

# San Francisco Bay Conservation and Development Commission

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## Agenda Item #10

April 3, 2020

### Application Summary

San Francisco Recreation and Parks Department

India Basin 900 Innes Remediation Project

(For Commission consideration on April 16, 2020)

<b>BCDC Permit Application Number:</b>	2019.003.00
<b>Application Filed Complete:</b>	March 5, 2020
<b>Deadline for Commission Action:</b>	June 3, 2020
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#### Project Overview

##### Project Description

The project is located on a 3.38-acre site along the shoreline of India Basin in the City and County of San Francisco. The upland portion of the project site is bounded by India Basin Shoreline Park (IBSP) to the northwest, San Francisco Bay to the northeast, India Basin Open Space (IBOS) to the east, the 700 Innes property owned by BUILD, Inc., to the southeast, and Innes Avenue to the southwest. The historic use of the site included maritime boat repair operations that occurred for approximately 120 years. During this use, a number of chemicals were used during the operation of the site and have led to contamination of the soils on the upland portion of the site and the sediment in the mudflats located at the site. During remediation activities, most of the existing buildings and structures on the site would be demolished. The project site is currently gated off and not accessible to the public.

The remediation goals of the proposed project are to improve water quality and habitat in the Bay and eliminate the human health exposure pathways in the upland portion of the site. This project involves voluntary cleanup actions to remove historic contaminants (including metals, petroleum hydrocarbons, polycyclic aromatic hydrocarbons, polychlorinated biphenyls, etc.) to meet both Water Board- and Environmental Protection Agency (EPA)-approved cleanup targets. The project involves remediation of both the landside portion and intertidal mudflats of the site. The proposed project will prepare the site for redevelopment as a public park, which

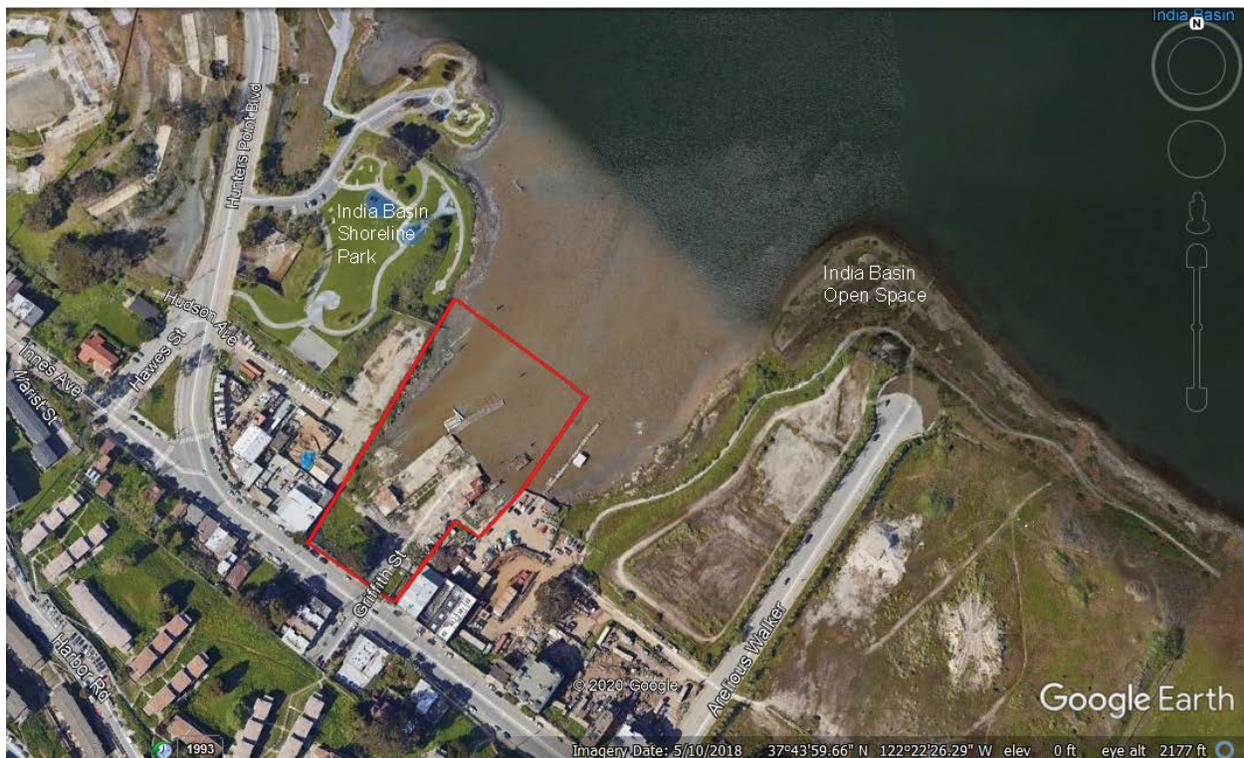


would be part of an improved network of parkland and open space along the shoreline of India Basin. The future park would be integrated as part of the City of San Francisco's Blue Greenway and add a segment of the San Francisco Bay Trail through the site.

More specifically, the proposed project involves the removal of 7,200 cubic yards (cy) of contaminated sediment from an approximately 47,916-square-foot (1.1-acre) area of tidal mudflat and backfilling the same area with 7,400 cy of clean cover material to the original site elevation. Additionally, the proposed project involves placing approximately 800 cy of sand to cap two additional mudflat areas, totaling approximately 17,424 square feet (0.4 acres) of permanent fill. The proposed project would remove approximately 320 cy of fill from the Bay, including pile-supported structures, pilings, docks, a ramp, and marine debris that is currently covering approximately 7,000 square feet of the Bay.

Work in the 100-foot Shoreline Band would include removal of approximately 25,714 square feet of dilapidated structures on the site, including two wharves that were constructed prior to the Commission's establishment. Following removal of these structures, the proposed project involves removal of approximately 11,600 cy of soil over approximately 108,900 square feet of the site and backfilling this area with the same volume of clean fill to bring the site back up to the original elevation. Removal of the two wharves with bulkhead walls and other upland structures would open up new areas along the shoreline to tidal action. The total increase in Bay water surface area following remediation activities would be approximately 12,711 square feet from removal of structures in the Bay and those along the shoreline.

Figure 1. Proposed project location along the shoreline of India Basin in the southern portion of the City and County of San Francisco as shown below by the red line.



### **Minimize Harmful Effects to the Bay**

The proposed project would be conducted in accordance with the Final Remedial Action Plan and Remedial Design Report (RAP/RDR) approved by the Water Board on December 18, 2019. The proposed project would isolate approximately 47,916 square feet (1.1 acres) of tidal mudflats from the Bay water during remediation activities by placing a temporary water barrier that would cover an additional 9,142 square feet (0.21 acres) across the mudflats and account for 3,701 cy of temporary fill during construction activities. A majority of work for the proposed project would be conducted in isolation from Bay waters, but the work on the two sand cap areas near India Basin Shoreline Park and some piling and marine debris removal would occur in the tidal waters or mudflats of the Bay.

The proposed project has the potential to impact water quality, species present in the project area, and habitats within and outside of the project area. Impacts from the project on listed and native species are likely to include increased turbidity, exposure to contaminants, and noise during the project activities. To address these potential impacts, the proposed project includes a number of best management practices and minimization measures to reduce sediment disturbance and other impacts during any in-water work, including conducting all work during environmental work windows, reducing the speed of removal and placement of any fill, and compliance with all requirements from the Water Board, National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service (USFWS), and California Department of Fish and Wildlife (CDFW). The proposed project would remove all soils and sediments from the site that are considered hazardous waste according to California's Total Threshold Limit Concentration (TTL) values, or that have chemical concentrations above the environmental threshold levels for human health and ecological protection as described in the Final RAP/RDR. All excavated areas would be backfilled with clean soil and sediment to achieve pre-project site elevations and improve Bay habitat in the area.

### **Public Access**

The proposed project includes an interim public access pathway that would be constructed if the timing between the completion of remediation activities and the initiation of construction on the public park exceeds six months. This interim access, if constructed, would include an approximately 12-foot-wide, 806-foot-long, decomposed granite pathway that would be open and accessible to the public for the express uses of walking, biking, viewing, etc. Additionally, this interim access would connect with the India Basin Shoreline Park and India Basin Open Space. The construction for the future public park, which would be reviewed under a separate permit application and Commission action, is anticipated to begin in late Spring/early Summer of 2021 following the completion of remediation activities. The future public park is anticipated to include a variety of public access amenities, wetland habitats, and open space along the shoreline, and would be incorporated into both the Bay Trail and the City of San Francisco's Blue Greenway.

### Priority Use Area

The project site is located within a San Francisco Bay Plan-designated “Waterfront Park, Beach” Priority Use Area, identified on Bay Plan Map No. 5. The site is also located within the San Francisco Waterfront Special Area Plan Park Priority Use Area along the Southern Waterfront of San Francisco. The proposed project would remediate the site and build it back up to the existing elevations to support the future redevelopment and construction of a public park on the site. The future public park development would be subject to a future Commission permit application.

### Schedule and Cost

The applicant states that the remediation activities and in-water work are anticipated to begin June 1, 2020, assuming that all permits are obtained prior to the beginning of the work window. The estimated total project cost is \$7,000,000. The EPA and the San Francisco Bay Restoration Authority provided grant funding to the applicant to conduct the voluntary remediation project to improve water quality and site conditions for future public uses.

### Issues Raised

The staff believes the primary issues raised by the proposed project are: (1) whether the project is sufficiently protective of the natural resources of the Bay and provides maximum feasible public access consistent with the project, and (2) whether the project is consistent with the McAteer-Petris Act and Bay Plan policies related to the natural resources of the Bay and public access.

### Staff Notes

The Staff notes the following considerations for the Commission:

- **Design Review Board.** The future proposed 900 Innes park project was included in a conceptual review by the Design Review Board (DRB) of the entire Mixed-Use Development in India Basin in November 2016, and then reviewed individually by the DRB in February 2020. The proposed remediation project is an interim phase in the redevelopment of the project site into a public park. The proposed remediation project was not specifically reviewed by the DRB or the Engineering Criteria Review Board, as the project did not involve significant fill or safety of fills concerns and the project is an interim phase in the redevelopment.
- **900 Innes Public Park Construction Timeline.** The applicant recently received notification that the park project, which would be subject to a separate Commission permit application, was selected to receive grant funding from the California Department of Parks and Recreation. As a condition of the grant funding, the applicant is required to have the public park at 900 Innes constructed and open to the public by March 2022, unless that date is further modified by a grant extension or agreement.

The applicant would like to complete the remediation activities proposed in this permit application in 2020 to ensure that park construction can be initiated as soon as all required permit approvals are obtained for the project.

### Applicable Laws and Policies

The following laws and policies are applicable to the Commission's Review of the proposed project:

- The McAteer-Petris Act: mainly Sections 66605 (Requirements for Fill in the Bay) and 66632 (Priority Use and Maximum Feasible Public Access)
- The San Francisco Bay Plan policies on: Fish, Wildlife, and Other Aquatic Organisms; Tidal Marshes and Tidal Flats; Water Quality; Water Surface Area and Volume; and Public Access
- The San Francisco Waterfront Special Area Plan Geographic-specific policies for the Southern Waterfront (China Basin-India Basin) on: Public Recreation/Open Space/Public Access

### Exhibits

- A. Vicinity Map**
- B. Proposed Site Map**
- C. Post-Remediation Site Conditions**
- D. Interim Public Access**