

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

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September 30, 2011

TO: Commissioners and Alternates

FROM: Will Travis, Executive Director (415/352-3653 travis@bcdc.ca.gov)
Linda Scourtis, Coastal Planner (415/352-3644 lindas@bcdc.ca.gov)

SUBJECT: Staff Report, Preliminary Recommendation and Environmental Assessment on Proposed Bay Plan Amendment No. 2-11 to Delete the Port Priority Use Area Designation at the Hunters Point Naval Shipyard in San Francisco
(For Commission consideration on November 3, 2011)

Preliminary Staff Recommendation

The staff preliminarily recommends that the Commission amend the *San Francisco Bay Area Seaport Plan* and *San Francisco Bay Plan* as follows:

1. Delete the port priority use area and marine terminal designations from the Hunters Point Naval Shipyard;
2. Revise Commission Resolution 16 to delete Item No. 81, Hunters Point Naval Reservation (Port); and
3. Make necessary findings regarding environmental impacts outlined in the Environmental Assessment.

Staff Report

Reason for the Proposed Amendment. The Redevelopment Agency of the City and County of San Francisco ("SFRA") has applied to the Commission to amend the *San Francisco Bay Plan* ("Bay Plan") and the *San Francisco Bay Area Seaport Plan* ("Seaport Plan") to delete the port priority use area designation from the Hunters Point Shipyard ("Shipyard"), and make conforming changes to the Bay Plan and the Seaport Plan maps, map notes, policies and tables.

The removal of the priority use area designation area will facilitate the San Francisco redevelopment project at the Shipyard. Removal of the designation is requested because (1) the project's planned and City-approved uses within the area designated for port priority use, including, but not limited to waterfront promenade, multi-use lawns, waterfront recreation areas, and Bay naturalized landscape, are inconsistent with the uses included in the designation; and (2) there is no longer any need to reserve this site for port priority use.

The recently approved uses for this area as part of the redevelopment of the Shipyard were based on years of extensive planning and outreach that included more than 250 public meetings in coordination with the City of San Francisco, surrounding Bayview-Hunters Point community, and, for environmental remediation, the U.S. Navy.

Background. The Seaport Plan designates port priority use areas at the five Bay Area ports and other sites that have the potential to be developed for port purposes in the future. Within the port priority use areas, marine terminals are designated for receiving and shipping either containerized or bulk cargoes.¹ The amount of land designated in the Seaport Plan for marine

¹ *Containerized Cargo* is general cargo packed in standard size weather tight boxes 20-40 feet in length. Cargo remains in container from origin to destination. *Bulk Cargo* refers generally to non-container cargo.



terminal use is based on a forecast of the ocean-going cargo demand expected in the Bay Area through the year 2020 in combination with the expected capacity of designated terminals to handle the projected cargo. The recently revised forecast² for regional break bulk cargo (including steel) projects 91,747 metric tons in 2020 and 109,041 metric tons in 2030. The Seaport Plan currently designates a regional capacity of 613,200 metric tons at three locations: an active berth in the Port of Redwood City (51,200 metric tons); 4 inactive berths in the Port of San Francisco (312,000 metric tons); and 2 future berths in the Shipyard (250,000 metric tons).

The Seaport Plan states that BCDC and MTC should consider amending the Seaport Plan when “a property owner, local government, or government agency requests an amendment to the Plan.”³ The portions of the Shipyard that are the subject of this amendment proposal are currently owned by the federal government, and pursuant to a 2004 Conveyance Agreement, will be transferred to SFRA.⁴

The Navy Shipyard was closed in 1974 and included on the Department of Defense’s 1991 Base Realignment and Closure list.⁵ The Shipyard redevelopment has been the subject of years of extensive planning and public outreach, including over 250 public meetings. These efforts culminated in approval by the San Francisco Board of Supervisors on August 3, 2010, of amendments to the San Francisco City and County General Plan, San Francisco Municipal Planning Code and Zoning Map, the Bayview-Hunters Point Redevelopment Plan, the Hunters Point Shipyard Redevelopment Plan, the Candlestick Point/Hunters Point Subdivision Code, and the San Francisco Municipal Health, Public Works, and Building Codes to implement the Candlestick Point-Hunters Point Shipyard Phase II project.

Most of the land within the Port Priority area was part of an industrial support area used for shipping, ship repair, and office and commercial activities. Portions of the area were also used by the National Radiological Defense Laboratory (NRDL). Approximately 85 percent of the ground surface is covered by pavement and buildings. Chemical contaminants detected in the soil include PCBs and petroleum hydrocarbons (diesel and motor oil), and metals. Diesel and motor oil were also detected in groundwater. Elevated concentrations of lead in soil were detected in several areas. Arsenic and beryllium were detected in both soil and groundwater. Other metals found in serpentinite-derived fill materials, such as arsenic, chromium, nickel, and manganese, were also detected throughout the parcel in soil and/or groundwater.

Remediation activities implemented to date include the removal of PCB-contaminated soil; removal of underground storage tanks (USTs) and associated pipelines; collection and removal of sandblast waste; excavation of radiologically contaminated soil; and removal of contaminated sediment from storm drain lines. The Navy is proposing the excavation and off-site disposal of contaminated soils and installing soil covers; treating groundwater at specific locations by injecting chemicals or biological nutrients to break down the chemicals, along with groundwater monitoring; continuing the removal of radiologically contaminated building materials and soils. Institutional Controls (ICs) will be used to implement land use restrictions to limit potential exposure of future users to hazardous substances present in and to ensure the integrity of the remedial actions.

² 2011 Bulk Cargo Forecast Update. The Tioga Group, Inc. September 2011.

³ Seaport Plan. Implementing the Seaport Plan, page 48.

⁴ BCDC letter to Sheppard, Mullin, Richter & Hampton LLP, August 31, 2009, found that the conveyance agreement with the Navy provides the SFRA sufficient legal interest in the underlying property to apply for Commission permits and plan amendments.

⁵ Other than a police department facility in Building 606, the sole use at the Shipyard is approximately 225,000 square feet of artist studio space located in Shipyard Buildings 101, 103, 104, 110, 115, 116, 117, and 125. With the exception of Building 101, these existing buildings would be demolished. New studios in a renovated Building 101 and other new buildings, including an Art Center, would provide space dedicated for artists and arts-related uses of 255,000 square feet.

Proposed Non-port Uses. As approved by the City, the Candlestick Point/Hunters Point Shipyard Phase II project comprises two primary areas: the 421-acre Hunters Point Shipyard Phase II site and the 281-acre Candlestick Point site. Overall, the proposed project would involve the phased development (through 2032) of two currently separate sites that would ultimately function as one integrated area. The proposed project, as approved, would include: (a) 10,500 residential units, approximately 32 percent of which (3,345) will be offered at below market rates, (b) approximately 327 to 336 acres of new and improved public parks and open space, (c) 885,000 square feet of regional and neighborhood-serving retail space, (d) 255,000 square feet of new and renovated studio space for Shipyard artists, including an arts education center within a new “Arts District” supporting the vibrant artist community, (e) 2,650,000 square feet of commercial, light industrial, research and development and office space, including space for the United Nations Global Compact Center, (f) 100,000 square feet of community uses, (g) new public and community facilities on the Shipyard and Candlestick Point, (h) improved land and supporting infrastructure for a new football stadium for the San Francisco 49ers, including necessary parking areas and transportation improvements, or alternative uses that either shift some residential uses from Candlestick Point to the Shipyard and expand research and development uses by up to 2,500,000 square feet on some of the areas of the Shipyard currently reserved for stadium uses, (i) a 10,000 seat arena on Candlestick Point, (j) a hotel, (k) a 300-slip marina, and (l) a bicycle and pedestrian bridge over Yosemite Slough that can be used for game-day automobile travel, if the stadium is constructed.

Figures 4, 5 and 6 show the planned uses within the port priority use area and two variants, if the planned stadium is not built. For the stadium plan (Figure 4), 38 acres of shoreline open space, 30.6 acres of dual-use sports fields/lawn and 4.8 acres of roadway are planned within and adjacent to the port priority use area. The dual-use sports fields/lawn would be used as parking for the adjacent stadium on game days (approximately 12 per year) and for other stadium events (approximately 20 per year). The Board of Supervisors also approved two alternative uses at the proposed stadium site that would be allowed if the 49ers decide not to avail themselves of the Shipyard site. Variant 1 (the “R&D Variant,” Figure 5) provides for a research and development use at the stadium site. The proposed uses within and adjacent to the port priority use area designation are 66.2 acres of shoreline open space, 4.1 acres of research and development and parking uses, and 3.1 acres of roadways. Variant 2A (the “Housing/R&D Variant,” Figure 6) provides for a mix of housing and research and development at the stadium site. Proposed uses within and adjacent to the port priority use area designation are 65.8 acres of shoreline open space, 3.9 acres of residential uses, and 3.7 acres of roadway.

Figure 4

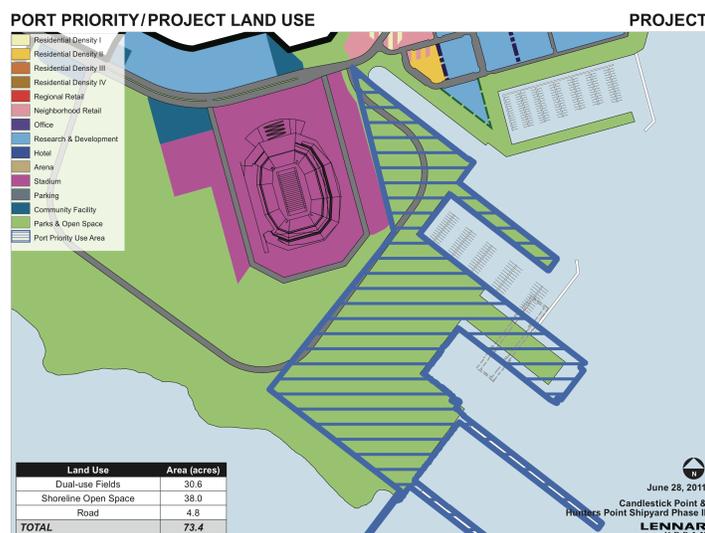


Figure 5

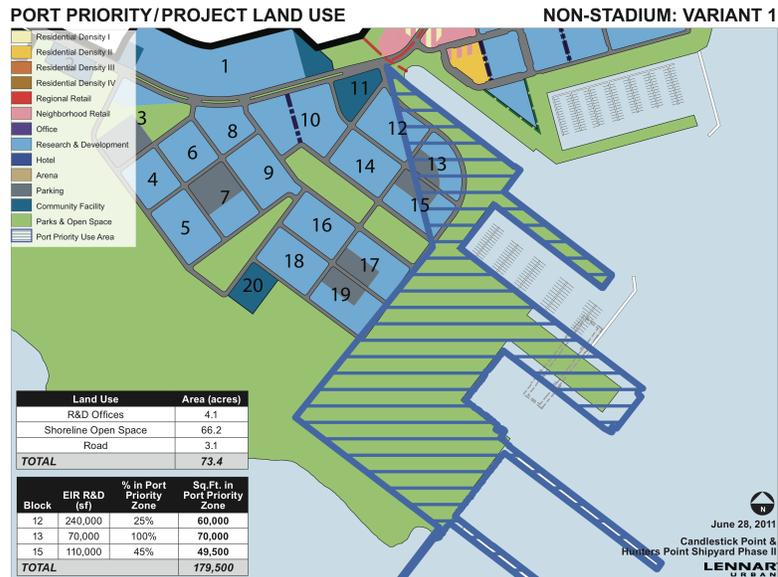
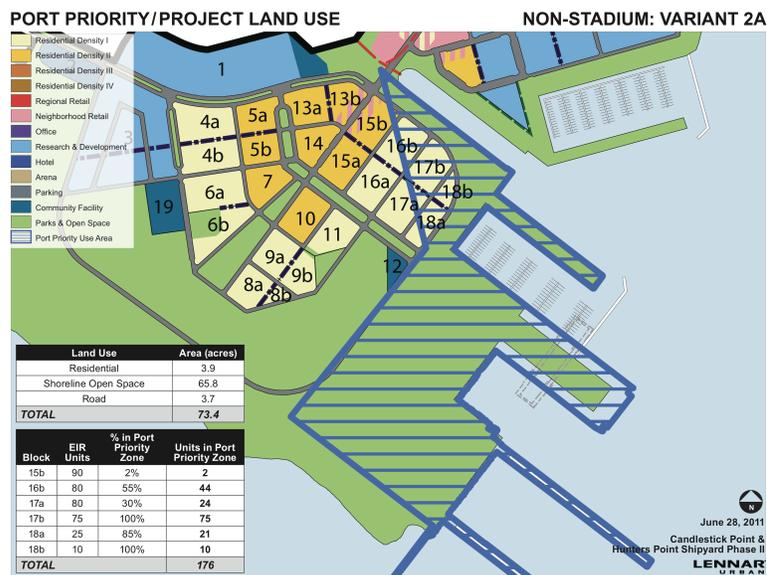


Figure 6



Because the uses approved in the proposed project or either of the two variants are inconsistent with the port priority use area designation, SFRA has requested that the designation be removed from the Shipyard. The area is described in the Seaport Plan as the location of a future two-berth break bulk terminal with an assigned 2020 cargo throughput capability of 250,000 metric tons.

Staff Analysis

Break Bulk Cargo⁶ Forecast and Actual Demand. The Seaport Plan states, in part, that “deletion of port priority use...designations [from the Seaport Plan] should not occur unless...the deletion does not detract from the regional capability to meet the projected growth in cargo.”⁷ The Seaport Plan further provides that a “proposed amendment to the Seaport Plan should be reviewed first by the Seaport Planning Advisory Committee, which should then forward its recommendations to BCDC and MTC.”⁸

During its July 7, 2011 meeting, the Commission referred the proposed Seaport Plan amendment to the Seaport Planning Advisory Committee (SPAC) for its review. In order to recommend the proposed deletion, the SPAC must find that the forecast break bulk cargo volume could be handled at alternative designated sites. To provide current information for the SPAC’s reference in forming its recommendation to the Commission, BCDC contracted with The Tioga Group, Inc., to update the regional bulk cargo forecast. Regional 2020 cargo volumes used in the Seaport Plan were originally forecast in 1988, which at that time anticipated a total of 1,146,000 metric tons of break bulk cargo throughout the region by 2020. To handle this cargo, the 1988 Seaport Plan designated port priority use areas with 1,109,200 metric tons of break bulk annually. During the Seaport Plan update in 1996, it was recognized that the bulk cargo (including break bulk) forecast would likely need to be revised.

Annual cargo monitoring conducted since the mid-1990s has shown that break bulk cargo volume has fallen well below the levels projected. Since 1994, the amount of break bulk cargo (not including steel) handled at Bay Area ports has been consistently below 100,000 metric tons per year, generally falling below 50,000 metric tons. Over the past nine years since the previous update of the bulk cargo forecast, break bulk cargo has ranged between 24 and less than one percent of the projected volume, with the most recent five years falling to a nearly negligible level.

In 2002, the 2020 forecast for break bulk was revised downward to 448,000 metric tons, and the 2003 Seaport Plan designated priority use areas to handle 613,2000 metric tons. The recently revised break bulk forecast lowers the annual 2020 projection from nearly 473,000 metric tons to 91,747 metric tons. Commodities formerly transported as break bulk cargo have shifted into containers, to the point where the only break bulk cargo (as defined in the bulk cargo forecast update) remaining in the Bay Area are imports of steel and minor amounts of miscellaneous break bulk. When steel is included, 2010 saw a volume of 21,286 metric tons at Bay Area ports; when steel is not counted as break bulk but neo-bulk cargo, as in the Seaport Plan, the volume falls to 912 metric tons of miscellaneous cargo. The 2002 Seaport Plan bulk forecast is compared to the 2011 updated projections in the table below. Note the dramatic drop in the break bulk projection.

CARGO TYPE	2020 SEAPORT PLAN FORECAST IN METRIC TONS (2002)	UPDATED PROJECTIONS FOR 2020 IN METRIC TONS (2011)
Break bulk (including steel)	448,000	91,747
Neo-bulk	497,000	574,082
Dry bulk	6,821,390	6,124,239
Liquid bulk	492,700	895,516

⁶ Break bulk cargo is cargo handled in individually packaged units.

⁷ San Francisco Bay Area Seaport Plan. Cargo Forecast Policy 4, page 7.

⁸ Seaport Plan, Implementation Policy, p. 47.

Break Bulk Cargo Capacity. Seaport Plan, Hunters Point policy 2 states, in part, “[that Hunters Point]...should remain designated for port priority use and future development of two break bulk berths” (yielding a total 250,000 metric tons handling capability). Determining whether sufficient break bulk cargo capacity will remain without a future terminal at Hunters Point requires an evaluation of the remaining regional break bulk capacity that will be available to meet the projected demand.

As shown above, the revised annual break bulk cargo volume, including steel, is projected to reach 91,747 metric tons in 2020. The table below lists the sites designated in the Seaport Plan for break bulk cargo and their expected capacity in 2020.

It should be noted that the pier identified for future break bulk use in San Francisco by the Seaport Plan, Pier 50, is used by the Port as its maintenance facility and does not handle cargo; however, break bulk cargo has continuously been processed at Pier 80, an inactive container facility, where miscellaneous cargo arrives with larger volumes of steel (and, formerly, newsprint and lumber). Some break bulk cargo previously was handled at other port locations, including Oakland, where it arrived as miscellaneous cargo in the holds of container ships. This alternate capacity remains available for potential shipments of break bulk commodities, augmenting the designated capacity listed in the table below.

LOCATION	2020 BREAK BULK CARGO CAPACITY IN METRIC TONS	
	Seaport Plan 2020 capacity	Break bulk capacity with proposed deletion
Redwood City	51,200	51,200
San Francisco	312,000	312,000
Hunters Point	250,000	0
Total break bulk capacity	613,200	363,000
Surplus break bulk capacity	-	271,453

Conclusions. Seaport Planning Advisory Committee members considered the effect on the regional capacity of removing the future cargo throughput from Hunters Point, and unanimously recommended that the Commission adopt the proposed amendment to delete the port priority use area at the Shipyard.

Removal of the designation will not affect the goals of the McAteer-Petris Act, the Bay Plan or the Seaport Plan of reserving adequate and suitable areas for maritime port use. The Seaport Plan designated the Shipyard as one of three areas to process break bulk cargo, which has a revised forecast of 91,747 metric tons by 2020 and 109,041 tons (including steel) expected in 2030.⁹ The projected 2030 capacity is more than twice the expected cargo volume.

The staff believes that the proposed deletion will not detract from the capability of the Bay Area to handle growth in break bulk cargo. Removal of the future throughput capability called for in the Shipyard designation would leave more than 363,200 metric tons of throughput capability designated in the region, which exceeds the actual volume of break bulk cargo and the volume expected based on industry trends. Therefore, the actual and future volumes could easily be handled by the remaining designated facilities, precluding the need for Bay fill to create new break bulk terminals.

⁹ The Tioga Group, Inc. September 2011.

Preliminary Recommended Plan Changes

Summary of Proposed Amendment. The proposed amendment of the Bay Plan and the Seaport Plan would delete the port priority use area and marine terminal designations within the Hunters Point Shipyard. Bay Plan Map 5 would be revised to delete the port priority use designation from the Shipyard, as well as the reference to the Seaport Plan in Policy 22 of Map 5.

Bay Plan. The staff preliminarily recommends the Commission amend the *San Francisco Bay Plan* by:

1. Deleting the port priority use area designation at the Shipyard in San Francisco and revising Bay Plan Map 5, as shown in Figure 1 below;
2. Deleting the Bay Plan Map 5 Policy 22 reference to the Seaport Plan, as shown by the struck-through text below:

~~“Hunters Point—See Seaport Plan. Develop shoreline park and integrate with Candlestick Point State Recreation Area, consistent with San Francisco redevelopment plan. Potential water trail camping site. Some fill may be needed.”~~



Seaport Plan. The staff also preliminary recommends the Commission amend the *San Francisco Bay Area Seaport Plan* by:

3. Deleting the Seaport Plan Hunters Point Naval Shipyard policy section (pages 40-41), in its entirety, including Table 19 and Figure 11.

Designations

HUNTERS POINT NAVAL SHIPYARD

Hunters Point encompasses approximately 500 acres on a peninsula in the southeast portion of San Francisco. During World War II, Hunters Point was an annex to the Navy Yard at Mare Island, with four dry docks and three submarine dry docks to build and service naval vessels. The Shipyard was closed, and a reuse plan is being prepared under the Base Closure and Realignment Act.

Findings

1. Ship repair, scrap metal processing and exporting, other recyclable materials processing, and other bulk or neo-bulk cargoes can be located at the former Shipyard because of its industrial nature, open flat expanses, and existing deep water berths.
2. Maritime industries and activities offer opportunities for industrial growth and would provide employment for the community.
3. The areas most likely for marine terminal development includes Dry Dock 4, South Pier, the regunning pier, and the waterfront area along the South Basin.

Policies

1. By the year 2020, Hunters Point should have the throughput capabilities shown in Table 19.

Table 19: Hunters Point Future Facilities

TERMINAL	DESIGNATION	TERMINAL ACRES	BERTH TYPE	EFFECTIVE NO. OF BERTHS	EXPECTED THROUGHPUT CAPABILITY*	TOTAL THROUGHPUT*
Berths 1,2	Future	55	Break Bulk	2	125,000	250,000
Totals		55		2		250,000

* Denotes optimal annual throughput capability, in metric tons.

2. A 55-acre area should remain designated for port priority use and future development of two break bulk berths. Figure 11 shows the port priority use area at Hunters Point.

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San Francisco Bay Area Seaport Plan
Amended, January 2007

Designations

Figure 11: Hunters Point Port Priority Use Area

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San Francisco Bay Area Seaport Plan
Amended, January 2007

4. Amending Seaport Plan Figure 1 to delete Hunters Point Shipyard:

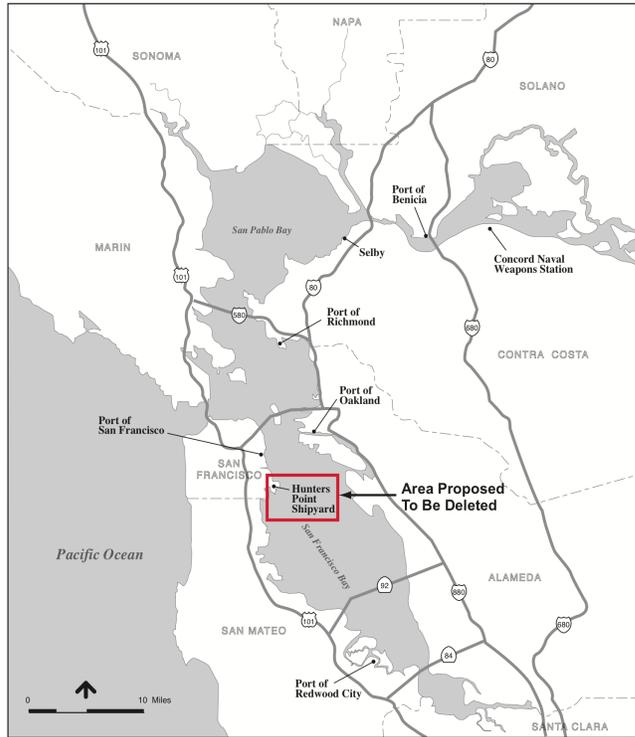


Figure 1: San Francisco Bay Area Ports and Port Priority Use Areas

5. Revising Seaport Plan Table 6, Number and Type of Berths at Each Port or Site, to reflect the loss of two break bulk berths resulting from the deletion of the port priority use and marine terminal designations at the Shipyard, as shown by the struck-through text below:

Table 6: Number and Types of Berths at Each Port or Site

	Container	Break Bulk	Neo-Bulk	Dry Bulk	Liquid Bulk	Total
Benicia	-	-	2.5	.5	-	3.0
Hunters Pt.	-	2.0	-	-	-	2.0
Oakland	19.0	0	-	2.0	-	21
Redwood City	-	0.4	0.6	2.4	1.6	5.0
Richmond	5.5	-	2.5	3.0	1.0	12.0
San Francisco	6.0	4.0	2.0	1.0	1.0	14.0
Selby	-	-	-	-	5.0	5.0
Total	30.5	4.4 <u>2.4</u>	7.6	8.9	8.6	62 <u>60</u>

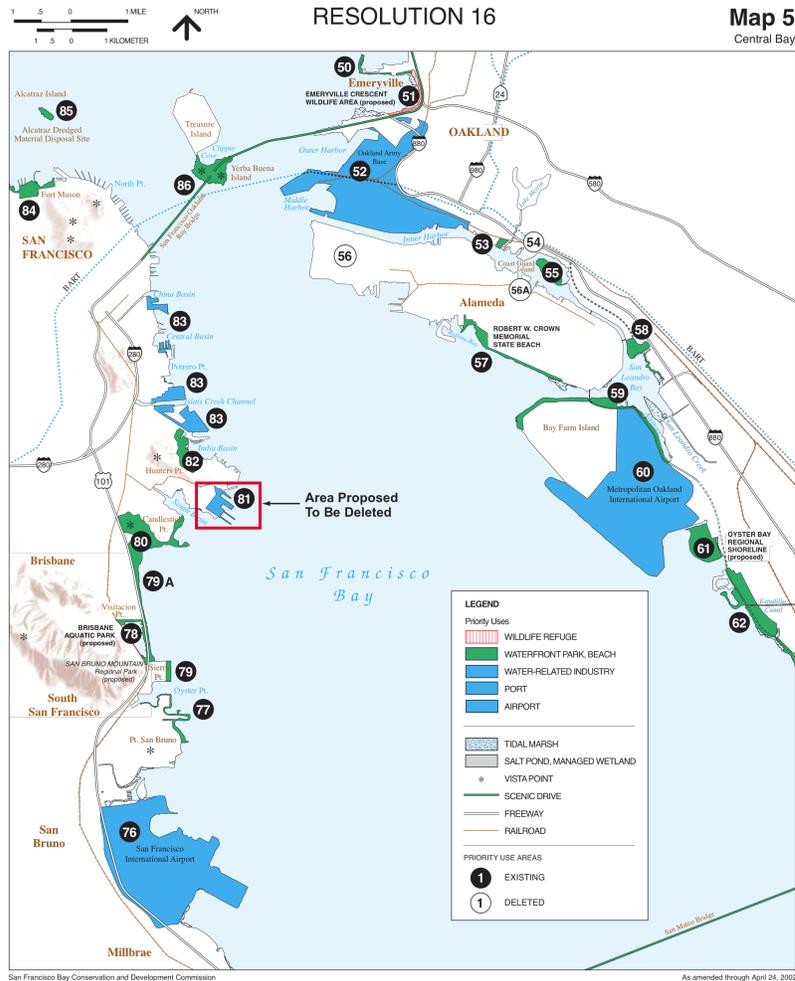
6. Deleting the priority use area boundary description for Hunters Point from page 51 of the Seaport Plan.

Resolution 16. The staff further recommends the Commission amend Commission Resolution 16 to delete Item No. 81, Hunters Point Naval Reservation (Port), as shown by the struck-through text and the map below:

~~81. Hunters Point Naval Reservation (Port) (Amended by Bay Plan Amendment No. 2-95)~~

~~(A) Northern Boundary: Northwestern corner of the south edge of Dry Dock #4.~~

~~(B) Southern Boundary: J Street extended to the shoreline.~~



Finally, the staff preliminarily recommends the Commission make the necessary findings regarding environmental impacts outlined in the Environmental Assessment.

Consistency with McAteer-Petris Act

The staff believes the proposed amendment is consistent with Section 66602 of the McAteer-Petris Act because adequate and suitable locations will remain at Bay Area ports to handle the future volume of break bulk cargo. Therefore, the amendment will not lead to filling the Bay to provide additional facilities.

Environmental Assessment

Project Description

Proposed Bay Plan Amendment. The proposed amendment would remove the port priority use area designation and the two break bulk marine terminal designations from the Hunters Point Shipyard in San Francisco from the Bay Plan and the Seaport Plan. This change will facilitate the City's Candlestick Point - Hunters Point Shipyard Phase II Project described in the following section. This deletion from the two plans and related revisions to the text, tables and exhibits of the Seaport Plan would not in themselves create significant direct environmental impacts. The proposed Bay Plan amendment could, however, indirectly lead to environmental impacts as future development is undertaken.

As shown in Figure 4 above, the proposed uses within the port priority use area designation to be deleted include 38 acres of shoreline open space, 30.6 acres of dual-use sports fields/lawn and 4.8 acres of roadway. The dual-use sports fields/lawn would be used as parking for the adjacent stadium on game days (approximately 12 per year) and for other stadium events (approximately 20 per year).

The SFRA and the Board of Supervisors also approved two variations on the use program at the proposed stadium site that would be allowed if the 49ers do not use that site; under both of these variants, the area to be removed from the port priority use designation would primarily be developed as open space. Under the R&D Variant, research and development facilities would be constructed at the stadium site, partly within the area subject to the proposed amendment. Figure 5 above shows land uses under the R&D Variant: 66.2 acres of shoreline open space, 4.1 acres of research and development and parking uses, and 3.1 acres of roadway. The Housing/R&D Variant provides for a mix of housing and research and development at the stadium site. The area subject to proposed amendment would include 65.8 acres of shoreline open space, 3.9 acres of residential uses, and 3.7 acres of roadway (Figure 6).

The proposed amendment also would facilitate the overall redevelopment project, some elements of which may be located within the Commission's jurisdiction, requiring Commission approval. Individual project applications would be reviewed and, if required, additional environmental analysis conducted at that time. At such time and as needed, all relevant permitting agencies will require that adverse impacts be avoided, minimized or mitigated.

Candlestick Point – Hunters Point Shipyard Phase II Redevelopment Project. As approved by the City, the Candlestick Point/Hunters Point Shipyard Phase II project comprises two primary areas: the 421-acre Hunters Point Shipyard Phase II site and the 281-acre Candlestick Point site. Overall, the proposed project would involve the phased development (through 2032) of two currently separate sites that would ultimately function as one integrated area. The proposed project as approved would include: (a) 10,500 residential units, approximately 32 percent of which (3,345) will be offered at below market rates, (b) approximately 327 to 336 acres of new and improved public parks and open space, (c) 885,000 square feet of regional and neighborhood-serving retail space, (d) 255,000 square feet of new and renovated studio space for Shipyard artists, including an arts education center within a new "Arts District" supporting the vibrant artist community, (e) 2,650,000 square feet of commercial, light industrial, research and development and office space, including space for the United Nations Global Compact Center, (f) 100,000 square feet of community uses, (g) new public and community facilities on the Shipyard and Candlestick Point, (h) improved land and supporting infrastructure for a new football stadium for the San Francisco 49ers, including necessary parking areas and transportation improvements, with alternative uses that either shift some residential uses from Candlestick Point to the Shipyard and expand by up to 500,00 square feet research and development uses on some of the areas of the Shipyard currently reserved for stadium uses, (i) a 10,000 seat arena on Candlestick Point, (j) a hotel, (k) a 300-slip marina, and (l) a bicycle and pedestrian bridge over Yosemite Slough that can be used for game-day automobile travel in the event the stadium is constructed.

Environmental Review under the McAteer-Petris Act. Amendments of the Bay Plan must meet the requirements of the McAteer-Petris Act and the Commission's standards for environmental review. BCDC is exempt from the requirements for preparing Environmental Impact Reports (EIRs) under the California Environmental Quality Act (CEQA), because its regulatory program has been certified by the Secretary of Resources as functionally equivalent to CEQA (14 CCR §15251(h)). BCDC regulations require the preparation of an Environmental Assessment in lieu of an EIR, and specify the scope of the environmental impact analysis that must accompany any amendment of the Bay Plan (14 CCR §§ 11510-11521). In addition to discussing substantial¹⁰ environmental impacts and measures to avoid, minimize or mitigate the impacts, the EA must describe alternatives to the proposed action that would attain most of the objectives of the project and avoid or substantially lessen one or more substantial effects.

In this case the proposed amendment involves removing a Bay Plan priority use designation from an area from the Hunters Point Shipyard that is necessary for a redevelopment project proposed by the City and County of San Francisco and the San Francisco Redevelopment Agency (SFRA). The potential environmental impacts evaluated here are those directly related to the deletion of the priority use designation and those indirectly related to the implementation of the City's Redevelopment Project. The McAteer-Petris Act, the Bay Plan and the Seaport Plan all require that the Commission ensure that "the San Francisco Bay Plan should make provision for suitable locations for these [port] uses, thereby minimizing the necessity for future bay fill to create new sites for these uses..." The staff analysis above concludes that the proposed deletion of the priority use area designation will not generate the need for Bay fill to accommodate break bulk cargo in the foreseeable future. Therefore, the proposed project will have no direct significant adverse effects on the environment. The following discussion focuses on the potential indirect environmental effects that may be caused by the deletion of the priority use designation and the implementation of the City's Redevelopment Project.

The environmental impacts of the overall Redevelopment Project have been thoroughly assessed in the Final Environmental Impact Report for the Candlestick Point – Hunters Point Shipyard Phase II project certified by the San Francisco Board of Supervisors on July 27, 2010 (Redevelopment Project EIR). The San Francisco Board of Supervisors approved all entitlements related to the project on August 3, 2010 (State Clearinghouse No. 2007082168). A copy of the EIR is available on the San Francisco Planning Department's website: <http://www.sf-planning.org/index.aspx?page=1828>.

The Redevelopment Project EIR analyzed and disclosed the Redevelopment Project's potentially significant adverse environmental impacts, and identified feasible mitigation measures to avoid or minimize those impacts. The proposed Bay Plan and Seaport Plan amendment would remove the port priority use area from the former shipyard. The reconfiguration and development are parts of the Redevelopment Project, the impacts of which are analyzed in the Redevelopment Project EIR. These impacts and the EIR are incorporated by reference in their entirety into this Environmental Assessment. The Redevelopment Project EIR considers the particular impacts of the proposed Bay Plan amendment and the development that would occur in the areas covered by the amendment, within the context of the overall Redevelopment Project. Supplemental analysis is provided in this EA where necessary to differentiate the amendment's impacts from those of the Redevelopment Project as a whole or to provide additional information for the Commission.

Finding of Substantial Environmental Impact. The EA as informed by the Redevelopment Project EIR finds no direct substantial environmental impacts created by the proposed plan amendment; however, significant adverse impacts related to traffic, air quality, noise, cultural resources and police services that are associated with the overall Redevelopment Project are

¹⁰ Substantial is the term used in BCDC's Environmental Assessment regulations for environmental impacts that are significant.

identified in the EIR, and constitute secondary impacts of the proposed amendment. These impacts are summarized in this EA in the Assessment of Amendment Impacts section beginning on page 16. Although the EIR found that some of the adverse impacts of the overall Redevelopment Project were significant and unavoidable, the City concluded that the project had overriding considerations consisting of significant public benefits that contribute to the revitalization of the southeastern San Francisco waterfront. These public benefits are discussed in the following section.

BCDC's CEQA role for this amendment is limited, and does not include changes to the project within the responsibility and jurisdiction of various other public agencies. BCDC will have the responsibility to consider whether additional changes are required to avoid or lessen the significant effects identified in the EIR as part of its permit review of subsequent phases of the redevelopment project. At that time, BCDC will require feasible changes to the project necessary to avoid or substantially lessen significant environmental impacts for those aspects of the project within its jurisdiction or will make findings regarding specific economic, legal, social, technological or other considerations that make mitigation measures or alternatives infeasible. Therefore, the staff preliminarily recommends that the Commission find that approval of the amendment is consistent with CEQA because, for each of the significant impacts identified in the EIR and outlined in this EA, changes to the Redevelopment Project are within the responsibility and jurisdiction of other public agencies and BCDC in its permit review. Such changes, or findings of overriding considerations, have either already been adopted by another agency or can and should be adopted in connection with future approvals.

Public Benefits of the Proposed Amendment. Each of the benefits discussed below constitutes a separate and independent ground for finding that benefits of the proposed amendment outweigh significant adverse environmental effects and is an overriding consideration that warrants approval of the proposed amendment. These matters are supported by evidence in the record that includes the documents referenced in this EA and those upon which the EIR and related findings were based. These benefits are among many identified by the San Francisco Board of Supervisors related to the Redevelopment Project contributing to a finding of overriding consideration (*California Environmental Quality Act Findings: Findings of Fact, Evaluation of Mitigation Measures and Alternatives, and Statement of Overriding Considerations* adopted by the San Francisco Board of Supervisors, lists all benefits, impacts and mitigation measures related to the Redevelopment Project, and is available on the Commission's website at <http://www.bcdc.ca.gov/BPA/1-11.shtml>).

1. The proposed amendment will contribute to the realization of the Redevelopment Project's open space plan, which would create or improve more than 300 acres of open space throughout Candlestick Point and the Hunters Point Naval Shipyard site. In all variants of the Redevelopment Project, the majority of the land to be removed from the port priority use designation would be developed as open space. Overall, the Redevelopment Project would represent the largest park improvement project in the City's history since the construction of Golden Gate Park. The parks and open space will create a linked system of promenades, plazas, overlooks and play areas providing a variety of public spaces and amenities for both passive and active recreation. The parks and open space plans include neighborhood parks within Candlestick Point and the Shipyard site, new waterfront parks around the entire perimeter of the Shipyard, restored habitat areas, and restored public access to the water. The Project will provide a network of pedestrian and bike pathways that connect Project uses to the adjacent neighborhoods and provide unrestricted public access to the parks and open space on the Project site and the Bay shoreline. Enhanced connectivity of on-site and off-site facilities and new neighborhood parks will allow integration of new and existing facilities into the citywide park network.

2. Under the proposed project, the land to be removed from the port priority use area will be developed in part as a dual-use playing fields and multi-use lawns and waterfront recreation areas that would also serve as parking for a new stadium, thus helping promote the develop-

ment of the stadium while providing outdoor recreational opportunities most days of the year. Under the Non-Stadium Variant 1, part of the land subject to the amendment would be developed with research and development facilities, contributing to the Redevelopment Project's creation of 10,000 permanent jobs and its annual generation of \$2 billion in revenue. Under the Non-Stadium Variant 2A, part of the site would be developed with 176 housing units including affordable, moderate income, and market rate units. The proposed Bay Plan amendment would thus advance the Redevelopment Project's overall program of building 10,500 new housing units, approximately 32 percent of which will be offered at below market-rates in order to serve a range of household income levels. The below market-rate housing requirements of the Project exceed what is required under California Redevelopment Law and the City's affordable inclusionary housing laws.

Alternatives Analysis As It Relates to Proposed BCDC Bay Plan Amendment. This EA summarizes the FEIR analysis as it relates to the plan amendment now proposed, and where necessary, supplements that analysis to describe the related environmental effects not anticipated in the FEIR. BCDC regulations require, in part, that the EA describe alternatives to the proposed action that would attain most of the objectives of the project and avoid or substantially lessen one or more of the substantial effects.

As described in the Redevelopment Project approvals, the Redevelopment Agency and the City's overarching goal for the Redevelopment Project is to revitalize the Bayview-Hunters Point community by providing increased business and employment opportunities; housing options at a range of affordability levels; improved public recreation and open space amenities; an integrated transportation, transit, and infrastructure plan; and other economic and public benefits, all of which would collectively have no net negative impact on the City's General Fund. In June 2008, the voters of San Francisco approved Proposition G, called the Bayview Jobs, Parks and Housing Initiative in furtherance of these goals. Proposition G spelled out the elements that an integrated development plan for Hunters Point Shipyard Phase II and Candlestick Point should include and stated that the development of the area must be consistent with these objectives.

As discussed above, the Redevelopment Project includes the development of the Phase II area of the Hunters Point Shipyard site, including the lands subject to the proposed Bay Plan amendment. The overall project objectives most directly related to the development and proposed amendment to the Bay Plan are:

"The integrated development [of the Shipyard and Candlestick Point] should produce tangible community benefits for the Bayview and the City and in so doing should:

[...]

Create new public recreational and public open spaces in the Project Site, and

Preserve the shoreline of the Project Site primarily for public park and public open space uses, including an extension of the Bay Trail along the Project Site's waterfront.

Afford a range of job and economic development opportunities for local, economically disadvantaged individuals and business enterprises, particularly for residents and businesses located in the Bayview.

The integrated development should include substantial new housing in a mix of rental and for-sale units, both affordable and market-rate . . . "

Pursuant to CEQA Guidelines Section 15126.6(a), the Redevelopment Project EIR considered a reasonable range of alternatives to the Redevelopment Project, which were evaluated in terms of their significant impacts and their ability to meet Redevelopment Project objectives. Alternative 1, discussed below, is the "No Project" alternative. Alternatives 2 through 5 present alternative versions of the overall Redevelopment Project.

Alternative 1. The “No Project” Alternative assumed that HPS Phase II would be developed with new uses consistent with the existing Hunters Point Shipyard Redevelopment Plan (HPS Redevelopment Plan). The SFRA and Board determined that this alternative would fail to meet several of the objectives of the Redevelopment Project. This alternative would not meet the Project and Proposition G objective of providing over 300 acres of new and improved park, open space and recreation areas. The proposed development of the lands subject to the proposed amendment would not occur. The SFRA and Board further determined that the No Project Alternative would reduce or avoid some of the Redevelopment Project impacts, but would also result in many of the same potentially significant impacts requiring mitigation as the Project and many of the same significant and unavoidable impacts, including significant and unavoidable transportation and cultural resource impacts. It also would have some impacts that would not occur with the Project. Consequently, the SFRA and Board determined that the No Project Alternative would not provide substantial environmental benefits in comparison to the Redevelopment Project, and rejected the alternative.

Alternative 2: Identical to the Redevelopment Project as approved, but does not include a bridge across Yosemite Slough. The SFRA and Board determined that this alternative would not meet several of the Redevelopment Project’s objectives. For example it would not sufficiently provide automobile, public transportation and pedestrian connections between the Shipyard and Candlestick Point or create an appealing walkable urban environment served by transit.

The SFRA and the Board further found that Alternative 3 would reduce the scope and intensity of the Redevelopment Project’s biological-resource impacts related to bridge construction and increase certain traffic impacts. All other impacts would be the same as the Redevelopment Project’s. Thus, the SFRA and the Board determined that this alternative would not provide a substantial reduction of Redevelopment Project impacts or a substantial environmental benefit in comparison to the Redevelopment Project, and rejected the alternative.

Alternative 3. Assumed the San Francisco 49ers would stay at the existing Candlestick Park Stadium. The SFRA and the Board determined that this alternative would not meet several of the Redevelopment Project’s objectives. For example, it would include a reduced amount of affordable housing, job, and economic opportunity, and would provide less new and improved open space.

The SFRA and the Board further found that Alternative 3 would reduce the scope and intensity of many of the Redevelopment Project’s potentially significant impacts, including all construction-related impacts, transportation, noise, aesthetics, wind, air quality, geology and soils, hydrology and water quality, hazards and hazardous materials, biology, public services, recreation, utilities, energy and greenhouse gas emissions. Nonetheless the SFRA and Board determined, the Redevelopment Project’s potentially significant impacts in these areas would still occur under this alternative and require mitigation measures identified for the Redevelopment Project to avoid or reduce these impacts to less than significant. Alternative 3 would eliminate several but not all of the Redevelopment Project’s significant and unavoidable impacts. The Board and SFRA therefore determined that Alternative 3 would not provide substantial environmental benefits as compared to the Redevelopment Project and rejected the alternative.

Alternative 4. Assumed land uses similar to those proposed under the Project; however residential densities and commercial intensities for most uses would be approximately 30 percent less than the Project’s. This alternative included the preservation of more historic buildings than the Project would preserve.

The Redevelopment Project EIR determined that Alternative 4 was the environmentally superior alternative. Nonetheless, the alternative would result in thirty significant unavoidable impacts. The SFRA and the Board found that detailed comparison of the impacts associated with Alternative 4 and those associated with the Redevelopment Project demonstrated that the alternative would provide only limited environmental benefits. Alternative 4, moreover, would

not achieve several of the Project objectives. For example, the SFRA and Board found that this alternative would provide less park and open space land, as well as fewer economic opportunities than the Project. The SFRA and the Board therefore rejected this alternative.

Alternative 5. Included the same land use program proposed with the Project, except that this alternative assumed that there should be no new stadium built at the Hunters Point Shipyard Site, CPSRA would not be reconfigured, and the Yosemite Slough Bridge would not be constructed.

The SFRA and the Board found that the alternative would fall short of the Project objective of providing open space and parkland. The SFRA and the Board further found that Alternative 5 would reduce and avoid some of the Redevelopment Project's environmental impacts, but would also result in many of the same potentially significant impacts requiring mitigation and significant and unavoidable impacts, including significant and unavoidable transportation and cultural resource impacts. It would, moreover, have some impacts that would not occur with the Project. The SFRA and the Board therefore determined that this alternative would not provide substantial environmental benefits in comparison to the Redevelopment Project. For these reasons, the SFRA and Board rejected Alternative 5.

Assessment of Amendment Impacts

The Redevelopment Project EIR considered the impacts of the development of the lands subject to the proposed amendment, as described in the individual summaries below. Moreover, as discussed in the staff analysis above, the Bay Area has sufficient capacity at existing facilities to handle expected growth in break bulk cargo. The removal of these lands from the port priority use designation will not induce new port development. Therefore, the Project will have no environmental impacts that were not anticipated in the Redevelopment Project EIR.

Land Use. Amending the Bay Plan as requested would remove the entire port priority use area designation, or approximately 55 acres according to the Seaport Plan. These lands do not currently support port uses. Removing the port priority use designation from the property would enable a shift in land uses consistent with the City's redevelopment plan for the southeastern waterfront. Proposed development in the area would include open space, roadways, and, under the two variants to the Project, housing and research and development facilities.

The proposed development would improve the land use pattern at the Shipyard by developing what is currently primarily unused land with uses that will provide housing, jobs, open space/parks and economic opportunities in an underserved area of the City. The Bay Plan amendment, in the context of the proposed development, would, overall, provide a benefit to land use patterns.

As part of approval of the Redevelopment Project, the San Francisco Redevelopment Agency and the City and County of San Francisco resolved any inconsistencies between those jurisdictions' preexisting land use plans and the project, including the lands subject to the proposed amendment. Similarly, the proposed amendment would resolve potential inconsistencies between the Redevelopment Project and the Bay Plan.

The Redevelopment Project EIR determined that the proposed changes in the arrangement of land uses would not obstruct any environmental protection objectives of applicable land use plans; therefore, any inconsistencies do not give rise to a significant impact on the environment (see Redevelopment Project EIR Section III.B Land Use and Plans, p. III.B-38).

The Redevelopment Project's street pattern, open space network, and pedestrian facilities are specifically planned to facilitate connections between the Shipyard and neighboring areas, including the lands subject to the proposed amendment, other neighborhoods covered by the Bayview-Hunters Point Area Plan and the Candlestick Point portion of the Redevelopment Project. These designs would connect, rather than divide, a community. The Redevelopment

Project EIR concluded that the Redevelopment Project would not contribute to any cumulative impacts related to land use.

Recreation and Public Access. In approving Bay Plan Amendment No. 2-06 in 2006, which amended the Bay Plan's recreation policies, the Commission concluded that additional waterfront recreational opportunities are needed to meet regional need. Waterfront parks, including those currently designated in the Bay Plan and those purchased and developed for park use, but not designated, comprise about 25,000 acres of regional supply, or slightly less than four percent of the total park acreage in the region. With greater population concentrations near the shoreline, the demand for useable, accessible waterfront parks will continue to increase. Based on emerging trends, such as the increasing popularity of bird watching, paddle sports and visiting nature centers, participation in water-oriented recreation of all types can be expected to grow in the coming years.

The proposed Bay Plan amendment would facilitate the conversion of some disused areas of the Shipyard to parks and open space designed to enhance public access to the Bay and shoreline. The park and open space development within and adjacent to the area subject to the proposed amendment would provide public access to at least 65.8 acres, and potentially as much as 68.6 acres, of shoreline open space in an area that has never been accessible to the public.

Moreover, other aspects of the Redevelopment Project will facilitate the provision of \$40 million to State Parks to renovate and improve CPSRA, and an additional \$10 million provided for ongoing maintenance and operation. According to the California State Parks Outdoor Recreation Plan (CORP), there is unmet demand for parks and recreation opportunities, due to a lack of investment in facilities and explosive population growth. This long term funding will provide for park operation, maintenance, planning and construction of improvements at CPSRA, and will greatly improve public access to the shoreline. The Redevelopment Project also will facilitate the continued construction of Bay Trail linkages and provide connections to large portions of the San Francisco shoreline.

Appearance, Design and Scenic Views. The land to be removed from the port priority use area presently contains disused Shipyard facilities and does not offer any special aesthetic features other than the re-gunning crane. This striking structure would be retained in the development of these lands. The development of open space and parks on the land to be removed from the designation will increase the public's ability to view both the crane and the expansive views of the Bay available from the currently inaccessible Shipyard. Overall, the proposal would provide an aesthetic benefit.

Development proposed at the Shipyard as part of the Redevelopment Project would change the existing visual character of the area by constructing new housing, including some mid- and high-rise structures. Bay Plan policies state, in part, that shoreline development "should be built in clusters" to allow "frequent" views of the Bay and shoreline. The layout for Shipyard development as proposed would be consistent with this policy. As discussed in Section III.E of the Redevelopment Project EIR, this development would be visually compatible with its surroundings and provide visually smooth transitions to existing neighborhoods. The proposed development would not have a significant adverse visual impact.

The Project could increase light and glare in a currently generally vacant area through the lighting of the stadium that would use the dual-use fields developed on a portion of the lands subject to the proposed amendments; under the Variants, the development of the research and development facilities and/or housing could have a similar effect. Mitigation Measures AE.7a1-4 will provide development standards, such as a requirement that landscape illumination and exterior sign lighting be accomplished with low-level, unobtrusive fixtures, to ensure that such impacts are reduced to a less than significant level.

The Redevelopment Project EIR concluded that the Redevelopment Project as whole, including the development of the lands subject to the proposed amendment, in combination with reasonably foreseeable future projects, will not have significant adverse cumulative impact with regard to scenic vistas, visual character, or light and glare. The EIR further concluded that even if such cumulative impacts do occur, the Redevelopment Project would not make cumulatively considerable contributions to the impacts.

Bay Fill. Bay Plan Map 5 Policy 22 states, in part, that in developing the Shipyard site “[s]ome fill may be needed.” Such fill related to shoreline improvements would be required regardless of the particular development on these lands, including for the designated port use. Thus, a certain amount of fill is not considered a particular impact of the proposed Bay Plan amendment and subsequent development.

The Redevelopment Project will result in permanent impacts to up to 23.47 acres of freshwater wetlands, non-tidal salt marsh and other waters based on measurements at the high tide line performed for the EIR. Proposed Bay fill acreages in the table below are approximate; they will be refined to reflect the MHW line as well as net changes to open water in the Bay. Detailed designs will be submitted with future permit applications, which will include this information. Permanent impacts will result from the following improvements:

	Candlestick Point	Yosemite Slough	Hunters Point Shipyard	Total
New bulkhead support and shoreline improvements	4.63 ac	0.27 ac	18.26 ac	23.16
Bridge abutments, columns	---	0.14 ac	---	0.14
Bridge approaches, non-shoreline fill	---	---	0.17 ac	0.17
Total	4.63 ac	0.41 ac	18.43 ac	23.47

Source: Candlestick Point –Hunters Point Shipyard Phase II EIR Comments and Responses Document, May 13, 2010, Page 2350, Table III.N-4. Note: 2 acres of impacts associated with a future marina are not included above because they will not be included in the initial Redevelopment Agency/Project Sponsor permit applications. A marina operator will obtain a separate permit in the future.

Overall, the bulk of the fill is required for beneficial shoreline improvements that will increase public access to the shoreline. Moreover, Mitigation Measure BI-4a requires the replacement of the permanently filled areas with new or restored habitat at a 1:1 ratio, and shadow fill at 0.5:1. Any such fill will require a BCDC permit, and any required site-specific mitigation requirements will be identified through the regulatory process.¹¹ Adverse environmental impacts related to Bay fill will therefore be less than significant.

Sea Level Rise and Safety of Fills. The area to be removed from the port priority use designation would be within the 100-year flood zone in a three-foot sea level rise scenario, as shown on Figure II-21 of the Redevelopment Project EIR. The following strategy for protection against sea level rise (SLR) has been incorporated into the Redevelopment Project. It recognizes the guidance from the 2009 Draft Climate Adaptation Strategy report prepared by the California

¹¹ A summary of all Redevelopment Project impacts to wetlands and other waters may be found in the Candlestick Point-Hunters Point Shipyard Phase II EIR Comments and Response Document dated May 13, 2010, on pages 2350 and 2354.

Natural Resources Agency, the 2009 Living With a Rising Bay report by BCDC, project-specific coastal studies, literature review, and discussions with other City agencies (including SFPUC and DPW). The Project strategy is to:

- Design and build a project perimeter at an elevation such that a mid-term rise in sea levels (defined in the above referenced reports as 16 inches by 2050) can be accommodated without any additional adaptation measures until at least the year 2050 and possibly beyond;
- Design and build all significant assets such as building structures and infrastructure at an elevation that is over 3 feet higher than what is required today for a 100-year level flood protection; and
- Create a project-specific adaptation and funding strategy over the long-term (defined in the above-referenced reports as 55 inches by 2100) that can begin to be implemented as needed to address sea level rise.

A small portion of the area to be removed from the port priority use designation is located within the current 100-year flood hazard area (Figure II-21 of Redevelopment Project EIR). This area would be developed as open space, and would not include housing. Redevelopment Project EIR Mitigation Measures HY-12a.1 and 2 would require that finish grade elevations are three feet above the current base flood level and that the design of all shoreline and public access improvements allow for future flood-protection modifications. These measures would ensure flooding impacts associated with sea level rise within the Shipyard would remain at a less-than-significant level.

Biological Resources

Terrestrial Habitats and Species. The entire area proposed for deletion from the port priority use designation is presently classified as urban land and provides virtually no habitat value.

A list of federal endangered and threatened species with the potential to occur within the Redevelopment Project area is included in the Redevelopment Project EIR at Appendix N-1. No listed animal species are associated with the habitats within the lands subject to the proposed amendment. Moreover, planned development is not expected to adversely affect any common species through substantial interference with the movement of any native resident or migratory wildlife species or with migratory wildlife corridors.

Migratory birds, including nesting raptors and songbirds, may be affected by the proposed development. Mitigation Measure BI-6a.1 from the Redevelopment Project EIR would require pre-construction bird surveys for all areas providing potential nesting habitat 15 days prior to construction activities that occur between February 1 and August 31. This mitigation will minimize potential effects to migratory birds. The addition of native plantings and trees would provide greater wildlife habitat, including potential nesting sites.

American Peregrine falcons, a state-listed endangered species, have been known to use the re-gunning crane as a nesting site (Redevelopment Project EIR at III.N-75). Development of the lands subject to the proposed amendment would leave the crane in place, but construction-related activities could disturb nesting peregrines. Mitigation measure BI-6b would require pre-construction surveys and, if active nests are found, a buffer zone around the crane; this would ensure that impacts to American peregrine falcons are less than significant.

Rare plant surveys were conducted throughout suitable habitats in the Redevelopment Project area (Redevelopment Project EIR Section III.N Biological Resources, p. III.N-16). No sensitive plant species were identified within the lands subject to the proposed amendment.

Marine Habitats and Species. Aquatic marine habitat offshore of the lands subject to the proposed amendment comprise mudflats and open water. Elsewhere along the Shipyard shoreline are eelgrass habitats, which provide potentially important habitat. Compliance with the requirements of the Construction General Permit and associated Best Management Practices

(BMPs) in accordance with Redevelopment Project EIR Mitigation Measures HY.1a.1 and 2 would reduce pollutants in construction stormwater runoff, reducing effects to the marine habitats to less than significant. Mitigation Measures BI-5b.1 through 4 provide special measures for construction that could affect eelgrass beds, including requirements for avoidance to minimize impacts, focused surveys, compensatory mitigation and specialized BMPs.

Compliance with the requirements of the Municipal Stormwater General Permit and the associated Stormwater Management Plan, the San Francisco Stormwater Design Guidelines, and San Francisco Green Building Ordinance, as required by Redevelopment Project EIR Mitigation Measure HY-6a.1, would reduce pollutants in operational stormwater runoff, and effects on the surrounding aquatic habitats outside of the lands subject to the proposed amendment would be less than significant.

Pile driving in connection with shoreline improvements at the Shipyard, including in the vicinity of the land to be removed from the port priority use designation, could cause pressure waves that potentially could harm marine life. Mitigation Measure BI-9b would require that design of such improvements minimize the need for pile driving and that construction uses methods and equipment to minimize pressure impacts.

No marine mammal pupping site or major haulouts are identified at the Shipyard. The portion of the Bay adjacent to the whole Redevelopment Project site is designated as Essential Fish Habitat (EFH) in three federal fisheries management plans: the Pacific Coast Salmon Plan, the Coast Pelagics Fishery Management Plan, and the Pacific Groundfish Fishery Management Plan (Redevelopment Project EIR at III.N-88). The national Marine Fisheries Service has also designated this part of the Bay as critical habitat for green sturgeon and Central California Coast steelhead, both special-status species (Redevelopment Project EIR at III.N-85). The construction of shoreline improvements associated with the area subject to the proposed amendment could cause temporary impacts to EFH and critical habitat from sediment suspension and turbidity during construction, and some loss of such habitat from placement of permanent fill, but these potential impacts will be reduced to a less than significant level by Mitigation Measures BI-4a.1 and 2, BI-5b.1 through 4 and 12a.1 and 2, requiring seasonal restrictions on in-water construction to avoid times when special-status species are present, worker training, best management practices during construction, compensatory provision of habitat for any filled areas, dredging restrictions, and a Seafloor Debris Minimization and Removal Plan. Moreover, by removing piers and reducing coastal erosion, the Project would increase the amount of open water on the site, thus providing new EFH and critical habitat and benefiting the species (Redevelopment Project EIR at III.N-90).

Redevelopment Project operations, such as dredging, could also impact aquatic species and habitat, including Pacific herring, oysters, and green sturgeon, eelgrass beds and EFH (EIR at III.N-69, 104 through 108). Direct effects on species would be temporary and less than significant (EIR at III.N-104 through 106). Impacts to habitat would be less than significant with the implementation of the mitigation measures discussed immediately above.

The Redevelopment Project EIR determined that the Redevelopment Project as a whole, in combination with other past, present, and reasonably foreseeable future projects, could have potentially significant impacts related to candidate, special status species, sensitive natural communities (including riparian habitat), wetlands and other jurisdictional waters, wildlife movement, and nursery sites (Redevelopment Project EIR at II.N-118 through 124). With the application of the mitigation identified in the EIR and summarized here, however, the Redevelopment Project would not make a cumulatively considerable contribution to any of these cumulative impacts. (*Id.*)

Cultural Resources. According to the Redevelopment Project EIR, as well as the supporting archaeological and historic structure reports and evaluations completed for the analysis,¹² no historic structures were identified within or adjacent to the lands subject to the proposed amendment. The Redevelopment Project EIR concluded that the Redevelopment Project as a whole would have a significant adverse impact on historical resources (structures) at the Shipyard. This conclusion was based on the proposed demolition of buildings that are contributing structures to the proposed Hunters Point Commercial Drydock and Shipyard Historical District (see Redevelopment Project EIR at III.J-21 through 25). This district does not include any of the lands proposed to be removed from the port priority designation. The development of the subject lands will involve demolition of structures, but none of these structures contribute to the proposed Historic District. Such demolition would not, therefore, contribute to the impact of the Redevelopment Project as a whole.

Archival research indicated the presence of several previously recorded prehistoric archaeological sites, CA-SFR-11, 12, 13, and 14, identified during the early 20th century by Nels C. Nelson at the Shipyard (Redevelopment Project EIR at III.J-40). All are reported to be shell-mounds or shell middens. (*Id.*) Additional, previously unknown prehistoric sites may exist along the shoreline. Archival research has also indicated the potential presence of the remains of historic Chinese fishing villages located along the Shipyard shoreline, as well as potential shipwreck sites offshore.

These archeological resources could be disturbed by development activities in the areas subject to the proposed amendment. Identified and adopted mitigation, including Mitigation Measure CP-2a from the Redevelopment Project EIR, requires archaeological testing and monitoring throughout the Redevelopment Project area, including the lands subject to the proposed amendment.

Under the mitigation measure, if cultural/historical resources were to be discovered, construction would cease in that vicinity until a qualified archaeologist has evaluated the find and implemented appropriate treatment and disposition measures in coordination with the State Historic Preservation Officer (SHPO). Presuming SHPO concurrence with the proposed findings and mitigation, implementation of these mitigation measures prior to any ground-disturbing activities would ensure that adverse effects to potential historic properties and cultural resources would be less than significant.

Construction related to the development of the lands subject to the proposed amendment could expose paleontological resources on the Project site, particularly in the Bay mud underlying artificial fill, to adverse impacts. Redevelopment Project Mitigation Measure CP-3a would ensure that such impacts are less than significant by requiring the preparation of a Paleontological Resources Monitoring and Mitigation Program, to be approved by the City's Environmental Review Officer, which would provide for monitoring of earthmoving activities in potentially sensitive areas and for the suspension of activities if necessary for monitoring and/or data recovery.

The Redevelopment Project as a whole would not make a cumulatively considerable contribution to any cumulative impacts related to cultural resources, paleontological resources or human remains.

¹² Archeo-Tec, Historical Context for the Archaeology of the Bayview Waterfront Project, San Francisco, California, July 2008.

Archeo-Tec, Archaeological Research Design and Treatment Plan for the Bayview Waterfront Project, San Francisco, California, October 2009.

Circa Historic Property Development, Historical Context for the Bayview Waterfront Plan, December 2008.

Circa Historic Property Development, Bayview Waterfront Plan Historic Resources Evaluation, Volume II: Draft Historic Resource Survey and Technical Report, July 2009.

Hydrology and Water Quality

Construction. Mitigation Measure HY-1a1, identified in Redevelopment Project EIR Section III.M, requires development within the areas to be removed from the port priority use area to use BMPs during construction. Development of these areas would also require compliance with the National Pollution Discharge Elimination System (NPDES) program pursuant to Section 402 of the Clean Water Act. Every construction project that disturbs one or more acres of land surface requires coverage under NPDES General Construction Permit requirements, which includes filing a Stormwater Pollution Prevention Plan (SWPPP) with the RWQCB. Compliance with the requirements of the Construction General Permit would reduce pollutants in construction stormwater runoff from development associated with the land subject to the proposed amendment. The Construction General Permit contains specific minimum required BMPs to reduce the potential for pollutants flowing off-site during a storm event.

In addition, and because permit conditions will depend upon the quality of the water discharged and the anticipated discharge rates during construction and operation, the Redevelopment Project as a whole, including the development of the areas subject to the proposed amendment, will require the preparation and implementation of a Groundwater Dewatering Plan to protect water quality, pursuant to Mitigation Measure HY.1a.3. Construction-related discharges to the City's combined stormwater system would comply with Article 4.1 of the San Francisco Public Works Code and meet the requirements of the City's Construction Site Runoff Pollution Prevention Program. Under the Construction Site Runoff Pollution Prevention Program (as required by Mitigation Measure HY-1.a2), all construction sites must prepare a SWPPP.

These measures will ensure that construction activities related to the Redevelopment Project, including the development of the areas subject to the proposed amendment, would not violate any water quality standards or waste discharge requirements or cause substantial siltation or erosion (Redevelopment Project EIR Section III.M Hydrology and Water Quality).

Operation. Development of the lands subject to the proposed amendment would result in a change in land uses, from former industrial uses to open space, dual use sports fields, research and development facilities, and/or housing. This change in land uses would affect the types and amounts of pollutants that could be present in stormwater runoff. As shown in the Redevelopment Project EIR Table III.M-4, the overall development of the Shipyard site would result in a reduction in annual stormwater pollutant loads of between 49 and 74 percent. Table III.M-3 also shows that development of the Shipyard would reduce stormwater runoff volumes by 40 percent, not accounting for volume reductions by BMPs. Pursuant to Mitigation Measure HY-6a.1, all development at the Shipyard, including the development contemplated in the present project, would be required to comply with the provisions of Municipal Stormwater General Permit and the associated Stormwater Management Plan (SWMP), the San Francisco Stormwater Design Guidelines and San Francisco Green Building Ordinance. Consistent with these requirements, the project applicant would be required to submit a Stormwater Drainage Master Plan (SDMP) and Stormwater Control Plan (SCP) to the SFPUC, to identify the specific stormwater treatment BMPs that would be implemented.

These mitigation measures will ensure that operations related to the Redevelopment Project, including on the lands subject to the proposed amendment, do not exceed water quality standards, contribute to a violation of the applicable waste discharge requirements, exceed the capacity of stormwater conveyance systems, or cause substantial siltation or erosion (Redevelopment Project EIR Section III.M Hydrology and Water Quality).

Flood Hazards. The Redevelopment Project EIR determined that runoff from storms larger than the five-year storm and up to the 100-year storm event would be conveyed adequately on Candlestick Point via overland flow, i.e., through street gutters and swales. No Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) have been finalized by FEMA for the City and County of San Francisco; thus, the Base Flood Elevation

(BFE) for a 100-year flood event has not been formally established. FEMA refers to the portion of the floodplain or coastal area that is at risk from a flood of this magnitude as a Special Flood Hazard Area (SFHA). In 2007, FEMA issued a preliminary FIRM for San Francisco, which tentatively identified SFHAs along the City's shoreline, including portions of the lands subject to the proposed amendment (see Redevelopment Project EIR Section III.M Hydrology and Water Quality). Although a BFE has not been formally adopted for areas subject to the proposed amendment, the BFE was estimated for floodplain analysis in the Redevelopment Project EIR. Portions of the land to be removed from the port priority use area may be within a 100-year flood zone at BFE (see Redevelopment Project EIR Figure III.M-4). These lands would be developed as open space under the proposed project and both variants.

Pursuant to the preliminary grading plan for all development areas on the Shipyard, including the land to be removed from the port priority use area, as required by Redevelopment Project EIR Mitigation Measure HY-12a.1a, the site would be graded such that the finished grade would be 3 feet higher than the estimated BFE. This will reduce impacts to a less than significant level.

Downstream flooding would not occur because the lands subject to the proposed amendment are directly upland from the Bay.

The Redevelopment Project EIR concluded that the Redevelopment Project, including the development of the lands subject to the proposed amendment, would not make a cumulatively considerable contribution to any significant adverse cumulative impact related to hydrology and water quality.

Geology & Soils. The Redevelopment Project will be constructed on a variety of soil types, as discussed in Redevelopment Project EIR Section III.L. Mitigation Measure GE-5a will require site-specific geotechnical investigation for all construction, including development on the land to be removed from the port priority use area. Standard construction techniques will likely prevent impacts related to settling. Mitigation Measures GE.10a and 11a will require additional investigation in areas of potential expansive soil or corrosive soil hazards, including the area to be removed from the port priority use area. With the implementation of these mitigation measures, impacts related to geological resources and settling would be less than significant.

The Redevelopment Project EIR concluded that the Redevelopment Project, including the development of the lands subject to the proposed amendment, would not, in combination with existing and reasonably foreseeable future projects, have significant adverse impacts related to geology and soils.

Transportation and Traffic. Traffic impacts related to the future uses of the lands subject to the proposed amendment are analyzed in the attached letter report prepared by Fehr & Peers (Attachment 1), which uses data from the Redevelopment Project EIR. This report considers the traffic generated by future uses on these lands, as well as that traffic's contribution to the overall, cumulative impacts related to the Redevelopment Project as a whole.

The report determines that under the proposed open space and dual-use sports field, development of the land removed from the port priority use area would generate approximately 87 new daily vehicle trips, including 4 new trips in each of the AM and PM peak hours. Development under the Housing/R&D Variant would generate 749 new daily trips, including 97 trips in the AM peak hour and 86 new trips in the PM peak hour. The land subject to the proposed amendment, if developed per the R&D Variant, would generate 637 new trips daily, with 47 new trips in the AM peak hour and 53 new PM peak hour trips. This traffic would not cause any significant impacts at study intersections in the vicinity as a result of the proposed amendment to the Bay Plan. The traffic analysis also concludes that development of these areas would

not make a cumulatively considerable contribution to any cumulative traffic impacts in the vicinity of the proposed amendment and in particular at the study intersections. This is the result of project design features, transportation demand management, and new and extended transit that will accommodate existing and future traffic.

The traffic report also considers the proposed amendment's impact on emergency and public access to the shoreline. The development of the land removed from the port priority designation would be fully integrated into the existing and proposed bicycle and pedestrian network that will be developed through the Redevelopment Project. Residents and visitors to the new open space would share available on-street parking on the surrounding streets. Traffic volumes on the roads adjacent to the lands subject to the proposed amendment are forecast to be commensurate with that of typical neighborhood streets in San Francisco and emergency vehicles will have adequate ability to maneuver into and out of the area. Under the proposed project scenario, moreover, the parking made available by the dual-use sports fields would help relieve what would otherwise be a parking shortage during stadium events.

In combination with the rest of the Redevelopment Project and other likely future projects, development on the subject lands would contribute to a number of significant and unavoidable cumulative impacts related to traffic and transportation (see Section III.D of the Redevelopment Project EIR). These impacts include congestion at several intersections, roadways and freeway segments, excess vehicle traffic on a designated bicycle route, increased travel times and delays along various transit routes, and traffic congestion and transit crowding impacts related to events at the proposed stadium at the Hunters Point Shipyard site. These impacts are all related only secondarily to the proposed Commission action; that is, the future uses of the lands under the proposed amendment would not directly result in significant adverse effects.

Air Quality/Greenhouse Gas Emissions. The Redevelopment Project EIR considered cumulative impacts under two sets of standards: the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines as they existed at the time of the analysis, and draft Guidelines that had not yet been adopted. The new Guidelines have since been adopted. The EIR concluded that the Redevelopment Project as a whole, including the development of the lands subject to the proposed amendment, in combination with existing and reasonably foreseeable future projects, would have certain potentially significant and unavoidable impacts related to air emissions.

The attached memorandum prepared by ESA (Attachment 2) analyzes impacts related to the air pollutant and greenhouse gas emissions of the construction and operation of the future uses of the lands subject to the proposed amendment, along with the cumulative impacts of the Redevelopment Project as a whole. The memorandum concludes that the development of these lands would emit criteria pollutants and greenhouse gases below the standards of significance set by the U.S. EPA and by BAAQMD.

Overall, the Redevelopment Project would have a significant and unavoidable impact related to certain criteria pollutants (Redevelopment Project EIR, Section III.H); however, the development on the lands subject to the proposed amendment would not make a cumulatively considerable contribution to that impact.

Energy. Construction of park improvements and dual-use sports fields on the land to be removed from the port priority use area would result in a minimal increase in energy usage. Operation of these areas would also lead to only minimal energy-use increases, as it is presently primarily unused and would be used for recreation and infrequent parking. Under the Housing/R&D and R&D variants, energy use would increase as a result of the development of the small non-open space portions of land to be removed from the port priority use area. The developer of the Redevelopment Project has committed to including design features that would

achieve 15 percent more energy efficiency than required by the 2008 Title 24 standards, as discussed in Redevelopment Project EIR Sections III.H (Air Quality), III.Q (Utilities), and III.R (Energy). With these features, the development and operation of the project, including the lands subject to the proposed amendment, would not have a significant impact on energy resources.

The Redevelopment Project EIR concluded that the Redevelopment Project, including the development of the lands subject to the proposed amendment, would not contribute to any significant cumulative impact related to energy consumption.

Hazardous Materials. As described on pages III.K-27 and 28 of the Redevelopment Project EIR, there have been numerous environmental investigations of the Shipyard area, which requires clean-up before development and a program of institutional controls regarding appropriate uses. A specific and extensive regulatory process, explained on pages III.K-31 through 36 will govern clean-up, transfer of the property to the SFRA, and subsequent use; Mitigation Measure HZ-1b requires compliance with the various components of this program for all Shipyard development. Redevelopment Project EIR Table II.K-2 provides detailed information on the specific actions that will be required for various construction activities. EIR Mitigation Measure HZ-1a further requires a site mitigation plan in accordance with Article 22A of the San Francisco Health Code for all development on the Shipyard, including the development of the lands subject to the proposed amendment. Mitigation Measures HZ-2a.1 and 2 also provide for planning for unknown contaminants and site-specific health and safety procedures. With the implementation of these mitigation measures, impacts related to hazardous materials would be less than significant.

The Redevelopment Project EIR concluded that the Redevelopment Project, including the development of the lands subject to the proposed amendment, would not, in combination with existing and reasonably foreseeable future projects, have significant adverse impacts related to hazardous materials.

Noise & Vibration. Noise impacts related to the development and operation of the lands subject to the proposed amendment, along with the cumulative impacts of the overall Redevelopment Project, were analyzed in the attached memorandum prepared by ESA (Attachment 2). Mitigation Measures NO.a.1 and 2 and NO-2a, identified in Redevelopment Project EIR Section III.I, will require a variety of sound-control techniques and devices, such as state of the art noise shielding on pile-driving equipment. The memorandum concludes that this mitigation will reduce construction-related noise and vibration impacts to a less than significant level.

After construction, operation of the project could contribute to noise impacts related to traffic, stationary sources, including events held at the stadium under the proposed project scenario, and air traffic in and out of San Francisco International Airport. The memorandum concludes that all of these impacts would be less than significant.

Redevelopment Project EIR concluded in Section III.I that the overall Redevelopment Project, including the development of the lands subject to the proposed amendment in combination with other existing and reasonably foreseeable projects, would have significant and unavoidable cumulative impacts related to construction and operational noise and construction-related vibration. The ESA memorandum concludes that traffic attributable to development under the R&D variant would make a cumulatively considerable contribution to the cumulative operational noise impact on Innes Avenue west of Donahue Street. Other aspects of the development, in all variants, would not make cumulatively considerable contributions to these impacts.

Wind. Development on the land to be removed from the port priority use area would not include any buildings taller than or close to 100 feet. See Redevelopment Project EIR, Section III.G; Figure IV-2 and Figure IV-8. According to the Redevelopment Project EIR, buildings of these heights rarely, if ever, have adverse wind impacts (see Redevelopment Plan EIR at III.G-8). The present project therefore will have less than significant impacts related to wind.

The Redevelopment Project EIR concluded that the Redevelopment Project as a whole, including the development of the lands subject to the proposed amendment, would not make a cumulatively considerable contribution to cumulative wind impacts.

Shadow. Under the project scenario, the land to be removed from the port priority use area would not include any substantial structures; it would therefore have no shadow impacts. Under the Housing/R&D and R&D variants, structures built on the subject land would cast some shadow on shoreline open space during afternoon between September and March, but would not substantially affect outdoor recreation facilities or other public areas or have an adverse effect on the use of the open space (see Redevelopment Plan EIR at IV-27, 28, 95).

The Redevelopment Project EIR concluded that the Redevelopment Project as whole, including the development of the lands subject to the proposed amendment, in combination with reasonably foreseeable future projects, will not have significant adverse cumulative impact with regard to shading effects.

Population, Housing, Public Services, Utilities. Under the Housing/R&D variant, the land proposed to be removed from the port priority use area would be developed with 176 housing units, including affordable, moderate income, and market rate units. Assuming 2.33 persons per unit, this would add a population of approximately 410 people to the Shipyard area. The R&D Variant would include 179,500 square feet of research and development space, which would provide approximately 450 jobs. Each of these variants would also include around 65 acres of open space, which would create approximately 17 jobs. The project scenario, with 68.6 acres of open space, would create approximately 18 jobs. Population and employment factors are provided in Redevelopment Project EIR Table IV-6.

Overall, the Redevelopment Project would bring a population increase of approximately 18,290 people to Candlestick Point and 6,175 to the Hunters Point Shipyard site (Redevelopment Project EIR, Table III.C-6). As discussed in Section III.C of that EIR, this population will be housed in new units built as part of the Project. Employment growth associated with the Project may also bring population growth. The amount of housing provided by the Redevelopment Project would exceed demand generated by employees of the Redevelopment Project, therefore the Redevelopment Project as a whole will have no significant adverse impact related to housing demand.

Moreover, this population increase has been anticipated in local and regional planning. These efforts, along with features of the Project itself, ensure that the responsible agencies will have institutional and infrastructure capacity to meet the new population's demand for public services and utilities, including police and fire services, schools, libraries, water supplies, wastewater treatment, electricity and natural gas, and solid waste disposal. All of these services and utilities other than police services will be provided to the new population without the need for new or enlarged facilities that would have significant and unavoidable environmental impacts (see Redevelopment Project EIR Sections III.O and III.Q). Construction of a new police facility may be required; such construction could have potentially significant and unavoidable impacts.

Section III.C of the Redevelopment Project EIR concludes that although the Bay Area has a significant cumulative housing shortage, the Redevelopment Project would not contribute to that shortage because it would provide more housing than would be required to meet the demand it creates. Similarly, the Redevelopment Project will provide more new affordable and public housing units than it removes, and therefore will not contribute to cumulative impacts related to the displacement of housing.

Response to Comments

As of September 30, 2011, no comments on the descriptive notice were received at the Commission office.