additional pollution or a delay in attaining air quality standards. This vulnerability also includes a lack of access to medical care and the other complications of poverty that aggravate the impact of disease.

During the 1994-96 administrative review of the San Francisco Energy Company proposal to build a new cogeneration power plant in the Hunters Point community, the California Energy Commission examined the issue of PM emissions. According to the expert testimony submitted to the California Energy Commission on behalf of SAEJ by the Bay Area Air Quality Management District's chief statistician, Dr. David Fairley, attached hereto as Exhibit C, an increase from the SFEC proposed power plant in Hunters Point of more than 45 tons per year in PM_{10} could have resulted in 2-6 deaths in the region, with a far greater number of incidents of asthma and emphysema exacerbations. Exhibit C at 6. Using these numbers, the number of additional deaths resulting from an unmitigated Hunters Point reuse plan would be about 7 to 11 persons per year, with still greater numbers of incidents of asthma and emphysema exacerbations. (Table 4.2-2, Page 4-25). Any increase that may impact a human being and cause a serious health impact such as death, asthma attack or emphysema is so significant that it deserves a more serious consideration of mitigating efforts to offset the increased emissions.

P10-5

According to the Revised Draft EIS/EIR, the estimates for the Project's PM emissions already assume a substantial amount of ridesharing and other transit use, under the proposed Transportation System Management Plan (TSMP). This plan will be developed under an HPS Transportation Management Association (TMA) and is expected to reduce but not eliminate the significance of the PM emissions. Accordingly, HPS Project's PM impacts are considered significant and unmitigable. Besides describing the proposed TMA and TSMP as possible mitigation, the Revised Draft EIS/EIR does not provide a detailed analysis of any other PM mitigation measures that were considered but rejected as infeasible. We urge the Lead Agencies to analyze and identify possible PM mitigation measures at this stage of the planning process, and not defer this issue to the TMA and TSMP.

P10-6

4. Mitigation Measures to Reduce Air Pollution

The Lead Agencies should develop a comprehensive, effective mitigation plan (to the extent feasible, the effectiveness of the mitigation should be quantified), to reduce the Project's air quality impacts, especially motor vehicle emissions. This would require a detailed analysis of the transportation network in the Hunters Point area, including an analysis of the transportation and traffic-related air quality impacts of Hunters Point industrial facilities which are being developed by Port of San Francisco tenants (see discussion below).

The Revised Draft EIS/EIR fails to analyze mitigation measure or to provide any method of allowing decision makers to make an informed decisions about available ways to mitigate air pollution. The following are a partial list of suggestions to expand the usefulness of the Revised Draft EIS/EIR:

1. Examine the applicability of mobile source emission reduction programs implemented by other agencies, such as the New Jersey Department of Environmental Protection[1], and the U.S. Department of Energy's Center for Transportation Technologies at the National Renewable Energy Laboratory in Golden, CO[2]. P10-7

2. Seriously evaluate mitigation measures for the proposed project, including, but not limited to:

a. Retrofitting of transit buses with compressed natural gas engines;

b. Implementing pollution-based fee systems for HPS commercial tenants;

c. Including emission limits for support equipment in all lease agreements with tenants;

d. Providing matching funds for emission reduction projects implemented by HPS tenants, haulers, railroads, and other parties;

e. Provide infrastructure to support alternative fueled vehicles, including electric charging stations and CNG and LNG fueling stations;

f. Work with the BAAQMD to set up an emission trading program;

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1 Bureau of Transportation, New Jersey Department of Transportation and Control

2 U.S. DOE Running Refuse Haulers on Compressed Natural Gas, Case Study (www.afdc.doe.gov).

g. Require low-emission engines on all vehicles;

h. Provide HPS employees and residents with commute alternative-fueled vehicles choice parking and free on-site fuel and power;

i. work collaboratively with equipment vendors, engine vendors, and research organizations to develop demonstration programs and adopt successful technologies.

P10-7

C. The Revised Draft EIS/EIR Fails to Mitigate the Project's Traffic Impacts

The Revised Draft EIS/EIR provides inconsistent data on traffic. This confuses the reader and prevents a clear understanding of the assumptions used to determine the traffic impacts. For example, on page 3-21, Table 3.1-3 identifies the 1993 level of service at various intersections in the Project area. In a footnote identified by the asterisk, it is explained that a more recent study performed by the DPT (October 1997) revealed greater traffic levels at the Cesar Chavez/Third Street and Third Street/Evans Avenue intersections. There is no explanation as to why the 1993 data was used instead of the more current information.

P10-8

The Revised Draft EIS/EIR briefly mentions that the Port of San Francisco is studying the feasibility of an additional bridge for rail service across Islais Creek, but states that this bridge is not funded or programmed at this time. See Revised Draft EIS/EIR p. 3-23. This information about the Port's proposal should be updated. Based on a December 10, 1998 letter prepared by the Port of San Francisco, it is seeking $4 million in funding from the San Francisco County Transportation Authority for the proposed Illinois Street Intermodal Bridge project. See Port Letter, Exhibit D.

P10-9

Furthermore, the Port of San Francisco has several current and proposed major leases with industrial operations in the vicinity of the HPS Project area. See list provided by Larry Florin of the Port of San Francisco, dated November 25, 1998, Exhibit E. Many of the Port tenant operations involve the use of large diesel vehicles which potentially could generate particulate matter emissions. The Project's cumulative traffic and traffic-related air quality impacts in light of these Port operations should be examined in more detail.

P10-10

The Revised Draft EIS/EIR describes the cumulative traffic volumes at the Third Street/Cesar Chavez Street intersection and on U.S. 101 and I-280 Freeway segments as

significant and unmitigable impacts. See Draft EIS/EIR, pp. 4-6 and 4-7; B-28. It is predicted that some mitigation measures, including the proposed Transportation System Management Plan (TSMP), would reduce but not eliminate the cumulative traffic congestion. The Lead Agencies should not defer the analysis of the mitigation measures for traffic until an HPS Transportation Management Authority has developed the TSMP. At this stage of the planning process, the Lead Agencies should consider a range of feasible alternatives and mitigation to address the traffic impacts.

P10-11

D. Cumulative Impacts

The appropriate test for cumulative impacts requires first examining whether a standard is exceeded in the ambient atmosphere at any time during the life of the project. In this case, that is true for PM_{10} and ozone for the foreseeable future. The Revised Draft EIS/EIR properly notes that the PM_{10} standards is now being violated, and should also note that no plan for attainment of the state PM_{10} standard is in place, the federal plan for ozone has been found to be inadequate to attain the standard, and the state ozone plan does not provide for attainment of the state ozone standard by any certain date. The Revised Draft EIS/EIR seems to take the "cop out" approach and simply says that "[w]hen considered in the context of regional population and employment, the Proposed Reuse Plan and Reduced Development Alternative would contribute to cumulatively significant and unmitigable traffic impacts." Pg 5-8. As the Lead Agency responsible for project implementation under CEQA, the City of San Francisco Redevelopment Agency and the City of San Francisco, which have authority over land use, should suggest and evaluate alternative mitigation measures. CEQA Section 21002 states that "it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects. The CEQA Lead Agency in this project has the legal authority to implement local land use requirements and thereby implement feasible alternatives and mitigation measures.

P10-12

P10-13

E. Environmental Justice

The President's Executive Order 12898 requires the any federal action to evaluate environmental justice in minority and low income populations. The order directs each federal agency with an environmental or pubic health mandate to make achieving environmental justice part of its mission by identifying and addressing disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. Administrative law judges have held that EO 12898 requires agencies to employ a two part procedure whenever citizens raise an environmental justice claim. First, each agency must create early and ongoing opportunities for public involvement in the permitting decision. Second, agencies must conduct special health and environmental impact analyses focusing particularly on the minority or low-income community whose health or environment is alleged to be threatened by the facility. The Revised Draft EIS/EIR presents a very superficial and erroneous stab at this important requirement. P10-14

First, the Revised Draft EIS/EIR acknowledges on Page 5-18 that air pollutants will disproportionally impact minority and low income populations and then on Page 5-19 the Revised Draft EIS/EIR says that PM_{10} will not have a high disproportionate effect on the HPS neighborhood. These seemingly contradictory statements must be explained. Either the Revised Draft EIS/EIR is saying that an air quality impact that is significant but not "high" is allowable, or that the HPS neighborhood does not qualify as a minority or low income area. In any event the Revised Draft EIS/EIR does not explain how a "regional commute pattern" somehow offsets or mitigates PM_{10} in the HPS neighborhoods. Page 5-19. PM_{10} generated, by increased vehicular traffic, will have an effect on the HPS neighborhood, and is acknowledged in the Revised Draft EIS/EIR as up to 451 pounds per day in 2025. Page 4-25. Therefore, the Revised Draft EIS/EIR must evaluate the health and environmental impacts in an environmental justice context and not just assume it is a nonissue.

We urge you to revise the EIS/EIR to address the issues raised above. If you have any questions on this matter, please feel free to contact our office at (415) 442-6693.

Thank you for your consideration.

Sincerely,

Anne Lee Eng, Staff Attorney

Joe Como, Certified Student Clinician*

* A certified student under the State Bar Rules governing the Practical Training of Law Students (PTLS), working under the supervision of Alan Ramo and Anne Eng pursuant to the PTLS rules.

Exhibit A

Sandra R. Hernández, M.D.
Director of Health

November 27, 1995

California Energy Commission
Docket Unit
1516 Ninth Street, MS-4
Sacramento, CA 95814

RE: Docket No. 94-AFC-1

Ladies and Gentlemen:

The staff of the San Francisco Department of Public Health (DPH) has reviewed the *Presiding Members Proposed Decision on the San Francisco Energy Company's Cogeneration Project* dated October 1995. The following are our comments. These are being submitted in our role as intervenor for the siting certification process.

While the Draft Proposed Decision answers many of our earlier concerns regarding construction and operation of the project, DPH believes the most important health issue related to the siting of the San Francisco Energy Company is the air contaminants produced by this project. We cannot concur with the California Energy Commission's (CEC) proposed findings that project emissions will definitively not result in adverse health effects to the people of San Francisco and particularly to the Bayview Hunters Point neighborhood.

The Final Staff Assessment states that approximately 50 tons per year of PM_{10} will be generated by this project. CEC staff has stated that PM_{10} emissions will have a significant health impact and that they should be mitigated. DPH agrees with CEC staff that absent appropriate mitigation, these emissions can have a negative health impact.

Air quality can have an impact on respiratory illnesses, morbidity and mortality. There are multiple scientific studies which show that PM_{10} pollution is associated with numerous adverse health effects including total mortality, cardiovascular and/or respiratory mortality, hospital admissions for asthmas and respiratory diagnoses, emergency visits for asthmas and respiratory diagnoses, diary entries of asthma attacks and bronchodilator use, and decreased pulmonary function. These findings can be detected well below current EPA standards for PM_{10}. (See attached Health Effects of Particulate Air Pollution.)

DPH is not convinced that CEC staff's proposed PM_{10} mitigation measure to sod two playgrounds in the neighborhood adequately addresses health impacts in this area. Mitigating the large particulates found in the playground does not address the mitigation of combustion products which are released into the air by a variety of different sources.

DPH is extremely concerned about any net increases in sources of air pollution which may affect the health of this community and the rest of San Francisco. If the CEC allows the siting at the Port site, DPH would seek mitigation for the Bayview Hunters Point neighborhoods of both large particles and the more clinically relevant $PM_{10's}$. This mitigation can be accomplished through either the binding commitment of PG&E not to operate Hunters Point Unit's 2 & 3 after this project comes on line — or implementation of other source-reduction programs. (See attached Possible PM_{10} Mitigation Measures.)

Sincerely,

Sandra R. Hernández, M.D.
Director of Health

cc: President Arthur Jackson
Health Commission

HEALTH EFFECTS OF PARTICULATE AIR POLLUTION

Air pollution was identified as a cause of increased mortality in the first part of this century with episodes described in the Meuse Valley, Belgium in 1930.[1] Donora, Pennsylvania in 1948,[2] and several episodes in London.[3,4]

Pollutants in the air are varied both by chemical composition and by size. It is not entirely clear which components are responsible for health effects - total suspended particles, particulate matter less than 10 μm in diameter (PM_{10}) fine particles (<2.5 μm) ultrafine particles (<200 nm) sulfates, acidic aerosols, sulfur dioxide, ozone or other pollutants.

PM_{10} is a measure employed by air quality control efforts and, as such, is a commonly used measure in studies of the health effects of air pollution. More recent work suggests that this manner of measurement is too crude to accurately pinpoint the cause of health effects. It appears that particles ≥2.5 μm may have a different effect than those <2.5 μm. Furthermore, there are suggestions that ultrafine particles may be the most important pollutants[5,6] (Lipsett, oral communication). This complicates the measuring problem since weight is the way PM_{10} is measured per m^3 of air. Particles of this size weigh very little and, as such, make no significant contribution to the weight of PM_{10}. Besides particle size, there are differences in chemical composition of these particles from acidic to neutral. The role that the chemical makeup of particles plays in creating health effects is also not clear. It is possible that any particles small enough to reach the alveoli of the lungs can create serious inflammation, regardless of chemical reactivity.[5,6]

Given this understanding of the heterogenous natuure of PM_{10} as a tool to measure pollution, it becomes clear that the measured weight of PM_{10}/m^3 may include a large amount of material which actually has little or no effect on health. Nevertheless there are multiple studies which show that PM_{10} pollution is associated with numerous adverse health effects.[7-26] Indices which have been measured with regard to PM_{10} include total mortality, cardiovascular and/or respiratory mortality, hospital admissions for asthma and respiratory diagnoses, emergency visits for asthma and respiratory diagnoses, diary entries of asthma attacks and bronchodilator use, and decreased pulmonary function. More recently there have been two metaanalyses which have made the case that PM_{10} are not just associated with health problems, but that they actually cause them.[27,28]

Ostro[27] uses proposed criteria for inferring causality to examine six time series studies, including one in Santa Clara County, and a number of cross-

section studies. These criteria are: (1) consistency of the association. (2) specificity of the association. (3) existance of a dose-response curve. (4) strength of the association (5) coherence of the association with other known facts. and (6) biologic plausibility of the association. He concluded there was strong support for a causal relationship between PM_{10} and adverse health effects. although the pollutants and the biologic mechanism remained unknown.

Dockery and Pope[3] reviewed the history of work on the health effects of air pollution as well as more recent studies on morbidity and mortality. They examined recent studies for consistency (all studies reach similar conclusions) and coherency (a range of health effects measured by different methods all occur as a result of increases in PM_{10}). They found both to be present. Both Ostro and Dockery found a dose response relationship. An increase of 10 $\mu g/m^3$ resulted in

- a 1% increase in overall mortality
- a 3.4% increase in respiratory mortality
- a 1.4% increase in cardiovascular mortality (a significant number of deaths because of the absolute number of cardiovascular deaths)
- a 1-1.9% increase in hospital admissions for asthma and other respiratory illnesses
- a 2.9-3% increase in bronchodilator use and asthma attacks in asthmatics

These effects occur at levels well below the current federal standards for PM_{10} pollution. Most important. studies indicate that there is no lower threshold below which these problems do not occur.

Both authors describe consistency. specificity. dose-response. strength and coherence as being present in the analyzed studies. Therefore. what remains to prove causality is primarily a better understanding of the biologic response to PM_{10} and further study to look at qualitative differences between sources of content PM_{10} in order to improve specificity.

Seaton[7] et al propose a hypothesis to respond to the need for biologic plausibility in order to prove cause. One of the factors to be accounted for in causality is the failure to observe increases in mortality in workers exposed to dust. This paper suggests two reasons why this might be so. First. the working population is in better health. with less chronic airway disease and arteriosclerosis. and therefore is less likely to respond to exposure by dying. Second. the urban pollution cloud is predominantly small acidic particles while industrial dust clouds consist mainly of much larger particles usually formed by the abrasion of rocks.

PM_{10} is a mixture of particles of different size and chemical composition. Several studies have attempted to determine which components are responsible for the noxious effects of PM_{10}. There have been animal studies which relate particle size to toxic affects. Rats exposed to titanium oxide in 0.25 μm and

0.02 μm retain more of the ultra-fine particles. developing a marked airspace inflammatory response.[28, 29] Teflon fume particles at 30 nm in diameter have been shown to cause acute pulmonary toxicity in rats.[30] The hypothesis states that very small but chemically reactive particles in urban air pollution produce a similar reaction in humans. Further. that alveolar inflammation induced by these small particles creates a rise in plasma viscosity. fibrinogen. factor VII and plasminogen activator inhibitor which are predictive of cardiovascular disease.[31] Seaton et al[27] suggest that there are differences in the health effects produced by dust and by urban air pollution and that these differences are primarily due to particle size. Oykaynak and Thurston[32] examined the association between particle size. composition and source. and mortality. They concluded that fine particles ($\leq$ 2.5 μm)and sulfates were more consistently and significantly related to mortality rates. Total particle mass. which included coarse particles. was often not significant. Particles from industrial sources and coal combustion were apparently more significant contributors to mortality than were soil derived particles.

Ostro[33] examined the relationships between sulfates. total suspended particulates (TSP). and fine (FP) and inhalable (IP) particulates and morbidity. TSP includes particles up to 30 μm in diameter. IP are predominately under 15 μm. while FP and sulfates include particles less than 2.5 μm. The results of the analysis indicate that sulfates have the greatest association with respiratory morbidity and the other particulate measures may be associated with morbidity. The different results may be a result of different lag times to respiratory effect. Sulfates may be a surrogate measure for sulfuric acid aerosols which produce a response within one week. Other particulates have a 2-4 week lag time. These time differences may be due to different biologic responses to exposure.

Schwartz et al [34] found a PM_{10} dose dependent increase in asthma related emergency room visits. with no evidence of a threshold in Seattle. a community where 24 hour PM_{10} concentrations never exceeded 70% of the current federal ambient air quality standard.

Pope[34] said in a telephone interview with the Department about his lecture that "We're not certain if the health effects are due to particle size or chemical composition but the effects are different." (of exposure to combustion related particles compared to particulate matter from soil).

There is little question that there is an association between PM_{10} air pollution and respiratory morbidity. including asthma. and mortality. The available data also suggest a causal relationship. Asthma is the most common chronic illness in childhood.[35] From 11-12% of African American and 8-9% of White children are reported to have asthma at some point in childhood.[36] African American children are also more seriously affected by asthma: the U.S.

asthma death rate for this group was nearly six times that of whites for 1980-82: 6.38 per million children 1-19 years old versus 1.37 per million. [37-39] Asthma has also been identified as being a greater problem for inner city children, probably more associated with poverty than with race.[40]

The San Francisco Department of Health does not have good specific data with which to measure the level of asthma and other respiratory problems in the city as a whole or in Bayview Hunters Point specifically. However San Francisco has significantly higher rates for asthma mortality in white males than that for the State for the period 1983-1987. For the period 1988-1992, based on preliminary data, the rate for Latino males in San Francisco is significantly higher than for the State.[42]

Besides the general information from other populations described above we have the following limited information which suggests that there may be a problem with respiratory illnesses in Bayview Hunters Point. The most common reason for a clinic visit to Southeast Health Center, located in Bayview Hunters Point, is respiratory symptoms. Inhalers are also a larger proportion of prescriptions issued than at any other DPH health centers.

The California Energy Commission Public Health Appendix looked at 1992 hospital discharge data for San Francisco. Their characterization of Bayview Hunters Point is considerably larger than that usually understood by the community: zip codes 94110 (Mission), 94112 (Excelsior, Ingleside and Ocean View) 94124 (Bayview Hunters Point) and 94134 (Visitation Valley). They found that rates of hospitalization for bronchitis and asthma for childen less than 18 years of age in this area were significantly higher compared to the rest of San Francisco: 1.509/1000 compared to .738/1000.

References

1. Firket J. Fog along the Meuse Valley. Trans. Faraday Soc. 1936: 32:1192-1197.

2. Shrenk HH. Heimann H. Clayton GD. Gafafer WM. Wexler H. Air pollution in Donora. PAZ: Epidemiology of the unusual smog episode of October. 1948. Prelim. Rep. Public Health Bull. No. 306 1949 Public Health Serv. Washington.DC.

3. Logan WPD. 1953. Mortality in London fog incident. Lancet 1952: 264(1): 336-338.

4. Scott JA. The London fog of December. 1962 Med. Off. 1963: 109:250-252.

5. Ferin J. Oberdorster G. Penney DP. Pulmonary retention of ultra-fine and fine particles in rats. Am J Respir Cell Mol Biol 1992: 6:535-542.

6. Ferin J. Oberdorster G. Penney DP. et al. Increased pulmonary toxicity of ultra-fine particles? 1. particle clearance. translocation. morphology. J Aersol Sci 1990: 21: 381-384.

7. Durham WH. Air pollution and student health. Arch Environ Health 1974: 28:241-254.

8. Thibodeau LA. Reed RB. Bishop YMM. Kammerman. LA. Air pollution and human health: a review and reanalysis. Environ Health Perspect 1980: 34:165-183.

9. Ware JH. Thibodeau LA. Speizer FE. Colome S. Ferris BG Jr. Assessment of the health effects of atmospheric sulfur oxides and particulate matter: evidence from observational studies. Environ Health Perspect 1981: 41:255-276.

10. Ware JH. Ferris BG Jr. Dockery DW. Spengler JD. Stram DO. Speizer FE. Effects of ambient sulfur oxides and suspended particles on respiratory health of preadolescent children. Am Rev Respir Dis 1986: 133:834-842.

11. Dassen W. Brunekreef B. Hoek G. et al. Decline in children's pulmonary function during an air pollution episode. J Air Pollut Control Assoc 1986: 36:1223-1227.

12. Dockery DW. Speizer FE. Stram DO. Ware JH. Spengler JD. Ferris BG Jr. Effects of inhalable particles on respiratory health of children. Am Rev Respir Dis 1989: 139:587-594.

13. Bates DV. Sizto R. Air pollution and hospital admissions in southern Ontario: the acid summer haze effects. Environ Res 1987: 43:317-331.

14. Dockery DW. Schwartz J. Spengler JD. Air pollution and daily mortality: Associations with particulates and acid aerosols. Environ. Res. 1992: 59: 362-373.

15. Fairley D. The relationship of daily mortality to suspended particulates in Santa Clara County. 1980-1986. Environ. Health Perspect. 1990: 89: 159-168.

16. Schwartz J. Dockery DW. Increased mortality in Philadelphia associated with daily air pollution concentrations. Am. Rev. Respir. Dis 1992: 145: 600-604.

17. Schwartz J. Air pollution and daily mortality in Birmingham. Alabama. Am J. Epidemiol 1993: 137:1136-1147.

18. Pope CA III. Schwartz J. Ransom MR. Daily mortality and PM_{10} pollution in Utah Valley. Arch. Environ. Health 1992: 47: 211-217.

19. Schwartz J. Particulate air pollution and daily mortality in Detroit. Environ. Res. 1991: 56:204-213.

20. Schwartz J. Dockery DW. Particulate air pollution and daily mortality in Steubenville. Ohio. Am. J. Epidemiol. 1992: 135:12-19

21. Thurston GD. Ito K. Lippmann M. The role of particulate mass vs. acidity in the sulfate-respiratory hospital admissions association. Preprint #93-11.03. Presented at Annu. Meet. Air Waste Manage. Assoc.. 86th. June 13-18. 1992 Denver. CO.

22. Thurston GD. Ito K. Kinney PL. Lippmann M. A multi-year study of air pollution and respiratory hospital admissions in three New York state metropolitan area: Results for 1988 and 1989 summers. J. Expos. Anal. Environ. Epidemiol. 1992: 2:249-250

23. Schwartz J. Slater D. Lawson TV. Pierson WE. Koenig JQ. Particulate air pollution and hospital emergency room visits for asthma in Seattle. Am. Rev. Respir. Dis. 1993: 147:826-831

24. Samet JM. Speizer FE. Bishop Y. Spengler JD. Ferris BG Jr. The relationship between air pollution and emergency room visits in an industrial community. J. Air Pollut. Control Assoc 1981: 31:236-240.

25. Sunyer J. Sáez M. Murillo C. Castellsague J. Martinez F. Antó JM. Air pollution and emergency room admissions for chronic obstructive pulmonary disease: a 5-year study. Am. J. Epidemiol. 1993: 137:701-705.

26. Ostro BD. Lipsett MJ. Mann JK. Braxton-Owens H. White MC. Air pollution and asthma exacerbations among African American children in Los Angeles. in press

27. Ostro B. The association of air pollution and mortality: examining the case for inference. Arch. Environ. Hlth. 1993: 48:336-342.

28. Dockery DW. Pope CA III. Acute Respiratory effects of particulate air pollution. Annu. Rev. Public Health. 1994: 15:107-132.

29. Seaton A. MacNee W. Donalson K. Godden D. Particulate air pollution and acute health effects. Lancet. 1995: 345:176-178

30. Warheit DB. Seidel WC. Carakostas MC. Hartsky MA. Attenuation of perfluorcpolymer fume pulmonary toxicity: effects of filters. combustion method and aerosol age. Exp Mol Pathol 1990: 52: 309-329.

31. Lowe GDO. Laboratory investigation of pre-thrombotic states. In: Potter L. Thornston JM. eds. Thrombosis and its management. Edinburgh: Churchill Livingstone. 1993: 31-46.

32. Ozkaynak H. Thurston GD. Associations between 1980 U.S. Mortality rates and alternative measures of airborne particle concentration. Risk Analysis 1987: 7:449-461.

33. Östro BD. Associations between morbidity and alternative measures of particluate matter. Risk Analysis. 1990: 10(3):421-427.

34. Schwartz J. Slater D. Larson TV. et al. Particulate air pollution and hospital emergency room visits for asthma in Seattle. Am Rev Resp Dis 1993: 147: 826-831.

35. Pope CA III. Combustion source particulate air pollution and human health: causal association or confounding. Presented at Air and Wast Manage. Assoc. Conf. Apr. 1995 Particulate Matter Health and Regulatory Issues. Pittsburgh PA.

36. Newacheck PW. Budetti PP. Halfon N: Trends in activity-limiting chronic conditions among children: AM J Public Health 1986: 76:178-184.

37. Mak H. Johnston P. Abbey H. Talamo RC: Prevalence of asthma and health service utilization of asthmatic children in an inner city. J Allergy Clin Immuno 1982: 70:367-372.

38. National Center for Health Statistics: Vital Statistics of the United States. 1980. Vol II. Mortality. Part A. DHHS Pub. No. (PHS) 85-1101. Public Health Service. Washington. DC: Govt Printing Office. 1986: Table 1-25. p 278.

39. National Center for Health Statistics: Vital Statistics of the United States. 1981. Vol II. Mortality. Part A. DHHS Pub. No. (PHS) 86-1101. Public Health Service. Washington. DC: Govt Printing Office. 1986: Table 1-25. p 280.

40. National Center for Health Statistics: Vital Statistics of the United States. 1982. Vol II. Mortality. Part A. DHHS Pub. No. (PHS) 86-1122. Public Health Service. Washington. DC: Govt Printing Office. 1986: Table 1-25. p 280.

41. Malveaux FJ. Houlihan D. Diamond EL. Characteristics of asthma mortality and morbidity in African Americans. J. of Asthma. 1993: 30(6): 431-437.

42. California Department of Health Services. Chronic Obstructive Lung Disease. Deaths and Hospitalizations. California 1983-1987. Technical Report No. 4. February 1992: and preliminary 1988-1992 data provided by the Department of Health Services. Environmental Health Investigations Branch.

pollution

POSSIBLE PM_{10} MITIGATION MEASURES

Measure	Amount PM_{10} Mitigated	Approximate Cost
A. Permanent Closure of PG&E Hunters Point Power Plants #2&#3	Unknown (will also improve other air quality parameters)	Minimal
B. Utilize dry cooling tower for SFEC Power Plant	5.2 tons per year	$4 million
C. Institute wood burning in fireplace control program in San Francisco	Unknown	To be determined
D. Institute motor vehicle operation restriction program in San Francisco	Unknown	To be determined
E. Retrofit MUNI buses	18.1 tons per year (limited benefit)	$9.1 million
F. Retrofit NORCAL refuse trucks	50.5 tons per year (limited benefit)	$8.8 million
G. Retrofit Laidlaw school buses	1.4 tons per year (limited benefit)	$4.6 million

Exhibit B

AMERICAN LUNG ASSOCIATION.

American Thoracic Society/American Lung Association
INTERNATIONAL CONFERENCE
Seattle, Washington • May 20-24, 1995

AMERICAN THORACIC SOCIETY

George
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NEWS

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STUDY STRENGTHENS LINK BETWEEN AIR POLLUTION AND INCREASED RISK OF DEATH

SEATTLE -- A study of nine major U.S. cities has found that the acute effects of air pollution account for 2-3% of deaths. The study was presented here today at the International Conference of the American Thoracic Society/American Lung Association (ATS/ALA).

"These deaths are unnecessary," said George Thurston, Sc.D., of New York University. "This is a cause of death that we can do something about."

81-90 time series

Thurston presented data from a study of air pollution and death rates in nine U.S. cities: New York City, Atlanta, Houston, St. Louis, Chicago, Detroit, Minneapolis, San Francisco and Los Angeles. "There was no city in which we saw no effects of air pollution," Thurston said.

The pollutants most strongly associated with an increased risk of death were ozone and particulate air pollution.

Among the cities, Houston had the lowest risk of death per unit of air pollution; San Francisco had among the highest, even

microg. norm. of particle or more

higher risk per unit of pollution

(MORE)

matter such as pollens. Sources include diesel bus and truck emissions as well as ordinary automobile exhausts, industrial smokestacks, mining and construction.

Ozone is commonly known as smog. "We're seeing that there's no threshold of safety for air pollution," Schwartz said.

He estimated that if the Congress repeals the Clean Air Act, an additional 10,000 to 15,000 Americans will die due to air pollution starting in the year 2002. That is the year in which an amendment that strengthens the Act, which is gradually being phased in, is due to be in full effect.

"Air pollution continues to be a major risk factor in the development of lung disease," said Alfred Munzer, M.D., past president of the American Lung Association. "These two studies add to the body of knowledge that ultimately lay the foundation for strengthening of our clean air protections. That is very much the opposite of what is happening in Congress today."

In April, the American Lung Association released a report that estimated that 27 million American children 13 years of age or younger are potentially at risk for developing breathing disorders, such as asthma attacks, caused by exposure to ozone air pollution.

MAIN 15

Smog threatens S.F. residents, study finds

Associated Press 5/23/95

San Franciscans are at high risk of dying from air pollution-related health problems, according to two new studies released yesterday.

About 3 percent of deaths in the United States each year are associated with acute episodes of air pollution, meaning thousands of lives could be at risk if efforts to roll back clean-air laws succeed, researchers said in presenting the two studies to the International Conference of the American Thoracic Society and American Lung Association in Seattle.

In one of the new studies, George D. Thurston and others at the Institute of Environmental Medicine at New York University Medical Center compared mortality figures in nine U.S. cities during the 1980s with levels of five different air pollutants.

The analysis found that Houston residents had the lowest risk of experiencing increased mortality as pollution rose, while San Francisco residents — although they enjoyed the cleanest air overall — had the highest.

"There was no city that we saw where there was no effect from air pollution," Thurston said. Particulate matter and ozone "appeared to have the most consistent association with mortality."

The researchers also said that living in a city with a mild climate and relatively clean air doesn't necessarily mean your chances of getting pollution-related health problems are less than in a dirtier city with extreme weather.

The two studies considered statistical links between pollution levels and either hospital admissions or mortality in several American cities. Both supported earlier studies showing increased respiratory and cardiovascular problems when the levels of certain pollutants rise, said Dr. Alfred Munzer, immediate past president of the ALA.

"Over the years we have learned that the problems caused by air pollution are far worse than we had initially anticipated," Munzer said. "A recent study by the ALA showed that approximately 100 million Americans live in areas that are not fit to breathe in terms of one air pollutant alone — ozone."

The studies looked at statistics in New York, Atlanta, Houston, St. Louis, Chicago, Detroit, Minneapolis, San Francisco and Los Angeles.

One reason for Houston's lower and San Francisco's higher mortality rates, Thurston speculated, was that 90 percent of Houston residents had air conditioning, encouraging them to stay indoors and filtering out some contaminants on high-pollution days. Only about 10 percent of San Francisco residents had air conditioning, he said.

"Basically, the people in San Francisco, when pollution levels are high, have no place to hide," he said.

He noted that Los Angeles residents also had a high rate of air conditioning, and although Los Angeles "had far and away the highest pollution levels, its overall air pollution mortality risk was no higher than San Francisco's."

The second study — comparing pollution rates with hospital admissions in New Haven, Conn., and Tacoma, Wash. — found a similar possible link between risk and climate.

Tacoma has a milder climate than New Haven, meaning "you're more likely to be outdoors, you're more likely to have windows open, you're less likely to have the air conditioner on," said Joel Schwartz of the Harvard School of Public Health, who conducted the study.

Given the same level of pollutant in each city, "your exposure is likely to be higher" in Tacoma — a hypothesis borne out by more steeply increasing hospital admissions for respiratory diseases in Tacoma than New Haven when pollution worsens, he said.

The new studies add weight to evidence that many health problems in the United States are associated with air pollution.

VARIATIONS IN AIR POLLUTION-MORTALITY ASSOCIATIONS ACROSS 9 MAJOR U.S. CITIES

George D. Thurston, Charon Gwynn, and Kazuhiko Ito. Department of Environmental Medicine, New York University Medical School, Long Meadow Rd. Tuxedo, NY 10987

A number of recent analyses have indicated an association between elevated concentrations of air pollutants, including particulate matter less than 10 μm in aerodynamic diameter (PM10), and increased human mortality. Indeed, recent reviews have suggested that PM10 mortality effects are similar from place to place, despite variations in PM10 and population composition. However, few of these PM10 studies have fully considered the potentially confounding influences of other pollutants, and differing analytical methods among the papers make direct quantitative comparisons and broad conclusions difficult.

In this work, we have developed and analyzed a comprehensive and consistent database of daily air pollution, weather, and mortality data for the period 1981-1990 in multiple major cities spread throughout the 48 contiguous U.S. states. These cities, each having differing weather, pollution, and/or population characteristics, include: New York City, Atlanta, Houston, St. Louis, Chicago, Detroit, Minneapolis, San Francisco, and Los Angeles. The pollutants considered in each city include PM10, carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2) and ozone (O_3). The data were analyzed in a consistent manner, giving directly comparable time-series regression results for each pollutant. These analyses indicate varying pollutant effects across these cities. Cross-sectional differences are considered as factors in inter-city differences in pollutant-mortality associations.

INTRODUCTION

- Recent time-series studies have associated higher Relative Risks of daily mortality with exposures to particulate matter less than 10 μm in diameter (PM10).

- However, these time-series studies have usually not fully considered the potential effects of known co-pollutants (e.g. O_3) on the model estimates.

- Moreover, different models have been employed in the various analyses, complicating the process of making intercomparisons across cities.

- In this presentation, these issues are addressed as part of an NIEHS funded multi-city investigation of daily human mortality associations with acute exposures to ambient air pollution in the U.S.

KEY ISSUES

- Is air pollution associated with human mortality across these U.S. cities?
- Is the previously reported PM10 "effect" found?
- Do other pollutants contribute to the air pollution-mortality association?

DATA COLLECTION

- Daily records of daily human mortality and environmental measurements were procured for 9 U.S. major metropolitan areas in the U.S. for the period 1981-1990.

- These cities were selected to include a variety of climates throughout the U.S. The metropolitan areas chosen were: Atlanta, GA; Chicago, IL; Detroit, MI; Houston, TX, Los Angeles, CA; Minneapolis- St. Paul, MN; New York City, NY; St. Louis, MO, and; San Francisco, CA (See Figure 1).

- All individual mortality records in the U.S. (roughly 2 million per year) were obtained from the National Center for Health Statistics. These allowed the compilation of daily mortality counts, by cause and subject category (e.g. race) for each metropolitan area of interest.

- All hourly weather records were obtained for this period for each city from the U.S. Weather Bureau's (NOAA's) records collected at major airports in each city of interest.

- All air pollutant measurements made in each of these cities during decade 1981-1990 were obtained from the U.S. Environmental Protection Agency, allowing the computation of spatially-averaged daily ambient concentrations of: PM10, O3, CO, SO2, and NO2.

- All sites were regressed on all other sites, by pollutant. These regression fits were used to "fill" in missing site values (when other sites were available) before computing spatial averages.

BASE MODEL DEVELOPMENT

- The statistical analysis was initiated by an exploratory investigation of the weather-mortality relationship for inclusion in subsequent pollution-mortality time-series analyses.

- Two quadratic temperature terms were employed: one for "Heat" effects (the square of the same-day temperature excess above a city-specific temperature threshold); and one for "Cold" effects (the square of the two day lagged temperature deficit below the city-specific temperature threshold).

- Interaction terms for extreme heat/humidity and for cold/dry were also included in the model.

- Other variables included in the Basic model were:
  - -five sine and cosine waves of various periodicities (ranging from 1 month to 2 years), to address long-wave variations in the data;
  - -day-of-week and year dummy variables, and;
  - - a time-trend variable.

REGRESSION APPROACH

- To address possible small count effects , Poisson regression models were employed.

- To the Basic Poisson model, each air pollutant was added individually, by city, to assess their respective associations with total daily mortality.

- To allow intercomparisons across pollutants, all analyses were limited to sampling days when data for the most limited pollutant (i.e. PM10) were available in each city.

- In order to investigate the robustness of the relationships, co-pollutant models were also investigated (in each city having more than 1000 observations).

1981-1990 Mean/Maximum Summary Statistics for Key Environmental Variables in Nine U.S. Cities

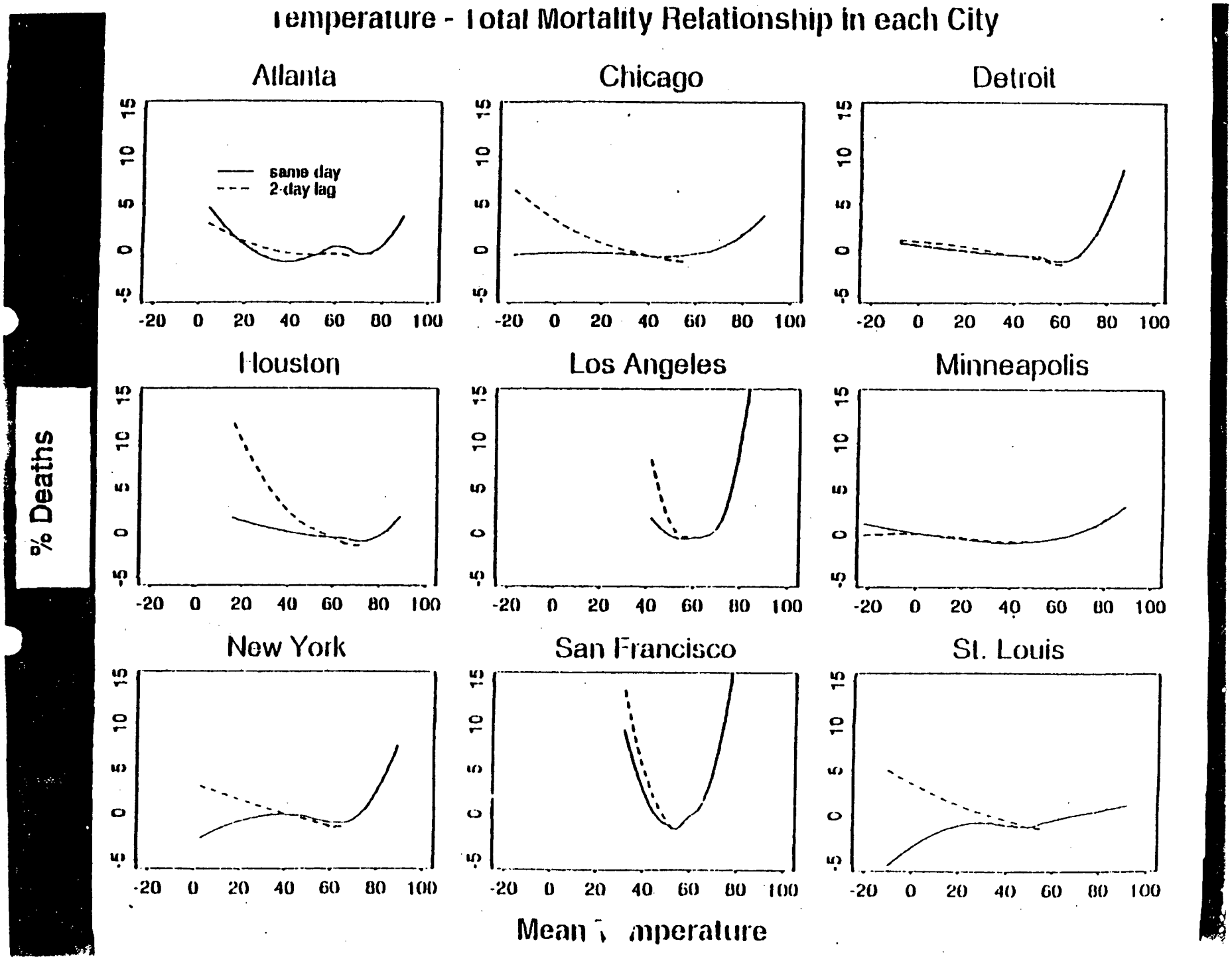
	Atlanta	Chicago	Detroit	Houston	Los Angeles	Minneapolis	New York	Saint Louis	San Francisco
PM10 ($\mu g/m^3$)	43 / 111 (283)*	40 / 128 (1587)	37 / 107 (1348)	40 / 267 (1223)	59 / 177 (364)	31 / 121 (1777)	32 / 86 (329)	41 / 141 (1569)	30/139 (291)
O3 (ppb)	57 / 172 (2736)	38 / 152 (3652)	39 / 139 (3288)	54 / 270 (3652)	72 / 280 (3652)	41 / 115 (3636)	41 / 200 (3652)	46.3 / 171 (3644)	29 / 131 (3652)
SO2 (ppb)	31 / 331 (3523)	25 / 109 (3635)	29 / 143 (3649)	20 / 140 (3540)	13 / 64 (3652)	12 / 152 (3189)	30 / 165 (3652)	35 / 226 (3644)	6.7 / 80 (3417)
NO2 (ppb)	43 / 124 (3108)	41 / 134 (3555)	41 / 179 (2931)	39 / 137 (3613)	85 / 287 (3652)	36 / 474 (2632)	58 / 373 (3205)	41 / 129 (3652)	39 / 124 (3652)
CO (ppm)	2.8 / 13 (3426)	2.2 / 14 (3631)	2.6 / 18, (3650)	2.4 / 14 , (3652)	4.8 / 19 (3652)	3.6 / 18 (3385)	2.3 / 15 (3627)	2.4 / 10 (3652)	3.0 / 11 (3652)
Daily Mean Temperature (°F)**	4 / 89 (3652)	-18 / 89 (3652)	-8 / 87 (3652)	16 / 89 (3652)	42 / 86 (3652)	-22 / 89 (3652)	3 / 89 (3652)	-10 / 92 (3652)	32 / 78 (3652)

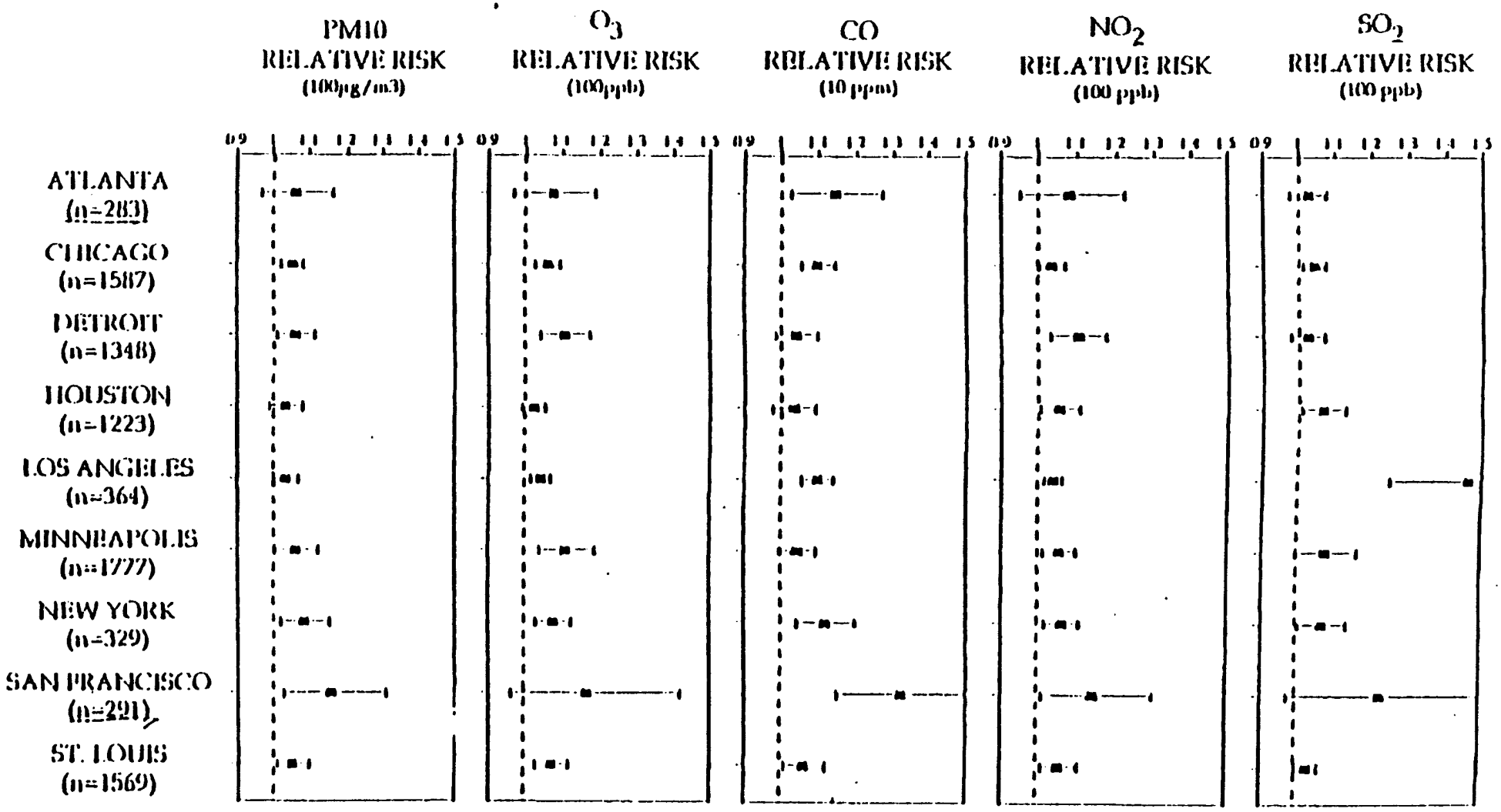
* No. of Sample Days during 1981-1990 in parentheses.

** Min/Max of Daily Mean Temperature

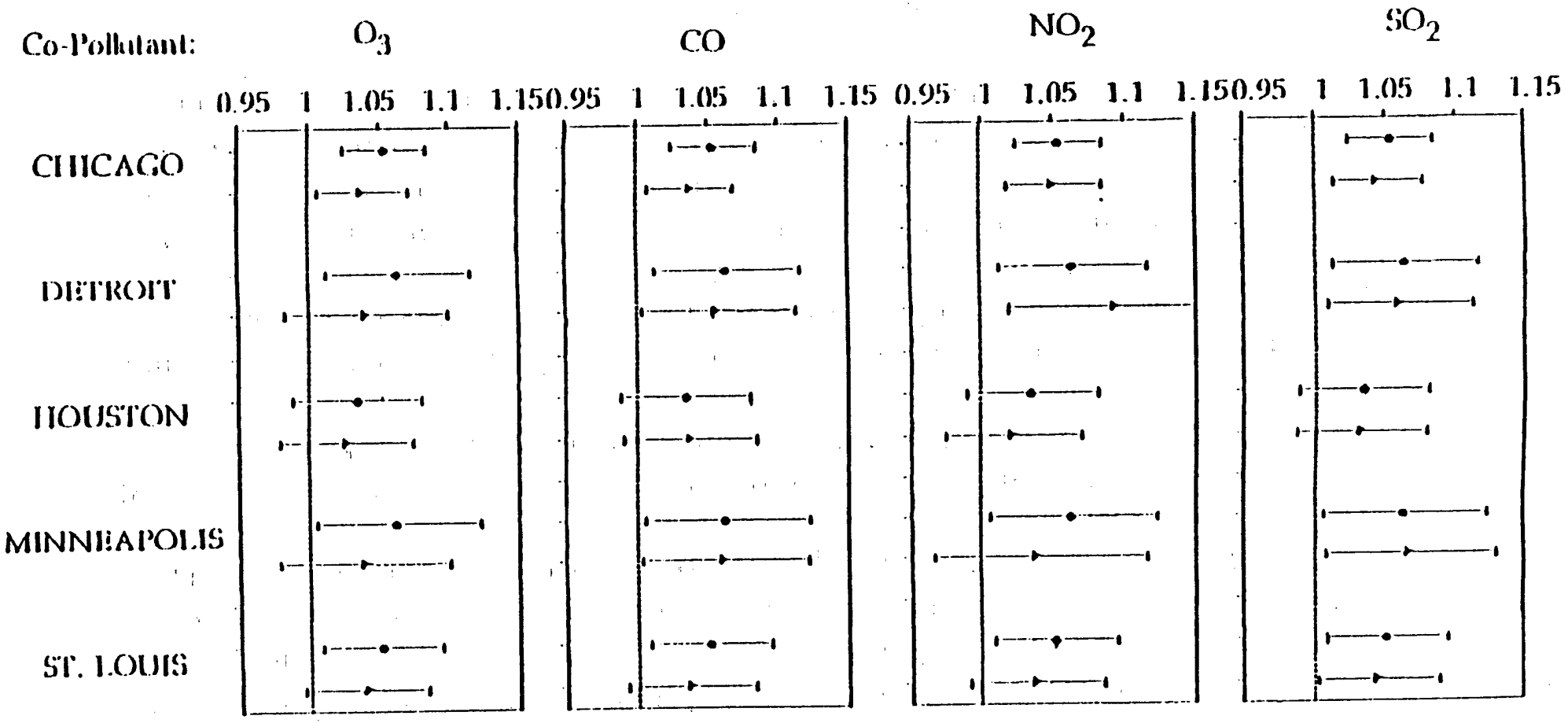
Socio-Demographic Characteristics of Study Cities

	ATLANTA	CHICAGO	DETROIT	HOUSTON	LOS ANGELES	MINN.-ST.PAUL	NEW YORK CITY	ST. LOUIS	SAN FRANCISCO
Study Area	MSA	Cook County	Wayne County	PMSA	LA County	PMSA	PMSA	MSA	PMSA
1990 Population (Millions)	2.9	5.1	2.1	3.3	8.9	2.5	7.3	2.5	1.6
Total Daily Mortality	40	117	49	42	149	39	181	56	33
Respiratory Daily Mort.	3.3	8.8	3.5	3.1	12.6	3.5	13.5	4.6	3.2
Circulatory Daily Mort.	19	59	25	19	77	18	94	28	15
Percent African-American	25	26	40	18	11	3	29	17	8
Percent Poverty	10	14	20	15	15	8	19	11	9
Percent > 65 Yrs.	8	12	12	7	10	10	13	13	13
1980 % A/C	71	61	43	91	41	61	46	81	9


Temperature - Total Mortality Relationship in each City
Atlanta
Chicago
Detroit
Houston
Los Angeles
Minneapolis
New York
San Francisco
St. Louis
same day
2-day lag
% Deaths
-5
0
5
10
15
-20
0
20
40
60
80
100
Mean Temperature

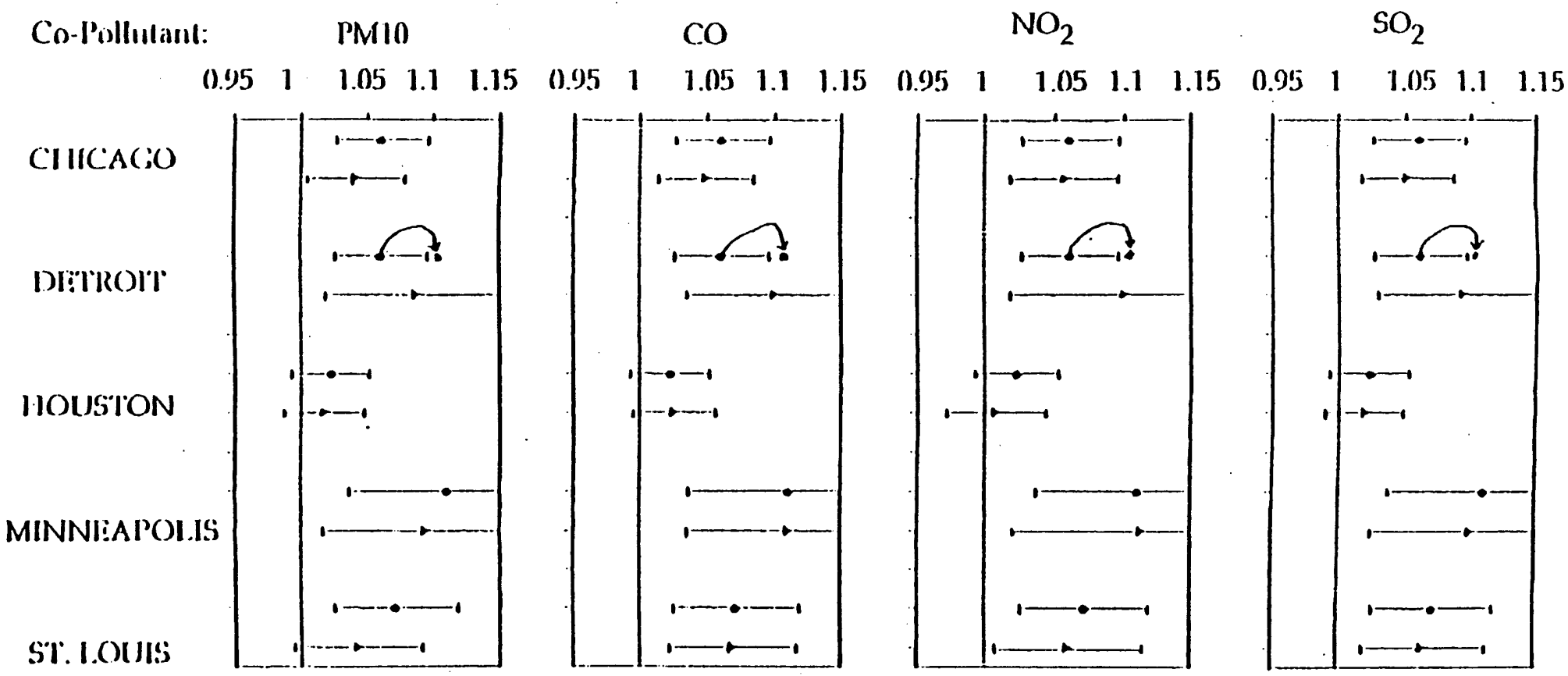


Single Pollutant Model Estimates of the Daily Total Mortality Relative Risk of Increases in the Concentrations of the Individual Pollutants



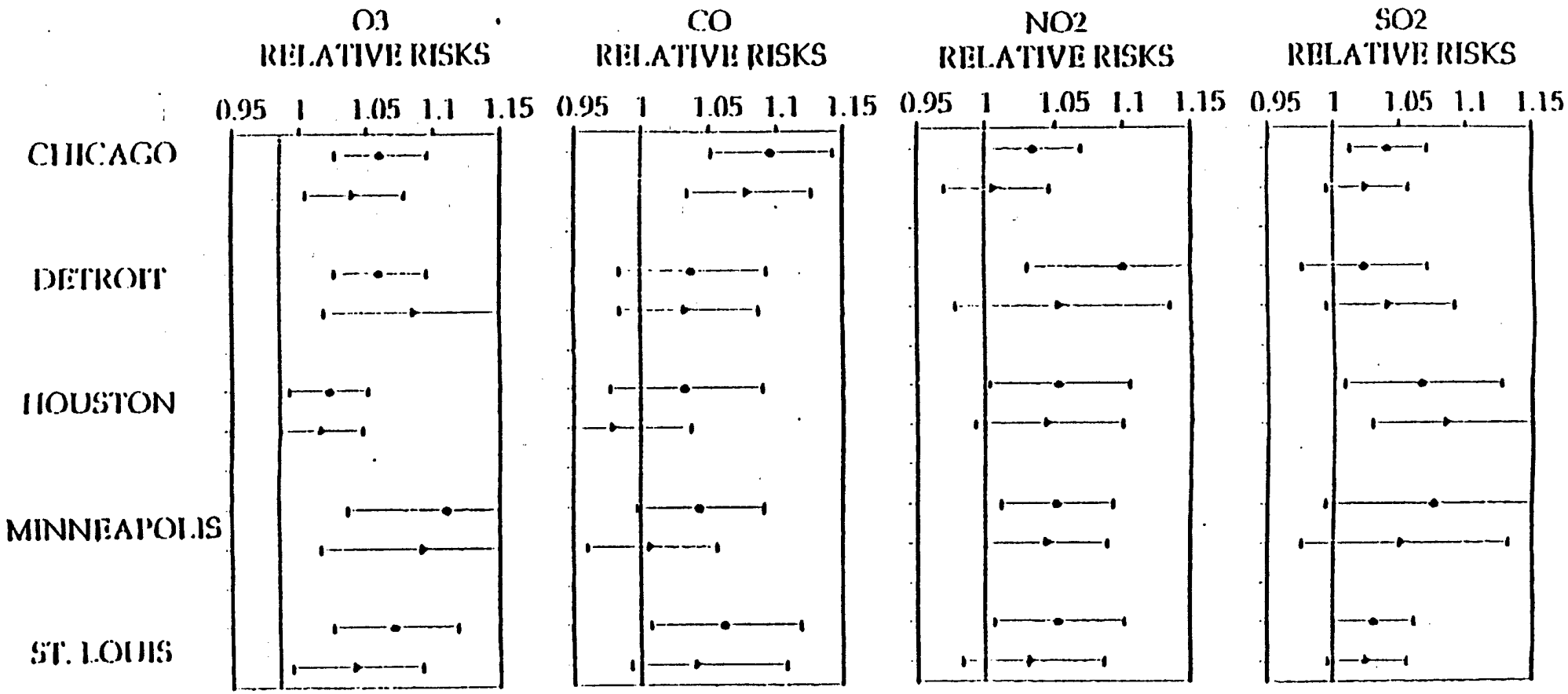
PM10 Total Mortality Relative Risk Estimates: Without and With Other Pollutants

- PM10 RR Alone
- PM10 RR with Co Pollutant



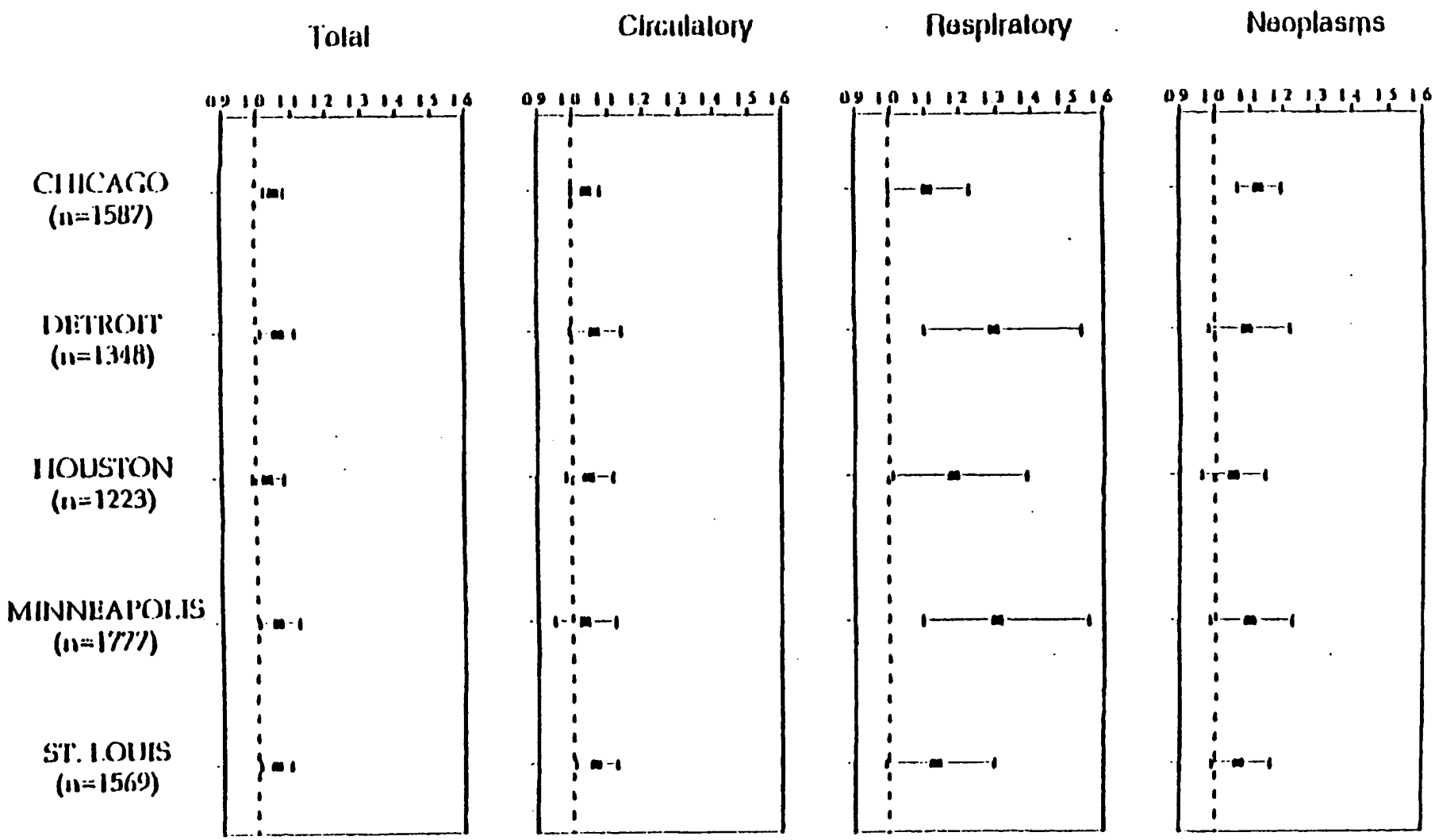
Ozone Total Mortality Relative Risks Estimates: Without and With Other Pollutants

- O_3 RR Alone
- O_3 RR with Co Pollutant



Gaseous Pollutant Total Mortality Relative Risk Estimates: Without and With PM10

- ● RR Without PM10
- ▲ RR With PM10



Cause-Specific Relative Risks per 100 μg/m3 increase in PM10 for 5 cities.

DISCUSSION

- All the air pollutants considered showed total daily mortality Relative Risks which were nearly always greater than 1, and usually significantly so, when considered individually. This indicates that there is an adverse effect by present day ambient air pollution on human mortality in cities throughout the U.S.

- However, when considered individually, each pollutant is clearly acting to some extent as an index of an overall air pollution- mortality association.

- Thus, it is not clear from such individual pollutant analyses how much of this total "effect" can be ascribed to the particular pollutant considered in the model.

- The two-pollutant models indicated that the PM10 Relative Risk estimate was reduced somewhat by the inclusion of other pollutants. O3 had the most consistent effect on the PM10 RR estimate, lowering it about one-third, from a 5-city single pollutant model 100 $\mu g/m^3$ PM10 mean RR=1.053 to a two pollutant model PM10 mean RR=1.036.

- Of the pollutants considered, PM10 and O3 appeared to have the most consistent associations with mortality.

- Of the by-cause mortality associations, respiratory deaths usually yielded the largest Relative Risks, which is consistent with the biological plausibility of an air pollution effect.

- Of the cities considered, Houston generally had the lowest environmental-mortality associations. This may be because of the high percentage of air conditioned homes (reducing infiltration of outdoor air pollution), or perhaps in part to the lower percentage of persons older than 65 in Houston.

Exhibit C

ENVIRONMENTAL LAW AND JUSTICE CLINIC • SCHOOL OF LAW

September 8, 1995

Sally Rakow
Vice Chair and Presiding Member
CALIFORNIA ENERGY COMMISSION
1516 9th Street
Sacramento, CA 95814-5512

Charles R. Imbrecht
Chairman and Second Member
CALIFORNIA ENERGY COMMISSION
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Sacramento, CA 95814-5512

RE: San Francisco Energy Company's Site Remediation And PM 10 Mitigation Issues Listed In The Committee's Order Dated August 7, 1995.

Dear Commissioners:

Enclosed please find the testimonies of Dr. David Fairly and Peter Strauss for the hearing scheduled for September 12, 1995, in regard to site remediation and PM 10 mitigation issues listed in the Committee's order dated August 7, 1995. If you have any questions regarding the enclosed material, please do not hesitate to contact me.

Very truly yours,

Alan Ramo
Attorney for Intervenor
Morgan Heights Homeowners Association

Enclosure
cc: Service List

MAILING ADDRESS 536 MISSION STREET • SAN FRANCISCO CA • 94105-2968
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TESTIMONY OF DR. DAVID FAIRLEY

I. INTRODUCTION

Q. Dr. Fairley, please state your name, employment and qualifications.

A. My name is David Fairley. I am currently the statistician for the Bay Area Air Quality Management District, which has responsibility for the regulation of stationary sources of air pollution in the San Francisco Bay Area. I have been employed by the District since 1987. Prior to that time I was an assistant professor of statistics at Ohio State University from 1982 through 1987. I graduated from Stanford University with a Ph.D. in 1982, and previously received a BA in philosophy and an MA in mathematics from San Francisco State University. A full curriculum vitae listing my qualifications is attached as Appendix I.

Q. Dr. Fairley, are you testifying today as a representative of the Bay Area Air Quality Management District.

A. No. I am testifying as a concerned citizen.

Q. Dr. Fairley, would you briefly describe your background and experience with the pollutant, Particulate Matter less than 10 microns, also known as PM_{10}.

A. My work for the Bay Area Air Quality Management District has focused upon PM_{10} since 1991. I have conducted studies analyzing the concentrations and composition of Bay Area PM_{10}, including a review of data from all Bay Area monitoring stations, and studies analyzing the sources of PM_{10} based on special studies of wintertime PM_{10}. My studies have included a review of the relationship between PM_{10} concentrations and health impacts in the Bay Area, and a study estimating the economic benefits to health of reducing PM_{10} concentrations to the California

standard. My paper, "The Relationship of Daily Mortality and Suspended Particulates in Santa Clara County, 1980-1986," *Environmental Health Perspectives* 1990, is one of the papers being used to re-evaluate the federal PM_{10} standard, and is among those used by the CEC in its Air Quality Valuation Model. I have reviewed papers and consulted on PM_{10} issues including with CEC staff. I have presented papers on PM_{10} analysis and health effects at various technical conferences, including "Mortality and particulate exposure in Santa Clara County, California, CA 1980-86", presented at the EPA PM_{10} Workshop, at Raleigh, North Carolina in November, 1994.

Q. As part of your studies, did you review the available medical and scientific literature on PM_{10} emissions.

A. As part of my analysis and my work, I have had to review and analyze the leading medical, scientific, technical and governmental agency published literature regarding PM_{10} in order to develop my studies concerning the health impacts from PM_{10} and the economic health benefits of controlling PM_{10} emissions.

Q. Are you also familiar with the regulatory programs of the US Environmental Protection Agency, the State Air Resources Board and the Bay Area Air Quality Management District for control of PM_{10} emissions.

A. In the course of my work I have become knowledgeable about state and federal air quality standards. I have some knowledge of the District's regulatory programs.

II. PM_{10} MITIGATION STRATEGIES FOR THE SAN FRANCISCO ENERGY COMPANY

Q. Have you reviewed the Committee's Order of 8/7/95 regarding in part its further questions regarding the use of mobile sources to mitigate the San Francisco Energy Company.

A. Yes. I have reviewed the order.

Q. Are you also familiar with the park resodding mitigation approach proposed by the Company to mitigate project PM_{10} emissions.

A. Yes. I have reviewed Gary Rubenstein's prepared direct testimony and his document entitled "PM_{10} Emission Reductions Shoreview Playground."

Q. Do you believe reducing emissions of geological material would be an appropriate equivalent mitigation for power plant emissions, provided that the tonnages matched.

A. There is majority agreement, though not unanimity, that fine PM (often defined as particulate matter less than 2.5 microns in diameter), has a greater health impact than coarse PM. Based on this majority view, EPA staff plans to recommend that the EPA promulgate a $PM_{2.5}$ standard[1]. Power plant PM_{10}, like other combustion-based PM, is thought to be almost entirely fine PM, whereas geological PM_{10} is mostly coarse. Measurements made at the District San Jose-4th St. site indicate that more than 90% of the geological PM_{10} is in the coarse fraction. This suggests that combustion-based PM is more of a health hazard than geological dust.

Q. Do you believe mobile source PM emissions would be an appropriate equivalent mitigation for power plant PM emissions.

A. If the same people were exposed to both, I would say the answer is yes, as both consist mainly of fine PM. In fact, diesel exhaust appears to be highly carcinogenic, very possibly more so than power plant PM_{10}. The only difficulty is that the residents with the highest power plant exposure are not necessarily the same ones who would have their exposures reduced by switching buses from diesel to a cleaner fuel. On the other hand, it is likely that all residents would receive some benefit from reduction of

[1] Communication from Eric Smith, EPA-OAQPS, 9-95.

diesel exhaust, and a prime group of beneficiaries may be children, who tend to be outdoors more and who ride the bus more.

Q. How would you assess the appropriate mobile source mitigation for the project.

A. First, it is important to understand the potential health impacts from the project. Attached as Appendix II is my summary of studies on health effects from PM_{10} emissions. These studies show strong, consistent associations at levels below the current federal PM_{10} standard. No other criteria pollutant measured by the Bay Area Air Quality Management District (BAAQMD), including ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, and airborne lead, shows the range and severity of health effects at concentrations found in the Bay Area.

Q. How significant is the PM_{10} that the SF Energy power plant would generate.

A. Many people in the air pollution field consider natural gas a "clean" fuel[2]. But the quantity of natural gas combusted by a large power plant is enormous. For example, in 1993, an average San Francisco household using natural gas used 68 million BTU's annually. This power plant would burn 1,790 million BTU's *per hour*. Thus, the power plant would use as much natural gas in less than 3 minutes as typical household uses in a year. It would use almost as much as all San Francisco residents put together.

This much combustion produces substantial quantities of air pollution, including particulates. Everyone knows how fireplaces generate lots of smoke. A typical evening fire produces about ½ pound of PM_{10}, assuming about 20 pounds of wood burned (Larson and Koenig 1993). Thus, every day the power plant would emit as much PM_{10} as 500 typical fireplaces. Conventional wood stoves produce PM_{10} at a rate of 15-20 gm/hour (Burnett et al. 1990). Burning continuously, this would produce

[2] Of course, this refers to the local effects of combusting natural gas, not to carbon dioxide, the major greenhouse gas.

about 1 pound a day. Thus, the power plant would emit as much PM_{10} as 250 wood stoves burning continuously. Based on the EMFAC7F model, in the Bay Area on a typical summer day there are 1,838 urban diesel buses averaging 106 miles per day and producing 1,180 pounds of PM_{10}. Thus, the power plant would emit as much PM_{10} as 389 urban buses. This model also predicts that the 47,532 diesel cars in the Bay Area would produce 960 pounds per day. Thus, the power plant would emit more PM_{10} than 12,000 diesel cars, driven an average of 22 miles each.

Q. How much would this affect Bay Area PM_{10} concentrations.

A. Unfortunately, it is impossible to provide a direct estimate because the emissions from several major PM_{10} sources are poorly estimated. In particular, the emissions inventory lists dust kicked up by tires as the major source of Bay Area PM_{10}. Recent analysis based on analyzing particulates sampled directly from the air suggest that only 10% to 15% of Bay Area PM_{10} comes from any geological source, not just motor vehicles, but construction, farming, dust from open fields, etc. Therefore, it is very likely that the emissions inventory drastically overestimates this source.

On the other hand, emissions from combustion of fossil fuels are likely to be better estimated, enough to provide a rough estimate of the marginal contribution from this power plant. Based on the BAAQMD emissions inventory, fossil fuel combustion accounts for about 26 tons per day of PM_{10}. This includes contributions from motor vehicles, off-road vehicles, and residential and power plant natural gas combustion. The proposed power plant produces a bit more than 1/8 of a ton of PM_{10} per day, or about 1/200th of total fossil fuel emissions. Fossil fuel emissions constitute 10% to 15% of Bay Area PM_{10} concentrations, based on recent source apportionment analysis. Therefore, the power plant would increase Bay Area PM_{10} concentrations by between 2 in 4000 to 3 in 4000.

This is not meant to imply that the emissions from this power plant would be evenly distributed. Modeling results show that the increase in PM_{10} at some locations near the power plant could be 10% or more under certain conditions.

Q. What would be the health impacts from the plant.

A. The most serious PM_{10} health impact is increased mortality. Two recent studies found that communities with higher average PM_{10} concentrations had higher mortality rates, after adjusting for other factors like smoking, age, occupation, and so on. The two studies estimated that mortality would increase .3% and .7%, respectively, for an increment to average PM_{10} of 1 $\mu g\ m^{-3}$. The average annual PM_{10} concentration in the Bay Area is about 30 $\mu g\ m^{-3}$, so the power plant would increase that average by about 30/2000 = 0.015 $\mu g\ m^{-3}$ to 30(1.5)/2000 = 0.0225 $\mu g\ m^{-3}$. This suggests an increase in the mortality rate between 0.0045% to 0.0158%. Between 1990 and 1992, an average of 42,000 Bay Area residents died annually. Thus, the two recent studies of particulates and mortality would predict that the power plant would result in an increase of 2 to 6 deaths per year. It should be pointed out that these studies do not prove a *causal* relationship between PM_{10} and mortality, only an association. Nevertheless, they fit into a large body of evidence that suggests PM_{10} is responsible for a variety of serious health effects at levels below the current federal standard. Critics of this causal hypothesis have been unable to find a fatal flaw and they have failed to come up with an alternative hypothesis to explain the results of these studies.

PM_{10} is associated with many other serious health effects, including increased asthma attacks, emergency room visits, hospital stays, and respiratory disease. That the power plant might increase mortality signals that it could adversely affect the health of Bay Area residents in these other ways also.

Q. What are the health impacts of the total PM_{10} levels with this project included in the San Francisco Bay Area.

A. The current California standard is 50 $\mu g/m^3$. To reach this standard, Bay Area PM_{10} would have to be reduced by 10 $\mu g/m^3$ on the average. Based on the mortality studies mentioned above, this would imply a drop in mortality rates from 3% to 7% or a drop in the number of deaths per year between 1,260 and 2,940 deaths per year Bay Area-wide.

Q. Based upon these health impacts what does that suggest as a mobile source mitigation strategy for this facility.

A. Any mobile source mitigation strategy should assure that at least an equal amount of combustion emissions are removed as are emitted from the power plant. Assuming the same general location as the power plant, that means that an equivalent of 389 diesel buses would have to be converted to another source with zero emissions. Depending upon the general location of the mobile sources, additional mobile source emissions may have to be eliminated. It should be emphasized that any such tradeoff may not totally mitigate the power plant's impacts since the average PM_{10} concentrations of residents downwind of the power plant may still experience an increase in their PM_{10} exposure.

Q. How would this kind of mitigation compare to the proposed mitigation of resodding playground dust?

A. To answer this question, one first has to have an appropriate measure of the amount of PM_{10} emitted from the selected playgrounds in San Francisco. San Francisco Energy has made a number of questionable assumptions about the overall benefits from resodding in two parks, with the bias consistently favorable to themselves. What follows are alternative calculations based in part on a discussion with Dr. Dale Gillette, one of the scientists upon whose work the AP-42 guidelines are based:

Assumption	SF Energy	Alternative
Windspeed at 10 m above park as % of Hunter's Point met. tower[a]	100%	75%
Roughness height[b]	.5 m	.1 m
Threshold friction velocity[c]	38 cm sec	50 cm sec
Percent of area-days playgrounds disturbed[d]	100%	20%
Correction for existing cover at Shoreview Playground[e]	20%	10%
Estimated annual emissions	102,224 lb	590 lb
Estimated winter (Jan. Nov & Dec) emissions	12,920 lb	15 lb

[a] The playgrounds are surrounded by obstructions to the wind: buildings, dirt embankments and trees. The Youngblood Coleman playground lies immediately next to a 30 or 40 meter hill. In contrast, the Hunter's Point meteorological tower is virtually unobstructed.

[b] The surface roughness height that SF Energy assumes corresponds to 2-story obstructions on all sides of both parks. In fact, the obstructions on several sides, including dirt embankments and trees are one story or less. The .1 factor is for obstructions between 1 and 2 stories. Dr. Gillette suggested that the roughness height was at most .1.

[c] The friction threshold that SF Energy assumes is based on powdered desert soil. The dirt of these playgrounds is clotted, creating a higher threshold. Based on a photograph of the soil, Dr. Gillette suggested a value of 50 cm sec. for the Youngblood Coleman Playground.

[d] SF Energy assumes that every square inch of both playgrounds will be disturbed every day, except rainy days. Even on days of maximum use, 100% disturbance is unlikely, and there are many days, like school days and days when the field is wet from watering or previous rain where the disturbance would be less or even zero.

[e] Dr. Gillette said that the grassy part of the Shoreview Playground would generate essentially no dust, only the bald spots, which make up about 10% of the total.

Q. As a result of this calculation, how many playgrounds would have to be resodded to achieve a 50 ton per year reduction in PM_{10}.

A. If one used what I consider the more reasonable assumptions described above, that suggests at least 170 such playgrounds would have to be resodded. That compares with the 389 diesel buses I estimated produce an equivalent amount of PM_{10} as does the power plant. To put it another way, the proposed mitigation by the applicant is equivalent in amount of total PM_{10} to 2 to 3 diesel buses. Moreover, there is essentially no benefit from resodding during the winter when PM_{10} is the greatest problem. On high PM_{10} days, the winds are calm and insufficient to overcome the threshold friction velocity.

Q. Is there additional evidence that resodding playgrounds would not provide adequate mitigation.

A. Based on careful analysis of the sources of ambient PM_{10}, it appears that for the Bay Area, geological dust makes up 10% to 20% of PM_{10} on high PM_{10} days. One site, Bethel Island, has the lowest geological levels even though it has a gravel parking lot next to it. There is a correlation between geological dust and motor exhaust across the four sites studied. For example, San Francisco's PM_{10} consisted of 16% geological and 16% fossil fuel, whereas Bethel Island's PM_{10} consisted of 9% geological and 6% fossil fuel. Geological dust and fossil fuel track during the day also, higher during commute periods. In other words, not only does geological dust constitute at most about 20% of wintertime PM_{10}, but much of that is probably due to dust entrained by motor vehicles. Indeed on the winter cool, still days when PM_{10} violations occur, one might not find any emissions of fugitive dust from these playgrounds. Attached is a plot of PM_{10} versus windspeed for San Jose during the high PM_{10} months (November, December and January). There is a clear, strong negative correlation between PM_{10} and wind speed. All days with PM_{10} over 80 $\mu g/m^3$ have winds below 4 miles per hour; with rare exceptions, days with winds above 4 miles per hour meet the state PM_{10} standard of 50 $\mu g/m^3$.

Q. Are there any advantages to resodding the playgrounds.

A. The only advantage of this mitigation strategy may be the reduced cost to the city, depending upon how many parks have to be resodded and maintained.

Q. Does it make any difference in your opinion regarding the alternative mitigation proposals that they are supplementary to existing air quality requirements implemented by the Bay Area Air Quality Management District and the State Air Resources Board.

A. No. The District has some of the strictest stationary source requirements of any areas that do not violate the federal PM_{10} standard, but it does not have in place a strategy for attaining the state PM_{10} standard. Indeed, unlike ozone and carbon monoxide, local air districts are not required to develop plans to meet the California PM_{10} standard. The federal government does require regions to meet its PM_{10}

standard. but the Bay Area currently has not been declared a non-attainment area for this standard. The Bay Area has registered no violations of the federal standard for several years. although violations could occur under the appropriate weather conditions.

For the past two decades. air quality regulators have focused attention on reducing ozone. and to a lesser extent. carbon monoxide. lead and sulfur dioxide. Particulates have been something of a stepchild. The state does not require compliance with its standard and the EPA is just reviewing their standard and only after being successfully sued by the American Lung Association to do its job. As it is. they are scheduled to promulgate a new standard in January of 1997. and the BAAQMD will not be required to have a PM_{10} reduction plan in place for several years thereafter.

Thus. regulation lags behind widespread concerns about PM_{10} health effects. Here is a quote from a California Air Resources Board staff report prepared for the legislature:

> Perhaps the most important gap [in state regulations] is that current control efforts do not provide appropriate emphasis on the public health problems caused by PM_{10}. The national PM_{10} standards are not set at levels that fully protect the public from serious adverse health effects. Current controls give no priority to reducing public exposure to the most damaging components of PM_{10}. particularly the small particles less than 2.5 microns in diameter and those particles whose chemical nature makes them particularly dangerous. ARB Technical Support Division (1991). Prospects for attaining the state ambient air quality standards for suspended particulate matter (PM_{10}), visibility reducing particles, sulfates, lead, and hydrogen sulfide. Report to the California state legislature. April 11. 1991. pg 5.

In my opinion. the current regulatory policy provides no basis for reducing the PM_{10} mitigation requirements for this facility.

DAVID FAIRLEY
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Bay Area Air Quality Management District
939 Ellis St., San Francisco, CA 94109

Background Information

Education

Swarthmore College, Swarthmore, Pennsylvania
San Francisco State University, B.A., 1974, M.A., 1976 (Mathematics)
Stanford University, Ph.D., 1982 (Statistics)

Dissertation

"Airborne Oak Pollen Levels in the Bay Area." A statistical study of environmental influences on the production of oak pollen. (See Publications below.)

Professional Experience

Employment

Statistician, Bay Area Air Quality Management District 1987-present
Assistant Professor, Department of Statistics, Ohio State University, 1982 - 1987
Lecturer, Department of Statistics, Stanford University, 1981-1982.
Teaching Assistant, Department of Statistics, Stanford University, 1977-1981.

Recent Talks

"PM_{10} source apportionment for the SF Bay Area." Presentation to the BAAQMD Technical Advisory Committee, 5/10/95.

"Relationship of daily mortality to suspended particulates in Santa Clara County 1980-86." EPA PM_{10} Workshop, 11/9/94.

"Evidence of health effects from airborne particulates." Santa Clara County Medical Association 9/21/94.

"PM10 source apportionment in the San Francisco Bay Area." San Jose State University, 12/2/93.

"Limits of trend detection for ambient air quality data." American Statistical Association annual meeting, 8/93

"Has the Bay Area attained the ozone standard?" American Statistical Assn. Chapter meeting, 3/16/93

"Estimating extreme percentiles of air contaminant distributions in the Bay Area." U.C. Berkeley, 10/13/92

"How close is the Bay Area to meeting state and federal air pollution standards?" Stanford University, 1/24/92

"Progress toward attaining the ozone standard: trends in peak concentrations versus trends in population exposure." Environmetrics Conference, 11/8/91

Publications

"Photochemical Model Bias: Is It Real or Is It a Statistical Artifact?." *Journal of the Air and Waste Management Association*. Vol. 43. #3 (1993)

"Rethinking the Ozone Standard." with Charles Blanchard. *Journal of the Air and Waste Management Association*. Vol. 41 #7 (1991)

"The Relationship of Daily Mortality to Suspended Particulates in Santa Clara County, 1980-1986." *Environmental Health Perspectives* Vol 89 159-168 (1990)

"Some Ramification of a Bound on the MSE of a Prediction." with Dennis K. Pearl and Joseph S. Verducci. *Sankhya: The Indian Journal of Statistics* Volume 62. Series B. Pt. 1 (1990)

Comment to "Extreme Value Analysis of Environmental Time Series: An Application to Trend Detection in Ground-Level Ozone." by Richard L. Smith. *Statistical Science*. Vol 4 No. 4 (1989)

"The Carbon Dioxide Rate of Rise in Awake Apneic Humans" with M. Christine Stock, MD. et. al. *Journal of Clinical Anesthesiology* Vol 1. No. 2 (1988)

"Estimated Public Welfare Quality Control Error Rates and Penalties." with William B. Fairley. *Bayesian Statistics 3*. 601-607. DeGroot, Lindley and A.F.M. Smith Eds. Oxford U. Press (1988)

"The Penalty for Assuming a Monotone Regression is Linear." with Joe Verducci and Dennis K. Pearl. *Annals of Statistics*. March 1987.

"Rank Tests for Ordered Alternatives." with Michael Fligner. *Communications in Statistics: Statistical Theory Methods*. Vol. 16. #1 (1987)

"Testing for the Potential for Nonresponse Bias." with Dennis K. Pearl. *Public Opinion Quarterly*. Vol. 49. pages 553-560. Winter 1986.

"A Study of Oak Pollen Production and Phenology in Northern California: A Statistical Analysis with Immunological Implications." with George L. Batchelder. *Journal of Allergy & Clinical Immunology*. Aug. 1986

"Cherry Trees with Cones?" Teacher's Corner of the *American Statistician*, May 1986.

"Stochastic Equivalence of Ranking Methods" with Michael Fligner. *Communications in Statistics Statistical Theory/Methods*. Vol. 15. #6. 1855-1866 (1986)

"The Bahadur Efficiency of Paired Versus Joint Ranking Procedures for Pairwise Multiple Comparisons." with Dennis K. Pearl. *Communications in Statistics: Statistical Theory/Methods*. 13 (12). 1471-1481. 1984.

"Using Strength of Opinion to Test for Nonresponse Bias in Sample Surveys". with Dennis K. Pearl. Accepted for publication by Political Methodology

"Source Apportionment of Wintertime PM_{10} at San Jose, CA." with Judy Chow, et al., to be published in the Journal of Environmental Engineering

Technical Reports

Fairley, D. 1995. "PM_{10} source apportionment for the San Francisco Bay Area." Draft Technical Report. Bay Area Air Quality Management District. San Francisco, CA.

Fairley, D. 1994. "Ambient air quality status and trends." Draft Technical Report. Bay Area Air Quality Management District, San Francisco, CA.

Fairley, D. 1994. "Representativeness of SARMAP episode days." Draft Bay Area Technical Report 94002. Bay Area Air Quality Management District. San Francisco, CA.

Fairley, D. (Project Manager), J. Hall, V. Brajer, M. Kleinman. 1994. "The economic value of quantifiable ozone and PM_{10} related health effects in the San Francisco Bay Area." Bay Area Air Quality Management District. San Francisco, CA.

J. C. Chow, et al. 1993. "Measurements and modeling of PM_{10} in the San Francisco Bay Area. Volume I: Program Plan: Desert Research Institute Document 3654.2F." Desert Research Institute, Reno, NV.

Fairley, D. and R. DeMandel. 1992. "PM_{10} particulate levels in the San Francisco Bay Area." BAAQMD Technical Report 92003. Bay Area Air Quality Management District. San Francisco, CA.

Fairley, D., R. DeMandel, M. Rothenberg, and T. Perardi. 1992. "Results from the 1991-92 pilot study of wintertime PM_{10} in the San Francisco Bay Area." BAAQMD Technical Report 92002.

Fairley, D., and R. DeMandel. 1992. "Status and trends in ambient ozone and carbon monoxide in the San Francisco Bay Area 1978-1989." Bay Area Air Quality Management District. San Francisco, CA.

Fairley, D. 1992. "Estimating Bay Area background ozone from OCS data." BAAQMD Technical Memorandum. Bay Area Air Quality Management District. San Francisco, CA.

Fairley, D. 1991. "Current and projected population exposure to ozone in the San Francisco Bay Area: A preliminary assessment." Bay Area Air Quality Management District. San Francisco, CA.

Duker, D. and D. Fairley. 1988 "Grant Park ozone study: summer 1986 and 1987." Bay Area Air Quality Management District. San Francisco, CA.

Numerous epidemiological studies, many of them quite recent, have found consistent relationships between particulate levels and a variety of adverse health effects, including respiratory disease, emergency room visits, hospital admissions, asthma attacks, and mortality.

Although most studies are correlational -- demonstrating an association between the health effect and particulate levels -- the studies taken as a group are consistent with the hypothesis that particulates *cause* these effects. For example, studies from many locations have found a relationship between particulates and daily mortality: more people tend to die on days with high particulate levels. But those studies that were able to break down mortality by cause of death found the relationship was strongest with respiratory-related mortality, weaker for (for example) cancer-related mortality, and non-significant with accidental mortality. A study for Santa Clara County (Lipsett 1995) found a relationship between particulate levels and daily hospital admissions for asthma, but not for gastroenteritis. Thus, the effects found are consistent with the hypothesis that elevated particulate levels can cause respiratory stress. There are critics of the causal hypothesis, but no one has come up with an alternative that is consistent with all the findings from these studies.

What follows is a table listing a selection of studies that are particularly relevant to the Bay Area, either because they study the Bay Area specifically, and others because they summarize a variety of studies. A number of recent studies have found health effects for areas, including the Bay Area, that meet the federal PM_{10} standard. In other words, there is increasing evidence that the federal standard is not protective of public health.

Health Effect	Magnitude[a]	Study Type[b]	Reference
Acute Mortality			
Total non-accidental, average of studies	1%	Time series	Dockery and Pope (1994)
Total non-accidental, Santa Clara Co	2%	Time series	Fairley (1994)
Total non-accidental, SF metro area	2%	Time series	Thurston (1995)
Acute Respiratory-related mortality			
Average of studies	3%	Time series	Dockery and Pope (1994)
Santa Clara County	7%	Time series	Fairley (1994)
Hospital admissions			
All respiratory, average of studies	1%	Time series	Dockery and Pope (1994)
Asthma, average of studies	2%	Time series	Dockery and Pope (1994)
Emergency room visits			
All causes, average of studies	1%	Time series	Dockery and Pope (1994)
Asthma, Santa Clara County	12%	Time series	Lipsett (1995)
Bronchodilator use, 2 studies	3%	Time series	Dockery and Pope (1994)
Asthma attacks, average of studies	3%	Time series	Dockery and Pope (1994)
Restricted activity days		Time series	Ostro (1987)
Mortality Rate			
6 cities	7%	Longitudinal	Dockery et al. (1993)
151 cities	3%	Longitudinal	Pope et al. (1995)
Reduction in immunity	--	Animal	Selgrade (1995)

[a] All reductions in health effects correspond to a 70 ug/m³ decrease in PM_{10}, approximately the decrease necessary for the Bay Area to attain the California PM_{10} standard.

[b] Time series studies relate day-to-day health effects with particulates, controlling for other for other factors such as temperature, time of year and other pollutants. Longitudinal studies estimate death rates in different locations, adjusting for individual factors such as smoking, age, weight, gender, occupation, and socio-economic status, and compare them with average pollutant levels.

References

DW Dockery, CA Pope III, X Xu, JD Spengler, JH Ware, ME Fay, BG Ferris, Jr., and FE Speizer (1993) "An association between air pollution and mortality in six US cities." *New England Journal of Medicine* 329: 1753-1759.

DW Dockery and CA Pope III (1994). "Acute respiratory effects of particulate air pollution."

D Fairley (1994). "Mortality and particulate exposure in Santa Clara County, CA 1980-86." Presented at the EPA PM_{10} Workshop, Raleigh, NC 11/94.

JE Houck, JC Chow, JG Watson, CA Simons, LC Pritchett, JM Goulet, and CA Frazier (1989) Determination of particle size distribution and chemical composition of particulate matter from selected sources in California Sacramento, CA: California Air Resources Board.

JE Houck, JM Goulet, JC Chow, JG Watson, and LC Pritchett (1990) Chemical characterization of emission sources contributing to light extinction. In: Mathai, C.V., ed. Visibility and fine particles. Pittsburgh, PA: Air & Waste Management Assn. pp 437-446.

M Lipsett, S Hrley, and B Ostro (1995). "Winter air pollution and emergency department visits for asthma in the San Francisco Bay Area." Presented at the Air & Waste Management Assn. annual conference 1995.

B Ostro (1987). "Air pollution and morbidity revisited: A specification test." *J Environmental Economics and Management* 14:87-98

CA Pope III, MJ Thun, MM Namboodiri, DW Dockery, JS Evans, FE Speizer, CW Heath, Jr (1995). "Particulate air pollution as a predictor of mortality in a prospective study of US adults." *Am J Respir Crit Care Med* 151:669-674

MJ Selgrade (1995). Research cited in *Science* magazine, 3/24/95, pg 1771

GD Thurston, G Gwynn, and K Ito (1995). "Variations in air pollution-mortality associations across 9 major US cities." Presented at the American Thoracic Society Meeting (5/95).

Exhibit D

PORT OF SAN FRANCISCO

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December 10, 1998

Ms. Maria Lombardo, Senior Transportation Analyst
San Francisco County Transportation Authority
100 Van Ness Avenue, 25th Floor
San Francisco, CA. 94102

Subject: Request for $4 Million of 1998 STIP Augmentation Funds to Construct the Illinois Street Intermodal Bridge Over Islais Creek

Dear Ms. Lombardo:

This letter is intended to further describe the proposed Illinois Street Intermodal Bridge project. A summary description of the proposed rail and truck bridge was included in our recent application for 1998 STIP Augmentation funds submitted to SFCTA November 23, 1998.

Project Description

The Illinois Street Intermodal Bridge will extend Illinois Street southward. It is intended to improve the efficiency of rail service to and from the North Cargo Terminal at Pier 80 and improve the efficiency of rail and truck travel between Pier 80 and the South Cargo Terminal at Piers 94-96. The Project Location and Project Site Plan are shown on Figures 1.and 2.

The bridge will reduce the rail distance to Pier 80. Presently, the rail distance from the main rail line near Rankin Street to Pier 80 is approximately 3.3 miles. Trains must travel north-bound on the main rail line, east-bound near 16th Street and finally south-bound along Illinois Street to Pier 80. After construction of the bridge, the same trip will be approximately .66 miles, since the Quint Street Rail Link will be used. (See Figure 3.) The shorter rail route will take far less time, since there will be fewer street grade crossings and less reliance on the street right of way. Traffic hazards and conflicts between railcars, automobiles, bicycles and pedestrians will also be greatly reduced.

The Illinois Street Intermodal Bridge will improve the efficiency of rail and truck travel between the North and South Cargo Terminals. The 540' long bridge across Islais Creek will reduce the rail distance between the Terminals from approximately 4 miles to approximately .2 miles. The bridge will provide direct rail link between Pier 80 and the Intermodal Container Transfer Facility (I.C.T.F.) near Cargo Way. The I.C.T.F. allows a direct transfer of cargo between ship and rail without an intermediate truck transfer.

Short-haul truck travel between the North and South Cargo Terminals will also be improved, since drivers will not have to utilize the heavily traveled and congested Third Street corridor. Reducing diesel truck trips will also improve air quality. Congestion on Third Street will be impacted even more in the near future after MUNI's Third Street Light Rail Line project is completed.

Subject: Illinois Street Intermodal Bridge Over Islais Creek

The Illinois Street Intermodal Bridge will greatly facilitate development of the recently approved Mission Bay and UCSF projects, since the16th Street rail link and switch-back rail lines at the north end of Illinois Street will be eliminated. If the bridge is not built, the rail link must be relocated directly within the 16th right-of-way and the switch-back rail lines must be relocated within the Terry Francois Boulevard right-of-way. This condition would unfortunately compromise the success of these important City projects by negatively affecting the level of service at key intersections in Mission Bay and causing grade crossing conflicts with the future Third Street Light Rail project. The proposed Research and Development uses would be negatively affected from vibrations caused by heavy rail traffic. The future open space at the east shore would also be diminished with the inclusion of switch-back rail lines.

The Port has seen increasing interest from prospective tenants that wish to locate at Pier 80 and intend on using rail service. These tenants see the increased efficiencies from the Illinois Street Intermodal Bridge. Nippon Shario is a company that constructs passenger rail cars for Cal Train. They wish to locate in Pier 80 Shed A and rail transport the manufactured cars. MUNI has Breda light rail cars assembled at Pier 80 Shed D. MUNI could take advantage of improved rail connections. RMC Lonestar, a cement batch plant presently located on Third Street in Mission Bay, wishes to relocate to Pier 80. RMC intends to have cement delivered by rail, while sand and aggregate are delivered by barge. Presently, all cement, sand and aggregate deliveries to the Third Street location are by truck. RMC estimates that up to 20,000 delivery truck trips per year could be eliminated if rail and barge transport could be used.

Project Readiness

As indicated in our recent funding application, the Port is anticipating construction of the Illinois Street Intermodal Bridge in Fiscal Year 2002-2003. The total cost of the bridge is estimated at $7,122,000. The Port is requesting $4 Million of 1998 STIP Augmentation Funds. The local match will be met by a $2.5 Million contribution from Catellus Corporation (Mission Bay developers) and a $622,000 contribution from Port Capital Improvement Funds.

The Port and Catellus Corporation have already reviewed conceptual engineering and design plans for the Illinois Street Intermodal Bridge. Should the $4 Million STIP funds be awarded, detailed engineering and design plans will be developed. An environmental consultant will prepare all necessary CEQA and NEPA documents. The Port does not anticipate a difficult or problematic environmental review process, since the Illinois Street Intermodal Bridge was previously analyzed as a component of a 1986 EIR for the modernization of the Port's North and South Cargo Terminals. Port staff will facilitate and submit necessary applications for local permits to the U.S. Coast Guard, Army Corp of Engineers and BCDC.

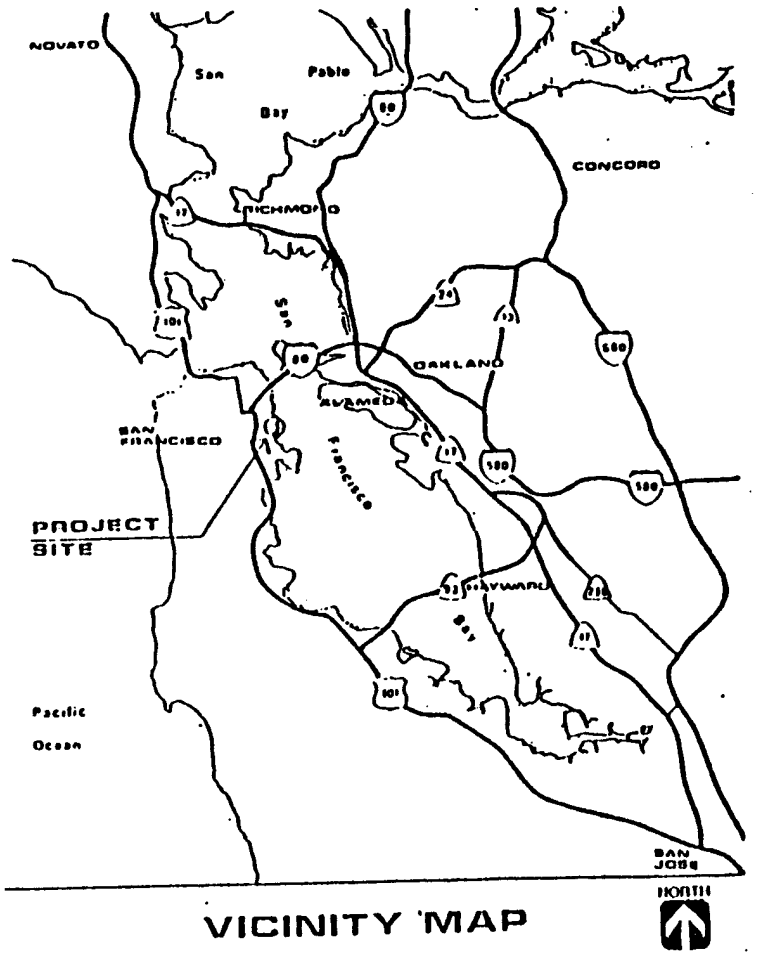
The development schedule for the Illinois Street Intermodal Bridge provides adequate time to prepare final engineering and design plans, environmental review documents and necessary local permits before the anticipated construction in FY 2002-2003. I hope this information clarifies the Port's need and the City's need for the Illinois Street Intermodal Bridge and outlines the Port's readiness to implement the development schedule for this project.

Sincerely,

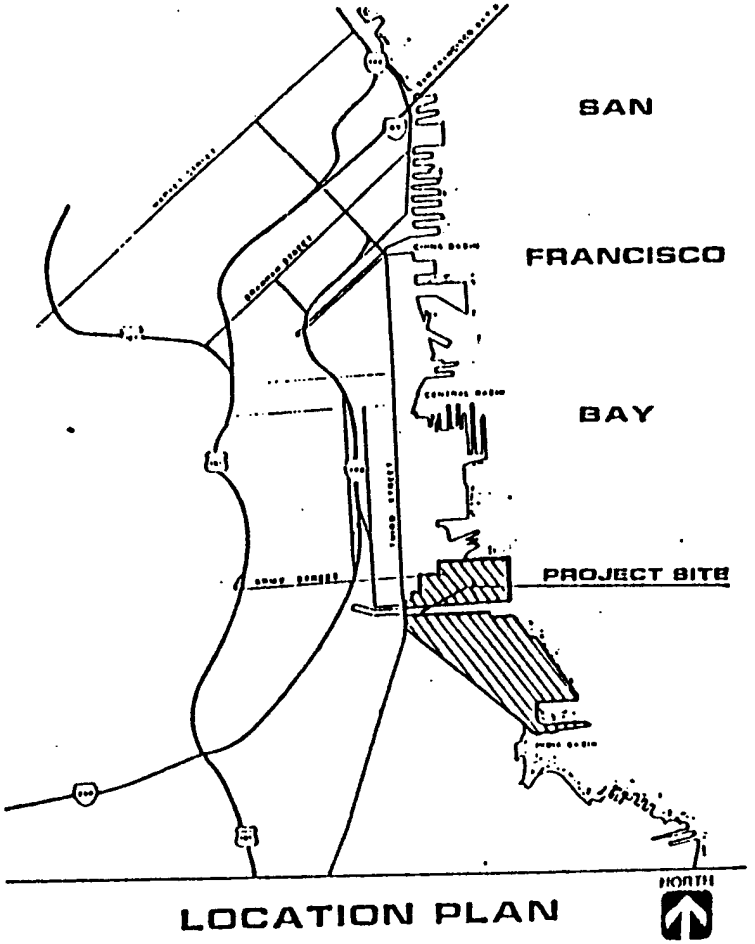
Attachments

Douglas F. Wong, Executive Director

Figure 1. Project Location



VICINITY MAP



LOCATION PLAN

Figure 2. Project Site Plan

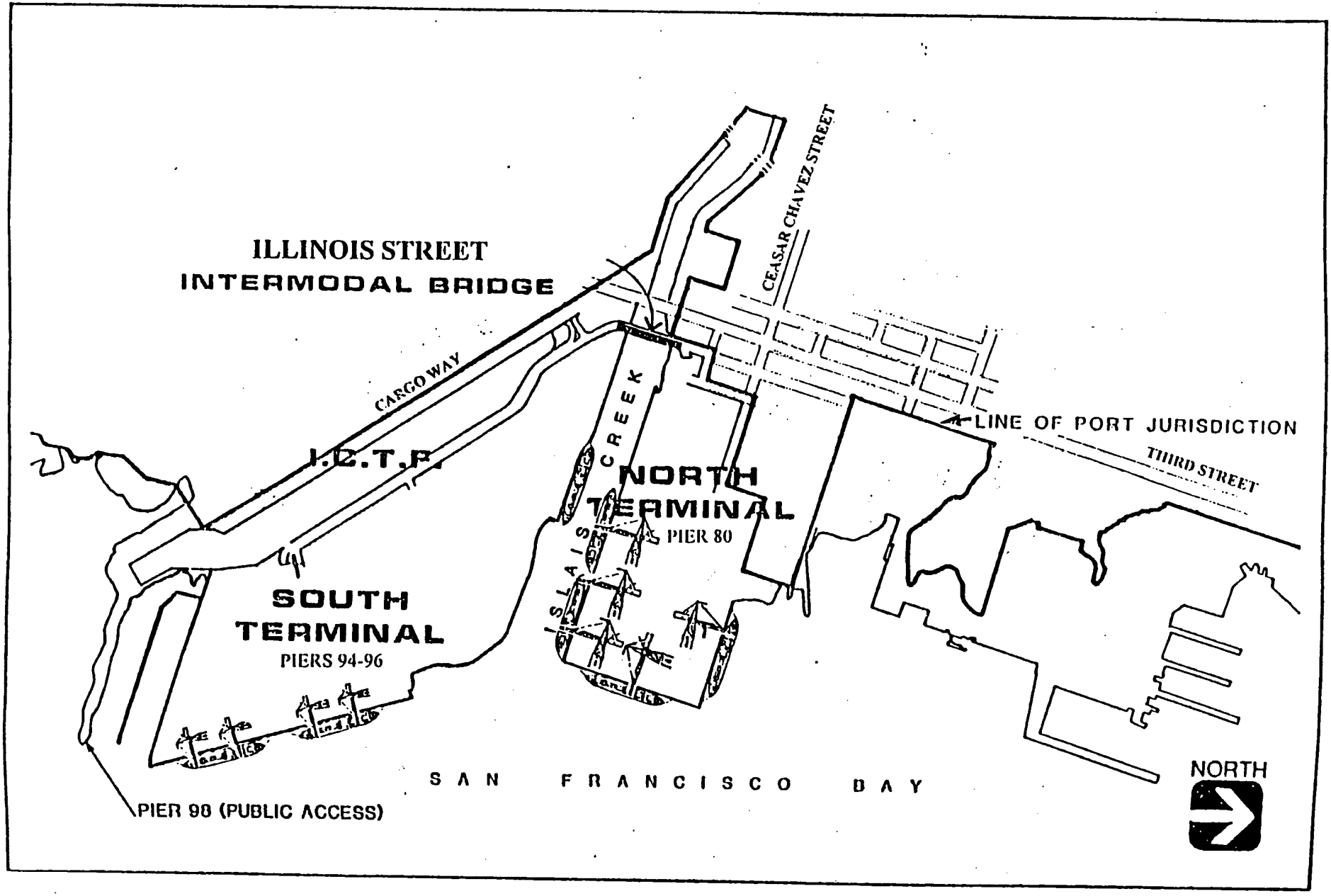


Exhibit E

PORT OF SAN FRANCISCO

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November 25, 1998

TO: Members Southern Waterfront Advisory Committee
FROM: Larry Florin
SUBJ: Leases at Pier 80/90/92/94/96

Attached is a listing of the leases both current and proposed for the area we discussed on Monday. If you would like more detail or clarification on any of these leases please contact me at 274-0416.

Current Major Leases and Uses

Pier 80

Marine Terminals Corporation. MTC is under a management agreement with the Port to operate Pier 80 as the Port's Container Cargo Terminal.

Breda Transportation, Inc. Breda currently occupies all of Shed D at Pier 80 (approximately 166,000 sq. ft.) for use as a light rail vehicle assembly, maintenance and repair facility. The lease has a term of 5 years which expires on February 28, 2002.

Municipal Railway. MUNI currently leases on a month to month basis the maintenance shed at Pier 80 which consists of approximately 67,950 square feet for operation of its Cable Car Maintenance Facility.

Pier 90/92

Port of San Francisco. The Port's Facilities Maintenance Division currently occupies approximately 162,000 square feet of open land at Pier 90 for use as a corporation storage yard.

San Francisco Fire Department. The S.F.F.D. operates a firehouse which is located on Third Street between Islais Creek and Amador Way.

Bedrock Concrete, Inc. Bedrock Concrete operates a small concrete batching plant located at Pier 90. The Tenant has a five year lease which terminates on February 28, 2001.

Mission Valley Rock Company. Mission Valley Rock has leased from the Port approximately 63,981 square feet of open space, mostly on land and partially on a wharf for the purpose of operating a maritime bulk cargo and concrete batching facility. Lease expires December 31, 2001.

Seawall Lot 341

Solid Waste Management. The City's Solid Waste Management Program currently leases under an MOU approximately 37,751 square feet of space for use as a construction materials recycling facility. Term expires September 30, 2003.

Seawall Lot 344

American Storage Unlimited. The Port Commission has approved two leases with ASU for approximately 224,250 square feet of paved land for the operation of a mini-storage facility. Term is for 3 years commencing December 1, 1998 and terminating November 31, 2001.

Darling International. Darling International has a 30 year lease with the Port for the storage, recycling and distribution of bulk liquid and dry cargo related to the operation of a rendering plant. Term of the leases expires on

KGO-AM Radio. Tenant has a ten year lease with the Port for a radio antennae. This lease expires on February 21, 2015.

ECDC Environmental L.C. ECDC is the operator of the Port's Inter-modal Container Transfer Facility (ICTF).

Seawall Lot 352

Tidewater Sand and Gravel. Inc. Tidewater operates a sand and gravel reclaimation operation. which includes the barging in and storage of sand and gravel.

Department of Public Works. DPW occupies approximately 87,120 square feet for use as a toxic soils bioremediation site.

Specialty Crushing. Inc. Specialty Crushing is currently on a month to month permit for approximately 90,000 square feet of open land, where the Tenant operates a concrete recycling facility.

Pier 94/96

West Coast Recycling. Inc. Tenant currently occupies approximately 197,516 square feet of shed space, 107,320 square feet of paved land and 3,713 square feet of office space, for the operation of recycling, storage and transshipment facility. West Coast has a 5 year lease with the Port which expires on May 31, 2003. Tenant is currenly requesting a new lease with the Port for a 30 year term.

GES Exposition Services. GES leases approximately 50,400 square feet at Pier 96 for the staging and storage of truck trailers. Lease expires December 31, 1999.

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Proposed Major Leases

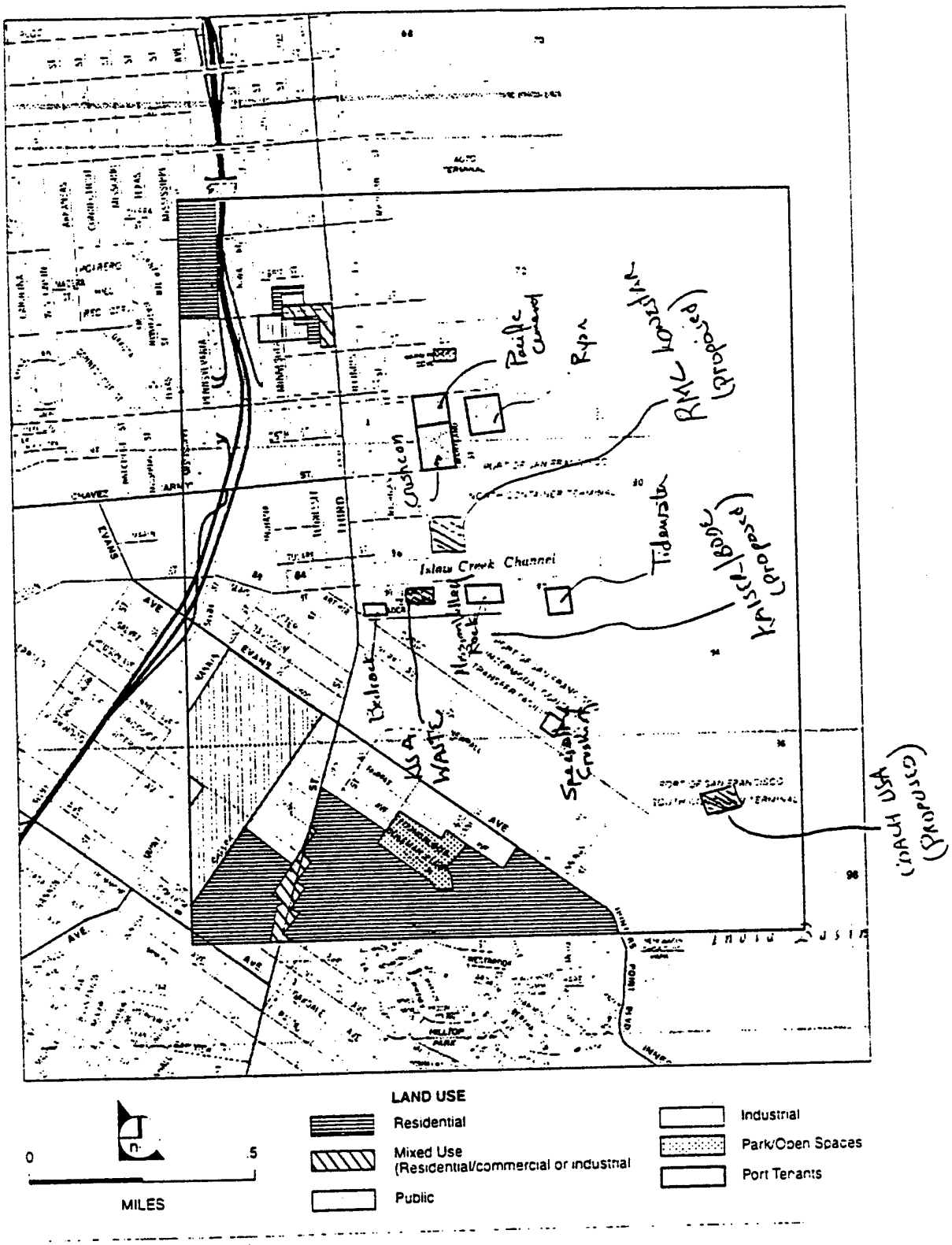
RMC Lonestar. Lonestar has approached the Port with a proposal to lease up to 118,583 square feet of open land and 5,000 square feet of shed space at the Port's Cargo Terminal at Pier 80, for use as a maritime bulk cargo terminal and concrete ready-mix facility.

Kaiser/Bode. Kaiser and Bode Gravel Company are proposing a joint venture with Mission Valley Rock (existing Port Tenant) to lease approximately 120,000 square feet of open land at Pier 92, also for use as a maritime bulk cargo terminal and concrete ready mix facility.

Coach USA. Inc dba: The Grav Line. Coach USA is currently under a six month Exclusive Right to Negotiate with the Port, for a 10 year lease. Coach USA plans to lease approximately 28,030 square feet of shed space, 300,000 square feet of paved land and 13,870 square feet of office space at Pier 96, for the operation of a tour bus maintenance and repair facility.

USA Waste. Inc. USA Waste has proposed to lease approximately 56,400 of shed space and 50,000 of open land located at Pier 92 for use as a construction material recycling facility.

ISG Resources. Inc. ISG Resources, Inc. has made a proposal to lease the grain silos located at Pier 90, for the import, storage and transloading of materials such as fly ash and slag, which are used for blending with cement. ISG proposes to use barges, ships and rail to deliver the materials to the silos. ISG is requesting a term of 15 years.



SOURCE: ICF Kaiser Engineers, Inc.

FIGURE 3

Letter P10: Golden Gate University Environmental Law and Justice Clinic

Response to Comment P10-1:

The analysis of traffic impacts presented in EIS Section 4.1 concludes that implementation of the Proposed Reuse Plan or the Reduced Development Alternative would result in significant traffic impacts. Note that, based on a reassessment of appropriate factors for determining the significance of impacts, the EIS does not identify significant air quality impacts (see Section 4.2 and response to Comment P10-14). Under the Proposed Reuse Plan, these significant traffic impacts are increased traffic at Third Street/Cesar Chavez Street intersection; increased traffic at Third Street/Evans Avenue intersection; increased traffic at Evans Avenue/Cesar Chavez Street intersection; and increased demand on public transportation exceeding planned or anticipated capacity. Under the Reduced Development Alternative, only increased traffic at the Third Street/Cesar Chavez Street intersection would be significant.

The EIS identifies mitigation measures that would reduce these impacts to a less than significant level, except for one transportation impact (increased congestion at Third Street/Cesar Chavez Street). Measures are identified that would reduce, but not eliminate, this impact.

Any alternative that would meet the job creation and other economic and social goals of the community, as reflected in the Proposed Reuse Plan and the *Hunters Point Shipyard Redevelopment Plan*, would be likely to result in significant traffic impacts. HPS is located in a congested, urban region, and access must occur via roads and freeways that will become increasingly congested as demand for certain services increases over time. Because HPS is a large piece of property, with correspondingly large development opportunities and expectations regarding job creation and other economic and social objectives, traffic impacts are likely.

The Proposed Reuse Plan, Reduced Development Alternative, and No Action Alternative bracket a reasonable range of reuse options for HPS, and mitigation measures are provided to address identified significant impacts. These measures would be implemented as part of the selected alternative. Consistent with the BAAQMD impact assessment guidelines cited by the comment, land use and design measures are included (e.g., sidewalk improvements, mixed-use development), along with measures to reduce vehicle trips and therefore vehicle miles traveled, improve traffic flow, and reduce congestion.

As a programmatic environmental analysis, the EIS recommends an appropriate list of program-wide mitigation measures and identifies a mechanism through the Transportation Management Association (TMA) for developing additional measures in the future as demand for certain services increases over time. It is precisely because the analysis is programmatic, and cannot foresee specific users, that additional, specific mitigation measures cannot be applied at this time, and the effectiveness of the mitigation measures that are included cannot be determined with certainty. For example, if future users of HPS are primarily small businesses with few employees, a mitigation measure that required conversion of vehicle fleets to cleaner fuel would have little relevance.

Similarly, measures to provide services (e.g., additional transit service or on-site ATM, markets, etc. to reduce non-work trips) would become feasible only as the number of users of the shipyard increased, resulting in the ability to fund improvements and a demand or "market" for the services. This concept of increasing demand for services over time is reflected in the mitigation strategy included in the EIS, which provides for continued monitoring and increases in services over time, as demand goes up, and as specific users of HPS are identified.

The BAAQMD impact assessment guidelines suggest a variety of measures (see Table 15, p. 60) that in most circumstances would together reduce vehicle trips by an estimated 16.4 percent (using the low end of the effectiveness range provided). The mitigation measures provided would ensure that these assumed levels are reached or exceeded, but the level to which they would effectively reduce vehicle trips beyond the levels assumed in the analysis cannot be quantified in the absence of more specific information about future tenants of HPS, the manner in which development would proceed, and the pace of development. For this reason, the EIS analysis conservatively concludes that one traffic impact would remain significant, despite the implementation of the TMA and Transportation Demand Management. Note that former Significant Unmitigable Impact 2, "Increased Cumulative Traffic on U.S. 101 and I-280 Freeway Segments," has been removed from EIS Section 4.1, Since it is properly a cumulative impact and was already included in Chapter 5 under the discussion of cumulative impacts (now in EIS Section 5.1).

Response to Comment P10-2:

Section 3.2.4 of the EIS provides a complete description of the current ambient air conditions at HPS, and potential air quality impacts are fully addressed in Section 4.2. The comment suggests that "existing PM10 and ozone violations" are related to "relatively high rates of respiratory problems in the Bayview-Hunters Point neighborhood." As demonstrated in Table 3.2-3 (updated in the EIS with 1997 annual monitoring data), there have been no violations of either Federal or state ozone or carbon monoxide standards in the San Francisco area since before 1991. In fact, the 1997 Clean Air Plan for the Bay Area identifies the City as having the lowest exposure to ozone of any county in the Bay Area.

Federal PM10 standards have not been exceeded since before 1991. Only the very stringent state 24-hour PM10 standard is exceeded periodically in the San Francisco area. The magnitude and frequency with which state PM10 standards are exceeded in the San Francisco area are among the lowest of any urban area in California. To further assess the potential for local, project-related impacts from PM10, supplemental dispersion modeling was performed (EIS, Appendix B, page B-16 and following). The goal of the modeling was to estimate the net increase in PM10 concentrations resulting from traffic-related PM10 emissions for the Proposed Reuse Plan (year 2025) and the No Action Alternative. The CALINE4 model was used as discussed in Appendix B, with the following considerations:

- Emission rates included exhaust PM_{10}, tire wear PM_{10}, and re-suspended roadway dust.
- Meteorological condition assumptions were adjusted to reflect conservative 24-hour average values (stability class D, sigma theta factor of 20 degrees, 2.5 meter per second wind speed) instead of conservative 1-hour average values.
- Modeling results for peak hour traffic volumes were adjusted to reflect 24-hour average volumes (0.417 adjustment factor) and a 24-hour averaging time (0.52 adjustment factor).

PM_{10} dispersion modeling results show a net increase in 24-hour average PM_{10} concentrations as follows:

- 4.5 – 9.9 micrograms per cubic meter at the intersection of Third Street and Evans Avenue.
- 1.5 – 2.8 micrograms per cubic meter at the intersection of Third Street and Palau Avenue.
- 11.3 – 13.4 micrograms per cubic meter at the intersection of Innes Avenue and Donahue Street.
- 1.3 – 5.7 micrograms per cubic meter at the intersection of H Street and Spear Street.

None of these concentration increases would significantly alter background PM_{10} concentrations. Therefore, project-related PM_{10} emissions are not expected to significantly affect the health of residents of the Bayview-Hunters Point neighborhood.

Table 3.2-2, showing the human health effects associated with major criteria pollutants, has been added to Section 3.2, Ambient Air Quality Standards.

Providing the air quality monitoring data from the Arkansas Street Station does not "minimize the project's impacts" but provides information on the current ambient air conditions, i.e., setting conditions. Additional data provided in the response to Comment P10-3 below show that the air quality data from the Arkansas Street Station are likely to overestimate conditions at HPS. Again, the monitoring data, specifically, the lack of violations, show that the air quality in the HPS area is relatively good, compared to air quality standards.

It is true that traffic in the City contributes to ozone violations in other parts of the Bay Area (see response to Comment P12-55). However, the physics and chemistry of photochemical ozone production ensure that the added ozone precursor emissions will not produce measurable changes in regional ozone levels. If current regional ozone precursor emission quantities (estimated in the 1997 Clean Air Plan at 488 *tons* per day of reactive organic compounds and 632 *tons* per day of nitrogen oxides) have not produced any violations of Federal or state ozone standards in the San Francisco area during the past seven years, the additional increment of emissions from the Proposed Reuse Plan (132 *pounds* [60 kg] per day of reactive organic compounds and 321 *pounds* [146 kg] per day of nitrogen oxides) would not alter that situation. Similarly, the additional increment of direct PM_{10} emissions from entrained roadway dust associated with the Proposed Reuse Plan

would have no measurable effect on ambient PM_{10} concentrations measured in the San Francisco Bay Area. To reduce potential traffic impacts, specific, feasible mitigation measures are proposed, as described in the response to Comment P10-1.

Response to Comment P10-3:

Additional technical data showing the PM_{10} emissions analysis and procedures used for the PM_{10} dispersion modeling (see response to Comment P10-2) are provided in EIS Appendix B. Details on vehicle emission rates used for the EIS analyses are given in Appendix B. Table 3.2-3 presents all the background ambient air quality data necessary for the EIS evaluations. BAAQMD monitoring station locations meet California Air Resources Board (CARB) and U.S. EPA siting requirements and are designed to provide measurements representative of population exposure to ambient pollution levels. Monitoring station locations are part of the ambient air quality surveillance plans required, reviewed, and approved by U.S. EPA as part of the State Implementation Plan (SIP).

As suggested by the BAAQMD, the significance of air quality impacts is typically evaluated by comparing projected emissions to established, numerical standards or compliance with regional air quality plans, not an environmental "baseline." Comparisons between projected future emissions and current conditions would be of little relevance, since emission factors, fuel efficiency, etc., are projected to improve over time, whether or not the project is approved.

As explained in Section 3.2.4, the Arkansas Street Station is the major monitoring station for San Francisco, and while winds do not typically blow *from* Arkansas Street *to* Hunters Point, data from this station are used by the BAAQMD to characterize area-wide air quality. While no specific data for HPS are available, the table below summarizes ambient air quality data for 1992 collected at the Pacific Gas & Electric Company (PG&E) Hunters Point Power Plant (located at 1000 Evans Avenue) and the Arkansas Street monitoring station. The table shows that data from the Arkansas Street Station are consistently higher than those monitored at the Hunters Point Power Plant, except for SO_2. The Arkansas Street monitoring station is likely to overestimate the PM_{10} exposure of residents in the vicinity of Hunters Point Shipyard, because the station is much closer to an active industrial area (China Basin) and near I-280.

Comparison of Air Quality Data
PG&E Hunters Point Power Plant and Arkansas Street Monitoring Station
Highest Measured Levels in Micrograms per Cubic Meter

Pollutant	Averaging Time	Hunters Point	Arkansas Street	Most Restrictive Ambient Air Quality Standard
Ozone	1 hour	113.7	157	1,800 (CAAQS)
PM_{10}	24 hours	68.1	81	50 (CAAQS)
	Annual	22.7	27.6	30 (CAAQS)
NO_2	1 hour	137.2	169	470 (CAAQS)
	Annual	28.6	41.4	100 (NAAQS)
CO	1 hour	4,600	9,200	23,000 (CAAQS)
	8 hours	2,875	7,360	10,000 (CAAQS & NAAQS)
SO_2	1 hour	107.4	105	655 (CAAQS)
	24 hours	44.0	34	105 (CAAQS)
	Annual	6.6	5	80 (CAAQS)

Sources: CARB, 1989–1993; CEC, 1995.
CAAQS California Ambient Air Quality Standard
NAAQS National Ambient Air Quality Standard
NO_2 nitrogen dioxide
CO carbon monoxide
SO_2 sulfur dioxide

Response to Comment P10-4:

PM_{10} analyses in the EIS are total emissions analyses, which present regional emissions, not dispersion modeling analyses, which would present micro-scale results at specific locations. The dominant source of PM_{10} emissions would be re-suspended dust from paved roadways. None of the relevant air quality agencies (BAAQMD, CARB, or U.S. EPA) require dispersion modeling of re-suspended roadway dust. The BAAQMD impact assessment guidelines do not recommend such modeling as standard analysis and do not even mention such modeling as an approach for unusual projects. Nevertheless, in response to comments concerning the potential for local, project-rated impacts from PM_{10}, supplemental dispersion modeling was performed. Please see Response to Comment P10-2, above, for additional information.

Response to Comment P10-5:

The only potentially significant source of PM_{10} emissions associated with the Proposed Reuse Plan at this stage of plan review is re-suspended dust from vehicle travel on paved roadways. Vehicle travel associated with reuse would be distributed throughout the San Francisco Bay Area (southward along Highway 101 along the peninsula; northward along Highway 101 to Marin County; and eastward along Highway 80 to the east Bay, as well as throughout the City), not concentrated in one local area. The traffic analysis presented in Section 4.1 discusses the contribution of Proposed Reuse Plan traffic to future traffic conditions at intersections in the HPS vicinity. The air quality analysis is consistent with the BAAQMD impact assessment guidelines.

EIS Table 3.2-3 has been updated in the EIS to include 1997 annual monitoring data. This table summarizes recent air quality monitoring data from the Arkansas Street and Ellis Street Stations in San Francisco. Federal 24-hour and annual average standards have not

been exceeded. State annual average standards have not been exceeded since 1989. It is true that the state 24-hour standard has been violated, although the frequency of violations has declined noticeably since the early 1990s. There have been a total of 5 measured exceedances of the state 24-hour standard at the Arkansas Street monitoring station over the 1995-1997 period. No year in that period had more than three exceedances (less than five percent of valid samples). The data fail to show a pattern in which the state 24-hour standards are "often" violated. The supplemental PM_{10} modeling results discussed above in response to Comment P10-2 do not indicate any significant impact on background PM_{10} concentrations.

Applying the results of the risk assessment performed for the SFEC-proposed power plant at Hunters Point to the PM_{10} emissions projected under the Proposed Reuse Plan to estimate potential fatalities is unfounded, because the power plant is a stationary source, whereas PM_{10} emissions under the Reuse Plan are primarily from mobile sources. It is acknowledged that vehicles in and around HPS would cause exhaust and evaporative emissions containing toxic air contaminants (mostly benzene). As discussed in EIS Section 4.2, BAAQMD's impact assessment guidelines do not require that mobile sources of toxic air contaminants be included when impacts are evaluated. However, the EIS does include substantial, feasible measures to reduce traffic (and associated air quality impacts), as described above in the response to Comment P10-1.

Note that toxic air contaminants, including toxic air contaminants from mobile sources, are discussed separately from PM_{10} and other criteria pollutants in the EIS (Section 4.2.2). The commentor should not assume that all particulate emissions quantified in the analysis are from exhaust; rather, the majority are from entrained roadway dust. The recent designation of particulates from diesel emissions as toxic air contaminants has been added to EIS Section 3.2.3. The BAAQMD and CARB have not yet established thresholds or standards for this source of toxic air contaminants.

Response to Comment P10-6:

Based on a reassessment of appropriate factors for determining significance, the EIS does not identify a significant impact from PM_{10} emissions (see the response to Comment P10-14 and EIS Section 4.2.2). Thus, mitigation is not required. However, the only significant source of PM_{10} emissions associated with the Proposed Reuse Plan at this stage of plan review is re-suspended dust from vehicle travel on paved roadways. Substantial trip reduction strategies are included within the TMA/TSMP framework (EIS Section 4.1.2). Also, the TSMP could include physical roadway improvements, such as repaving/resurfacing, in addition to trip-reduction measures.

Response to Comment P10-7:

Based on a reassessment of appropriate factors for determining significance, the EIS does not identify significant air quality impacts (see the response to Comment P10-14 and EIS Section 4.2.2). Thus, mitigation is not required. However, implementation of the TSMP is expected to reduce vehicle trips and vehicle miles traveled (which would reduce mobile emissions) to the extent feasible. The transportation demand strategy requires establishment of a TMA to monitor implementation of a TSMP, which would contain various specific techniques for reducing vehicle trips. As described above in Response P10-

1, the BAAQMD impact assessment guidelines contain a similar variety of trip reduction measures that together would reduce vehicle trips by an estimated 16.4 percent or more, with a concomitant reduction in air emissions. The EIS analysis assumes the implementation of trip reduction measures to achieve an average transit/other (i.e., non-auto) mode share of 12.9/14.3 percent for work trips. The objective of the TSMP is to ensure that mode split assumptions are met or exceeded, although it is unclear whether the reductions can reach the magnitude projected by the BAAQMD.

The BAAQMD impact assessment guidelines make it clear that the program's focus on vehicle trip reduction is the most effective way to reduce vehicle emissions that are projected as a result of reuse of HPS. The guidelines section on "Mitigating Impacts of Project Operations" (page 56) focus entirely on trip reduction measures and state: "In many cases motor vehicles traveling to and from a facility represent the principal source of air pollutants associated with the project. Therefore this section [of the guidelines] focuses primarily on measures to reduce mobile source emissions by reducing motor vehicle trips and vehicles miles traveled. " Recommended trip-reduction measures specific to HPS can reduce vehicle trips and therefore vehicle emissions associated with reuse. Regarding potential projects on Port property, see Response P10-10. Suggested trip-reduction measures at HPS are appropriate despite potential future development occurring on Port property and elsewhere, since they would reduce vehicle emissions generated at HPS.

Response to Comment P10-8:

The traffic analysis was based on 1993 traffic data from the San Francisco Department of Parking and Traffic. A comment on the 1997 Draft EIS/EIR suggested that the LOS data for the existing conditions were inconsistent with the heavy truck traffic congestion then being experienced by local residents. In response to this comment, additional traffic count data for two intersections (marked with asterisks) were added to Table 3.1-3. The traffic analysis was not redone with 1997 data because the more recent data were only available for 2 of the 16 intersections analyzed. 1993 was the only year for which complete traffic data for all the study intersections were available.

To assess whether transportation impacts were appropriately analyzed, given that the analysis was based on 1993 data, the analysis was revisited in light of information available from the environmental analyses underway in 1998 for three other major San Francisco projects (Mission Bay, Third Street Light Rail Transit, and the Candlestick Point Stadium and Retail/Entertainment Center). The additional review is summarized in a technical memorandum, provided in Appendix B starting on page B-19. Adjustments made to the initial traffic analysis based on these data is described in the introduction to EIS Section 4.1.

Response to Comment P10-9:

The commentor is correct in noting that the Port is seeking funding for a new bridge over Islais Creek (Illinois Street Intermodal Bridge). The Port's $4 million request has been approved by the San Francisco Transportation Authority. The project is still awaiting approval by the Metropolitan Transportation Commission (scheduled for March 2000) and subsequently by the California Transportation Commission. The total cost of the bridge would be $7.1 million, consisting of $2.5 million from Catellus, $0.6 million from

the Port, and the remaining $4 million from the Transportation Authority. An environmental analysis of the proposed bridge is currently underway.

Response to Comment P10-10:

The EIS identifies potentially significant impacts associated with project and cumulative traffic. As explained in Section 5.1, this analysis assumes transportation projects programmed by the Metropolitan Transportation Commission and regional growth in population and employment based on ABAG Projections.

The Port of San Francisco is considering proposals for development of industrial and maritime-industrial uses in the southern waterfront area (Piers 90-92 and 80, approximately). These proposals, including those listed in Exhibit D that are reasonably foreseeable, will be subject to their own environmental analyses under state law. Those analyses will determine whether the Port's proposed projects would contribute considerably to potentially significant impacts.

Potential cumulative effects of the Proposed Reuse Plan are analyzed using a projections-based approach, rather than a list-based approach. The projections-based method is generally used for evaluation of projects within City jurisdiction. Under the projections-based approach, cumulative traffic is projected by applying a growth rate or by using a regional travel demand model that incorporates projected increases in housing and employment, as well as other factors, such as the availability of land, the location and price of parking, etc. This approach is permissible under NEPA.

Response to Comment P10-11:

Please see responses to Comments P10-1 and P10-7.

Response to Comment P10-12:

Comment noted. Based on a reassessment of appropriate factors for determining significance, the EIS does not identify significant air quality impacts. See the response to Comment P10-14 and EIS Section 4.2.

Response to Comment P10-13:

Please see response to Comments P10-1 and P10-12.

Response to Comment P10-14:

In accordance with Executive Order 12898, the EIS presents a thorough and comprehensive discussion and analysis of environmental justice concerns related to the proposed action. To avoid misinterpretation of statements presented in the Environmental Justice analysis, the referenced statement in Section 5.5, now in subsection 5.5.4, fourth paragraph, second and third sentences, has been revised and clarified.

EIS Section 4.2 has been revised. After careful review of appropriate factors, the three significant unmitigable air quality impacts identified in the *Revised* Draft EIS/EIR have been reduced to a less than significant level under NEPA. As discussed in EIS Section 4.2, former Impacts 1 and 2, "Ozone Precursor Emissions from Increased Traffic" and "PM_{10}

Emissions from Increased Traffic," are considered less than significant because traffic-related ozone precursor and PM_{10} emissions are not expected to cause or contribute to a violation of Federal or state ambient air quality standards.

Former Impact 3, "Toxic Air Contaminants from Stationary, Mobile, and Cumulative Sources," is considered less than significant for the following reasons:

- No specific types or sizes of stationary sources have been proposed. When specific projects are proposed, BAAQMD will evaluate the significance of stationary source emissions. As discussed in Section 3.2.6, subheading Toxic Air Contaminants, BAAQMD requires that any incremental increase in emission of TACs from new or modified stationary sources be evaluated for human health impacts, especially cancer risk. BAAQMD can deny a permit if the estimated excess cancer risk is greater than certain threshold values. In addition, the San Francisco Redevelopment Agency has committed to measures to reduce TAC emissions from stationary sources to the extent feasible, as discussed in the response to Comment F2-8.

- Exposure to toxic air contaminant emissions from mobile sources would be roughly proportional to traffic volumes on the area roadway network. Reuse of HPS would not result in traffic volumes on the local roadway network that would be unusually high in comparison to traffic volumes on comparable types of roadways elsewhere in the urbanized portions of the Bay Area.

- The BAAQMD's impact assessment guidelines do not require inclusion of mobile sources of toxic air contaminants when evaluating impacts.

For these reasons, exposure to toxic air contaminant emissions from stationary, mobile, and cumulative sources would be considered less than significant. Because no significant air quality impacts are identified in the EIS, only significant unmitigable traffic impacts are appropriate for environmental justice consideration. Please see responses to Comments P10-2 and P10-3 for additional information.

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S A E J

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RE: EIS/R for the Disposal and Reuse of Hunters Point Shipyard

Dear Ms. Gitelman and Mr. Munekawa

SAEJ is pleased to submit formal comments for the *Environmental Impact Statement/Report for the Disposal and Reuse of Hunters Point Shipyard.* The following represents both SAEJ's immediate concerns as well as the range of issues we have identified through community dialogues.

The Hunters Point Shipyard (HPS) Reuse Plan was crafted with extensive community participation through the Citizens Advisory Committee. An important blueprint, it will guide the reuse of the shipyard.

SAEJ is concerned that the EIR's inadequate analysis and insufficient mitigation alternatives will further increase environmental and health problems in current residents, without ensuring that future economic benefits are specifically targeted towards the Bayview-Hunters Point community. HPS reuse will exacerbate the economic and social pressures on the Bayview-Hunters Point (BVHP) community unless the project is managed with the community's improvement as an overarching goal.

P11-1

SAEJ has been working with organizations such as the BVHP Health and Environmental Assessment Task Force, HazMat Associates, Arc Ecology, SF Baykeeper, Communities for a Better Environment, the Coalition for Better Wastewater Solutions, the SF Audubon Society, and the SF Bicycle Coalition throughout the review process. SAEJ agrees with and supports the concerns submitted by these organizations.

A. Traffic and Traffic Related Air Quality

SAEJ disagrees with the EIR's conclusion that traffic impacts at 3rd/Chavez are unmitigatable and feels that the proposed mitigation for Significant Impacts 1 and 2 is insufficient. Mitigation for Significant Impact 3 contradicts underlying facts and Significant Impact 4 is inadequately analyzed and addressed.

A significant portion of both construction and general commerce related truck traffic could be routed via the South Gate of the shipyard, especially once construction begins in what are currently parcels C & D. This will reduce congestion at 3rd/Evans, 3rd/Chavez, and Evans/Chavez, as well as avoid the Innes Ave. gateway and commercial/residential corridor. This is especially important when considering the cumulative effects, both congestion and transportation related air-quality, of the truck traffic projected by the increased activity on Port of San Francisco property that is discussed in detail in the Environmental Law and Justice Clinic's (ELJC's) HPS EIS/R comments.

While the EIR proposes as mitigation road widening at several key intersections, evidence exists suggesting that increasing carrying capacity encourages automobile use. Thus, any congestion reduction strategy should include some capacity management component. It would be undesirable for the congestion reduction mitigation to actually increase congestion. The Phelps/Evans reroute and the Evans/Chavez widening will likely encourage automobile use unless there is proper emphasis on the TSMP and support of alternative transportation infrastructure.

Unfortunately, the proposed TSMP is too ambiguous and designed to fail. Local Hiring Practices should be the first approach to reducing stress on the existing transportation system and resulting air pollution. The Transportation Management Association will have to make hiring from the 94124 community a priority instead of goal in the "if deemed appropriate" category. This can be accomplished through a comprehensive worker training program integrated with existing community based education and recruitment programs and implemented on a scale relative to the steadily increasing needs of HPS based employers. P11-2

Ensuring integration of HPS transit links with the regional transit system will decrease the project's contribution to increased congestion on I-280, US101, and other affected local intersections.

Incentives can be also be provided to HPS based employees to live at HPS. First time buyer assistance, possible rental subsidies (compensating for decreased demand on transportation services), and an increase in the affordable housing stock would be appropriate actions.

The EIR's analysis of unmet demand for transit should not simply be confined to the Muni #19 line, but should include a quantitative and qualitative analysis of connecting lines, CalTrain, BART, and potential ferry services. Proposed Muni service expansions should be identified as specific and concrete mitigations, as should shuttle services to BART, the Transbay Terminal, and CalTrain.

In respect to CalTrain, a public hearing is scheduled for Thursday, January 21 to discuss preliminary plans to close the Paul Street station. The City should comment on this proposed action and recommend keeping the station open. P11-3

Improvement of alternative transportation infrastructure will further reduce congestion and will significantly alleviate unmet demand for services. DPT studies have shown that bicycle P11-4

use increases once lanes are striped, consequently reducing automobile congestion at affected intersections. Evans Avenue and Hunters Point Blvd are currently wide enough to accommodate the two existing traffic lanes, existing on-street parking, and newly striped bike lanes which will provide an important link with the Mission District and points Northwest. Bike lanes should also be striped to provide safer access to HPS from southern and western approaches, further reducing automobile use. P11-4

Reducing off-street parking will also spur demand for transit and alternative transportation. The freed up land can be used to expand the developable acreage, supply additional open space, or serve as a potential location for alternative stormwater/wastewater reclamation.

Increased traffic will cause significant increases in the stormwater pollutant load. Streets should be properly designed and landscaped to maximize opportunities for low-cost alternative treatment technologies. Coordination with the Public Utilities Commission's Clean Water Program will yield specific design changes to the streetscape that will significantly reduce contaminated stormwater impacts. P11-5

The EIR also fails to analyze, much less propose mitigation, numerous other significant impacts. Transportation related air and noise pollution along the Innes Avenue gateway are not adequately assessed. Innes Avenue is a residential street along with the gateway and transportation corridor for HPS. HPS will undoubtedly spur development along Innes. Significant air quality and noise impacts on the quality of life for residents and businesses on Innes Avenue and Hunters Point Hill will be felt unless traffic-calming measures are incorporated as mitigation. Extra wide sidewalks with extensive pedestrian amenities, the removal of two traffic lanes (one inbound & one outbound), special landscaping and trees, and enhanced lighting are among the many options that will promote a community character along the Innes Gateway and into the shipyard. Considering that Innes will be a commercial corridor as well as gateway to HPS, this will add to its economic vitality and further spur growth around HPS. P11-6

B. Hazardous Materials

Although the City attempts to address human exposure to contamination, the proposed mitigations do not sufficiently protect human health and are unclear as to enforcement. This raises serious environmental justice issues when considering the cumulative environmental toxicity burden already faced by community residents.

The EIR indicates that existing conditions on the site will have to be controlled through a variety of institutional controls, such as "covenants, conditions, or restrictions...included in the deed," but fails to provide sufficient information as to the monitoring mechanisms that will be used. Restrictions are only as effective as their enforcement mechanisms and conflicts of interest may exist unless an independent body monitors these controls. P11-7

Experience at HPS and similar occurrences at other sites around the nation shows that when controls are proposed as mitigation to existing conditions, enforcement and monitoring often becomes lax, virtually ceasing within a few years. The SF Planning Department's oversight of key development restrictions for an SF Police Department helipad shows that even when restrictions are specified in the Finding of Suitability to Lease, they may be overlooked. The project's thirty year time horizon means that careful monitoring will have to take place for decades to come. Residual contamination will likely remain after build-out.

This poses serious questions that are left unexamined in the EIR. The environmental remediation process itself has the potential to expose people to volatilization – a particular problem for children. This problem will be most severe when the remediation is taking place near residential areas. Independent tests done by members of the BVHP Health And Environmental Assessment Task Force in September and October of 1998 show that particulate and volatile chemical exposure is especially high in the hill area overlooking HPS. The Reuse Plan calls for residential uses in several portions of HPS, as well as playing fields and other educational and recreational facilities in areas adjoining badly polluted sites. The EPA and other researchers have documented children's increased susceptibility to pollution levels that may be at acceptable limits for adults. P11-7

SAEJ proposes that the City and Navy implement a comprehensive mitigation program to address these concerns within a community led framework. Neighborhood residents would be trained to review and monitor the remediation and construction activity. Community Monitors would also review post-development construction activity (i.e. laying of sprinkler systems, gardening projects, etc.) that may not trigger an immediate response.

Some of the mitigations and control measures proposed in the EIR have already shown themselves ineffective. Dust clouds were seen above Innes Avenue during late October and early November and this dust has been tracked into homes, offices, businesses, and automobiles. The dust clouds occurred during excavation activities, leading us to the conclusion that the dust was contaminated. More extensive remediation, demolition, and construction activities are likely to cause far more significant impacts. P11-8

Another outstanding question is the cumulative health risk faced by BVHP residents who work at HPS. A strong possibility exists that individuals working at HPS will be doubly exposed—first at work and second from the generally high pollution levels in the Bayview-Hunters Point community. The EIR fails to adequately examine this possibility. P11-9

Although contamination will likely remain after transfer, the EIR does not provide clear protocols for the financing of additional cleanup activities if extensive contamination is found after conveyance of the property. Financing questions will affect the intensity of development, possibly affecting level of cleanup and the project's economic benefit. Although there are numerous options to deal with this, SAEJ seeks clarification on this important issue. P11-10

The EIR's finding of less than significant impact for ecological exposure to contamination during remediation activities is also unclear and leaves certain points unexamined.

- *Contaminated Groundwater* may be discharged into the City's sanitary stormwater system, only if specific requirements are met. Nevertheless, some partially treated groundwater may enter the Bay during rain events because the City's combined system still has a significant amount of overflows annually. P11-11
- *Air Emissions.* Discussed above, these pose the same concerns for ecological receptors as for humans.

C. Socioeconomics

The EIR fails to identify significant socioeconomic impacts caused by disposal and fails to propose sufficient mechanisms to ensure compliance with Guiding Principles put forth in the Reuse Plan.

Although the reuse plan makes local business development a goal, nothing tin the EIR discusses how this will be accomplished. There is no discussion how the Redevelopment Agency or Master Developer will ensure effective local and African-American participation in both the construction activities and operation of businesses at HPS.

The City should propose specific, tangible, and enforceable steps that will be taken to guarantee access to HPS, develop homegrown local businesses, and prioritize local hiring.

P11-12

Simple deference to market mechanisms is inadequate. A December 26, 1998 SF Examiner article suggested wide non-compliance with the City's First Source policy. Response to comments should discuss this concern. Appropriate actions may be specific target goals for local employment, along with incentives and enforcement mechanisms to ensure compliance with the policy. To support development of local businesses, entrepreneurs should be supported through small business incubators, loan programs, and set-asides. A community development corporation, with access to HPS, would be an ideal organization to help administer these programs.

This will allow residents to capture the project's benefits while further developing the BVHP economic base. Additional benefits will include integration with the Bayview-Hunters Point Revitalization currently underway and reduction of commuter miles that contribute to increased air pollution and

The Project may also contribute to already intense gentrification pressures. Only 15% of the housing is planned as "affordable." The EIR states that the affordability of housing is a less than significant impact, based on Census data. This is misleading. A large portion of the residential space will be provided as live/work. A January 6, 1999 SF Weekly article "Assholes on the March" vividly described the recent live/work boom. "The units are out of financial reach for most San Franciscans, renting for more than $2,000 a month and selling for between $400,000 and $900,000...They are not friendly to families; with their open floor plans and open staircases, they are no place for kids. 'They are condos for single yuppies'."

P11-13

This is especially troubling when considering that the community is home to over 8,000 youth under the age of 21. As many of these people grow up and begin to have families of their own, they must have affordable options to stay in the community. Unfortunately, HPS may make this infeasible.

Feasible mitigation measures include increasing affordable housing stock for both rental and ownership, preferences for current residents of 94124, and less live/work. Where live work is the only option for residential use, special measures must be taken to target the development to BVHP residents and businesses. This will have the multiple effect of promoting local business development; increased local hiring to mitigate transportation related air pollution and stormwater impacts; and increased access to current residents of the community.

Conclusion

The reuse of HPS gives the Bayview-Hunters Point community an excellent opportunity to benefit from San Francisco's increased development pace, perhaps the last great opportunity. It is therefore vital that the project be managed with the community's benefit in mind.

SAEJ's comments do not just represent the views of this organization, but those of concerned residents and organizations throughout the community.

Again, thank you for the opportunity on commenting on this important document. Undoubtedly, we all want our hopes realized. We look forward to working with the lead agencies to ensure that this document and subsequent project is done right.

Sincerely,

Alex Lantsberg
Project Coordinator

Letter P11: Southeast Alliance for Environmental Justice

Response to Comment P11-1:

The responses below address specific comments regarding the analysis, mitigations, and assurance of future economic benefits for the Bayview-Hunters Point community. In addition, please see responses to specific comments by the Alliance for a Clean Waterfront (Letter P12), San Francisco Baykeeper (Letter P15), Communities for a Better Environment (Letter P13), Coalition for Better Wastewater Solutions (Letter P16), and the San Francisco Bicycle Coalition (Letter P14).

Response to Comment P11-2:

The transportation analysis includes the assumption that Crisp Avenue would become a through arterial street, the South Gate would be open to truck traffic, and truck traffic would be routed via the South Gate of HPS to existing truck routes. Truck access to Hunters Point Shipyard (HPS) is assumed to follow the same pattern as auto traffic: 80 percent from the Innes Gate and 20 percent from Crisp Avenue. The commenter's suggestion that more traffic be routed through the South Gate would potentially shift impacts from one location (e.g., Third Street and Evans Avenue) to another (e.g., Third Street and Palou Avenue). Rather than pursue this strategy, the EIS includes a mitigation measure to address impacts where they are projected to occur.

While road widening (proposed as mitigation for Significant and Mitigable Impact 2) can encourage automobile use, this tendency must be balanced against the need for lessening congestion and reducing air quality impacts. The Bay Area Air Quality Management District (BAAQMD) recognizes that measures to improve traffic flow and reduce congestion can lessen air quality impacts, but cautions against traffic-inducing effects of increased roadway capacity (BAAQMD impact assessment guidelines, p. 59). The proposed mitigation measures would affect single intersections in a congested urban area where the transportation network has many other capacity constraints. Within this context, the suggested measures would not be expected to induce substantial additional traffic, and the benefit of reduced congestion and air quality impacts in the vicinity would appear to outweigh the incremental increases in capacity.

The Transportation Management Association (TMA), through the Transportation System Management Plan (TSMP), would work to improve traffic conditions by encouraging alternate forms of transportation. The TSMP includes specific, feasible measures for reducing automobile trips and encouraging transit use. Implementation of the TSMP is expected to reduce traffic and air quality impacts. In addition, local hire provisions and shuttles (if feasible) are now included as required elements of the TSMP (see Section 4.1.2). The proposed TMA is the best form of mitigation that can be required at this early stage of the planning process. The TSMP is included in EIS Section 4.1.2 as mitigation for Significant and Mitigable Impacts 1, 2, and 3. The TSMP is described under the Significant Unmitigable Impact. Also see Section 4.1, subheading "Public Transportation," for a discussion of potential transit improvements at HPS.

Response to Comment P11-3:

The Mayor spoke in favor of keeping the Paul Street Station open at the January 21, 1999 hearing. On February 4, 1999, CalTrain directors voted to keep the Paul Street CalTrain Station open.

Response to Comment P11-4:

A discussion of bicycle routes has been added to Section 4.1. The discussion includes potential routes that would be considered for funding and implementation as part of the TSMP. Additional bicycle routes could be considered by the TMA as part of the TSMP. The City's Department of Parking and Traffic could also consider additional bicycle routes separate from the TSMP.

Response to Comment P11-5:

Comment noted. The amount of parking planned for at HPS is based on the modal splits used in the traffic analysis (see response to Comment P12-38). The plan is not to have more parking than what has been estimated for the analysis. Please see the discussion of the TSMP in Section 4.1.2, under the Significant Unmitigable Impact.

As explained in Section 4.9, Water Resources, existing storm water discharges from HPS have been reported to contain industrial pollution, including hydrocarbons, total suspended solids (TSS), zinc, copper, lead, and nickel. Remediation activities under Navy's Installation Restoration Program (IRP)are expected to decrease the concentrations of pollutants in storm water discharges over time, improving the quality of storm water discharges. Projected improvements attributed to remediation activities might be offset to some extent by increases in storm water pollutants attributable to project-generated traffic, but overall storm water quality is expected to improve. This improvement would be assured through institutional controls, which include preparation of a Storm Water Pollution Prevention Plan (SWPPP) and implementation of best management practices. Alternative storm water treatment technologies could play a role in the SWPPP and could also be included in the design or repair of the storm water collection system (Option 1 or 2, Section 4.9). Streetscape improvements would also be considered by the TSMP, which would likely monitor and prioritize physical transportation improvements, such as roadway resurfacing, roadway medians, sidewalk construction, etc.

Response to Comment P11-6:

The General Plan designates Innes Avenue as a secondary arterial street (see EIS Section 3.1.1, Figure 3.1-2). Consistent with this designation, traffic calming measures, particularly those that reduce the number of lanes or add impediments to travel, might not be appropriate. Such measures are not required to mitigate potential impacts identified in the EIS and are not proposed at this time. In general, street improvements in the larger Bayview-Hunters Point neighborhood are being considered in the context of the Bayview-Hunters Point Revitalization Concept Plan prepared under the auspices of the San Francisco Redevelopment Agency and the Bayview-Hunters Point Project Area Committee.

The assessment of traffic impacts on Innes Avenue was an integral part of the traffic analysis. See EIS Sections 3.1, 4.1, and 4.2.

While pedestrian-oriented street design is desirable on Innes Avenue outside of HPS, this area is not part of the HPS project. These improvements could be designed and funded as part of larger Bayview-Hunters Point Redevelopment efforts or accomplished by the City's Department of Parking and Traffic and Department of Public Works as a separate project.

Response to Comment P11-7:

As described in Section 3.7 of the EIS, it is Navy's responsibility to remediate contaminated soil and groundwater at HPS such that the site is suitable for the land uses, including residential uses, proposed as part of the Proposed Reuse Plan. Navy's remediation efforts, which are being coordinated with the U.S. Environmental Protection Agency (U.S. EPA) and other regulatory agencies, must be protective of human health and the environment. There is already a process for public participation in the remediation process under the IRP. Navy's remediation efforts are not the focus of the EIS. Reuse assumes that Navy's remediation process and consultation with the U.S. EPA would result in use restrictions and similar mechanisms to limit potential exposure to residual contamination. Under the CERCLA process, U.S. EPA must approve the form of the restrictions, covenant, or conditions, including the enforcement mechanism. Any use restrictions would be included in the CERCLA Record of Decision. Therefore, potential impacts associated with exposure to residual soil and groundwater contamination would be less than significant.

Response to Comment P11-8:

Dust suppression during remediation efforts is the responsibility of Navy and its contractors, consistent with work plans reviewed by the U.S. EPA as part of the CERCLA process. The dust suppression techniques currently being used during remediation of Parcel B, as well as the techniques required for construction activities associated with reuse (EIS Section 4.2), are proven methods. These methods have been approved and are often required by the City, U.S. EPA, and BAAQMD as a means to effectively control airborne dust. Please refer to the City's grading ordinance, the U.S. EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP), and the BAAQMD's rules and regulations, which cite required dust suppression techniques.

There are cases in which dust controls are not always 100 percent effective. The "dust clouds" seen in late October and early November 1998 were raised from dirt tracked off site by trucks hauling *clean* fill material to HPS. The doors of the bottom-dump trucks were occasionally blocked from closing completely, and small amounts (from several trucks) of clean soil were released onto Innes Avenue. This dirt was stirred up by subsequent traffic. The dust observed was *not* from contaminated soil. Navy took appropriate steps to stop the spillage from trucks. Through community feedback, Navy is very aware that dust suppression is a critical issue and has placed a high priority on the elimination of airborne exposure. There are a number of avenues available for the public to inform responsible agencies of observed emissions. The BAAQMD is the lead agency

for enforcement of the U.S. EPA's NESHAP regulations and welcomes information on visible air emissions.

Response to Comment P11-9:

Risk assessment techniques used to select remediation levels are based on persons that live at the site, work at the site each day, or come on the site to perform construction-related work (such as excavation). The remediation levels will be sufficient to protect individuals that might be directly exposed to contaminants. Please refer to Section 5.1.3 of the EIS for further discussion. The current analysis cannot speculate on the nature of risks in other areas of San Francisco, such as the Bayview-Hunters Point area.

Response to Comment P11-10:

Navy acknowledges that property disposal does not terminate Federal Government responsibility for contamination caused by its activities on the property. Section 120(h)(3) of CERCLA places certain restrictions on the conveyance of Federally owned property on which hazardous substances have been stored, released, or disposed of. Generally, Navy must take all remedial action necessary to protect human health and the environment with respect to any hazardous substances on a property before it can convey the property by deed. Under certain circumstances, however, contaminated property can be conveyed by deed before all remedial action has been taken. Section 120(h)(3)(C) of CERCLA sets forth the conditions under which the U.S. EPA Administrator, with the concurrence of the Governor, can defer the requirement of providing a covenant that all necessary remedial action has been taken before the date of conveyance. In such cases, once Navy has completed all necessary remedial action, it must issue a warranty that satisfies the covenant requirement. In any case, when property is conveyed, the grantee receives covenants and indemnifications regarding environmental liability from the Government of the United States or the Department of Defense. These covenants and indemnifications provide for continuing Federal responsibility for contamination resulting from Federal Government activities. The covenant and indemnification requirements that provide for continuing Federal Government responsibility are considered by Navy to be regulatory requirements and therefore not mitigation.

Response to Comment P11-11:

As described in the response to Comment P11-7 above, the remediation of HPS is not the focus of the EIS analysis. Remediation is being conducted under the IRP pursuant to CERCLA. Your comments have been forwarded to the remedial project manager handling the CERCLA actions at HPS.

Under Navy's IRP, discharge of contaminated groundwater is strictly controlled, and discharge to the City's combined sewer system requires a City permit.

The potential impacts associated with combined sewer overflows (CSOs) are discussed in detail in Section 4.9 (Water Resources). To address the potential for partially treated groundwater to enter the Bay during rain events, additional mitigation has been added to Section 4.9.2, heading *"Proposed Reuse Plan"*, subheading "Significant and Mitigable Impact," Mitigation 1.

For a discussion of dust suppression measures to control air emissions during remediation, see response to Comment P11-8.

Response to Comment P11-12:

Redevelopment activities at Hunters Point Shipyard would proceed pursuant to the *Hunters Point Shipyard Redevelopment Plan* (San Francisco Redevelopment Agency, 1997b). As permitted under the *Redevelopment Plan* and as is customary for the San Francisco Redevelopment Agency, the San Francisco Redevelopment Agency would enter into a development agreement with a primary developer, selected by the Redevelopment Agency Commission. This agreement includes, as its first goal, the creation of "sustainable economic benefits and jobs for the Bayview-Hunters Point community." The goal is further articulated by the following objectives:

- Build a diverse and economically viable and sustainable community with employment, entrepreneurial, art and educational opportunities for the economic benefit of the Bayview-Hunters Point community.
- Create 6,400 permanent jobs at full build-out of the project.
- Maximize participation of area residents and businesses in the pre-development, development, interim reuse, and environmental remediation of HPS.
- Create and expand economic opportunities for existing area businesses.
- Provide ownership and equity opportunities for area residents and businesses.
- Provide the greatest possible level of education and job training and hiring opportunities for area residents and for partnerships with community residents and businesses throughout all development and long-term management of the project.
- Create small business assistance programs and incubator opportunities with linkages to larger, established businesses.
- Provide for land uses and development projects that are compatible with one another within HPS and with the surrounding neighborhood, during all phases of redevelopment.

The primary developer would be required to prepare and implement development proposals that are consistent with the San Francisco Redevelopment Agency goals and objectives including the ones listed above. Any development proposals submitted to the San Francisco Redevelopment Agency by the primary developer would also be reviewed by the HPS Citizens' Advisory Committee (CAC). Further, the primary developer would be required to prepare and implement a Community Benefit Program that relates to the following:

- Permanent and construction jobs, including job training, education and hiring programs consistent with articulated goals and objectives and with applicable San

Francisco Redevelopment Agency and City requirements, such as the First Source Hiring and Equal Opportunity programs.

- Investment opportunities for the community.
- Business incubator and entrepreneur opportunities.
- Local ownership opportunities.

Response to Comment P11-13:

As permitted under the *Hunters Point Shipyard Redevelopment Plan* (San Francisco Redevelopment Agency, 1997) and as is customary for the San Francisco Redevelopment Agency as the City's affordable housing development agency, the San Francisco Redevelopment Agency would enter into a development agreement with a primary developer, selected by the Redevelopment Agency Commission, to ensure that a range of housing opportunities is provided at the Shipyard. This goal is further articulated by the following objectives:

- Develop well-designed new residential areas that assist in meeting a range of housing needs of the greater Bayview-Hunters Point community and the City.
- Develop and implement a permanent affordable housing program that makes available at least 20 percent of all new and rehabilitated housing types to low- and moderate-income households, maximizes the number and level of affordable housing, and is consistent with the housing needs identified by the Mayor's Office of Housing in cooperation with the San Francisco Redevelopment Agency.
- Provide an appropriate mix of ownership and rental housing with the maximum number of units at the lowest possible price.

Development proposals submitted to the San Francisco Redevelopment Agency by the primary developer would be reviewed by the HPS CAC. Along with preparing and implementing development proposals that are consistent with San Francisco Redevelopment Agency goals and objectives, including the ones listed above, the primary developer would be required to prepare and implement a Community Benefit Program that relates to affordable housing, including a description of the number and size of units, phasing and linkage principles, anticipated timing of availability, price range, and levels of affordability.

ALLIANCE FOR A CLEAN WATERFRONT

A Network of Diverse Community, Political and Environmental Justice Organizations

January 19, 1999

Engineering Field Activity West
Naval Facilities Engineering Command
Attn: Mr. Gary Munekawa, Code 7032, Bldg 209/1
900 Commodore Drive
San Bruno, CA 94066-5006

City and County of San Francisco
San Francisco Planning Department
Attn: Ms. Hilary Gitelman
1660 Mission Street, 5th Floor
San Francisco, CA 94103

RE: Draft EIS/EIR for Disposal and Reuse of Hunters Point Shipyard

Dear Mr. Munekawa and Ms. Gitelman:

Thank you for providing the opportunity to comment on this second version of the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR). We appreciate the responsiveness of the City and the Navy to our requests last year to rewrite and recirculate this document. We also appreciate the extension of the comment period provided by the Redevelopment Agency and Planning Commission.

Our Alliance is drawn together by a vision of an environmentally and socially sustainable community built on a foundation of clean water and environmental justice. Flowing from this vision we are concerned with the HPS EIS/EIR treatment of the obvious issues of Water Resources, Utilities, Hazardous Materials and Waste, and Land Use. Our vision also extends to the linked issues of Transportation, Air Quality, Public Services, and Biological Resources. Ultimately it involves the question of the relationship between the Bayview-Hunters Point community and the redeveloped Hunters Point Shipyard. Will jobs and business opportunities go to the people living nearby who would travel the shortest distance? Or will they be by-passed by commuters from the far corners of the Bay Region?

In addition to our shared concerns that are linked to clean water, the Alliance is committed to expeditious redevelopment of the Shipyard according to the goals and objectives laid out in the Reuse Plan. We are mindful that the Bayview-Hunters Point community actively participated in shaping the Reuse Plan. We support their efforts to create a new Shipyard that will complement their neighborhood and address its most pressing needs by providing jobs, business opportunities, affordable housing, and open space targeted to Bayview-Hunters Point residents.

We are also sensitive to community concerns about existing environmental problems in Bayview-Hunters Point: poor air quality, high rates of asthma, cancer and other diseases, hundreds of contaminated brownfield sites, inadequate transportation links with the rest of the city and region

currently limit opportunities and degrade the quality of life. We share the view that redevelopment of HPS needs to correct these problems, not make them worse.

The goal of the Alliance in commenting on this EIS/EIR is to strengthen the prospects that reuse, will achieve these ends. We look to the environmental review process to ensure that Shipyard redevelopment will be supported with the infrastructure and public services needed to protect the Project's neighbors and new residents from the burden of environmental impacts. The Bayview-Hunters Point community must not be required to choose between economic opportunity and a healthful environment.

Many of the organizations participating in the Alliance are also submitting comments individually that provide additional detail, but we are in agreement on the broad range of issues presented in or combined comments that follow.

We remain at your service to resolve the issues that concern us.

Contact: ***Eve Bach*** **at Arc Ecology**
833 Market Street, Suite 1107 San Francisco, California 94103 Phone 415 495 1786

Michael Thomas	Communities for a Better Environment/Safer Project
Corinne Woods	Mission Bay Conservancy
Mike Lozeau	San Francisco BayKeeper
Ruth Gravanis	Golden Gate Audubon Society
June Morrison	San Francisco Tomorrow
David Lewis	Save San Francisco Bay Association
Claude Wilson	Southeast Alliance for Environmental Justice
Amy Quirk	Sunset Community Democratic Club
Beryl Magilavy	Sustainable City
Doug Kern	Urban Watershed Project
Jeff Marmer	Wastewater Solutions
John Rainwater	California League of Conservation Voters
Aaron Peskin	South End Rowers Club
Meg Reilly	Dolphin Club
Peter Reich	Sailboarders Environmental Alliance
Eve Bach	Public Trust Group
Olin Webb	Haz-Mat Connections, Bay View Advocates
Saul Bloom	Arc Ecoloby

COMMENTS ON THE HPS EIS/EIR

I. STORMWATER AND SEWAGE (WATER RESOURCES AND UTILITIES)

The way that that San Francisco disposes of its stormwater and sewage is not a matter of abstract or academic interest to the Bayview-Hunters Point community. The City's failure to provide water treatment systems able to accommodate peak loads of waterborne wastes has required these residents to live next to a malodorous sewage facility that overflows during stormy weather. This historical (but hardly benign) neglect has surrounded this community living in a magnificent bayshore location with polluted bay waters harboring inedible fish.

Planning for new development to send additional stormwater and sewage to the Bayview-Hunters Point Sewage Treatment Plan will cause the lower income people of color who comprise that community to bear a disproportionate burden of the City's environmental burden. It is a sadly typical example of the kind of government decision that gave birth to Environmental Justice programs and requirements.

The Alliance for a Clean Waterfront promotes on-site treatment and recycling of stormwater and sewage, integrated into large development projects. It begins the process of lifting the unfair burden of treating the whole city's sewage that the Bayview-Hunters Point community has borne for many years. P12-1

HPS redevelopment is a project for which this solution is especially well-suited. The need for a new system of stormwater treatment is pressing:

- current approaches are inadequate;
- groundwater has the potential to be a long-term serious problem since redevelopment will occur on land with residual contamination due to anticipated "risk based cleanup";
- there are many subsistence fishermen in the area;
- the Project will require complete replacement of the infrastructure (why not do it right?); and
- at about 500 acres, the project includes enough land to accommodate the landscaping and facilities needed to carry out water treatment and recycling.

Concerns about the individual and cumulative stormwater and sewage impacts of this Project, including their environmental justice implications, have shaped our comments on this EIS/EIR. We support the goals and objectives for reuse developed by the community; our comments speak to the need to ensure that state-of-the-art, long term sustainable solutions to the Plan's potential environmental impacts are integrated into the Redevelopment Plan that will ultimately govern reuse.

A. Navy Disposal

Problem: The EIS/EIR itself suggests that simple act of the Navy disposing of HPS will change the status of the property's stormwater systems from adequate (meets applicable standards) to inadequate (does not comply with standards that subsequently apply). "The City's preliminary assessment of the existing storm water system indicates that it does not operate to City standards and will require substantial repairs or replacements." (page 3-141) Virtually the same statement appears on page 3-151 describing the storm drain system. P12-2

This observation is critical because the EIS/EIR considers a "violation of Federal, state, or local storm water discharge standards or wastewater standards" to be a threshold of significance for environmental impacts. (page 4-96)

We question, therefore, the conclusions that there are no stormwater and sewage impacts associated with the Navy's disposal of HPS. P12-2

Remedy: In the Final EIS/EIR, include a thorough analysis of the legal and practical implications of Navy conveyance to the City of a sub-standard system, including liability to the City. Consider as mitigation Navy upgrade of the systems.

B. More Stringent Threshold of Significant Needed

Problem: The EIS/EIR considers the threshold of significance for stormwater to be compliance with existing regulations (page 4-96). This does not seem reasonable for a 30-year redevelopment plan since it is predictable that standards will become more demanding during this time period. It is also inconsistent with environmental justice concerns, since existing regulations subject neighbors of the sewage treatment plant to overflows, odors, and possible health hazards. P12-3

Remedy: **Change the threshold so that it considers <u>any</u> discharge of untreated stormwater into the Bay that is caused by the Project (individually or cumulatively with other projects in southeast San Francisco) to be a significant environmental impact. Consider stormwater on-site stormwater treatment and recycling as a mitigation.**

C. Inadequate Attention to Relationship between Water and Land use

Problem: Given that storm water systems are inadequate and will have to be redesigned and rebuilt, the discussion in the EIS/EIR is insufficient because it does not embed this requirement into the land uses permitted by the Proposed Reuse Plan and Redevelopment Plan. The Revised EIS/EIR does not correlate the proposed reuse plan with likely mitigation measures that would address storm water contamination and sanitary waste treatment.

The EIR briefly considers three broad approaches to transporting storm water - maintaining the existing separate system, replacing the existing system or replacing it with a combined sewer system. The Revised EIR notes that "specific upgrades to the sanitary sewer and storm drainage systems . . . could include additional storage treatment, or alternative approaches to the handling of storm water (e.g., retention, reclamation)." "Any one of these [storm water system] options could incorporate a variety of refinements, including additional treatment, storage, or alternative technologies for handling storm water". (page 4-100) P12-4

However, the EIS/EIR fails to consider that such options will require space (i.e. land) strategically located where the storm water is flowing. A main function of both the Reuse Plan and the Redevelopment Plan is deciding where open space areas will be located. Yet, nowhere in the EIS/EIR do the authors make the connections between land use and stormwater system needs. For example, see. Land Use, Chapter 4 4 describing other open

space goals; no mention is made of accommodating storm water pollution control systems, such as large scale sand filters.

Many alternatives addressing pollution of municipal and industrial storm water pollution include the use of large scale filters, grassy swales and other elements that can only be accommodated within available open spaces. Similarly, there are technologies available to prevent the Project from contributing additional sanitary waste to the City's combined sewer system and, ultimately, to sewage overflows into Islais Creek. These include a local treatment system that would treat sanitary waste to a high enough quality to efficiently reclaim it on-site for irrigation, toilet flushing and other uses. This solution would need space within the reuse plan. P12-4

Similarly, the EIS/EIR's discussion of increased sanitary waste flows resulting from the Project makes no attempt to correlate the land uses and infrastructure needs of the Plan with potential sanitary waste treatment and management alternatives that may require space.

Remedy: **As part of preparation of the Final EIS/EIR, undertake a study of the spatial and locational needs of on-site stormwater and sewage treatment. Through the mitigation process, require mitigation of the Reuse Plan and the Redevelopment Plan to ensure that the land use map is consistent with these land needs so that these treatment options are not pre-empted.**

Problem: The EIS/EIR notes that "[t]he quality of future storm water discharges will depend on the nature of future land uses and on the effectiveness of water quality control measures." (page 4-93) This is true. Indeed, open space is one of the land uses which can incorporate a number of available technologies which are capable of treating storm water. Unfortunately, the mitigations described for storm water pollution do not explore the obvious structural opportunities afforded by a large redevelopment proposal. (page 4 93) The two mitigations only address construction "best management practices," public education, and good housekeeping. The issue does not conclude there. P12-5

Remedy: **As with the Mission Bay Project, the City should consider structural storm water pollution controls that will assure comprehensive treatment of storm water flows origination at HPS. The Mission Bay Project includes, among other things, advanced street cleaning, treatment of all storm water flows by Vortex-type treatment units (installed at each of five outfalls, and lastly, an as yet to be finalized second tier of treatment using sand filters proposed to underlie open space areas at the edge of the project.**

Unfortunately, although Catellus Development has been very supportive of installing such filters, the available space in the reuse plan for Mission Bay limited the areas that the filters could be installed to two segments of the project, restricting the potential of filters, and the potential for siting storm water treatment facilities in those areas. The HPS EIS/EIR should consider adjustments to the reuse plan to maximize the redevelopment project's ability to incorporate storm water control measures in open space areas.

Both NEPA and CEQA purposes would be well served to the extent that this EIS/EIR provides the public and decisionmakers with information that enables them to integrate environmentally sound sewage and wastewater treatment into this Project in its early stages.

D. Inadequate Discussion of Relationship to Transportation

Problem: There is also no attempt in the revised EIS/EIR to correlate transportation planning with storm water pollution impacts. The EIS/EIR acknowledges that more cars will cause more pollution to flow via storm water from streets. "Typical sources of pollutants from parking lots include fluid leaks from vehicles, brake pad wear, tire abrasion, pavement wear, sediments, pesticides from landscaped areas, and atmospheric deposition. Types of pollutants may include oil and grease, metals, hydrocarbons, and organic pollutants, as well as sediments." (page 3-145)

No correlation between the areas of increased traffic and strategic placement of storm water treatment measures is discussed (perhaps sand filters located within expanded street medians, for example).

Remedy: **a)Include projections in the Final EIS/EIR of the maximum land area for paved parking areas allowed by Design for Development. Then project reductions that could be sustained if the Redevelopment Plan were amended to include automobile disincentives and other mitigations at a level that would result in no unmitigable transportation or air quality impacts.** P12-5

b)Calculate the net "savings" of runoff pollutants discharged to the Bay if the Project limited parking to the reduced amount, instead of the amount that the Plan currently would permit.

c)Then roughly calculate the amount of stormwater that could be treated if the land area "reclaimed" from paved parking were used instead for stormwater treatment.

d)Estimate the net difference between the volume of pollutants entering the Bay under the parking and the stormwater treatment scenarios.

e)Design mitigations based on these results.

Problem: Sewage overflows at Yosemite Channel caused by CSOs currently impair beneficial uses of the Bay near HPS.

Remedy: **Consider any addition to CSOs by new development at HPS to be an environmental impact. Include as mitigations requirements to prevent discharge of groundwater to the treatment plant during and for a few days following a storm.** P12-6

E. Treating Sewage on-site

Problem: In discussing sanitary waste, the EIS/EIR does not appear to contemplate separating out the existing CSO system within Yosemite Channel. There is no analysis of opportunities to separate the storm water system from sanitary waste in this area of Hunters Point in order to reduce the quantity of combined sewer overflows into Yosemite Channel.

The discussion of sanitary waste mitigation fails to address the potential of a localized treatment system that would prevent additional sewage flows to the existing Southeast sewage plant and which would more effectively and efficiently accommodate local reuse of treated wastewater. P12-7

Remedy: The Final EIS/EIR needs to analyze space requirements of an on-site sewage treatment facility and provide mitigations amending the Redevelopment Plan to require this option. In addition, the Reuse and Redevelopment Plans' open space components should consider the availability of space for tree plantings that could also be incorporated as a tertiary treatment component of a sanitary waste treatment plan.

F. The Backbone Plan

Problem: It is unclear what the status is of the Backbone Plan. The earlier version of the Draft EIS/EIR seemed to assume that that Plan would be followed, and indicated that it was one of the documents being reviewed as part of the Project; the current version of the EIS/EIR appears to consider the Backbone Plan simply as a possibility. (page 4-97) The text of the current document indicates that infrastructure replacement could be incremental, timed to accompany development. makes clear that the above concerns need to be considered in this EIR process P12-8

Remedy: Clarify whether the Backbone Plan is likely to be used. If not, analyze how the incremental approach would be implemented and how its impacts would be mitigated.

G. Unclear Numbers

Problem: In Impact 2 (page 4-92), the authors cite a baseline of 240 mgy of stormwater currently discharged via HPS' current separated stormwater system.

Remedy: Explain the empirical source and derivation of this amount.

Problem: The discussion states that there will be 227 mgy after redevelopment. (Table 4.9-2, page 4-89) However, at 21" average rainfall per year (the figure used in the Mission Bay analysis), the volume of rain falling on the site would be 282mgy.

21inches/year = 1.75 feet/year
feet/year x 493 acres = 862.75 acre-feet/year
862.75 acre-feet/year x 326,000 gallons/acre-foot = 281.25million gallons/year

P12-9

Remedy: Explain the empirical source and derivation of 227mgy. What runoff coefficients were used? Explain why it is lower than the baseline. Explain the assumptions that went into Table 4.9-2. How much land would be needed to treat this quantity of stormwater?

II. LAND USE

A. Relationship to Stormwater Impacts

Problem: There is no indication that open space in sufficient amount and appropriate location would be available to treat all stormwater on-site.

P12-10

Remedy: Include a study of this issue in the Final EIS/EIR and modify the land use maps in the Reuse and the Redevelopment Plans accordingly. (see discussion above)

B. Potential Conflict between Planned Residential and Open Space Uses with On-going Remediation Activities

Problem: We were very pleased that the EIS/EIR considered these potential impacts and agree that subsequent focused environmental review will be needed.(page 4-49) We are concerned, however, that the EIS/EIR concludes that there are no potential Land Use environmental impacts despite this analysis. Insufficient information does not support a conclusion of no impact. Rather it requires a formal commitment to perform focused environmental review when information becomes available as a with a specific project seeks approval.

P12-11

Remedy: Identify this land use conflict as a potential significant impact and mitigate with the requirement to perform an initial assessment when residential or open space projects are proposed within a specific distance (such as 250 yards) of current or expected remediation projects. This should also be extended to children's facilities, sensitive commercial (such as restaurants with outdoor seating), R&D laboratories, and educational and cultural land uses.

C. Unclear Relationship between the Two Parts of the Project (Reuse Plan and Redevelopment Plan) and between the Project and the General Plan

1. The Relationship between the Reuse Plan and San Francisco General Plan

Problem: The EIS/EIR is evasive about possible inconsistencies between the Reuse Plan and the General Plan, (page 4-50---51) There is a discussion about the need to modify maps of some of the Elements, and the vague conclusion that "On the whole, proposed land uses and land use policies contained in the reuse plan ordinance would be compatible with City policy."

P12-12

This general reluctance of the authors to provide detailed information about potential inconsistencies of the Reuse Plan with the General Plan echoes a theme sounded in the first version of this draft EIS/EIR. In that document, the text promised an appendix with a detailed analysis, but no such appendix was included. In that earlier version of the draft EIS/EIR, the authors suggested they might modify the General Plan to match the Reuse Plan to reconcile inconsistencies. In this version, they offer the same general strategy if the Reuse Plan is ever incorporated into the General Plan.(page 4-50)

Arc Ecology's comments on that earlier document are still relevant.:

Another example of an inadequate approach to mitigation is the vague promise

(not actually listed as a mitigation) to address the incompatibility of the Proposed Reuse Plan with the General Plan by modifying the General Plan. It is not possible to determine where the conflicts are or if they are significant because the EIS/EIR provides no details, but this approach to reconciling the differences truly undermines the rationale for conformance. The reason for comparing the Reuse Plan to the General Plan is to make sure that the area plan fits into the overall vision for the city. Modifying the Reuse Plan to conform to the General Plan turns this statewide objective on its head, especially when various findings of no impact are based on General Plan policies. P12-12

Remedy: Analyze all potential differences between the Reuse Plan and the General Plan.

2. The Role of the Reuse Plan

Problem: Further complicating the relationship between the Reuse Plan and the General Plan, the current version of the EIS/EIR anticipates that the Reuse Plan (which the Board of Supervisors adopted as a Proposed Area Plan) might never actually make it into the General Plan. "The Proposed Reuse Plan <u>may</u> be incorporated into the City's General Plan in the form of a new Area Plan." (page 4-50 emphasis added) P12-13

If the Reuse Plan is not incorporated into the General Plan, it would seem to have no official function or weight as a planning document under State Planning Law.

This would present a <u>serious</u> problem, not just because it would jettison the plan developed and endorsed by the Bayview-Hunters Point community. More significantly, it would seem to leave the Redevelopment Plan (Appendix C) remaining as the single planning document with teeth.

Remedy: Explain what the role of the Reuse Plan would be in governing redevelopment of HPS if it is <u>not</u> adopted as an area plan and is <u>not</u> otherwise incorporated into the General Plan. To what extent would implementation of the Redevelopment Plan need to carry out the goals and objectives of the Reuse Plan if the Reuse Plan does <u>not</u> become a part of the General Plan?

3. The Relationship between the Reuse Plan and the Redevelopment Plan

Problem: The Redevelopment Plan, except for its Land Use Plan, is virtually a boilerplate document that is hardly specific to the HPS site. It does not reference the special needs and concerns of Bayview-Hunters Point. The policies that the CAC and the community labored over for many months are simply not included in the Redevelopment Plan. P12-14

The formal objectives of the Redevelopment Plan do not mention Bayview-Hunters Point or South Bayshore in any way. The only reference to the adjacent community in the Redevelopment Plan is a reprint of the General Principles of the Citizens Advisory Committee However these principles are clearly presented as the views of the CAC, not a statement of Redevelopment Agency policy

"The CAC adopted a set of planning guidelines to frame their ideas for the development and reintegration of the Shipyard into the social, economic and physical fabric of Bayview Hunters Point... The CAC guidelines represent a strong group consensus and the Committee feels that they should set the tone for the renewal of the project area." (Redevelopment Plan page 5 - emphasis added)

P12-14

Remedy: **(a) Analyze all potential differences between the Reuse Plan and the Redevelopment Plan.**
(b) Explain the extent to which implementation of the Redevelopment Plan would be required to be consistent with CAC principles.

4. The Relationship between the Redevelopment Plan and the General Plan

Problem: The EIS/EIR is altogether silent about consistency between the Redevelopment Plan and the General Plan. This is surprising because representatives of the SF Planning Department assured the Redevelopment Agency Board on 7/14/97, when the Board adopted the HPS Redevelopment Plan, that potential conflicts between the two planning documents would be thoroughly explored when the Redevelopment Plan was subjected to environmental review.

Potential conflicts between the Redevelopment Plan and the General Plan are particularly troubling because the Design for Development states, "All new development shall meet the requirements of the General Plan and applicable codes including changes or amendments thereto as may be made subsequent to the adoption of the Redevelopment Plan except to the extent that the changes and amendments conflict with the express provisions of the Redevelopment Plan and this Design for Development." (page 52 of the Design for Development emphasis added)

P12-15

Remedy: **a) Analyze all potential differences between the Redevelopment Plan and the General Plan.**
(c) Explain to what extent the implementation of the Redevelopment Plan would be required to be consistent with the zoning ordinances and public works codes.

D. Land Uses Permitted by the Redevelopment Plan

Problem: The Redevelopment Plan specifically allows land uses under its Industrial, Research and Development, and Maritime Industrial land use categories that would have potentially significant environmental impacts. (pages 9-11 of the Redevelopment Plan) Examples of land uses that could potentially generate hazardous wastes are

- the manufacturing, processing, fabricating, and assembly of chemicals and allied products, primary and fabricated metal products, and electrical/electronic equipment and parts (in the Industrial category),
- the manufacturing, processing, fabricating, and assembly of X-ray apparatus and tubes, and diagnostic substances, and
- virtually all the Maritime Industrial land uses

P12-16

Several permitted land uses in the Industrial category could potentially generate large

volumes of truck traffic - an issue of particular concern to the Bayview-Hunters Point community which is already burdened with more than their fair share of the city's truck traffic because of the pattern of existing routes. These uses potential include

- the processing of food products (depending on the scale of operations),
- trucking and courier services, and
- warehousing and distribution.

P12-16

Remedy: **Identify the potential impacts of permitted land uses and provide mitigation in the form of requirements for additional environmental review.**

E. Tidelands Trust

Problem: We appreciate the discussion of Public Trust issues and expect that the Final EIS/EIR will be able to include a description of the anticipated land trade described on page 4-51. If there is not an agreement about the trade by that time, the inconsistencies of the Reuse and the Redevelopment Plans with Public Trust requirements would be significant impacts requiring mitigation.

P12-17

Remedy: **Include Public Trust inconsistencies in the Final EIS/EIR if they have not been resolved. Otherwise analyze potential impacts of the trades.**

III. HAZARDOUS MATERIALS

We appreciate that the discussion of Hazardous Materials includes a more thorough description of the Shipyard contaminants than in the previous version of the EIS/EIR However, the current documents continues to lack the full range of information necessary for the public and officials to make informed decisions about reuse of the site.

A. Cleanup to Reuse - Understanding Underlying Assumptions

Problem: Although Section 3.7.3 includes a brief explanation for risk based cleanups (page 3-99), it fails to identify a major problem that is likely to occur as a consequence of Navy disposal of HPS parcels. The problem is that information about residual contamination needed to protect future users of the site could become inaccessible. To understand the problem, it is necessary to appreciate the kind of quantitative analysis that determines remedies in "risk based cleanups" that the Navy is undertaking at HPS.

P12-18

As the explanation on page 3-99 suggests, a risk based cleanup occurs when the agency responsible for cleanup (the Navy in the case of HPS) determines that the remedy for contamination is to limit people's access to the toxics rather than to remove or treat those toxics to federal and state standards. The limits on access can be physical (capping a site, erecting a fence around it) and/or social (establishing rules that allow people to work but not live on the site, or that limit children's use of the site). In the same way that regulatory agencies (USEPA, CalEPA) have quantified standards for the treatment or removal of toxics (non-risk based cleanups), they quantify the health risks associated with limitations on use of a site.

The issue is that terms such as "industrial standard" and "residential standard" are a very rough shorthand that communicates a wide range of meanings The decision to clean a site to

an "industrial standard", for example, is based on studies (on animals) suggesting that the probability that an adult human who spends 250 days per year for 25 years exposed to toxics on the ground surface on the site will develop cancer (over and beyond his or her risk otherwise) is between 1 in 10,000 and 1 in 1,000,000. A more complicated example is that cleanup to a residential standard (which assumes 350 days per year for 24 years, and assumes use of the site by children) does not always mean a lack of restrictions. Regulators may consider it safe for families to live on a site, but not to eat vegetables grown in their backyard.

The EIS/EIR does not explore whether the Navy RODs on Shipyard cleanup will convey critical information about use restriction sufficient to ensure that future users are not exposed to greater risks than accepted by cleanup decisions.

For example, on page 3-100 we are assured that the Human Health Risk Assessments for parcels A,B,C,D, and E addressed both a "commercial/residential and industrial reuse scenario" but the Navy Record of Decision (ROD) on the "completed" cleanups (Parcels A and B) do not spell out what kinds of activities could be associated with each scenario.

P12-18

The uncertainties for the rest of the Shipyard are even greater since the Navy has not yet determined what level of cleanup it will undertake at Parcels C, D, E, and F.

This same problem emerges with Mitigation 3, which would require implementation and monitoring of use restrictions. This is an important mitigation and we are pleased that it is included. However, it does not describe that the ban of "non-residential uses" would also need to include a prohibition of child-occupied facilities (such as schools and childcare facilities), and vegetable/fruit gardens. These additional restrictions require a much more thorough and complicated implementation and monitoring system. A company that allows employees to develop a garden twenty years from now is not likely to apply for a City permit; nor would it necessarily ask the City for permission if it decides to set aside a small amount of space for childcare halfway through the next century

Remedy: **To safeguard future users of Shipyard sites that have (or will have) undergone "cleanup to reuse", the EIS/EIR needs to require the Navy to spell out in its RODs the specific assumptions and restrictions underlying each risk based cleanup. The RODs need to explain that residential scenarios assume longer exposure duration and more intense exposure (i.e. children playing outside). And that the concentrations of chemicals left in the soil will be significantly lower for residential scenarios than for industrial scenarios. The RODs need to specify that a parcel cleaned to industrial standards will not be usable for residential purposes unless additional cleanup (cleanup to lower chemical concentrations) is undertaken.**

The Redevelopment Plan in particular needs to be amended to account for the fact that property not cleaned to residential standards will continue to be encumbered by toxics by maintaining easily accessible, detailed information about any restrictions on use, by requiring the master developer to integrate this information into its marketing of properties, by on-going public education about the risks, by supporting monitoring of

the restrictions by community-based organizations, and by enforcement over the life of the redevelopment district. P12-18

Problem: Cleanup to reuse will require continuing expenditure of resources to monitor use restrictions, and hamper flexibility of redevelopment. Redevelopment of the site will mean that even occasional lapses in monitoring and enforcement could cause long term exposure to hazardous materials. This is a potential impact of the Redevelopment Plan.

Remedy: The most straightforward mitigation would be for the City to insist and for the Navy to provide for deeper and more thorough cleanup whenever possible. In the absence of this obvious mitigation, it will be necessary for the Navy to ensure, by its own programs or by providing, as a condition of its disposal of the property, the financial support to enable that the Redevelopment Agency to enforce conditions assumed in the human health risk assessment. P12-19

B. Double Exposure

Problem: The industrial reuse scenario assumes 5 day a week exposure to site contaminants. The EIS/EIR notes community concerns that people who live in the contaminated neighborhoods outside the shipyard gates and in surrounding neighborhoods could potentially experience cumulative health impacts because their exposure would be closer to 7 days a week. A person who lives in the Bayview-Hunters Point neighborhood cannot go home to a clean environment after working in a contaminated site on the Shipyard. The fact is that this neighborhood hosts the highest concentration of hazardous waste sites in the City. P12-20

The EIS/EIR peremptorily dismisses these concerns as "speculative" without analysis. (Pages 5-19—20)

Remedy: Provide additional analysis of the potential impacts of double exposure given the unlimited variety of land uses permitted by the Redevelopment Plan, and consider cleanup to unrestricted use by the Navy as a mitigation.

C. Residual Contamination

Problem: The EIS/EIR does not sufficiently address impacts caused by residual (after the cleanup) contamination. The mitigations put forth in section 4.7 are somewhat disingenuous in directing readers to "Navy data" to determine the location of possible residual contamination. It would be an impossible task even to learn which of the hundreds of documents to consult first. P12-21

Remedy: The EIS/EIR needs to expand this mitigation so that it would require the Navy support the creation and operation of a system making all data about residual contamination easily accessible to the public. Anticipated residual contamination needs to be described and presented on a three-dimensional map or GIS system for future reference. A means to update this map needs to be provided as cleanup proceeds, and as additional contamination is discovered during the redevelopment process and afterwards.

The Redevelopment Agency will need to actively communicate this information to people living and working at or near the Shipyard in clear, understandable terms. It will not be enough to simply respond to requests for information.

P12-21

In addition, the EIS/EIR needs to describe potential Proposition 65 disclosure obligations that will be borne by business leasing from the Redevelopment Agency and by private owners of Shipyard properties.

Problem: The mitigation that contractors immediately stop work in areas contaminated with "unknown hazardous materials" is inadequate because it assumes that contractors will know when they have encountered unexpected contamination. However, many hazardous materials do not come in the form of debris or tanks. Many toxins cannot be seen or smelled even when they are present in harmful concentrations.

P12-22

A reliable means of discovering unidentified subsurface hazards besides encountering debris needs to be provided as a mitigation. As a mitigation, the City needs to strictly enforce provisions at least as stringent as Article 20 of the San Francisco Public Works Code at all excavations. If Article 20 is strengthened, the improved standards need to be strictly enforced. The Redevelopment Plan must not be permitted to override this requirement.

D. Impacts of Navy Disposal

Problem: As it does in almost every other section, the EIS/EIR initiates discussion of Hazardous Materials with the glib conclusion that there are not impacts of Navy disposal of the Shipyard property. We are very concerned that the Navy intends for its disposal of the property to terminate its responsibility for the contamination it has caused. As an illustration, the mitigations set forth in Section 4.7 make no mention of the Navy's potential role in addressing heretofore undiscovered contamination, which is likely to occur, especially on parts of the site that were not previously investigated or remediated. (The CERCLA Record of Decision is essentially a cleanup contract between the Navy and the regulators. The terms of the ROD apply to the entire subject parcel -- not just to the remediation areas.)

P12-23

Remedy: **Mitigation 5 needs to be modified such that SF Department of Public Health will consult the appropriate CERCLA Record of Decision and the Navy before any additional cleanup is undertaken. If contamination falls within the terms of the CERCLA ROD, the Navy must retain responsibility for cost to cleanup to levels specified in the ROD.**

Mitigations should also specify that the Redevelopment Agency will provide all site developers and contractors with CERCLA Records of Decisions, including details of use restrictions and other assumptions underlying the cleanup for that site.

E. Need for a Project Alternative Reducing Impacts of Contamination

P12-24

Problem The Reduced Development Alternative was not developed with an eye toward avoiding (or

taking into account) areas of residual contamination. The EIS/EIR does not include a Project Alternative that adjusts the land use configuration of the Proposed Reuse Plan to avoid groundwater plumes.

P12-24

Remedy: Either provide an additional alternative in the Final EIS/EIR or develop mitigations that require development to be sited so that it avoids groundwater plumes and does not cause changes in groundwater flows that would create new plumes, change their flow rates, or threaten the effectiveness of groundwater remedies.

F. Ecological Exposure to Residual Contamination During Construction

Problem: Impact 6 does not analyze the problems that will be created when utility lines pass through zones of contaminated groundwater. Any underground utility corridor can provide a flow path to the Bay. When piping or utility trenches cut through areas of contaminated groundwater, the loose soil, gravel backfill, or the wall of the pipe provides a new, efficient pathway for the contaminated groundwater to reach the Bay. In this way rebuilding the Shipyard's infrastructure could lead to a serious increase in Bay pollution unless the impact is specifically mitigated.

P12-25

Remedy: The Final EIS/EIR needs to specify, based on consultation with experts in the field, state of the art requirements or standards as a mitigation of this potentially serious impact.

Problem: Sewer lines can provide an additional pathway for untreated groundwater to flow into the Bay because the contaminated groundwater leaks into the pipes (even new ones -- sewer pipes are not pressurized and unless specially engineered specifically not to leak, they will) during dry periods then is discharged with stormwater.

P12-26

Remedy: To deal with inflow, Mitigation 6 needs to include a requirement for leak-resistant sewer pipe whenever the line passes through zones of contamination.

G. Human Health Risks at Parcel F

Problem: The EIS/EIR is incorrect in its statement that "there is no pathway for human exposure to the submerged contaminated sediments" at Parcel F. (page 3-116) Many people regularly fish in the area for subsistence purposes.

The EIR correctly states that the "primary exposure pathway for fish is ingestion of contaminated prey and incidental ingestion of sediment," and that "portions of parcel F are characterized by concentrations of chemicals that are generally toxic to aquatic life." The EIR states that some chemicals "such as DDT, PCBs, and mercury, have high bioaccumulation factors, which means that they accumulate and are magnified in the natural food chain." Clearly human health is jeopardized because of exposure to toxic chemicals from consumption of Bay fish.

P12-27

Remedy: The results of a human health risk assessment must be incorporated into the Final EIS/EIR, and mitigations of any impacts need to be incorporated into the Project as amendments to the Redevelopment Plan.

H. Institutional Controls

Problem: Institutional controls are being widely applied as part of cleanup remedies, even before they have been tested for effectiveness and durability. Mitigation 3 fortunately assigns an active role for the City in monitoring and enforcing institutional controls. (page 4-75) The discussion should also clarify Navy responsibility for ensuring that future users comply with the terms of the Cleanup ROD. P12-28

Remedy: Develop a program for Bayview-Hunters Point community members to assist in the monitoring effort, and to educate the public about restrictions on use of affected properties.

IV. TRANSPORTATION AND TRAFFIC

The relationship between transportation and traffic issues, and the clean water focus of these comments, is strong. Traffic congestion generates air pollutants that find their way into runoff, as do the contaminants from parked cars. The space needed for all-day parking of employees commuting in their individual cars absorbs space that is needed for landscaping to treat stormwater. The City services required to support automobile travel depend on some of the same local public funds that are needed to create and operate the systems needed to prevent untreated sewage and runoff from entering the Bay or contaminating groundwater. P12-29

A. Information, Methodology, and Data

The first level of problem in the analysis of transportation and traffic concerns the data used to define existing conditions and to estimate Project impacts.

1. Public Transit

Problem: Information describing existing and projected MUNI service routes is incomplete. (Page 3-9--12) P12-30

Remedy: Provide information about schedules, (including hours of operating, headways, travel times to major destinations and hubs) and ridership.

2. Current Traffic Volumes

Problem: Authors measure regional traffic at 3 points including I-280 south of U.S.101 (Initially Page 3-16), even though Caltrans comments on previous version of the Draft EIS/EIR suggested measuring on I-280 north of U.S.101. The Caltrans comment seems reasonable given the authors' projections that 75% of the vehicle trips to and from HPS will initiate or terminate within the City of San Francisco. (Page 4-6) P12-31

Remedy: Supplement traffic data currently provided for I-280 south of U.S. 101, with data from I-280 north of U.S. 101 and integrate the additional data into all calculations and analyses.

Problem. Table B-5 Freeway Ramp Volumes are based on 1992 and 1993 Caltrans data and Korve 1995 data. It is not clear which data comes from which year or how numbers have been P12-32

combined.

Remedy: **Explain the empirical source and derivation of numbers used in this table.** P12-32

Problem: The description of Regional Transportation Services (pages B7-8) indicates that connections between regional transit lines and HPS would be very time consuming, but provides no information about the amount of time it would take, on average for a Shipyard employee or resident to connect with SamTrans, CalTrain, BART, A-C Transit, Golden Gate Transit and ferries. A poor understanding of the high travel times in turn contributes to the authors' subsequent overestimate of transit use. P12-33

Remedy: **Estimate the total travel time for average trips to and from San Mateo, Alameda, Contra Costa, and Marin counties by transit.**

Problem: The main numbers in Table B-9 Trip Generation Rates (for R&D and for Industrial land uses) are unintelligible. It is not at all obvious how Korve derived the numbers. P12-34

Remedy: **Provide an explanation for the meaning and the calculation of these trip generation rates.**

3. Future Transportation System

Problem: Although this section, which sets the stage for the discussion of cumulative impacts, purports to include the truck traffic that will be generated by the redeveloped site, it does not address anticipated increases in truck traffic volumes that will be associated with Shipyard cleanup activities and that will contribute significantly to cumulative impacts. (Pages 3-21---23) P12-35

Remedy: **Include an estimate of the volume of truck trips that will be generated by Shipyard remediation truck traffic that must be taken into account in estimating the Project's cumulative truck traffic impacts.**

Problem: The EIS/EIR states that transportation improvements are included in the Project although we find no information in either the Reuse Plan or in the Redevelopment Plan of what specific improvements will be, what standards they will achieve, or when they will be implemented. We find no evidence of any commitment by the City or any other agency to provide transit incentives or improvements, only very general goals and objectives that do not mandate a performance standard. The EIS/EIR does not provide any additional specificity. Examples are "Truck routes would be designated within HPS", "Pedestrian and bicycle facilities would be provided". (Page 4-2) P12-36

The worst example of good intentions and pious hopes unsupported by reliable commitment is the EIS/EIR statement, "Public transportation service into HPS would be extended/expanded." (Page 4-2) There is no evidence whatsoever that the Reuse Plan

includes a commitment to extend or expand public transportation into HPS. Indeed, SF MUNI staff comments (4/15/96) on the previous version of the HPS EIS/EIR specifically point out that service improvements cannot be relied upon.

The Redevelopment Plan never mentions transit goals. The closest it comes is the objective listed in part II A 6, to provide infrastructure that includes "streets and transportation facilities." The Design for Development is hardly better. In setting design standards it fails to include a single criterion to encourage or facilitate transit uses.

The problem is not a failure to anticipate detail. On page 53, the Design for Development requires developers to show where City plantings and lighting will be located, to indicate the transition from overhead to underground utilities, and the location, design and sizes of signs. Yet developers are not asked about bus stops. The EIS/EIR fails to note that the Design for Development makes no provision for incorporating transit facilities into street construction (concrete pads at bus stops to prevent destruction of softer street surfaces), turnout lanes, or sidewalk widening for bus shelters. It is painfully clear that transit would be an afterthought, shoehorned into a project primarily designed for the single-occupancy automobile.

P12-36

The authors of the EIS/EIR add insult to injury by repeatedly assuming that transit improvements will be in place when they calculate of trip patterns and modal split, contributing to an under-estimate of traffic volumes. (Page 4-4)

Remedy: **a) Precisely identify the specific transportation improvements that are required by the Reuse Plan and the Redevelopment Plan.**
b) Improvements listed on pages 4-2 and 4-3 that are not included in the Project but are clearly required should be added to the Project as mitigations of traffic and air quality impacts.
c) Amend the Design for Development with specific design criteria to accommodate and encourage transit and bicycle use.

Problem: Some of the items listed on pages 4-2 and 4-3, such as converting Crisp Avenue into a through arterial street, opening the South Gate to traffic, and designating truck routes within HPS will require environmental review. They are an integral part of the Reuse Project and should not be piecemealed.

P12-37

Remedy: **Analyze the potential environmental impacts of these specific transportation measures in the final EIS/EIR and mitigate as necessary.**

4. Trip Statistics and Traffic Volumes

Problem: The authors have based the key traffic calculations (e.g., average daily person trips, average daily vehicle trips, trip distribution, modal split and traffic volumes that are derived from these numbers) on the assumption that transit improvements and other mitigations will be implemented.

P12-38

One example of this methodology is provided in the second paragraph on page 4-5 which summarizes the number of person trips, vehicle trips, and the modal split for the A.M. peak in 2010. The EIS/EIR states, "This distribution is based on the objectives and policies of the Proposed Reuse Plan regarding the use of transit and alternative modes at HPS, which would by [*sic*] achieved through mitigation measures described later in this section." (Page 4-5)

There are several problems with this statement. First, the EIS/EIR does not specify the objectives and policies of the Proposed Reuse Plan, probably because all are much too general to predict how much transit improvement will actually occur. The same is true for Mitigation 3, the single mitigation in the EIS/EIR that seems designed to promote public transit use. Mitigation 3, which would form the HPS TMA, does not specify the level of transit improvements expected to occur as a result of this effort. (Page 4-13) Adjusting the calculations of traffic volumes on the basis of vague statements of good intentions results in meaningless numbers.

The EIS/EIR (including technical appendix B) does not inform the reader what the traffic volumes would be if these very inadequately framed mitigations were not implemented or partially implemented. The authors do not inform us what level of transit incentives they are assuming will be implemented. Nor do they tell us how they converted the incentives into a numerical factor reducing vehicle trips, and therefore reducing traffic volumes It is, consequently, impossible for the public or elected officials to track the authors' calculation or to independently evaluate whether the adjusted figures are reasonable.

P12-38

Furthermore, since the reader lacks information about the level of transit incentives that are assumed by the authors of the EIS/EIR, we cannot determine what additional incentives would need to be added to fully mitigate impacts.

Remedy: **a) First, provided the unadjusted numbers; i.e., calculate travel demand and traffic volumes using the assumption that there will not be transit promoting improvements.**
b) Next specify EIS/EIR assumptions about the level of transit and alternative transportation incentives and requirements that were used to calculate the adjusted (i.e. mitigated) numbers.
c) Explain the derivation of the adjustment factors; i.e., the relationship assumed between the level of incentives and the reductions in automobile traffic was quantified.
d) Finally recalculate all traffic volumes with both the unadjusted and adjusted numbers.

Problem. Numbers in the text do not match numbers in table. Table B-10 shows 3,505 total person trips in the AM peak hour for the Proposed Reuse Plan in the Year 2010; the text states, "As shown in Table B-10, the Proposed Reuse Plan is estimated to generate approximately 5,480 person-trips during the A.M. peak hour...". There are comparable discrepancies between the text and the table for all other categories of total person trips(for year 2025, P.M., and Reduced Development Alternative).

P12-39

Remedy: **Explain the source of the disparity and state which (if any) is correct, and whether the**

numbers quoted in the text the unadjusted (accurate) version. Which set of numbers was used to calculate traffic impacts?

Problem: It is not possible to validate the calculations in Table B-11 Project Vehicle Trip Generation, which rely on "auto percentages and vehicle occupancy rates [VORS] obtained from the City Planning Department." If we work backwards, the VOR seems high at roughly 1.7 persons per vehicle (vehicle person trips / autos) for peak hour travel. P12-40

Remedy: Explain the source of the numbers. What are they based on? How do they compare with numbers for other districts in San Francisco, and for the city as a whole?

Problem: In their discussion of Trip Linkages (pages B-10 - 11), the authors arbitrarily apply a 25% reduction to the number of trips generated by mixed-use and cultural land uses. The text states, "Studies have shown that the percentage of trips in a mixed-use linked development has a strong relationship to the percentage of commercial land uses within the area. Since there is a significant amount of commercial use identified in the Proposed Reuse Plan, the 25 percent reduction is appropriate." P12-41

Remedy: Explain which studies are the authors referencing. What is the nature of the "strong relationship?" How was the very general term "significant amount" of commercial use translated into a quantitative (25%) reduction? Why not a reduction of 15%? Or 10%?

Problem: The numbers resulting from this non-rigorous calculations appear to overstate the number of trips (74%) originating and ending in San Francisco (page 4-5 and pages B-11---13). In doing so they lay the groundwork for overestimating the numbers of HPS jobs that will go to San Francisco resident.

Based on the August 1993 *Citywide Travel Behavior Survey - Visitor Travel Behavior* (CTBS), the authors assumed that trips to and from HPS would be geographically distributed in the same proportion as trips to and from the much larger Superdistrict 1, an area comprising almost the entire eastern half of the city. This assumption is not justifiable because the Shipyard is at the extreme southeastern tip of the district, is far less accessible to most areas of San Francisco than the rest of Superdistrict 1, and is closer and more accessible to northern San Mateo County than to much of San Francisco. P12-42

The authors of the EIS/EIR justify their assumption with the statement that the results are consistent with the Year 2010 MTC regional traffic model. Information about the assumptions of that model and the trip distribution that it suggested, is not available. Indeed, the EIS/EIR's bibliography does not even list the MTC model.

Remedy: Provide background information about the MTC travel model and its estimate of the distribution of HPS trips. Re-estimate trip distribution based on data from the Bayview-Hunters Point neighborhood. P12-42

B. Definition of Impacts

1. Truck Traffic

Problem: In its exploration of traffic impacts, the EIS/EIR ignores the particular impacts of trucks In defining thresholds of significance, the authors do not break out truck traffic from traffic in general even though truck traffic has a different, more invasive set of impacts, and will increase at a different rate than traffic generally at HPS. During the next 5-10 years, concurrent environmental remediation, building demolition, and new construction at HPS (and other sites in the southeastern quadrant of San Francisco) can be expected to cumulatively generate a high volume of heavy truck traffic. Common sense suggests that new sources of truck traffic associated with the 1 million ft^2 of industrial, R&D and mixed use in 2010 and 2 ½ million ft^2 in 2025 (page 4-44) will add substantially to the existing proportion of truck traffic on Third Street, where currently trucks account for 10-15% in the A.M., 4-7% P.M.. (page 3-14).

There is no analysis to support the conclusion (page 4-19) that this additional truck traffic will not generate significant impacts. The authors state that they have used "conservative assumptions of high truck use" but they do not tell the reader what those assumptions are. They state that "This amount of truck traffic [180 trucks during AM peak hours, 110 during PM at Project building, according to Table B-11] could be accommodated within the capacity of the surrounding street system and therefore would not be considered significant". They have apparently compared total traffic volume to street capacity without accounting for the differentially greater impacts of trucks than automobiles, including noise, vibration, air pollution, wear and tear on streets, and energy use. P12-43

Even though the EIS/EIR fails to account for the special impacts of truck traffic, the Design for Development, in effect, concedes this point. It requires development to "design and incorporate sound insulation, ventilation systems, and other structural features to minimize the effects of traffic noise, pollution, and vibration" in an area where "higher levels of large vehicle traffic are anticipated." (page 42 of Design for Development) We appreciate that these requirements of the Redevelopment Plan will protect people living and working in HPS from truck impacts, but what about the people who live on the Bayview-Hunters Point streets that these trucks will travel to arrive and depart the Shipyard?

Furthermore the conclusion that the impact of truck traffic will be insignificant appears to be based on incomplete information. By examining truck traffic only in the years 2010 and 2025, the authors fail to capture impacts created when truck traffic would be the most problematic - when demolition and construction at the Shipyard are in full swing, and add to the truck traffic generated by remediation efforts. The estimate of truck traffic in Table B-11 almost certainly does not take demolition and construction traffic into account. The numbers appear to be based on citywide ratios (all we are told is that they were "obtained from the City

Planning Department"). The information is also incomplete because it excludes non-peak hour truck trips.

Truck traffic is an extremely sensitive and contentious issue in the Bayview-Hunters Point community because of existing land use conflicts and street -highway configurations. Although flushing out the issues might cause differences of opinion to surface during the environmental review process, avoiding the issue until residents are actually impacted by the truck traffic of HPS will make it even more difficult to build community consensus around solutions. There will be fewer options and a whole new set of interests that will have to be satisfied. P12-43

Remedy: **a) Set a quantitative threshold of significance, based on transportation literature.**

b) Project daily truck traffic for 3-year intervals.

c) Analyze environmental impacts, including air pollution, noise, and vibration.

c) Mitigate impacts with routing and scheduling restrictions.

d) Mitigate impacts with amendments to the Redevelopment Plan that restrict land uses that typically generate high volumes of truck traffic.

C. Inadequate Mitigations

1. Unmitigatable Impact of Increased Cumulative Traffic at Third and Chavez

Problem: The response (it is not offered as a formal mitigation) to this traffic impact is to form a HPS Transportation Management Association (TMA) which would implement a Transportation System Management Plan (TSMP), is an open-ended process with no predictable outcome. Even though the mitigation specifies six programs of the TSMP, the authors of the EIS/EIR do not set goals for the programs (such as 50% of employees using alternatives to the private automobile by 2010), suggest the scale at which TSMP program would operate, nor specify which agency would be responsible for the programs, or sources of funding. It is unclear how much responsibility and authority would rest with the TMA, how much with the coordinating committee, and how much with the Redevelopment Agency and the Board of Supervisors. (pages 4-7--- 8) P12-44

Furthermore, the single element of the TSMP that seems to have teeth --- the program to "monitor transit demand and implement planned services" has, on closer inspection, more gums than teeth.

The EIS/EIR states that a threshold of 1,500 new employees or residents will trigger "those transit improvements contained in the Proposed Reuse Plan that are necessary to meet demand, including proposed MUNI extensions if applicable." The mitigation goes on to suggest that the TSMP would "curtail commercial and residential development until required services are funded and implemented, if necessary to prevent an imbalance between transit demand and services."

The problem lies in the language. We have been unable to find specific transit improvements in the Reuse Plan. We do not understand what is meant by transit "demand". Does the term demand refer to people who are already riders or those who would become riders if there were reasonable headways and travel times? Is this mitigation suggesting that transit services might ("if applicable") be extended when ridership reaches high levels? What are needed to mitigate the traffic impacts are transit improvements to increase ridership when it is low.

It is also unclear what is meant by curtailing development, and why only commercial and residential development would be affected. What are "required services" in this context, and how would the TMA recognize an "imbalance" between transit demand and services?"

P12-44

Remedy: This mitigation should be rewritten to require a moratorium on development at HPS whenever single-occupancy vehicles and traffic volumes reach levels that would cause significant impacts. The moratorium would be lifted only when the target levels are attained. This adjustment would continue throughout the life of the project.

Problem: The EIS/EIR provides a list of potentially stronger incentives --- ideas such as local hiring practices and shuttle services ---but they are simply a menu of ideas that the TMA might or might not consider. Despite the fact that the proposed mitigations are not sufficient to fully address the traffic congestion impacts , the EIS/EIR fails to require these stronger measures.

Given the unknown goals, operations, and governance of the TSMP programs, and the authors' reluctance to seriously consider effective mitigations, the authors' judgment that the increased cumulative traffic at Third and Chavez cannot be mitigated is unfounded.

Indeed, traffic mitigation 3 actually appears as a formal mitigation to address mitigable impact 3, Unmet Demand for Public Transit. For the most serious traffic and air pollution impacts, this EIS/EIR does no propose any mitigation measures whatsoever.

P12-45

We are concerned that the authors appear to be so uninterested in devising mitigations that would protect the Bayview-Hunters Point community from the impacts of traffic congestion at this key intersection. The EIS/EIR does not formally propose *any* mitigation to lessen this impact despite concluding it is unmitigable. We are apprehensive that a finding of overriding need in connection with this cumulative impact will write a blank check, in effect, for all development projects along the south eastern edge of the city to ignore and fail to mitigate any traffic and air quality impacts of those developments.

Remedy: a) Develop a serious, quantified mitigation program that targets employment and business ownership opportunities at the Shipyard to Bayview-Hunters Point residents. The targeting goal (in combination with transit incentives) should be high enough, in conjunction with other mitigation measures we propose, to ensure that traffic and air pollution impacts will be fully mitigated. The program should be incorporated into the terms of the Redevelopment Agency's conveyance of Shipyard property to the master developer.

This mitigation program is needed because current experience suggests that new jobs created in Bayview-Hunters Point are likely to be filled by people who travel into the area from elsewhere in the city and region. Bayview-Hunters Point residents have not benefited from employment in their neighborhood.

Hunters Point workers have suffered unemployment rates 2½ the rest of the City. In 1990, one out of five African American male workers living in Bayview-Hunters Point was unemployed, and this significantly understates the problem because more than 40% of African-American men over 16 were not included in the labor force. (1990 US Census)

Hunters Point workers do not suffer such high unemployment rates because jobs are too far away. They live midway between the two areas of highest concentration of employment in the 9-county region---the Airport area and downtown San Francisco. If proximity to jobs determined employment rates, Bayview-Hunters Point would have the lowest rate of unemployment in the region.

P12-45

The following paragraph appeared in the 11/97 version of the draft EIS/EIR (page 3-68), although it has appears to have been excised from the current version:

> In the City, the jobs/housing ratio in 1990 was 1.77:1. This means that there are almost twice as many jobs as there are housing units. Within the South Bayshore planning area, this jobs/housing ratio was 3.49:1 in 1990. This indicates that South Bayshore planning area residents live amidst a wealth of employment opportunities, yet ... they have had little success in gaining access to employment --- either in their own neighborhood or any other part of the region.

Experience counsels, therefore, that creating jobs at the Shipyard will not address unemployment in adjacent Bayview-Hunters Point unless the Redevelopment Plan creates effective linkages between the jobs and business opportunities that are projected for the Shipyard. The figures in the EIS/EIR that Bayview-Hunters Point residents will hold 3,000 HPS jobs by 2010 (page 4-61) is wishful thinking. The document provides no explanation why the new jobs would go to Bayview-Hunters Point residents when up until now they have not benefited from a surfeit of jobs in the neighborhood. There are no policies or programs in the Project that would make the difference.

The earlier version of the Draft EIS/EIR suggested support for locally owned businesses at the Shipyard as probably the most promising approach to reducing traffic congestion and air pollution because experience has shown that businesses owned by neighborhood residents are by far the most likely to hire local employees.

Employment preferences for neighborhood residents could be implemented through a program supported by Shipyard employers, with rewards for successful local hires. For example, Shipyard employers would have specific local hiring goals, and would

financially support a fund to recruit, train, and coach neighborhood job seekers. As employers achieve success in meeting their hiring goals, their financial contributions for support services would decrease proportionally.

A program targeting business opportunities to Bayview-Hunters Point residents could be supported by the master developer, consisting of land write-downs, access to equity and debt capital on favorable terms, technical assistance, and business linkages.

An efficient approach to combine employment and business opportunities for Bayview-Hunters Point residents would be to provide a substantial amount of acreage to a locally controlled development corporation to develop.

b) A supplemental mitigation would be a requirement (as part of the terms of conveyance to the master developer) for HPS businesses to support a free shuttle service connecting HPS with Bayview-Hunters Point, and with major transit hubs (BART at 24th Street), CalTrain, SamTrans, and the East Bay Terminal). The shuttle service would serve both employees and residents of HPS and the larger neighborhood. P12-45

c) Mitigations should also include a full menu of requirements and incentives to reduce peak hour travel and overall vehicle miles, such as requirements or incentives for businesses to shift work schedules to off peak hours, preferential parking and financial incentives for carpool and van pool travel and electric vehicles, additional bicycle lanes, secure bicycle storage, changing facilities for bicycle riders, and on-site child care.

c) Disincentives to the single occupancy automobile could include charges for employee parking (carpools and vans could be exempt) The revenues could help to support the shuttle system and the incentives listed above.

2. Unmitigatable Impact of Increased Cumulative Traffic at U.S. 101 and I-280

P12-46

Our comments about the analysis of Unmitigatable Impact 1 (increased cumulative traffic at Third Street and Chavez) apply to Unmitigatable Impact 2. The estimate of traffic at this location appears to undercount the impacts, and there is no serious attempt to mitigate these impacts. The same mitigations that we propose for Impact 1 would work for Impact 2.

3. Mitigable Significant Impacts

Problem: The EIS/EIR identifies street "improvements" to mitigate increased cumulative traffic at two intersections: Third Street and Evans Avenue, and Evans Avenue and Chavez Street. We believe both of these mitigations, which are designed to accommodate additional traffic at these intersections, are unacceptable because they will act, in effect as incentives, to additional automobile traffic. We consider these mitigations to be particularly unacceptable in the context of the Project as a whole, because they could exacerbate the "unmitigatable" traffic and air pollution impacts at intersections several blocks away. P12-47

Remedy: **Replace these mitigations with mitigations to reduce the traffic volumes for the Project as a whole.**

4. Shortcomings of the TMA - TSMP Approach

Problem: The main traffic and air pollution mitigation in this EIS/EIR would form the HPS Transportation Management Agency . There is no way for the public or decisionmakers to anticipate the outcomes of such a mitigation since no goals or performance standards for the Transportation System Management Program are identified in the EIS/EIR.

The TMA. will rely on the City's regulatory powers to create incentives and requirements designed to shift travel to transit and other alternatives to the single occupancy automobile. From the brief description on page 4-7, it appears they will do so after the Redevelopment Agency has conveyed Shipyard property to the master developer (when there are property owners and tenants on the site who could sit as members of the TMA).

P12-48

Imposing requirements on the master developer or subsequent owners after they own HPS property rather than before they have acquired it will greatly limit options for strong incentives and requirements. State law and court decisions seek to prevent "takings" from private property owners. If mitigations go into effect before the HPS properties are conveyed to private owners, this would not be an issue. A master developer would understand what was required before buying the property.

Remedy: **Include a description of specific transportation management programs in the mitigation and set a schedule of progressively higher annual performance goals for non-automobile travel to and from the Shipyard. Incorporate these programs as requirements into the Redevelopment Agency's terms of conveyance of Shipyard property to the master developer.**

P12-49

Problem. Many of the critical features of the TMA are unclear.

Remedy: **Respond to the following questions:**

- **How will the members be selected?**
- **Why would other Bayview-Hunters Point tenants, owners, and employees be excluded?**
- **Who will be responsible for developing the TSMP? Adopting it?**
- **What authority will the TMA have for implementing its provisions?**
- **The TMA (in whole or in part?) will be part of a broader Coordinating Committee that includes some members of the Citizens Advisory Committee and city staff. What will be the role of the Coordinating Committee?**
- **How will conflicts of interest be prevented of TMA members?**

P12-49

Describe transit and alternative transportation incentives as mitigations instead of delegating them

D. What is the Overriding Need for this Project?

Unless traffic and air quality impacts are fully mitigated in the Final EIS/EIR, it is evident that public and officials will need to make findings of overriding need since the no project alternative is not a real option. That will be virtually impossible to do for this Project. The Project generates substantial localized traffic and air impacts that exacerbate existing poor conditions in a lower income minority community In the absence of the mitigations we have proposed, these impacts would not be balanced with any degree of certainty by neighborhood benefits. The same argument can be made at a citywide level.

P12-50

- The Project as proposed will result in a net loss to the City's treasury (see section on Public Services) for at least 30 years.
- The City already has 1.7 jobs for every residence, 3.5 in Bayview Hunters Point. The need to add more jobs if they are not targeted to un- or under-employed neighborhood residents is not obvious..
- Traffic and air pollution impacts are under-estimated, preventing reasoned balancing of environmental impacts against benefits.

V. AIR QUALITY

A. Similarities and Overlap with Transportation Analysis

Many of same general problems that compromise the integrity of the transportation analysis afflict the exploration of air quality issues. Projections used to determine impacts are based on numbers that assume high levels of transit use and alternative transportation even though the Project does not include any commitment to implement such incentives. The only mitigation of air pollution caused by traffic- is the open-ended TMA approach with no predictable effect. As with traffic impacts, the EIS/EIR has an overly tolerant attitude to air pollution impacts and proposes no mitigation measures to eliminate them. The remedies that we proposed in our comments on transportation apply in equal measure to the air quality analysis.

P12-51

B. Underlying Numbers

Problem: In the Air Quality analysis, estimates of trip generation and travel patterns result have been tweaked without justification, resulting in an undercount of air pollution problems. "The vehicle trip generation estimates reflect a substantial amount of transit use, ridesharing, and nonvehicular travel. Resulting net trip generation rates are about 50 percent lower than conventional trip generation rates." (page B-47)

Numbers appear out of the air with no logical explanation even in the technical appendix that is presumably the place where the curious reader can check on assumptions and methodology. "The travel time and vehicle speed distribution represent professional judgment based on regional land use patterns, regional transportation systems, previous analyses of travel patterns as represented by various regional traffic models, and previous analyses of data from regional and statewide travel pattern survey." (page B-47) P12-52

The numbers that result from this "black box" approach to calculations do not seem reasonable. The mean commute trip travel time for people living in HPS is projected to be 21 minutes even though the comparable figure for the rest of the SF-Oakland area is 1/3 higher at 28 minutes. (page B-50) It is questionable that the travel time should be so much lower for one of the most remote parts of San Francisco Is this the result of the unjustified assumption that ¼ of HPS jobs in 2010 will go the Bayview-Hunters Point residents?

Remedy: For the Final EIS/EIR, recalculate without adjusting standard figures for baseline numbers. Explain assumptions behind numbers.

Problem: The EIS/EIR cannot legitimately claim that the air pollution impacts are unmitigable because there is no way for the reader to know what measures have already been folded into the numbers and what further steps could be taken. P12-53

Remedy: Calculate trip pattern data that would be consistent with no impacts from ozone precursor emission or PM_{10}, and then devise a package of mitigations that would approach those numbers . Include among the mitigations requirements on Shipyard employers to hire from within Bayview-Hunters Point, and requirements for businesses owned by Bayview-Hunters Point residents. Also include as specific mitigation programs BAAQMD suggestions of transit improvements and amenities, street improvements, ridesharing incentives, transit incentives, site plan changes, design changes, operational changes, parking redesign and buffer strips.

Problem: The Draft EIS/EIR recognizes that the region was designated as a "moderate non-attainment" area for ozone. However, despite this classification, the Draft EIS/EIR fails to analyze mitigation measures to address the significant levels of reactive organic compounds and nitrogen oxide (ozone precursors) which will be produced as a result of the Project. Instead, the Draft EIS/EIR considers the addition of the Project's incremental increase in relation to the region's overall ozone precursor emissions and concludes that there will not be any measurable change in the high ozone concentrations. This "ratio" analysis is unlawful and P12-54

improper under CEQA and cannot be used to dismiss a significant impact.

Remedy: **The Final EIS/EIR needs to propose effective mitigations with predictable outcomes to the Project's ozone impacts.** P12-54

C. Air Pollution is an Environmental Justice Issue.

Problem: Air quality in the Bayview-Hunters Point area is already degraded. The failure to mitigate localized hazardous air pollutants in the PM_{10} and some ozone precursors represents an environmental justice issue. P12-55

Remedy: **Provide an environmental justice analysis and mitigations.**

VI. PUBLIC SERVICES

Problem: This EIS/EIR does not examine the potential environmental impacts that would result from the fiscal conditions created by the tax increment financing in the Redevelopment Plan. When the City adopts the Hunters Point Redevelopment Plan, it will be agreeing to use property taxes to fund redevelopment agency programs, administration, and bond financing instead of helping to foot the costs of City and County services. The City will continue to collect all other taxes in the redeveloped area, but these will fall far short of covering expenses by $200 million. This will affect the public revenues available for police, fire, roads, stormwater and wastewater treatment, and utilities. The EIS/EIR already anticipates a possible reduction in fire services by stating that the on-base fire station may be closed. (page 4-105) P12-56

Remedy: **The Final EIS/EIR needs to analyze the effects of dedicating HPS property taxes to**

Table 1
CITY OF SAN FRANCISCO'S 30-YEAR INVESTMENT IN SHIPYARD REDEVELOPMENT
$ millions

City/County property taxes invested in Shipyard development as tax increment financing[1]	($180)
New direct costs to City of providing services required by Shipyard development[2]	(144)
TOTAL COSTS TO CITY	($324)
CITY REVENUES (OTHER THAN PROPERTY TAX) GENERATED BY SHIPYARD DEVELOPMENT[3]	$116
REVENUES LESS EXPENSES	($208)

[1] *Report on the Redevelopment Plan*, May 1997 Table IV-4. This is the City and County's share of property tax increment that the Plan projects will be contributed to the Redevelopment Agency. It is an approximation of foregone City revenue because it is not clear how much property tax would accrue if the Redevelopment District were not established. For unknown reasons, this amount is greater than the $116 million projected by the Sedway Model, that calculates a net loss to the City of $48 million instead of $208 million.

[2] *Hunters Point Shipyard Financial Feasibility Model* prepared for the San Francisco Redevelopment Agency by the Sedway Group, April 1997, "Cashflow Distribution Report"

[3] *Ibid.*

P12-56

redevelopment on public services at HPS and on public services to the City generally.

VII. ENVIRONMENTAL JUSTICE

Problem: The Draft EIS/EIR briefly describes the demographics of the Bayview-Hunters Point community and makes a conclusory statement that the proposed reuse of the Hunters Point Shipyard will not have any disproportionate adverse impacts. This conclusion is incorrect.

The Bayview-Hunters Point community (also known as the South Bayshore district of San Francisco) has approximately 27,000 residents, 91% of whom are persons of color (62% African-American; 22% Asian/Pacific Islander; 8% Latino; and 8% Euro-American). It is a community experiencing economic hardship, with more than 30% of the residents having household incomes less than $15,000 (compared with 19% of all City households). Forty-six percent (46%) of the household incomes are below $25,000. During the past decade, poverty has increased dramatically (25% to 30%). Also, over the past decade, with the City's manufacturing and industrial jobs declining, Bayview-Hunters Point unemployment rate has nearly doubled.

P12-57

There is currently a health crisis occurring in this community. Residents suffer from relatively high levels of cancer, severe respiratory illnesses such as bronchitis and asthma, and many other adverse health conditions. In fact, the hospitalization rates for asthma and bronchitis in the neighborhood are the highest in the State of California. We believe that these excessive adverse health conditions are the result, in part, of the environmental pollution problems in the neighborhood.

The Project most likely will exacerbate these environmental and health problems because it will create significant environmental impacts, especially as to air pollution, without proper mitigation. The Lead Agencies are prohibited from approving the Project and contributing to this disproportionate impact and legacy of environmental discrimination in Hunters Point under the President's Order on Environmental Justice and Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000d.

The President's Executive Order on Environmental Justice, as well as the President's February 11, 1994 Memorandum on Environmental Justice, are intended to ensure that federal departments and agencies identify and address the disproportionately high and adverse human health and environmental effects of their policies, programs and activities on minority communities and lower-income communities.

Remedy: A proper analysis of the environmental conditions at and around the Shipyard and the pollution's effects on the local residents as a result of the Shipyard's redevelopment must be made before the Lead Agencies may approve the Project. Other the Project would contribute and exacerbate the environmental injustice and racism in the Bayview-Hunters Point in violation of the law.

VIII. DEFINITION OF ALTERNATIVES

A. Navy's Fragment of an Alternative

The EIS\EIR creates four alternative projects: (1)Navy disposal of the Shipyard, (2)the Proposed Reuse [illegible]the Reduced Development Alternative, and (4) No Project.

[illegible] to the fourth alternative, Navy would continue to own the property, and would not use the buildings, land, and other facilities beyond continuing existing leases. They would continue cleanup and minimal maintenance and prohibit public access. The other three alternatives call for Navy conveyance of HPS to San Francisco for reuse.

The first alternative --- Navy disposal is fundamentally deficient. The federal government's proposed decision is to convey the property to San Francisco for reuse; it is not abandonment of HPS. Considering Navy disposal as an independent alternative does not comply with NEPA, or CEQA, that require the Project, and by extension, the Project Alternatives, to include foreseeable consequences. P12-58

BRAC Guidelines recognize and corroborate this standard by directing military authorities to include reuse scenarios in their EIS on property disposition. BRAC Guidelines establish such tight deadlines for local reuse authorities to complete their reuse plans specifically to enable the EIS to incorporate the reuse plan.

To better understand the Navy's obligations to review HPS reuse, let us suppose that Navy and the City had not agreed to prepare a combined EIS\EIR. If this were the case, the Navy would be obligated to prepare an EIS on its decision to convey HPS to San Francisco including review of foreseeable reuse. Cooperating with the City to prepare a joint EIS\EIR does not relieve the Navy of its legal obligation to identify environmental impacts and alternatives to foreseeable reuse, prior to conveying the property.

The EIS/EIR alludes to the Navy's responsibility to address reuse as indirect impacts of disposal. NEPA does not draw a distinction between indirect effects and direct effects; both are included in the definition of impacts.(NEPA Regulations, Section 1508.8) The Navy is responsible for addressing impacts of "reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions."(NEPA Regulations, Section 1508.7)

Although the Navy will not have direct responsibility for implementing some of the mitigations proposed in this EIS/EIR, many of the most serious impacts of reuse will result from redeveloping property that the Navy contaminated and expects to only partially remediate. These are impacts that are within the Navy's authority to mitigate.

B. Reduced Alternative is a Hollow Exercise

According to federal and California law, the "heart" (NEPA Regulations, 40 CFR 1502.14) of the EIS/EIR is supposed to be "the presentation of a range of potential alternatives to the proposed project that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects."(CEQA Guidelines, 15126 A(d)(2) emphasis added) In the HPS EIS/EIR, the Reduced Development Alternative is the only alternative presented, in addition to "no P12-59

project". We do not believe that the Reduced Development Alternative provides decisionmakers with a properly designed alternative that would achieve the "basic purposes" of the Proposed Reuse Plan with less adverse impact.

The point of departure for designing a genuine alternative is a clear sense of the project's "basic purposes". The EIS\EIR presents a summarized statement of the Redevelopment Plan's objectives as the Reuse Plan Objectives (page 2-3) (It should be noted that CAC hopes for a relationship between the existing Bayview-Hunters Point community and the HPS did not make this short list.) P12-59

It is not clear how the authors developed the Reduced Development Alternative that is supposed to achieve these same objectives but with a lower level of environmental impacts. There are no signs that the Reduce Development Alternative was designed to address the most serious impacts of the Proposed Reuse Plan: traffic and air pollution. To the contrary, the land uses that contribute most significantly to these impacts (industrial and R&D)are cut back by about 50%, while those adding much less to these impacts (live/work and residential) are reduced by about 75%. The only criterion mentioned for the Reduced Development Alternative's design is that it is "intended to create up to 2,700 jobs". The significance of this number and how it matches the nine objectives of the Redevelopment Plan is not explained.

This approach to designing the project alternative suggests that the authors consider it an empty exercise, and does not help decisionmakers and the public seriously consider the kinds of changes that might improve the Proposed Reuse Plan. The failure to design an alternative that makes a serious attempt to eliminate unmitigatable impacts represents a serious flaw of the EIS/EIR, especially as it is compounded by the failure to consider strong mitigation measures.

Letter P12: Alliance for a Clean Waterfront

Response to Comment P12-1:

With implementation of mitigation provided in EIS Section 4.9, Water Resources, there would be no additional flows of storm water to the City's Southeast Water Pollution Control Plant (SEWPCP) as a result of development at Hunters Point Shipyard (HPS). Also, with planned remediation of contamination, implementation of mitigation provided in Section 4.9 (Water Resources), and planned utility upgrades described in Section 4.10 (Utilities), the quality of storm water discharged directly to the Bay at HPS is expected to improve over time; the volume of storm water discharged would stay the same or decrease.

Reuse would, however, result in incremental additional flows of sanitary sewage to the SEWPCP. This incremental increase in sanitary sewage would be a direct result of additional housing and employment at HPS and would not be considered significant, because the plant operates under permits from the RWQCB and has sufficient dry-weather capacity to accept the increased flows.

The incremental increase in sanitary sewage would result in an incremental increase in partially treated combined sewage overflow (CSO) volumes. Overflow events would continue to occur an average of one to ten times per year, depending on location along the Bay waterfront. Estimated annual CSO volumes would increase by less than 1 million gallons (4 million liters) per year (or less than 0.1 percent). The change in CSO volumes would be negligible both in terms of existing discharge volumes and projected cumulative increases in CSOs. CSOs are permitted under the current regulatory regime and rapidly disperse in Bay waters. For all of these reasons, the projected incremental increase in CSO volumes would not be considered significant and does not warrant imposition of on-site sewage treatment as mitigation.

Despite these conclusions of the EIS, nothing would preclude on-site treatment of sanitary sewage and/or storm water at HPS if desired. On-site treatment would not remove such treatment from the Bayview-Hunters Point community, however, and would require the use of land and financial resources that could then not be used to meet other community objectives.

Response to Comment P12-2:

The comment is correct in noting that the existing HPS storm water system does not meet the City's capacity criteria. The system has only a two-year storm capacity, rather than the City's five-year capacity requirement. Further, portions of the system are in poor condition. However, the lack of capacity does not affect water quality, which is the discharge standard of concern in Section 4.10 and identified by the comment. Repair or replacement of the storm water system is proposed under both reuse alternatives and is analyzed in this EIS.

Response to Comment P12-3:

EIS evaluation factors are routinely and appropriately based on regulatory standards.

Also, while future revisions of regulatory standards cannot be anticipated and therefore cannot be applied as evaluation factors, future activities at the site would be required to conform to all standards applicable at the time that the activity was permitted.

As described in response to Comment P12-1 above, mitigation provided in EIS/EIR Section 4.9, Water Resources, would ensure that the quality of storm water discharges from HPS would improve in the future and that the quantity of storm water discharges would not increase. No further mitigation is required.

Response to Comment P12-4:

The Proposed Reuse Plan includes about 124 acres (50 hectares [ha]) devoted to open space, 70 acres (28 ha) for research and development, 96 acres (39 ha) for industrial, and 86 acres (34 ha) for maritime industrial uses. These areas could clearly accommodate sand filters, grassy swales, and an on-site sewage plant, if desired. It should be noted that, currently, no treatment of storm water from the site is required, nor are any quantitative limits applied to storm water. As explained in response to Comment 12-1, provision of specific on-site treatment facilities is not required as mitigation but could be implemented under the Proposed Reuse Plan in response to community concerns. These facilities could also be included in the design of utility upgrades, as described in the EIS and acknowledged in the comment.

The EIS does not include an analysis of land required for on-site storm water or wastewater treatment because the plan is currently conceptual, and no facility designs are available for analysis. Therefore, such analysis would be premature. It would be appropriate to address the possible land use implications of such proposals when actual reuse projects and sewage treatment options are selected. Most of the approaches identified in the comment could be integrated into overall project designs.

Response to Comment P12-5:

As explained in Section 4.9, Water Resources, existing storm water discharges from HPS have been reported to contain industrial pollution, including hydrocarbons, total suspended solids (TSS), zinc, copper, lead, and nickel. Remediation activities under the Installation Restoration Program (IRP) are expected to decrease the concentrations of pollutants in storm water discharges over time, improving the quality of storm water discharges. Projected improvements attributed to remediation might be offset to some extent by increases in storm water pollutants attributable to project-generated traffic, but overall storm water quality is expected to improve. This improvement would be assured by compliance with the National Pollutant Discharge Elimination System (NPDES) General Industrial Permit, which requires a detailed Storm Water Pollution Prevention Plan (SWPPP) and implementation of best management practices. Alternative storm water treatment technologies could play a role in the SWPPP and could also be included in the design or repair of the storm water collection system (Option 1 or 2, Section 4.9). Streetscape improvements would also be considered by the Transportation Management System Plan (TSMP), which would likely monitor and prioritize physical transportation improvements, such as roadway resurfacing, roadway medians, sidewalk construction, etc. It is assumed that street sweeping would be performed at HPS as it is developed.

Response to Comment P12-6:

As discussed in the response to Comment P12-1, the Proposed Reuse Plan is not expected to have a significant impact on CSOs, which are permitted under the City's discharge requirements. The potential impacts associated with CSOs are discussed in detail in EIS Section 4.9 (Water Resources). A mitigation has been added to Section 4.9.2, heading *"Proposed Reuse Plan"*, subheading "Significant and Mitigable Impact", Mitigation 1 that addresses discharges during wet weather.

Under Navy's IRP, discharge of contaminated groundwater is strictly controlled, and discharge to the City's combined sewer system requires a City permit.

Response to Comment P12-7:

Please see responses to Comments P12-1 and P12-4.

Response to Comment P12-8:

The City has not decided whether to implement the Backbone Plan or whether to take a more incremental approach to infrastructure improvements (Section 4.10, Utilities). However, the City would ensure that necessary improvements are in place before development proceeds within any given area of HPS. The decision regarding whether to use the Backbone Plan or some other approach would likely be the subject of negotiation between the San Francisco Redevelopment Agency and the selected developer for HPS. At the programmatic level of this EIS, no impacts associated with utility installation have been identified, beyond those that would be associated with construction activities; such potential impacts would be less than significant through compliance with applicable institutional controls (Sections 4.2 [Air Quality] and 4.9 [Water Resources]).

Response to Comment P12-9:

The 240 mgy figure for base-case storm water runoff from HPS was derived by correcting the San Francisco Public Utility Commission's (SFPUC's) 227 mgy post-project runoff figure to account for a slightly higher runoff coefficient under the base case (runoff coefficient, or "C" factor of 0.85 vs. 0.80, per SFPUC 1998, page 10).

The 227 mgy figure used in the EIS is derived from Table 5 of the SFPUC's Draft Bayside Cumulative Impact Assessment. Parameters used in developing that calculation are a "C" factor of 0.8, a watershed area of 493 acres, and an average rainfall of 21 inches. The comment's calculation did not factor in the "C" coefficient, which reflects the fact that some (about 20 percent) of the precipitation falling on the site exits as evaporation or transpiration or infiltrates into the ground. The runoff coefficient for the post-project case is lower than for the base case because of additional vegetated open space and landscaping with the project. Also see response to Comment P12-4.

Response to Comment P12-10:

Please see response to Comment P12-4.

Response to Comment P12-11:

The potential conflict between planned land uses (including residential and open space uses) with ongoing remediation activities would be minimized through institutional controls included in the existing regulations or, if required, covenants, conditions, or restrictions in the conveyance document, as described in EIS Section 4.7.2. Consistent with Section 4.4, Land Use, and the text cited by the comment, specific future development proposals would be evaluated by the San Francisco Redevelopment Agency to determine if their potential impacts have been adequately addressed through this programmatic EIS. If additional potential impacts are identified for specific proposals, further environmental analysis would be done in accordance with state law.

Response to Comment P12-12:

As stated in Section 1.1 of the EIS, future development at HPS would be governed by the *Hunters Point Shipyard Redevelopment Plan* (*Redevelopment Plan*) (San Francisco Redevelopment Agency, 1997b), which implements the Proposed Reuse Plan. A companion *Design for Development* (City and County of San Francisco Planning Department and the San Francisco Redevelopment Agency 1997c), containing development controls and standards, is another implementing tool intended to facilitate redevelopment of HPS in a manner consistent with the Proposed Reuse Plan. The *Redevelopment Plan* was prepared in accordance with the California Community Redevelopment Law and pursuant to Chapter 4.5 therein, which governs the redevelopment of closed military bases.

California law requires that the *Redevelopment Plan* be consistent with the General Plan, and as described in the EIS, some conforming amendments to the General Plan are anticipated as part of both reuse alternatives. The General Plan would be amended either through the adoption of the Proposed Reuse Plan as an Area Plan or by amending some or all of the nine General Plan elements. See the revision to Section 4.4.3, paragraph 1, first sentence, which clarifies this issue.

The comment suggests that the Proposed Reuse Plan would be modified to conform to the General Plan. On the contrary, the General Plan would be amended to maintain consistency with the Proposed Reuse Plan and *Redevelopment Plan*. The City's General Plan does not currently contain maps or policies that are specific to HPS, which has historically been a Federal facility. The City proposes to amend to the General Plan at a future date to include maps and policies consistent with the *Redevelopment Plan*. The requirement for plan consistency is a matter of state law (Health and Safety Code § 33331); conformity to regulations is therefore not considered mitigation. Other sections of the EIS evaluate the physical effects that could result from implementation of the Proposed Reuse Plan through the *Redevelopment Plan* program.

Response to Comment P12-13:

Please see response to Comment P12-12.

Response to Comment P12-14:

The guiding principals articulated by the Citizens' Advisory Committee (CAC) for redeveloping and integrating HPS in the Bayview-Hunters Point community are clearly reflected in the *Redevelopment Plan* objectives. Objective No. 1 is to "foster employment, business, and entrepreneurial opportunities in the rehabilitation, construction, operations, and maintenance of facilities in the Project Area." HPS (the Project Area) is centrally located in the Bayview-Hunters Point and South Bayshore communities. Therefore, this objective is clearly specific to the HPS site and is responsive to the CAC's first guiding principal to "encourage land uses that will foster employment, business and entrepreneurial opportunities, cultural and other public benefits for residents of San Francisco." Objective No. 9, to "retain those existing viable industries and businesses currently located in the Project Area" similarly reflects CAC's second guiding principal, to "support existing businesses and the artists' community." As explained in the response to Comment P12-12 above, the Proposed Reuse Plan objectives would be reflected in amendments to the San Francisco General Plan, which contains policies and objectives to guide land use development throughout the City. Also, Proposed Reuse Plan objectives are expected to inform transactional documents between the San Francisco Redevelopment Agency and the developer, which would be charged with implementation of the *Redevelopment Plan* at HPS.

Response to Comment P12-15:

The physical effects associated with implementing the *Redevelopment Plan* are addressed in other sections of the EIS. As explained in the response to Comment P12-12 above, the EIS anticipates that the General Plan would be amended to include the Proposed Reuse Plan *in toto* or amended by adjusting current elements of the General Plan to include HPS and Proposed Reuse Plan objectives. No specific conflicts between the General Plan and the Redevelopment Plan have been identified, as the General Plan does not currently contain specific policies and objectives addressing HPS, which has historically been in Navy jurisdiction. Also as explained in the response to Comment P12-12, the *Redevelopment Plan* and its companion *Design for Development* are the regulatory documents that would guide future development at HPS. Standards of the Planning Code would only apply if they were not expressly superseded by standards contained in the redevelopment documents. Consistent with state redevelopment law, future General Plan amendments (those proposed after the amendments anticipated in the EIS) might also not apply within the redevelopment area.

Response to Comment P12-16:

The EIS is a programmatic document. The analysis is presented at a general level of detail, because the actions to be taken are the disposal of the base and the implementation of a community reuse alternative (for which land uses are presented at a general level of detail). The analysis also analyzes a general level of activity that is consistent with market projections for the site and assesses the impacts of up to 180 truck trips during the morning peak hour and 110 truck trips during the peak evening hour at full build-out.

While the types of uses that would occupy HPS have been identified, the future occupants of HPS are unknown. Therefore, specific impacts associated with individual projects cannot be detailed at this time. It would be speculative to assume specific

impacts associated with specific types of industrial uses, because future tenants are not known at this time. However, the EIS impact analysis is conservative and recommends measures to reduce these risks. If a specific project is proposed under the Proposed Reuse Plan and found to contain a component that has not been adequately analyzed under this EIS, the project proponent would be required to perform additional environmental analysis in accordance with state law (CEQA Guidelines §§ 15162-15163). In addition, the San Francisco Redevelopment Agency could implement a screening mechanism for future industrial tenants, in addition to conducting additional, project-specific environmental analysis as required by law.

Response to Comment P12-17:

The Proposed Reuse Plan and *Hunters Point Redevelopment Plan* are based on the development activities that would take place after the completion of an exchange with the State Lands Commission. Accordingly, there will be no inconsistency between the Public Trust requirements and these plans.

Response to Comment P12-18:

The outcome of the CERCLA process and the content of the CERCLA Records of Decision (RODs) for remediation of parcels at HPS are not the subject of this EIS. Instead, this EIS considers the impacts of Navy disposal and civilian reuse. The remediation process and the content of CERCLA RODs will be determined by Navy in consultation with the U.S. EPA and other regulatory agencies. Questions and comments related to the remediation program should be directed to the ongoing IRP.

As discussed in Section 4.7, Hazardous Materials and Waste, CERCLA RODs will contain use restrictions to prevent future exposure to residual contamination. The San Francisco Redevelopment Agency would be responsible for enforcing use restrictions contained in the CERCLA RODs. Thus, if cleanup standards would not be protective of human health in the case of child care use, and the CERCLA ROD contains a restriction on child care uses, then this restriction would be enforced by the San Francisco Redevelopment Agency. The San Francisco Redevelopment Agency is a regulatory and implementing entity, and restrictions could be imposed as regulations (e.g., the *Redevelopment Plan* could be amended to prohibit child care) or through entitlements or transactions (e.g., as permit conditions, lease conditions, or as part of a development agreement).

Response to Comment P12-19:

Navy's goal is to remediate the site to a level that is protective of human health and the environment, consistent with the proposed reuse. See also the response to Comment P12-18, above. Financial responsibility is not a NEPA issue and is appropriately not addressed in the EIS.

Response to Comment P12-20:

Risk assessment techniques used to select remediation levels are based on persons who live at the site, work at the site each day, or come on the site to perform construction-related work (such as excavation). The remediation levels will be sufficient to protect these individuals that could be directly exposed to contaminants. Questions and

comments related to the remediation program should be directed to the ongoing IRP. The current analysis cannot evaluate the nature of risks in other areas of San Francisco, such as the Bayview-Hunters Point area. Please refer to EIS Section 5.1.3 for further discussion.

Response to Comment P12-21:

The review of available information sources regarding potential contamination is a standard pre-development procedure, and developers and their consultants routinely review multiple data bases and reports in the course of site investigations. At HPS, the review of available information would be easier to do if Navy's information were provided in one location and/or made available via a GIS mapping system. While the City could request such a system from Navy in the course of negotiations regarding conveyance of HPS, provision of information in one specific form or another need not be required as mitigation.

Reference to potential Proposition 65 disclosure obligations has been added to Section 4.7.2, "Proposed Reuse Plan," "Less Than Significant Impacts", *"Hazardous Materials Use and Generation,"* third paragraph, first two sentences.

Response to Comment P12-22:

Contractors would be made aware that contamination could be encountered and that they should be alert during their work for any evidence of unusual conditions, such as a petroleum odor, visible staining, or the presence of subsurface metallic objects. Compliance with Article 20 of the San Francisco Public Works Code would greatly reduce, but probably will not totally eliminate, exposure to unknown contamination. Any subsurface work in brownfields, current industrial areas, or even streets for that matter, has this inherent problem. It is impossible to detect all contamination without collecting samples in each and every excavation, which is not feasible and would have limited benefit.

Exposure to unknown contamination would also be minimized in other ways. The CERCLA process followed in the IRP is designed to minimize, to the extent possible, undiscovered contamination. The process included a great deal of historical review and on-site reconnaissance before sampling, developing a sampling program based on known or suspected spills, and remediation. The result is a site where contamination has been removed to the extent feasible, and the risk to exposure has been minimized to reasonable levels. Institutional controls such as the "stop work" and Article 20 of the San Francisco Public Works Code address, as best possible, potential exposure to residual contamination that might evade the CERCLA and IRP process. No measures have been proposed to "override" Article 20 requirements.

Response to Comment P12-23:

Navy acknowledges that property disposal does not terminate Federal Government responsibility for contamination caused by its activities on the property. Section 120(h)(3) of CERCLA places certain restrictions on the conveyance of Federally owned property on which hazardous substances have been stored, released or disposed of. Generally, Navy must take all remedial action necessary to protect human health and the environment

with respect to any hazardous substances on a property before it can convey the property. Under certain circumstances, however, contaminated property can be conveyed before all remedial action has been taken. Section 120(h)(3)(C) of CERCLA sets forth the conditions under which the U.S. EPA Administrator, with the concurrence of the Governor, can defer the requirement of providing a covenant that all necessary remedial action has been taken before the date of conveyance. In such cases, once Navy has completed all necessary remedial action, it must issue a warranty that satisfies the covenant requirement. In any case, when property is conveyed, the grantee receives covenants and indemnifications regarding environmental liability from the Government of the United States or the Department of Defense. These covenants and indemnifications provide for continuing Federal responsibility for contamination resulting from Federal Government activities. The covenant and indemnification requirements that provide for continuing Federal Government responsibility are considered by Navy to be regulatory requirements and therefore not mitigation.

Please see Response to Comment 12-21 regarding review of available information. This information would include the CERCLA RODs and any restrictions they contain.

Response to Comment P12-24:

The Reduced Development Alternative was developed at a lesser intensity of use than the Proposed Reuse Plan to provide decision-makers with an alternative that would have fewer or less severe significant impacts. This alternative does not suggest rearrangement of land uses or establishment of new uses not included in the Proposed Reuse Plan and thus would be consistent with the site remediation proposed under CERCLA, since that remediation is based on the land use map in the Proposed Reuse Plan. See EIS Section 2.5. The potential to substantially modify groundwater flow or exacerbate contaminated groundwater conditions by development under either reuse alternative would be negligible. Hydraulic control of a plume during remediation is a basic practice that would be evaluated regularly as control wells are monitored. Any loss of control due to natural or artificial processes (such as siting a subsurface garage nearby) would be rectified by engineering methods, such as relocating or installing new control wells. No transfer can take place unless U.S. EPA is satisfied that sufficient remediation has occurred and sufficient controls are in place to assure that reuse would not threaten the effectiveness of groundwater remedies.

Response to Comment P12-25:

Construction activities at HPS that could affect contaminated soil or groundwater would be subject to institutional controls identified in CERCLA RODs. If installation of a utility line in a zone of contaminated groundwater were proposed, the project proponent would be required to develop installation procedures that would prevent potential impacts on human health or the environment. These measures would have to be approved by the acquiring entity, under the direction of Federal, state, and local agencies with regulatory authority. Note that the impact referred to in the comment (Impact 6) has been eliminated from the Final EIS based on reassessment of appropriate factors for determining the significance of impacts.

Response to Comment P12-26:

Navy will take action on existing storm drain lines to minimize possible leakage and subsequent migration of contaminated groundwater to the Bay. For new sewer pipes, please see response to Comment P12-25 above.

Response to Comment P12-27:

Text in the discussion of Parcel F has been revised to acknowledge that there is a potential pathway for human exposure to contaminated sediments in Parcel F through ingestion of contaminated fish. Navy is addressing this issue under the IRP in consultation with U.S. EPA.

Response to Comment P12-28:

Since reuse would occur after the property is transferred from Federal ownership, implementation of the mitigation measures identified for impacts associated with reuse would be the responsibility of the acquiring entity (under the direction of Federal, state, and local agencies with regulatory authority over protected resources), and not Navy. Note that the impact referred to in the comment (Impact 3) has been eliminated from the Final EIS based on reassessment of appropriate factors for determining the significance of impacts.

Response to Comment P12-29:

Please refer to response to Comments P12-1 and P12-5, as well as specific transportation-related comments below. Also see comment letters from San Francisco Tomorrow (Letter P9), Golden Gate University Environmental Law and Justice Clinic (Letter P10), and the Southeast Alliance for Environmental Justice (Letter P11).

Response to Comment P12-30:

The discussion of MUNI in Section 3.1.2, Public Transit, has been revised to include weekday operation times for transit lines servicing the South Bayshore area. Additional information on regional transportation travel times has been added to Appendix B, subheading "Regional Transportation Service." MUNI ridership information is collected in downtown in San Francisco where ridership is highest, so this information would not be representative of ridership levels in the South Bayshore planning area. Observations of ridership on Route #19 indicate that it is very light at HPS.

Response to Comment P12-31:

I-280 north of U.S. 101 was not included as a regional roadway because the amount of traffic generated by HPS on this section of I-280 would be minimal and significantly lower than on the section of I-280 south of U.S. 101. As shown in Table B-11 (Appendix B), HPS would generate the most vehicle trips in the P.M. peak hour, a total of 2,450 in Year 2025. As shown in Table B-12, 8.2 percent of these trips would be destined to downtown San Francisco, Superdistrict 1, and 7.8 percent to the East Bay (a total of 16 percent, or 392 trips). Only a small percentage of these trips would use the section of I-280 north of U.S. 101, because there are other route options (such as Third Street and U.S. 101). Assuming 30 percent of the HPS vehicle trips destined for downtown San

Francisco and the East Bay used this section of I-280, about 70 vehicles would travel in the non-peak direction and 50 vehicles in the peak direction.

Response to Comment P12-32:

The citation on Table B-5 has been corrected.

Response to Comment P12-33:

A table showing regional travel times has been inserted into the discussion of *Regional Transportation Service* in Appendix B and is referenced in Section 3.1.1, under Public Transportation.

Response to Comment P12-34:

Table B-9 in Appendix B shows the rate at which trips would be generated by land use category. For the Research & Development and Industrial land uses, the rate at which trips are generated is a logarithmic function (the rate at which trips are generated changes in relation to the amount of square footage of these land uses). Therefore, the rate is expressed in terms of an equation instead of a value, as for the other land uses.

Table B-9 has been revised to add a superscript "5" to the "Industrial" land use. This superscript is footnoted at the bottom of the page to the trip rate source, which is the Institute of Transportation Engineers (ITE) *Trip Generation Manual.* See Appendix B, Trip Generation (under header "Travel Demand Methodology").

Response to Comment P12-35:

The referenced section discusses future network changes. Section 5.1.3, Potential Cumulative Impacts, subsection *Concurrent Reuse and Remediation*, discusses truck traffic associated with HPS cleanup and provides estimates of truck traffic volumes. Certain phases of remediation are estimated to generate approximately 40 to 60 truck trips per day on average, with a maximum of 150 truck trips per day.

Response to Comment P12-36:

Potential transit improvements have been added to Section 4.1, subheading "Public Transportation." Because planned improvements have not been formally programmed or funded, the EIS includes mitigation measures to ensure that these types of improvements, as well as others related to pedestrian and bicycle facilities, transit stops, and road resurfacing, would occur before or concurrent with development at HPS. These improvements, as well as those transit improvements assumed to exist by 2010 and 2020 in *1994 Regional Transportation Plan for the San Francisco Bay Area (RTP)* (MTC, 1994), were considered when developing modal split data for the future conditions.

At this programmatic stage of planning, the Transportation Demand Management (TDM) approach is the most efficient and effective means for mitigating traffic impacts and assuring appropriate transit development at HPS. This approach is required in Section 4.1.2, as mitigation for Significant and Mitigable Impacts 1, 2, and 3. The TSMP is described in EIS Section 4.1.2 under the Significant Unmitigable Impact.

Response to Comment P12-37:

Traffic impacts on Crisp Avenue were analyzed at Spear Avenue and "I" Street. Both of these intersections would operate at level of service (LOS) B or better conditions in 2010 and 2025 (See Tables 4.1-2 and 4.1-3). Truck impacts were analyzed and concluded to be less than significant. See the discussion of increased truck traffic in Section 4.1.2, under the subheading "Less Than Significant Impacts." No further environmental review is necessary to describe impacts and mitigation related to truck traffic using the South Gate of HPS.

Response to Comment P12-38:

Regarding transit improvements, please see response to Comment P12-36. The objectives and policies referred to in the EIS are given in the *Land Use Alternatives and Proposed Draft Plan* (City and County of San Francisco, Planning Department, and the San Francisco Redevelopment Agency, 1997a), Improvement Priorities, page 120, and the TDM measures given in Section 4.1.2 of the EIS. These community-based policy statements and the San Francisco Redevelopment Agency's intention to implement the TDM measure warranted aggressive assumptions regarding transit mode shares. These assumptions, which would be met or exceeded by the TMA and TSMP measures that the San Francisco Redevelopment Agency has agreed to implement, were based on adjustments to existing transit service data.

The TMA could establish a performance standard for the TSMP that would require future tenants of HPS to meet or exceed the transit mode splits used in the traffic analysis. The TMA could also establish annual and progressively higher goals for non-auto travel. A discussion of modal splits has been added to Section 4.1.

The adjustment factor (reflecting the potential increase in transit services in the area) used in the analysis was developed by modifying the out-of-vehicle travel times to reflect potential improved total travel times, and modifications were made to the mode choice variables to account for changes in transit service (e.g., decrease in transit headways). Please see Appendix B, *Travel Demand Methodology*.

Response to Comment P12-39:

The data in Table B-10 (Appendix B) are correct and were used in the traffic analysis. The accompanying text in Appendix B, heading "Travel Demand Methodology", subheading "Trip Generation", paragraph 4 has been revised to match the data in Table B-10.

Response to Comment P12-40:

The vehicle occupancy rates (VORs) are based on employee and visitor survey information from the 1993 *Citywide Traffic Behavior Survey* (CTBS) conducted by the City of San Francisco Planning Department. The survey data were summarized by Superdistrict. Because HPS is in Superdistrict 3, the average VORs for Superdistrict 3 were used in the traffic analysis. Also see response to Comment P9-11.

Response to Comment P12-41:

The 25 percent reduction in the number of trips generated by mixed-use and cultural land uses was developed by Korve Engineering in consultation with the San Francisco Planning Department. This number was developed based on the ITE *Trip Generation Manual*, 5th Edition. Section VII, Quantifying Pass-By and Diverted Linked Trips, states that "Pass-by trips are estimated to be 25 percent of the driveway volumes." The 25 percent reduction was applied only to the mixed-use and cultural uses for the analysis of external intersections. No reductions were applied for the analysis of internal intersections. For mixed-use developments such as HPS that consist of two or more land uses, trip-making characteristics are interrelated. A reduction in the trip-generation estimated for new developments is generally taken into account for the internal trips of those "captured" within the single, overall development. The linkage, or capture percentage, varies depending on the types of land use; the ITE has identified values ranging between 9 to 45 percent.

Internal trips would include those that are integral to other trips. For example, if someone stopped at the corner store on his way to work, the stop at the corner would be considered a "linked" or "internal" trip, depending on the location of the store in relation to home and work. The use of reduction factors to account for linked and internal trips is an accepted professional practice, as demonstrated by ITE literature on the subject.

Response to Comment P12-42:

The comment is unclear. Superdistrict 1, as shown in Figure B-1, encompasses the financial district of downtown, in the northeastern quadrant of the City. Table B-12 shows that 8.2 percent of the HPS trips would go to Superdistrict 1. The 74.4 percent shown in this table refers to all of San Francisco (Superdistricts 1, 2, 3 and 4), meaning that 74.4 percent of the trips from HPS would be within San Francisco. Superdistrict 3 is the largest district, encompassing the southeastern quadrant of the City. Table B-12 shows that 50 percent of the HPS-generated trips would be within Superdistrict 3.

The trip distribution pattern was obtained from the *Citywide Travel Behavior Survey* for Superdistrict 3, not Superdistrict 1. The Proposed Reuse Plan includes a total of 1,300 dwelling units and 500 live-work units. The Bayview-Hunters Point Redevelopment Area, as well as the Executive Park development, would include additional housing developments. In addition, the Bayview-Hunters Point Community is working with the San Francisco Redevelopment Agency and the Mayor's Office to secure jobs to be created at HPS. There is no reason to believe that the existing residence distribution pattern would not be maintained in the future.

The MTC model was used to develop the future baseline (i.e., traffic volumes) without reuse of HPS. It was not used to justify trip distribution. There are no specific trip distribution data available for Bayview-Hunters Point. It is appropriate to use the Superdistrict 3 distribution pattern for the analysis for the reasons explained above.

Response to Comment P12-43:

The issue of truck traffic is broken out as a separate issue throughout the EIS. The existing condition of truck traffic is discussed in Section 3.1.1, under a separate

subsection titled "Truck Service." Impacts from truck traffic are discussed in Section 4.1.2, under "Less than Significant Impacts." The traffic assessment found that increases in truck traffic due to reuse of HPS would not be significant. The number of truck traffic trips generated by reuse is shown in Table B-11, the calculations for which are based on the assessment methodology discussed in Section 3.1.2 and supported by technical information in Appendix B. Cumulative truck traffic effects associated with concurrent reuse development and remediation activities is discussed in Section 5.1.3. Specific project proposals (e.g., involving construction and demolition) would require further environmental review under state law.

Projected truck traffic (see response to Comment P12-37) was included in the analysis of air quality and noise. Truck traffic impacts were found to be less than significant, except to the extent that truck traffic contributes to the unmitigable traffic congestion at Third Street/Cesar Chavez Street intersection.

Response to Comment P12-44:

The mitigation envisions establishment of a TMA to monitor implementation of a TSMP. This mitigation strategy has been applied to other recent City projects, such as the Giant's ballpark and Mission Bay, and is appropriate given the programmatic nature of the EIS and the lack of information regarding specific development projects, phasing of development, and available funding. It is envisioned that the TMA would consist of property owners, tenants, neighborhood representatives, and City/San Francisco Redevelopment Agency staff. The group would be appointed by the Mayor, similar to the Ballpark Transportation Coordinating Committee, and would report to the Redevelopment Agency Commission. The TMA would have no funding authority, but it is anticipated that the group would prioritize required investments and monitor the effectiveness of the mitigation measures and the TSMP for the San Francisco Redevelopment Agency.

The TSMP envisions a phased approach to development and transit improvements at HPS, under which some development would proceed, transit service would be expanded, additional development would proceed, additional service would be provided, etc. Thus, development and transit service are interrelated, and development would provide a funding mechanism and ridership for transit, while provision of transit would allow more development. It is anticipated that at any time in the development process, transit service would meet the demand of existing residents and employees of HPS. The TMA could establish performance standards for the TDM program that would require future tenants at HPS to meet or exceed the mode splits (discussed in Section 4.1) used in the EIS analysis.

The curtailment of residential and commercial development is intended to ensure that development of uses with the potential to generate vehicle trips is slowed or stopped until adequate transit service is in place. Commercial and residential development would include all development at HPS with the exception of open space/recreation, infrastructure improvements, and similar activities.

Required transit service expansions would include those identified and prioritized by the TMA through the TSMP. These could include transit service expansions identified in the *Hunters Point Shipyard Transportation Plan* (San Francisco Redevelopment Agency, 1996), which outlines transit improvements in five-year increments, or alternative strategies identified in the TSMP. Monitoring transit demand could involve surveying employees and residents, observing transit vehicle occupancy, observing vehicles entering and leaving HPS, and other techniques.

Response to Comment P12-45:

Please see responses to Comments P12-36 and P12-38 for details regarding transit improvements and TSMP goals.

The TSMP includes specific, feasible measures for reducing automobile trips and encouraging transit use. Implementation of the TSMP is expected to reduce traffic and air quality impacts. Thus it is inaccurate to say that "for the most serious traffic and air pollution impacts, this EIS does not propose any mitigation measures whatsoever." The proposed TMA is the best form of mitigation that can be required at this early stage of the planning process. A finding of overriding consideration does not relieve the City of the requirements to comply with Federal and state laws and regulations, the policies of the City's General Plan, or environmental review of project-specific proposals.

The local hiring and other provisions in the TMA have been upgraded from a "may do" to a "must do" in Section 4.1.2, subheading "Significant Unmitigable Impact."

Performance targets for the TSMP has been described above, in response to Comment P12-44. Transportation mitigation measures identified, along with these performance targets, would be implemented and monitored as set forth in a mitigation monitoring program to be adopted by the Redevelopment Agency Commission. The mitigation monitoring program could define a specific role or requirements for the developer of HPS.

Redevelopment activities at HPS would proceed pursuant to the *Hunters Point Shipyard Redevelopment Plan* (San Francisco Redevelopment Agency, 1997). As permitted under the *Redevelopment Plan* and as is customary for the San Francisco Redevelopment Agency, the San Francisco Redevelopment Agency would enter into a development agreement with a primary developer, selected by the Redevelopment Agency Commission. This agreement includes, as its first goal, the creation of "sustainable economic benefits and jobs for the Bayview-Hunters Point community." The goal is further articulated by the following objectives:

- Build a diverse and economically viable and sustainable community with employment, entrepreneurial, art and educational opportunities for the economic benefit of the Bayview-Hunters Point community.

- Create 6,400 permanent jobs at full build-out of the project.

- Maximize participation of area residents and businesses in the pre-development, development, interim reuse, and environmental remediation of HPS.
- Create and expand economic opportunities for existing area businesses.
- Provide ownership and equity opportunities for area residents and businesses.
- Provide the greatest possible level of education and job training and hiring opportunities for area residents and for partnerships with community residents and businesses throughout all development and long-term management of the project.
- Create small business assistance programs and incubator opportunities with linkages to larger, established businesses.
- Provide for land uses and development projects that are compatible with one another within HPS and with the surrounding neighborhood, during all phases of redevelopment.

The primary developer would be required to prepare and implement development proposals that are consistent with the San Francisco Redevelopment Agency goals and objectives including the ones listed above. Any development proposals submitted to the San Francisco Redevelopment Agency by the primary developer would also be reviewed by the HPS Citizens' Advisory Committee (CAC). Further, the primary developer would be required to prepare and implement a Community Benefit Program that relates to the following:

- Permanent and construction jobs, including job training, education and hiring programs consistent with articulated goals and objectives and with applicable San Francisco Redevelopment Agency and City requirements, such as the First Source Hiring and Equal Opportunity programs.
- Investment opportunities for the community.
- Business incubator and entrepreneur opportunities.
- Local ownership opportunities.

As permitted under the *Redevelopment Plan* and as is customary for the San Francisco Redevelopment Agency as the City's affordable housing development agency, the San Francisco Redevelopment Agency would enter into a development agreement with a primary developer, selected by the Redevelopment Agency Commission, to ensure that a range of housing opportunities is provided at the Shipyard. This goal is further articulated by the following objectives:

- Develop well-designed new residential areas that assist in meeting a range of housing needs of the greater Bayview-Hunters Point community and the City.

- Develop and implement a permanent affordable housing program that makes available at least 20 percent of all new and rehabilitated housing types to low- and moderate-income households, maximizes the number and level of affordable housing, and is consistent with the housing needs identified by the Mayor's Office of Housing in cooperation with the San Francisco Redevelopment Agency.

- Provide an appropriate mix of ownership and rental housing with the maximum number of units at the lowest possible price.

Development proposals submitted to the San Francisco Redevelopment Agency by the primary developer would be reviewed by the HPS CAC. Along with preparing and implementing development proposals that are consistent with San Francisco Redevelopment Agency goals and objectives, including the ones listed above, the primary developer would be required to prepare and implement a Community Benefit Program that relates to affordable housing, including a description of the number and size of units, phasing and linkage principles, anticipated timing of availability, price range, and levels of affordability.

Response to Comment P12-46:

Please see responses to Comments P12-44 and P12-45.

Response to Comment P12-47:

While road widening (proposed as mitigation for Significant and Mitigable Impact 2) can encourage automobile use, this tendency must be balanced against the need for lessening congestion and reducing air quality impacts. The BAAQMD recognizes that measures to improve traffic flow and reduce congestion can lessen air quality impacts, but cautions against traffic-inducing effects of increased roadway capacity (BAAQMD impact assessment guidelines, p. 59). The proposed mitigation measures would affect single intersections in a congested urban area where the transportation network has many other capacity constraints. Within this context, the suggested measures would not be expected to induce substantial additional traffic, and the benefit of reduced congestion and potential air quality impacts in the vicinity would appear to outweigh the incremental increases in capacity.

The TMA, through the TSMP, would work to improve traffic conditions by encouraging alternate forms of transportation. The TSMP includes specific, feasible measures for reducing automobile trips and encouraging transit use. Implementation of the TSMP is expected to reduce traffic and air quality impacts. In addition, local hire provisions and shuttles (if feasible) are now included as required elements of the TSMP (see Section 4.9.2). The proposed TMA is the best form of mitigation that can be required at this early stage of the planning process. The TSMP is required in EIS Section 4.1.2 as mitigation for Significant and Mitigable, Impacts 1, 2, and 3. The TSMP is described in Section 4.1.2, under "Significant Unmitigable Impact."

Response to Comment P12-48:

Please refer to the response to Comment P12-38. The Redevelopment Agency Commission has committed to adopting mitigation measures and a mitigation

monitoring program at the time of project approvals, including any sale or lease of property. It is anticipated, therefore, that mitigation measures that the developer would need to satisfy would be reflected in the agreement between the developer and the Redevelopment Agency Commission. The developer of HPS would therefore be aware of mitigation requirements before proceeding with development, leasing, or purchasing of property.

Response to Comment P12-49:

The TMA would initially be appointed by the Mayor for an 18-month term. The TMA and the coordinating committee are one and the same. The TMA would include property owners, representatives of the CAC, and appropriate City/San Francisco Redevelopment Agency staff. The role of the TMA would be to prepare a TSMP for HPS and monitor performance to ensure the effectiveness of the measures.

It is anticipated that the TSMP would be drafted by consultants to the San Francisco Redevelopment Agency or the HPS developer and would be refined and reviewed by the TMA. It is expected that the *Hunters Point Shipyard Transportation Plan* (San Francisco Redevelopment Agency, 1996) would be the starting point for the TSMP.

The TMA would have no funding authority but would prioritize investments, monitor compliance with the TSMP, and make recommendations to the Redevelopment Agency Commission. The TMA would represent diverse perspectives, and conflicts of interest are not anticipated. Members of the Bayview-Hunters Point community would not be excluded from the TMA. See Section 4.1.2, under "Significant Unmitigable Impact," for a description of the TMA.

Response to Comment P12-50:

The referenced overriding considerations are CEQA requirements and are not applicable Navy's National Environmental Policy Act (NEPA) review.

Response to Comment P12-51:

As required by basic considerations of internal consistency, the analysis of traffic-related air quality impacts is based on the trip generation and traffic distribution analyses presented in EIS Section 4.1, Traffic, Transportation, and Circulation. The trip generation estimates were conservative. The modal split ratio used for HPS development is consistent with the *Citywide Travel Behavior Survey* (conducted in 1992) for Superdistrict 3 as a whole. See Section 4.1 for a discussion of mode splits. Implementation of the proposed TMA is expected to reduce traffic and potential air quality impacts. Under the TSMP, options could include the use of alternative fuel vehicles for large employers. Also, see response to Comment P10-7. Note that the EIS does not identify any significant air quality impacts.

Response to Comment P12-52:

As is standard practice for impact assessments, the air quality analysis is explicitly based on the vehicle trip generation analysis of the project. Travel patterns in the Bay Area do reflect a high amount of transit and ridesharing use, and the trip generation estimates for the reuse alternatives reflect anticipated transit system expansions and proposed TDM strategies (see response to Comment P12-36). The BAAQMD impact assessment guidelines (BAAQMD,

1996) expressly recommend using project-specific trip generation analyses in preference to generic average trip generation rates.

Other components of the air quality analysis were developed with an approach that has been used in air quality impact assessments for nearly two decades. This approach is consistent with that recommended by U.S. EPA emission inventory guidance (U.S. EPA, 1992, Procedures for Emission Inventory Preparation, Volume IV: Mobile Sources). As documented in EIS Appendix B, this approach makes explicit estimates of travel patterns according to trip purpose, thus accounting for the mix of short and long trips that occur in the real world. The travel time distribution patterns are used directly to compute vehicle operating mode conditions, which are a major factor determining vehicle emission rates. In addition, the analysis uses a mix of average route speeds for each trip purpose category to account for the nonlinearity of vehicle emission rates at different average route speeds.

The travel time distribution data presented in Appendix B, Table B-30 were obtained from the U.S. Federal Highway Administration, 1985, and were based on data obtained from 1980 census data for urbanized areas. These data are consistent with the *Citywide Travel Behavior Survey* survey data, which show that about three-quarters of jobs at HPS are expected to be held by San Francisco residents (Table B-12), not Hunters Point residents.

Response to Comment P12-53:

The EIS analysis assumes somewhat higher levels of ridesharing, transit use, and trip reduction during reuse than are typically assumed when analyzing individual projects within San Francisco. These assumptions are legitimately based on policy statements contained in the Proposed Reuse Plan and are valid because implementation of related mitigation measures has been agreed to by the San Francisco Redevelopment Agency as part of the project. These measures (formation of a TMA and implementation of a TSMP) include trip-reduction measures similar to those recommended by the BAAQMD's impact assessment guidelines. These guidelines suggest a variety of measures (see Table 15, p. 60) that in most circumstances would together reduce vehicle trips by an estimated 16.4 percent (using the low end of the effectiveness range provided).

Mitigation measures presented in the EIS would ensure that assumed trip-reduction levels are reached or exceeded. However, the level to which these measures would effectively reduce vehicle trips beyond the levels assumed in the analysis cannot be quantified in the absence of more specific information about future tenants of the shipyard, the manner in which development would proceed, and the pace of development. For this reason, the EIS analysis conservatively concludes that one traffic impact would remain significant, despite the application of feasible mitigation measures. Many of the commentor's suggested mitigations are in the TSMP, such as transit improvements, amenities, incentives, street improvements, and local hiring practices. No site plan changes or parking redesign measures have been identified that would further reduce vehicle trips.

Response to Comment P12-54:

The EIS does not use a "ratio" approach to determine impact significance. The EIS identifies the added emissions increment, but the additional emissions would not measurably change

ambient air quality levels . The physics and chemistry of photochemical ozone production indicate that the added ozone precursor emissions would not produce measurable changes in regional ozone levels. If current regional ozone precursor emission quantities (estimated in the 1997 Clean Air Plan at 976,000 lbs [443,000 kg] per day of reactive organic compounds and 1,264,000 lbs [573,000 kg] per day of nitrogen oxides) have not produced any violations of state or Federal ozone standards on the San Francisco peninsula during the past seven years, the additional increment of emissions from the Proposed Reuse Plan (132 lbs [60 kg] per day of reactive organic compounds and 321 lbs [46 kg] per day of nitrogen oxides) will not alter that situation.

As already explained in response to the previous comments, the proposed TMA is a comprehensive, effective mitigation plan for reducing traffic and air quality impacts. It is the best form of mitigation that can be required at this early stage of the planning process.

Response to Comment P12-55:

The comment's assertion that "air quality in the Bayview-Hunters Point area is already degraded" is not supported by BAAQMD air quality monitoring data, which are summarized in Table 3.2-3:

- Ozone: There have been no violations of either Federal or state ozone standards on the San Francisco peninsula since before 1991. In fact, the 1997 Clean Air Plan for the Bay Area identifies the City as having the lowest exposure to ozone of any county in the Bay Area. It is true, however, that ozone standard violations have occurred in other parts of the Bay Area (Alameda, Contra Costa, and Santa Clara Counties).

- Carbon monoxide: There have been no violations of either Federal or state carbon monoxide standards since before 1991.

- PM_{10}: Federal PM_{10} standards have not been exceeded since before 1991. The state annual average PM_{10} standard has not been exceeded on the San Francisco peninsula since before 1991 and has not been exceeded anywhere in the Bay Area since 1992. Only the very stringent state 24-hour PM_{10} standard is exceeded periodically in the San Francisco area. The magnitude and frequency with which state PM_{10} standards are exceeded in the San Francisco area are among the lowest of any major urban area in California.

Within the San Francisco Bay Area, the highest and most frequent violations of Federal and state ozone standards occur in eastern Alameda and Contra Costa Counties (primarily the Livermore and Concord areas) and in the Alameda County and Santa Clara County portions of the South Bay (Fremont, San Jose, and Gilroy areas). Average PM_{10} concentrations are relatively uniform throughout the Bay Area, with most monitoring stations having annual average PM_{10} levels within 10 percent of the regional mean. The highest 24-hour PM_{10} concentrations generally have been measured in the Livermore and San Jose areas. The highest average PM_{10} concentrations and the most frequent violations of the state 24-hour PM_{10} standards occur in the San Jose area.

Stationary Sources of Toxic Air Contaminants: The BAAQMD's 1997 annual report on the toxic air contaminant control program (BAAQMD, 1998) shows that the City has a relatively low number of stationary sources emitting reportable quantities of hazardous air pollutants. Most of the listed toxic air contaminant emission sources in the City are dry cleaners. The BAAQMD 1997 annual report covers 70 toxic air contaminants, 43 of which have at least one stationary source of reportable size in the Bay Area. Only 13 of the 70 toxic air contaminants listed in the BAAQMD 1997 annual report have stationary sources of reportable size within the City. Stationary sources of emissions in the City make a disproportionately low contribution to regional toxic air contaminant emissions for 11 of the 13 substances.

The City accounts for 11.8 percent of the population and 17.7 percent of the employment in the Bay Area, but City sources account for less than 1 percent of regional stationary source emissions for 6 toxic air contaminants, 1 percent to 5 percent of regional emissions for an additional 3 toxic air contaminants, 6 percent to 11 percent of regional emissions for 2 additional toxic air contaminants, and about 18 percent of regional emissions for 1 toxic air contaminant. Only in the case of one substance (benzyl chloride) does the City make a disproportionately large contribution to regional toxic air contaminant emissions. That case involves a situation where there are only two stationary emission sources for the substance in the entire nine-county region.

As shown in the table on the next page, the BAAQMD's 1997 annual report on the toxic air contaminant control program (BAAQMD, 1998) indicates that average levels of toxic air contaminants monitored in the City (at the Arkansas Street station) are uniformly lower than regional average concentrations. The data from the Arkansas Street monitoring station are representative of the Hunters Point area, as described in response to Comment P10-3.

EIS Section 4.2 has been revised. After careful review of appropriate factors, the three significant unmitigable air quality impacts identified in the *Revised* Draft EIS/EIR have been reduced to a less than significant level under NEPA. As discussed in EIS Section 4.2, the former Impacts 1 and 2, "Ozone Precursor Emissions from Increased Traffic" and "PM10 Emissions from Increased Traffic" are considered less than significant because traffic-related ozone precursor and PM_{10} emissions are not expected to cause or contribute to a violation of Federal or state ambient air quality standards. Former Impact 3, "Toxic Air Contaminants from Stationary, Mobile, and Cumulative Sources," is considered less than significant for the following reasons:

- No specific types or sizes of stationary sources have been proposed. When specific projects are proposed, BAAQMD will evaluate the significance of stationary source emissions. As discussed in Section 3.2.6, subheading Toxic Air Contaminants, BAAQMD requires that any incremental increase in emission of TACs from new or modified stationary sources be evaluated for human health impacts, especially cancer risk. BAAQMD can deny a permit if the estimated excess health risks are greater than certain threshold values. In addition, the San Francisco Redevelopment Agency has committed to measures to reduce TAC emissions from stationary sources to the extent feasible, as discussed in the response to Comment F2-8.

Constituent	Max. 24-hr Bay Area Concentration (ppb)	Mean 24-hr Bay Area Concentration (ppb)	Max. 24-hr Arkansas Street Concentration (ppb)	Mean 24-hr Arkansas Street Concentration (ppb)
Benzene	4.40	0.57	1.70	0.51
1,3-Butadiene	2.60	0.34	0.90	BDL
Chloroform	0.40	0.02	BDL	BDL
Carbon Tetrachloride	0.55	0.11	0.11	0.10
Ethylene dibromide	BDL	BDL	BDL	BDL
Ethylene dichloride	BDL	BDL	BDL	BDL
Methyl tertiary-butyl ether	13.40	1.61	4.70	1.14
Methylene chloride	8.60	0.51	1.10	BDL
Perchloroethylene	7.76	0.19	0.28	0.08
Toluene	16.60	1.86	4.40	1.62
1,1,1-Trichloroethane	1.78	0.17	0.20	0.09
Trichloroethylene	1.36	BDL	BDL	BDL
Vinyl chloride	BDL	BDL	BDL	BDL

ppb = parts per billion by volume
BDL = Below detection limit
Source: BAAQMD. 1998. 1997 Annual Report, Toxic Air Contaminant Control Program. Volumes I and II.

- Reuse of HPS would not result in traffic volumes on the local roadway network that would be unusually high in comparison to traffic volumes on comparable types of roadways elsewhere in the urbanized portions of the Bay Area.

- The BAAQMD's impact assessment guidelines do not require inclusion of mobile sources of toxic air contaminants when evaluating impacts.

In summary, BAAQMD monitoring data do not support a finding that the air quality in the Bayview-Hunters Point neighborhood is degraded, and no significant air quality impacts were identified. For these reasons, there is no environmental justice issue related to air quality, and no mitigation is required.

Response to Comment P12-56:

The EIS thoroughly considers the environmental impact of the Proposed Reuse Plan on public services, utilities, and service systems. For example, in Section 4.11.2, projected needs would result in an increased demand for police, fire, and emergency medical services. The EIS details a number of reasons why the increased demands would be

822 considered to be less than significant impacts. The public revenue shortfall assumed in
823 the comment does not trigger a requirement to conduct additional environmental review,
824 because it does not, in and of itself, create a binding commitment on the City to spend its
825 funds in a particular manner with respect to public services. At this time, the City has not
826 made any proposal or determination as to how revenue shortfalls resulting from the
827 project would be managed; given the long time frame and numerous variables involved,
828 it would be infeasible for the City to do so.

829 The San Francisco Redevelopment Agency would enter into a development agreement
830 with a primary developer, selected by the Redevelopment Agency Commission. The
831 agreement would set forth the terms and conditions under which required utilities would
832 be provided. This ProForma would supercede any earlier estimates of expenses and
833 revenues, as set forth in previous HPS documents, including the May 1997 *Report on the*
834 *Redevelopment Plan* and the April 1997 *Hunters Point Shipyard Financial Feasibility Model.*
835 The ProForma would include, among other items, a clear description of financial
836 assumptions; a range of expected lease rates, rental rates, and sales prices; a preliminary
837 budget of development costs; and a preliminary plan to finance maintenance and repair
838 of public infrastructure and the provision of new public services required as a result of
839 development. The ProForma could change some of the assumptions and projections of
840 the May 1997 *Report on the Redevelopment Plan* or the April 1997 *Hunters Point Financial*
841 *Feasibility Model* but would not result in new adverse significant environmental impacts.

842 **Response to Comment P12-57:**

843 The EIS acknowledges that the Bayview-Hunters Point area has high incidences of
844 respiratory and other illnesses (Section 3.2, second paragraph). The document also
845 acknowledges that the data show that the community currently experiences
846 disproportionate unemployment when compared to the rest of the City (Section 3.6.4).
847 As explained in Section 5.5, however, there is no evidence that these conditions would be
848 exacerbated by reuse of HPS for civilian purposes. Reuse would occur during or after
849 extensive remediation and would constitute the kind of "brownfields" development that
850 the community has advocated. Also, the objectives of reuse include redress for historic
851 levels of unemployment in the Bayview-Hunters Point community.

852 In accordance with Executive Order 12898, the EIS presents a thorough and
853 comprehensive discussion and analysis of environmental justice concerns related to the
854 proposed action. See revised Section 5.5 of the EIS.

855 As discussed in the response to Comment P12-56, the EIS does not identify significant air
856 quality impacts. Therefore, the only significant impacts that are not mitigated to a less
857 than significant level by mitigation measures in the EIS are related to traffic. Please see
858 EIS Section 5.5.4 for a discussion of why there would be no disproportion impacts on
859 minority or low-income populations as a result of unmitigable traffic impacts.

860 **Response to Comment P12-58:**

861 As required by NEPA Regulations § 1508.8, Navy has evaluated both direct and indirect
862 effects of the Federal disposal action. The indirect effects are those resulting from
863 community reuse of the property. As the lead agency under NEPA, Navy can propose

mitigation measures that are outside its jurisdiction. Navy has addressed indirect effects through mitigations that would be implemented by the City or a local reuse organization approved by the City (i.e., the San Francisco Redevelopment Agency). Regarding remediation of contamination, this activity is being conducted under the Installation Restoration Program, which is a separate process from this environmental review.

Response to Comment P12-59:

As explained in the responses to Comments F2-1 and F2-3, the Proposed Reuse Plan was developed with considerable public input through a screening process. The Proposed Reuse Plan, Reduced Development Alternative, and the No Action Alternative constitute a reasonable range of reuse options consistent with community objectives, and the EIS describes a resulting range of impacts. Alternatives considered and eliminated from further study are described in EIS Section 2.4, along with reasons for their elimination.

The Reduced Development Alternative would provide only 2,700 new jobs over a 25-year period and would not achieve the social and economic community objectives represented by the Proposed Reuse Plan. Based on the EIS analysis, this alternative would contribute to two unmitigable impacts, both related to traffic (one project-level and one cumulative impact), although to a lesser extent than the Proposed Reuse Plan. Within the urban context of the project area, the EIS authors consider it infeasible to develop an alternative of even lesser intensity than the Reduced Development Alternative that could both eliminate these unavoidable significant environmental effects and achieve the community's stated economic and social objectives, which include development of a variety of land use districts fostering a range of employment opportunities.

Mitigation measures provided in Chapter 4 of the EIS would be applied to the preferred Proposed Reuse Plan prior to implementation, making this alternative a "mitigated alternative" to the greatest extent feasible. Compliance with mitigation measures would be assured through development and adoption of a mitigation monitoring program, which would be adopted as required by state law at the time a project is approved. For reuse of HPS, the mitigation monitoring program would specify who is responsible for implementing each mitigation measure in the EIS, when measures must be implemented, and how and by whom their implementation and effectiveness are to be monitored. In determining the scope of alternatives to be considered under NEPA, the emphasis is on what is "reasonable." Reasonable alternatives include those that are practical or feasible from a technical and economic standpoint and using common sense (40 Questions No. 2a, 46 Fed. Reg. 18026 [March 23, 1981], as amended, 51 Fed. Reg. 15618 [April 25, 1986]). It should be noted that traffic impacts would be essentially the same for any reuse that provided jobs, housing, and a strong economic base, all of which are needed in the community. Developing an alternative that would provide community economic benefits with no traffic impacts is not feasible.

Screening potential HPS alternatives for feasibility involved developing a statement of purpose and need, developing a broad range of alternatives that met the need, and developing screening criteria (e.g., technical, economic, and environmental factors) to screen the alternatives. The City used this approach during its extensive efforts to develop comprehensive reuse alternatives for HPS during its reuse planning process. The

907 City has been jointly working with the community on a focused effort to develop and
908 evaluate land use alternatives for the reuse of HPS since early 1994. Through this
909 planning process, a wide range of land use alternatives were identified and evaluated.
910 See EIS Section 1.6 for a description of the community planning process and development
911 of the Proposed Reuse Plan.

COMMUNITIES FOR A
BETTER
ENVIRONMENT



January 19, 1999

City and County of San Francisco
San Francisco Planning Department
1660 Mission Street, San Francisco, CA 94103-6426
Ms. Hillary E. Gitelman, Environmental Review Officer

Engineering Field Activity, West
Naval Facilities Engineering Command
900 Commodore Drive, San Bruno, CA 94066-5006
Mr. Gary Munekawa, Code 7032, Bldg. 209/1

Re: Comments of Communities for a Better Environment's SAFER! project on the Hunter Point Shipyard Draft Environmental Impact Statement/ Environmental Impact Report

Dear Ms. Gitelman and Mr. Munekawa:

We are submitting these comments regarding the Draft Environmental Impact Statement/Environmental Impact Report ("DEIS/DEIR") for the Disposal and Reuse of Hunters Point Shipyard on behalf of Communities for a Better Environment (CBE), an urban environmental health and justice organization that has more than 3000 community members who either fish, swim, surf, or recreate in San Francisco Bay. CBE believes that we must improve environmental health through pollution prevention, promote environmental justice for low-income people of color, give people a meaningful voice in environmental decision making, and change policies from the grassroots up.

CBE's SAFER! project focuses on the Bay, home to the West Coast's largest national urban wildlife refuge and one of the most threatened estuary systems in the nation. Thousands of tons of toxins flow into the system every year from sources such as sewage treatment facilities, oil refineries and other industries, and medical institutions. Of the quarter million people who fish the Bay, the health of thousands of families who fish for food is placed at risk due to elevated levels of organochlorines, toxic metals and bacteria in commonly caught fish. Consisting mostly of poor and working class people of color, including recent immigrants, the angler community has not traditionally had a voice in shaping Bay policy making despite being disproportionately impacted by these health risks. Many of our members also reside on the Southeast corridor of San Francisco and are alarmed by all the new development projects and are worried about their families' well-being in the race to develop this area of San Francisco.

These comments are directed to the DEIS/DEIR, addressing how the proposed project will endanger beneficial use of San Francisco Bay from combined sewage overflows (CSOs) and polluted runoff; ignores environmental justice; serious health and

P13-1

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socio-economic impacts; traffic and air quality impacts; and fails to consider cumulative impacts of the project.

The Hunters Point Shipyard (HPS) Redevelopment Project is a one-time opportunity for the Nation's most progressive city to address the persistent economic, environmental, and social problems that face residents in the Southeast Corridor. CBE believes the DEIS/DEIR fails to mitigate significant impacts of the project, gives incomplete consideration to cumulative impacts, and does not fully explore historical opportunities to mitigate impacts that the DEIS/DEIR writes off as unmitigatable. P13-1

CBE also supports and incorporates by reference the comments of the Alliance for a Clean Waterfront. P13-2

I. The Analysis of HPS Project Environmental Impacts is Inadequate

a. Bay-fish consumption

A 1992 CBE survey of 400 anglers showed that over 70% of people fishing the Bay are people of color, and over 50% of anglers and their families consume the fish they catch. These figures have seen been confirmed by current CBE reports and other local environmental health organization. The State Water Resources Control Board (SWRCB) has listed central San Francisco Bay as impaired on the basis of field surveys of water column, sediments, sediment toxicity, bivalve bioaccumulation, and water toxicity. (SWRCB, 1996 California Water Quality Assessment Report, January 1997) Furthermore, the State EPA listed San Francisco Bay as a significant human health threat.

The contaminants of primary concern include mercury, copper, selenium, diazinon, and polychlorinated biphenyls (PCBs). The State Health Service has issued health warnings for Bay-caught contaminated fish since the 1970s, and children and pregnant or breast-feeding women are advised to eat no more than two to eight ounces of Bay fish per *month*. Since 1994, the Regional Water Board has concluded the highest levels of dioxin, and DDT in San Francisco Bay were found off Candlestick Recreation Area. All CBE surveys show that many Bay anglers and their families eat from quarter pound to as much as a pound per *day*. All studies found that on average people of color anglers and their families consume significantly more of fish per person per day than their white counterparts.

The 1995 San Francisco Bay Regional Water Quality Control Board report, "Contaminated Levels in Fish Tissue from San Francisco Bay," finds that commonly caught and consumed white croaker and shiner surf perch contain alarmingly high levels of mercury, PCBs, dioxin at all 3 San Francisco sites--Pier #7, Islais Creek, and Double Rock (Candlestick), which had the highest levels in the Bay for 1995 and 1997. In 1997, CBE worked with the City and County of San Francisco Department of Public Health to post metal toxic fish health warning signs in eight language across the Bayside shoreline. Subsistence fishing is not just recreation, however warning hungry families about pollution without preventing pollution fails to mitigate health risks.

CSOs not only contribute to contamination of shorelines by pathogens, but also contribute heavy dumping of toxic pollutants which enter the food chain. CSOs are significant point sources for the introduction of metals, oils, and grease, and petroleum products into the near shore marine environment: and there is a long-term cumulative effect localized near the points of discharge. (See CH2MHILL Bayside Overflows (1979) at II-2.) South Basin/Candlestick is a favorite fishing spot for community members in the Southeast corridor, with families fishing from the banks and pier.

The extensive subsistence fishing activities in the Southeast area merited extensive analysis and considered mitigation proposals in the DEIS/DEIR. The neglect of subsistence fishing and the people who eat Bay fish must be remedied. P13-3

b. Utilities

Hunters Point Shipyard storm water collection is currently designed for a two-year storm event, not the City's standard 5-year event. Based on the San Francisco PUC's 1998 "Hunters Point Utility Narrative," the City's assessment of the storm drain system indicates that the system does not operate to City standard and requires substantial repairs or replacement. PRC/Tetra Tech Remediation Investigation (RI) reports for Hunters Point Shipyard Parcels B, C ,D, and E, state that leaky storm drains and sanitary sewer lines were installed in the non-engineered, non-compacted fill at HPS and have sunk below the A-aquifer groundwater table. These drains and lines act as groundwater sinks, reversing groundwater flow direction from Bay-ward to inland. As a result the current system

contributes to the movement of toxic contamination, which follows into pipes in one area and leaks from the other end of the pipe.

The "Hunters Point Utility Narrative" describes the sanitary collection system as an aging system which has had poor maintenance and is subject to low flow and subsiding soil. The Navy classified the system as poor due to sags and dips, leaky , eroded pipes bottoms, infiltration, and construction deficiencies. (DEIS/DEIR at 3-152). RI reports measured infiltration at 160, 000 gpd during dry weather and 1,760,000 gpd during wet weather. Site investigation conducted by the Installation Restoration Program at HPS have identified elevated concentration of metals (copper and zinc) and organic compounds (petroleum-related hydrocarbons, PCB, and solvents) in shallow ground water. (DEIS/DEIR at 3-139).

IR reports estimate that the cost to upgrade utilities lines where needed ranges from $50 million to $250 million for replacing the entire utility system. This need is attributable to the Navy's neglect of the infrastructure at HPS. The Navy needs to pay to ensure that the transfer of HPS occurs with a completely separated storm water system that complies with the City's 5 year -storm regulations, and that is above the aquifer. The separated sewer lines should be completely repaired and above the water table. P13-4

c. The impact of Combined Sewage Overflows (CSOs) on beneficial water use

The report, Bayside Overflows, published by CH2MHILL in 1979, documents impacts on sediment and benthos, indicating CSOs are significant point sources for the introduction of metals, oils, and grease, and petroleum products, into the near shore marine environment, and that there is a long-term cumulative effect localized near the points of discharge. (p. II-2). The report also states that "dumping of industrial effluents temporarily altered oxygen and pH values significantly. The coliform levels appeared to be directly related to the times of overflows." (p. II-2). In addition, the report concludes "coliform standards established in the Basin Plan, however, were exceeded at all station during the three sampling periods." (p. V-6)

The combined sewer system is operated to minimize and eliminate these overflows to the extent possible. The system is designed such that on average, only one-overflow event per year should occur at the Yosemite basin overflow structures. (DEIS/DEIR at 3- P13-5

142). But in fact, the chart in the SF Public Utilities Commission Oceanside Annual 1997 Report, labeled " Wet Weather CSO Discharge History," indicates in 1995-1996, three overflows occurred; in 1996-1997, three overflows; and in 1997 through May 1998, eight overflows occurred at Yosemite Basin.

On page 3.140 of HPS DEIR/DEIS, it is understood water contamination exists around the surrounding water and that an extensive amount of water contact and non-water contact occurs close to the project. The CH2MHILL 1979 report states," there is a direct correlation between combined sewer overflows and coliform levels. Coliform levels inside sloughs(Yosemite) returned to normal within approximately 84 hours.(p. V-5) And within 2 days the offshore stations (5 surrounding HPS) returned to background levels with slightly higher concentrations present in channels. (p. V-7) CBE believes beneficial use water use will be sharply be affected at the project and at Candlestick because of the increased CSOs and the duration of high coliform levels.

P13-5

CBE had similar concerns with the Mission Bay project and our concerns were reflected in the "Mission Bay Response to Comments" page C&R. 275 " Concludes that although the analysis does not demonstrate any significant cumulative impacts, due to concerns about CSOs and to acknowledge the lack of conclusive evidence refuting a causal relationship between treated CSOs, storm water discharges, and sediment quality, the SEIR conservatively finds that the project would contribute to a potentially significant cumulative impact on near-shore waters of SF Bay from treated CSOs, and direct storm water discharges into China Basin Channel."(C&R 275)

d. Cumulative impacts of the Project

An EIR must discuss significant "cumulative impacts." CEQA Guidelines § 15130(a). "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." Guidelines § 15355(a). "[I]ndividual effects may be changes resulting from a single project or a number of separate projects." Guidelines § 15355(a). A legally adequate cumulative impacts analysis views a particular project over time and in conjunction with other related past, present, and probable future projects whose impacts might compound or interrelate with those of the project at hand. "Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." Guidelines § 15355(b). The cumulative impacts concept recognizes that "[t]he

full environmental impact of a proposed . . . action cannot be gauged in a vacuum." Whitman v. Board of Supervisors (1979) 88 Cal.App.3d 397, 408.

The DEIR fails to adequately consider the cumulative impacts of the proposed project. To be adequate, the discussion must include a reasonable analysis of all of the relevant projects' cumulative impacts, with an examination of reasonable options for mitigating or avoiding such effects. (CEQA Guidelines section 15130(b)); Environmental Protection Information Center v. Johnson, 170 Cal.App.3d 604 (1985).

P13-6

The project proposed here is a portion of a larger government project to install, operate, close, and to redistribute, cleanup, and redevelop the land from, a military base, and it is but one of four major developments now planned for the Bayside of San Francisco. The others include: Mission Bay/UCSF campus, Port of San Francisco, and Candlestick Mall/Stadium. The combination of these past, present, and future projects has caused and will result in significant cumulative environmental, health, and socioeconomic impacts which are, ultimately, inseparatable from one another.

There are many cumulative impacts that will result from this unprecedented wave of large development projects. Looking at just one of them—sewage impacts to the Bay and the surrounding community—demonstrates the importance of a good cumulative impacts analysis, which the DEIS/DEIR unfortunately lacks.

The DEIS/DEIR lays out three "general options" for storm water treatment at HPS:

1. upgrade and maintain the Navy's separated storm water system, with capacity for a two-year storm event;

2. replace the Navy's system with a new separated system, with capacity for a five-year storm event;

P13-7

3. replace the Navy's system with a combined system, transporting sewage and storm water to the Southeast treatment plant in the same pipe.

DEIS/DEIR at 4-87.

Under option #1 or #2 (separated system), effluent entering the Bay would result in a 3.7% increases or 1, 109 million gallons per year ("mgy"), compared to Option #3 (combined system), in which effluent would result in a 4.3% increase, or 1,293 mgy. Overall, Bayside CSOs would increase by 55 mgy with a separated system. With a combined system, CSOs would rise to 98 million gallons, of which HPS would make up

42%. Cumulative increases of CSOs to Yosemite basin would increase by 26% or close 1.5 million gallons , but none of this would be attributed to HPS. But under a combined system 2 million gallons of CSOs would be discharged with HPS making up 38% of the total.

P13-7

Under option #3, the negative impact to beneficial use is it would be negligible for the City approve HPS with a combined system. The project is in close proximity to a State Recreation area that is used by tens of thousands of residents each year.

e. Piecemealing

CEQA prohibits the "piecemeal" consideration of a project. Bozung v. Local Agency Formation Commission (1975) 13 Cal.3d 263-283-84. Failing to make clear the scope of a project can frustrate the objectives of environmental study. County of Inyo v. City of Los Angeles (1977) 71 Cal.App.3d 185, 192-93. The DEIS/DEIR provides a dramatic instance of piecemealing: the DEIS/DEIR evaluates the proposed reuse plan , but the remediation plans are reduced to alternate "scenarios" for reuse planning. (DEIR/DEIS at ES-3). It is inconceivable that reuse can proceed in the absence of remediation; the two are inextricably linked. The nature and status of remediation efforts are essential elements of the environmental background and evaluation of reuse proposals, but they are addressed somewhere else (or nowhere at all).

P13-8

To cite just two critically important examples of this problem, consider the massive Bay sediment contamination problem that stalled the USS Missouri Homeporting at this Base, and the massive clean up of toxic contamination on Base land as it impacts the Bay.

First, the DEIS/DEIR fails to discuss the Homeporting project proposed for the Base in the late 1980s. Nor does it discuss the previous Environmental Review for that project, which documented severe sediment contamination, or the Navy's failure to identify any specific dredging proposal that would allow that project to proceed without significant environmental impacts. Nor does it present any specific data on pollutant concentrations, sampling sites, or clean up methods though these were all included in the previous environmental review of sediments here. Instead, it claims that the Navy's plans discussed in Section 3.7.5 will "reduce the potential impacts to a less than significant level. No mitigation is required." (See: p. 4-73)

P13-9

However, the discussion the DEIS/DEIR relies upon states that neither the remediation method, nor even the testing program to determine its environmental impacts, is chosen yet (p. 3-126), and admits: "The potential for and extent of these impacts can only be determined after the remediation strategy has been selected, project-specific sediment testing has been conducted, and a disposal or reuse site has been identified." (See: p. 3-125)

P13-9

The severe Bay sediment contamination with PCBs and other toxins continues to bioaccumulate in fish eaten by subsistence anglers. Delays in the clean up project, and the sediment removal itself, will result in additional fish contamination. Existing human exposures to dioxin and PCBs in the fish cause a "significant" health risk (USEPA, November 3, 1998 decision and proposal with respect to section 303(d) of the Clean Water Act). Thus, the specific clean up proposed, and its timing, will contribute to a significant cumulative health impact. However, the DEIS/DEIR finds no significant impact, based on analysis that admits there might be an impact, while it ignores a previous analysis which found a significant impact. Therefore, its finding is arbitrary, scientifically invalid, and incorrect.

Second, the DEIS/DEIR ignores human health impacts from the discharge of contaminated ground water to the Bay and states that discharges will be treated by the City sewage plant and permitting requirements "would reduce potential impacts on ecological receptors from groundwater discharge to a less than significant level. No mitigation is required." (See: p. 4-73) In fact, these discharges are not treated now, and a significant portion of them will not be treated fully in the future. The storm water collection system is nearly a sieve that allows more than half a million liters of infiltration per day (p. 3-152) and transports polluted ground water to the Bay without treatment (p. 4-92). The Navy could not locate some lines, outfalls, separators, or settling vaults because of their degraded condition or for other reasons (p. 3-151): This provides no assurance that all groundwater flow to the Bay will be directed to City treatment in the future. Further, the City system overflows to discharge untreated waste when it rains, and even City sewage treatment fails to remove persistent bioaccumulative toxins such as PCBs fully.

P13-10

Nor is there any existing evidence that permitting requirements will reduce ground water discharge pollution of the Bay to 'less than significant' levels. Existing storm water permit requirements typically do not test for or stop the types of pollution of most concern

P13-11

in this instance, such as dioxin and dioxin-like PCBs, which are toxic in water at part-per-quadrillion levels according to EPA water quality criteria. The DEIS/DEIR presents no specific permit requirements to remedy this situation. Further, it fails to analyze the most specific law requiring discharges to prevent Bay sediment impacts - the California Bay Protection and Toxic Clean-up Act - in its discussion of 'other federal and state programs' on pages 3-89 to 3-91. Thus, it fails to discuss the fact that the sediment pollution prevention requirements of this law remain to be implemented. Therefore, the DEIS/DEIR fails to provide any evidence that its promise of future 'permitting' mitigation to 'less than significant impact' is reasonable, or even adequate public information to support an informed decision. P13-11

Finally, the DEIS/DEIR admits that the ground water is widely contaminated with the same toxicants that pose significant human health threats in the Bay. According to the document's own analysis, there are at least 13 pieces of equipment with PCBs contamination (p. 3-119), and PCBs and other toxins are found in ground water on the Base (p. 3-139). Further, it admits that there are at least 78 toxic sites on the Base that require further investigation (p. 3-96), at least some sites will require further remediation (see e.g., p. 3-113), there is radioactive contamination in at least two parcels (p. 3-123), and ground water contamination near the shoreline remains unaddressed (p. 3-139). It is widely known that Environmental PCBs contamination includes dioxin compounds (Birnbaum,1998). Dioxin and PCBs contamination already poses a significant human health threat in the Bay, as discussed above. Simply put, the project will contribute contaminated ground water pollution that contributes to this significant cumulative impact, contrary to the DEIS/DEIRs incorrect conclusion. P13-12

Each of these problems - unremediated sediment contamination and unremediated ground water contamination - causes significant adverse impacts on fishing uses of San Francisco Bay. By its failure to address these problems with the excuse that they will be addressed elsewhere, the DEIS/DEIR clearly fails to provide the necessary information for public evaluation and decision on a proposal which it admits on page 4-91 that it would exclude fishing uses of the former shipyard land in the future. This piecemealing prejudges a future public use of the land - a decision which by any reasonable analysis is directly within the scope of this project. Since people who rely upon Bay food resources are disproportionately people of color, as discussed above, that is an environmental injustice. P13-13

II. The DEIS/DEIR fails to adequately consider the environmental justice impacts on the Southeast area of San Francisco

The DEIS does not adequately consider the environmental justice impacts of the Hunters Point Shipyard project. Under NEPA, a draft EIS must "to the fullest extent possible" integrate into the NEPA analysis "surveys and studies" required by other "environmental review laws and executive orders." 40 C.F.R. § 1502.25(a). Executive Order No. 12,898 (59 Fed. Reg. 7629) (1994), "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," issued by President Clinton on February 11, 1994, declares:

> [E]ach Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States.

Particularly relevant here is Section 4-4, Subsistence Consumption of Fish and Wildlife, which reads, P13-14

> 4-401. *Consumption Patterns.*
> In order to assist in identifying the need for ensuring protection of populations with differential patterns of subsistence consumption of fish and wildlife, Federal agencies, whenever practicable and appropriate, shall collect, maintain, and analyze information on the consumption patterns of populations who principally rely on fish and /or wildlife for subsistence. Federal agencies shall communicate to the public the risks of those consumption patterns.

59 Fed. Reg. 7629.

the Presidential Memorandum that accompanied the Executive Order calls for a variety of actions. Specific actions directed to NEPA-related activities include:

1. Each federal agency must analyze environmental effects, including human health, economic, and social effects, of federal actions, including effects on minority communities and low-income communities, when such analysis is required by NEPA.

2. Mitigation measures outlined or analyzed in EAs, EISs, or Records of Decision (RODs), whenever feasible, should address significant and adverse environmental

effects of proposed federal actions on minority communities and low-income communities.

3. Each federal agency must provide opportunities for community input in the NEPA process, including identifying potential effects and mitigation measures in consultation with affected communities and improving accessibility of public meetings, official documents, and notices to affected communities.

On September 30, 1997, the U. S. EPA issued its Interim Final Guidance for Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analyses. The EPA NEPA Guidance for Analyses provides an excellent blueprint for an agency to use to ensure that environmental justice concerns are adequately researched, considered, avoided, and mitigated. Specifically, Exhibit 3. Summary of Factors to Consider in Environmental Justice Analysis provides an excellent list of the demographic, geographic, economic, human health, and risk factors that should be used to consider environmental justice in the NEPA process. There is no evidence that any of these procedures were actually followed or that they guided any substantive analysis in the DEIS/DEIR. The scant five pages devoted to "environmental justice" (at 5-15 – 5-20) is not worthy of comment. P13-14

a. **Consideration of the project's environmental justice and cumulative impacts on the Southeast neighborhood is inadequate.**

The failure of the DEIS/DEIR to consider subsistence fishing impacts is only its most noteworthy environmental justice failure. Despite the requirements and guidance discussed above, and the past evidence of environmental racism in Bayview/Hunters Point, the DEIR/DEIS is severely inadequate in its consideration of the environmental justice aspects of the project.

Bayview/Hunters Point population is over 90% people of color. Currently, Bayview's Southeast wastewater treatment plant handles 80% of all San Francisco's polluted sewage water every year. Recently approved, the Mission Bay project will send close to a billion gallons of sewage to Bayview. Furthermore, an additional half billion gallons of wastewater generated from Hunters Point would go directly through Bayview as would the brunt of combined sewage overflows to Yosemite Channel, a predominantly African-American community that is already overburdened with environmental hazards. P13-15

The impact on wastewater is tremendous. Storm water factors include: (1) amount and intensity of rainfall (2) land area that drains to the City sewers (3) runoff co-efficient. With increased development and lack of open space, permeability is lowered and areas draining into City sewers increases, as does, runoff. With increased residents and employees sanitary sewage will see a sharp increase, for water consumption predominately enters wastewater system.

P13-15

The DEIS/DEIR fails to analyze the existing environmental hazards facing Bayview/Hunters Point, or the southeast corridor of the City more generally. While storm water would be treated in the combined system under option #3, it will increase the volume of wastewater and the troubles that come with it at and in the vicinity of the Southeast plant. The increasing of wastewater at a plant that is already having chronic odor and flooding problems and increasing CSOs by 48% into Yosemite Basin raises serious environmental justice concerns that must be adequately analyzed and mitigated.

Other significant and cumulative negative impacts on environmental justice that the project fails to analyze sufficiently abound. As outlined in Attachment 1 these include:

* A concentration of polluting industrial, utility and transportation infrastructure.

* A concentration of significant human health hazards from eating contaminated fish from the Bay, from inhalation of air pollutants released by numerous industries, diesel vehicles and cars, from exposure to sewage pathogens, and the cumulative effects of pollution on residents who are already disproportionately exposed to past and continuing pollution.

P13-16

* A concentration of significant cumulative socioeconomic impacts that are related to these pollution and infrastructure impacts both directly and indirectly in this community that is already disproportionately impoverished and predominantly people of color.

It is not sufficient to accept the existing degraded conditions as a justification for further degradation. An attempt to disregard additional impacts to an already over-burdened community was rejected in Los Angeles Unified School District v. City of Los Angeles(1997) 58 Cal.App.4th 1019. That court found an EIR inadequate because it

concluded that there would be no significant impact on schools from increased traffic noise because the ambient noise level at the schools already exceeded the State noise standard. Hunters Point Shipyard DEIR/DEIS cites significant impacts from traffic which will be increased from other development projects and surrounding industries, by just mentioning the issue as unmitigateable does not mean serious review and implementations of alternatives is not worthy. P13-16

b. The DEIS/DEIR fails to mitigate the environmental justice impacts of the Hunters Point Shipyard project.

Given the seriousness of the environmental justice impacts of the HPS project, further analysis and mitigation measures are required. The US EPA NEPA Guidance suggests the following mitigation measures be used to mitigate environmental justice impacts:

- Establishment of a community oversight committee to monitor progress and identify community concerns.
- Reducing or eliminating other sources of pollutants or impacts to reduce cumulative impacts.
- Conducting medical monitoring on affected communities and providing treatment or other responses if necessary. P13-17
- Providing assistance to an affected community to ensure that it receives at least its fair (i.e. proportional) share of the anticipated benefits of the proposed action (e.g., through job training, community infrastructure improvements).
- Identifying clear consequences and penalties for failure to implement effective mitigation measures.

All of these actions and guidelines make it clear that the Navy and the City and County of San Francisco would be abusing their discretion under NEPA and CEQA if they failed to adequately consider, analyze, and mitigate any and all environmental justice impacts from the Hunters Point project.

In 1990, one quarter of all families in the South Bayshore planning area lived below the poverty line, compared with only 12 % of households City-wide. Incentives for HPS businesses to hire locally (DEIS/DEIR at 5-18) need to be spelled out in more detail, with P13-18

stronger language offering a jobs mitigation measure that is based on neighborhood preferences to ensure the 6000 jobs and business opportunities are linked to residents. This not only benefits local residents through job opportunities, but has an important mitigation effect on the serious air quality and negative transportation impacts. P13-18

Mixed-income housing goals (DEIS/DEIR at 5-18) need to include home ownership achievement goals. San Francisco's low to moderate income housing guideline is upwards to $60, 000, to ensure local residents are not outnumbered by households earning $60, 000 housing preferences to neighborhood folks need to be incorporated. The DEIR/DEIS fails to address and mitigate the affordable housing for local residents. P13-19

Finally, the transfer of land to the Redevelopment Agency needs language assuring that the local community will own a portion of non-contaminated land to develop. Before a master developer is decided on, written assurance are needed that will guarantee that the master developer will allocate a fully remediated portion of the HPS land for community ownership.*(see Attachment 1 for details)* P13-20

III. The DEIS/DEIR fails to adequately consider wastewater alternatives.

a. The DEIS/DEIR does not consider the need for comprehensive wastewater alternatives

The DEIS/DEIR does not consider comprehensive wastewater alternatives to help alleviate environmental injustice and protect human health. The goal should be to effectively reduce pollutant load into the Bay, through source reduction before wastewater enters the combined system. This project will generate close to 245 million gallons of wastewater a year; storm water is estimated to be 240 million gallons a year. (DEIS/DEIR at 4-93). P13-21

Under Base Case Option #1 or #2 with a separated system, effluent entering the Bay would slightly increase (49%), contributions to the existing 910 million gallons of partially treated sewage entering the Bay would also increase by **600,000 gallons.** Storm water flow would actually see a decrease by 5.4% or 13 million gallons a year.

Under Base Case Option #3, with a combined system, effluent would increase by 1.1.%, contributions to the existing 910 million gallons of partially treated sewage entering the Bay would also increase by 4.5% or **41 million gallons**. In addition, close to 2 million gallons would enter Yosemite Basin.

The combined sewer strategy has involved enormous costs. Wet-weather components of the existing system cost approximately $900 million and the dry-weather components cost approximately $550 million. The system took 10 years to construct, does not prevent frequent pathogen contamination, and still results in manhole overflows. A prudent approach would be to spend additional funds on alternatives to separate sewers and decentralized treatment in HPS development and future Bayside development rather than continue to burden the existing system. The DEIR/DEIS fails to analyze the cost of this project and other cumulative projects on the combined system versus separated sewage systems. The recent Mission Bay project resulted in the developer committing to a separated system, which is both environmentally superior and will save $800, 000 over the combined system. P13-21

With a combined sewer system, San Francisco treats storm water because it is mixed with sewage. In order to better handle metals entering the system, the DEIS/DEIR needs to include source reduction. Graywater, vortex separators, sand filters, and subsurface treatment, to name just a few alternative treatments, have not been discussed and considered to reduce wastewater. The Reuse Plan describes open space areas and location, but nowhere is there mention of the use of open space for water pollution control systems.

b. The DEIS/DEIR does not consider environmental justice and public health when reviewing alternatives.

Immediate benefits of removing storm water from the HPS project would include reducing the overflows, the total volume to the Southeast plant, and odor problems. Street manhole flooding resulting from storm water is a City-wide issues which affects the Southeast area directly. With the HPS project and its estimated half billion gallon annual wastewater flow how many more manholes will pop off? It is time to re-evaluate the need for large collection sewer systems. P13-22

With over 80% of all City discharges entering the Southeast plant in Bayview, there is strong sentiment from the Board of Supervisors, civic leaders, and community members that alternatives are necessary to reduce the amount of storm water entering the plant. Alternatives need to address this environmental injustice. Odor complaints from neighboring residents directly resulting from the combined system, and its volume, have been alarming. The Public Utilities Commission Technical Review Committee (TRC) has concluded that if a plant is creating such odors then it is not effectively working and overloaded. P13-22

Alternatives need to include technologies that prevent pollutants from entering the bay and creeks to protect human health and the aquatic environment. Pathogens have been documented as a serious problem in San Francisco Bay, but have been ignored by the DEIR/DEIS and need to mitigated. In addition, the DEIR/DEIS need to ensure that Bay fish are not contaminated with mercury, dioxin, PCBs, silver, and other toxins resulting from this project.

c. The DEIS/DEIR fails to include alternatives that would enhance the quality of life of all residents, beneficial use of water, and protect public health.

In order to better handle the HPS project and other Bayside developments, a comprehensive City-wide wastewater plan is critical to assess the impacts to the natural environment and communities. In addition, the TRC has called on the PUC to evaluate the need for a long-term program to separate storm water from sewage, so that the alternative decentralized options can work and reduce volume.

The City of San Francisco and Navy should identify land for alternative wastewater treatment to reduce the volume from storm water, handle toxins and pathogens from CSOs and protect the natural habitat. Under San Francisco's Water Recycling Master Plan, prepared in 1992 and updated in 1996, the HPS project should have an on site reclamation facility to provide a year-round recycling program. P13-23

The City's combined system has enjoined remarkable exemption from performance standards and discharge limits, including exemptions from the California coastal water

quality limits and the RWQCB's shallow water limits as well as a definition of the North Point Wastewater Treatment Plant as a discharge point rather than a POTW. The DEIS/DEIR needs to look at cumulative issues (e.g., average overflow frequency to include volume and duration) to truly evaluate the environmental impacts. Storm water discharges into Islais, Yosemite Basin, and the Bay must receive the same treatment, regardless of whether or not it is captured and sent to the Southeast plant. P13-23

CBE supports the PUC and San Francisco Water Department evaluation of potential use of reclaimed water in San Francisco, including at HPS. A reclamation facility and plan for use of reclaimed water at HPS would have the possibility of treating all waste from the project with no discharges, thus not adding any additional burden to the Bayview/Hunters Point community.

IV. The DEIS/DEIR fails to Contain Adequate Mitigation Measures

In Sundstrom v. County of Mendocino (1988) 202 Cal.App.3d 296, the court held that an agency must identify and analyze mitigation measures in the CEQA document so that the public and governmental decision-makers can review and comment on the measures. CEQA is a public information and participation law that requires an open and transparent environmental review process. Only by subjecting mitigation measures to public scrutiny can the public be assured that those measures will be effective in mitigating project impacts. As the court of appeals held, "the City cannot rely on post approval mitigation measures adopted during the subsequent design review process. . . . there cannot be meaningful scrutiny of a [CEQA document] when the mitigation measures are not set forth at the time of project approval." Quail Botanical Gardens Foundation, Inc. v. City Encinitas (1994) 29 Cal.App.4th 1597, 1605, n. 4.

Sundstrom makes clear that under CEQA an agency may not approve a project based upon hypothetical and undefined mitigation measures to be adopted at some future time. Hypothetical measures may by their very nature be perfect -- but CEQA demands real, clearly defined mitigation measures upon which the public may comment, and upon which governmental authorities may base informed, well-considered decisions.

However, the DEIS/DEIR fails to contain adequate mitigation measures. For example, the DEIS/DEIR acknowledges CSO impacts are significant, but provides only the following mitigation measures

Mitigation 1

> "Eliminate projected increases in CSO volumes caused by storm water discharges to the City's combined system by upgrading or replacing the separated sewer system at HPS(Option 1 or 2) or by adding substantial storage to the combined sewer system (Option 3)

Option #1 or #2 would reduce CSO volumes compared to the project by about 41 million gallons total Bayside and 2 million at Yosemite Basin than would mitigation scenario #3 which would actually increase Bayside CSOs by 4.5% and over 34% at Yosemite Basin. Mission Bay project's potential contribution was 2 million gallons to Islais Creek. Similar to the volume to increase at Yosemite but based on shallow water and low dilution levels, the City only allows one CSO a year at Yosemite.

P13-24

Commitment to option #2 needs to occur with continued discussion between groups and the City to identify land for treatment facility and alternative treatments. With the goal of eliminating projects contribution to the 11% cumulative increase of CSOs.

Mitigation 2

> "To ensure that the quality of storm water discharges improves... Develop and implement a SWPPP... and implement BMPs ..."

Implementing these measure would not reduce this impact to less than significant level. Option #2 would minimize overland flow and resolve flooding problems. No consideration was given to alternative storm water treatment , which is planned to be used at Mission Bay and its storm water. Will technologies such as subsurface treatment, vortex separators, wetlands and a sediment basin upstream to lessen risk of pollutant loads, catch basins, retention, retention ponds, reclamation, other alternative approaches to handle storm water and roof-top or building catchments? Before land use can be determined discussion on storm water treatment need to be addressed.

Mitigation 3 -Utilities

"Assess deficiencies in storm water collection system and address them through planned infrastructure improvements or actions"

CBE perceives the best mitigation for existing storm water drainage system would be to replace with a new separated system. (option 2) Vortex mechanical treatment to reduce heavy metal pollutants from industrial storm water pollution has been demonstrated to work, but the DEIR fails to mention Vortex as a mitigation. The DEIR/DEIS needs to give assurances for a second tier of natural treatment not use phase like "for example, the wetlands proposed for Parcel B may benefit from storm water discharges to that area." 4-100.

P13-24

Mitigation 4- Utilities

"Asses deficiencies in wastewater system and address them through planned infrastructure improvements and other action"

Do to the 170 percent increase over the existing dry-weather flow, CBE strongly advocates for Mitigation 2-Utilities, a completely new separated wastewater system which will assure contaminated ground water does not enter the sewer lines. This wastewater plant should meet the demand for reclaimed water and generate no net increase to the troubled Bayview plant.

The DEIS/DEIR consideration is woefully inadequate under CEQA and Sundstrom. The DEIS/DEIR fails to require these mitigation measures and fails to provide an adequate discussion of their design and implementation. Thus, the public is left to blindly trust that such measures will actually be implemented. This is a violation of CEQA. Accordingly, the DEIS/DEIR must be supplemented to include actual mitigation measures and a mitigation monitoring plan to ensure that such measures will be implemented.

P13-25

In addition, these mitigations need to include:

A pollution prevention program toward reaching zero dioxin;

PCB round-up program to ensure leakage does cause soil and/or water contamination;

Full clean-up to the highest existing or past standard of all contamination on, under, and around the land of the base;

P13-25

Clean-up should include subsurface contamination and contamination of Bay sediment, clean-up to industrial zoning levels will not be sufficient;

Job and housing preferences to local residents;

P13-26

Community control of a parcel of land, this was neither an alternative or a mitigation under the current DEIR/DEIS;

Community approved amount of funds need to be set aside for technical support;

Finally, CBE supports addition mitigation recommended by the Alliance for a Clean Waterfront.

P13-27

V. Conclusion

In conclusion, the HPS DEIS/DEIR should be amended to ensure that the Project has the fewest possible negative impacts on our communities and the natural resources they rely on. Without a clear policy direction and programs, the community cannot realistically expect to benefit from this massive project. Thank you for your attention to these comments.

P13-28

Toward environmental health and justice,

Mike Thomas

Mike Thomas, SAFER!/CBE Organizer

Attachment 1

To Comments of Communities for a Better Environment (CBE) / SAFER!

Regarding the Draft EIS/EIR
For the Disposal and Reuse of Hunters Point Naval Shipyard

LAND OWNERSHIP ALTERNATIVE AND MITIGATION FOR IMPACTS FROM LAND USE, POLLUTION AND ENVIRONMENTAL INJUSTICE

by Greg Karras and Azibuike Akaba

January 19, 1999

With the Hunters Point base land redevelopment, the most progressive major city in the country has perhaps its best opportunity in our lifetime to address the most pervasive environmental and social injustice in its jurisdiction, because San Francisco can now transfer land to local community ownership and control.

As slavery was abolished at the time of the Civil War, land on the Southeast U.S. Sea Islands that was no longer plantations passed into government control and was deeded to freed slaves.[1] This partially mitigated effects of past injustice by providing a natural resource base for economic and social development that was owned and controlled by those living there, against whom the injustice was committed. As compared with later efforts of the Reconstruction in other parts of the country, where freed slaves often became renter-farmers or renter-industrial workers, this land ownership resulted in more self determination, more education, and more bases for human dignity free of exploitation.

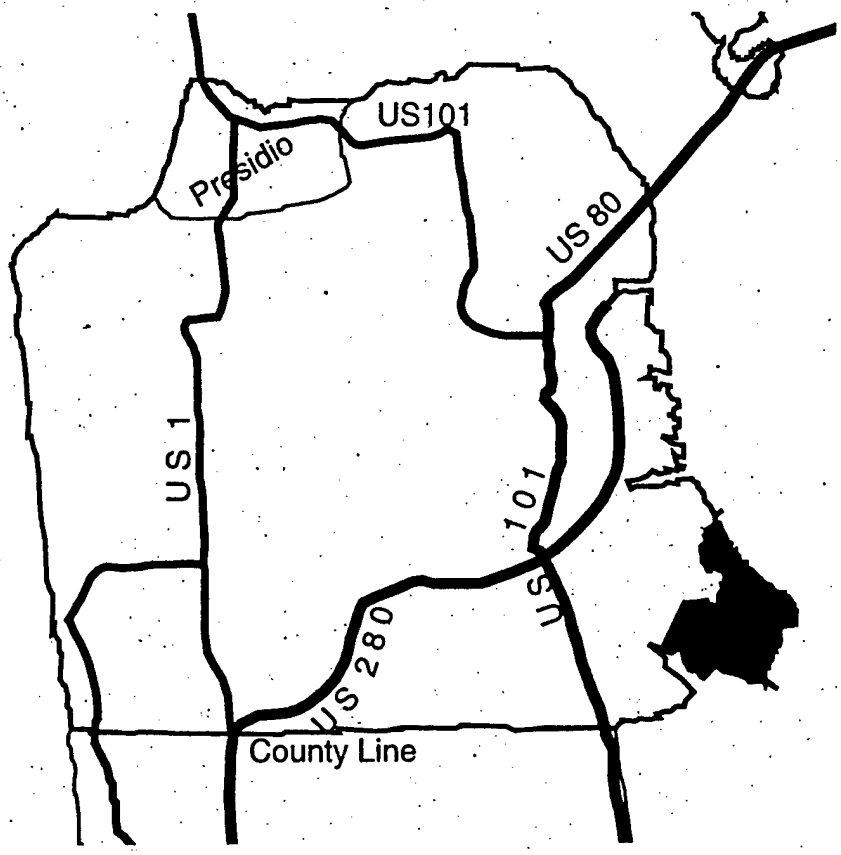
As environmental injustice is battled at the threshold of the twenty-first century, land in Southeast San Francisco that is no longer a naval base has passed into the control of the most progressive major city in the country. Ownership and control of this land by those who live here, against whom oppressive environmental, social, and racial injustice is still committed, could partially mitigate these impacts and provide an alternative by giving the community the natural resource base for environmental, economic and social self-determination. As compared with the alternative of another absentee landlord, wage work for faceless distant others, underemployment, and ceding to owners elsewhere the power to make and keep these lands' uses clean and safe, the alternative of community land ownership and control will result in better progress toward environmental and social justice.

Lasting environmental progress comes only hand in hand with social and economic justice.

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[1] Encyclopedia of African American Culture and History. Volume IV. Selzman, Smith and West, eds. MacMillan, N.Y. Page 2278.

1. San Francisco, Bayview/Hunters Point, and the Hunters Point Naval Shipyard



Key

- Hunters Point Base
- Bayview/Hunters Point
- Rest of San Francisco

The Hunters Point project is linked to severe environmental and social injustice that can be addressed fully only by addressing the socioeconomic as well as the direct environmental and health impacts of project-related pollution. This is true for five reasons which are each addressed in more detail below:

1. The project[2] caused, and will result in, a cumulative and disproportionate concentration of polluting industrial, utility and transportation infrastructure in Southeast San Francisco. The DEIS/DEIR fails to analyze or address these significant cumulative factors adequately.

2. The project caused, and will result in significant cumulative and disproportionate environmental impacts concentrated in Southeast San Francisco. The DEIS/DEIR fails to analyze or address these significant impacts adequately.

3. These significant cumulative and disproportionate environmental impacts of the project caused, and will result in, significant cumulative and disproportionate socioeconomic and environmental injustice concentrated in Southeast San Francisco. The DEIS/DEIR fails to analyze or address these significant impacts adequately.

P13-29

4. These disproportionate infrastructure, environmental and socioeconomic impacts are concentrated in a part of San Francisco where the impacts are suffered disproportionately by people of color.

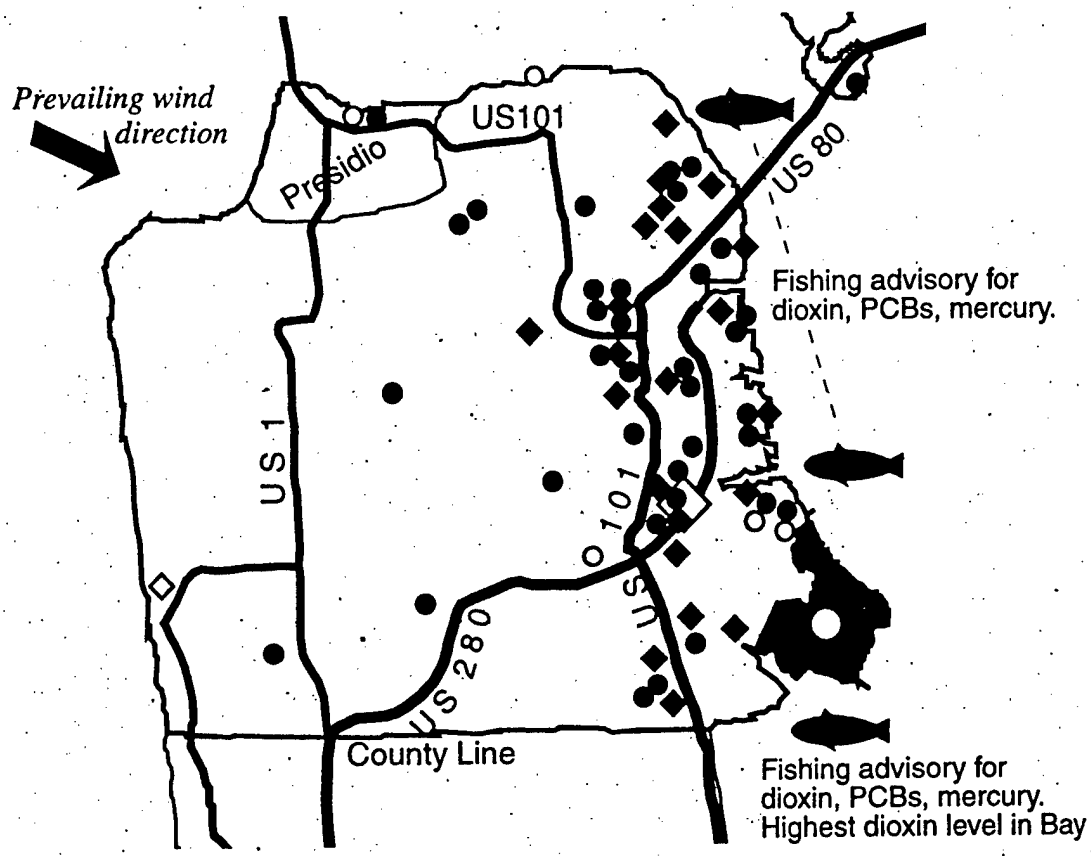
5. Providing temporary jobs or jobs for wages will not fully mitigate or avoid these past, present and future significant impacts, as compared with the option of community ownership and control of the land. This is especially true when the clean up decision is segmented from the DEIS/DEIR to be decided elsewhere (if it is addressed at all). These factors are not analyzed or addressed adequately by the DEIS/DEIR.

As shown in CBE/SAFER!'s comments to which this analysis is attached, the EIS/EIR must, as a legal matter, address significant cumulative impacts that will result from this project or from this project with other projects. Therefore, community based land ownership and control – as a preferred alternative and essential mitigation – should be added to the EIS/EIR.

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[2] The term "project" as used herein refers to the installation, operation, and closure of the Hunters Point Base and the clean up, redistribution of land and property, and redevelopment of land and property of the Base. It also refers to the specific project defined (vaguely) in the scope of the DEIS/DEIR, which is a portion of the real project that is segmented from the aborted USS Missouri Homeporting project (which documented and left unresolved massive Bay sediment contamination caused by the Base), and from the full clean up of contaminated land on the Base. Further, several large development projects will combine with this project to cause cumulative environmental and socioeconomic impacts in Southeast San Francisco. These segmentation and cumulative impacts issues are discussed more fully elsewhere in CBE/SAFER!'s comments on this DEIS/DEIR. In any case, the portion of the project discussed in the scope of this DEIS/DEIR will cause or contribute to the significant impacts identified in the five points above, whether or not the other portions of this project or the other projects contribute to a specific impact discussed herein.

2. Concentration of San Francisco pollution sources and sites around Bayview/Hunters Point



Key

- Hunters Point Base
- Bayview/Hunters Point
- Rest of San Francisco
- Superfund site (CERCLA)
- Toxic Release (EPCRA-TRI)
- Fish Test Found Toxics
- Sewage Plants with Routine Discharge (by portion of waste)
- Hazardous Waste (RCRA large quantity generator)

From data submitted to State and federal environmental agencies pursuant to the federal Clean Water Act, Resource Conservation and Recovery Act (RCRA), Superfund (CERCLA), Toxics Release Inventory (EPCRA-TRI), and San Francisco Bay fish tissue data and analysis from CBE, 1998. *On the Hook for Zero Dioxin.*

1. The project caused, and will result in, a cumulative and disproportionate concentration of polluting industrial, utility and transportation infrastructure in Southeast San Francisco.

The naval shipyard at Hunters Point used and released massive amounts of toxic and other material (as documented by the USS Missouri Homeporting EIS), which created a bias toward siting other toxic activity in its degraded surroundings. It created a crossroads of industrial transportation and processing that drew other industry, such as the Triple A shipyard, Gonzalez Drum, and others. It drew heavy transportation infrastructure to Bayview Hunters Point by land and water, while it directed major land transportation routes away from one natural corridor along the shoreline, resulting in a heavy transportation corridor upwind to the west that still isolates this community from other parts of the City. The major utilities – including PG&E power plants and sewerage treating and handling 80% of City waste water – grew around this Base.

These major interlocking activities, the shipyards, related industries, heavy transportation upwind, waste water systems, and energy systems, continue to import a heavy load of pollution. Nowhere else in San Francisco does a community experience similar industrial activity and related waste and pollutant handling and disposal. "[T]he Bayview-Hunters Point neighborhood has the highest density of hazardous materials facilities in the City" (DEIS/DEIR at p. 3-127). Indeed, the very fact of this disproportionate burden still exerts pressure for planning more heavy infrastructure here rather than in other parts of San Francisco, as shown by recent major power plant proposals which were fought by the community.

P13-30

The map in Figure 2 shows graphically how the Bayview/Hunters Point community is literally surrounded by heavy industrial infrastructure. To the north are the Potrero power and Southeast sewage plants and many other industrial and toxics sites. To the west a wall of traffic and emissions along the 101-280 corridor. To the south and east are major toxics sites on Base land and in the water, where the most dioxin-laden fish in the Bay swim above mud toxic enough to stall a military dredge project.

The profound isolation of this community from the bulk of San Francisco is clear from even a casual inspection of the map in Figure 2. However, the DEIS/DEIR does not analyze the cumulative impacts of this reality, the naval base's ongoing role in the problem, or the true challenges that redevelopment alternatives and mitigations must address.

This analysis which the DEIS/DEIR avoids must lead to an obvious conclusion: With the legacy of pollution-intensive infrastructure that resulted from this Base, extraordinary measures will be necessary to leave this part of San Francisco and its residents as free for self-determination as before the damage was done. This project as proposed, to develop most of the land for new industry and industry-related uses, without first addressing the disproportionate effect of present and future infrastructure, would result in a significant environmental injustice.

2. The project caused, and will result in significant cumulative and disproportionate environmental impacts concentrated in Southeast San Francisco.

The project as proposed would fail to present any specific plan for preventing continued contributions to severe toxic pollution affecting anglers who fish this part of the Bay. High levels of PCBs and other persistent, bioaccumulative toxic chemicals from the Base, and from related industries such as Gonzalez Drum, would continue to exacerbate pollution in the Bay 'hot spot' that was documented by the Homeporting EIS and by the highest dioxin (and dioxin-like PCBs) measurement found in fish eaten by anglers Bay-wide (See: RWQCB, 1995). On November 3, 1998 USEPA found that this pollution poses a 'significant' health risk to Bay anglers (EPA 11/3/98 proposal with respect to Clean Water Act section 303(d)). This impact alone is significant, it is clearly linked to PCBs and dioxin pollution from the Base and from Gonzalez Drum, and the DEIS/DEIR fails to provide any specific plan to avoid or mitigate it.

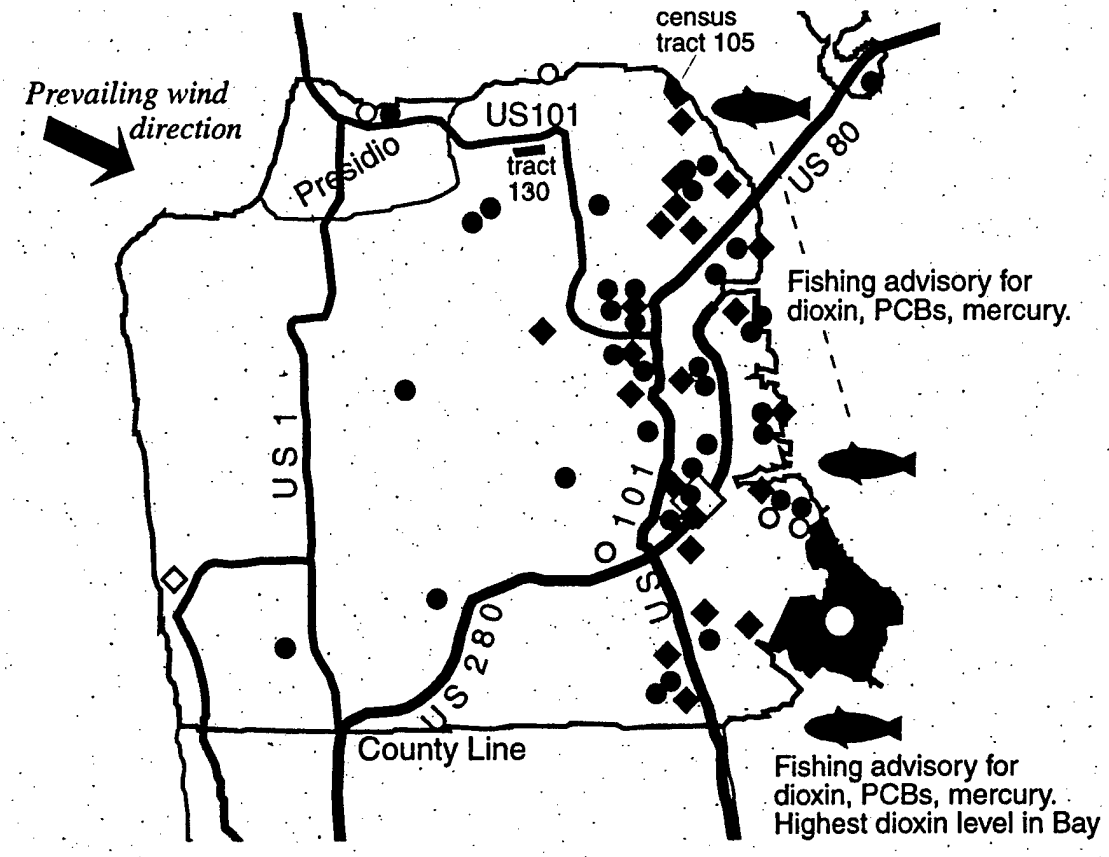
The project would contribute to significant present and future cumulative effects from increased waste water and storm water runoff, which carries toxic pollutants to the Bay and already overwhelms waste water treatment for pathogens and overflows manholes in the community. This significant impact is not analyzed, avoided or mitigated adequately by the DEIS/DEIR as discussed in CBE/SAFER!'s comments. Further, the project would fail to provide a specific plan for clean up of serious toxic pollution caused by Base activities on Base land and in Bay sediment. It is not sufficient to segment the clean up needed to develop land from the redevelopment decision, as is discussed also in our comments above. For example, the amount of PCBs, dioxin, DDT and other toxics that will move through leaky sewerage from toxic sites to the 'open space' areas and the Bay food chain is still ignored by the DEIS/DEIR.

P13-31

Air pollution released upwind from the massive transportation corridors, industries and utilities ringing the project, with other traffic- and industry-related pollution from the project, will cause a significant adverse impact, as the DEIS/DEIR admits. New industrial uses will add to the ongoing pollution from the existing concentration of industry without using all available methods to prevent pollution, if the project proceeds as proposed without additional mitigations.

All these pollution impacts and others cause and will cause a cumulative environmental health burden for the Bayview/Hunters Point environment and public. The buildup of persistent toxic pollutants (dioxin compounds and PCBs are documented at unusually high levels in the Bay here) provides clear evidence that the local exposures are disproportionately high. Thus, residents already carry a burden of exposure such that any additional exposure will cause more adverse effects than in a less polluted community. EPA finds average U.S. dioxin exposure may cause toxic effects (Birnbaum, 1998). The DEIS/DEIR all but ignores this cumulative and disproportionate impact which must, logically, be significant in sum since its parts are significant.

3. Per capita income and poverty in Bayview/ Hunters Point and in San Francisco as a whole



Key

Census tracts 105 and 130 (Northeast S.F. & Pacific Heights)
Per capita income on 1990: $47,000
Percent of population below poverty line in 1990: 4%

San Francisco as a whole (all neighborhoods)
Per capita income in 1990: $19,700
Percent of population below poverty line in 1990: 12%

Bayview/Hunters Point (tracts 230 thru 234, 606, 609 & 610)
Per capita income in 1990: $10,200
Percent of population below poverty line in 1990: 25%

Data from 1990 Census.

3. <u>These significant cumulative and disproportionate environmental impacts of the project caused, and will result in, significant cumulative and disproportionate socioeconomic and environmental injustice concentrated in Southeast San Francisco</u>.

This community of nearly 30,000 along the beautiful San Francisco Bay should be one of San Francisco's finest and most prosperous, yet, strangled by pollution sources and toxic soil and water, it is not. Per capita income in Bayview/Hunters Point is half of income city-wide, and less than a fourth of that enjoyed in some of San Francisco's wealthier neighborhoods (see Figure 3). The average person here earned only $10,200 in 1989, according to the 1990 census. One fourth of the population is below the poverty line, more than double the portion city-wide. Seven thousand Bayview/Hunters Point residents lived in poverty in 1990.

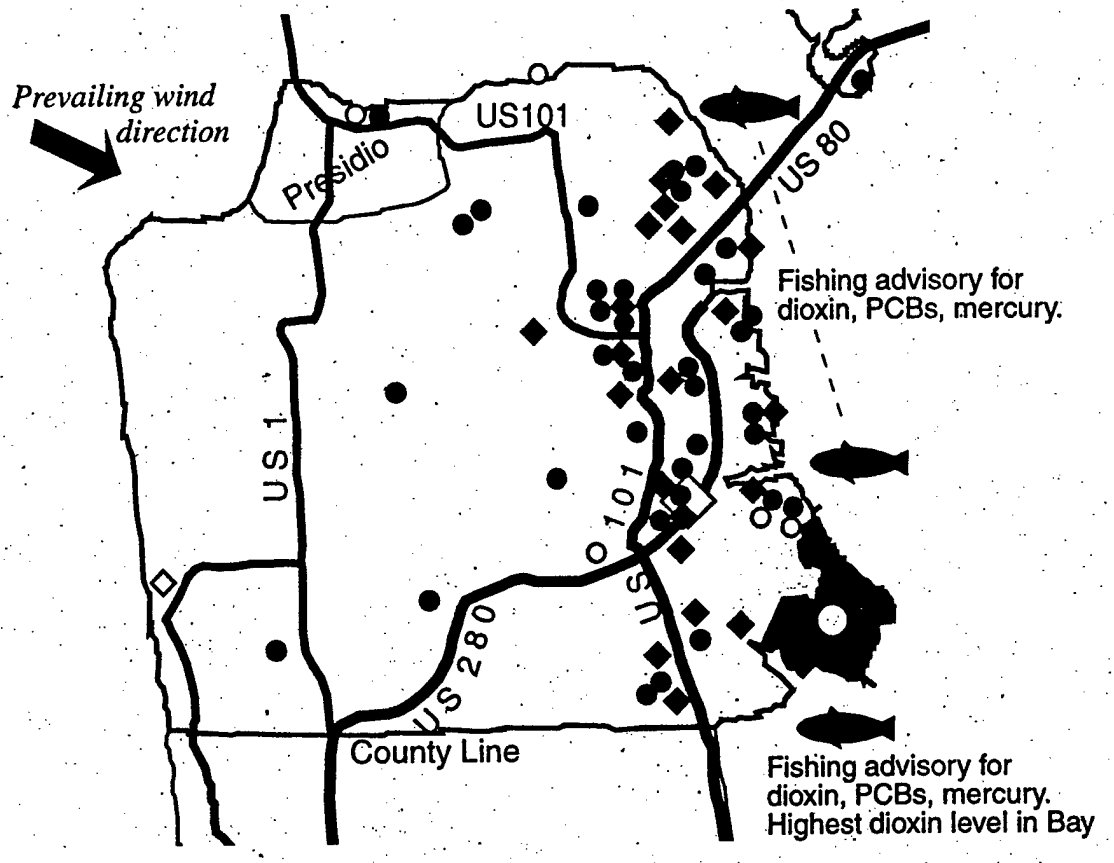
This community shoulders the lion's share of San Francisco industry and pollution, but it has not shared equally in the economic benefits from these activities.

Pollution causes some of this directly. The health effects result in lost days at work, and learning deficits diminish potential in children exposed to dioxin and PCBs in the womb before birth. It costs an estimated $1 million to die of cancer in the U.S. today (Brenneman, 1998). Based on EPA and CARB cancer risk estimates and local dioxin, PCBs and diesel exhaust exposure levels, this multiplies to a high cost. The full human costs of the pollution are incalculable. Even the harshest critics of the concept that the chemicals are toxic – such as Chevron and PG&E CEOs – do not live on the fence line of their own plants. A steep drop in housing prices was recorded in Crockett and Rodeo in 1995 after several pollution releases from Unocal's refinery. The DEIS/DEIR's failure to analyze these types of costs in this disproportionately toxic, low income community renders its 'environmental justice' discussion incomplete. P13-32

Pollution causes some other socioeconomic impacts indirectly. It seems easier to put another polluting industry serving distant economic agendas in the place that is already polluted by the last one. Thus, it is the July, 1997 Redevelopment Plan to: "Diversify San Francisco's economic base by restoring its industrial sector with uses based on futuristic technologies tied to regional, national and international markets and economies." Consistent with more industry for the broader economy, the DEIS/DEIR proposes predominantly industrial, research and development, and maritime industry uses of the land. A diversified economic base for Bayview/Hunters Point, however, does not mean even more industry: It means community-owned businesses.

On its face, the project seeks another round of industrialization in a low-income community to compete with other such factories globally, for profits that go elsewhere as well. That vicious circle uses the excuse that a community is already poisoned and impoverished to justify more of the same. A final EIS/EIR that ignores this highly significant socioeconomic impact – as the draft EIS/EIR does – would commit an historic error.

4. Race and ethnicity in Bayview/Hunters Point and in San Francisco as a whole



Key

San Francisco (all neighborhoods):

White	47%
African American	10%
Asian/Pacific Islander	26%
Latino	12%
Other race	5%

Bayview/Hunters Point:

White	11%
African American	57%
Asian/Pacific Islander	20%
Latino	7%
Other race	5%

Data from 1990 Census.

4. These disproportionate infrastructure, environmental and socioeconomic impacts are concentrated in a part of San Francisco where the impacts are suffered disproportionately by people of color.

Figure 4 shows that the ethnic demographics of Bayview/Hunters Point differ strikingly from those in other parts of San Francisco. African Americans are more than half the Bayview/Hunters Point population as compared with 10% city-wide. The white population of Bayview/Hunters Point is about 10% as compared with nearly 50% city-wide. Overall, the population of Bayview/Hunters Point is approximately 90% people of color. P13-33

The severe and disproportionate impacts on Bayview/Hunters Point residents that are outlined above are severe and disproportionate impacts on people of color. This fact sharply accentuates the environmental injustice that the DEIS/DEIR fails to analyze adequately, and the project would contribute to significantly.

5. Providing temporary jobs or jobs for wages will not fully mitigate or avoid these past, present and future significant impacts, as compared with the option of community ownership and control of the land. This is especially true when the clean up decision is segmented from the DEIS/DEIR to be decided elsewhere (if it is addressed at all).

By ignoring the cumulative socioeconomic and environmental injustice impacts outlined above, the DEIS/DEIR ignores significant negative impacts that point to the need for more economic self-determination. It claims there is no need to mitigate socioeconomic impacts of the project. It notes that businesses will be encouraged to hire community members under the Redevelopment Plan.

The DEIS/DEIR errs by making no attempt to analyze the sustainability of these promised jobs for community members. In fact, the toxic clean up jobs promised, even beyond the issue of their questionable desirability, are by definition temporary. The proposed government subsidy of private companies' paychecks to locally-hired workers could be a positive step: However, the DEIS/DEIR's own version of community history documents that this was tried already, and it failed to solve the root problem of building community-owned businesses. P13-34

It seems obvious that building a better community business base requires more community-owned assets, and sustained expendable incomes. Indeed, the DEIS/DEIR's history suggests that such assets were hard to organize to buy places of business and worship, and that lost jobs from the shipyard closure decimated what retail enterprise there was on Third Street, which was isolated from other San Francisco patrons. In both respects, however, (assets and sustained incomes) community control of land can succeed where the 'absentee landlord' approach fails.

The government transfer of the former military land to local community ownership and control will give the community economic assets that will help to secure and manage credit and business infrastructure against outside competition seeking the benefits of using that land in the heart of this community. Unlike yesterday's shipyard and today's globalizing corporations, which prove highly mobile, community control of the business base helps to ensure against the unemployment and subsequent small business closures that occur when big companies suddenly leave town. P13-34

Finally, there is the issue of the segmented project and massive clean up yet to be decided. In light of the plan to do it all backwards, and decide who gets the land for what uses before real environmental review of specific clean up alternatives and mitigation, the unaddressed alternative of community control over the land to be cleaned up brings another significant advantage. It is beyond argument that the community who will be stuck with the remaining pollution is a better steward for lasting environmental safety than for-profit business owners who do not have to live with their children playing on the land.

Conclusion

Ownership and control of a major share of the land no longer used by the military in this community – but not financial responsibility for full clean up of past pollution which should remain with the Navy and others who caused the past pollution – should be given to the Bayview/Hunters Point community. This action should be taken in addition to other needed actions that mitigate and avoid significant pollution-related and other impacts of this project. P13-35

Letter P13: Communities for a Better Environment

Response to Comment P13-1:

Comment noted. Please see responses to specific comments below.

Response to Comment P13-2:

Please refer to responses to specific comments by the Alliance for a Clean Waterfront (Letter P12).

Response to Comment P13-3:

It is acknowledged that a large majority of people who fish San Francisco Bay are minorities and low-income. EIS Section 3.9 lists various beneficial uses of San Francisco Bay waters, including fishing. Candlestick Point includes two fishing piers. The San Francisco Department of Health monitors fishing conditions at Candlestick Point and posts warning signs as appropriate. Fishing and water-contact recreation are not currently permitted at Hunters Point Shipyard (HPS) and would likely be similarly restricted in the future under reuse.

The level of contaminants in fish reflect the overall water quality of the areas in which they feed. When there are numerous sources of industrial pollution within the range of a species, it is not possible to determine the contribution of each source to the bioaccumulated contaminants within that species.

The submerged contaminated sediments offshore of Hunters Point in Parcel F are being addressed under the Navy's Installation Restoration Program (IRP) program. The final remedy for these sediments will be determined by Navy in conjunction with U.S. Environmental Protection Agency (U.S. EPA) and the San Francisco Regional Water Quality Control Board (RWQCB). The selected remedy will be protective of human health and the environment and will be consistent with land reuse.

Section 3.9, Water Resources discusses potential risks to ecological receptors in the Bay that could be affected by storm water and wastewater overflows. With implementation of mitigation provided in EIS Section 4.9, there would be no additional flows of storm water to the City's Southeast Water Pollution Control Plant (SEWPCP) as a result of development at HPS. Also, with planned remediation of contamination and implementation of mitigation provided in Section 4.9, Water Resources, and planned utility upgrades, the quality of storm water discharged directly to the Bay at HPS is expected to improve over time, and the volume of storm water discharged would stay the same or decrease.

Reuse would, however, result in incremental additional flows of sanitary sewage to the SEWPCP. This incremental increase in sanitary sewage would be a direct result of additional housing and employment at HPS and would not be considered significant because the plant operates under permits from the RWQCB and has sufficient dry-weather capacity to accept the increased flows.

The incremental increase in sanitary sewage would result in an incremental increase in partially treated combined sewage overflow (CSO) volumes. Overflow events would continue to occur at an average of one to ten times per year, depending on location along the Bay waterfront; estimated annual CSO volumes would increase by less than one million gallons (3,785,000 liters) per year (or less than 0.1 percent). The change in CSO volumes would be negligible both in terms of existing discharge volumes and in terms of projected cumulative increases in CSOs. CSOs are permitted under the current regulatory regime and rapidly disperse in Bay waters. For all of these reasons, the projected incremental increase in CSO volumes would not be considered significant.

Response to Comment P13-4:

Apportionment of responsibility for costs of infrastructure improvements is outside of the scope of the EIS. The EIS recommends three options for upgrading the storm water system on the site. The feasibility of placing sewer lines above the groundwater table will be evaluated when a system design is selected.

Groundwater flow in the A aquifer is generally toward the Bay. There is no evidence to suggest that existing storm water drains and sewer lines installed within the A aquifer have reversed the flow of groundwater. Groundwater flow is influenced more by tidal cycles than by subsurface structures. There is no evidence to suggest that storm water drains and sewer lines serve as conduits for contaminated groundwater to bypass its normal travel path toward the Bay. Remedial actions at HPS are expected to reduce the contamination in groundwater to a level that is protective of the environment, regardless of the path that groundwater takes. The existing and post-remediation state of soil and groundwater contamination is not related to the condition of the existing systems.

Response to Comment P13-5:

As described in response to Comment P13-3, reuse of HPS is expected to result in an incremental increase in sanitary sewage that is directly related to new employees and residents. The increase in sanitary sewage would result in an incremental increase in CSO volumes and would not change the average annual number of CSO events along the southern waterfront. This average, as established by the City's permit from the RWQCB, is one per year in the HPS area and ten per year elsewhere on the southern waterfront. Averaging is done over an extended period (about 80 years of rainfall data), and in some years the number of overflows is more or less than the average.

As explained in EIS Section 3.9, Water Quality, existing CSO discharges can affect beneficial uses of the Bay in the project area, most notably by forcing the closure of beaches where water-contact recreation is permitted (at Candlestick Point). There is no evidence that the incremental increase in CSO volumes projected as a result of reuse at HPS would have a material effect on this existing situation.

As referenced by the comment, the Mission Bay analysis did not demonstrate any significant cumulative impacts related to CSO discharges, but due to community concerns and other factors, did conservatively find potential impacts on near-shore waters from treated CSOs. The CSO contributions for three options are provided in Section 4.9, Table 4.9-1. CSO increases would be within the regulatory constraints

established by the City's permit from the RWQCB and would not be considered significant. Nonetheless, Mitigation 1 in Section 4.9, which would ensure there are no increases in CSO volumes attributable to storm water discharges, also calls for consideration of ways to offset non-significant increases in CSOs attributable to sanitary flows.

Response to Comment P13-6:

Cumulative water quality impacts of the referenced projects are addressed in the Bayside Cumulative Impact Analysis summarized in EIS Sections 3.9 and 4.9. Other cumulative impacts are addressed in EIS Section 5.1.

Response to Comment P13-7:

As described in EIS Section 4.9, Water Quality, if a separated storm water disposal option is selected (Option 1 or 2), total effluent entering the Bay, consisting of treated effluent from the SEWPCP plus CSOs, would increase by 148 million gallons (560 million liters) per year, or 0.49 percent, as a result of HPS reuse. Under a combined system (Option 3), total effluent entering the Bay would increase by 335 million gallons (1,260 million liters) per year, or 1.1 percent. The increases cited by the comment (3.7 percent and 4.3 percent) would be attributable to all cumulative development along the waterfront; reuse of HPS would contribute 2 or 107 million gallons (7.6 or 405 million liters) per year to the projected increase in cumulative Bayside CSO volumes, depending on the storm water disposal option selected. The vast majority of total effluent entering the Bay receives secondary treatment, and all effluent is permitted under the City's NPDES permits.

With implementation of Mitigation Measure 1, the potential impacts of a projected increase in CSO volumes under Option 3 would be eliminated by either dramatically increasing storage capacity or by the selection and implementation of a separated storm water system option (Options 1 or 2). Mitigation 1 has been amended to delete reference to Option 3.

Response to Comment P13-8:

Section 3.7.3 describes the contamination at HPS on a parcel-by-parcel basis. The location of each Installation Restoration (IR) site is provided on Figure 3.7-2. Appendix B, Table B-41 provides a summary of constituents of potential concern at each IR site and gives the status of the IRP. Remediation of HPS is being conducted under the IRP pursuant to CERCLA. Navy's goal is to remediate HPS to a level protective of human health and the environment, considering the intended reuse. Questions and comments related to the remediation program should be directed to the ongoing IRP. The purpose of the EIS is to evaluate the impacts of reuse, not the CERCLA IRP.

Response to Comment P13-9:

Information about existing contamination in sediments in Parcel F was compiled from a number of documents, including U.S. Navy 1996g and 1998d (see EIS Chapter 7, References). Information from the two references cited in the comment was not overlooked.

The statement (Page 3-126) cited in the comment is accurate. Depending on which remediation alternative is chosen, Navy will need to evaluate the existing data and develop a sampling program that is specific to that remedy. For example, the list of target constituents, frequency, depth, sampling intervals, and aerial distribution of samples would be very different for different remedies.

It is acknowledged that ingestion of fish is a potential exposure pathway. Please refer to the response to Comment P13-3 above. The EIS, however, addresses impacts related to reuse and does not evaluate impacts related to existing contamination (which is part of the existing setting) or remediation, except to the extent that reuse could exacerbate existing problems or increase human or ecological exposure to contaminants.

Response to Comment P13-10:

The existing storm water collection system is part of the HPS setting, and the current system's impacts are not the impacts of reuse. Reuse would result in repair or replacement of the existing system, which could be designed to address existing groundwater migration issues. In addition, remediation of the property would remove the source of contamination described in the comment. Dewatering during construction and reuse at HPS would result in the discharge of groundwater to the City's combined system. These discharges would receive secondary treatment and would have to comply with the City's discharge permit requirements. To address concerns about overflows contributed by groundwater discharge during wet weather, Mitigation 1 in Section 4.9.2 has been revised.

Response to Comment P13-11:

The State Water Resources Control Board (SWRCB) is the agency responsible for protecting groundwater quality. The regional water quality control boards (RWQCBs) are responsible for implementing storm water and groundwater rules and regulations. Section 3.9.5 describes U.S. EPA's National Pollutant Discharge Elimination System for controlling storm water and preventing non-point source pollution from surface water. The existing program implemented by Navy to meet the requirements of the state permit is discussed. There are two requirements of the permit designed to meet the goals of the program: 1) design and implementation of BMPs to control runoff and prevent contaminants from entering the Bay; and 2) annual sampling program to verify that the BMPs are working as designed. Chemicals of concern are specific to the type of industries operating at the site and are based on Standard Industrial Codes. In addition, the state permit requires testing for other contaminants that are known to be present but are not listed. Continued compliance with the state permit is expected to reduce potential impacts to a less than significant level.

Division 7 of the California Code, "Water Quality," grants the State Water Resources Control Board and the regional water quality control boards authority to regulate the quality of waters of the state. Plans and policies adopted by the RWQCB include the Water Quality Control Plan (Basin Plan), Antidegradation Policy (Resolution 68-16), Sources of Drinking Water Policy (Resolution 88-63), and Policies and Procedures for Investigation and Remediation and Abatement of Discharges (Resolution 92-49). These plans and policies are discussed in Section 3.9.5 of the EIS.

In 1989, the State of California established the Bay Protection and Toxic Cleanup Program (BPTCP; Water Code §§ 13390-13396.9). The four major goals of the BPTCP are to 1) provide protection of present and future beneficial uses of the bays and estuarine waters of California; 2) identify and characterize toxic hot spots; 3) plan for toxic hot spot cleanup or other remedial or mitigation actions; and 4) develop prevention and control strategies for toxic pollutants that will prevent creation of new toxic hot spots or the perpetuation of existing ones within bays and estuaries of the state. Water Code § 13394 requires the development of Regional Toxic Hot Spots Cleanup Plans (Regional Plan) and the Consolidated Plan for submission to the legislature by June 30, 1999.

The RWQCB developed the Proposed Regional Toxic Hot Spot Cleanup Plan (RWQCB, 1997) to provide direction for the remediation or prevention of toxic hot spots in the San Francisco Bay Region. It includes definition and site ranking criteria, a list of candidate hot spots, and characterization of the high-priority candidate toxic hot spots and preliminary assessment of actions to address issues at the sites. A final plan, dated March 1999, was submitted to the SWRCB for inclusion in the consolidated plans to be submitted to the legislature.

On June 17, 1999, the SWRCB approved Regulation No. 99-065 adopting the Consolidated Toxic Hot Spots Cleanup Plan. Yosemite Slough is not identified as a known or candidate "Hot Spot." However, the regional plan does identify the Hunters Point Shipyard/Yosemite Creek and South Basin as a site of concern.

To address concerns about overflows contributed by groundwater discharge during wet weather, Mitigation 1 in Section 4.9.2 has been revised.

Response to Comment P13-12:

Remediation of HPS is being conducted under the IRP and Navy's compliance program. All of the contaminants cited in the comment will be addressed. The Navy's goal is to remediate the property, including the groundwater, to level that is protective of human health and the environment, considering the intended use. The remediation program is a separate action from property disposal and implementation of the Proposed Reuse Plan. The project itself would not contribute contaminated groundwater pollution and would not contribute to a significant cumulative impact. Please see responses to Comments P13-9 and P13-10.

Response to Comment P13-13:

Please refer to responses to Comments P13-3, P13-9, P13-10 and P13-15.

Response to Comment P13-14:

The EIS considers potential environmental justice impacts on the southeast area of San Francisco and clearly addresses the three specific actions contained in 59 C.F.R. 7629 that are listed in the comment. See the revised Section 5.5. Note that the EIS considers potential impacts of reuse, not of past contamination or ongoing remediation, except to the extent that reuse would exacerbate exposures associated with each. Please refer to the response to Comment P13-3 regarding fish consumption.

Response to Comment P13-15:

Regarding fishing impacts, please refer to the response to Comment P13-3.

At build-out, the adopted Mission Bay project would direct approximately 844 million gallons (3,190 million liters) of sanitary sewage per year to the SEWPCP for treatment and deep water discharge, would increase the amount of storm water discharged to the Bay by about 92 million gallons (350 million liters) per year, and would reduce the estimated quantity of CSOs by about 33 million gallons (125 million liters) per year (See *Final Mission Bay Subsequent Environmental Impact Report* [City and County of San Francisco and the San Francisco Redevelopment Agency, 1998], Volume 3, p. XII.232, "Base Case and Mitigation B."). The SEWPCP is a fully permitted facility and operates in accordance with all applicable laws and requirements. Projects have been implemented or are under study to reduce existing flooding in Bayview-Hunters Point and Visitation Valley and to reduce odors at the SEWPCP.

With mitigation, the increase in flows from HPS to the SEWPCP would be limited to approximately 147 million gallons (556 million liters) of sanitary sewage per year, which would be the direct result of new jobs and housing. The increased flows to the SEWPCP have not been determined to be significant, since the SEWPCP is a permitted facility with available (dry-weather) capacity. Potential increases in CSOs as a result would be negligible in the context of existing discharges and potential future discharges. The alternative to sending sanitary flows to SEWPCP is on-site treatment at HPS. This alternative is not required as mitigation, although it could be implemented as part of the project if desired and if funding were available. On-site treatment of sanitary sewage would not remove that treatment from the Bayview-Hunters Point community but would lessen flows to the SEWPCP. The flooding that has been experienced in Bayview-Hunters Point and Visitacion Valley is caused by localized collection system conditions, not by capacity issues with the transport or storage system or the SEWPCP. Also, an increase in influent to the SEWPCP is not a material cause of odors at the facility. Most odors noticeable by the public are gases from biological activity, such as anaerobic decomposition of organic matter containing sulfur and nitrogen. Although the Proposed Reuse Plan would increase influent to the SEWPCP, the project would not change the biological processes or physical facilities. Thus, the Proposed Reuse Plan would have little, if any, effect on existing odors or flooding conditions.

The EIS does not fail to analyze existing environmental hazards in the Bayview-Hunters Point community. The EIS is a full disclosure document that clearly presents all data pertaining to existing environmental contamination (see EIS Sections 3.7 and 3.9). Furthermore, as described in EIS Section 3.9, there is currently a City-wide effort underway to address cumulative effects of increased development on the City's combined sanitary sewer and storm water system.

The analysis of potential impacts associated with discharges of treated CSOs (see EIS Section 4.9) acknowledges that CSOs generate a high degree of public concern and describes three general options for treating storm water at HPS: upgrade the existing separated system (Option 1), replace the existing system with a new separated system (Option 2), or replace the existing system with a new combined system (Option 3).

Potential significant impacts from cumulative increases in CSO volumes and increased sewage (dry-weather flow) associated with these options have been mitigated to a less than significant level by requiring that the separated system at HPS be either upgraded or replaced (Options 1 or 2). The option of adding substantial storage to the combined sewer system (Option 3) has been deleted from Mitigation 1 (Section 4.9.2). Because these potential impacts can be mitigated to a less than significant level, there would be no disproportionate adverse effects on the Bayview-Hunters Point community.

Response to Comment P13-16:

Please see the response to Comment P13-13 and P13-14 above regarding the project's impacts in relation to environmental justice issues. The EIS does not suggest that existing degraded conditions are a justification for further degradation. The EIS reasonably projects that there would be significant and unmitigable traffic impacts and recommends serious and feasible measures to reduce the project's contribution to these impacts in the form of the proposed HPS TMA. The TMA would oversee development and implementation of a TSMP, which includes specific, feasible measures for reducing automobile trips and encouraging transit use. Implementation of the TSMP is expected to reduce significant unmitigable traffic impacts. The proposed TMA is the best form of mitigation that can be required at this early stage of the planning process.

The EIS has not identified, and the commentor has not provided evidence of, any unmitigable impacts that would be experienced (disproportionately or otherwise) as a result of "polluting industrial, utility, and transportation infrastructure." In fact, the proposal by the Proposed Reuse Plan to improve utilities and other infrastructure at HPS represents a benefit of the project, one that would be directly experienced by new residents and employees of HPS.

Response to Comment P13-17:

The EIS adequately considers and analyzes all potential impacts that would result from reuse of HPS. With implementation of mitigation measures provided, only traffic impacts would remain significant. As discussed in EIS Section 5.5, these impacts would not disproportionately affect residents of Bayview-Hunters Point. Bayview residents are intended, however, to reap the benefits of reuse. As stated in Chapter 1, Purpose and Need, objectives of reuse include creating jobs to benefit the community, stimulating the economy, and supporting training and educational programs. Also, local hiring has been included as a required portion of the TSMP transportation mitigation strategy.

As required by state law, monitoring of mitigation measures in the EIS would be accomplished via a mitigation monitoring program adopted by City and San Francisco Redevelopment Agency decision-makers. Medical monitoring and treatment have not been identified as necessary in response to any potential impacts of HPS reuse.

Redevelopment activities at HPS would proceed pursuant to the *Hunters Point Shipyard Redevelopment Plan* (San Francisco Redevelopment Agency, 1997). As permitted under the *Plan* and as is customary for the San Francisco Redevelopment Agency, the San Francisco Redevelopment Agency would enter into a development agreement with a primary developer, selected by the Redevelopment Agency Commission. This agreement

includes, as its first goal, the creation of "sustainable economic benefits and jobs for the Bayview-Hunters Point community." The goal is further articulated by the following objectives:

- Build a diverse and economically viable and sustainable community with employment, entrepreneurial, art and educational opportunities for the economic benefit of the Bayview-Hunters Point community.
- Create 6,400 permanent jobs at full build-out of the project.
- Maximize participation of area residents and businesses in the pre-development, development, interim reuse, and environmental remediation of HPS.
- Create and expand economic opportunities for existing area businesses.
- Provide ownership and equity opportunities for area residents and businesses.
- Provide the greatest possible level of education and job training and hiring opportunities for area residents and for partnerships with community residents and businesses throughout all development and long-term management of the project.
- Create small business assistance programs and incubator opportunities with linkages to larger, established businesses.
- Provide for land uses and development projects that are compatible with one another within HPS and with the surrounding neighborhood, during all phases of redevelopment.

There is a CAC that has review responsibilities for redevelopment activities at HPS. This CAC is structured and operates similarly to other CACs that have responsibility for overseeing redevelopment activities in other San Francisco redevelopment project areas, such as the Rincon Point-South Beach CAC, which recently expanded its membership for the purpose of overseeing the Pac Bell (San Francisco Giants) Ballpark project. The HPS CAC is composed of local area residents, business owners, tenants, and neighborhood organizations.

Response to Comment P13-18:

Navy recognizes the importance of local hiring incentives, not only as an overall economic benefit to the local community, but also as a means of reducing traffic impacts. Please see response to Comment P13-17 above. The City has already developed a First Source Hiring program to provide clear incentives for businesses to hire locally. Businesses leasing space at HPS can participate in this program. By agreeing to use the City's employment and training system as the first source of referral for job opportunities at HPS, business owners qualify for partial reimbursement of the salaries paid to locally hired individuals. This program would be monitored, along with all future programs developed and implemented by the San Francisco Redevelopment Agency, to ensure that future HPS business opportunities are linked to local residents.

Response to Comment P13-19:

The EIS recognizes that housing affordability is a pervasive problem, not only in the South Bayshore and Bayview-Hunters Point communities, but throughout San Francisco and the entire Bay Area. The data cited in Section 4.6 of the EIS show that 60 percent of the area population live in census tracts where the median household income is less than the City-wide median. Persons eligible for affordable units are those earning 60 percent to 100 percent of the City-wide median. Since the census data show a majority of households earning less than the median, it is reasonable to anticipate that many local residents would qualify to purchase or rent affordable units. Please also see the response to Comment P9-12.

Note that the Proposed Reuse Plan would not displace any existing housing units and is therefore not required to construct new units *as mitigation*. Nonetheless, objectives of the Proposed Reuse Plan include the creation of new housing and the provision of affordable housing. The issue of home ownership achievement goals will be considered by the San Francisco Redevelopment Agency during the next stages of the redevelopment process.

As permitted under the *Hunters Point Shipyard Redevelopment Plan* (San Francisco Redevelopment Agency, 1997) and as is customary for the San Francisco Redevelopment Agency as the City's affordable housing development agency, the San Francisco Redevelopment Agency would enter into a development agreement with a primary developer, selected by the Redevelopment Agency Commission, to ensure that a range of housing opportunities is provided at the Shipyard. This goal is further articulated by the following objectives:

- Develop well-designed new residential areas that assist in meeting a range of housing needs of the greater Bayview-Hunters Point community and the City.

- Develop and implement a permanent affordable housing program that makes available at least 20 percent of all new and rehabilitated housing types to low- and moderate-income households, maximizes the number and level of affordable housing, and is consistent with the housing needs identified by the Mayor's Office of Housing in cooperation with the San Francisco Redevelopment Agency.

- Provide an appropriate mix of ownership and rental housing with the maximum number of units at the lowest possible price.

Development proposals submitted to the San Francisco Redevelopment Agency by the primary developer would be reviewed by the HPS CAC. Along with preparing and implementing development proposals that are consistent with San Francisco Redevelopment Agency goals and objectives, including the ones listed above, the primary developer would be required to prepare and implement a Community Benefit Program that relates to affordable housing, including a description of the number and size of units, phasing and linkage principles, anticipated timing of availability, price range, and levels of affordability.

Response to Comment P13-20:

Navy understands the commentor's concerns that remediated land be available to the local community for ownership and development. The San Francisco Redevelopment Agency is not able to make commitments at this stage of the redevelopment process regarding community ownership of HPS property. The City and the San Francisco Redevelopment Agency anticipate negotiating with a private development company for development at HPS and implementation of the Proposed Reuse Plan. The agreement for development could include among its provisions explicit goals for local hiring and affordable home ownership.

Response to Comment P13-21:

With implementation of Mitigation 1 in Section 4.9, Water Resources, reuse of HPS would result in a less than one percent (0.5 percent, or 147 million gallons [556 million liters] per year) increase in the discharge of treated effluent to the Bay. This increase would be directly attributable to the sanitary sewage created by new employees and residents of HPS. This sanitary sewage would also increase the volume of partially treated CSO discharges by less than one percent (0.07 percent, or 0.6 million gallons [2 million liters] per year). Treated and partially treated discharges are permitted by the RWQCB, which is charged with protection of Bay water quality, and projected increases have not been determined to be significant. Nonetheless, industrial land use designations at HPS would allow on-site sewage treatment (including potentially the use of alternative wastewater treatment technologies) if such treatment were selected for funding over other, potentially competing, community objectives.

With remediation and reuse of HPS, untreated storm water discharges to the Bay would improve in quality and would decrease by approximately 13 million gallons (49 million liters) per year. The projected decrease in discharge quantities is primarily due to increases in infiltration of rainwater because of planned open space and landscaping. Like Mission Bay, HPS would most likely continue to utilize a fully separated storm water system. The cost of replacing or repairing the storm water collection system or constructing a new combined sewer system at HPS are not relevant to the EIS analysis.

Refer also to the response to Comment P13-23.

Response to Comment P13-22:

As explained above, mitigation included in the project at HPS would result in continued use of a separated storm water system and no increase in flow of storm water to the SEWPCP. Also, as explained above, the SEWPCP is a fully permitted facility and operates in accordance with all applicable laws and requirements. Projects have been implemented or are under study to reduce existing flooding in Bayview-Hunters Point and Visitation Valley and to reduce odors at the SEWPCP. Given the incremental increase in wastewater flows to the SEWPCP with implementation of Mitigation 1 in EIS Section 4.9, there is no evidence that existing flooding and odor problems would be in any way exacerbated by reuse of HPS. Refer also to the response to Comment P13-3.

Response to Comment P13-23:

A comprehensive City-wide wastewater plan, while desirable, is beyond the scope of this EIS to develop. The San Francisco Public Utilities Commission (PUC) is currently assisting the Catellus Development Corporation in studying the feasibility of on-site wastewater treatment for the Mission Bay project. The PUC is also undertaking a Screening of Feasible Technologies (SOFT) study (including decentralized wastewater management) for the entire Bayside watershed. These studies will be considered as HPS redevelopment proceeds. There are currently no plans for an on-site wastewater facility at HPS. However, as discussed in the EIS, the incremental increase in wastewater that would be generated by the Proposed Reuse Plan would not significantly impact the SEWPCP.

The EIS does not include an analysis of land required for on-site storm water or wastewater treatment, because the plan is currently conceptual, and no facility designs are available for analysis. Therefore, such analysis would be premature. It would be appropriate to address the possible land use implications of such proposals when actual reuse projects and sewage treatment options are selected.

San Francisco's Water Recycling Master Plan does not require that the Proposed Reuse Plan include an on-site reclamation facility. The Water Recycling Master Plan outlines the concept of developing a reclaimed water plant near the Oceanside treatment plant to provide reclaimed water to users on the west side and then to Bayside. This project is in the conceptual design stage. The Reclaimed Water Use Ordinance, however, would apply to the Proposed Reuse Plan. The ordinance requires any development over 40,000 square feet to take reclaimed water measures into account during development (e.g., install dual piping), so that it could make use of reclaimed water if the City made it available in the area.

Cumulative water quality issues associated with CSOs are addressed in EIS Section 4.9.2 under the heading "Significant and Mitigable Impact." Reclamation could be incorporated into future storm water or wastewater plans. Industrial land use designations at HPS would permit on-site treatment at HPS if such treatment were selected for funding over other, potentially competing, community objectives. An on-site wastewater treatment facility would need to be carefully located so as not to result in on-site odor incompatibilities.

The commentor's preference for decentralized treatment is noted.

Response to Comment P13-24:

The commentor's concerns regarding the imprecision of certain mitigation measures is noted. Because this is a general programmatic EIS based on conceptual land uses and not a project-level document, and because no specific project designs have been developed, certain specifics that would be expected in a project-level assessment are necessarily lacking. Mitigation 1 does, however, include a performance standard: "Eliminate increases in CSO volumes..." (Section 4.9.2, Mitigation 1). Note that, based on a reassessment of appropriate factors for determining the significance of impacts, the Final EIS analysis reduced the other three impacts cited in the comment (identified in the

Revised Draft EIS/EIR) to a less than significant level. Thus, the use of subsurface treatment, vortex separators, and other suggested mechanisms to treat storm water, for example, have not been identified as mitigation because storm water quality is expected to improve at HPS with site remediation and implementation of BMPs.

Please refer to the response to Comment P13-23 regarding land for a treatment facility and alternative treatments and to the response to Comment P13-10 for a discussion of mitigation for groundwater entering the storm sewer system.

Response to Comment P13-25:

Remediation of HPS is being conducted under the IRP and the Navy's compliance program. All of the contaminants cited in the comment will be addressed. The Navy's goal is to remediate the property, including the groundwater, to level that is protective of human health and the environment, considering the intended use. The remediation program is a separate action from property disposal and implementation of the Proposed Reuse Plan. Please see the responses to Comments P13-21 and P13-22, which address the adequacy of mitigation to control discharges from the storm water and wastewater systems to the Bay.

The protection of human health and the environment prior to property conveyance will be ensured by adherence to CERCLA requirements and other laws cited in the document, U.S. EPA approval of the proposed remedial plan through a CERCLA ROD, and approval by U.S. EPA that the conditions of the ROD have been met. Please note that remediation under the IRP and CERCLA process addresses ecological receptors, such as the Bay, as well as human health risk.

Response to Comment P13-26:

Regarding job and housing preferences, please refer to the response to Comments P13-18 and P13-19. Regarding community control of a parcel of land, please refer to the response to Comment P13-20.

Response to Comment P13-27:

Please refer to responses to specific comments by the Alliance for a Clean Waterfront (Letter P12).

Response to Comment P13-28:

Please refer to responses to specific comments above.

Response to Comment P13-29:

The comment defines the HPS "project" as "the installation, operation, and closure of Hunters Point Base and the clean up, redistribution of land and property, and redevelopment of land and property of the Base." This is not the definition of "project" in the EIS.

The "project" is the Federal action by Navy to dispose of HPS to facilitate economic redevelopment and potential reuse of HPS by the City. The purpose and need of the EIS

485 is to evaluate the potential significant impacts on the natural and human environment
486 that could result from the disposal of HPS from Federal ownership and subsequent reuse
487 of the property by the City (see EIS Chapter 1).

488 Issues regarding the installation and past operation of HPS as a Federal property are
489 outside the scope of this document and are not addressed. Remediation of HPS is being
490 conducted under the IRP pursuant to CERCLA and under Navy's compliance programs.
491 Navy's goal is to remediate HPS to be protective of human health and the environment,
492 with consideration of planned reuse. The remediation program is a separate action from
493 property disposal and implementation of the Proposed Reuse Plan.

494 See responses P13-30 through P13-35 for comments numbered 1 through 5.

495 **Response to Comment P13-30:**

496 Refer to response P13-29 for a discussion of the scope of the analysis. Please see
497 responses to Comments P13-14 and P13-15 regarding potential environmental justice
498 issues associated with cumulative and disproportionate concentrations of polluting
499 industrial, utility, and transportation infrastructure.

500 The Proposed Reuse Plan introduces new land uses to HPS, such as education/cultural,
501 research and development, open space, residential, and mixed. While new industry and
502 industry-related uses are included in the Proposed Reuse Plan, the San Francisco
503 Redevelopment Agency intends to implement conservative measures to minimize
504 potential toxic air contaminants by precluding a concentration of air-polluting industries
505 (see EIS Section 4.2.2). The goal of the Proposed Reuse Plan is to integrate HPS into the
506 urban fabric of the City and revive the economic vitality of the Hunters Point area.

507 The EIS does not analyze the impact of past or present industrial uses in the larger
508 Bayview-Hunters Point community, nor is it required to do so. The EIS *does* consider the
509 setting of HPS and in that context analyzes reuse of HPS in compliance with CERCLA
510 and other applicable environmental laws. Reuse of the HPS "brownfield" would include
511 a variety of land uses and would result in some environmental impacts and some
512 environmental, social, and economic benefits. Whether the benefits constitute
513 "extraordinary measures" sufficient to address past "injustice" will no doubt be the
514 subject of some debate. In order to allow proposed development to proceed, San
515 Francisco decision-makers would have to find that the specific economic, legal, social,
516 technological, or other benefits of the project outweigh the impacts.

517 **Response to Comment P13-31:**

518 Regarding fishing in the Bay, please refer to the response to Comment P13-3; for
519 wastewater and storm water runoff, refer to the responses to Comments P13-10, P13-15,
520 P13-22 and P13-23. For comments regarding "toxic pollution", refer to the discussion of
521 the project description and the IRP in the response to Comment P13-29. For air quality
522 and transportation issues, please see EIS Section 4.2.2 and response to Comment P13-14.

523 Disposal and reuse of HPS are thoroughly analyzed in the EIS. As described in Section
524 3.7, Hazardous Materials and Waste, portions of HPS are contaminated, and Navy is

undertaking remediation in conformance with their obligations under CERCLA and other environmental laws. The question considered in the EIS is whether disposal and reuse would exacerbate existing environmental problems or increase human and ecological exposure to existing contaminants. The answer is no, as long as institutional controls are implemented during reuse. If any uses or industries are proposed in the future that would have impacts not identified and mitigated in this EIS, then additional environmental review would be required under state law.

Response to Comment P13-32:

Navy has adequately considered, analyzed, and mitigated all potential environmental justice effects from the HPS project. The City is committed to ensuring that residents of the Bayview-Hunters Point community are recipients of their fair share of anticipated benefits.

The EIS acknowledges that the HPS site has been polluted by past uses. The nature and status of remediation efforts being conducted under the IRP and Navy compliance programs are described in Sections 3.7.3 and 3.7.4. Navy's goal is to remediate HPS to a condition that is protective of human health and the environment, considering the intended reuse. The potential drop in housing costs adjacent to polluting industrial sites that is referred to in the comment is not relevant to the EIS.

The EIS does not suggest that existing degraded conditions are a justification for further degradation. The EIS reasonably projects that there will be significant and unmitigable traffic impacts and recommends serious and feasible measures to reduce the project's contribution to those impacts in the form of the proposed HPS TMA. The TMA would oversee development and implementation of a TSMP, which includes specific, feasible measures for reducing automobile trips and encouraging transit use. The TSMP is the best form of mitigation that can be required at this early stage of the planning process.

While new industry and industry-related uses are included in the Proposed Reuse Plan, the City intends to implement conservative measures to minimize potential toxic air contaminants by precluding a concentration of air-polluting industries (see EIS Section 4.2.2). As described in EIS Section 1.6, the Proposed Reuse Plan was developed with extensive community involvement over a period of several years. The City has been jointly working with the community on a focused effort to develop and evaluate land use alternatives for the reuse of HPS since early 1994. Through this planning process, a wide range of land use alternatives was identified and evaluated. The evaluation criteria were based on detailed consideration of planning guidelines, developed by the HPS CAC, that addressed social, economic, and physical development goals for the site. The result of this three-year process was the Proposed Reuse Plan evaluated in the EIS.

Response to Comment P13-33:

The racial and economic characteristics of Bayview-Hunters Point are described in EIS Section 3.6, Socioeconomics. However, no "severe and disproportionate" impacts have been identified. Please see the response to Comment P13-14, above.

Response to Comment P13-34:

Please see the response to Comment P13-14.

No significant socioeconomic impacts have been identified as a result of the project. The Proposed Reuse Plan would result in the creation of jobs and the construction of housing. A portion of the new jobs and housing would be reserved for low-income persons and residents of the Bayview-Hunters Point community. In light of these project benefits, no socioeconomic mitigation measures are required. The City/San Francisco Redevelopment Agency are currently in negotiation with a private developer who is expected to oversee development of HPS and implementation of the *Hunters Point Shipyard Redevelopment Plan* (San Francisco Redevelopment Agency, 1997). It is possible that some form of "local community ownership" (e.g., affordable home ownership) would play a role in this development. It is not possible to say at this point, however, whether or to what extent other forms of local ownership might be part of a negotiated agreement on development, given the likely need to balance potentially complex legal and financial issues raised by such a policy.

Response to Comment P13-35:

Navy understands the commentor's concerns that remediated land be available to the local community for ownership and development. The San Francisco Redevelopment Agency is not able to make commitments at this stage of the redevelopment process regarding community ownership of HPS property. Please see the response to Comment P13-34.

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January 19, 1999

Ms. Hillary Gitelman
SF Planning Department
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San Francisco, CA 94103-6426

Mr. Gary Munekawa,
Code 7032, Bldg. 209/1
Engineering Field Activity West
Naval Facilities Engineering Command
900 Commodore Drive
San Bruno, CA 94066-5006

RE: Environmental Impact Report for the Disposal and Reuse of Hunters Point Shipyard

Dear Ms. Gitelman and Mr. Munekawa:

The San Francisco Bicycle Coalition (SFBC) is pleased to submit comments on the reuse and disposal of the Hunters Point Shipyard. The SFBC represents not only its 2,000 official members but also the tens of thousands of San Franciscans who rely on bikes for transportation, as well as the 100,000 more people who *would* choose to do so if cycling conditions on city streets were improved.

This is an important project with wide-ranging transportation impacts. Overall, we support the comments of the Alliance for a Clean Waterfront, especially the Southeast Alliance for Environmental Justice. The Alliance has an extensive understanding of transportation impacts on the community, and their Project Coordinator, Alex Lantsberg, is an active volunteer with the SFBC and soon to be Hunters Point neighbor. P14-1

The SFBC is concerned that the analysis of traffic impacts does not adequately address cyclist safety or improvements in bicycle infrastructure, nor does it show sufficient emphasis on the City's Transit First policy. The EIR fails to provide enough alternatives or quantitative analysis that will allow us to evaluate the incremental benefits of bike infrastructure improvements in the area. Improvement of alternative transportation infrastructure will reduce congestion and significantly alleviate unmet demand for services. Studies conducted by the SF Department of Parking and Traffic have shown that bicycle use increases once lanes are striped. In fact, in a recent poll, 70 percent of San Franciscans say they *would* consider bicycling for transportation *if* more bike lanes and paths existed. P14-2

In particular, Evans Avenue and Hunters Point Blvd. are currently wide enough to accommodate the two existing traffic lanes, existing on-street parking, and newly striped bike lanes, which will provide an important link with the Mission District and points Northwest. Bike lanes should also be striped to provide safer access to HPS from southern and western approaches, further reducing automobile use.

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The EIR also fails to analyze, much less propose mitigation for, numerous other significant transportation impacts. Transportation-related air and noise pollution along the Innes Avenue gateway are not adequately assessed. Innes Avenue is a residential street along with the gateway and transportation corridor for HPS. HPS will undoubtedly spur development along Innes. Significant air quality and noise impacts on the quality of life for residents and businesses on Innes Avenue and Hunters Point Hill will be felt unless traffic-calming measures are incorporated as mitigation. Throughout the city we are hearing calls for traffic-calming in established neighborhoods. Now is the time in HPS to plan for such traffic-calming measures, not once the area is built up and filled excessively. Extra wide sidewalks with extensive pedestrian amenities, removing traffic lanes in place of bike lanes, special landscaping and trees, and enhanced lighting are among the many options that will promote a community character along the Innes Gateway and into the shipyard. Considering that Innes will be a commercial corridor as well as gateway to HPS, this will add to its economic vitality and further spur growth around HPS. P14-3

Improving public transit is another major concern of the SFBC. The EIR's analysis of unmet demand for transit should not simply be confined to the Muni #19 line, but should include a quantitative and qualitative analysis of connecting lines, CalTrain, BART, and potential ferry services. Proposed Muni service expansions should be identified as specific and concrete mitigations, as should shuttle services to BART, the Transbay Terminal, and CalTrain. P14-4

We thank you in advance for your consideration of our suggestions.

Sincerely,

Leah Shahum
Program Director

Letter P14: San Francisco Bicycle Coalition

Response to Comment P14-1:

Please see specific responses to comments by the Alliance for a Clean Waterfront (Letter P12) and the Southeast Alliance for Environmental Justice (Letter P11).

Response to Comment P14-2:

The EIS analyzes general reuse and redevelopment plans, which prescribe potential future land uses and a potential street-grid. Further information about specific development standards is provided in the *Design for Development* (City and County of San Francisco, Planning Department and the San Francisco Redevelopment Agency, 1997c) and the *Hunters Point Shipyard Transportation Plan* (San Francisco Redevelopment Agency, 1996). Both of these documents suggest trail connections, street and sidewalk widths, and other features to encourage and allow safe bicycle use.

Mitigation included in Section 4.1.2 of the EIS calls for creation of a Transportation Management Association (TMA) and implementation of a Transportation System Management Plan (TSMP) to encourage alternative modes of transportation and reduce vehicle miles traveled. The TSMP would include some measures to encourage bicycle use (e.g., secure bicycle parking, showers) and other measures responsive to the City's "Transit First" policies. The EIS analysis does not quantify vehicle trips that would occur with and without these measures but assumes that implementation of the TSMP would reduce vehicle trips to the extent feasible. The TSMP could include off-site improvements, such as transit extensions, or bicycle routes along streets identified by the commenter. The TMA would prioritize suggested measures for funding based on their expected cost and effectiveness at reducing auto trips.

The discussion of bicycle and pedestrian circulation has been expanded in Section 3.1.1 and added to Section 4.1.1. Also see response to Comments P3-1 and P9-2.

Response to Comment P14-3:

The assessment of traffic impacts on Innes Avenue was an integral part of the traffic analysis. Tables 4.1-2 and 4.1-3 in Section 4.1.2 summarize the changes in LOS at the Innes Avenue/Donahue Street intersection. The results indicate that the LOS at this intersection would not deteriorate to E or F; therefore, no significant impacts were identified for this intersection based on the factors given at the beginning of Section 4.1.2.

Traffic-related noise impacts on Innes Street are adequately addressed based on the discussion of existing noise conditions and plans and policies in EIS Sections 3.3.2 and 3.3.3, respectively; the factors established for impact assessment set forth in Section 4.3; the results of noise modeling for Innes Avenue shown in Table 4.3-1; and the discussion of off-site traffic noise in Section 4.3.2. Results of the analysis indicate that noise levels on Innes Avenue would be within the normally acceptable range for residential land uses.

The EIS follows the Bay Area Air Quality Management District (BAAQMD) impact assessment guidelines (BAAQMD, 1996) criteria to evaluate the significance of added emissions. BAAQMD guidelines suggest performing carbon monoxide analysis at intersections and roadways where traffic and congestion issues would be affected by the proposed action. This modeling was conducted at four key locations using the CALINE4 model (see Table 4.2-2 in the EIS). One of the intersections was Third Street and Evans Avenue, which would experience heavy congestion under the Proposed Reuse Plan, and another was Innes Avenue and Donahue Street, which would not. The carbon monoxide dispersion modeling clearly shows that there would be no new violations of Federal or state ambient carbon monoxide standards (see notes at the bottom of Table 4.2-2) at any of the intersections, including Third Street and Evans Avenue. Similarly, the additional increment of direct PM_{10} emissions from entrained roadway dust associated with the Proposed Reuse Plan would have no measurable effect on ambient PM_{10} concentrations in the San Francisco Bay Area.

The General Plan designates Innes Avenue as a secondary arterial street (see EIS Section 3.1.1, Figure 3.1-2). Consistent with this designation, traffic calming measures, particularly those that reduce the number of lanes or add impediments to travel, might not be appropriate. Such measures are not required to mitigate potential impacts identified in the EIS and are not proposed at this time. In general, street improvements in the larger Bayview-Hunters Point neighborhood are being considered in the context of the Bayview-Hunters Point Revitalization Concept Plan prepared under the auspices of the San Francisco Redevelopment Agency and the Bayview-Hunters Point Project Area Committee.

Response to Comment P14-4:

Mitigation measures included in Section 4.1.2 of the EIS call for creation of a TMA and implementation of a TSMP to encourage alternative modes of transportation and reduce vehicle miles traveled. The TSMP would include a requirement that transit services be expanded to meet demand and anticipates the ultimate need for MUNI extensions and shuttles to provide access to regional transit carriers.

San Francisco BayKeeper™

January 19, 1999

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City and County of San Francisco
San Francisco Planning Department
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1660 Mission Street, 5th Floor
San Francisco, California 94103

Re: Draft EIS/EIR for Disposal and Reuse of Hunters Point Shipyard

Dear Mr. Munekawa and Ms. Gitelman:

Thank you for this opportunity to comment on the revised draft EIS/EIR prepared for the disposal and reuse of the Hunters Point Shipyard. These comments supplement San Francisco BayKeeper's written statement submitted at the public hearing. In addition, BayKeeper incorporates by reference and jjoins in the comments provided by the Alliance for a Clean Waterfront, of which we are a member. P15-1

San Francisco BayKeeper believes that the reuse of the shipyard provides the City with an excellent opportunity to bring us closer to the goals of the Sustainability Plan. In particular, we believe that by analyzing the proposed Reuse and Redevelopment Plans to determine how they will accomodate storm water treatment features and processes or where a sanitary waste treatment and water reuse facility could be located, the City has the opportunity through this project to assure at least four important benefits: (1) that storm water at the site will remain contaminant free; (2) that the project will assure further reductions in overflows of sewage to Islais Creeks and other locations on the City's eastern shoreline, (3) that the redevelopment will provide for maximum beneficial reuse of "waste" water, and (4) that the ultimate design of the redevelopment reduces or even eliminates the discharge of pollution to the Bay as much as possible. If, however, the reuse and redevelopment plans do not consider the availability of land for storm water controls and water reuse facilities, then the above goals will not be achieved. P15-2

A. The Land Use Decisions Embodied in the Proposed Reuse Plans are Important Decisions That Will Affect the Quality of Storm Water and Sanitary Waste Discharges Originating From the Hunters Point Redevelopment

The Revised EIR does not correlate the proposed reuse plan with likely mitigation measures that would address storm water contamination and sanitary

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waste treatment. The Revised EIR notes that "specific upgrades to the sanitary sewer and storm drainage systems . . . could include additional storage treatment, or alternative approaches to the handling of storm water (e.g., retention, reclamation)." See also EIR at 4-100 ("[a]ny one of these [storm water system] options could incorporate a variety of refinements, including additional treatment, storage, or alternative technologies for handling storm water"). Of course, such options will require space (i.e. land) strategically located where the storm water is flowing. The Reuse Plan is deciding where open space areas will be located. However, nowhere in the Revised EIR does the document correlate these two interrelated design alternatives. See, e.g. Land Use, Chapter 4.4 (although describing other open space goals, no mention is made of accomodating storm water pollution control systems, like large scale sand filters and other measures).

It is a well known fact that a number of alternatives for addressing pollution of municipal and industrial storm water pollution include the use of large scale filters, grassy swales and other elements that can only be accomodated within available open spaces. Similarly, technologies available to prevent additional contribution of sanitary waste to the City's combined sewer system and, ultimately, to sewage overflows into Islais Creek, include a local treatment system that would treat sanitary waste from the redevelopment project to a high enough quality to efficiently reclaim it on-site for irrigation, toilet flushing and other uses. Both of those water quality control measures would need space within the reuse plan in order to accomodate those types of facilities. Although the revised draft purports to address the environmental consequences of storm water contamination and increased sanitary waste flows resulting from the Proposed Reuse Plan and the Reduced Development Alternative for the Hunters Point Shipyard, there is no attempt to correlate the land uses and infrastructure incorporated into the plan with potential storm water and sanitary waste treatment and management alternatives that may require space anticipated within the Reuse Plan. P15-2

1. The Storm Water Discussion is Inadequate and Does Not Relate To The Proposed Reuse Plan

With regards to storm water, the Revised EIR notes that "[t]he quality of future storm water discharges will depend on the nature of future land uses and on the effectiveness of water quality control measures." EIR at 4-93. This is true. Indeed, open space is one of the land uses which can incorporate a number of available technologies which are capable of treating storm water. Unfortunately, the mitigations described for storm water pollution do not include the obvious structural opportunities afforded by a large redevelopment proposal. EIR at 4-93. The two mitigations only address construction "best management practices" and public education and good housekeeping. The issue does not conclude there.

As was done, and indeed continues with the Mission Bay project, the City should consider structural storm water pollution controls that will assure a high level of treatment of storm water flows from Hunters Point. The Mission Bay project includes, among other things, advanced street cleaning, treatment of all storm water flows by Vortex-type treatment units (installed at each of five outfalls) and, lastly, an as yet to be finalized second tier of treatment using sand filters proposed to underly open space areas at the edge of the project. Unfortunately, although Catellus Development has been very supportive of installing such filters, the available space in the reuse plan for Mission Bay limited the areas that the filters could be installed to two segments of the project, restricting the potential of filtering a greater amount of storm water. The only way to treat all of the storm water from Mission Bay (without resorting to underground storage of water) is to allow storm flows to pool on the surface of the fields and the underlying sand filters. With enough open space located in the correct area, this would not necessarily be the case. Instead of a reuse plan which selects P15-3

open space areas without any regard to where storm water at the site will be flowing and the potential for siting storm water treatment facilities in those areas, the reuse plan should consider adjustments to the reuse plan that would maximize the redevelopment project's ability to incorporate storm water control measures in open space areas. P15-3

2. The Sanitary Waste Discussion Is Inadequate and Fails to Relate to the Proposed Reuse Plan

In discussing sanitary waste, the revised EIR does not appear to contemplate separating out the existing CSO system within Yosemite Channel. It would be useful to discuss whether there exists an oportunity to separate the storm water system from sanitary waste in this area of Hunters Point in order to reduce the quantity of combined sewer overflows into Yosemite Channel. P15-4

As described above, the discussion of sanitary waste mitigation fails to address the potential of a localized treatment system that would prevent additional sewage flows to the existing Southeast sewage plant and which would more effectively and efficient accomodate local reuse of treated wastewater. Like storm water, the reuse plan does not anticipate the possibility of utilizing some of the available space to accomodate such a treatment facility. In addition, the reuse plan's open space components should consider the availability of space for tree plantings that could also be incorporated into a sanitary waste treatment plan.

3. Other Land Use Decisions in the Proposed Reuse Plan Also Will Impact Water Quality

Decisions relating to transportation and local hiring also will implicate local water quality if they are done without consideration of their connection to that important consideration. There is no attempt in the revised EIR to correlate the transportation planning with resulting increases in storm water pollution. The more cars on the road, the more pollution will flow via storm water from streets. No correlation between the areas of increased traffic and strategic placement of storm water treatment measures is discussed (perhaps sand filters located within expanded street medians, for example). Aggressively incorporating criteria for bike lanes and other inducements to bike riding (like bike parking) will reduce the contamination of storm water by reducing the number of cars on the roads. Likewise, a criteria requiring certain sizes of median strip which could incorporate storm water control measures for runoff from streets also would help to reduce the impact of thousands of cars discharging pollution to the roadways. The same goes for clearer accomodation and improvements for Muni service into the Hunters Point neighborhood (of course, that should be happening already). Similarly, water quality and socioeconomics intertwine when one considers that a strong local hiring program will also help reduce the number of cars on the road, thus reducing their contribution of contaminants to the streets. All of these interrelated components must be discussed more fully in the EIS/EIR. P15-5

BayKeeper again thanks you for this opportunity to share some of our ideas and concerns with the Navy and the City. If you have any questions, please do not hesitate to call me at (415) 561-2299 x. 15.

Sincerely,

Michael R. Lozeau
San Francisco BayKeeper

Letter P15: San Francisco BayKeeper

Response to Comment P15-1:

Comment noted. No additional written comments from BayKeeper were submitted to the Commission secretaries at the public hearing, and subsequent efforts by staff to obtain a copy of the referenced comment letter met with no response.

Response to Comment P15-2:

As described in the EIS, the Proposed Reuse Plan would designate about 124 acres (50 hectares [ha]) for open space, 70 acres (28 ha) for research and development, 96 acres (39 ha) for industrial, and 85 acres (34 ha) for maritime industrial uses. These areas could clearly accommodate sand filters, grassy swales, and an on-site sewage plant, if desired. It should be noted that currently, no treatment of storm water from the site is required, nor are any quantitative limits applied to storm water. As explained in the response to Comment P12-1, provision of specific on-site treatment facilities is not required as mitigation but could be implemented under the Proposed Reuse Plan in response to community concerns. These facilities could also be included in the design of utility upgrades, as described in the EIS and acknowledged in the comment.

Response to Comment P15-3:

As discussed in EIS Section 4.10, Utilities, the quantity of storm water discharged at HPS is expected to remain the same or to decrease under the Proposed Reuse Plan. Also, as described in Section 4.9, Water Resources, the quality of storm water discharged at HPS is expected to improve due to ongoing site remediation and conversion of the shipyard from underutilized industrial land to a mix of open space, residential, commercial, industrial, and other uses. Given these projected improvements, mitigation measures beyond those listed in the EIS do not appear warranted. Nonetheless, the open space designated in the Proposed Reuse Plan might be used for storm water treatment, if desired by decision makers. Use of open space for such purposes would need to balance the compatibility of such open space use with the purposes the open space is designed to serve and any restrictions placed on the open space areas through the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) process.

Response to Comment P15-4:

The existing storm water and wastewater sewers at HPS are separate systems. Analysis of the separation of other non-HPS sewer systems is beyond the scope of this EIS.

The San Francisco Public Utilities commission (PUC) is currently assisting the Catellus Development Corporation in studying the feasibility of on-site wastewater treatment for the Mission Bay project. The PUC is also undertaking a Screening of Feasible Technologies (SOFT) study (including decentralized wastewater management) for the entire Bayside watershed. These studies will be considered as HPS redevelopment proceeds. There are currently no plans for an on-site wastewater facility at HPS. However, a separate wastewater treatment system for HPS reuse would be possible under wastewater Option 2, described in EIS Section 4.9.2. Industrial land use designations at HPS would allow on-site treatment if such treatment were selected for

funding over other, potentially competing, community objectives. If such a suboption were selected, it would need to be carefully located so as not to result in on-site odor incompatibilities. See response to Comment P15-2 above regarding land availability for alternative treatment facilities.

Response to Comment P15-5:

It is acknowledged that reduced vehicular travel and parking on the site would reduce the quantities of motor-vehicle related storm water pollutants generated on the site. For this and other (i.e., air quality, noise, and traffic) reasons, reducing the vehicular traffic on the site is a desirable goal. However, the level of detail of analysis requested by the comment exceeds that appropriate for this programmatic analysis. Such analysis might be appropriate for consideration when the required Storm Water Pollution Prevention Plan is developed for the property.

Mitigation included in Section 4.1 of the EIS calls for creation of a Transportation Management Association and implementation of a Transportation System Management Plan (TSMP) to encourage alternative modes of transportation and reduce vehicle miles traveled. The TSMP would include the following elements: transit pass sales; transit, pedestrian, and bicycle information; employee transit subsidies; monitoring of transit demand and implementation of planned services; secure bicycle parking; parking management guidelines; flexible work time/telecommuting; shuttle service; monitoring of physical transportation improvements; ferry service; and local hiring practices.

The San Francisco Redevelopment Agency is committed to local hiring and has already developed a "First Source Hiring" program to provide clear incentives for businesses to hire locally. See the response to Comment P13-17.

Coalition for Better Wastewater Solutions

260 Ripley St. 94110 (415) 285-2429

1.19.99. p.1/7

Mr. Gary J. Munekawa,Naval Facilities Engineering Command
Ms. Hillary E. Gitelman, Environmental Review Officer,
Planning Department, City and County of San Francisco

Re: Comments on Revised Draft EIS / EIR for the Proposed Hunters Point Shipyard Reuse Plan , State Clearinghouse #: SCH#95072085

Dear Mr. Munekawa and Ms. Gitelman,

The Coalition for Better Wastewater Solutions is a grassroots group that has been involved in wastewater issues for 4 1/2 years. We are made up of individual members from various neighborhood, environmental, civic, and recreational water user groups across the city. We work with those various groups to promote the best, "most sustainable" wastewater policy possible. In the past year we have been part of a larger network of groups, The Alliance for a Clean Waterfront.

The Coalitions supports the comments submitted by other members of the Alliance, such as S.F. Baykeeper, ARC Ecology, SAEJ, CBE, and others , and submits these additional comments, inquiries, and concerns. P16-1

As we stated in our comments on the first draft EIR/S, we are concerned about the impact of the Proposed Reuse Plan for the Hunters Point Shipyard on the environment - both as an individual project & as part of the cumulative, massive development on the City's bayside. We are particularly concerned about the effects of placing an additional wastewater burden on the Bayview/Hunters Point neighborhood, degraded shoreline, and nearshore Bay environment. This neighborhood receives a hugely disproportionate share of the City's wastewater burden. The 25 year old centralized system sends 80% of the City's sanitary sewage (100% of the sanitary sewage of the City's eastern watershed) and a huge portion of the City's wet weather/ primary sewage and stormwater overflows to the Bayview/Hunters Point neighborhood.

We are also concerned about the cumulative effects from the massive development on the City's bayside, on generating a renewed call for the Crosstown Tunnel as a way of mitigating the problems generated by the "Bayside Discharges". We are therefore very interested in seeing a full-fledged cumulative study of the impacts of these projects.

Once again, we see the cumulative development as a critical opportunity for the City to reduce wastewater impacts to Bayview/Hunters Point and the Bay, improve the Bayside waterfront, advance the City's use of reclaimed water, move towards the City's goals for sustainability, and by doing so obviate a later call for the Crosstown Tunnel, and make good on its 25 year promise to alleviate the negative impacts of the wastewater system on Bayview/Hunters Point. We are very concerned that this unprecedented opportunity for both the city & developers will be built over.

We are glad to see that this EIR, in looking at the cumulative stormwater impacts has declared them to be "significant", and has listed among the options for mitigation possible "alternative strategies and the potential utilization of some "alternative technologies, instead of continuing down the path of sending everything to the central system,i.e. the Southeast Treatment Plant. Like other members of the Alliance, we are concerned about the inadequate development of this Land Use Plan to preserve for itself the ability to deploy this option , should it be deemed the appropriate strategy. Below we list, more specifically, our concerns about this and other matters. P16-2

* **The Land Use Plan is inadequate AND SHOULD BE AMENDED BEFORE CERTIFICATION with regard to the potential wastewater mitigations. Specifically with regard to Option Two (Sec.4.9,pg.4-87), land needs necessary to execute such a possible mitigation strategy need to be identified and reserved for such purposes in order not to foreclose the feasibility of its implementation.**

It is stated that Option 2 Stormwater Mitigation could be accomplished by any possible combos of alternatives, after "an assessment". However, as stated in the Baykeeper comments, given the Alliance's experience with the Mission Bay project , it is important to put the horse before the cart and do some level of assessment now in order to set aside the necessary land to execute certain scenarios. If not done now those scenarios may become difficult or impossible to execute. We urge then, that this assessment be done as part of the response to comment so that the final draft may contain possible land use set asides if such an option is ultimately chosen (see below). While it may not be necessary, or possible, to nail down every detail of such a plan at this stage of development, it is possible to get a handle on some of the broader outlines of such alternative strategies and the amounts of land and strategic locations of land necessary to collect, transport,store, and treat the quantities of stormwater from the site.

P16-3

* **Option 2 needs more clarification. Option 2: a new separated system for stormwater and dry weather sewage could be built" is too vague. We request more specific clarification of the broad outlines of different strategies for a separated system.**

A new separated system obviously means new separate pipes for stormwater and new separate pipes for dry weather sewage. But, there are several different permutations within that broad strategy. Could you please clarify for the record that these are among the possible sub-options for Option 2/Stormwater Mitigation.

Option 2 A: As with original Mission Bay original proposal
All sewage could still go to the central system (i.e., SE Treatment Plant)
Most stormwater could go to the central system (i.e., SE Treatment Plant)

P16-4

Option 2 B: All sewage would still go to the central system
All stormwater kept out of central system and treated

Option 2 C: All sewage dealt with on-site, and treated for release to Bay or Reuse
(1) small HPS-only "central" system
(2) decentralized treatment : building by building or
(3) decentralized treatment - clusters of buildings have treatment
All stormwater kept out of central system and treated

As stated, a "backbone plan" already exists to insure that Option 3 : a new combined system could be implemented. Both scenario 2B and 2C would require strategically located land to be set aside in order to be feasible, and need a similar "backbone plan" set aside.

With regard to the existing "Backbone Plan" - since Option 3 could require 15 million gallons of storage - we wonder whether and where adequate land has been designed for such purposes?

P16-5

* **The assessment of wastewater mitigation options (at least the "alternative" ones) should be done by (a) consultant(s) with clear expertise in implementing alternative wastewater strategies. The assessment should be done with the overview of the PUC's Technical Review Committee on Alternative Wastewater Strategies.**

In order to respond adequately to the above request, it is our view that this assessment be done by consultants who are knowledgeable in the utilization of alternative technologies and strategies, Further we believe it is imperative that this be done with appropriate oversight from the PUC's Technical Review Committee on alternative wastewater strategies. This TRC has already begun to look at this question in general for the whole Bayside, as well as for some specific projects. They are continuing to look at these questions for Mission Bay, and are being authorized to continue to look at the feasibility of alternative wastewater strategies for the city. P16-6

We want to state on record that we believe some version of Scenario 2C - total separation from the central system would probably be best. There would be less impact on central system, particularly the S.E. treatment Plant, higher levels of treatment possible for higher volumes of stormwater, recycled water could be attainable much sooner and probably cheaper, and the whole system cheaper than a new combined system requiring less digging in toxic soil, reduced piping to S.E. Plant, and an ability to be implemented incrementally as build-out occurs. We request the above to insure that these scenarios receive due consideration in a timeline that preserves their chance for implementation.

* **RE: Utilities & Water Supply**
  - **The Hunters Point Shipyard falls into the ordained "Reclaimed Water Usage Areas" designated by the Board of Supervisors.**
  - **The San Francisco Recycled Water and Groundwater Master Plan states "By the year <u>2010</u> the projected demand would exceed this Firm Delivery Yield by approximately 37 mgd or 15.3 % (page 449 of RWMP/GWMP).**
  - **Yet there is nothing in the document about the need for dual plumbing or recycled water strategies.**

As we stated in response to the first draft, **this document claims that the City will be able to meet its demands for potable water until the year 2020**, and in particular be able to meet the increased demands for consumption, irrigation, recreation, and fire prevention at the HPS under the Proposed Reuse Plan, and that therefore the Proposed Reuse Plan would not result in significant impacts. P16-7

Yet the San Francisco Recycled Water and Groundwater Master Plan states that the "total projected demand to be served by SFWD ...already exceeded the Firm Delivery Yield of 242 mgd in 1995..... **By the year <u>2010</u> the projected demand would exceed this Firm Delivery Yield by approximately 37 mgd or 15.3 %"** "... Over the long-term this demand exceeds the sustainable yield of the source and this level cannot be met consistently..." (pg 449).

Would the authors please square up these seemingly contradictory statements?

The State of California has adopted goals for beneficial water reuse in the Water Recycling act of 1991. The state constitution requires water suppliers and wastewater dischargers to assume responsibility for the development of reclaimed water and that " the water resources of the State

are put to the beneficial use to the fullest extent of which they are capable." The S.F. Board of Supervisors have adopted a series of ordinances and resolutions to promote the use of reclaimed water. In Ordinances 390-91 and 391-91, the Reclaimed Water Use Ordinance and the Water Reclamation/Groundwater development resolutions mandated that groundwater and recycled water be developed for maximum beneficial use wherever reasonable" (pg 7, SF RWMP/GWMP)

The Hunters Point Shipyard falls into the ordained "Reclaimed Water Usage Areas". It is our view that there are significant opportunities to meet a significant portion of the Proposed Reuse Plan's potable water needs through the application of alternative on-site wastewater treatment and reuse systems. Given the need to rebuild the potable water distribution system as well as a new centralized combined sewer, this decentralized reclaimed water supply would be especially cost-effective. Further, the maximum, near term use of recycled water would have the added benefit of reducing any wastewater load on either the central S.E. Treatment Plant or the bay. P16-7

In a recent meeting of neighborhood leaders with Mayor Brown, the Mayor reported that one of the constraints to the SPUR sponsored "Central Waterfront Development Plan" was the lack of potable water. **Would the authors please comment on this situation and whether or not a potential water supply shortfall is a potential impediment to this or any other major development now under serious discussion?**

- **Cumulative Development: Has the assessment of either water supply or wastewater generation undergone any recent re-assessment/ update in light of the increasing cumulative future demand that has arisen with the extraordinary building boom of the City's Bayside?**

The City has used strict constructionist criteria in deciding which large projects were included in analysis of "reasonably forseeable projects". The EIR/S states that there is a City-wide effort *underway* to address the cumulative impacts of increased development on the City's combined ...sewer...system."(Sec.4.9, pg 4-87). This is obviously a moving target, as the announcement of the possible Central Waterfront Development Project on the day of the original Mission Bay EIR Comment deadline demonstrates. Are there other projects that now fit into the strict constructionist criteria in deciding which large projects were included in analysis of "reasonably forseeable projects". The aforementioned SPUR sponsored Central Waterfront Development, other Port Development as mentioned in the 19 project/23 page Memorandum from the Port, dated January 6,1999 "an "Information Briefing on the Status of Port Planning and Development Projects", submitted by Executive Director Douglas Wong. An what of the rash of the 20 some hotels or highrises announced in the paper in the last six months - are they all accounted for? And the "land rush " reported around the Giants Ballpark? And are you saying that the whole projected infill of potentially up to 8000 new units around the Transbay Terminal are all included in the ABAG projections? Were the ABAG projections you're using generated before the Port Land Use Plan was approved? P16-8

In addition to an update on the strict constructionist criteria of "reasonably forseeable projects", we believe that the City should go beyond that test and strict constructionist criteria and make an additional, educated assessment, above and beyond that strict list of "reasonably forseeable projects" - based on a more common sense criteria of what's likely. The Central Waterfront Project is a good case in point. As we stated in our comments on the Mission Bay SEIR " We especially want a reconsideration of the cumulative development. We'd like to see the expanded list of

projects, and perhaps a grid/range for various percentages of buildout. For example the Central Waterfront project severely throws the cumulative model out of wack - for both dry weather sewage and stormwater generation (more intense development). While this plan may not be adopted in full - as today's letter to the editor in the Chronicle implies, we would like to see projections at, say, 50% and 1/3. Even fifty percent development means a project equal to Mission Bay. Given the seriousness of this Central Waterfront plan, clearly the estimation of "negligible" for Port generation of sewage, as reported in the Bayside Cumulative Hydrologic Report, is way off track." P16-8

- **Dry Weather Sewage**

We have several questions and concerns relating to the generation of dry weather sewage under the HPS Reuse Plan.

Does the daily estimate of .67 mgd include the various proposed scenarios for "discharge of collected groundwater to POTW " from Parcel E as reported in the Parcel E Feasibility Study Draft Report", January 15,1998? Will additional parcel discharge groundwater to the S.E. Treatment Plant? P16-9

Would those flows fluctuate to higher volumes during wet weather?

How would these flows add to the pollutant load of the effluent - both in terms of dry weather pollutant loadings and an increase in the pollutant content of inevitable CSO's?

On page 4-94, it is stated that based on "a comparison of existing tenant operations at HPS"... "the projected waste stream is not expected to to substantially worsen"in terms of pollutant concentrations" . Does the Land Use Plan constrain the development such that the eventual buildout will /can only mirror the existing tenant operations? Are there any limits vis-a-vis the potential new incoming tenants and their individual and overall effect on the pollutant load concentrations? P16-10

On the same page it is noted that a "water quality analysis conducted for the Mission Bay project indicated that effluent flow increases of two or three percent would not conflict with allowable pollutant loadings from the plant, RWQCB Bay quality objectives, or U.S. EPA National Ambient Water Quality Criteria."

Frankly, though I was involved in serious review of the Mission Bay SEIR, I did not come across mention of that analysis (page 4-94, line 9). Maybe it was because there was so much material. It just came to my attention on a late re-read of the HPS EIR. I will of course call someone in Planning or the PUC to located a copy. Does it also analyze the cumulative perspective ? It seems erroneous to conclude that, as the EIR/S goes on to state that "therefore a one percent increase ...would not be likely to adversely affect compliance with these objectives." Since as of this moment, Mission Bay dry weather sewage is projected to go to the SEWPCP, you should be discussing the potential addition of the HPS contribution dry weather sewage from the perspective of the potential cumulative scenario from at a minimum, the Bayside Cumulative Analysis Report - not from the point of view that HPS contribution is only about 1% over total and therefore less than Mission Bay's 2-3 %. Also, as stated above, there are questions about the potential pollutant load from the HPS Reuse Plan - are they the same as Mission Bay's? Based on such a both reassessments - cumulative volume, and specific project pollutant load - do you still draw the same conclusion? P16-11

The EIR/S concludes that the discharges of municipal wastewater effluent (dry-weather flows) are a less than significant impact, because they would be well below the plant's peak dry weather capacity of 150 mgd. We have yet to see a discussion of the diurnal flow volumes and its interrelation to the capacity of the outfall. I have been told that the flows average 85 mgd at peak times - about a 30% increase over daily average. If the SEWPCP ends up getting all the "reasonably forseeable" dry weather sewage, one must also look what the new peak diurnal volumes will be. If you add any additional load based on a wider view of additional development that didn't make it into the current Bayside Cumulative analysis, plus its 30% - there will be certain times of the day that the system is reaching the limit of the outfall. Could you discuss the permit limits on the outfall? Are there thresholds , below its absolute original peak design , at which we may be reaching its realistic or permitted operation. What is the condition of the outfall in terms of its ability to handle its "on paper" peak load? More dry weather sewage in the system on a daily basis on dry days, and higher peak loadings may mean more sewage storage in the storage system during dry weather - which its my understanding contribute to more odor problems. On wet days the system will generate more secondary effluent to Islais Creek. What is the potential effect on Islais Creek, especially in light of its status as a potential toxic hot spot? P16-11

- **Environmental Justice. The transfer of this federal property for redevelopment will have the effect of adding to the disproportionate burden on the S.E. Treatment Plant, in a neighborhood predominantly made up of people of color.**

As we stated above, we are particularly concerned about the effects of placing an additional wastewater burden on the Bayview/Hunters Point

neighborhood, degraded shoreline, and nearshore Bay environment. This neighborhood receives a hugely disproportionate share of the City's wastewater burden. The 25 year old centralized system sends 80% of the City's sanitary sewage (100% of the sanitary sewage of the City's eastern watershed) and a huge portion of the City's wet weather/ primary sewage and stormwater overflows to the Bayview/Hunters Point neighborhood.

City departments have argued that the central system was approved in the seventies. This was before the concept of environmental justice had been articulated to the degree that it is now. There is now a Presidential directive on Environmental Justice and a department in EPA to deal with the issue. These were not there in the seventies. The City argued in the Mission Bay SEIR Response to Comments document that the Mission Bay project had no federal connection. The Hunters Point Shipyard Reuse Plan does. If the Navy hands over the shipyard for reuse, there will be development, and it will contribute to the load on the S.E. Treatment Plant - unless the land use plan calls for a completely separated system. P16-12

This document states with regard to stormwater "that conservative presumptions of significance are warranted when a setting is impaired.and that although "CSO's are an accepted and permitted feature of the City's combined sewer system", ... "CSO's generate a high degree of public concern." The same can be said With regard to the Southeast Treatment Plant and the central system. It generates a high degree of concern. Islais Creek is an impaired setting. So is the surrounding neighborhood which suffers from odor problems. The City can't totally divorce odor problems from the fact that this is the location to which all sewage is sent if possible, including wet weather sludge from the wet weather North Point Plant. Further there is no guarantee that the bonds will pass to pay for new digesters.
And what of the psychological effect that this neighborhood feels that it is the sole recipient of the City's daily sewage burden on the City's east side (80% of the City total).

We urge the Planning Department to find, conservatively if you must, that there is a significant impact in continuing this trend, and that there are Options to mitigate this effect, i.e., building a separate treatment as well as collection system, such that no more wastewater burden is placed on the central system. Combined with a finding calling for dual plumbing and recycled water - Hunters Point Shipyard could lead the way in creating a model for how we integrate new concerns and new technologies to downsize the central systems' present burdens, optimize its use, and create a more environmentally sound and more environmentally just, and in many cases a more cost effective wastewater system as we enter the next century. Smart Growth.

P16-12

For the Coalition,

Jeff Mariner

Letter P16: Coalition for Better Wastewater Solutions

Response to Comment P16-1:

Please see specific responses to comments by San Francisco BayKeeper (Letter P15), Alliance for a Clean Waterfront (Letter P12), Southeast Alliance for Environmental Justice (Letter P11), and Communities for a Better Environment (Letter P13).

Response to Comment P16-2:

Comments noted. The issues and concerns in the comment are itemized in more detail within the text of Letter P16; responses to these comments are given below. In addition, please see the discussion of storm water and wastewater in Section 4.9, as well as the discussion of cumulative impacts in Section 5.1.

The Crosstown Tunnel is not proposed as part of the current project or as mitigation. In addition, it is not currently planned or funded by the San Francisco Public Utilities Commission (PUC).

Response to Comment P16-3:

The quantity of storm water discharged at HPS is expected to decline or stay the same in the future due to increased open space and landscaping, which will result in greater rainfall infiltration and less runoff. The quality of storm water discharged is expected to improve in the future, because of the remediation of site soils, conversion of HPS from vacant industrial land to a mixed-use community, and implementation of basic best management practices (BMPs), as required by the National Pollutant Discharge Elimination System (NPDES) General Industrial Permit (Section 4.9.2, Water Resources). For these reasons, mitigation measures that provide for additional treatment of storm water discharges have not been identified. Nonetheless, as the EIS and the comment note, the design of proposed storm water system upgrades (Option 1) or replacement (Option 2) could include refinements such as additional storage, treatment, or alternative approaches to the handling of storm water, such as retention and reclamation.

The Proposed Reuse Plan includes about 124 acres (50 hectares [ha]) devoted to open space, 70 acres (28 ha) for research and development, 96 acres (39 ha) for industrial, and 86 acres (34 ha) for maritime industrial uses. While specific users and programs for these areas have not been identified, these areas of HPS could accommodate sand filters, grassy swales, a treatment plant, etc., if such facilities are determined to be compatible with the type of open space use developed and any use restrictions established under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) program. Funding and construction of such facilities would require that decision-makers balance the commentor's concerns with potentially competing concerns and objectives of the community.

Response to Comment P16-4:

Under Option 2 (replacement of Navy's storm drain system), all storm water collected at HPS would continue to be discharged to the Bay at HPS and would not be routed to the City's Southeast Water Pollution Control Plant (SEWPCP). As stated in the EIS, this

option has not been designed, and further analysis would be required when more specifics become known. It is anticipated that, similar to the Navy's existing storm drain system, the replacement system would be located primarily within public rights-of-way, but it is also possible that other "strategically located land" would need to be used. The analysis in the EIS assumes routing of all sanitary sewage to the SEWPCP, but other system designs that would result in a smaller volume of wastewater routed to the SEWPCP could also achieve the standard established by the mitigation measure.

Response to Comment P16-5:

The potential for constructing sufficient storage for Option 3, a combined storm water and sewage system, is unlikely. The principal question regarding Option 3 (a new combined sewer system) is not where land could be made available for storage, since there is ample vacant land designated for open space and industrial use at HPS, but whether it would be cost effective. Option 3 has been deleted from Mitigation 1 in EIS Section 4.9.

Response to Comment P16-6:

The commentor's opinions are noted. As acknowledged in the EIS, specific upgrades of the storm drain and sewer system have not been designed, and the three general options discussed would require further analysis when more specifics are known. Note, however, that on-site treatment of sanitary sewage is not currently proposed and would not achieve the objectives stated by some commentors to remove that activity from the Bayview-Hunters Point community.

Response to Comment P16-7:

When water demand exceeds the Firm Delivery Yield, the demand could still be met, but the demand would exceed the sustainable yield over the long term. Therefore, San Francisco would ration water during critically dry periods (Carlin, 1999). Projections indicate that potable water supply would meet the City's needs until 2020 and that water needs for the Proposed Reuse Plan would represent a small percentage of the City's water demand.

The Association of Bay Area Governments (ABAG) concluded that growth in the City is not constrained by water supply but rather housing costs and other factors. Continued implementation of water conservation programs (e.g., installation of low-flow toilets) has decreased water demand since the 1970s. Water consumption has declined since the 1940s, despite a population increase and an increase in employees. Projected water consumption in the City is expected to increase only slightly by 2020 despite long-term growth (City and County of San Francisco Department of City Planning, 1996). (The proposal by the San Francisco Planning and Urban Research Association is in its formative stage and is subject to extensive changes before it is undertaken for study by the City.)

A description of the Reclaimed Water Use Ordinance has been added at the end of Section 3.9.5.

Response to Comment P16-8:

Data on projected growth in the City were provided to the San Francisco PUC by the San Francisco Department of City Planning and were based on accepted regional projections of population and employment growth in the City, including vacant or underutilized areas of Port property. The projects that the commentor noted are included in the regional projections. As stated in the response to Comment P16-7, projected water consumption in the City is expected to increase only slightly by 2020 despite long-term growth projections.

Wastewater flows consist of sanitary sewage flows and storm water flows. Since most of the water consumed in the City results in wastewater, and water consumption is expected to increase slightly, the concomitant wastewater flow is expected to also increase slightly. The Bayside Cumulative Impact Analysis incorporated the ABAG projections plus other foreseeable projects that would affect hydrologic impacts. The projected wastewater flows for 2015 would be within the dry-weather capacity of the wastewater treatment system.

Storm water flows are mostly dependent on the amount and intensity of rainfall, the land area that drains to sewers, and the runoff coefficient (based on permeability of the land surface in the drainage area). The Bayside Cumulative Impact Analysis included projects that would increase storm water flows but did not analyze projects proposed in areas that are already paved and have sewers. Combined sewer overflows (CSOs), which occur during wet weather, consist of approximately 94 percent storm water and 6 percent sanitary sewage. Even if the sanitary sewage volume for cumulative projects is underestimated by a few million gallons, it would not have a significant effect on the forecast changes in CSOs (City and County of San Francisco, Planning Department and the San Francisco Redevelopment Agency, 1998).

Response to Comment P16-9:

The daily estimate did not include the alternatives for discharge of groundwater from Parcel E as reported in the *Parcel E Feasibility Study Draft Report*. The remedial alternative for Parcel E has not yet been selected. Even if the selected remedial alternative includes discharge to the SEWPCP, the volumes would not be great enough to significantly affect the SEWPCP. Regarding additional pollutant loading, the groundwater would be discharged to the SEWPCP under permit (Michaels, 1999). Section 4.9.2, Mitigation 1 has been revised to address the potential for discharged groundwater to increase pollutant loading of CSOs during wet weather.

Response to Comment P16-10:

The statement referenced in the comment is based on the fact that the reuse alternatives include conceptual land uses similar to those currently occurring on the property. No industrial land uses that would generate high wastewater contamination rates are proposed, and any seeking to locate at HPS in the future would likely require additional City environmental analysis under the California Environmental Quality Act. Specific land uses and discharges could vary by occupant, as they do currently.

Response to Comment P16-11:

On the basis of conceptual land uses identified in the description of alternatives in EIS Chapter 2, it is anticipated that gross water pollutant loadings from HPS reuse would be similar to those generated at Mission Bay. Therefore, as with Mission Bay, this impact is not expected to be significant.

Revisions have been made to some number values in the text in Section 4.9.2, subheading "Cumulative Bayside Plus Proposed Reuse Plan", third sentence, and Section 4.9.2, subheading "Cumulative Bayside Plus Proposed Reuse Plan", last sentence, to reflect the hydrologic interaction of major projects in the Cumulative Bayside analysis. The corrected number values do not affect information in EIS Table 4.9.1 (Table 4.9.2 in the *Revised* Draft EIS/EIR) or the conclusions of the EIS.

The cumulative wastewater impacts (storm water and sanitary wastewater, overall drainage issues) associated with increased development in the City's Bayside addressed in this comment are discussed in EIS Section 4.9.2. The issue is also addressed in the water quality analysis contained in the Mission Bay Subsequent EIR (pages V.K. 50 to 55) and the San Francisco PUC's Bayside Cumulative Impact Analysis (refer to EIS Sections 3.9 and 4.9).

The comment states that the Proposed Reuse Plan might have an impact on the ability of the treatment works to handle *peak daily* flows as opposed to *average daily* flows. Peak daily, average daily, wet-weather average, and wet-weather peak flows are established design considerations of wastewater treatment facilities. The SEWPCP must maintain compliance with its waste discharge requirements (NPDES permit) as adopted by the Regional Water Quality Control Board (RWQCB) on subsequent review and re-issue cycles. Under all circumstances, beneficial uses of the receiving waters must be protected. As stated in EIS Section 4.9.2 under "Less Than Significant Impacts," wastewater flows generated by the Proposed Reuse Plan, including peak daily flows, would be well within the capacity of the City's wastewater treatment system.

A one percent increase in total raw wastewater contribution to the treatment plant is a less than significant impact, because it would not adversely affect operation of the plant or quality of treated effluent. Compliance with the RWQCB Bay water quality objectives and U.S. EPA National Ambient Water Quality Criteria would assure that increased discharge of treated effluent would not have significant deleterious effects on receiving waters.

Most odors noticeable by the public are gases from biological activity, such as anaerobic decomposition of organic matter containing sulfur and nitrogen. Although the Proposed Reuse Plan would increase influent to the SEWPCP, the project would not change the biological processes or physical facilities. Thus, the Proposed Reuse Plan would have little, if any, effect on odors.

Islais Creek would be considered a hot spot if and when it is included in a Regional Toxic Hot Spot Cleanup Plan adopted by the RWQCB and approved by the State Water Quality Control Board. Islais Creek has been proposed for inclusion by the RWQCB. Listing

Islais Creek as a potential or designated hot spot does not change the baseline conditions at HPS and therefore does not change the impact analysis presented in the EIS. Please refer to the discussion of CSO impacts from the storm water treatment options discussed in Section 4.9. None of the options would alter the quality of water discharged to the SEWPCP.

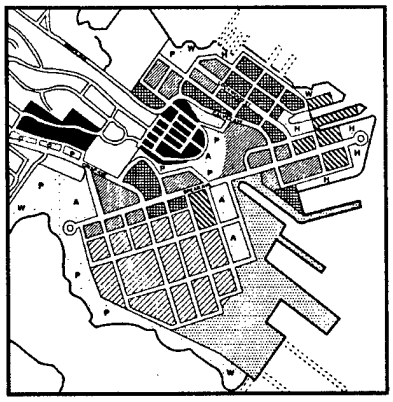
Response to Comment P16-12:

The commentor's concerns are noted. It is not the responsibility of this EIS to correct past environmental justice issues (e.g., location of the SEWPCP in a minority/low income area). The proposed action to dispose of and reuse HPS for civilian purposes would not substantially increase odors or pollutants from that facility affecting plant neighbors, and therefore this issue is not considered a significant environmental justice effect. It is acknowledged that an on-site wastewater treatment facility at HPS would eliminate increased effects at the SEWPCP potentially caused by reuse. However, new impacts could occur at HPS associated with such a plant, and these impacts would not be removed from the Bayview-Hunters Point community.

The following references have been added to support the additional material added to the EIS in responding to these comments: Carlin, 1999; City and County of San Francisco, Planning Department and the San Francisco Redevelopment Agency, 1998; and Michaels, 1999.

182 *This page intentionally left blank.*

Individual



RECEIVED AT CPC HEARING 12/17/98
94.061E Gitelman

HAZARDOUS MATERIALS

The revised draft EIR/EIR (the "new Eir") provides much more information about the environmental hazards at the shipyard and the remediation program for the site – installation restoration program ("IRP").

It also looks at ways to cover contaminants that are not covered in the IRP and contamination and hazards that might remain after the IRP is completed.

Finally, the new EIR addresses doing development and clean-up in parallel phases and provides more complete health and safety measure though the course of the development.

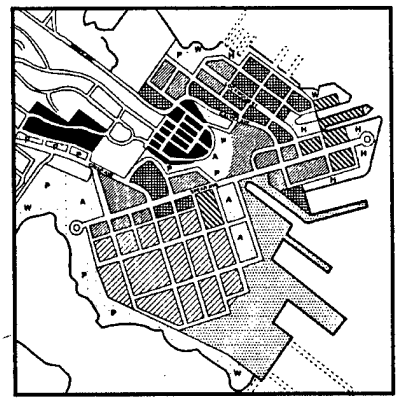
II-1

Esperanza Jackson

Individual Comment 1: Espanola Jackson, Community Member

Response to Comment I-1:
Comment noted.

Public Hearings



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Public Hearing
Revised Draft
Environmental Impact Statement/
Environmental Impact Report
for the Disposal and Reuse of
Hunters Point Shipyard

Wednesday, December 9, 1998

5:00 p.m.

Hunters Point Shipyard

San Francisco, California

-o0o-

ORIGINAL

Reported by:

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-o0o-

Moderator/Hearing Officer:

Lieutenant Commander Robert Clarke
Officer-in-Charge
Caretaker Site Officer
North and West Bay Area

Presentations by:

HILLARY E. GITELMAN
Environmental Review Officer
City and County of San Francisco
Planning Department

DOUG POMEROY
Group Leader
Base Conversion Group
Environmental Planning Branch
EFA West, San Bruno

-o0o-

P R O C E E D I N G S

5:08 p.m.

LT. COM. ROBERT CLARKE: Good evening. I'm Lieutenant Commander Bob Clarke, the Officer-in-Charge of the Caretaker Site Offices in the north and west San Francisco Bay Area, which includes Hunters Point ex-Naval Shipyard.

I would like to welcome you to the public hearing for the disposal and reuse of the former Naval Shipyard at Hunters Point. I'm the moderator for tonight's hearing which is being held to obtain your comments on the joint Revised Draft

Environmental Impact Statement and Environmental Impact Report for the disposal and reuse of the shipyard.

Hunters Point Shipyard was designated for closure and disposal under the 1993 Base Closure and Realignment Act legislation. The Navy ceased operating the shipyard in 1974.

Much of this presentation will be done by the environmental planners from the Navy's Environmental [sic] Field Activity West located in San Bruno. That office handles most environmental impact documentation for Navy actions in central and northern California as well as Nevada. We may refer to their office as EFA West.

I will serve as the hearing officer, and short presentations will be made by Mr. Doug Pomeroy of the Environmental Planning Branch, EFA West, Ms. Hillary Gitelman, environmental review officer for the City of San Francisco Planning Department. And other Navy and key City staff here tonight include Mr. Gary Munekawa, EFA West project manager for the EIS; John Kennedy, the head of the Environmental Planning Branch at EFA West; Ms. Stephanie Knott, the EIS preparation project manager from our Navy consultant, Uribe & Associates;

as well as Willie Kennedy from the City of San Francisco Redevelopment Agency.

We also have a court reporter with us to record tonight's meeting so we can accurately record and respond to comments and questions in the final EIS/EIR.

This is the agenda -- next slide -- for this evening's hearing, copies of which are available as well as some information sheets at the entry table.

Tonight's hearing is divided into two parts. During the first half, which will last a few minutes, Doug Pomeroy from EFA West will give you a brief overview of the environmental planning process we are engaged in.

Following, Hillary Gitelman, the San Francisco environmental review officer, will then summarize the reuse alternative scenarios discussed in the Revised Draft EIS/EIR. And finally, Doug will return to summarize the environmental impacts identified in the Revised Draft associated with disposal and implementation of the community reuse of the former Naval Shipyard.

After a short break of about ten minutes, we will then move into the second half of the hearing

during which you will have the opportunity to provide your comments on the Revised Draft EIS/EIR. I also ask you to hold any comments you might have for this portion of the hearing.

Before we begin, I'd like to remind you of information which is available at the entry table. Besides the agenda, there is also a sign-in sheet for tonight's meeting. If you signed in and provide an address, you will automatically be included on our mailing list.

Also at the table are information sheets, including the locations where the Revised Draft EIS/EIR is available for the public to review.

Finally, and very important, at the entry table are speaker cards to fill out if you would like to speak during tonight's comment period. You will have another opportunity to sign up to speak during the break.

Now I'm pleased to introduce Dr. Pomeroy, the group leader at EFA West, Environmental Planning Branch, who will describe the process that brings us to the Revised Draft EIS/EIR stage this evening.

MR. DOUG POMEROY: I'd like to thank all of the members of the public who took the time to join us tonight to participate in the public involvement

process for our Environmental Impact Statement/Environmental Impact Report. We do take that as a very important part of our overall process, and that is why we are here tonight, primarily to listen to your comments regarding -- regarding the document.

Again, this is a joint public hearing meeting both the National Environmental Policy Act requirements and the California Environmental Quality Act requirements.

I want to give you a little bit of general background on the Hunters Point Shipyard site. It's approximately 936 acres in size, of which that 493 acres are developed in land-based area, and there's another 443 acres that are owned that are out underwater and in the bay.

Hunters Point includes a variety of facilities such as dry docks, wharves, piers, administration facilities, and warehouses. There are also a couple of portions of Hunters Point which are eligible for the National Register of Historic Places. And also, as you may know, under our contaminants program, Hunters Point has been listed on the National Priorities List of high priority sites for environmental cleanup.

This just gives you an overview of Hunters Point in relation to other areas in the local Bay Area.

This gives you an idea of the different land uses that we have at Hunters Point. Some of these are not active right now, such as the residential area where we do have houses, but those are not currently in use. Up to the right-hand side of your screen, right here and right there (indicating), is where the historic areas -- is where the historic areas of the base are. And as I mentioned, also industrial, light arts, and other types of uses.

The overall purpose that we're here tonight, we're receiving your public comment as part of our efforts to meet the requirements of the National Environmental Policy Act. And basically what is required is the Navy, as a federal agency, must evaluate the effects of what our actions will have on the environment and take those environmental effects into account before we make a decision as to what we intend to do.

If we believe there is potential for significant environmental impacts, we complete a document called an Environmental Impact Statement.

In this case, we completed a prior draft of an Environmental Impact Statement and its equivalent for the City of San Francisco, Environmental Impact Report, in November of 1997. Based on public and agency review of that document, the Navy and the City of San Francisco jointly evaluated and decided to publish a Revised Draft EIS/EIR. And that Revised Draft is what we are currently accepting comments on at this time.

I also want to mention that there is an additional public hearing scheduled with regard to this document where you can also provide testimony. It's scheduled for next Thursday, December 17th, as a joint meeting of the San Francisco Planning Commission and the Redevelopment Agency at approximately 1:30 p.m., Room 404, War Memorial Veterans Building at 401 Van Ness Avenue in San Francisco. And we can give you a phone number where you can call to get the exact agenda for what time in the afternoon that they expect to hear that item.

In addition to complying with the National Environmental Policy Act, we concurrently comply with a number of other environmental laws and requirements, and these are some of these listed

here, including the Endangered Species Act, National Historic Preservation Act and others.

There are also a variety of environmental contaminant laws which we comply with, but the EIS hearing is not designed to duplicate meetings such as the Restoration Advisory Board meetings and other public input processes that directly comment on our environmental cleanup programs.

With that, I'd like to yield the podium for a couple minutes to Hillary Gitelman to describe the reuse alternatives.

MS. HILLARY GITELMAN: Thank you very much. I'll try and be very, very brief because I want to get to the more interesting part of the evening when we hear your comments.

First, I should say again, my name is Hillary Gitelman. I work at the City's Planning Department in the Environmental Review Section. It's been my pleasure to work with my colleagues at the Redevelopment Agency, Tom Conrad and Byron Rhett, who are sitting up here in the front, with the Navy and the Navy's consultants to prepare this revised draft EIS/EIR.

The Revised Draft, in addition to analyzing disposal -- the Navy's disposal of the property,

analyzes two reuse alternatives, a high intensity use alternative and a lower density reuse alternative. And both of these were established through a public involvement process that resulted in a draft reuse plan and ultimately adoption of a redevelopment plan that will be used to implement the reuse options.

Both of the reuse alternatives contain a mixture of uses. You can see on the map, which is the next slide, that the uses are actually spread all around the base. This map is also in the draft EIS/EIR, as is a copy of the redevelopment plan that will explain the goals of redevelopment and how the reuse alternatives would be implemented.

Finally, I should say that the point of this evening is really to get your comments. Tom, Byron, and I are eager to here what you have to say about this revised document. I encourage you to speak today, submit comments in writing by the close of the comment period, or -- and/or come to the hearing on the 17th. And we look forward to responding to those comments in the final EIR.

Thank you.

MR. DOUG POMEROY: I'll briefly mention, there's one other alternative in addition to the development alternatives that we have to consider in

the EIS/EIR, and that's what's called the no-action alternative. It's required by law that we evaluate a no-action alternative, which is basically maintenance of the shipyard and continued caretaker status and ownership by the Navy with -- with continued leasing -- leasing. But the no-action alternative would not -- not anticipate reuse and redevelopment under the reuse plan or reduce density alternatives under which the City would redevelop the property.

As I mentioned, we have had some previous public involvement on -- on this process. Both initially when we requested scoping comments prior to starting the Environmental Impact Statement/ Environmental Impact Report documents and also comments on the prior draft.

The main comments that we received were in the areas that you see on the screen: air, water, biology, contaminant remediation program, traffic, and several others. And we have included these and addressed these in more detail in the Revised Draft.

In the draft EIS/EIR, we categorized impacts into several different categories. We have a threshold against which we measure whether -- whether or not an impact might have a significant effect on the environment. For example, with air, the air

district has standards of amounts of emissions that are considered significant. If you have -- If you are over that level, it's considered a significant impact; if you're under that level, you're not.

If you're over that level but you can take actions to reduce emissions below the level, that's called a significant impact which you can mitigate. And as you can tell by the symbols -- symbols, we identified several different types of impacts. We evaluated these both for partial build-out in year 2010 and full build-out in year 2025. And again, we evaluated both for Navy's disposal of the property, for reuse of the property by the City, and for no-action alternative, the Navy retaining the property.

I want to give you a very brief idea of what we -- what we found with regard to our impact analysis, particularly with regard to impacts that were significant but which we determined we could not mitigate to a level that was not significant.

The main areas in that regard were in transportation, where we've determined that at build-out of this property, or in year 2010 and year 2025, regardless of whether or not we build -- build and develop here at Hunters Point, traffic in the

surrounding area is going to increase. At certain locations, that's going to significantly increase traffic congestion. If we redevelop the property, additional traffic from Hunters Point is going to contribute to that increased congestion.

With regard to air quality, we identified several areas where the amount of air emissions from motor vehicles is going to exceed the standard of the Bay Area Air Quality Management District, and although the reuse plans have identified -- the reuse alternatives have identified measures to reduce the amount of traffic by using other means of transportation, such as mass transit, our analysis indicates we will not be able to reduce the amount of air emissions below the level of significance identified by the Bay Area Air Quality Management District.

There's one other significant and unmitigatable impact which we identified, and that was with regard to cultural resources under the no-action alternative. And that was if the Navy was to indefinitely -- indefinitely keep the base under caretaker status, we anticipate we would not have sufficient resources to be able to maintain the historic properties that are currently on the base.

With that, I'd like to give you a brief idea of our remaining schedule.

Again, there is another public hearing scheduled on December 17th. The comment period is open through January 5th, 1999. We anticipate to be finalizing the EIS in the March -- March/April time frame and making that available for public review.

After that is released, the City can then -- can then pursue certification of the Environmental Impact Report, and after a 30-day period, the Navy can issue a record of decision indicating which alternative it intends to pursue.

With that, I would like to pass it back to Lieutenant Commander Clarke for a couple of brief comments before we take a brief break.

LT. COM. ROBERT CLARKE: Thank you, Doug.

This concludes our formal presentation of the revised draft EIS/EIR for Hunters Point Shipyard. We will now take a short break for ten minutes, and around 5:40, we'll begin the public comment period of the meeting. In case anyone is not familiar with the building, the restrooms are located directly down this hall and then to the left about 150 feet.

I'd like to remind you that there are speaker cards available at the table. If anyone is

interested in making a comment, please fill one out and return them to the person at the table so we can call upon you to speak during the public comment period of the meeting.

Thank you.

(Recess taken from 5:27 to 5:37 p.m.)

LT. COM. ROBERT CLARKE: Okay. We're going to go ahead and start. Welcome back.

We'll now begin the public comment portion of the evening here. We'll call upon speakers using the speaker sign-up cards that some of you filled out. If you still wish to fill one out, feel free to do so.

Since we never know how many comments we'll receive, we would like to request that you please limit oral comments to five minutes so that others may also have a chance to speak. We do encourage written comments so that we can be sure we understand your concern as well.

A reminder that your comments are being transcribed so that we can be sure to accurately record your verbal comments for consideration in the final EIS/EIR.

If you wish to speak, please come to the podium, tell us your name clearly so the court

reporter can get it right, your local community, the organization you represent, if any, and your concerns.

We'll try to answer short factual questions if we can, but the intent here is to hear your concerns, not to debate or question their merits, so we won't be responding with answers for all questions tonight.

Our first speaker is Mr. Saul Bloom.

MR. SAUL BLOOM (Arc Ecology): Okay. Thank you very much for the opportunity to speak tonight. I'm going to address --

LT. COM. ROBERT CLARKE: You can face the crowd if you like. I'm sorry.

MR. SAUL BLOOM (Arc Ecology): Would you like me to face the crowd? I'll face the crowd. Thank you, thank you. That's okay.

Once again, I'd like to thank the Navy, the Planning Commission, Redevelopment Agency for the opportunity to comment on these -- this document tonight. I'm going to be very short about this -- this comment. Borrowing a phrase from that sage ball player Yogi Berra, I'm going to do the, you know, "Gee, seems like it's deja vu all over again" thing.

I want to remind folks that we had asked PH1-1

that this comment period on the Environmental Impact Statement not fall during this period of time, during the holiday season. We are going to pursue a request with both the Redevelopment Commission and the Planning Commission to go ahead and extend the comment period again because we, representing numbers of organizations in San Francisco, working with a large community that's very, very concerned about this issue, do not believe that there is sufficient time for people to go ahead, evaluate the document, come to a generalized agreement about what the community's response to this document is, and then to present the best kind of input we can in order to move this process along. PH1-1

Community comment is a very, very difficult part of the process for a lot of agencies because it takes you outside the box. You have agendas, you have goals, you have time lines. But when you provide enough time for community, for people to really participate in the process, the process really does move forward more quickly in the end, and you get a better product as a result. And you also get community buy-in into the process. And for any project to succeed, community buy-in is essential. And right now, we're not buying in. Right now we

feel that there isn't enough time. Right now we feel like we've asked repeatedly for the last year and a half -- I was here standing in this very room last year virtually at the same date saying basically the same thing. This is not a good start to the process. PH-1

We hopefully will have a good finish to the process, and that's what really matters, but we're not going to get to a good finish without an extension of the time period.

Thank you very much.

LT. COM. ROBERT CLARKE: Our next speaker is Eve Bach.

MS. EVE BACH (Arc Ecology): Eve Bach, also from Arc Ecology, and I also want to echo Saul's comments, not just because he's my boss but because they're true.

And I would also like to begin to lay out where we see some of the generic problems. And I'll give some examples with this document.

The -- At this -- At this point, the group of people that -- the group of organizations that we work with has really only started to review this, but I think even at this beginning point, there's certain things that are kind of obvious. And these are criticisms that we have that will appear within the

different impacts and impact after impact.

I think one of the major problems that we have with this document is that the tiering of the environmental review process is very unclear.

If you're familiar with Environmental Impact Reports and Environmental Impact Statements, you know that when you do a plan, you can't be real specific about the -- about the impacts that individual projects are going to have. And for that reason, you kind of lay out generalized -- a generalized analysis of the economic impacts and then generalized kind of mitigations. And it's kind of like an umbrella. And then for projects that come in that fall outside the drip line of that umbrella, they would need to go to the next tier of environmental review; that is, they would have to be reviewed for where they fall outside of where they protrude beyond the umbrella. PH1-2

Well, one of the real problems with the way this document is written is you can't tell what's under the umbrella and what's -- or you won't be able to tell what's under the umbrella and what's outside the umbrella. It's just very unclear what kind of projects, what kind of impacts will trigger the need for additional environmental review.

And one of -- one of the very strong concerns that I have in this context of the tiered review is that the finding that the -- that some of the traffic and air quality impacts are nonmitigatable will amount to a blank check for other projects that come in; that is, a project will come in that generates a huge amount of traffic, and they'll say, "No problem. We already found in the -- in the environmental impact review of the -- of the plan that it's going to have impact, so it doesn't matter what impacts we have. Just let's go ahead and there won't be any real need to address those impacts and to look at that particular project."

PH1-2

And I think that's very, very problematic. And I would love to be told that I am wrong in seeing it that way. And one of the questions that I guess we will be asking when we submit written comments will be to have it laid out exactly what it will mean for -- for specific projects, the fact that there are non- -- that traffic and air quality impacts are non- -- have been found to be nonmitigatable.

A second kind of generic problem is that there's a real lack of attention to interim impacts. The general structure of this report is to look at what the impacts will be in the year 2010 and 2025.

PH1-3

But it's also clear, particularly since this -- this -- the project now includes the idea of lease and furtherance of transfer that there's going to be a period of overlap when there are going to be some of the new uses, primarily residential uses, taking place at the same time that some of the older uses, some of the older industrial uses, are still there and while cleanup is taking place.

And in the -- in the hazardous substance section, there is some attention to this issue, but in the whole issue of truck traffic, it's, like, nothing. The whole -- The whole issue of what will be the impact of the truck -- of all of the trucks coming to take the soil out of the shipyard at the same time that you've got construction trucks coming in, where there are no construction paths that have been yet defined, and those are impacts clearly that could affect the surrounding neighborhood as well as people in the shipyard. PH1-3

There's a continuing problem -- and when I say "continuing," I mean since the first unsuccessful attempt at producing a draft, or the first draft -- that the mitigations are very uncertain and/or ineffective. And the main one here, again, is in transportation and air quality. PH1-4

One of the -- One of the real opportunities that exists on this project since the Redevelopment Agency will be the owner is the possibility of having mitigations that use the role of the City or the Redevelopment Agency as the owner of the property rather than just the regulator of the property. So that when we're looking at traffic impacts, we don't need to -- to depend on a traffic management plan, which is very constrained -- you're very constrained by what you can do by that under state law, because the Redevelopment Agency is the owner and they could attach conditions to the sale of the property when they -- when they give it to the master developer in terms of what kinds of arrangements people would have to make.

PH1-4

The mitigations are also the -- The best mitigations that have been proposed for traffic and air, having shuttles to BART, having real concrete provisions that would get people out of their cars and onto transit, are put in very -- almost as an afterthought. "Well, it could be done." There's nothing about "It will be done." And that's a real disappointment.

The major one that's a disappointment is there's no serious effort to make sure that we cut

down on the amount of miles that people travel and -- which will really affect air pollution as well as traffic, by making sure that the people who live in the Hunters/Bayview area are the ones who will work here. They're -- It's in the plan -- I'm sorry. It's in the EIS/EIR, but it's in there as something that "might," "maybe," "could be" looked at rather than something that could just be attached of having real preferences that would make sure that the people who get all of those new jobs at the shipyard are the people who already live in the neighborhood and who will be living in the neighborhood. And that is a real opportunity lost, to have a sustainable plan. PH1-4

There are commitments that are made in the plan that should be identified as mitigations that are not. Increased -- And just one example, that increased fire, emergency, medical, and police protection is -- there's just a statement it would be provided to meet projected needs. Well, that sounds like a mitigation to me. It sounds like a pretty vague mitigation, but it's a mitigation. But it's not indicated as a mitigation. And the problem with that means that nobody will be monitoring or tracking it.

I guess the final comment I would make has PH1-5

to do with the fact that this is the Environmental Impact Report that's being performed on the redevelopment plan which was passed about 18 months ago. And that's an unusual situation, that -- that -- to pass a plan first and then do the environmental review 18 months later. And it's -- it's water under the bridge. We can't undo it, and there's a special state legislation that allowed it. But what we're beginning to see now are the problems that go along with that; that when the Redevelopment Agency and the City adopted the redevelopment plan, they had a whole sheath of documents, a whole bunch of descriptions of what the programs would be, of projections of what the fiscal impact would be, and they were all based on assumptions that were kind of spelled out. And it was on that basis that the City and the Redevelopment Agency passed those plans.

PH1-5

Unfortunately, the environmental review that's taking place now, a lot of the assumptions are not consistent with the assumptions that went into that redevelopment plan. So that -- And the plan itself is a very small document. As a matter of fact, it's -- it's one of the appendices in the EIS/EIR. But all of those background documents that really kind of fleshed it out are kind of over here

(indicating) and the Environmental Impact Report is over here (indicating), and it's supposed to be an Environmental Impact Report of this whole program. But the assumptions are -- are different in a number of places, which we will go into in detail in written comments and to the extent we can. Because what has happened is it's very, very difficult to reconcile now part of the project with the environmental review on that project. And I hope it becomes a reason for not ever doing that again in the future.

PH1-5

Thank you.

LT. COM. ROBERT CLARKE: Thank you, Ms. Bach.

Our next speaker is Mr. Mike Thomas.

MR. MIKE THOMAS (CBE): Good evening. Can everyone hear me?

My name is Mike Thomas. I'm with Communities for a Better Environment. It's a statewide environmental health and justice organization, and I'm an organizer with their SAFER Project which has been organizing low-income communities of color whose health and rights are repeatedly jeopardized by environmental practices in the urban environments. Basically, we work in the Bay Area as well as in the L.A. basin.

As a community organizer, I've been meeting with residents on the east side of the City for -- for the last three, four -- three, four years, from folks from Bayview, Hunters Point, low Potrero Hill, south of Market, and outer Mission. Each person I talk to, it doesn't matter if they live in the projects, if they live in the apartments, if they have a single-family home, or if they even live in a single-room occupancy in some of those hotels on Sixth Street: Everyone feels the same way and sees this new economic cleansing of their community and know that the City is trying to move them out of their neighborhood and out of their home.

It should come as no surprise to anyone in this room that these folks are people of color. The Navy and the City owe these communities which have been neglected and dumped on, that they actually spell out what are some of the economic benefits from this project in order to confront some of this gentrification that's taking place in their neighborhood.

PH1-6

And I think that's a key point that I just want to stress again, is that the City and the Navy owe it to these communities to give them the tools economically in order for them to protect themselves.

They're not asking for a handout. They're actually asking for the tools so they can confront their neighbors and confront their -- and protect their neighborhood.

The Hunters Point Redevelopment Project is a one-time opportunity to address these persistent economic, environmental, and social problems that face residents here. This is why Communities for a Better Environment has some serious concerns regarding the mitigations for air quality, transportation, water resources, utilities, environmental justice, and hazardous waste. PH1-6

Just glancing over the draft EIR/EIS, some mitigations might be better, such as identifying transportation as a serious impact, but many, even transportation, don't even tell us what's going to be done.

I'd like to point out and go on record about some of Communities for a Better Environment's concerns. Regarding the combined sewage overflows, the report indicates that a significant amount -- this is a significant impact, but leaves us guessing as to what will actually be done. For people who don't know what combined sewage overflows are, this is raw sewage that enters the bay, enters the creeks PH1-7

that people use. Our members fish out of the bay. Our members use the bay for a natural resource.

Actually, option number 3 under the water utilities will actually contribute two more -- two million gallons more of raw sewage entering the bay. So this option definitely needs to not be considered. PH1-7

Regarding storm water, storm water alternative approaches need to be implemented similar to those that were negotiated in the Mission Bay project. And I'd like to echo what Saul was saying -- Saul was saying about more community input is going to only increase a better project for everyone. And this -- I think the Mission Bay is a good example of that, where the developer worked with the community on developing some negotiations. And one of those pieces are around storm water and making sure that alternative treatment was in place to treat the storm water before it gets dumped into the bay. PH1-8 And that the Navy needs to pay for the repairing of the existing separated sewer system to a five-year standard.

The last piece on this is that lands -- land in the -- in here in the project, the Hunters Point Shipyard project, needs to be identified to treat the sewage on-site and the storm water. The

storm water, for people that might not know, is actually classified as industrial pollution. So it's Communities for a Better Environment's view that it needs to be treated in a two-tier treatment before it enters the bay, similar to what is proposed to happen with the Mission Bay project. PH1-8

There needs to be a job mitigation based on neighborhood preference, preferences -- job preferences going to neighborhood folks, to ensure that the 6,000 jobs and business opportunities are linked to local residents. PH1-9

And then finally, Communities for a Better Environment believes based on the report's indication that 50 percent of the housing will be affordable, that's too low. There's a tremendous need for affordable housing in San Francisco, and the -- and again, that's the extent of it. It needs to be spelled out more. It should have a mitigation giving preference, again, to families that are associated with this neighborhood. PH1-10

And similar to the Mission Bay agreement, the developer was -- agreed to actually have home ownership. People want to own something. People don't want to keep on renting forever. And their needs would be part of the equation; needs to be some

PH1-10

home ownership of these new units that they're going to propose building here at the shipyard.

So finally, without a clear policy, direction, and programs, the community can't realistically expect to benefit from this massive City project.

And finally, I mean, again, this is a tremendous opportunity for San Francisco and the residents of Bayview/Hunters Point, and it's a real shame that we have such a few -- I do appreciate everyone that's here this evening, but it's a real shame that the City and the Navy weren't able to bring more community members out here, make more of a stronger effort besides putting up nice placard signs where the meeting's at but actually get more community members out here.

Thank you.

LT. COM. ROBERT CLARKE: Thank you. Our next speaker is Olin Webb.

MR. OLIN WEBB: Good evening. My name is Olin Webb, and I'm with a bunch of community organizations.

PH1-11

I grew up in Hunters Point. I've been in Hunters Point since 1944, and my statement is economic development for the people of Hunters Point

that grew up in this community. I'm talking about African-Americans.

We all know what the City of San Francisco is trying to do with African-Americans. If you don't know, I've been to a number of conferences all over the country, and when I speak about San Francisco and how they're treating African-Americans, everyone is saying I'm right. They got rid of us in Fillmore; they're getting rid of us here in Hunters Point.

If we do not establish something here in Hunters Point for ourselves and get the federal government to work with us -- The City is not going to work with us. The City of San Francisco is not going to work with us. They're going to come up with complaints just like the Navy: They don't have any money. And we know the federal government has money for economic development.

We should start establishing ourselves and saying to the people in power that we want 35 percent of every site, "A," "B," "C," "D," and "E." We want to do it for community development for ourselves.

The reason I'm saying this is because having grown up in this community, having grown up with asbestos-sided houses up here on the hill, and if you've been here long enough, you know what I'm

talking about, having grown up with lead in the water, and the people in this country knew that lead and asbestos affect your health and they knew about this in 1936, but yet they put that asbestos siding on the housing when I was a young man. They had lead in the water and did not try to get rid of it when I was a young man. So I feel that the Navy and the City and this government owe us for poisoning us.

We have freeways running through our community, we have a sewage plant, we have PG&E, and we have this Navy, and we have a Superfund site. And we're not looking at the issues of helping us develop this for ourselves, African-Americans. We've got to stop saying that we're going to be joint venture, working with the white companies, when we get put off and we get pushed aside and they tell us "We don't have the money," and they push us aside.

We've got to stop saying that we're going to have a master developer, again, control of African-Americans in this community to come in here and say, "We're going to be the master developer because the City says so." We've got to stop letting this issue happen to us and we've got to start standing up as men, African-American men and women, and saying, "No, we're not going to have this."

PH1-11

Everyone else all over the country speaks on developing their community and saying they're going to have a part in developing their community. We're the only community that's saying we're going to let somebody else do it. We have to stop saying that. I can't stress this enough. We have to start standing up and putting the issue of economic development for ourselves.

One of the issues, they're saying that "We don't have money," I got a problem -- I got a solution to that. If you get some people that's in economic development to put a bank in this community for African-Americans so they can develop businesses, you will have a way to establish businesses in the community.

If you don't have the money, let's do the same thing they did when they did the Superfund site. They went over it twice. The federal government gave them $20 million.

Now I've talked to somebody with capital access that says if you can get $20 million from the City of San Francisco and put it in the bank, this is a -- this is a HUD program, he can leverage it into $60 million to help economic development for African-American businesses in this community.

PH1-11

This is -- These are the issues we should start looking at: Helping ourselves and stop letting other people say they're going to help us and then push us out. Then we'll wind up as they're saying if we do the right things, as they said when I was a young man -- not a young man. When I was with Mr. Ford, when I was a trucker, the Human Rights Commission told me when I went into the trucking business that "you needed to joint venture with a white trucking company so you can learn how to do the business."

After we learned how to do the business and we weren't joint venturing with the people and we started helping the African-American truckers, the Human Rights Commission told me I was a front for the white trucker, even though I did all the paperwork. Even though I did all the bidding, I did everything that I was supposed to do to have a sustainable business, the Human Rights Commission of San Francisco said I was a front.

I learned how to do the business. I learned how to do everything that needs to be done within the trucking business. And once I got good at it, I was a front.

So I'm trying to say -- What I'm saying is

that we have to stop saying that we're going to joint venture with everybody and start developing the way for African-Americans to do the development themselves.

My other issue is I picked up a book in Washington on community-based guide reuse, and one of the ten don'ts that they have in this book, it says, "Don't give or sell property --" "Don't give or sell more property than required for a single reuse at the expense of long-term job development." And this is what the City of San Francisco is doing with the master developer.

So I have a bunch of don'ts in here, and I'm going to put it in writing and submit it to the Navy. But I'm also saying this to the Navy, that I will also submit this to the Department of Defense, and we've got to stop this issue of this master developer.

Thank you.

LT. COM. ROBERT CLARKE: Thank you. Our next speakers are Theresa and Theodis Ford.

MR. THEODIS FORD: Yeah, my name is Theodis Ford, and I've been in this community for the last 50 years, and I would like to say -- I'd like to say -- I'd like to speak about the environment and disposal

of the contaminated in this area, which I know about the contamination in Hunters Point here, which was a long time ago I heard about the ships used to dispose of oil on the ground, that -- which is quite contaminated as of now.

So I'd like to speak about that concerning the children in the neighborhood, not only the children but anyone who is close around that's exposed to contamination.

About a year and a half ago -- or I'm a trucker, and I got a job not too far from here, just right down the -- about three blocks from here, and they wanted me to haul some material. And when I got ready to haul the material, they said I have to roll up the glasses, make sure I didn't inhale any of the dust, so I decided that I didn't want to work. But they was very serious at that time because the dust was flying and they didn't want -- want me to inhale any of the contamination.

But I think it's -- I'm sure the Navy or whoever will take care of the contamination and keep the kid and exposure to the public when the houses is built or whatever they need to do, I'm sure they'll take care of that.

PH1-12

I thank you very much.

MS. THERESA FORD: I'm Theresa so I'll just say a couple words.

Good evening, everybody. I'm Theresa Ford, the wife of Theodis Ford who just spoke.

I was with him that day he was talking about when he -- Sometimes I ride with him in the truck, and that particular day we were out here, and they was telling me that I couldn't go with him because -- because of the situation. And I said, well, gee if he -- if I can't go, then neither can he. I mean, I don't want to be out here and he's out here in this hazardous condition. So we both left that day.

But mainly I'm here tonight to just support -- support, do anything I can, speak in any way that I can to help the situation changed, that there would be a healthier situation for the people that live in the area. PH1-13

We live here, go to church here and all of that, but we don't live directly this close to the area like we did at first when we were -- we were young. We did move not too far away so we still go to church here, and my son live right here. And he and his family, he have children. And we want to do all we can to make the situation better. So we're

here just to support and do whatever we can.

So thank you.

LT. COM. ROBERT CLARKE: Thank you. Our last speaker is Alex Lantsberg.

MR. ALEX LANTSBERG (SAEJ): Good evening, everybody. My name is Alex Lantsberg. I'm the project coordinator for SAEJ, the Southeast Alliance for Environmental Justice. We're actually based out on Innes Avenue, about spitting distance away from the shipyard, so for several reasons other than the fact we're an environmental justice community group we have a lot of concern about what's going on here.

I don't think I need to repeat some of the concerns voiced by Mr. Bloom, Mr. and Mrs. Ford, Mike, and everyone else. I think that would just be piling it on top, and there's really no need to do that, but there are a couple things I do want to mention.

Saul said something about an extension for proper review. We got this thing in the beginning of November. Everybody here has to deal with Thanksgiving. Most everybody is going to have to deal with either Christmas, Hanukkah, Kwanzaa, New Year's, something like that. Our time to review this thing has been drastically cut short because of the

PH1-14

holidays. I don't think anybody in the Planning Department staff or in the Navy would expect to cut their holiday short to review something like this that kind of came out of the blue in the mail, a couple pounds of paper just kind of arriving one day. And I don't think it's fair that they expect us to do this as well. PH1-14

In my initial review of this document, there are a whole host of issues -- transportation, water, air quality, noise, aesthetics, cultural resources, recreational opportunities for the community -- that are supposedly addressed within this thing. Considering each chapter or each subheading is about ten pages long within the EIR, I don't expect it to be a very comprehensive review.

My initial review started with transportation, and just right off the bat I can completely say it's inadequate. So far it seems as though the only thing that the Planning Department has agreed is that traffic will increase at specific intersections, and the only mitigation that has been proposed is expanding the road, or at least expanding the intersection. PH1-15

I just read a transportation report that said expanding -- expanding roads to relieve

congestion is like adding an extra notch on your belt to relieve obesity. It doesn't work. We need to do something to reduce the amount of cars that are going to be coming down in here.

There's supposedly a transportation management plan that's been proposed as a mitigation, and one of its goals is maybe have some local hiring and maybe have some residents living in the shipyard if transportation gets really bad, but we don't know quite yet. PH1-15

That shouldn't be a "maybe." That should be a "definitely." I think the first -- the first role of this thing should be to develop local businesses to do the work so they don't have to go back and forth. There should be -- should be a priority to develop local residents to do the work in here, to live in the shipyard, try to encourage folks that live in other parts of the community who may want to work on the shipyard to live in the shipyard. I think that's a good idea. It's going to relieve traffic congestion, it's going to relieve all sorts of things.

I'm trying to think of where else I can hit, and I think it's been covered rather well.

I don't really think that this is really a

good opportunity for me to cover everything. We'll have a far more -- far more chances on December 17th, and definitely in formal written comments. But it's really vital that the Planning Department and the Navy pay attention to everybody that's here today and everybody who is not here today and the grumbling that's in the community that is going to get reflected in the comments, and make sure the community is taken as a partner to create this plan and make sure that this thing works out right.

Thank you very much.

LT. COM. ROBERT CLARKE: Thank you.

Are there any more comments, either written or oral? Take written comments on the cards if people don't want to speak.

If not, we thank you for participating in the public meeting. You can contact us at the addresses which will be shown on a slide. Oops, excuse me.

MR. MIKE THOMAS (CBE): I do remember you saying that there was going to be -- you were going to answer some questions that people raised during the public comment period. Are you going to address some of those questions? Are you going to answer some of those questions?

LT. COM. ROBERT CLARKE: No. We actually are going to take in public comment, take into account with any of the written comments that we get.

MR. MIKE THOMAS (CBE): Again, I'm not clear. I thought I heard you mention in the beginning there was going to be some --

LT. COM. ROBERT CLARKE: If there was a question of a factual nature that we could easily answer here tonight, we would answer it, but the general comments that you've made we'll take in with the written comments that have come in.

Yes.

MR. DUCO NOORDZIJ (CBE): I apologize because I came in late, but I have some questions. Should I write them down or should I come up and ask them?

LT. COM. ROBERT CLARKE: If you'd like to ask them verbally, you can come up and ask them.

MR. DUCO NOORDZIJ (CBE): Okay. I'll do that.

LT. COM. ROBERT CLARKE: If you could introduce yourself and any organization you're affiliated with.

MR. DUCO NOORDZIJ (CBE): Okay. Hello. I'd like to introduce myself. My name is Duco

Noordzij, and I'm affiliated with CBE, Communities for a Better Environment, and SAFER, San Francisco Bay Advocates for Environmental Rights. And my questions tonight for the Navy are specifically about the cleanup. I'd like to know specifics on where the toxic waste is going to, where they're burying it, or if they're incinerating it at all, where they're doing that. And also how they plan to deal with the sewage treatment. I'd like to advocate that they continue to use their separated system and rehabilitate it if that's necessary. And those are my two questions. PH1-16 PH1-17

Thank you.

LT. COM. ROBERT CLARKE: Actually, we actually meant comments. We would not be answering anything but short factual questions, and those are actually kind of more than we would be prepared to answer.

MR. JEFF YOUNG (EFA West): What I might suggest, Commander, is that we have some folks that work with the Navy at Engineering Field Activity West who, in fact, are in charge of the cleanup and who could respond to his questions directly. If it's possible to give me your phone number or I could give you mine, then we would be happy to talk to him and

tell him.

MR. DUCO NOORDZIJ (CBE): Sure.

MR. JEFF YOUNG (EFA West): Those are reasonable questions, and we would like to answer them.

MS. HILLARY GITELMAN: On behalf of the City and the agency, I want to thank everybody who came today. We're going to take all of these comments and all the written comments we get into -- and put it all into the final EIR and develop thorough written responses. So that's kind of our next job after the comment period is over.

I look forward to seeing any of you who want to on the 17th at the Planning Commission and Redevelopment Commissions. It's going to start at 1:30 or later. My guess is it will be about 1:30 in the afternoon at the Board of Supervisors chamber.

Thank you for coming.

LT. COM. ROBERT CLARKE: That concludes our presentation if there are no further comments.

Thank you. Good evening.

(6:17 p.m.)

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REPORTER'S CERTIFICATE

I, TERI DARRENOUGUE, the undersigned, do hereby certify that the foregoing proceedings were taken at the time and place therein stated; that the proceedings were reported by me and was thereafter transcribed under my direction into typewriting; and that the foregoing is a true and complete record of said proceedings.

Date: 1/22/99

TERI DARRENOUGUE, CSR #5106

Public Hearing 1, Held at Hunters Point Shipyard on December 9, 1998

Response to Comment PH1-1 (Saul Bloom, Arc Ecology):

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

Response to Comment PH1-2 (Eve Bach, Arc Ecology):

The EIS is a programmatic document. The analysis is presented at a general level of detail, because the actions to be taken are the disposal of the base and the implementation of a community reuse alternative (for which land uses are presented at a general level of detail). The types of uses that would occupy Hunters Point Shipyard (HPS) have been identified (see EIS Section 2.5). Additional environmental analysis of the adopted community reuse alternative could be required under state law if the project is substantially altered from that described in the EIS (CEQA Guidelines §§ 15162-15153). Please refer to Chapter 1 of the EIS for a discussion of the environmental review process.

Response to Comment PH1-3 (Eve Bach, Arc Ecology):

For a discussion of concurrent reuse and remediation, please refer to EIS Section 5.1.3. Truck traffic is discussed in EIS Section 4.1.2.

Response to Comment PH1-4 (Eve Bach, Arc Ecology):

Please see responses to Comment P12-35, P12-43, and P12-48 for details regarding transit improvements and goals. The Transportation System Management Plan (TSMP) includes specific, feasible measures for reducing automobile trips and encouraging transit use. Implementation of the TSMP is expected to reduce traffic and air quality impacts. In addition, local hire provisions and shuttles (if feasible) are now included as required elements of the TSMP (EIS Section 4.1.2). The proposed Transportation Management Association (TMA) is the best form of mitigation that can be required at this early stage of the planning process.

Police, fire, and other emergency services are not included as mitigation because they are prerequisites for reuse and are responsibilities that must be met by the City/San Francisco Redevelopment Agency before HPS can be transferred to local control.

Response to Comment PH1-5 (Eve Bach, Arc Ecology):

The *Hunters Point Shipyard Redevelopment Plan* was adopted prior to conducting this EIS pursuant to Chapter 4.5, Section 33492.18 of the California Community Redevelopment Law.

The EIS analyzes all potential impacts of the Proposed Reuse Plan and is based on reasonable assumptions regarding potential build-out over the next 25 years. Specific concerns addressed by the commentor in writing have been responded to elsewhere in this Response to Comments.

Response to Comment PH1-6 (Mike Thomas, Communities for a Better Environment):

The City is committed to providing affordable housing: please refer to the response to Comment PH1-10. Economic benefit for the community is a major objective of the Proposed Reuse Plan. Redevelopment activities at HPS would proceed pursuant to the *Hunters Point Shipyard Redevelopment Plan* (San Francisco Redevelopment Agency, 1997). As permitted under the *Redevelopment Plan* and as is customary for the San Francisco Redevelopment Agency, the San Francisco Redevelopment Agency would enter into a development agreement with a primary developer, selected by the Redevelopment Agency Commission. This agreement includes, as its first goal, the creation of "sustainable economic benefits and jobs for the Bayview-Hunters Point community." The goal is further articulated by the following objectives:

- Build a diverse and economically viable and sustainable community with employment, entrepreneurial, art and educational opportunities for the economic benefit of the Bayview-Hunters Point community.
- Create 6,400 permanent jobs at full build-out of the project.
- Maximize participation of area residents and businesses in the pre-development, development, interim reuse, and environmental remediation of HPS.
- Create and expand economic opportunities for existing area businesses.
- Provide ownership and equity opportunities for area residents and businesses.
- Provide the greatest possible level of education and job training and hiring opportunities for area residents and for partnerships with community residents and businesses throughout all development and long-term management of the project.
- Create small business assistance programs and incubator opportunities with linkages to larger, established businesses.
- Provide for land uses and development projects that are compatible with one another within HPS and with the surrounding neighborhood, during all phases of redevelopment.

The primary developer would be required to prepare and implement development proposals that are consistent with San Francisco Redevelopment Agency goals and objectives including the ones listed above. Any development proposals submitted to the San Francisco Redevelopment Agency by the primary developer would also be reviewed by the HPS Citizens' Advisory Committee (CAC). Further, the primary developer would be required to prepare and implement a Community Benefit Program that relates to the following:

- Permanent and construction jobs, including job training, education and hiring programs consistent with articulated goals and objectives and with applicable San Francisco Redevelopment Agency and City requirements, such as the First Source Hiring and Equal Opportunity programs.

- Investment opportunities for the community.
- Business incubator and entrepreneur opportunities.
- Local ownership opportunities.

EIS Section 4.1.2 provides detail of mitigation for traffic impacts.

The mitigation envisions establishment of a TMA to monitor implementation of a TSMP. This mitigation strategy has been applied to other recent City projects, such as the Giant's ballpark and Mission Bay, and is appropriate given the programmatic nature of the EIS and the lack of information regarding specific development projects, phasing of development, and available funding. It is envisioned that the TMA would consist of neighborhood representatives and City/San Francisco Redevelopment Agency staff. The group would be appointed by the Mayor, similar to the Ballpark Transportation Coordinating Committee, and would report to the Redevelopment Agency Commission. The TMA/coordinating committee would have no funding authority, but it is anticipated that the group would prioritize required investments and monitor the effectiveness of the mitigation measures and the TSMP for the Redevelopment Agency. See Section 4.1.2, Significant Unmitigable Impact, for description of the phased approach of the TSMP.

Please refer also to responses to specific written comments by Communities for a Better Environment (Letter P13).

Response to Comment PH1-7 (Mike Thomas, Communities for a Better Environment):

Combined sewer overflows (CSOs) consist of partially treated storm water and sewage that are discharged to the Bay in rainy weather on average one to ten times per year, depending on location. With implementation of Mitigation 1 in EIS Section 4.9, Water Quality, the number of annual CSO discharges would not change as a result of development at HPS, and the increased volume of the discharges would be negligible (0.6 million gallons per year, or a 0.07 percent increase from existing volumes). CSO discharges are one disadvantage of the City's combined sewer system, which also has its advantages, since the combined system allows the City to treat most storm water discharges far in excess of other jurisdictions around the Bay. While the City continues to study ways to reduce CSO discharges, they are an accepted feature of the City's combined sewer system, which operates under valid permits from the RWQCB. Please also see the response to Comment P13-3.

Response to Comment PH1-8 (Mike Thomas, Communities for a Better Environment):

The quantity of storm water discharged at HPS is expected to decline or stay the same in the future due to increased open space and landscaping, which will result in greater rainfall infiltration and less runoff. The quality of storm water discharged is expected to improve in the future, because of the remediation of site soils and conversion of HPS from vacant industrial land to a mixed-use community, as well as implementation of basic best management practices (BMPs) as required by the National Pollutant Discharge Elimination System (NPDES) General Industrial Permit. For these reasons, mitigation measures that provide for additional treatment of storm water discharges have not been

identified. Nonetheless, as the EIS and the comment note, the design of proposed storm water system upgrades (Option 1) or replacement (Option 2) could include refinements such as additional storage, treatment, or alternative approaches to the handling of storm water, such as retention and reclamation.

The Proposed Reuse Plan includes about 124 acres (50 hectares [ha]) devoted to open space, 70 acres (28 ha) for research and development, 96 acres (39 ha) for industrial, and 86 acres (34 ha) for maritime industrial uses. While specific users and programs for these areas have not been identified, these areas of HPS could accommodate sand filters, grassy swales, a treatment plant, etc., if such facilities are determined to be compatible with the type of open space use developed and any use restrictions established under the CERCLA program, as well as if such facilities can be funded.

Under Option 2 (replacement of the Navy's storm drain system), all storm water collected at HPS would continue to be discharged to the Bay at HPS and would not be routed to the City's SEWPCP. As stated in the EIS, this option has not been designed, and further analysis would be required when more specifics are known. It is anticipated that, similar to the Navy's existing storm drain system, the replacement system would be located primarily within public rights-of-way, but it is also possible that other "strategically located land" would need to be used. The analysis in the EIS assumes routing of all sanitary sewage to the SEWPCP, but other system designs that would result in a smaller volume of wastewater routed to the SEWPCP could also achieve the standard established by the mitigation measure.

Storm water is not classified as an industrial pollutant and is regulated by laws that are specific to storm water. If a company is engaged in industrial activities (as classified by Standard Industrial Codes), then it must obtain and comply with the conditions of an NPDES permit from the State Water Resources Control Board.

Response to Comment PH1-9 (Mike Thomas, Communities for a Better Environment):

Redevelopment activities at HPS would proceed pursuant to the *Hunters Point Shipyard Redevelopment Plan* (San Francisco Redevelopment Agency, 1997). See response to Comment PH1-6.

Response to Comment PH1-10 (Mike Thomas, Communities for a Better Environment):

As permitted under the *Hunters Point Shipyard Redevelopment Plan* (San Francisco Redevelopment Agency, 1997) and as is customary for the San Francisco Redevelopment Agency as the City's affordable housing development agency, the San Francisco Redevelopment Agency would enter into a development agreement with a primary developer, selected by the Redevelopment Agency Commission, to ensure that a range of housing opportunities is provided at the Shipyard. This goal is further articulated by the following objectives:

- Develop well-designed new residential areas that assist in meeting a range of housing needs of the greater Bayview-Hunters Point community and the City.

- Develop and implement a permanent affordable housing program that makes available at least 20 percent of all new and rehabilitated housing types to low- and moderate-income households, maximizes the number and level of affordable housing, and is consistent with the housing needs identified by the Mayor's Office of Housing in cooperation with the San Francisco Redevelopment Agency.

- Provide an appropriate mix of ownership and rental housing with the maximum number of units at the lowest possible price.

Any development proposals submitted to the San Francisco Redevelopment Agency by the primary developer would be reviewed by the HPS CAC. Along with preparing and implementing development proposals that are consistent with San Francisco Redevelopment Agency goals and objectives, including the ones listed above, the primary developer would be required to prepare and implement a Community Benefit Program that relates to affordable housing, including a description of the number and size of units, phasing and linkage principles, anticipated timing of availability, price range, and levels of affordability.

Response to Comment PH1-11 (Olin Webb, Community Member):

No significant socioeconomic impacts have been identified as a result of the project. The Proposed Reuse Plan would result in the creation of jobs and the construction of housing. A portion of the new jobs and housing would be reserved for low-income persons and residents of the Bayview-Hunters Point community. In light of these project benefits, no socioeconomic mitigation measures are required. The City/San Francisco Redevelopment Agency are currently in negotiation with a private developer, who is expected to oversee development of HPS and implementation of the Proposed Reuse Plan. It is possible that some form of "local community ownership" (e.g., affordable home ownership) could play a role in this development. It is not possible to say at this point, however, whether or to what extent other forms of local ownership might be part of a negotiated agreement on development, given the likely need to balance potentially complex legal and financial issues raised by such a policy. Please also refer to the response to Comment PH1-9.

Response to Comment PH1-12 (Theodis Ford, Community Member):

EIS Section 3.7 describes existing contamination, references source documents and applicable laws governing the remediation process, and describes potential risk based on present (unremediated) conditions. Section 4.7 analyzes potential impacts of reuse of the HPS property related to contamination. Navy's goal is to remediate HPS to a condition that is protective of human health and the environment, considering planned reuse. Property recipients will be advised and notified of the environmental condition of the property, and appropriate covenants, conditions, and restrictions will be included in the conveyance document to ensure protection of human health and the environment, taking into consideration the intended land uses.

Response to Comment PH1-13 (Theresa Ford, Community Member):

Please refer to response to Comment PH1-12.

Response to Comment PH1-14 (Alex Lantsberg, Southeast Alliance for Environmental Justice):

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

Response to Comment PH1-15 (Alex Lantsberg, Southeast Alliance for Environmental Justice):

The TMA, through the TSMP, would work to improve traffic conditions by encouraging alternate forms of transportation. The TSMP includes specific, feasible measures for reducing automobile trips and encouraging transit use. The TSMP is expected to reduce traffic and air quality impacts. The proposed TMA is the best form of mitigation that can be required at this early stage of the planning process. The TSMP is required in EIS Section 4.1.2 as mitigation for Significant and Mitigable Impacts 1, 2, and 3; the TSMP is described in Section 4.1.2 under the Significant Unmitigable Impact.

While road widening (proposed as mitigation for Significant and Mitigable Impact 2) can encourage automobile use, this tendency must be balanced against the need for lessening congestion and reducing air quality impacts. The Bay Area Air Quality Management District (BAAQMD) recognizes that measures to improve traffic flow and reduce congestion can lessen air quality impacts, but cautions against traffic-inducing effects of increased roadway capacity (BAAQMD impact assessment guidelines, p. 59). The proposed mitigation measures would affect single intersections in a congested urban area where the transportation network has many other capacity constraints. Within this context, the suggested measures would not be expected to induce substantial additional traffic, and the benefit of reduced congestion and air quality impacts in the vicinity would appear to outweigh the incremental increases in capacity.

Response to Comment PH1-16 (Duco Noordziji, Citizens for a Better Environment and San Francisco Bay Advocates for Environmental Rights):

Remediation of HPS is being conducted under the Installation Restoration Program (IRP) pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and under other Navy compliance programs. The remediation is a separate action from property disposal and implementation of the Proposed Reuse Plan. This comment has been forwarded to the remedial project manager handling the CERCLA actions at HPS. The detailed questions asked by the commentor are outside the scope of this EIS.

Response to Comment PH1-17 (Duco Noordziji, Citizens for a Better Environment and San Francisco Bay Advocates for Environmental Rights):

Specific upgrades to the sanitary sewer and storm drainage systems, though not yet designed, would meet both City and state NPDES permitting requirements. A separated system would be in place under either Option 1 or 2 (see EIS Section 4.9.2).

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Public Hearing
Revised Draft
Environmental Impact Statement/
Environmental Impact Report
for the Disposal and Reuse of
Hunters Point Shipyard

Thursday, December 17, 1998

1:30 p.m.

Joint Meeting of the

San Francisco Planning Commission and

San Francisco Redevelopment Agency Commission

San Francisco, California

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ORIGINAL

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Hector Chinchilla, President
Anita Theoharis
Beverly Mills
Richard Hills
Cynthia Joe
Dennis A. Antenore

Presentation by:

HILLARY E. GITELMAN
Environmental Review Officer
City and County of San Francisco
Planning Department

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P R O C E E D I N G S

1:51 p.m.

COMMISSIONER CHINCHILLA: Call the meeting to order, please, for the Planning Commission.

MR. JONAS IONAN: I'd like to welcome everyone to San Francisco's Planning Commission and Redevelopment Agency Commission special joint meeting for Thursday, December 17th, 1998.

I'd like to call roll for the Planning Commissioners.

Hector Chinchilla.

COMMISSIONER CHINCHILLA: Present.

MR. JONAS IONAN: Anita Theoharis.

COMMISSIONER THEOHARIS: Here.

MR. JONAS IONAN: Dennis Antenore.

COMMISSIONER ANTENORE: Present.

MR. JONAS IONAN: Cynthia Joe.

COMMISSIONER JOE: Here.

MR. JONAS IONAN: Beverly Mills.

COMMISSIONER MILLS: Here.

MR. JONAS IONAN: Richard Hills.

COMMISSIONER HILLS: Here.

MR. JONAS IONAN: Larry Martin is absent.

COMMISSIONER SWEET: Call the meeting to order.

MS. PATSY OSWALD: Commissioner Dunlop.

COMMISSIONER DUNLOP: Here.

MS. PATSY OSWALD: Commissioner King.

COMMISSIONER KING: Here.

MS. PATSY OSWALD: Commissioner Yee.

COMMISSIONER YEE: Here.

MS. PATSY OSWALD: President Sweet.

COMMISSIONER SWEET: Here.

MR. JONAS IONAN: I'd like to -- At this time, members of the public may address the

commission on items of interest to the public on matters in the jurisdiction of the commission.

If it is demonstrated that comments will exceed 15 minutes, the president or chairperson may continue public comments to another time during the meeting.

COMMISSIONER CHINCHILLA: I have those speaker cards. Any member of the public here to address the joint commission at this time on an item that's not on our calendar today?

Okay. Seeing none -- Well, let's see. Seeing none, I'll close public comment. Let's call the next item, please.

MR. JONAS IONAN: Next on your calendars, special calendar item 1, case number 94.061E, disposal and reuse of the formal -- former Naval Shipyard at Hunters Point. There's a note that written comments will be received at the Planning Department until 5:00 p.m. on January 5th, 1999.

COMMISSIONER CHINCHILLA: Ms. Gitelman.

MS. HILLARY GITELMAN: Good afternoon, Commissioners. I'm delighted to be here this afternoon. My name is Hillary Gitelman with the Planning Department staff, and my colleagues from the Redevelopment Agency, the Mayor's office and the Navy

are also present today.

The matter before you is the Revised Draft EIR/EIS regarding disposal and reuse of Hunters Point Shipyard.

We were all here about this time last year looking at a similar document, a draft EIS/EIR on the same topic. Following receipt of public comments, your staffs -- staffs determined with the Navy that the document should be revised and recirculated, and it's that revised document that is before you today.

I wanted to summarize some of the major revisions and also summarize some of the testimony that we received at an earlier public hearing last week on this revised document. But first, I'd like to encourage all the people who commented on the earlier draft last year to review the current revised version and to make any comments they would like responded to in the final EIR/EIS. It's been our effort in the revisions to address all of the major comments we received last time around, but we haven't responded to each comment individually. So commentors are encouraged to once again review this draft.

Major revisions to this document since last year include an expanded discussion of hazardous

materials issues, including a summary of contamination at the shipyard, and the Navy's remediation strategies. Also, mitigation measures to protect future residents and employees of the shipyard from ongoing remediation activities and from any residual contamination that remains after remediation.

We've also updated the assessment of cumulative transportation, air quality, and storm water and waste water issues to be consistent with other recent analyses, including Mission Bay and our ongoing analysis of the Candlestick Point development proposal.

We've included mitigation measures to significantly -- to reduce potentially significant environmental effects, including effects on air quality and transportation.

The measures would include controls on new sources of toxic air contaminants, transportation demand management strategies to encourage a shift away from private automobiles, and measures that would ensure the repair or replacement of the shipyard's current separated storm water system to reduce or prevent any increase in combined sewer overflows related to that storm water. We've

included expanded discussion of cultural and natural resources issues, including a discussion of the potential for wetland creation at the shipyard. And we've included mitigation to ensure that required infrastructure improvements are made either prior to or concurrent with development out there.

All of these changes are in the context of an analysis which looks at the Navy's disposal action, the City's either lease or acquisition of the shipyard, and then the reuse consistent with the adopted redevelopment plan for the area.

Last week, the Navy, myself, and my colleagues from the agency hosted a public meeting out at the shipyard to get public comment on this document, and many speakers raised a number of comments. Among them were comments requesting more information about how this programmatic EIR/EIS will be used in the future to make subsequent development decisions. There were requests that the transportation demand management program include local hiring provisions as a requirement. There were also requests that the ship- -- that the base's storm water system be repaired or upgraded to meet City standards, and that storm water be treated before it's discharged to the bay as it is currently.

All of the comments, including those we receive today and those we receive in writing by the close of the comment period, will be responded to in the final EIS/EIR which we hope to produce very quickly in the new year.

Before I answer your questions and before we open the testimony -- the hearing for public comment, I wanted to indicate that the -- there has been a request for an extension of time for the comment period. As you know, the comment period for a document of this type is required to be 45 days. In light of the holidays, we suggested, and the Navy agreed to, a 60-day comment period as well as two public hearings which exceeds the number required. Only one is required.

Nonetheless, people still feel -- some people feel that this comment period is too short and have requested an extension. It's entirely within the commission's jurisdiction to grant that extension; however, I'd just like to keep it as contained as possible. We are, like most EIR's, on the critical path here, and the longer it takes us to finish the EIR, the longer it will be until the City can gain control of this property.

If there are any questions, I'd be happy to

answer them.

COMMISSIONER CHINCHILLA: Any questions from the Planning Commission?

COMMISSIONER SWEET: Redevelopment Commissioners, do you have any questions of Ms. Gitelman?

COMMISSIONER CHINCHILLA: Okay. If no questions, then we'll proceed directly to public comment on this.

Ladies and gentlemen, for your information, each speaker will be given five minutes to address the commission. When -- When your time is up and you hear the buzzer go off, please yield the podium because we have a number of speaker cards.

COMMISSIONER SWEET: Thank you.

Our first speaker is going to be -- first speaker is going to be Espanola Jackson, after Ms. Jackson, Ms. Dorothy Petersen.

MS. ESPANOLA JACKSON: Good afternoon. I would like to thank you all for letting me speak. I would like to say that we --

COMMISSIONER SWEET: Your name for the record?

MS. ESPANOLA JACKSON: My name is Espanola Jackson, and I have been a resident of Bayview/

Hunters Point for the last 50 years. I was there when the job (inaudible) for the community, I was there when the shipyard closed. And my community has been working diligently over eight years with their committee that two, and a third, mayor has reappointed to deal with the Hunters Point Shipyard, not only to talk about economical development, but also talking about all the hazardous materials that is out there on that base.

We all want to see that base cleaned up, and that is the Navy's responsibility. We know that. We knew that ten years ago. So it's nothing new to those of us who live in Bayview/Hunters Point.

I would like to say that I really hope that after hearing testimony today as you did last year, you have to go back and do supposedly a new EIR. Those of us in Bayview/Hunters Point, the majority of us in Bayview/Hunters Point, want to see this EIR go forward today.

My understanding in coming here today is that you were going to take testimony and the decision was going to be made whether or not this EIR will (inaudible). But then I was told on both sides -- I'm not going to call no names, but on the City planning side as well as on the redevelopment side

"Oh, no, Ms. Jackson. We're not voting on that today."

But I do have -- I have some material that we have put together and it reads as follows:

"The Revised Draft EIR," in parentheses is "(the new EIR), provides much more information about environmental hazards at the shipyard and the program on the site Installation Restoration Program, IRP. It also looks at a way to cover contaminants that are not covered in the IRP and contamination hazards that may remain after the IRP is completed."

Finally, the new EIR addresses joint development and cleanup, I'm paraphrasing, and provides more complete health and safety issues through the course of the development, because we are concerned about the health risk and about the hazards in our community. PH2-1

As we all know in this City, Bayview/ Hunters Point has the most hazardous areas than any part of the City and County of San Francisco. But we're asking you to please go forward on this. It is important to my community, not only getting the hazardous waste cleaned up but also the economic development that will be going on in our community, providing jobs and housing for the needy and everyone

else in this City.

Whatever happens in Bayview/Hunters Point, I would like to make this clear. In your decision, and make your mind up today, whatever happens on this EIR, whatever happens in Bayview/Hunters Point, it happens for the total of San Francisco. PH2-1

Thank you.

COMMISSIONER SWEET: Thank you. After Ms. Petersen, we have Jeanna Haney.

MS. DOROTHY PETERSEN (Bayview/Hunters Point Restoration Advisory Board): Good afternoon.

COMMISSIONER CHINCHILLA: We'll call you when the others --

MS. DOROTHY PETERSEN (Bayview/Hunters Point Restoration Advisory Board): My name is Dorothy Peterson and I am a resident at Bayview/Hunters Point; have been for 11 years. I'm here to urge that the commissioners and supervisors go forward with this. I would like to say that we and the environmentalists, meaning the residents and the environmentalists, are unanimous on this. It's not an either/or decision. The Hunters Point Citizen Advisory Committee -- Thank you. PH2-2

The Hunters Point Citizen Advisory Committee has held meetings about this project for

more than three years, and the Hunters Point Restoration Advisory Board has held meetings about this project for several years. We've discussed it to death. It's time for the development of this project to move forward and move forward now.

As I said before, this is not an either/or decision. It's not economic development or environmentally safe. The people of Bayview/Hunters Point have already shown that we can and will fight to keep our community environmentally safe.

We have enough sense to know that whatever is wrong with the EIR, the City can make whoever the lucky developer is who is awarded this contract fix it. There's no moratorium on health and there could never be a statute of limitations.

What we need for you to do is work with us to bring development to the area, and then work with us to make sure that it is economically friendly and environmentally friendly for the residents and the City.

Again, I urge you to move forward on this. Thank you.

COMMISSIONER SWEET: Saul Bloom and then Chuck Collins.

MR. SAUL BLOOM (Arc Ecology): Good

afternoon, Commissioners, and thank you for the opportunity to speak before you today.

My name is Saul Bloom. I'm director of Arc Ecology. I'm working with (inaudible) organizations, both community and environmental.

We're very happy to have the opportunity to discuss this document today. First of all, I'd like to say that we are the groups that are asking for a 30-day extension to the public comment period. We don't believe that there's sufficient time to analyze the document, although we have stepped quite forward with this document, and we're pleased to say that.

We'd also like to say that we're very excited, been very happy about working with the agency staff, Hillary in particular, in terms of discussions all through the development of this newly Revised Draft Environmental Impact Statement. PH2-3

Nevertheless, there is still insufficient time to comment. We have numbers of organizations in San Francisco that are coordinating their commentary. And to that end, Supervisor, President of the Board, Ammiano's office is going to be here speaking about their support for the extension. I have letters here for you from Supervisor Yaki's office asking for a 30-day extension. I understand Supervisor Katz and

other members of the Board of Supervisors are going to take this matter up in terms of asking for and supporting an extension of the public comment period. And I'm leave this for you later on.

Really, the extension we view as the best and most expeditious way of moving this process forward. We have, through our discussions with the Redevelopment Agency and Planning Department staff, already resolved some problems that we've had with the initial document. And now we need the additional time to come up with our positions and to have the time to discuss this with agency staff so that we can get through the document without challenge. And that's what we're all interested in doing because I've been working on redevelopment at Hunters Point Shipyard 15 years --

PH2-3

COMMISSIONER HILLS: Excuse me. I'd be interested in hearing your comments on the present document, on the substance, contents of the present document.

MR. SAUL BLOOM (Arc Ecology): And you certainly will be getting it because other members of my staff are going to be addressing that. I'm giving you the general overview at this point.

But as I said, we need to have the time to

develop the community and environmental position on the environmental document.

The document was released in the second week of November for all intents and purposes. Within two weeks, there was the Thanksgiving holiday. That took a week out. We're walking up to Christmas. We have another holiday, we have New Year's coming up. A lot of people have been out and away and unable to comment on the document, unable to review the document.

And so for the community to really get behind this document, get behind the pen and come up with a response that helps the process move forward, we have to have the time to do that. And all we're asking for is a 30-day extension to make that happen. PH2-3

I think the agency staff knows our commitment to working with them to resolve these issues. We went to three meetings with the agency staff prior to release of the draft trying to resolve major issues, and we're ready to continue to negotiate and work with them in the future. And we look forward to working with the staff on development, mitigation and monitoring strategies we were talking about earlier.

But this all boils down to support for the

extension, and that's what I'm asking you to do here today. Thank you very much for your time.

COMMISSIONER SWEET: And Marsha Pendergrass after Chuck Collins.

MR. CHUCK COLLINS (WDG Ventures, Inc.): Thank you, Commissioners, and Presidents. I'm Chuck Collins. I'm a real estate developer here in San Francisco. I've been involved in some fairly interesting projects in the City and County, both in Yerba Buena and within the Bayview -- I'm sorry, in the Western Addition community.

For the last year, I served as a consultant to the Redevelopment Agency to look at an economic revitalization strategy for the Bayview/Hunters Point community. I think this is very important homework that anyone should do in coming to a fundamental understanding of what it means to look at the Bayview/Hunters Point community in relationship to the shipyard.

The shipyard is going to provide, as you know, when it's built out, 12,000 jobs. These jobs are extraordinarily important to members of the Bayview/Hunters Point community. It will also provide a foundation for business development, both in the cleanup during the build-out and in the

PH2-4

ongoing development and operation of the shipyard.

This is a project that has been awaited by the Bayview/Hunters Point community and by San Francisco at large and the region at large for many years.

Projects are all inherently fragile. Capital markets come and capital markets go. Windows of opportunity open and windows of opportunity shut. I think it is extraordinarily important to address the fundamental environmental concerns that this document raises. In particular, I am pleased to see that greater attention has been given to the public transportation transit issues, the issues of the relationship between the shipyard and the community, the relationship of fundamental cleanup to environmental health and to public health. PH2-4

These issues are of ongoing importance to anyone who is going to be the ultimate developer of the project.

I would not be showing you all of my cards if I didn't say that I'm interested in being one of the developers along with the Catellus Company. But notwithstanding who it is that is ultimately chosen to do this, the 550 acres out there are extremely important to the -- to the larger community and to

the benefit of the larger community.

I would urge that you continue to look deeply into the environmental process. Issues of negotiation do not end when the environmental document is approved.

I would also urge that you understand and to give credence to the importance of choosing a development team ultimately that is going to carry forward the momentum that has been set forth in the environmental documents and in the tremendous work that members of the Bayview/Hunters Point community and the broader community have put into this on the record. But the ultimate mitigation of any of these issues is not a question inherent in this document on a piece of paper. It is really in the ongoing implementation of the master plan of this very important site of San Francisco, and I urge you to move forward in this process with all due speed.

PH2-4

Thank you very much.

COMMISSIONER SWEET: Marsha Pendergrass and then Marti Buxton.

MS. MARSHA PENDERGRASS: I'm Marsha Pendergrass, and I'm a resident of Bayview/Hunters Point, and I'm a new resident. I've only been there a couple years. I bought the place, love where I

live, love the weather, love the area, love the people. And I'm here today because I'm really concerned about this project moving forward.

As a new resident, I want the same services, I want the same standard of living that everybody else has in San Francisco, and I see that the Bayview and Hunters Point areas are really lacking in that.

So I've looked at the document a couple of times, and it looks good to me. I really feel like we need to move forward on this. I think that the City and the developers or whoever the City chooses to develop the property will be responsible for the cleanup. And, you know, I'm not crazy. I want -- I don't want to change jobs or -- for our health. So we want it cleaned up to the right standards so that residents can be secure in that. But we do want the project to go forward, and I think we've spent enough time, you know, dotting the "i's" and crossing the "t's," I think it's time to move on.

PH2-5

COMMISSIONER SWEET: And now after Ms. Buxton, Charlie Walker.

MS. MARTI BUXTON (Catellus Development): thank you Ms. Commissioner and President. My name is Marti Buxton. I'm (inaudible) of acquisition

(inaudible) for Catellus Development Corporation.

In Mission Bay, we're a nearby neighbor of Hunters Point and part of the southeast San Francisco community. In addition, as the agency commissioners know, Catellus, with WDG Ventures, has responded to the Redevelopment Agency's request for government qualifications in connection with the agency's proposed selection of a master developer for Hunters Point Shipyard.

I'm here today to commend both commissions on two counts with respect to the draft EIS/EIR. First, you're commended -- you're to be commended for your decision and response to the substantial comments received on the initial draft EIS/EIR to prepare the Revised Draft EIS/EIR that is before you today. In our view, that was a critical part of the CEQA/NEPA process, creating an opportunity for the public to comment, to listen, and then to respond thoroughly. The prior draft EIR/EIS was woefully inadequate. You've listened and responded with the Revised Draft EIS/EIR before you today. PH2-6

Second, you and your staffs and the Navy are to be commended for now having prepared a very thorough document which fully addresses the issues of environmental concern raised by the redevelopment and

reuse of the Hunters Point Shipyard. This is now a serious document addressing serious issues in a serious way.

People may have a myriad of views about how the shipyard should be redeveloped, when and in what manner. But this draft EIS/EIR clearly articulates the environmental consequences of redevelopment within the context of the land uses laid out in the Hunters Point redevelopment plan and proposed reuse plan.

The potentially feasible alternatives are analyzed, the significant environmental impacts described, and possible feasible mitigation measures are identified. PH2-6

This draft EIS/EIR is a first but critical step toward meeting the shared goals of the southeast community and the City as a whole to revitalize and develop this substantially underutilized resource. The time has come to move forward to the next step to more specifically frame the actual reuse of the shipyard.

This document provides that opportunity. It is a firm basis to move forward. We urge you to do so as expeditiously as possible, so this community can begin to obtain the development resources it so

much deserves and which have so long been deferred.

Thank you for consideration of our comments.

COMMISSIONER SWEET: After Mr. Walker, Willie B. Kennedy.

MR. CHARLIE WALKER: Good afternoon. My name is Charlie Walker. I have lived in Bayview/ Hunters Point since I was seven years old. I raised a family. Now my family is raising a family. My father was killed in Hunters Point Shipyard, in case most of you don't know it, during World War II in an explosion. My mother raised us by ourselves.

Let me tell you, I don't believe -- none of y'all seem to understand, we as black people look at things from a racial standpoint because we've been leased up in racial things all our lives.

I do not believe in good conscience that if this place was in a white community, you would have taken this long. The unmitigated gall of anybody to come here today and ask you to delay anything one minute is stupidity.

We know that black people in that community have the highest rate of cancer, the highest rate of everything is in that community, and you want to delay another minute? I have been on the RAB board,

the Community Development board, the every -- We have done studied -- that community has been studied in, studied out, studied up, studied down. Now somebody want to do some more studying.

I don't understand. What is the problem? What is the general idea of anybody wanting to delay this project any further? Any second? A millionth of a second is too long for our community to go like this.

I look at it as plain -- if it was white people out there affected by it, something would have been done. If it was in Presidio, it wouldn't have lasted this long. Don't kid yourself. We're not that stupid. We know that we are treated different. This ain't nothing new. Look at your own statistics. Look at the jobs. Your own statistics, white people's statistics, say that black people get less than one half of one percent of the work at the airport. PH2-7

Now, we didn't create that. We don't create all these statistics. We didn't create the fact that we got the highest rate of cancer, the highest rate of every kind of disease you can name. And somebody got the nerve to come up here and say they want to wait another day. That's madness.

We want you and everybody in this City to know that you've got to get going and get in gear and get that thing going and get that place cleaned up so it will stop affecting our community the way it's been doing. I don't understand. What is the problem? I was on the RAB board. I raised so much hell that they disbanded it because they wanted to wait. And I'm on the CDC board. I was on the FEP board, NAACP board, CIC. I've been on every kind of board you can name, and every other day I'm up here again shouting and screaming asking you to move forward, and somebody got the nerve to come up here and say wait a minute.

PH2-7

COMMISSIONER SWEET: Mr. Walker.

MR. CHARLIE WALKER: We want you to move forward; that's all. And please move forward.

COMMISSIONER SWEET: Willie B. Kennedy and then Olin Web.

MS. WILLIE B. KENNEDY: Thank you. My name is Willie B. Kennedy and I'm -- Let's see. I don't know what my titles are these days. I've got several. But anyway, today, I'm a member of the community because I live in the Bayview/Hunters Point community.

I have lived in basically every community,

almost, in this City. But this time, I bought a house and I'm there to stay in the Bayview/Hunters Point, and I like it there. Like one of the -- the young lady that came up before, I like it there, I like the weather, I like the people, I like everything about the Bayview/Hunters Point community.

And I want all of you to know that we are concerned about the environment. We are concerned about the health of the people in the community. But we are also concerned about the economy, and we are concerned about jobs that will become available at the time that -- when we do the shipyard. And I would certainly like -- hate to think today that the delay tactics is to keep the community out of the loop.

PH2-8

I don't know how many of you here remember the Western Addition. When the Western Addition was revitalized, so to speak, they moved everybody out and it took 25 years in order to bring it back in. I would certainly hate to do this. And once they finished it, no one who had lived in that particular community prior to that could come back in because they couldn't afford it.

Now we would certainly hate to see this happen in the Bayview/Hunters Point community. And

we all know that delays cost money. We know that. And -- and to delay would keep -- even if you delay a day, a week, a month or a year, whatever, it costs money. Because the construction cost goes up each day, almost. And in order for us to -- to develop this so it will be affordable for the people of the City -- of the people in the Bayview/Hunters Point, (inaudible) the City and County of San Francisco, we're going to have to move forward and not delay this, not one moment.

PH2-8

So I would urge you not to delay it because we, the citizens -- I think we have spoken here today, even though you've only see a few of us, but I think we represent basically the thinking of the people of the Bayview/Hunters Point community. We want to move forward. We want to see something done there that's going to be constructive and beneficial to the people who live in that community. And I urge you, this afternoon, to go ahead and pass it and forget about the delays. Thank you very much.

COMMISSIONER SWEET: Olin Webb and then Mr. Alex Lantsberg.

MR. OLIN WEBB: Good afternoon. And thank you for giving me the opportunity to speak. My name is Olin Webb. I'm speaking on the NEPA process,

National Environmental Policy Act.

One of the principals in the NEPA process is that environmental, ethnic productivity, harmony, social, economic, and other requirements, and then Section 101 of the NEPA says "Planning and Decision-Making." Then you get to Section 102 where you talk about Environmental Impact Statement.

I don't think it takes a rocket scientist to understand that if you wait 30 days longer to really go over and review the EIR and EIS that it's going to cause any kind of significant delay. You know, I've been in Hunters Point since 1944. I've been waiting for economic development for Bayview/ Hunters Point ever since I was a kid. But right now, I don't see the opportunity for African-Americans to do any kind of development in that shipyard or in my community.

PH2-9

We're all going up here and talk about we want things to go, we want things to happen, but no one seems to try to understand that if you take that (inaudible) from the Human Rights Commission, we're on the bottom. We've been on the bottom ever since I got out of high school. We've been on the bottom ever since I've been in this world, and yet we want to rush into something when no one is taking under

consideration that we need to study this for economic development for African-Americans.

Half of that shipyard should be set aside for African-Americans. No one has guts enough to say that. You done gave the 49ers all of the property out there that was supposed to be partly set aside for us to do some development. When I was a kid, like I keep saying, I had not -- never had the opportunity to develop that community. And we need to put that forward for our young people to come from behind us. PH2-9

Thirty days is not going to hurt anybody for us to review this. But we need to review this situation for development of African-Americans.

Everyone keeps saying that African-Americans are on the bottom, but no one is saying we need to set aside our stuff. I went through the jobs thing with Hunters Point when I was a carpenter. The minute my usefulness wore off, I got fired or laid off. I couldn't afford to buy a house because I didn't have the economic stability to come into owning a house. PH2-10

We need to start looking at what we can do for ourselves and what we can do for our kids that's coming behind us and stop rushing into everything

saying just because we got a little bit right now that that's going to do for us to make our little establishment fine for African-Americans. We're not doing it for us. We're supposed to be doing this for our kids.

My thing is I'm telling everyone here we need to look into economic development for African-Americans. Half of that shipyard should be set aside for African-Americans. You gave the 49ers over 500 acres out there and a hundred million dollars. I went to the Redevelopment Agency and Mr. Kofi Bonner (phonetic) and asked them for 20 million to start an African-American bank out there. They said they didn't have the money, but yet you can give somebody rich a hundred million dollars to start his process, and he can put it in the bank and turn that over to make a billion dollars and then say it's going to cost me 500 million to develop. He's still got a 400 million dollar profit. PH2-10

Let's start looking at what we can do for African-Americans out there. I suffered all my life. I didn't ask to be realigned against. I did not ask to be -- I did not ask for racism that's going on out there. But I am going to ask for things need to change. You're talking about innovative technology.

We need to start changing this and looking at the development for African-Americans so we can have parity. You're talking about parity in everything else, sports and everything, but you're not talking about parity with African-American development. You need to start looking at that.

Thank you.

COMMISSIONER SWEET: I'd like to remind the speakers, too, that we're here to actually discuss the usefulness of this document. We've heard the request for an extension of time. We've heard it several times now. So to that end, I'd like the speakers going forward to remember that we're here to discuss the usefulness of this document, and we'd like to keep comments to that. Thank you. PH2-10

MR. OLIN WEBB: Okay. In that EIR/EIS it does not say anything about the African-American development, and that's part of the NEPA process, the EIR/EIS.

COMMISSIONER SWEET: Mr. Webb, thank you.

MR. OLIN WEBB: So I am speaking to the issue.

COMMISSIONER SWEET: Alex Lantsberg and then Ruth Gravanis.

MR. ALEX LANTSBERG (SAEJ): Good afternoon,

Commissioners. My name is Alex Lantsberg, and I'm the project coordinator and representative of the Southeast Alliance for Environmental Justice, (inaudible) African-Americans, (inaudible) Bayview/Hunters Point based organization that's dedicated to assuring environmental justice for the Bayview/Hunters Point community.

The disposal and reuse of Hunters Point Shipyard is an important part of the community's revitalization, but before I mention some of the concerns, I realize you asked us to keep off this thing, but this is one of our concerns is we haven't had time to really come up with our concerns.

When we asked the Planning Department staff for an extension, here's a quote. The response was, quote, "The goals of timely completion of site remediation and safe and constructive use of the shipyard for civilian uses that will benefit the surrounding community prevented granting of an extension." This is false and dismissive of the public. PH2-11

Cleanup of parcel B is currently proceeding, and there's nothing that would suggest that a 30-day extension of the EIR review period would stop these activities. There has also been no

record of decision for any other parcels other than "A" which has been cleaned up and is set to be delisted off the National Priorities List.

As far as a, quote, "safe and constructive use of the shipyard for civilian uses," this is exactly what we're asking with this public input process. The community must have adequate time to review the effects of this development and insure that we're actually part of this process, not just a spectator or being told what's good and what's bad for us. PH2-11

Our concerns -- Now to get to the actual material for (inaudible). Our concerns presented by the EIR: air quality and traffic, hazardous materials, socio-economic applications on African-American business development and jobs, water and energy use are just some of the things that we are reviewing as part of this process. We will submit more written comments; however, I would like to briefly give you an overview of what stands out.

With transportation, there's simply not an emphasis on transportation, industry (inaudible), and alternative transportation such as biking and skating. Although the Transportation System's Management Plan, TSMP, is discussed at length, the PH2-12

plan relies too much on the words "may" and "could," leaving a little bit too much ambiguous.

A particular concern is that the TSMP is discussed in the nonmitigatable impact section, not as a specific mitigation to control expected increases in traffic. Furthermore, the plan still places too much emphasis on the private automobile as the primary mode of transportation. Increasing capacity in the surrounding intersections to improve the level of service is only going to encourage automobile use. There have been plenty of studies to justify this thing. And delaying -- All it will do is delay the inevitable situation of excessive traffic tie-ups and the resulting air pollution. PH2-12

A first question as to the hazardous material section is who is actually going to monitor and insure that following restrictions are followed once the Hunters Point, HPS, project is moving full steam ahead.

Planning Department staff has already shown with the helipad issue, I'm not sure if you're familiar with this thing, that they will not follow restrictions as they're laid out in the finding of suitability to transfer. There's no reason for us, then, to believe that development restrictions, PH2-13

especially small-scale restrictions, that are not going to immediately pop up and they're not going to be seen immediately unless there's extensive -- extensive review of these things, will be noticed much less followed unless a community-based monitoring program is implemented. This is going to go to -- This leads me to exactly what Olin is saying: Give folks a little bit more of a say in what's going on over there. PH2-13

The analysis of socio-economic impacts is also inadequate. The EIR says that the City's, quote, first source -- that's not a quote -- first source program will educate and provide employment opportunities for local residents. But nothing in the EIR or the redevelopment plan speaks to the creation of opportunities for local African-American business development. PH2-14

Getting people jobs is important, but more important is the creation of opportunities that will allow residents to own businesses and profit from this enormous project that's going to be happening right in our backyard.

And while there's a good discussion of water issues, there's still too much ambiguity. When we spoke of no new sewage with the Mission Bay PH2-15

project, we insisted that an already overburdened sewage treatment plant in an overburdened community should not have a greater load placed on it. Simply because this project is in our backyard does not mean that it's exempt from this concern. PH2-15

Energy continues to be a concern, especially the stages involved of eventually shutting down the Hunters Point power plant. And all in all, although this document is a dramatic improvement over the inadequate thing put out last year, it still has a long way to go. PH2-16

Thank you.

COMMISSIONER SWEET: Ruth Gravanis and then Christine Shirley.

MS. RUTH GRAVANIS (S.F. BayKeeper/Golden Gate Audubon Society): Good afternoon, Commissioners. I'm Ruth Gravanis, and first of all, I want to mention that Michael Lozeau, the executive director of the San Francisco BayKeeper was unable to be here this afternoon, and he asked me to submit some written comments for the record that I don't have time to go into right now.

But in brief, the BayKeeper is pleased to know that the Revised Draft does mention potential environmental consequences of storm water PH2-17

contamination and increased sanitary waste flows. And that's the good part. But there's no attempt in the document to correlate the land-use plan and the infrastructure plans with potential storm water and sanitary waste treatment and management alternatives that might be necessary to address the environmental consequences that are identified. PH2-17

The reuse plan should provide for the open space that may be required to accommodate appropriate environmentally sound treatment technologies.

In addition to the more detailed substandard concerns that are addressed in the memo, the BayKeeper also supports the request for an extension of the written comment period. PH2-18

Now, speaking on behalf of the Golden Gate Audubon Society, we haven't had a chance yet to do a thorough review of the document, but in our first review, we're concerned that the recent wetland (inaudible) and creation proposal produced by Tetra Tech for the Navy is being looked at in isolation from the EIS/EIR, and we think it's very important that these documents be looked at together. PH2-19

One of the possibilities being discussed in the Tetra Tech report is using wetlands as a way of covering up some contaminated mud flats which may not

be a good thing for the community. On the other hand, it may be a successful way to deal with some of the problems that are there. PH2-19

Also, the value and the diversity of the existing wetlands at Hunters Point are minimized in the document. The number and diversity of plants does not appear to be completely mentioned. And also the types of wetlands. Not only do we have tidal salt marshes but we also have seasonal streams and seasonal wetlands for quite a diversity of plant life and great potential for restoration, great potential for environmental education opportunities which need to be further explored. PH2-20

So we, too, ask that we would be allowed to enjoy our holidays without the stress of meeting the current comment deadline.

Thanks.

COMMISSIONER SWEET: Christine Shirley and then Keith Nakatani.

MS. CHRISTINE SHIRLEY (Arc Ecology): Hi, I'm Christine Shirley from Arc Ecology. Good afternoon, Commissioners.

I was very pleased to see that toxics -- the hazardous materials and waste sections of the EIS/EIR were greatly expanded and covered a lot of

the territory that needed to be covered, but I have a few suggestions.

In Section 3.7, the terms "residential and industrial reuse scenarios" are used repeatedly, and some risk ranges, health risk ranges, are given. However, those -- the term "residential and industrial reuse scenarios" is never defined adequately.

I believe that the assumptions that are used in developing those scenarios ought to be reported in the EIS/EIR so that we can be reminded about why the use restrictions will be placed on parcels cleaned up to industrial standards only. PH2-21

We must remember that the shipyard in the areas that are cleaned up to industrial standards will remain encumbered by toxics. And I don't want that forgotten as we move into the future.

I also want to point out that the industrial reuse scenario assumes an eight-hour-per-day, five-days-per-week exposure to site contaminants and that the EIS/EIR should address possible cumulative health effects to people who work at the shipyard and then go home to neighboring 'hoods right outside the gate and may continue to be exposed to similar toxins. PH2-22

I also don't believe the EIS/EIR pays enough attention to residual contamination. That -- By that I mean what's left over after the Navy completes their cleanup. Anticipated residual contamination needs to be described and presented on a three-dimensional map for future reference as the redevelopment proceeds.

The mitigations put forth in Section 4.7 only direct readers to refer to Navy data to determine the location of residual contamination. I can tell you there's a lot of Navy data out there. It's almost impossible to figure out where to start to look at Navy data. So I think the mitigation should be expanded to direct readers into -- to specific documents that describe the residual contamination. And I would start by asking that the Navy provide the City with a GIS, electronic GIS version, of what's left after they leave so that this can be used during the redevelopment process to really hone in on where residual contamination remains. PH2-23

Also, one of the mitigations in section 4.7 states that contractors should immediately stop work in areas contaminated with unknown hazardous materials. I believe this is an inadequate

mitigation because many of the hazardous materials that contractors will run into are not in the form of debris or tanks or something visible. They are invisible. These toxins could be invisible. They can't be smelled yet they could still be dangerous. So some means needs to be developed in the mitigations of discovering these unidentified subsurface hazards so that they don't inadvertently cause problems in the future.

The mitigations also make no mention of the Navy's potential role in addressing the undiscovered contamination. It must be pointed out in the EIS/EIR that the CERCLA record of decision is essentially a cleanup contract between the Navy and the regulators. And that document puts forth very specific requirements for what the Navy's responsible for and what they're not responsible for. PH2-23

The terms of the ROD for all the parcels as they become available need to be included in the EIS/EIR so that when this undiscovered material is -- is discovered, that if the Navy is responsible for the cleanup they can be brought into the conversation in a timely manner. And also so that the City doesn't begin a cleanup that they really don't need to be taking responsibility for.

So mitigation 5 needs to be modified such that the Department of Health Services will consult the appropriate CERCLA record of decision and the Navy before undertaking any additional cleanup during redevelopment. And if contamination falls within the terms of the ROD, the Navy must retain responsibility for that cleanup. PH2-23

COMMISSIONER SWEET: Ms. Shirley --

MS. CHRISTINE SHIRLEY (Arc Ecology): Yes. I have one more point, and that is that --

COMMISSIONER SWEET: You can submit it to us in writing.

MS. CHRISTINE SHIRLEY (Arc Ecology): -- Prop 65 needs to be included in the EIS/EIR. Thank you. PH2-24

COMMISSIONER SWEET: Thank you.

Keith Nakatani and then Eve Bach.

MR. KEITH NAKATANI (Save the Bay): Good afternoon. My name is Keith Nakatani. I'm with Save the Bay.

I'd like to say we appreciate the efforts that have gone into revising the draft EIR, and as speakers have testified to, there is an improvement; however, there are still some issues that need to be that have not been adequately addressed.

We are sensitive to the frustration of those who want to move forward now, but to ensure that the area is properly cleaned up so that people are not continually made sick, the EIR does need to be changed in some areas. That is why a 30-day extension is needed.

As one speaker said, the 30-day extension is not going to adversely impact economic development; however, the extension may positively impact economic development for those who have been previously shut out as well as to ensure better cleanup. PH2-25

I want to preface our substantive comments by saying that we know that the EIR states that it is not intended to assess remediation impacts, that it assesses the impacts of reuse; however, this is a misleading statement because the EIR also acknowledges that cleanup is a critical component of reuse and that property cannot be conveyed unless it is cleaned up to the point that human health and the environment are protected. Therefore, the EIR must also assess the impacts of cleanup. PH2-26

Our substantive comments are also about the impacts on bay water quality, especially concerning hazardous materials and waste. We strongly disagree PH2-27

with the statement regarding parcel "F" that no human health risk assessment is needed because there are no pathways to human exposure from the submerged contaminated sediments. This is completely inaccurate. It is well-known that people regularly fish in the area.

The EIR correctly points out that the primary exposure pathway for fish is ingestion of contaminated prey and incidental ingestion of sediment, and it also says that portions of parcel "F" are characterized by concentrations of chemicals that are generally toxic to aquatic life. Moreover, we know anecdotal evidence shows that people are catching deformed fish. This clearly indicates severe contamination levels. PH2-27

The EIR says that some chemicals such as DDT, PCBs, and Mercury have high biocumulation factors which means that they accumulate and are magnified in the natural food chain. In other words, the higher up you go in the food chain, the higher the level of exposure. Clearly people are being exposed and their health is in jeopardy. Therefore, a human health risk assessment is required.

Regarding contaminated sediment remediation, we find that most of the alternatives

are not acceptable. Two of the proposed remediation alternatives are basically the same. They say that the contaminated sediments should be dredged up and placed in a confined aquatic disposal facility. The only difference between these two remediation proposals is that one would have a wetland constructed on top of it.

As you may know, BCDC has already rejected this proposed remediation strategy for another project at Oyster Point for the Sheerwater project, and the contamination levels at Oyster Point are probably not as high as those at Hunters Point.

PH2-28

Another example is the Port of Oakland's 50-foot dredging project. They would have also liked to take contaminated sediments and to place them in an aquatic environment and then to cap it. Because of the protest of the environmental community, the Port of Oakland has withdrawn this proposal.

Another remediation alternative, BCDC does not look favorably upon and that is capping in place. The EIR says the main environmental concerns of reusing contaminated sediments are the biological effects. That's correct. We disagree with its statement when it says reusing material in an environment that isolates the contaminants from

sensitive biological receptors, meaning disposing in a confined facility, will largely eliminate these concerns. There is no evidence that supports this statement. On the contrary, there is evidence from the project in the Portland area where they take -- where they took contaminated sediments and they disposed of it in an aquatic environment. That project was such a failure that they had to redredge up those sediments at great cost because they were doing tremendous harm to the environment. PH2-28

Basically, the contaminated sediments need to be disposed of in an off-site permanent landfill.

Another one of our concerns is about the storm water runoff impacts. An on-site treatment facility needs to be developed. PH2-29

In closing, I would just urge you to make these changes in the final EIR. Thank you.

COMMISSIONER SWEET: Eve Bach and then Jennifer Clary.

MS. EVE BACH (Arc Ecology): Eve Bach from Arc Ecology, and I know you're a little tired of hearing about the request for the extension so I'll just cover that briefly.

Just to give you some background information, those of us who have been working with PH2-30

the Planning Department had hoped that the review period we had -- based on what we had been told, had hoped that the review period would run before the holidays began.

One of the real complications is that when a document like this comes out, it requires people to just kind of drop everything else they're doing. And that's why the 60 days are so important. It's been -- It's been a very important part of the success of having kind of coordinated participation in -- in the environmental review process by community groups and environmental groups working together to be able to come up with positions that make sense together so that there isn't a bombardment of the people working on the environmental review document to have a lot of incompatible things. And those -- That kind of coordination within the community takes time. And when people are out of town for Christmas right at the end of the period, it just doesn't work.

PH2-30

Now to get on to more substantive issues. Unlike many situations where environmental groups and community groups use the environmental review process to fight a plan, this is really --

COMMISSIONER ANTENORE: You're fading in and out.

MS. EVE BACH (Arc Ecology): Okay. This is really a situation where there is widespread agreement that this is a good plan. The community was involved in developing it. Environmentalists were involved. And there -- there is a general feeling that this is a good plan and that people want to go ahead with it.

The importance of environmental review in the process is to help refine the plan, to make sure that the many benefits that were promised to the community actually materialize and to make sure that there aren't unintended problems that are created in the process.

The linkages between shipyard development and the Bayview/Hunters Point community are very clear in the impacts. The -- The EIS/EIR says that there are both traffic and air quality impacts that they feel cannot be mitigated. One of the issues, of course, is to try and improve mitigation so that they can be mitigated. But let's, just for moving ahead, for the sake of argument, let's assume that they -- that it isn't possible to mitigate them. One of the things that we can do with the environmental review process is at least make sure that the benefits that were promised to the community do take place.

PH2-31

This is an environmental review document for the redevelopment plan. There is not one word in the body of the redevelopment plan that addresses linkages between the people of Bayview/Hunters Point and the job opportunities, the affordable housing opportunities, and the small business opportunities that will take place on the shipyard. There is the opportunity for a good marriage using the environmental review document to make -- to deliver those benefits and also to address the traffic mitigations.

PH2-31

If the Redevelopment Agency uses its position as owner, not as a regulator but as owner, to make sure that there is a preference for those business opportunities, for the jobs, for the affordable housing, for people in Hunters Point/Bayview, for their -- they have preference and access to those opportunities on the base, it will definitely reduce the traffic impacts. And I think it could be done in a way that could be -- could mitigate them to the point where they were -- would no longer be considered nonmitigatable.

That's one example of the kind of thinking we need to go through. My time is up, and I really urge you to not be penny wise and pound foolish on

the time front.

Thank you very much for the opportunity to address you.

COMMISSIONER SWEET: Jennifer Clary and then Charlie Swanson.

MS. JENNIFER CLARY (San Francisco Tomorrow): This reminds me of that scene from "Singing in the Rain" doing their first sound movie and they come in and they have Mr. Maddock (phonetic) sing and they're going "Yes." So I want to apologize to the audience for the interruption in sound.

My name is Jennifer Clary, and I'm on the board of directors of San Francisco Tomorrow and would like to thank the Planning Department for recirculating and revising this document. And there are a lot of improvements, but I still have a lot of problems with the transportation and air quality section. Specifically, there are no tables in this showing current usage or capacity for either MUNI or CalTrains, either for current for the project, for the cumulative use.

PH2-32

None of the mitigation measures for transit or air quality -- or, excuse me. None of the transit mitigation measures are quantified on transit. There is nothing -- The goals of the transportation

management committee are not specific mitigations. They're just kind of "you should do this"; therefore, they can't quantify them. However, you can quantify some of the things that are listed in there. Like, for instance, a shuttle service. If you have so many people coming by CalTrain and if you have a shuttle service that services CalTrain, that will serve how many people? Surely, somewhere along the line you can quantify that. PH2-32

Also, the local hiring initiative which is part of the plan is not quantified in terms of its impact on transportation reduction of some of the impacts and a resulting reduction impact on air quality. And we think that you should go back, and the hiring program, the local hiring, is a mitigation measure. It gives you an added force of law. I think. Maybe I'm wrong. But if you actually put that into the document that a monitoring program, if you monitor the success of the local hiring program, and if you have to have local hiring, 50 percent I think is in the plan, that that has to be done as a mitigation, then you have a little extra teeth in the plan. PH2-33

Another thing I'm interested in is the affordable housing, page 4-60. When you're talking PH2-34

about how the people in the neighborhood are going to be able to afford to live there, you go by housing tracts, 60 percent of the people who live in the neighborhood, in the housing tracts, have less than half of the median income. Their median income is less than half of the median income which is used to determine affordable housing. Affordable housing starts at 60 percent of the median income. And then 40 percent of the population has a median income that's slightly higher than the median. PH2-34

So when we put these numbers together, it's a little hard to figure out exactly how many people in the neighborhood will be able to afford to live in the market rate housing and how many people will be able to afford -- to afford the affordable housing because it seems like it's a very low number to me when you add in those numbers. But it's not quantified well enough.

Again, I apologize for not being well prepared enough. I've been trying to read when on the bus every day, but it weighs 20 pounds, and if MUNI isn't running well, I'm standing up reading it. So it would be nice to have a little extra time to get all of our comments in order.

Thank you.

COMMISSIONER SWEET: And after Mr. Swanson, Willa Sims.

MR. CHARLIE SWANSON (Golden West Studios): Good afternoon, Commissioners. My name is Charlie Swanson, and I represent Golden West Studios. We are a local San Francisco venture, a small business that's been trying to develop film studios in San Francisco at Hunters Point. We have a proposal that's been before the redevelopment board for quite a while.

I want to speak in favor of passing this EIR. I may be naive, but I don't believe that if -- if it passes today or if it passes in one month that the environmental laws will be rebuffed and not used. I'm of the opinion that now, in a month from now, in six months from now, the law of the land, the environmental issues are going to have to be addressed and be taken care of.

And I also -- I've worked in the Hunters Point/Bayview community for most of the last 25 years. I know this community. I really, really love this community. It's got wonderful things and wonderful people there. One of the things about this community is that I don't believe they're going to go away and step away from the issues that they bring up

here if you pass the EIR today or in 30 days or in 60 days.

The 30 days may not make a difference, but it might. I know that it's -- In my business, it has made a difference. While we've been waiting for this to take place, waiting for the master developer to be picked, waiting for the Navy to turn it over, we have had to turn away millions of dollars of revenue that the City could have had from film and video and entertainment clients coming, working in San Francisco, using our services, buying our goods and products and helping us out.

The film industry, entertainment in California is the largest industry we have in the state. The entertainment industry employs more people within the state than any other industry.

The only disappointment I have with the document is that there is no reference to what the film industry could do. There's a list of other things that are here, but it's my belief that if we did a little more concentrating in helping advance the film industry, we could create an anchor industry and a revenue generator for the community, the area, and the City, and one that supports community, local businesses.

PH2-35

So I hope that when this is accepted and we go down the line that the film industry isn't forgotten here because every other city that I know of in the United States is actively pursuing and trying to bring to them the film industry. And it would be a shame if, in San Francisco, the number one location for films, we can't address this issue and benefit from them.

PH2-35

Thank you.

COMMISSIONER SWEET: Willa Sims.

Caroline Washington. And after Ms. Washington, Mike Thomas.

MR. MIKE THOMAS (SAFER/Communities for a Better Environment): Good afternoon. My name is Mike Thomas. I'm with Communities for a Better Environment, a statewide environmental health and justice organization, and a community organizer with the SAFER project which has been organizing low income communities whose health and rights are repeatedly jeopardized by negative environmental impacts in the urban environment.

As an organizer, I've been meeting with folks on the east side of the City for the last four years in Bayview/Hunters Point, lower Potrero Hill, south of Market, outer Mission. Each person that I

talk to, be it if they live in a project, an apartment, a single-family house, a single-room hotel, feel and see the economic cleansing that's happening in our City and in their community, and they understand what the City is trying to do, and that is by pushing them out of the City, their City.

These folks are people of color. The City and the Navy owe it to these communities, which have been neglected and dumped on, to spell out ways that they can economically benefit from the Hunters Point project in order to confront the gentrification that's taking place in their neighborhood. PH2-36

The Hunters Point project is a one-time opportunity to -- opportunity to address the persistent economic, environmental, social problems that residents face. This is -- This is why we have serious concerns about the lack of mitigations, weak and vague mitigations, regarding air, transportation, water resources, utilities, environmental justice, and hazardous waste. And at this time, I'm just going to touch on a few of those, but our written comments will go into more details.

Tens of thousands of people annually use the south basin for water recreation and even for subsistence fishing. Option number 3 under your PH2-37

water resources would actually send partially treated sewage to this area at the amount of 2 million gallons a year. And again, this is in close proximity to where people are beneficially using the bay water. PH2-37

The City's assessment of the Hunters Point storm water system comes to the conclusion that it doesn't meet the City standards. The Navy has classified the sanitary system as poor. Reports indicate that upgrades will cost anywhere between 50 to $250 million to upgrade the system. PH2-38

The Navy needs to pay for the upgrade on the separated system and not place limits at the expense of human health.

With increased traffic and air quality classified as significant negative impact, a strong need -- there is a strong need for a jobs mitigation based on neighborhood preferences to ensure that the 12,000 jobs and the business opportunities are linked to residents. Because for folks that live in the neighborhood, there will not be a need to drive to work. PH2-39

The reuse plan states that 15 percent of affordable -- 15 percent of the housing will be affordable, but that's a tremendously low figure,

especially, again, at the 60,000 [sic] median range. I'm not too sure how many folks in Bayview/Hunters Point can meet that.

A mitigation spelling out housing preferences for families associated with the neighborhood and similar to the Mission Bay agreement with the developer, home ownership must be part of this equation. PH2-39

And finally, Communities for a Better Environment is requesting a one-month extension to review this -- to continue reviewing this report. Not as an attempt to delay or oppose this project; rather, for more time to involve the community, educate the community, and make it a stronger project. Because without a clear policy direction and program, the Bayview/Hunters Point community cannot realistically expect to benefit from this massive City project. PH2-40

Thank you.

COMMISSIONER SWEET: Caroline Washington? Caroline Washington? Isaac Smith? And after Mr. Smith, Seth Curley.

MR. ISAAC SMITH (Communities for a Better Environment): Hello everybody. My name is Isaac Smith. I'm here representing Communities for a

Better Environment and the SAFER youth program. I myself am a youth of San Francisco. I attend Urban Pioneers at McAteer High School, and I've lived in San Francisco all my life.

I have a few concerns about the redevelopment and cleanup of the shipyard and Hunters Point area.

One of them is that the EPA has had this area on their National Priority List since 1985 and they started testing in 1981. It's funny to me that now the redevelopment comes around is now when they want to clean it up when my friends had been living in this neighborhood their whole life and continue to live there. PH2-41

Another one of my concerns is that after the redevelopment comes around, will people be able to still live in the community that live there. I'm basically talking about people of color.

I have friends in the Fillmore. I lived in the Fillmore myself. I saw when redevelopment came there that a lot of my friends couldn't move back because of the pricing of the new homes there. And it would be terrible to see my friends in Hunters Point have to go through the same thing of not being able to live in their neighborhood that their parents PH2-42

have lived in for their whole lives.

Another one of my concerns is jobs, jobs for the youth, jobs for the people of -- for the people of this community. When redevelopment comes around, a lot of times people from other communities, other cities, are hired. And it's -- it's their community. The people that live there, it's their community. They should be hired. They should be working on their community in the redevelopment. They're the ones that need the jobs the most.

PH2-42

I'm just here as a voice for the youth of San Francisco. I feel we need to be heard, and thank you for your time.

COMMISSIONER SWEET: Seth Curley? Arelious Walker? And after Reverend Walker, Barbara Banks.

REVEREND ARELIOUS WALKER (True Hope Church): I'm Arelious Walker, pastor of a church, 950 Gilman, in the Bayview/Hunters Point community.

Let me say at the outset that I think it's time now to move forward with the project. But not a rush to judgment. And what I mean by "rush to judgment," one is, as we all know from the many reports from the newspapers, that breast cancer is the highest, extremely high, in our particular community. Also, asthma and other respiratory

disease.

Now, I live in Bayview/Hunters Point myself as well as pastor of a church there, and I'm concerned about the parishioners that I pastor. And that is why that I think that with moving forward, I agree with that. I want a repetition on that and make sure that's understood. I also agree with some of the speakers that there have been numerous studies -- I served on the first general committee of (inaudible) leadership in the community when Art Agnos appointed some of us to look at that facility (inaudible) and stuff like that, and I remember that that support of the Superfund from the Navy that provided the funds to clean up the Bayview -- cleanup the shipyard. And one of the things at that time, I don't know if it changed, that prior to turning their property over to the City, that the Navy will see to it that it's clean, that it's cleaned up from the toxic waste. I don't know what's happened to that at this point. PH2-43

Secondly, there's another concern I have, is housing. And I'm talking about realistic housing. And I think you heard several people quoted as far as the affordability of that housing. And sometime there is laws and decisions made about affordable PH2-44

housing, but many people in the same economical level cannot even afford affordable housing.

So that's the thing I'm really concerned because I've been pastor in the City about 30 years. Over the last eight or ten years, maybe ten years, I've lost anywhere from 15 to 20 families. They could not -- They cannot afford to live in the City, and they had to go to Antioch, they had to go to various places trying to buy housing.

And as we know, we heard several people talk about the impact on the people in that neighborhood, with the majority of the population, around 58 percent, I understand, is African-American. And African-Americans at this time in the City is on the lower totem pole of everything. I think there should be some consideration in those particular areas. And in many instances, (inaudible), I'm involved socially in that community, and there is promise of the jobs from private industry, sometimes City projects. But when it really comes down to it, the jobs do not materialize.

PH2-44

So since we have the development of Candlestick by the 49ers and real cooperation, we also have the Mission Bay project, we have the light rail project, now this project, I think it's

incumbent upon you that govern the City to make sure that we don't make the same mistakes. I have the confidence that you will do that.

So finally, I'm for the project. Move it forward as quickly, but also making sure that those particular areas is adhered to and see to it that it's done so that we can begin to elevate our condition.

Maybe I will say this if I have time, and I don't know how many minutes I have left -- I have maybe one left -- is I work on the welfare work initiative program. And here again, we can mitigate that particular program with this project if those persons in power would be conscious to make sure that there's (inaudible) left and (inaudible) people can be transferred in those particular areas.

Thank you very much.

COMMISSIONER SWEET: And after Ms. Banks, Jeff Marmer.

MS. BARBARA BANKS (B&C Painting): Yes. Good afternoon, Commissioners. My name is Barbara Banks --

COMMISSIONER SWEET: Can you speak into the microphone, please?

MS. BARBARA BANKS (B&C Painting): My name

is Barbara Banks. I was born and raised in --

Good afternoon. My name is Barbara Banks. I was born and raised in the Bayview/Hunters Point area of San Francisco. I presently own and operate a small business, a paint contracting business, in the Bayview/Hunters Point area, and I feel that the EIR should move along as fast as possible to -- so we can get some master developer that is committed to the community to provide the economic opportunities and housing opportunities that will be available once the site is developed. And that -- And I think it should move forward. PH2-45

COMMISSIONER SWEET: Jeff Marmer, and then Arnold Townsend.

MR. JEFF MARMER (Coalition for Better Wastewater Solution/Alliance for a Clean Waterfront): Yes. Good afternoon, Commissioners. My name is Jeff Marmer. I'm with the Coalition for Better Wastewater Solutions and with the Alliance for a Clean Waterfront, which is a network of a lot of the groups you've heard from today.

We've been concerned about water quality issues, and, in particular, storm water and sewage issues, and, in particular, how all this new development is going to affect the Bayview and the PH2-46

southeast treatment plant. And we feel that there's a huge amount of development coming, as you know. We just finished doing Mission Bay and there's more coming.

And so with Mission Bay, we succeeded in starting the City down a new path that we've been pushing, which is there are a lot of alternative treatment technologies to separate out and reduce the volumes headed in the central plant and treat the storm water to a higher level. And we're still working with them to try to come up with a plan to decentralize that sewage treatment. But the Hunters Point Shipyard offers a huge opportunity here. And I guess what we wanted to get across to you is that, you may know this from reading it, but we want to emphasize what we're dealing with there at Hunters Point is a separated system and all the storm water basically gets no treatment and is full of toxins and heads directly into the bay. And the sewage system is dilapidated. PH2-46

So we are encouraged that in this EIR, the City has finally put in its set of possible options a separated system here in which we could actually separate out the storm water. And there's also even the suggestion that Hunters Point Shipyard could have

its own sewage plant.

So we're very encouraged by that because we believe that's the most environmentally sound, most environmentally just path. And that it could be done in a way where it's -- it's actually, there are ways to do it that don't smell, that are cheaper, that are more aesthetic. PH2-46

And by doing that, we reduce the daily load to the southeast treatment plant, reduce the amount of overflows, and reduce the amount of sewage that's in those overflows. So we're glad to see, we're encouraged to see that those options are in there.

One big piece we see missing is the recycled water. And the Hunters Point Shipyard falls in the reclaimed water zone, and yet there's no call for recycled water. On-site treatment could supply -- the estimate is that there would be .7 million gallons a day of sewage generated. The recycled water master plan that came out about two years ago said that there's a million point seven million gallons of need. PH2-47 So that the whole thing could be recycled, and thus, again, no more headed to the sewage plant. We think that that is environmentally sound, prudent; especially as we're watching MTBE disaster pollute the lot with groundwater.

We're surprised that again in this EIR, the waste water master plan projected that by the year 2010 we would have a 15 percent deficiency in the firm yield, the firm amount of water we can deliver based on what they project the needs by 2010, yet this EIR says by 2020 we have no water problems. So we think it's totally prudent to put back in there a whole plan for recycled water, including a call for dual plumbing. PH2-47

And again we're encouraged that this EIR acknowledges the significant negative effects of the CSOs and the possibilities of all this storm water and sewage headed to the central system. It's projected to be an 11 percent increase in CSOs for the system and Islais Creek in the neighborhood. And even though that is legally permitted, we think it's wrong, in the wrong direction. PH2-48

So we're glad that it acknowledges the problems are significant, the increased problems in beach closings that would happen around there, the increased pollutant load. And it calls for a further assessment, which again, we're encouraged by. And we wanted to let the commissioners know that the EPA has given the City a grant, this is something that we've worked on, to actually study these decentralized

sewage treatments. And we're hoping that will get off the ground very soon and provide the right path for this.

I would emphasize that the one -- besides the recycled water, the other major deficiency is we're having problems in Mission Bay in that land is very tight, and where can we put the sand filters and where can we put any grassy swales and where can we put a treatment facility. And so even though this EIR calls for an option which includes a separated system and possible alternatives, there's no land set aside. There's no amount of wetlands. They have -- They haven't scoped it out, even in the broad sense of it, to make sure that there's enough land. So that's what we're calling for and we want to make sure that's in there and that it's adequate to execute that option and make it called for.

PH2-49

Thank you very much.

COMMISSIONER SWEET: Arnold Townsend. Lefty Gordon? Karen Pierce? And after Ms. Pierce, Brad Benson.

MS. KAREN PIERCE (Bayview/Hunters Point Health and Environmental Assessment Task Force): Good afternoon. I'm Karen Pierce, coordinator of the Bayview/Hunters Point Health and Environmental

Assessment Task Force, and I will be very brief.

I want to request a 30-day extension of the written comment period to allow sufficient time for us to thoroughly review and develop comments on the EIS/EIR. We have not had the opportunity to do that. PH2-50

My program is a collaboration of a number of City agencies, including the Department of Public Health, San Francisco General, UCSF, many residents, environmentalists, nonprofits in Bayview. We did not meet in November, we did not meet in December. We will have a meeting in January at which time we will be able to take a position.

If we don't have this extension, we would not be able to officially respond to this. And in that respect, let me just give you one substantive problem.

Last week, I wasn't able to testify because I was in Boston at a breast cancer clusters workshop. That was attended by activists and researchers and scientists from all over the United States looking at the impact of breast cancer clusters and the efficacy of studying clusters.

One of the recommendations that came out of that was a recommendation to the Office of Women's Health, and through them to the CEC, is to consider

funding some studies on breast -- the relationship between breast cancer and closed military facilities.

As you know, because it's been referenced this afternoon many times, two years ago we learned that Bayview/Hunters Point had the highest breast cancer rate for women under 50 years old in the world. There's a clear relationship there.

All of that is to say that unless there is a cleanup plan that is part of the document and can be assessed along with everything else, this report will remain fatally flawed. PH2-51

Thank you.

COMMISSIONER SWEET: Brad Benson and then Ray Tompkins.

MR. BRAD BENSON: Hi. My name is Brad Benson, and I'm here today representing the Supervisor Tom Ammiano.

President Chinchilla, President Sweet, Commissioners, the Supervisor also requests that you extend the public comment period for the EIS/EIR for the disposal and proposed reuse of Hunters Point Shipyard by one month, until February 5th, 1999, and they can hold a third hearing in the Hunters Point community in January. PH2-52

Given the complexity of the EIS/EIR, it

seems only reasonable not to limit public comment to the holiday season when people's schedules are focused on family and friends.

The future of the shipyard is critical to a strong community, both in terms of economic development and environmental health and safety. It's therefore vital that we make all elements of the community feel that their voices are heard and that their ideas are addressed in the planning documents.

Finally, the Supervisor very much appreciates your hard work on this project. He realizes that both commissioners and members of your staff have invested a great deal of time and energy to reach this point in the process.

Thank you for your consideration.

COMMISSIONER SWEET: Ray Tompkins. And after Mr. Tompkins, Elizabeth Sullivan.

MR. RAY TOMKINS (Bayview/Hunters Point Task Force): Good afternoon, Commissioners. Excuse me for my voice. I have a cold.

I'm a resident of Bayview/Hunters Point. I live at 182 --

MR. JONAS IONAN: State your name for the record.

MR. RAY TOMKINS (Bayview/Hunters Point Task

Force): Raymond Tompkins. And I'm also a member of Heath (phonetic), Environmental Health Task Force. I have the privilege of heading up the research committee that dealt with the breast cancer study and the (inaudible) correlation between breast cancer and the environment, establishing the possibility of the two.

Also, I'm associate researcher at San Francisco University, College of Science and Engineering, and I'm also a lecturer in environmental chemistry and health risk assessment at U.C. Berkeley. I live at 182 Jerrold. I live right across the street from the shipyard.

Right now, parcel "B" is like, what my red brothers would say, Native Americans, pale face people with forked tongue. You can put anything you want on a piece of paper. It is what you do that counts. Come out to my neighborhood right now, on Innes. You'll see a trail of dirt, contaminated soil, from parcel "B" going down past City College. That's in my house. PH2-53

If anyone has studied great (inaudible) from Stanford, contamination and how it spreads, they're not keeping up to the standards that they admitted for cleanup for a very low contaminated area

let alone this.

My colleagues and I at San Francisco State, since I begged for a freebie, since all the work I'm doing is free, Dr. Palmer is just finishing up a grant from NASA in studying the Soviet space station's air using mass spectroscopy. I was co-principal investigator. And (inaudible) to do, I've been a victim of the Point, on air, on standing for VOCs, volatile organic compounds. PH2-53

The Navy, and I was at the RAB meetings to make a presentation. Right now, DDT is out there inside parcel "E." It is also in Yosemite slough, the adjacent property. The next common practice, as my dad had 20 years in the Navy -- I'm a Navy brat. They used to spread it all over the base to kill the mosquitoes. It is there.

DDT, if you have questions, you may read the Scientific America article October '95 explaining xeno estrogens (phonetic). DDT breaks down to DD5. And if you've ever played with a magnifying glass and burned things with it as a kid, same problem. Water will do the same; have the magnification, break the chemical bonds.

Why is this important? With (inaudible) state college of (inaudible) in Dr. Coleman's group

did a house-to-house survey teaching women self-breast examination. Right now, we have cases, women 20, 21, 22, 23, one woman 27 after having five children, losing their breasts. That means as a teenager they're developing breast cancer.

I have a video where I took the kids with me because I need backup. I'm tired of being the only one in a research committee arguing about what direction we should go in terms of treating my child and the residents of Bayview/Hunters Point. I went over to Carver Elementary School. They were a part of our research team and sampling. I gave them black jackets, said "You're the mad scientist. Come on. You can learn this." And one of the fourth graders does geometry in the fourth grade. Imagine what she'll do in junior high. And we went and did air samples with peek (phonetic), undergraduate, graduate students. PH2-54

This is -- I'm sorry; I only have one copy. It's preliminary. I will present you a final copy. This is what we got off of one day in May, and you can see the video so that our methodology is not questioned. We are willing to go to the Supreme Court with this. One day in May, it was raining. Benzene levels, that's the shipyard, the high bar.

These are the other areas we tested in Bayview/Hunters Point. Toluene, known cancer causing agent. Shipyard. Right there at the end of my block, you go down to Jerrold, you hit the fence where it used to be the officer's quarters, make a right. This is off the basketball court. If you could sweep the grass off of it. Xylene as well. All cancer-causing agents. PH2-54

The Navy, as I argued with the good doctor from EPA and the toxicologists, since residents asked me to appear, is that it's make-believe science. Let's make believe we did something for them. And I'll be very brief in summation.

COMMISSIONER SWEET: Actually, Mr. Tompkins. That's your time.

MR. RAY TOMKINS (Bayview/Hunters Point Task Force): What they did is measure only on the shipyard. They have no baseline what's in the neighborhood. This is what's in here. It's called citijustic (phonetic) affect.

Our children are dying. I'm asking for a 30-day review to look at it, a more accountability system because they haven't done it. PH2-55

COMMISSIONER SWEET: Elizabeth Sullivan and then Sophie Maxwell.

MS. ELIZABETH SULLIVAN (Neighborhood Parks Council): Hi. Good afternoon, Commissioners. My name is Elizabeth Sullivan. I'm the program manager of the environmental nonprofit known as the Neighborhood Parks Council. We're a grassroots organizing group. We help neighbors all around San Francisco form groups to support their neighborhood park.

We're really concerned about the EIR in the Bayview Hunters Point Shipyard, and we are here today to lend our voice. We're a coalition of over 55 neighborhood parks groups representing over about 3,000 activists in San Francisco. We'd like to respectfully request that the extension be given to this EIR.

We think that we do need extra time to review this in light of health and safety concerns. The Neighborhood Parks Council is particularly concerned with increased opportunities for recreation in this new area, this new neighborhood of the City, and we feel it's vital that the health and safety concerns still not addressed be addressed before this is approved. Please approve the 30-day extension.

PH2-56

Thank you very much.

COMMISSIONER SWEET: Sophie Maxwell and

then Dwayne Robinson.

SOPHIE MAXWELL (Bayview/Hunters Point PAC): Good afternoon. My name is Sophie Maxwell, and I'm a resident of Bayview/ Hunters Point, and I'm also chairman of the Bayview/Hunters Point PAC. I'm speaking as -- as a resident of Bayview. And that is I -- Whether you extend it or whether you do it now, there's certain things that we have to have done, and that is affordable housing has to be affordable as it relates to the people in the area, in the surrounding area. That's what we mean by affordable housing. We mean that maybe somebody making $15,000 a year can afford to buy a home. Just that simple. PH2-57

We also want to see zero impact on the sewage plant that now exists. Whatever we need to do, we need to go about doing that, if it's in the EIR, EIR -- well, you know what I mean, EIRS, whatever else all that is. If it's in there, whichever way is in there that can make that happen, zero impact, we want to see that. We want to see it in 30 days; we want to see it now; whenever you do it. PH2-58

I think it's very important that we also realize that Bayview/Hunters Point Shipyard is not isolated. It is in a community. That community also

has to see a difference because of the shipyard.

Because of the shipyard, Third Street has to be -- has to have something done to it. It cannot look the same and the shipyard is the most glorious thing in the world. That will not work. Some way, we are going to have to figure out that whoever the developer is has to understand that part of it -- we will be coming to them and talking to them about Third Street. PH2-59

I think it's important that all of these things that we are talking about, all the concerns of the community, all of our health concerns, have to be met. They have to be dealt with. It is incumbent upon the entire City. It is not Bayview/Hunters Point's health problem. It is San Francisco's health problem. It is not Bayview/Hunters Point's sewer problem. It is San Francisco's sewer problem. And the sooner we realize that, the better off we will be. PH2-60

So whenever we do this, these things have to be addressed.

Thank you very much.

COMMISSIONER SWEET: Dwayne Robinson, and then Millard Larkin.

MR. DWAYNE ROBINSON: Good afternoon. My

name is Dwayne Robinson. I'm a merchant, a business owner. I'm an owner of Bayview Barber College. I'm a resident of Bayview/Hunters Point all my life.

One of the things I want to talk about is the economic development of Bayview/Hunters Point. And I'm not talking in terms of, like, giving someone a job for 10 months or 12 months while we do construction. What I'm talking about is the long-term basis. And what I mean by this is in terms of if I send a college student out right there, I'm always telling students, "Go to college, go away, don't worry. When you come back, Bayview is going to look the same." I dare not say that now.

PH2-61

So with this thought, what I'm saying is that whoever gets the construction contract, the economics, the building, from the building of the house to making sure the loan, the whole from the beginning to the end, that we have a part, African-Americans in Bayview/Hunters Point. I'd like for this to be on the record. I'd like for this to be put in the EIR document that we do have a chance. Because I don't think it's fair for anyone just to come over in a community, make some decisions, and no matter what we say right now, these decisions still might go forward.

So I would like for us to think about the long term. I'm not talking like two years. I'm talking about ten years. Ten years of plan of economic development for the youth of Bayview/Hunters Point.

I don't give a kid a job and (inaudible) go get on construction. Get the job. And we know how the process work and (inaudible) the construction jobs so they stay the way they are. We might have attitudes of being not used to working, unemployed, unskilled labor. And what I'm saying is that we should think in terms of, like, whatever the development is, that we include this community.

PH2-61

And it's like the young lady just said, this is not only Bayview/Hunters Point. This is a San Francisco project. So we should think as San Franciscans what we should do for one of our communities. And in terms of this community, we are -- Here's the front page of the new Bay (inaudible). It says, "City launches new jobs program for Bayview/Hunters Point. San Francisco's most economically disadvantaged community participated in a benefit for the City's robust economy."

The point being is that we're saying the economy is booming so fast and so many things are

going to happen, but I think we're still going to be left out of this for some apparent reason. There's not going -- Affirmative Action is gone. What do we have to say, "Look, we're not being inclusive of this community"? Is there anything in the document to say this, in the EIR report? Can this be put in here? Can it be put on record that this can't happen? PH2-61

That's all I have to say today.

MR. MILLARD LARKIN (NAACP): Good afternoon, Commissioners, guests, community. I'm here, my name is Millard Larkin, and I'm speaking on behalf of the NAACP for Mr. Alex Pitcher who is their president.

I have copies of a letter that he asked me to read to you, copies for the entire commission. So I'd like to pass these out.

I'll read this letter to you. It says, "Honorable Hector J. Chinchilla, President. Dear President Hector: The Revised Draft EIR/EIR," [sic] parenthesis, "(the 'new EIR'), provides much more information about the environmental hazards at the shipyard and the remediation program for the site Installation Restoration Program, IRP. PH2-62

"It also looks at ways to cover contaminants and hazards that might remain after the

IRP is complete.

"Finally, the new EIR addresses design development and cleanup in parallel phrases -- phases and provides more complete health and safety measures through the course of the development.

PH2-62

"I support moving the process forward. Respectfully submitted, Alex Pitcher."

Now, I'd like to speak for myself, Millard Larkin, and I'm speaking with respect to having been in Bayview/Hunters Point for the past 20 years, both as a resident and as a community servant.

I've worked in Bayview/Hunters Point as a drug counselor with Bayview/Hunters Point Foundation, so I am aware of the different things that are needed, the different -- the other different social programs, the other social problems that add to the environmental conditions.

I think that in moving the EIR -- in moving this process forward, it does a lot of things. For example, many people in this room understand that the highest rate of breast cancer probably in the United States is right in that particular community. There are a lot of people that stand to gain that don't live in that community or haven't put anything back into that community.

PH2-63

So I think in addressing these issues, when we talk about environment, you do need to look at the things that it caused. So like the previous speakers, I'd like to see it move forward.

PH2-63

Thank you.

COMMISSIONER SWEET: Thank you. I have no other cards from people who'd like to speak to the commission on this item, but is there anyone else in the audience who would like to have a chance to speak to us?

Seeing no one, we're going to declare public testimony on this closed.

And Commissioners, we'll start with the Redevelopment Commission. Commissioner King.

COMMISSIONER KING: No, I'm --

COMMISSIONER SWEET: Commissioner Dunlop.

COMMISSIONER KING: Let someone else do it.

COMMISSIONER DUNLOP: First, I'd like to thank staff. This document is so much more improved from what we saw last year. I think it addresses the issues a lot more thoroughly. I think we have a document here that will possibly make its way to approval.

I do want to recognize some of the concerns that were brought forward. I think one of the things

that came out from a number of the people who came to speak was the issue about transportation and that section being particularly weak. And I also concur with that as far as, you know, bike route. And then I also appreciate the comment of one of the possible mitigations on the weakness could be local hiring as a mitigation measure, and I think that's a really good idea.

It was interesting to hear, there was certainly a lot of debate on the substance of the draft EIR/EIS, but actually more debate just upon length of time that people had to address it, which I think perhaps indicates that there just isn't enough time; that we haven't had enough substantive time to review this document. And I appreciate what Mr. Walker said regarding, you know, we got the report, we've got to start cleaning up this area. And no question about that, we really need to, but we need to do it in a thorough and, you know, proper manner, getting as much input as possible.

The holidays have created, I think, a very large time, you know -- had blocked out a lot of time for the public with the public comment, and I really feel for the best of this project to go forward that we really should extend the public hearing for 30

days that was asked.

Now, of course, I would ask of staff, if there's any feeling about perhaps substantive problems that could come from that action. If there's someone who could address that, the 30-day extension.

COMMISSIONER SWEET: Ms. Gitelman.

MS. HILLARY GITELMAN: Hillary Gitelman, Planning Department staff. (Inaudible) the EIR is on the critical path so that the longer we take to finish the EIR, the longer it will be before the City gets control of the base from the Navy.

That being said, I think a matter of days one way or the other I personally don't think makes that huge a difference. It's up to the Commission whether you wanted to grant 30 days. Maybe some compromise. We've heard compelling testimony on both sides, 30 days and no delay. Maybe there's somewhere in the middle that the Commission could find.

COMMISSIONER SWEET: Commissioner Dunlop, were you --

COMMISSIONER DUNLOP: I appreciate that. And I'd like to hear from my fellow commissioners, although, also, I -- you know, the President Elect Ammiano and Supervisor Yaki also weighed in on 30

days. I think that's something that we should also consider in our deliberations. But I would love to hear from the other commissioners on this.

COMMISSIONER SWEET: Commissioner King.

COMMISSIONER KING: I'm speaking against your recommendation. I think they've had a year now. It's been a year they've been working on it, and (inaudible) had a lot.

You made a very important point. We're dealing with the Navy, and if we keep 30 days, it's going to be another 60, 90 days by the time we get it all redrafted and re-everything else. And I think these people are right. That community is devastated, and they've got to move forward. And I think giving another 30 days, I don't see why.

I think this document has been out and viewing people, working with people for the last thing, when we had the first hearing. We have this document. I know I'm a layman. I know I can't go through all of it, but there are all these lawyers and these other people that maybe can get through it. But I think these people who are talking about it, I think they have enough time. I know Saul very well. He's been out there with that Bayview thing and his involvement for the last -- ever since it's been out

there.

So, you know, I think there can't be a delay, and I think the people are right. I think we've got to move on it. We've had it for over a year now. So I'm certainly in favor of not giving the 30 days.

COMMISSIONER CHINCHILLA: Commissioner, Commissioners, may I suggest a compromise position. Realistically, the holidays, the last two weeks, are basically, you know, time to spend with the family, time to spend relaxing and stuff. And in all fairness, I think that a good -- a reasonable compromise position might be an additional two weeks, the weeks -- the time that's lost on the holidays, and not quite 30 days because I agree with Commissioner King that 30 days could turn into three months in the process.

But perhaps if we go down the middle and split the baby, if you will, on two weeks, that would -- suits everybody's needs. So I would suggest that as a compromise position.

COMMISSIONER SWEET: Commissioner Singh.

COMMISSIONER DARSHAN SINGH: That's a good suggest that we extend it for two weeks, and I make the motion that we extend it for two weeks.

COMMISSIONER KING: I'll second that.

COMMISSIONER SWEET: I have a motion on the floor and a second. Are there any objections?

Okay. Then it's unanimously adopted that we go on for an additional two weeks. I think the date decided --

UNIDENTIFIED SPEAKER: 19th.

MS. HILLARY GITELMAN: That would be the close of business on the 19th.

COMMISSIONER CHINCHILLA: Is that all right with the Planning Commission, two weeks?

COMMISSIONER HILLS: Yeah. I would just like clarification. It's with the understanding that -- that oral comment is closed now and it's only for written comments.

COMMISSIONER CHINCHILLA: That's correct.

COMMISSIONER HILLS: Yeah. That's fine with me.

COMMISSIONER CHINCHILLA: That would be when?

MS. HILLARY GITELMAN: That would be the close of business on January 19th. Oh, I'm sorry. Yes, January 19th. That's a Tuesday.

COMMISSIONER CHINCHILLA: Tuesday? Okay. Everyone will agree to extend the comment period for

written comments until close of business January 19th.

All right. Anything else?

COMMISSIONER SWEET: Any other comments from the redevelopment commissioners? Commissioner Yee, did you have anything?

COMMISSIONER YEE: No, Chairman.

COMMISSIONER SWEET: Commissioner Singh? Okay.

COMMISSIONER CHINCHILLA: Any comments from the Planning Commissioners?

Good document. It's a vast improvement over last year's document. I'm glad to see that the agency cooperated on that.

Okay. If we have nothing else -- We do. I'm sorry. Commissioner Antenore.

COMMISSIONER ANTENORE: I want to thank the president for that compromise position. It makes sense. It's really helpful for everyone.

I was -- In the comments other than the transportation comments, I was particularly impressed by the questions raised by the woman who spoke about the residual contamination issues. And particularly the ability of the City, the public, the construction people, anybody who are going to be utilizing this

site to be able to identify areas of residual contamination so that when the work is going forward that people are doing this with knowledge of what's there. And I thought there really is a good issue about how that information is presented. And it really -- whether it's in the form of the Environmental Impact Report or whether it comes in a separate document, prior to actually commencing work there, there ought to be a clear, readily referable document where anyone affected can see and identify the issues around the residual contamination. And I thought that was an extremely good point that -- that needs some work in some form.

And that I also thought that the point that she made about mitigation measure 5-A around the role of undiscovered contamination and spelling out what the various roles of the agencies involved, including the Navy and the City and so forth, would be with regard to contamination that's discovered after the fact, I thought those were two very important points. And I want to just support that speaker on those.

COMMISSIONER CHINCHILLA: Any other -- Anything else, Commissioners, Planning Commissioners? If not, then we have no further business for the joint commissions. We'll adjourn this special

meeting.

For those that are here for the regular Planning Commission meeting, we will reconvene shortly in Room 428 for our regular meeting.

COMMISSIONER DUNLOP: I move we adjourn the Redevelopment Commission.

COMMISSIONER KING: I second it.

COMMISSIONER SWEET: The meeting of the Redevelopment Commission is adjourned.

(3:43 p.m.)

REPORTER'S CERTIFICATE

I, TERI DARRENOUGUE, the undersigned, do hereby certify that the foregoing proceedings were taken at the time and place therein stated; that the proceedings were reported by me and was thereafter transcribed under my direction into typewriting; and that the foregoing is a true and complete record of said proceedings.

Date: 1/22/99

TERI DARRENOUGUE, CSR #5106

Public Hearing 2, Held at the War Memorial Veteran's Building, December 17, 1998

Response to Comment PH2-1 (Espanola Jackson, Community Member):

Comment noted.

Response to Comment PH2-2 (Dorothy Peterson, Bayview-Hunters Point Restoration Advisory Board):

Comment noted.

Response to Comment PH2-3 (Saul Bloom, ARC Ecology):

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

Response to Comment PH2-4 (Chuck Collins, CWDG Ventures, Inc.):

Comment noted.

Response to Comment PH2-5 (Marsha Pendergrass, Community Member):

Comment noted.

Response to Comment PH2-6 (Marti Buxton, Cattellus Development):

Comment noted.

Response to Comment PH2-7 (Charlie Walker, Community Member):

Comment noted. The remediation of HPS is being conducted under the Installation Restoration Program (IRP) pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and under Navy compliance actions. Site remediation is independent of the EIS.

Response to Comment PH2-8 (Willie B. Kennedy, Community Member):

Comment noted.

Response to Comment PH2-9 (Olin Webb, Community Member):

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

The Proposed Reuse Plan would result in the creation of jobs and the construction of housing. A portion of the new jobs and housing would be reserved for low-income persons and residents of the Bayview-Hunters Point community. In light of these project benefits, no socioeconomic mitigation measures are required. The City/San Francisco Redevelopment Agency are currently in negotiation with a private developer who is expected to oversee development of HPS and implementation of the *Hunters Point Shipyard Redevelopment Plan* (San Francisco Redevelopment Agency, 1997). It is possible

that some form of "local community ownership" (e.g., affordable home ownership) could play a role in this development. It is not possible to say at this point, however, whether or to what extent other forms of local ownership might be part of a negotiated agreement on development, given the likely need to balance potentially complex legal and financial issues raised by such a policy.

Response to Comment PH2-10 (Olin Webb, Community Member):

Redevelopment activities at Hunters Point Shipyard would proceed pursuant to the *Hunters Point Shipyard Redevelopment Plan* (San Francisco Redevelopment Agency, 1997). As permitted under the *Redevelopment Plan* and as is customary for the San Francisco Redevelopment Agency, the San Francisco Redevelopment Agency would enter into a development agreement with a primary developer, selected by the Redevelopment Agency Commission. This agreement includes, as its first goal, the creation of "sustainable economic benefits and jobs for the Bayview-Hunters Point community." The goal is further articulated by the following objectives:

- Build a diverse and economically viable and sustainable community with employment, entrepreneurial, art and educational opportunities for the economic benefit of the Bayview-Hunters Point community.
- Create 6,400 permanent jobs at full build-out of the project.
- Maximize participation of area residents and businesses in the pre-development, development, interim reuse, and environmental remediation of HPS.
- Create and expand economic opportunities for existing area businesses.
- Provide ownership and equity opportunities for area residents and businesses.
- Provide the greatest possible level of education and job training and hiring opportunities for area residents and for partnerships with community residents and businesses throughout all development and long-term management of the project.
- Create small business assistance programs and incubator opportunities with linkages to larger, established businesses.
- Provide for land uses and development projects that are compatible with one another within HPS and with the surrounding neighborhood, during all phases of redevelopment.

The primary developer would be required to prepare and implement development proposals that are consistent with San Francisco Redevelopment Agency goals and objectives including the ones listed above. Any development proposals submitted to the San Francisco Redevelopment Agency by the primary developer would also be reviewed by the HPS Citizens' Advisory Committee (CAC). Further, the primary developer would be required to prepare and implement a Community Benefit Program that relates to the following:

- Permanent and construction jobs, including job training, education and hiring programs consistent with articulated goals and objectives and with applicable San Francisco Redevelopment Agency and City requirements, such as the First Source Hiring and Equal Opportunity programs.
- Investment opportunities for the community.
- Business incubator and entrepreneur opportunities.
- Local ownership opportunities.

Response to Comment PH2-11 (Alex Lantsberg, Southeast Alliance for Environmental Justice):

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

Response to Comment PH2-12 (Alex Lantsberg, Southeast Alliance for Environmental Justice):

The Transportation Management Association (TMA), through the Transportation System Management Plan (TSMP), would work to improve traffic conditions by encouraging alternate forms of transportation. The TSMP includes specific, feasible measures for reducing automobile trips and encouraging transit use. Implementation of the TSMP is expected to reduce traffic and air quality impacts. The proposed TMA is the best form of mitigation that can be required at this early stage of the planning process. The TSMP is required in EIS Section 4.1.2 as mitigation for Significant and Mitigable Impacts 1, 2, and 3. The TSMP is described in Section 4.1.2, subheading "Significant Unmitigable Impact." Please also refer to the response to Comment PH2-32.

While road widening (proposed as mitigation for Significant and Mitigable Impact 2) can encourage automobile use, this tendency must be balanced against the need for lessening congestion and reducing air quality impacts. The Bay Area Air Quality Management District (BAAQMD) recognizes that measures to improve traffic flow and reduce congestion can lessen air quality impacts, but cautions against traffic-inducing effects of increased roadway capacity (BAAQMD impact assessment guidelines, p. 59). The proposed mitigation measures would affect single intersections in a congested urban area where the transportation network has many other capacity constraints. Within this context, the suggested measures would not be expected to induce substantial additional traffic, and the benefit of reduced congestion and air quality impacts in the vicinity would appear to outweigh the incremental increases in capacity.

Response to Comment PH2-13 (Alex Lantsberg, Southeast Alliance for Environmental Justice):

The CERCLA Record of Decision (ROD) will address remediation of the existing contamination to the required cleanup levels and monitoring activities associated with remediation (groundwater monitoring, for example). The CERCLA process also requires enforceable controls to be in place to regulate future uses, if the remedial action approved

by U.S. EPA allows residual chemical constituents to remain at HPS. Such enforceable controls are expected to take the form of environmental covenants recorded against the conveyance documents for the property, which would restrict future uses and provide for regulatory agency enforcement. Compliance with institutional controls contained in the conveyance document would be the responsibility of future property owners. In addition to the CERCLA process, institutional controls required by existing regulations would protect against exposure to residual chemical constituents during redevelopment and reuse.

Response to Comment PH2-14 (Alex Lantsberg, Southeast Alliance for Environmental Justice):

Please refer to response to Comment PH2-10.

Response to Comment PH2-15 (Alex Lantsberg, Southeast Alliance for Environmental Justice):

As stated in EIS Section 4.9.2 under "Less Than Significant Impacts", wastewater flows generated by the Proposed Reuse Plan would be well within the capacity of the City's wastewater treatment system. A one percent increase in total raw wastewater contribution to the treatment plant is a less than significant impact, because it would not adversely affect operation of the plant or quality of treated effluent. Compliance with the RWQCB Bay water quality objectives and U.S. EPA National Ambient Water Quality Criteria would assure that increased discharge of treated effluent would not have significant deleterious effects on receiving waters. Also, please see responses to written comments submitted by the Southeast Alliance for Environmental Justice (Comment Letter P5).

Response to Comment PH2-16 (Alex Lantsberg, Southeast Alliance for Environmental Justice):

Sections 3.14 and 4.14, Energy, have been deleted from this document, as consideration of this issue is outside the scope of the National Environmental Policy Act (NEPA).

Response to Comment PH2-17 (Ruth Gravanis, SF Baykeeper and Golden Gate Audubon Society):

The quantity of storm water discharged at HPS is expected to decline or stay the same in the future due to increased open space and landscaping, which will result in greater rainfall infiltration and less runoff. The quality of storm water discharged is expected to improve in the future, because of the remediation of site soils and conversion of HPS from vacant industrial land to a mixed-use community, as well as implementation of best management practices (BMPs) as required by the National Pollutant Discharge Elimination System (NPDES) General Industrial Permit. For this reason, mitigation measures that provide for additional treatment of storm water discharges have not been identified. Nonetheless, as the EIS and the comment note, the design of proposed storm water system upgrades (Option 1) or replacement (Option 2) could include refinements such as additional storage, treatment, or alternative approaches to the handling of storm water, such as retention and reclamation.

The Proposed Reuse Plan includes about 124 acres (50 hectares [ha]) devoted to open space, 70 acres (28 ha) for research and development, 96 acres (39 ha) for industrial, and 86 acres (34 ha) for maritime industrial uses. While specific users and programs for these areas have not been identified, these areas of HPS could accommodate sand filters, grassy swales, a treatment plant, etc., if such facilities are determined to be compatible with the type of open space use developed and any use restrictions established under the CERCLA program, as well as if such facilities can be funded.

Response to Comment PH2-18 (Ruth Gravanis, SF Baykeeper and Golden Gate Audubon Society):

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

Response to Comment PH2-19 (Ruth Gravanis, SF Baykeeper and Golden Gate Audubon Society):

Dredging sediments and constructing a wetland with some of the material is one remediation alternative being considered for Parcel F. The planning and construction of a mitigated wetland is a complex process from a technical, environmental, and regulatory perspective. It often involves, among other things, a stringent soil testing program, suitability studies, specialized design, and permitting and regulatory oversight by multiple agencies. The final remedy for Parcel F will be determined in consultation with U.S. EPA and the RWQCB and will be documented in the CERCLA ROD for the parcel.

Response to Comment PH2-20 (Ruth Gravanis, SF Baykeeper and Golden Gate Audubon Society):

Wetlands are described in EIS Section 3.13.5. EIS Section 4.13.2 states that "these wetlands, along with the mudflats and aquatic habitats at HPS, nearby Candlestick Point Recreation Area, and Pier 98, provide some of the most valuable habitat for waterfowl and shorebirds along the western shore of the Bay." Please see response to Comment PH2-19.

Response to Comment PH2-21 (Christine Shirley, Arc Ecology):

It is beyond the scope of the EIS to provide extensive details of the human health risk assessments conducted as part of the IRP pursuant to CERCLA regulations. The details of the human health risk assessments for each parcel are available for review at the San Francisco Public Library, Anna E. Waden Branch, 5075 Third Street and at the Main Library at Larkin and Grove Streets.

While residual chemical constituents could remain after the cleanup to risk-based standards is complete, their concentrations would be within levels that are protective of human health and the environment, considering planned reuse.

Response to Comment PH2-22 (Christine Shirley, Arc Ecology):

Please see response to Comment PH2-21 above. The current analysis cannot speculate on the nature of risks in other areas of San Francisco, such as the Bayview-Hunters Point

area. Please refer to EIS Section 5.1.3, subheading "Concurrent Reuse and Remediation," fourth paragraph, for further discussion of this issue.

Response to Comment PH2-23 (Christine Shirley, Arc Ecology):

The measures referred to by the comment require the San Francisco Redevelopment Agency to ensure that future reuse activities, including construction activities undertaken to further reuse objectives, would either avoid residual contamination or be conducted in a manner to prevent impacts from exposure. When construction is proposed, these measures require that all available information sources be reviewed to determine what is known about residual contaminants (i.e., their location, character, concentration, etc.) and that soil and groundwater testing be done to further characterize the contamination if necessary. The measures then require preparation of a site mitigation plan meeting all requirements of Article 20 of the Public Works Code, as well as a Health and Safety Plan in compliance with Occupational Safety and Health Administration (OSHA) requirements.

The review of available information sources regarding potential contamination is a standard pre-development procedure, and developers and their consultants routinely review multiple data bases and reports in the course of site investigations. At HPS, the review of available information would be easier to do if Navy's information were provided in one location and/or made available via a GIS mapping system. While the City could request such a system from Navy in the course of negotiations regarding conveyance of HPS, provision of information in one specific form or another need not be required as mitigation.

Navy acknowledges that property disposal does not terminate Federal Government responsibility for contamination caused by its activities on the property. Section 120(h)(3) of CERCLA places certain restrictions on the conveyance of Federally owned property on which hazardous substances have been stored, released, or disposed of. Generally, Navy must take all remedial action necessary to protect human health and the environment with respect to any hazardous substances on a property before it can convey the property by deed. Under certain circumstances, however, contaminated property can be conveyed by deed before all remedial action has been taken. Section 120(h)(3)(C) of CERCLA sets forth the conditions under which the U.S. EPA Administrator, with the concurrence of the Governor, can defer the requirement of providing a covenant that all necessary remedial action has been taken before the date of conveyance. In such cases, once Navy has completed all necessary remedial action, it must issue a warranty that satisfies the covenant requirement. In any case, when property is conveyed, the grantee receives covenants and indemnifications regarding environmental liability from the Government of the United States or the Department of Defense. These covenants and indemnifications provide for continuing Federal responsibility for contamination resulting from Federal Government activities. The covenant and indemnification requirements that provide for continuing Federal Government responsibility are considered by Navy to be regulatory requirements and therefore not mitigation.

Response to Comment PH2-24 (Christine Shirley, Arc Ecology):

Proposition 65 notification requirements related to residual contamination would be complied with to the extent required by law.

California employers whose employees could have potential exposures to hazardous substances are required to develop a Hazard Communication Program as required by the General Industry Safety Orders, California Administrative Code, Title 8 § 5194.

Response to Comment PH2-25 (Steve Nakatani, Save the Bay):

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

Response to Comment PH2-26 (Steve Nakatani, Save the Bay):

Remediation is being conducted under the IRP pursuant to CERCLA regulations and under other Navy compliance programs. Navy's goal is to remediate HPS to a level protective of human health and the environment consistent with the intended reuse.

Response to Comment PH2-27 (Steve Nakatani, Save the Bay):

Text in the discussion of Parcel F has been revised to acknowledge that there is a potential pathway for human exposure to contaminated sediments in Parcel F through ingestion of contaminated fish. Navy is addressing this issue in consultation with the U.S. Environmental Protection Agency.

Response to Comment PH2-28 (Steve Nakatani, Save the Bay):

The alternatives presented in the October 1998 *Revised* Draft EIS/EIR were summarized from the Parcel F feasibility study (U.S. Navy, 1998d), prepared under the IRP pursuant to CERCLA. The EIS is not a decision-making document for environmental cleanup at HPS. The final remedy for Parcel F will be developed in consultation with U.S. EPA and will be documented in the CERCLA ROD. The comments by Mr. Nakatani (Save the Bay) have been forwarded to the remedial project manager handling the CERCLA actions at HPS.

Response to Comment PH2-29 (Steve Nakatani, Save the Bay):

The commentor's preference for on-site treatment of storm water is noted. Please see the response to Comment P12-5 regarding storm water quality. Refer to EIS Section 4.9 (Water Resources), Proposed Reuse Plan, Mitigation 1 for measures that would eliminate potential increases in CSO volumes.

Response to Comment PH2-30 (Eve Bach, Arc Ecology):

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

Response to Comment PH2-31 (Eve Bach, Arc Ecology):

Refer to response to Comment PH2-10.

Response to Comment PH2-32 (Jennifer Clay, San Francisco Tomorrow):

The TSMP includes specific, feasible measures for reducing automobile trips and encouraging transit use. Implementation of the TSMP is expected to reduce traffic and air quality impacts. The proposed TMA is the best form of mitigation that can be required at this early stage of the planning process.

The elements of the TSMP have been expanded to include the optional elements listed in the October 1998 *Revised* Draft EIS/EIR. See Section 4.1.2, subheading "Significant Unmitigable Impact" for a full description of the TMA.

Response to Comment PH2-33 (Jennifer Clay, San Francisco Tomorrow):

The elements of the TSMP have been expanded to include the optional elements listed in the October 1998 *Revised* Draft EIS/EIR, including local hiring preferences. Refer to responses to Comments PH2-32 and PH2-10.

Response to Comment PH2-34 (Jennifer Clay, San Francisco Tomorrow):

The EIS recognizes that housing affordability is a pervasive problem, not only in the South Bayshore and Bayview-Hunters Point communities, but throughout San Francisco and the entire Bay Area. The data cited in Section 4.6 of the EIS show that 60 percent of the area population live in census tracts where the median household income is less than the City-wide median. Persons eligible for affordable units are those earning 60 percent to 100 percent of the City-wide median. Since the census data show a majority of households earning less than the median, it is reasonable to anticipate that many local residents will qualify to purchase or rent affordable units. Please also see the response to Comment P9-12.

Note that the Proposed Reuse Plan would not displace any existing housing units and is therefore not required to construct new units *as mitigation*. Nonetheless, objectives of the Proposed Reuse Plan include the creation of new housing and the provision of affordable housing. The issue of home ownership achievement goals will be considered by the San Francisco Redevelopment Agency during the next stages of the redevelopment process.

As permitted under the *Hunters Point Shipyard Redevelopment Plan* (San Francisco Redevelopment Agency, 1997) and as is customary for the San Francisco Redevelopment Agency as the City's affordable housing development agency, the San Francisco Redevelopment Agency would enter into a development agreement with a primary developer, selected by the Redevelopment Agency Commission, to ensure that a range of housing opportunities is provided at the Shipyard. This goal is further articulated by the following objectives:

- Develop well-designed new residential areas that assist in meeting a range of housing needs of the greater Bayview-Hunters Point community and the City.

- Develop and implement a permanent affordable housing program that makes available at least 20 percent of all new and rehabilitated housing types to low- and moderate-income households, maximizes the number and level of affordable housing,

and is consistent with the housing needs identified by the Mayor's Office of Housing in cooperation with the San Francisco Redevelopment Agency.

- Provide an appropriate mix of ownership and rental housing with the maximum number of units at the lowest possible price.

Any development proposals submitted to the San Francisco Redevelopment Agency by the primary developer would be reviewed by the HPS CAC. Along with preparing and implementing development proposals that are consistent with San Francisco Redevelopment Agency goals and objectives, including the ones listed above, the primary developer would be required to prepare and implement a Community Benefit Program that relates to affordable housing, including a description of the number and size of units, phasing and linkage principles, anticipated timing of availability, price range, and levels of affordability.

Response to Comment PH2-35 (Charlie Swanson, Golden West Studios):

Motion picture production is listed in Section 2.2 of the EIS as a component of the "industrial" potential land use category.

Response to Comment PH2-36 (Mike Thomas, Communities for a Better Environment):

Please refer to responses to Comments PH2-10 and PH2-34.

Response to Comment PH2-37 (Mike Thomas, Communities for a Better Environment):

CSOs consist of partially treated storm water and sewage that are discharged to the Bay in rainy weather on average one to ten times per year, depending on location. With implementation of Mitigation 1 in EIS Section 4.9, Water Quality, the number of annual CSO discharges would not change as a result of development at HPS, and the increased volume of the discharges would be negligible (0.6 million gallons per year, or a 0.07 percent increase from existing volumes). CSO discharges are one disadvantage of the City's combined sewer system, which also has its advantages, since the combined system allows the City to treat most storm water discharges far in excess of other jurisdictions around the Bay. While the City continues to study ways to reduce CSO discharges, they are an accepted feature of the City's combined sewer system, which operates under valid permits from the RWQCB. Please also see the response to Comment P13-3.

Response to Comment PH2-38 (Mike Thomas, Communities for a Better Environment):

Apportionment of responsibility for costs of infrastructure improvements is outside of the scope of the EIS.

Response to Comment PH2-39 (Mike Thomas, Communities for a Better Environment):

Please refer to the response to Comment PH2-34.

Response to Comment PH2-40 (Mike Thomas, Communities for a Better Environment):

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public Comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the Revised Draft EIS/EIR.

Response to Comment PH2-41 (Isaac Smith, Communities for a Better Environment):

HPS was placed on the National Priorities List (NPL) in 1989. Evaluation of site contamination and remedial alternatives began shortly thereafter. Cleanup has not been deferred as suggested by the commentor.

Response to Comment PH2-42 (Isaac Smith, Communities for a Better Environment):

Please refer to the response to Comment PH2-10 and PH2-34.

Response to Comment PH2-43 (Reverend Arelious Walker, True Hope Church):

Navy's goal is to remediate HPS to a level that is protective of human health and the environment, considering planned reuse.

Response to Comment PH2-44 (Reverend Arelious Walker, True Hope Church):

Please refer to responses to Comments PH2-10 and PH2-34.

Response to Comment PH2-45 (Barbara Banks, B&C Painting):

Please refer to responses to Comments PH2-10 and PH2-34.

Response to Comment PH2-46 (Jeff Marmer, Coalition for Better Wastewater Solutions and Alliance for a Clean Waterfront):

Options for upgrading the HPS sewer system and potential impacts on the Southeast Water Pollution Control Plant (SEWPCP) are addressed in EIS Section 4.9.2. On-site treatment of storm water and sanitary sewage, while not precluded under the Proposed Reuse Plan, have not been proposed as mitigation. This is because the quality of storm water discharges is expected to improve over time, and the incremental flows of increased sanitary sewage from new employees and residents at HPS would not be considered a significant impact.

Response to Comment PH2-47 (Jeff Marmer, Coalition for Better Wastewater Solutions and Alliance for a Clean Waterfront):

When water demand exceeds the Firm Delivery Yield, the demand could still be met, but the demand would exceed the sustainable yield over the long term. Therefore, the City would ration water during critically dry periods (Carlin, 1999). Projections indicate that potable water supply would meet the City's needs until 2020, and that water needs for the Proposed Reuse Plan would represent a small percentage of the City's water demand.

HPS is within the east side reclaimed water use area designated by Section 1209 of the Reclaimed Water Use Ordinance (approved November 7, 1991), which added Article 22 to Part II, Chapter X of the San Francisco Municipal Code (Public Works Code). The ordinance requires non-residential projects over 40,000 square feet that require a site permit, building permit, or other authorization, and are located within this area, to provide for the construction and operation of a reclaimed water system for the transmission of reclaimed water within buildings and structures. That is, the building would need to be designed with separate plumbing to service uses that could employ reclaimed water (e.g., toilets). The ordinance also requires that owners, operators, or managers of all such development projects register their project with the Water

Department, which would then issue a certificate of intention to use reclaimed water. Reclaimed water would have to be used unless the Water Department issued a certificate exempting compliance because reclaimed water was not available, an alternative water supply was to be used, or the sponsor had shown that the use of reclaimed water was not appropriate. Additional requirements of the ordinance affect projects incorporating landscaped areas greater than 10,000 square feet. The appropriate use of reclaimed water, when it becomes available, would reduce potable water consumption in the area. Please also see the response to Comment P16-7.

Response to Comment PH2-48 (Jeff Marmer, Coalition for Better Wastewater Solutions and Alliance for a Clean Waterfront):

Please refer to the response to Comment PH2-37.

Response to Comment PH2-49:

Please refer to the response to Comment PH2-17.

Response to Comment PH2-50 (Karen Pierce, Bayview-Hunters Point Health and Environmental Assessment Task Force):

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

Response to Comment PH2-51 (Karen Pierce, Bayview-Hunters Point Health and Environmental Assessment Task Force):

Remediation is being conducted under the IRP pursuant to CERCLA and under other Navy compliance programs. As stated in EIS Section 3.7, Navy's goal is remediate HPS to a level protective of human health and the environment, consistent with the intended reuse. EIS Section 3.7 describes existing contamination, references source documents and applicable laws governing the remediation process, and documents potential risk based on present (unremediated) conditions. The remediation program is a separate action from property disposal and implementation of the Proposed Reuse Plan. Questions and comments on the remediation should be directed to the IRP.

Response to Comment PH2-52 (Brad Benson, on behalf of Supervisor Tom Ammiano):

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR. The Redevelopment Agency and Planning Commissioners did not schedule a third public hearing.

Response to Comment PH2-53 (Ray Thompkins, Bayview-Hunters Point Task Force):

Please refer to response to Comment PH2-51 and P11-9.

Response to Comment PH2-54 (Ray Thompkins, Bayview-Hunters Point Task Force):

The report mentioned by the commentor has not been received.

Response to Comment PH2-55 (Ray Thompkins, Bayview-Hunters Point Task Force):

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

Response to Comment PH2-56 (Elizabeth Sullivan, Neighborhood Parks Council):

The Redevelopment Agency Commissioners and the Planning Department Commissioners extended the public comment period on the EIR to January 19, 1999, at the December 17, 1998 public meeting on the *Revised* Draft EIS/EIR.

The Reuse Plan includes about 124 acres (50 ha) devoted to open space use. Programming of these areas has not yet been done, so specific opportunities for recreation have not yet been identified. Please see mitigations in Section 4.7, along with descriptions of institutional controls contained in existing regulations, which protect against unacceptable risk from contamination during reuse.

Response to Comment PH2-57 (Sophie Maxwell, Bayview-Hunters Point PAC):

Please refer to response to Comment PH2-34.

Response to Comment PH2-58 (Sophie Maxwell, Bayview-Hunters Point PAC):

Reuse of HPS is expected to result in an incremental increase in sanitary sewage that is directly related to new employees and residents. The increase in sanitary sewage would result in an incremental increase in CSO volumes and would not change the average annual number of CSO events along the southern waterfront. This average, as established by the City's permit from the RWQCB, is one per year in the HPS area, and 10 per year elsewhere on the southern waterfront. Averaging is done over an extended period (about 80 years of rainfall data), and in some years the number of overflows is more or less than the average.

As explained in EIS Section 3.9, Water Quality, existing CSO discharges can affect beneficial uses of the Bay in the project area, most notably by forcing the closure of beaches where water-contact recreation is permitted (at Candlestick Point). There is no evidence that the incremental increase in CSO volumes projected as a result of reuse at HPS would have a material effect on this existing situation.

Response to Comment PH2-59 (Sophie Maxwell, Bayview-Hunters Point PAC):

The appearance of Third Street in the vicinity of HPS is expected to improve in the future due to implementation of the Third Street Light Rail Project and to revitalization efforts being considered by the San Francisco Redevelopment Agency and the Bayview-Hunters Point Project Area Committee as part of ongoing planning for the greater Bayview-Hunters Point neighborhood. At the present time, reuse of HPS is not expected to affect the appearance of surrounding areas, except to the extent that mitigation provided in Section 4.1 (Transportation, Traffic, and Circulation) results in improvements to area streets and intersections.

Response to Comment PH2-60 (Sophie Maxwell, Bayview-Hunters Point PAC):

Comment noted.

Response to Comment PH2-61 (Dwayne Robinson, Community Member):

Please refer to Comment PH2-10.

Response to Comment PH2-62 (Millard Larkin, National Association for the Advancement of Colored People):

Comment noted.

Response to Comment PH2-63 (Millard Larkin, National Association for the Advancement of Colored People):

Comment noted.

Responses to comments by the Commissioners are not included.

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