

File No. 240877

Committee Item No. \_\_\_\_\_

Board Item No. 23

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: October 22, 2024

#### Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Resolution                                   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Budget and Legislative Analyst Report        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input type="checkbox"/>            | Introduction Form                            |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
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| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
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#### OTHER

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|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u><a href="#">OCII Report - HPS Plan Amendment 9/6/2024</a></u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u><a href="#">FEIR Volume 1 - 8/2017</a></u>                    |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u><a href="#">FEIR Volume 2 - 8/2017</a></u>                    |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u><a href="#">FEIR Volume 3 - 8/2017</a></u>                    |
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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u><a href="#">FEIR Volume 5 - 8/2017</a></u>                    |
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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u><a href="#">EIR Addendum 1 - 12/11/13</a></u>                 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u><a href="#">EIR Addendum 2 - 5/2/14</a></u>                   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u><a href="#">EIR Addendum 3 - 9/19/14</a></u>                  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u><a href="#">EIR Addendum 4 - 2/22/16</a></u>                  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u><a href="#">EIR Addendum 5 - 4/19/18</a></u>                  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u><a href="#">EIR Addendum 6 - 10/01/19</a></u>                 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u><a href="#">EIR Addendum 7 - 8/23/24</a></u>                  |

- CCII Reso No. 22-2024 9/3/24
- CCII Reso No. 24-2024 9/3/24
- CCII Reso No. 26-2024 9/3/24
- CCII Reso No. 27-2024 9/3/24
- Planning Commission Motion No. 21607 9/12/24

**Prepared by:** Jocelyn Wong  
**Prepared by:** \_\_\_\_\_

**Date:** October 18, 2024  
**Date:** \_\_\_\_\_

1 [Redevelopment Plan Amendment - Hunters Point Shipyard]

2  
3 **Ordinance approving and adopting an amendment to the Redevelopment Plan for the**  
4 **Hunters Point Shipyard Redevelopment Project Area (“HPS”) to authorize the transfer**  
5 **of up to 2,050,000 square feet of research and development and office space from HPS**  
6 **Phase 2 to the Bay View Hunters Point Redevelopment Plan Project Area Zone 1 and**  
7 **extend the Redevelopment Plan time limits for HPS Phase 2; directing the Clerk of the**  
8 **Board to transmit a copy of this Ordinance upon its enactment to the Successor**  
9 **Agency; making findings under the California Environmental Quality Act; and making**  
10 **findings of consistency with the General Plan, and the eight priority policies of**  
11 **Planning Code, Section 101.1.**

12 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
13 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
14 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
15 **Board amendment additions** are in double-underlined Arial font.  
16 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
17 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
18 subsections or parts of tables.

19 Be it ordained by the People of the City and County of San Francisco:

20 Section 1. Findings.

21 (a) On May 23, 2006, in Ordinance No. 113-06, the Board of Supervisors approved  
22 and adopted the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project  
23 (“BVHP Plan”), which established basic policies for development of the Bayview Hunters Point  
24 Redevelopment Project Area (“BVHP Project Area”). The Redevelopment Agency of the City  
25 and County of San Francisco (“Redevelopment Agency”) thereby became vested with the  
responsibility to carry out these redevelopment plans. On July 14, 1997, in Ordinance No.

1 285-97, the Board of Supervisors approved and adopted the Hunters Point Shipyard  
2 Redevelopment Plan (“HPS Plan”), which established basic policies for development of the  
3 Hunters Point Shipyard Redevelopment Project Area (“HPS Project Area”), pursuant to the  
4 Military Base Conversion Chapter of the Community Redevelopment Law (“CRL”) (California  
5 Health and Safety Code Sections 33492 et seq.).

6 (b) On August 3, 2010, in Ordinance Nos. 210-10 and 211-10, the Board of  
7 Supervisors approved and adopted amendments to the BVHP Plan and the HPS Plan,  
8 respectively, in connection with the approval of the Candlestick Point-Hunters Point Shipyard  
9 Phase 2 Project (“Project”).

10 (c) To implement the Project, the Redevelopment Agency and CP Development Co.,  
11 LP, a Delaware limited partnership (“Developer”), entered into various agreements, including  
12 a Disposition and Development Agreement (Candlestick Point and Phase 2 of the Hunters  
13 Point Shipyard), dated as of June 3, 2010, as amended from time to time (the “DDA”). The  
14 Project proposed a cohesive, overall plan for the development in Phase 2 of the HPS Project  
15 Area (which excludes previously authorized development in the Hunters Point Hill Residential  
16 District, referred to as “HPS Phase 1”), and development in the Candlestick Point portion of  
17 the BVHP Project Area.

18 (d) On July 13, 2010, the Board of Supervisors approved Motion No. 10-110, which  
19 affirmed the Planning Commission’s certification of the final environmental impact report for  
20 the Candlestick Point-Hunters Point Shipyard Phase 2 Project (“FEIR”) in compliance with the  
21 California Environmental Quality Act (“CEQA”) (California Public Resources Code Sections  
22 21000 et seq.). A copy of this Motion is on file with the Clerk of the Board of Supervisors in  
23 File No. 100862 and is incorporated herein by reference.

24 (e) The Project, as analyzed in the FEIR and approved, included a new professional  
25 football stadium in the HPS Project Area, a mix of other uses throughout the development

1 area, a comprehensive open space plan, an integrated transportation plan, a robust  
2 community benefits plan, and improved opportunities to finance the development of affordable  
3 housing and the public infrastructure necessary to expedite the revitalization of both areas.  
4 Also, as part of the Project, the FEIR analyzed several land use variants, which provided for  
5 differing mixes of housing, retail, research and development, and office uses in lieu of the  
6 stadium use.

7 (f) Together with approval actions taken in 2010, this Board adopted Resolution No.  
8 347-10, making findings in relation to the Project pursuant to CEQA, including a statement of  
9 overriding considerations and a mitigation monitoring and reporting program (“CEQA  
10 Findings”). Copies of said Resolution and supporting materials are in the Clerk of the Board  
11 of Supervisors File No. 100572 and are incorporated herein by reference.

12 (g) On February 1, 2012, the State of California, in California Health and Safety Code  
13 Sections 34170 et seq. (the “Redevelopment Dissolution Law”), dissolved all redevelopment  
14 agencies in the State and established successor agencies to assume certain rights and  
15 obligations of the former agencies. On October 2, 2012, in Ordinance No. 215-12, the Board  
16 of Supervisors delegated its State authority under the Redevelopment Dissolution Law to the  
17 Successor Agency to the former Redevelopment Agency of the City and County of San  
18 Francisco (the “Successor Agency”); established the Successor Agency Commission  
19 (commonly known as the “Commission on Community Investment and Infrastructure” or “CCII”  
20 and the Office of Community Investment and Infrastructure or “OCII”) to implement and  
21 complete, among other things, the surviving enforceable obligations of the dissolved  
22 Redevelopment Agency; and acknowledged that, under the Redevelopment Dissolution Law,  
23 the Successor Agency held all transferred assets and obligations of the dissolved  
24 Redevelopment Agency. On December 4, 2012, the California Department of Finance finally  
25

1 and conclusively determined that the DDA and related agreements were enforceable  
2 obligations of the Successor Agency.

3 (h) On June 13, 2017, the Board of Supervisors approved and adopted, in Ordinance  
4 Nos. 121-17 and 122-17, respectively, amendments to the HPS Plan and the BVHP Plan to  
5 conform the plans to Proposition O, the “Hunters Point Shipyard/Candlestick Point Jobs  
6 Stimulus Proposition,” adopted by the San Francisco voters on November 8, 2016.  
7 Proposition O exempts the Project from the annual office development cap established under  
8 Planning Code Sections 320-325.

9 (i) On July 16, 2018, the Board of Supervisors approved and adopted amendments to  
10 the HPS Plan and BVHP Plan (“2018 Plan Amendments”) in Ordinance Nos. 166-18 and 167-  
11 18, respectively. The 2018 Plan Amendments amended the BVHP Plan and HPS Plan to  
12 authorize, subject to prior Successor Agency Commission approval: (1) adjustment of the  
13 amount of individual non-residential uses permitted in the BVHP Project Area (except for  
14 community use space), including conversion to other non-residential uses allowed by the  
15 BVHP Plan, provided the total square footage of non-residential uses does not materially  
16 exceed the Plan’s overall limitation for non-residential development in the Candlestick Point  
17 area; and (2) the transfer of up to 118,500 square feet of research and development and  
18 office space from Phase 2 of the HPS Project Area to those areas of Zone 1 of the BVHP  
19 Project Area where such uses are permitted, with a corresponding reduction in that use in the  
20 HPS Project Area. In addition, the 2018 Plan Amendment would authorize, subject to prior  
21 Successor Agency Commission approval, adjustment of the amount of individual non-  
22 residential uses permitted in the HPS Project Area (except for artists or community use  
23 space), including conversion to other non-residential uses allowed by the HPS Plan; provided  
24 that the total square footage of non-residential uses does not materially exceed the Plan’s  
25 overall limitation for non-residential development.

1 (j) On September 13, 2023, Governor Newsom signed into law Senate Bill 143 (2023)  
2 (“SB 143”) that amended California Health and Safety Code Section 34177.7 to add  
3 subdivision (j), which states that “the limitations relating to time for establishing loans,  
4 advances, and indebtedness, the effectiveness of the redevelopment plans, the time to repay  
5 indebtedness, the time for applying tax increment, the number of tax dollars, or any other  
6 matters set forth in Section 33333.2 and Section 33492.13 shall not apply” to the Project. SB  
7 143 provides that the applicable time limits for establishing loans, advances, and  
8 indebtedness; the effectiveness of the redevelopment plans; and the time to repay  
9 indebtedness and receive property taxes will be established in the Project agreements. SB  
10 143 further clarifies that the Redevelopment Dissolution Law does not “limit the receipt and  
11 use of property tax revenues generated from the HPS Redevelopment Plan project area or  
12 Zone 1 of the BVHP Plan project area” in connection with the Project.

13 (k) The Developer has proposed modifications to the Project primarily affecting the  
14 Zone 1 of the BVHP Plan Project Area, with some conforming changes that affect the HPS  
15 Project Area. To facilitate the proposed modifications, the Successor Agency Commission  
16 has proposed an amendment to the HPS Plan (“2024 Plan Amendment”) that would amend  
17 the HPS Plan to allow the transfer of up to 2,050,000 square feet of research and  
18 development and office space from Phase 2 of the HPS Project Area to those portions of  
19 Zone 1 of the BVHP Project Area where that use is allowed, subject to Successor Agency  
20 Commission approval and any necessary environmental review.

21 (l) The 2024 Plan Amendment also implements SB 143 and establishes the applicable  
22 limitations relating to time for establishing loans, advances, and indebtedness, the  
23 effectiveness of the HPS Plan, and the time to repay indebtedness and receive property  
24 taxes, in connection with Phase 2 of the HPS Project Area. It does so in the following ways:  
25 (1) the time limit for establishing loans, advances, and indebtedness in connection with Phase

1 2 of the HPS Project Area shall be 30 years from the date of conveyance to the master  
2 developer all Phase 2 parcel(s) required for the completion of development of the first Major  
3 Phase (as defined in that certain Disposition and Development Agreement for the CP-HPS2  
4 Project) located within Phase 2 (defined as the "Initial HPS Transfer Date") plus an additional  
5 15 years which represents the "Anticipated Navy Delay" as further described in this  
6 subsection (l); (2) the time limit for the effectiveness of the HPS Plan for Phase 2 shall be 30  
7 years from the Initial HPS Transfer Date plus an additional 15 years which represents the  
8 Anticipated Navy Delay; and (3) the time limit to repay indebtedness and receive property  
9 taxes for Phase 2 shall be 45 years from the Initial HPS Transfer Date plus an additional 15  
10 years which represents the Anticipated Navy Delay. The Navy has recently informed OCII  
11 that completion of remediation and conveyance of all portions of the Shipyard Site, excluding  
12 Parcel F, to Developer will occur sometime in 2036-2038, including time needed for a Finding  
13 of Suitability for Transfer and associated conveyance documentation. Documentation from  
14 the Navy relaying these schedule delays is described in correspondence that the Navy  
15 provided to OCII, and which is on file with the CCII Commission Secretary. This estimated  
16 delay (defined as the "Anticipated Navy Delay" in the HPS Plan) warrants the additional 15-  
17 year extension of the redevelopment timelines referenced above for purposes of  
18 redevelopment activities on the Shipyard Site and related tax increment financing.

19 (m) The 2024 Plan Amendment further proposes adjusting the limit on the amount of  
20 bonded indebtedness that can be outstanding at one time by combining the existing \$800  
21 million applicable to Candlestick Point and the existing \$900 million limit applicable to the  
22 Shipyard Site into a single limit in the amount of \$5.9 billion applicable to both Zone 1 of the  
23 BVHP Project Area and Phase 2 of the HPS Project Area. The limits on bonded  
24 indebtedness, which have not been adjusted since the approval of the Project in 2010, are  
25 necessary to address increases in project costs and inflation that have occurred since 2010

1 and future increases in project costs and inflation as redevelopment activities within Zone 1 of  
2 Project Area B and Phase 2 of the HPS Project Area progress. The 2024 Plan Amendment  
3 also would make minor amendments to the definitions, regulations, and standards of the HPS  
4 Plan.

5 (n) On September 3, 2024, CCII adopted Resolution Nos. 24-2024 and 26-2024 (“CCII  
6 Approval Resolutions”) which, among other things, approved the Report to the Board and  
7 recommended the adoption of the 2024 Plan Amendment. OCII has transmitted certified  
8 copies of the CCII Approval Resolutions to the Board of Supervisors together with its Report  
9 to the Board and the amendment to the HPS Plan. Copies of the CCII Approval Resolutions,  
10 the Report to the Board, and the 2024 Plan Amendment are on file with the Clerk of the Board  
11 of Supervisors File No. 240877 and incorporated herein by reference.

12 (o) OCII transmitted the 2024 Plan Amendment to the Planning Commission pursuant  
13 to CRL Section 33346 for the Planning Commission’s report and recommendation concerning  
14 the 2024 Plan Amendment and its conformity with the General Plan. On September 12, 2024,  
15 the Planning Commission, in Motion No. 21607, adopted findings that the actions  
16 contemplated in this ordinance are consistent, on balance, with the City’s General Plan, as  
17 amended, and eight priority policies of Planning Code Section 101.1. The Board adopts these  
18 findings as its own. A copy of this Planning Commission Motion is on file with the Clerk of the  
19 Board of Supervisors in File No. 240877 and incorporated by reference herein.

20 (p) On October 22, 2024 the Board of Supervisors held a duly noticed public hearing  
21 on the 2024 Plan Amendment. The hearing has been closed. Notice of such hearing was  
22 published in accordance with the CRL Section 33361, as required under Section 33354.6, in  
23 The Examiner, a newspaper of general circulation, printed, published, and distributed in the  
24 City and County of San Francisco, describing the boundaries of the HPS Project Area and  
25 stating the day, hour, and place when and where any interested persons may appear before

1 the Board of Supervisors to object to the 2024 Plan Amendment. At such hearing the Board  
2 considered the Report to the Board and recommendations of OCII and the Planning  
3 Commission, the FEIR, and all evidence and testimony for and against the proposed 2024  
4 Plan Amendment.

5

6 Section 2. Environmental Findings.

7 (a) The Successor Agency determined that proposed modifications to the Project,  
8 referred to in CEQA Addendum No. 7 as the 2024 Modified Project Variant (hereinafter  
9 referred to as the “Modified Project”), will not result in any new significant impacts or a  
10 substantial increase in the severity of previously identified significant effects that would alter  
11 the conclusions reached in the FEIR. A copy of Addendum No. 7 and supporting materials  
12 are in the Clerk of the Board of Supervisors File No. 240877 and incorporated herein by  
13 reference.

14 (b) By Resolution No. 22-2024, adopted September 3, 2024, CCII determined that the  
15 analysis conducted and the conclusions reached in the FEIR as to the environmental effects  
16 of the Project, together with further analysis provided in Addendum No. 1, Addendum No. 4,  
17 Addendum No. 5, Addendum No. 6, and Addendum No. 7 to the FEIR, remain valid and can  
18 be relied upon for approval of the Modified Project in compliance with the CEQA, that the  
19 Modified Project will not cause new significant impacts not identified in the Final EIR or  
20 substantially increase the severity of previously identified significant impacts, and that no new  
21 mitigation measures will be necessary to reduce significant impacts. Therefore, CCII  
22 determined that no subsequent or supplemental environmental review is required beyond  
23 Addendum No. 7 to approve the Modified Project.

24 (c) As part of Resolution No. 22-2024, CCII made findings regarding the modifications  
25 to previously adopted mitigation measures as recommended in Addendum No. 7 and as

1 further set forth in Resolution No. 22-2024, and approved the modifications to the adopted  
2 mitigation measures. A copy of Resolution No. 22-2024 and supporting materials are on file  
3 with the Clerk of the Board of Supervisors File No. 240877 and incorporated herein by  
4 reference.

5 (d) The Board has reviewed and considered the information contained in the Final EIR  
6 and CEQA Findings, including the statement of overriding considerations that it previously  
7 adopted in Resolution No. 0347-10, and Addendum No. 1, Addendum No. 4, Addendum No.  
8 5, Addendum No. 6, and Addendum No. 7, and the findings in OCII Resolution No. 22-2024.  
9 The Board finds that the actions contemplated by this ordinance are included in the actions  
10 identified in OCII Resolution No. 22-2024 for purposes of compliance with CEQA. The Board  
11 hereby adopts the additional CEQA Findings in OCII Resolution No. 22-2024 as its own,  
12 including approving the modifications to the adopted mitigation measures recommended for  
13 modification in Addendum No. 7.

14  
15 Section 3. Purpose and Intent. The purpose and intent of the Board of Supervisors  
16 with respect to the 2024 Plan Amendment is to facilitate development of the Modified Project  
17 consistent with the Modified Project agreements and the objectives of the HPS Plan.

18  
19 Section 4. Plan Incorporation by Reference. The HPS Plan, as amended by this  
20 ordinance, is incorporated in and made a part of this ordinance by this reference with the  
21 same force and effect as though fully set forth in this ordinance. Copies of the HPS Plan, as  
22 amended, are on file with the Clerk of the Board of Supervisors in File No. 240877 and  
23 incorporated herein by reference.

1 Section 5. Further Findings and Determinations Regarding the 2024 Plan Amendment  
2 under Community Redevelopment Law. To the extent required by the CRL, the Board of  
3 Supervisors hereby further finds, determines, and declares, based on the record before it,  
4 including but not limited to information contained in the Report to the Board:

5 (a) Significant blight (as described in the Report to the Board) remains in Phase 2 of  
6 the HPS Project Area, the redevelopment of which is necessary to effectuate the public  
7 purposes declared in the CRL.

8 (b) The remaining significant blight in Phase 2 of the HPS Project Area cannot be  
9 eliminated without the establishment of additional debt and the increase in the limitation on  
10 the number of dollars to be allocated to the Successor Agency.

11 (c) The HPS Plan as amended by the 2024 Plan Amendment will redevelop Phase 2  
12 of the HPS Project Area in conformity with the CRL and is in the interest of the public peace,  
13 health, safety, and welfare.

14 (d) The adoption and carrying out of the 2024 Plan Amendment is economically sound  
15 and feasible as described in the Report to the Board.

16 (e) For the reasons set forth in Section 1, subsection (o) of this ordinance, the 2024  
17 Plan Amendment is consistent with the San Francisco General Plan, including with the priority  
18 policies in Planning Code Section 101.1.

19 (f) The carrying out of the 2024 Plan Amendment will promote the public peace,  
20 health, safety, and welfare of the community and effect the purposes and policies of the CRL.

21 (g) The provisions of the HPS Plan concerning the condemnation of real property have  
22 expired and are not necessary to execution of the 2024 Plan Amendment.

23 (h) Neither the HPS Redevelopment Plan nor the 2024 Plan Amendment authorize the  
24 use of eminent domain.

25

1 (i) The 2024 Plan Amendment will not result in the temporary or permanent  
2 displacement of any occupants of housing facilities.

3 (j) The 2024 Plan Amendment does not change the boundaries of the HPS Project  
4 Area and, therefore, does not include any additional area for the purpose of obtaining any  
5 allocation of tax increment revenues pursuant to CRL Section 33670.

6 (k) The elimination of blight and the redevelopment of Phase 2 of the HPS Project  
7 Area could not reasonably be expected to be accomplished by private enterprise acting alone  
8 without the aid and assistance of the Successor Agency.

9 (l) The HPS Project Area is predominantly urbanized, as defined by CRL 33320.1(b).

10 (m) The time limitation and increase in the amount of bonded indebtedness contained  
11 in the 2024 Plan Amendment are reasonably related to the proposed projects to be  
12 implemented in Phase 2 of the HPS Project Area and to the ability of the Successor Agency to  
13 eliminate blight within Phase 2 of the HPS Project Area.

14 (n) The implementation of the 2024 Plan Amendment will further the HPS Plan's ability  
15 to improve or alleviate the physical and economic conditions of the HPS Project Area.

16  
17 Section 6. Official Plan. The Board of Supervisors hereby approves and adopts the  
18 2024 Plan Amendment as the official Redevelopment Plan for the Project Area.

19  
20 Section 7. Transmittal of Plan as Amended. The Clerk of the Board of Supervisors  
21 upon enactment shall: (a) transmit a copy of this ordinance to the Successor Agency,  
22 whereupon the Successor Agency shall be vested with the responsibility for carrying out the  
23 HPS Plan as amended; (b) record or ensure that the Successor Agency records a notice of  
24 the approval and adoption of the 2024 Plan Amendment pursuant to this ordinance,  
25 containing a statement that proceedings for the redevelopment of the HPS Project Area

1 pursuant to the HPS Plan, as amended, has been instituted under the CRL; and (c) transmit a  
2 copy of the ordinance, together with a copy of the 2024 Plan Amendment, to the Controller,  
3 the Tax Assessor, the State Board of Equalization and the governing body of each of the  
4 taxing agencies that levies taxes upon any property in the HPS Project Area as required  
5 under CRL Section 33375.

6  
7 Section 8. Effective Date. In accordance with CRL Sections 33378(b)(2) and 33450,  
8 this ordinance shall become effective 90 days from the date of enactment. Enactment occurs  
9 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not  
10 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the  
11 Mayor's veto of the ordinance.

12  
13 APPROVED AS TO FORM:  
14 DAVID CHIU, City Attorney

15 By: /s/ JOHN D. MALAMUT  
16 JOHN D. MALAMUT  
Deputy City Attorney

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## LEGISLATIVE DIGEST

[Redevelopment Plan Amendment - Hunters Point Shipyard]

**Ordinance approving and adopting an amendment to the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area (“HPS”) to authorize the transfer of up to 2,050,000 square feet of research and development and office space from HPS Phase 2 to the Bay View Hunters Point Redevelopment Plan Project Area Zone 1 and extend the Redevelopment Plan time limits for HPS Phase 2; directing the Clerk of the Board to transmit a copy of this Ordinance upon its enactment to the Successor Agency; making findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.**

### Existing Law

In 2010, the City adopted amendments to two redevelopment plans, the Hunters Point Shipyard Redevelopment Plan (“HPS Plan”) and the Bayview Hunters Point Redevelopment Plan (“BVHP Plan”), to facilitate development within the two redevelopment project areas of the Candlestick Point - Hunters Point Shipyard Phase 2 Project (“Project”). The Project is located in the southeast part of San Francisco, consisting of land located at Candlestick Point and in the Hunters Point Shipyard. The BVHP Plan sets out the land use controls for the Candlestick Point portion of the Project, which is located in Zone 1. The BVHP Plan contains Project Area B, which includes Zones 1 and 2. The Candlestick Point portion of the Project is located in Zone 1 of Project Area B.

The HPS Plan Project Area includes Phase 1 and Phase 2. The Hunters Point Shipyard portion of the Project is located in Phase 2 of the HPS Plan Project Area. Phase 2 of the HPS Project Area is developed in accordance with land use controls in the HPS Plan and related documents, such as the Hunters Point Shipyard Design for Development.

### Amendments to Current Law

The ordinance would amend the HPS Plan (“2024 Plan Amendment”) to advance the development of the Project by: (1) authorizing the transfer of up to 2,050,000 square feet of commercial uses from Phase 2 of the HPS Project Area to commercially-zoned areas of Zone 1 of the BVHP Project Area with a corresponding reduction in those uses at Phase 2 of the HPS Project Area; (2) clarifying that certain commercial uses currently authorized within the HPS Project Area are also allowed within Zone 1 of the BVHP Project Area; (3) extending the limitations relating to the duration for establishing loans, advances, and indebtedness, the effectiveness of the Redevelopment Plans, and the time to repay indebtedness and receive tax increment, in connection with Zone 1 of the BVHP Project Area and Phase 2 of the HPS Project Area; (4) authorizing tax increment from Phase 2 of the HPS Project Area and Zone 1

of the BVHP Project Area to be combined to fund costs under the Project agreements; and (5) adjusting the limit on the amount of bonded indebtedness that can be outstanding at one time by establishing a single limit on the amount of bonded indebtedness applicable to both Zone 1 of the BVHP Plan and Phase 2 of the HPS Project Area. The legislation also would adopt various findings including those required under State Redevelopment Law, environmental findings, and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

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**CITY AND COUNTY OF SAN FRANCISCO**

**BOARD OF SUPERVISORS**

**BUDGET AND LEGISLATIVE ANALYST**

1390 Market Street, Suite 1150, San Francisco, CA 94102 (415) 552-9292  
FAX (415) 252-0461

October 21, 2024

**TO:** Board of Supervisors

**FROM:** Budget and Legislative Analyst



**SUBJECT:** October 22, 2024 Committee of the Whole Adjourn and Report

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<b>Items 23, 24, &amp; 25</b> <b>File 24-0885</b>	<b>Department:</b> Controller
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**EXECUTIVE SUMMARY**

**Legislative Objectives**

**File 24-0877** is an ordinance that would amend the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area to extend the time limits for Hunters Point Shipyard Redevelopment Project Area Phase 2.

**File 24-0878** is an ordinance that would amend the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project Area to extend the time limits for the Bayview Hunters Point Redevelopment Project Area Zone 1

The amendments would also allow the transfer of up to 2,050,000 square feet of research and development and office space from the Hunters Point Shipyard Redevelopment Project Area to Bayview Hunters Point Redevelopment Plan Project Area Zone 1.

**File 24-0885** is a resolution that would approve the first amendment to the Tax Increment Allocation Pledge Agreement (Pledge Agreement) between the City and Successor Agency to the Redevelopment Agency (Office of Community Investment and Infrastructure or OCII). The amendment aligns the Pledge Agreement to the Redevelopment Plans' extended time limits.

**Key Points**

- In 2010, OCII entered into a Disposition and Development Agreement (DDA) with CP Development Co., LP. The DDA establishes: (a) the rights of the developer to develop the Project in a series of phases; and (b) the responsibilities of the developer to develop horizontal infrastructure. This public infrastructure is initially paid for by the developer and then reimbursed through public financing, including (a) special taxes and bonds; (b) tax increment revenue and bonds; and (c) other sources, such as grants. The Redevelopment Plans and Pledge Agreement allow for incremental increases in property taxes to pay for project costs. Absent a redevelopment plan, in FY 2024-25, the City would receive 64.6% of property taxes. Under the proposed agreements, the City would receive 12.9% of new property taxes, with most of the remaining revenue going to OCII to pay for project costs.

**Fiscal Impact**

- Analysis by Economic & Planning Systems indicate that the projects will generate a combined \$47.5 million in net General Fund revenues (in 2024 dollars) at project stabilization.

**Policy Considerations**

- The original Pledge Agreement and DDA were entered into in 2010 with the expectation that work would be complete in 2030. Relatively little has been accomplished due, in part, to the Navy’s delay in transferring the Shipyard land to OCII. The Shipyard and Candlestick

redevelopment programs were designed to be developed in tandem, so the delay impacted both project areas.

- The proposed amendments reset the redevelopment timelines for both projects and extend the timelines for public financing. If the project is finally launched, it will provide housing for 16,818 residents at Candlestick Point and 8,048 residents in Shipyard, a third of which would be in income-restricted units, and contribute to economic growth during and after construction.
- At the same time, the proposed Plan Amendments would push the end date of the Shipyard project to 2083, or 85 years after the competitive solicitation was issued to select the developer. This request comes to the Board of Supervisors on a relatively thin record of accomplishments – only 4.5 percent of the housing in Candlestick point has been built (the housing that was built is 100 percent affordable). The Board could consider requesting OCII reprocur the developer. Three other developers responded to the 1998 competitive solicitation. The Board could also defer approval of the Shipyard Plan Amendments and related language in the Pledge Agreement. At a later time, the Board of Supervisors could evaluate progress on the Candlestick project to assess whether further financial commitments from the City are warranted. The Controller is authorized to audit the work of the BVHP Plan, but not the Shipyard Plan, and no such performance audits have been completed to date.

#### **Recommendation**

Approval of the proposed ordinances and resolution are policy matters for the Board of Supervisors.

**MANDATE STATEMENT**

California Health and Safety Code Section 33450 states that local legislative bodies may amend redevelopment plans, by ordinance.

California Health & Safety Code Section 33670 states that incremental tax revenue generated within redevelopment plan areas may be used to finance redevelopment projects, including for paying debt. Although state law dissolved redevelopment agencies in 2012, successor agencies to redevelopment agencies may continue to receive this incremental tax revenue to the extent that enforceable obligations, such as pledge agreements, survived redevelopment dissolution and were approved by the state.

City Charter Section 9.118(b) states that any contract entered into by a department, board or commission that (1) has a term of more than ten years, (2) requires expenditures of \$10 million or more, or (3) any modification of such contracts of more than \$500,000, is subject to Board of Supervisors approval.

**BACKGROUND**

**OCII**

The former San Francisco Redevelopment Agency was the entity charged with alleviating blight through redevelopment projects. Such projects were governed by redevelopment plans approved by the Board of Supervisors and typically financed with incremental increases in property taxes generated by increased property value following redevelopment.

When redevelopment agencies were dissolved in 2012, the State created successor agencies to carry out the enforceable obligations in effect at the time of dissolution. The Board of Supervisors allowed the Successor Agency to the San Francisco Redevelopment Agency, known as the Office of Community Investment and Infrastructure (OCII), to carry out the development projects that had agreements in effect, which were Mission Bay, Transbay, Hunters Point Shipyard, and Candlestick Point (File 12-0898). OCII is a separate government entity from the City.

**Hunters Point Shipyard Phase 2 and Candlestick Point Project<sup>1</sup>**

The Hunters Point Shipyard and Candlestick Point are located in the southeastern corner of the City on the San Francisco Bay. The Candlestick Point and Hunters Point Shipyard Phase 2<sup>2</sup> Project (the Project) will generate 10,672 new housing units (of which 32 percent will be affordable), 4.9 million square feet of research and development and office space, 1.8 million square feet of retail, community, and institutional space, and over 300 acres of open space and parks, and

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<sup>1</sup> The Hunters Point Shipyard is being developed in two phases under separate disposition and development agreements with different master developers. Lennar is developing Hunters Point Shipyard Phase 1, and FivePoint is developing Hunters Point Shipyard Phase 2 and Candlestick Point.

additional community benefits. The Project is being developed by CP Development Co., LP, a subsidiary of Five Point Holdings LLC (Five Point).

The Navy owns most of the Shipyard Phase 2 area parcels, which will be transferred to OCII following successful remediation of contamination resulting from the Navy's former use of the Shipyard Site facilities. The master developer of the Project, OCII, Port, City the State, and private parties own the Candlestick Point parcels. Attachment 2 shows the current landownership.

As originally planned, the Candlestick Site and Shipyard Site were to be developed simultaneously. Since 2010, the clean-up of the Shipyard Site has faced unprecedented delays due to the ongoing investigation, re-testing, and litigation related to the fraudulent work by the Navy's contractor. Because of the ongoing extraordinary Navy delays, the Excusable Delay provisions of the Hunters Point Shipyard Phase 2 and Candlestick Point Disposition and Development Agreement ("DDA") became applicable to the Shipyard Site according to OCII staff. OCII is proposing changes to the project documents to facilitate sequential, rather than simultaneous, development of the project areas.

### *Redevelopment Plans*

The Project is governed by two redevelopment plans, which establish land use controls and policies for development in the project areas. The Board of Supervisors approved the Hunters Point Shipyard Redevelopment Plan (HPS Plan) in 1997 and the Bayview Hunters Point Redevelopment Plan (BVHP Plan) in 2006 (Ordinance 285-97 and File 06-0343). The Board of Supervisors approved amendments to the plans in 2010 in connection with approval of the Project (Files 10-0658 and 10-0659) and subsequent amendments to the plans in 2017 (Files 17-0414 and 17-0415) and 2018 (Files 18-0515 and 18-0516).

OCII has land use jurisdiction over the Project through the Redevelopment Plans. The Project is located within Zone 1 of Project Area B of the BVHP Plan (referred to as "Candlestick Site" or "Candlestick Point") and Phase 2 of the HPS Plan Project Area (referred to as "Shipyard Site" or "HPS2").<sup>3</sup> Candlestick Point includes the location of the former 49ers Stadium, Candlestick Point State Recreational Area, the Alice Griffith Housing Authority site, and other adjacent private and Port parcels.

As contemplated under the Redevelopment Plans and the Project documents, including the DDA and Pledge Agreement, the Project depends upon tax increment financing to achieve financial feasibility. The Project was subject to certain time limits under the California Community Redevelopment Law: 1) a 20-year time limit on establishing loans, advances, and indebtedness; 2) a 30-year time limit on the effectiveness of the plan; and 3) a 45-year time limit to repay indebtedness. Certain of these statutory redevelopment timelines are approaching, with the time limit for establishing loans, advances, and indebtedness in the BVHP project area set to expire on June 1, 2026. OCII is proposing changes to the project documents to extend these time limits, as allowable under California Senate Bill 143, which was approved in 2023 and is discussed further

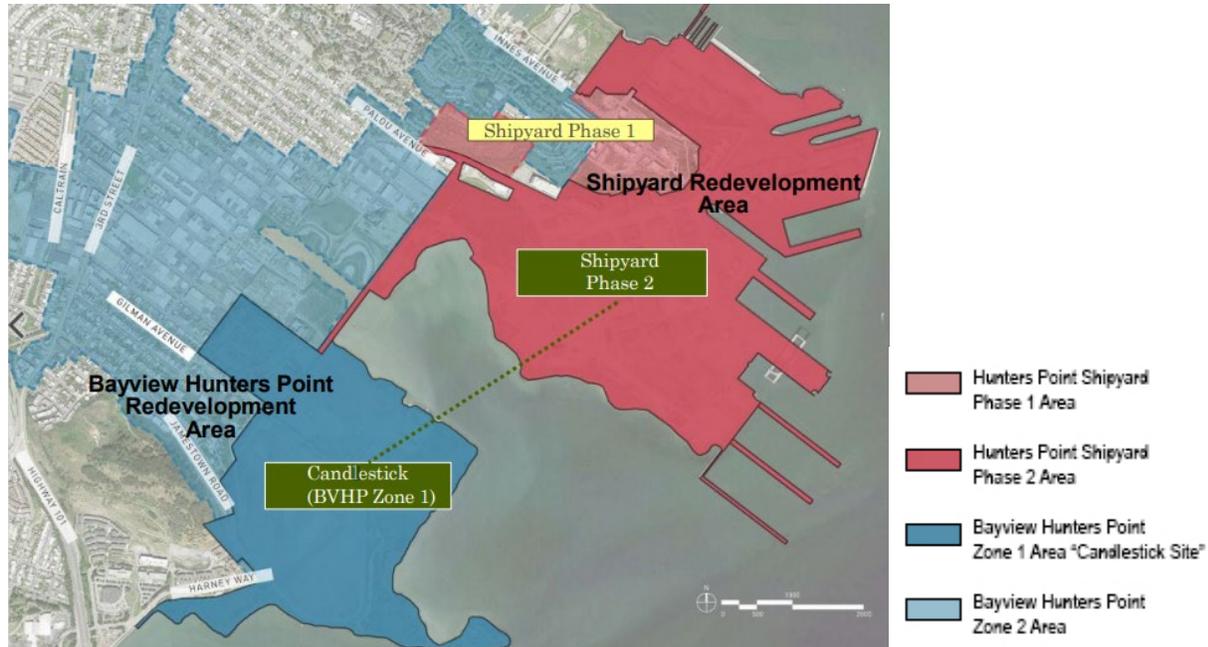
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<sup>3</sup> Under the Bayview Hunters Point Plan, Project Area B is divided into Zones 1 and 2. OCII has jurisdiction over land use within Zone 1. The Planning Department has jurisdiction over land use within Zone 2.

below. The Successor Agency Commission approved the BVHP and HPS Plans amendments on September 3, 2024.

Exhibit 1 below shows the BVHP and HPS Plan Areas.

**Exhibit 1: Project Area Map**



Source: OCII

**Disposition and Development Agreement & Financing Plan**

In 2010, OCII entered into a Disposition and Development Agreement (DDA) with CP Development Co., LP. The DDA establishes: (a) the rights of the Developer to develop the Project in a series of phases and to ground lease or sell lots to vertical developers for development; and (b) the responsibilities of the Developer to develop horizontal infrastructure, public open space, affordable housing, and other community benefits. Horizontal infrastructure improvements include demolition, grading, sea level mitigation, wastewater utilities, water utilities, streets, and transportation improvements.

The DDA has been amended three times. The Fourth Amendment was approved by the Successor Agency Commission on September 3, 2024, the Oversight Board to the Redevelopment Agency of the City and County of San Francisco (“Oversight Board”) on September 9, 2024, and is pending final approval by the State Department of Finance. The City is not party to the DDA, and the Board of Supervisors does not approve the DDA, but exercises authority over the Project through the amendments to the Redevelopment Plans and approval of the amendment to the Pledge Agreement.

The Fourth Amendment provides for the development program to be consistent with changes proposed in the Redevelopment Plans (discussed below) and makes other changes to streamline

the planning review process. There are no changes to the Project's Community Benefits Plan, the number of affordable housing units or the income levels to qualify for affordable housing.

The Financing Plan (Exhibit H to the DDA) details the funding sources available to reimburse the developer for qualified project costs, including: (a) Community Facilities District (CFD) special taxes and bonds; (b) tax increment revenue and bonds; and (c) "alternate financing," which may include grants, municipal debt issued by OCII or the City and secured by tax increment, special taxes, special assessment or fees in the Project Site, or certificates of participation. The fourth amendment to the DDA makes the following changes to the Financing Plan: (a) permits tax increment generated within the Candlestick Project Area and Hunters Point Shipyard Phase 2 Project Area to be used to pay project costs in either project area consistent with changes in State law; (b) extends the time period from 75 years to 85 years to levy special taxes for CFD bonds; and (c) adds the City's Certificates of Participation (COP) debt program as a potential source of alternate financing. According to OCII staff, there is no plan to use COP debt for the BVHP nor Shipyard projects. The purpose of the amendment was for the DDA to be consistent with the recently modified provisions to the Treasure Island DDA's Financing Plan, for which the Board of Supervisors approved up to \$115 million in COP debt (File 24-0202).

An overview of the Candlestick and Shipyard projects' infrastructure delivery timelines and a map of the phases is included as Attachment 1 to this report.

### **Evaluation of Updated Public Financing Model**

To assess the Project's updated public financing, OCII engaged ALH Economics and C.H. Elliott & Associates as financial consultants. For Candlestick Point, OCII's consultants performed a review of the developer's financials and public financing model to determine the project's feasibility, including the project program and pro forma underwriting assumptions. OCII's consultants also reviewed the public financing model for the Shipyard Site for feasibility. Based on these reviews OCII's consultants determined that the Project was feasible with the proposed amendments to the Redevelopment Plans and Pledge Agreement. OCII's consultants also concluded that the current Project would not be feasible to develop without the proposed amendments to the Redevelopment Plans and Pledge Agreement.

### **Developer and Selection of Developer**

Following a competitive procurement process that began in 1998, the former Redevelopment Agency selected the Lennar-BVHP LLC (a corporate affiliate of Lennar) as the master developer for the Hunters Point Shipyard project in 1999. Two other developers submitted proposals that were considered by the Agency: Forest City Development California Inc./EM Johnson Interest Inc. and Catellus Development/WDG. Lennar-BVHP LLC entered into a DDA for the Hunters Point Shipyard Phase 1 in 2003.

The HPS Plan was amended in 2010 and divided into two phases. Phase 1 includes areas referred to as the Hilltop and Hillside. Phase 2 includes the rest of the Shipyard and includes Zone 1 of the BVHP Plan. The Phase 1 area is subject to a separate disposition and development agreement, and none of the amendments impact the Phase 1 area. The DDA for Candlestick Point and Phase 2 of the Hunters Point Shipyard project is between OCII and CP Development Co., LLC, the Master

Developer, and was approved by Successor Agency Commission by Resolution No. 69-2010 (June 3, 2010).

**Senate Bill 143-2023 State Law Change**

In 2023, the State Legislature and Governor approved Senate Bill 143 that amended the Health and Safety Code section 34177.7 to add subdivision (j), which states that “the limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the redevelopment plans, the time to repay indebtedness, the time for applying tax increment, the number of tax dollars, or any other matters set forth in Section 33333.2 and Section 33492.13 shall not apply” to the CP-HPS2 Project. Most relevant for the proposed agreements, SB 143 released OCII and the Phase 2 of the Hunters Point Shipyard project from the statutory time limits associated with redevelopment plan durations, incurring debt, amount of debt, and timeline to repay indebtedness. Instead, it allowed OCII, with approval from its Oversight Board and the Department of Finance, to establish new such timelines within the relevant Project agreements. The amendments to the BVHP and HPS Plans and Pledge Agreement, which the Successor Agency Commission approved, by Resolution Nos. 25-2024, 26-2024, and 29-2024 (Sep. 3, 2024), are now before the Board of Supervisors. The Oversight Board approved, by Resolution No. 04-2024 (Sep. 9, 2024), the Pledge Agreement, which is pending before the Department of Finance and the Board of Supervisors.

SB 143 also allows property tax increment generated from both Project Areas (Shipyard Phase 2 and Candlestick Point) can be used to finance Qualified Project Costs in either Project Area. The amendments to the BVHP and HPS Plans and to the Pledge Agreement are consistent with the Project agreements currently under review by the State.

**DETAILS OF PROPOSED LEGISLATION**

**File 24-0877** is a proposed ordinance that would amend the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area to extend the time limits for Hunters Point Shipyard Redevelopment Project Area Phase 2 and to allow the transfer of up to 2,050,000 square feet of research and development and office space from the Hunters Points Shipyard Project Area to Bayview Hunters Point Redevelopment Plan Project Area Zone 1.

**File 24-0878** is a proposed ordinance that would amend the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project Area to extend the time limits for the Bayview Hunters Point Redevelopment Project Area Zone 1 and to allow the transfer of up to 2,050,000 square feet of research and development and office space from the Hunters Point Shipyard Redevelopment Project Area to Bayview Hunters Point Redevelopment Plan Project Area Zone 1.

**File 24-0885** is a resolution that would approve the first amendment to the Tax Increment Allocation Pledge Agreement (Pledge Agreement) between the City and Successor Agency to the Redevelopment Agency (Office of Community Investment and Infrastructure or OCII). The amendment will conform the Pledge Agreement to the Redevelopment Plan(s) extended time limits.

**Redevelopment Plan Amendments**

The proposed amendments to the Redevelopment Plans make changes to the proposed non-residential land use, the limit on bonded indebtedness, and timelines for plan effectiveness and indebtedness as discussed below.

*Land Use Changes*

Due to delays in conveyance of Hunters Point Shipyard parcels from the Navy, the Hunters Point Shipyard Phase 2 and Candlestick project areas cannot be developed simultaneously as previously planned. Therefore, the proposed plan amendments would authorize the transfer with approval of the Successor Agency Commission at a public hearing, some non-residential land use from Hunters Pont Shipyard Phase 2 to the Candlestick project area to increase non-residential development in the early project stages. The amended plans would authorize the transfer of 2,050,000 square feet of research and development and office use from Hunters Point Shipyard Phase 2 to Bayview Hunters Point Zone 1, Candlestick Point Area compared to the 2019 Redevelopment Plans.<sup>4</sup> There is no change in the total non-residential square feet of 6,686,000 across both project areas. Exhibit 2 below shows the proposed non-residential land use in the amended plans.

**Exhibit 2: Proposed Non-Residential Land Use in Amended Redevelopment Plans**

	Bayview Hunters Point Plan Zone 1 (Candlestick)	Hunters Point Shipyard Phase 2	Total
<u>Non-Residential Land Use (sf)</u>			
Hotel	130,000	120,000	250,000
R&D/Office	2,800,000*	2,096,500*	4,896,500
Retail & Entertainment	309,500	401,000	710,500
Artists Space		255,000	255,000
Community Uses	50,000	50,000	100,000
Institution		410,000	410,000
Film Arts Center	64,000		64,000
<b>Total, Non-Residential Square Feet</b>	<b>3,353,500</b>	<b>3,332,500</b>	<b>6,686,000</b>

Source: Proposed Amended Redevelopment Plans

\*The proposed redevelopment plans transfer up to 2,050,000 square feet of R&D/office use from Hunters Point Shipyard Phase 2 to Bayview Hunters Point Zone 1, Candlestick. The 2019 Redevelopment Plans currently provide for 750,000 square feet of R&D/office use in Candlestick and 4,146,500 square feet of R&D/ office use in Hunters Pont Shipyard Phase 2.

<sup>4</sup> According to OCII staff, the 2019 Redevelopment Plans, which did not require Board of Supervisors’ approval, added an additional 481,500 square feet of research and development and office use to Bayview Hunters Point Zone 1 with offsetting reductions in retail and entertainment uses, hotel uses, and film arts center uses compared to the 2018 Redevelopment Plans.

**Tax Increment Pledge Agreement**

The purpose of the Pledge Agreement is to divert to OCII what otherwise would be the City’s property tax revenue within the Bayview Hunters Point Redevelopment Plan and Shipyard Redevelopment Plan areas. This property tax revenue would not be available with the absence of the Project. The proposed amendments to the Pledge Agreement extend the tax pledge timelines to be consistent with the terms of the BVHP and HPS Plans. The Pledge Agreement also authorizes OCII to incur debt secured by the pledged revenues. Exhibit 3 below summarizes the changes to the project timelines included in the amendments to the Redevelopment Plans and Pledge Agreement.

**Exhibit 3: Proposed Change to Project Timelines**

<b>Redevelopment Plans</b>	<b>Current</b>	<b>End</b>	<b>Proposed</b>	<b>End</b>
	<b>Start</b>		<b>Start</b>	
<u>Plan and Pledge Agreement Terms</u>				
BVHP (Candlestick)	2006	2036	2025	2070
HPS (Shipyard)	2013	2043	Conveyance of all Shipyard parcels in Phase 2 area, estimated in 2038	45 years, estimated in 2083
<u>Time Limit to Incur Debt</u>				
BVHP (Candlestick)	2006	2026	2025	2070
HPS (Shipyard)	2013	2033	Conveyance of all Shipyard parcels in Phase 2 area, estimated in 2038	45 years, estimated in 2083
<u>Indebtedness Limit</u>				
BVHP (Candlestick)	\$800 million		\$5.9 billion at any one time (both projects)	
HPS (Shipyard)	\$900 million			
<u>Repay Indebtedness &amp; Receive Tax Increment</u>				
BVHP (Candlestick)	2006	2051	2025	2085
HPS (Shipyard)	2013	2058	Conveyance of all Shipyard parcels in Phase 2 area, estimated in 2038	60 years, estimated in 2098

Sources: Redevelopment Plan Amendments, Pledge Agreement Amendment

Note: The 2024 BVHP Plan Amendment Date as defined in the BVHP Plan to mean the date on which the ordinance approving the Plan becomes effective, which is 90 days after Board and Mayoral approval.

Key changes to the timelines include:

- **Plan Duration:** The BVHP Plan and associated Pledge Agreement commitments become effective ninety days (90) after adoption of the Plan amendment (File 24-0878) and is assumed to occur in early 2025. The Shipyard Plan and associated Pledge Agreement commitments would be effective when the Navy transfers ownership of the Shipyard parcels to OCII, which is estimated to occur between 2036 and 2038. Both plans have a 45-year term, which is based on the 30-year of the current Plans plus an additional 15 years to account for the Navy's delayed transfer of land.
- **Time Limit to Incur Debt:** The proposed Plan and Pledge Agreement amendments extend the timeline to incur debt from 20 years in the current agreements to 45 years each. The Amendments also allow for debt secured by Candlestick area property tax increment could be incurred through 2070 to pay for Qualified Project Costs in both the Candlestick and Shipyard project areas.
- **Indebtedness Limit:** The proposed Plan and Pledge Agreement amendments increase the indebtedness limit by \$4.2 billion, from \$800 million for Candlestick and \$900 million for Shipyard to a combined \$5.9 billion for both projects. This represents the total amount of debt that can be outstanding at any given time, not the total amount of debt issued, which could be higher. The \$5.9 billion is based on OCII's assessment of future property tax revenues in the project areas and their ability to finance debt.

**Time Limit to Repay Indebtedness and to Receive Property Tax Increment:** The proposed Plan and Pledge Agreement amendments allow each project area to receive incremental property tax revenue for sixty years following the effective date of each Plan.

The proposed amendment to the Pledge Agreement allows CFD revenues to pay for privately owned infrastructure that is open to the public.

Some of the Pledge Agreement's provisions are unchanged in the proposed amendment, including:

- **No General Fund Commitment:** The City's General Fund is not liable for any project costs.
- **Use of Pledged Taxes:** Funding may only be used for Qualified Project Costs, which, per the DDA Financing Plan, include horizontal infrastructure, affordable housing, pre-Agreement Costs, Community Benefits, and land acquisition costs.
- **Calculation of Net Available Tax Increment Pledge:** Continues to reference the Redevelopment tax allocation framework in State law (Health and Safety Code Section 33670), detailed below.

### Property Taxes Diversion

Absent a redevelopment plan or establishment of an infrastructure financing district, in FY 2024-25, the City would receive 64.6% of property taxes, including 55.6% for the General Fund, 2.5% for the Library Preservation Fund, 4% for the Children's Fund, and 2.5% for the Open Space Fund, plus a rate sufficient to pay for voter-approved general obligation bonds. Other taxing entities

receive the remaining amount of property taxes and include the School District, Community College District, County Office of Education, Air Quality District, and BART. Where Redevelopment Plans are in effect, the City is only entitled to receive a portion of its share of the incremental increase in property tax revenues in plan areas, with the rest diverted to pay for Qualified Project Costs. If no qualified costs exist in a given year, the available property tax year revenue becomes residual funds available to the City and other taxing entities.

Of the incremental increase in property taxes within the project areas, the DDA requires that 20% is set aside for low- and moderate-income housing within the BVHP and Shipyard Plan areas. Of the remaining 80% of new property taxes, 25% is then passed-through to the City and other taxing agencies. This amounts to the City receiving 12.9% (= 80% \* 25% \* 64.6%) rather than the typical 64.6% of new property taxes collected. Any property taxes not spent on Qualified Project Costs would then be distributed annually to the taxing entities according to their typical property tax shares, potentially increasing the City’s total share of total new property taxes collected to over 12.9%. The remaining 60% of new property taxes would be allocated to OCII to pay for Qualified Project Costs. OCII’s share of new property taxes declines in years eleven and thirty-one of the Plans, however the City’s share of new property taxes remains at least 12.9% while the Redevelopment Plans and Pledge Agreement are in effect.<sup>5</sup> As noted above, each Redevelopment Plan allows for OCII to receive property tax increment and pay debt for up to sixty years. The proposed changes would allow Candlestick property taxes to finance Candlestick and Shipyard costs through 2084 and the Shipyard costs for sixty years after the Navy transfers ownership of the Shipyard to OCII, which is estimated to occur in 2038.

**Use of Pledged Incremental Property Taxes**

As noted above, under the DDA, the developer is responsible for horizontal infrastructure (streets, utilities, and sea level adaptations) as well as public benefits such as parks and some affordable housing. OCII is responsible, with the 20 percent set aside, for constructing affordable housing projects on land identified and restricted to affordable housing under the DDA (public housing replacement and new income-restricted housing). The developer funds the initial costs of these improvements and then is repaid by a combination of property tax increment generated within the project areas, CFD special taxes, and land sales. Public financing may be used for public infrastructure and community serving facilities, such as housing and community benefits associated with the DDA documents.

According to the 2024 Summary Proforma (Exhibit H-B of the DDA), Candlestick’s Qualified Project Costs total \$1.438 billion. These costs will be funded by \$985.2 million in Candlestick Proceeds (bonds and net available increment/pay go) secured by incremental property taxes,

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<sup>5</sup> Other, non-City taxing entities would receive approximately 35.4% (i.e. 100% minus the City Share of 64.6%) of an additional 21% (= 7.4%) of the 80% non-housing incremental property taxes generated after year ten (taxes on the incremental growth over year ten value) and an additional 35.4% of 14% (= 5.0%) of the 80% non-housing incremental property taxes generated after year thirty (taxes on the incremental growth over year thirty value). OCII’s share of incremental property taxes would decline by an equal amount.”

with an estimated total debt service of \$2.6 billion for Candlestick Point costs. In addition, OCII and the Developer estimate the CFD special taxes will fund \$453 million in project costs.

OCII has not received updated Shipyard project costs from the developer. However, in 2018, the DDA’s Summary Pro Forma indicated that the Shipyard’s Qualified Project Costs were \$1.91 billion and incremental property taxes could finance \$890.96 million of those costs, leaving \$1.01 billion to be funded with CFD Revenue and other project revenues.

In 2024, OCII and the developer estimate that the Shipyard project will require \$1.1 billion in incremental property tax revenue from Zone 1 of the BVHP Plan plus \$318.6 million in debt secured by Candlestick revenues with an estimated total debt service of \$730 million. According to OCII, diverting this \$1.8 billion in property taxes from Candlestick to Shipyard will help accelerate delivery of Shipyard infrastructure by providing the project an additional financing source. This incremental property tax revenue from Candlestick could instead go to the City and other taxing agencies. However, this could slow the development of Shipyard. Additionally, the longer timeline for repaying Qualified Project Costs would necessitate more private capital for a longer period of time, which would impact financial feasibility.

**FISCAL IMPACT**

**Candlestick Project Area: Net Benefit to the General Fund**

The Developer hired Economic and Planning Systems (EPS) to assess the fiscal impact of the new project timelines. According to the July 29, 2024 report that is included in the legislative file for the Pledge Agreement, the redevelopment activities in Candlestick Point area will generate \$23.3 million in net General Fund revenues (in 2024 dollars) at project stabilization (assumed in 2046). The analysis projects general revenues through that time and related expenses in providing City services to the newly developed area.

**Shipyard: Net Benefit to the General Fund**

EPS also completed a fiscal impact of the Shipyard project timelines. According to the October 8, 2024 report, the Shipyard project will generate \$24.2 million in net General Fund revenues (in 2024 dollars) at project stabilization (assumed in 2054). The analysis projects general revenues through that time and related expenses in providing City services to the newly developed area

The fiscal impact reports for Candlestick Point and the Shipyard project areas indicate that they will generate a combined \$47.5 million in net General Fund revenues (in 2024 dollars) at project stabilization.

**Tax Increment Projections**

In a report to the Board of Supervisors within File 24-0878, OCII provided a projection of incremental property tax revenue to be generated within Candlestick Point.<sup>6</sup> The table shows the

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<sup>6</sup> The projections show higher property tax revenues than in the EPS report because OCII’s projections assume a certain amount of property sales, whereas EPS’s projections conservatively do not.

project will generate \$10.49 billion in incremental property tax revenue through FY 2075-76, of which the City would receive at least \$1.35 billion for the General Fund and required set-asides.

In a report to the Board of Supervisors within File 24-0877, OCII provided a projection of incremental property tax revenue to be generated within the Shipyard project area, from FY 2035-36 – FY 2082-83. The projections show that the Shipyard project would generate \$7.48 billion in incremental property tax revenue, of which the City would receive \$966.5 million.

**POLICY CONSIDERATIONS**

**Project Status**

The original Pledge Agreement was executed in 2010. At that time, total horizontal costs were estimated at \$2.131 billion, with all horizontal and vertical construction complete by 2030. Since that time, relatively little has been accomplished. Horizontal costs for the Candlestick portion alone are now estimated at \$2 billion (\$1.4 billion in Qualified Project Costs plus \$0.6 million in other horizontal costs that do not qualify for public financing). New horizontal infrastructure delivery timelines were established in a 2018 revision to the DDA between OCII and the developer. Under that 2018 Schedule of Performance, horizontal infrastructure for five sub-phases within the Alice Griffith area were supposed to be complete by December 2022. As of this writing, only subphase one has been completed by the developer and none of the infrastructure has been accepted by the City. Due to delays discussed below, OCII and the developer have agreed to the Excusable Delay<sup>7</sup> provisions in the DDA, which allow the suspension of the 2018 Schedule of Performance delivery dates, as they pertain to Shipyard. The developer did not comply with the current Schedule of Performance for Candlestick.

The 2024 DDA amendments reset the Schedule of Performance for the Candlestick Point area of the Project. Once the Navy has completed the remediation of the Shipyard, a new Schedule of Performance will be provided for the Shipyard Site.

**Project Delays**

OCII notes that the project has faced several challenges since 2010, including: the dissolution of redevelopment agencies in 2012, the relocation of the 49ers from San Francisco to Santa Clara, and the Navy’s failure to remediate and transfer the Shipyard parcels, which was originally expected in 2015 and is now expected between 2036 and 2038. We note however that other OCII

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<sup>7</sup> Section 24 of the Disposition and Development Agreement between OCII and the developer allows for “Excusable Delays” to extend the agreement’s Schedule of Performance (which defines the dates by which infrastructure must be complete and accepted by the City). Excusable delays include *force majeure*, a four percent or more decline in residential real prices in a given year, delays from other governments, and CEQA-related delays. Excusable Delays do not include lack of developer financing or developer bankruptcy.

projects have delivered 80 percent of their housing goals<sup>8</sup> and that the 2010 DDA contained a “non-stadium alternative” design which anticipated the potential relocation of the 49ers.

Although the current Plan documents contemplate independent public financing for each project generated within each project area, according to OCII and the developer, the composition of the land use in both project areas were designed to be developed in tandem so that the project as a whole would be more financially feasible for the developer. As a result, according to OCII and the developer, the developer took limited action in the Candlestick area due to the delay in developing Shipyard. As discussed above, the proposed Redevelopment Plan Amendments changes the land use composition so Candlestick can be developed independently and also subsidize Shipyard infrastructure costs. OCII and the developer are now seeking Board of Supervisors approval to extend the Redevelopment Plans and Pledge Agreement timelines to proceed with the development.

#### **Developer Accomplishments: Candlestick**

There is a total of 7,218 housing units at Candlestick Point, 34% (2,459) of these units will be below market rate. The developer has provided infrastructure and funding for 226 public housing replacement units adjacent to the former Alice Griffith public housing project site, as well as 111 new affordable housing units (including manager’s unit) and related infrastructure. This amounts to 13 percent of the DDA’s affordable housing goals and 4.5 percent of the project’s overall housing production goal. For the subsequent two development phases of Candlestick Point, an additional 1,523 housing units are in the predevelopment/planning phases, with the remaining 5,358 housing units to be built in later phases. In addition, the developer has demolished the vacant Alice Griffith buildings, received schematic design approvals for seven residential blocks, commenced designs for one of the required new parks, and demolished the old Candlestick Stadium. The developer has also performed partial utility work at the former stadium site.

#### **Developer Accomplishments: Shipyard**

Progress on the Shipyard portion of the project has been more limited due to the delay in the Navy remediating the site. Since 2010, the developer reports it has completed schematic designs for Northside Park, completed design work, site grading, roads, and underground infrastructure for a 106,000-square-foot Artists' Building. Also, the construction of an and a 11,000 square-foot commercial kitchen/cookery has been completed.

#### **Alternatives for the Board of Supervisors**

Both Candlestick Point and the Shipyard are underdeveloped and underused land in San Francisco. The proposed agreements allow the City and OCII to partner with a private developer for a multibillion-dollar development of public infrastructure in the area. The project is estimated to generate \$2.3 billion in revenue to the City over the next 55-60 years, provide housing for

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<sup>8</sup> According to OCII’s FY 2024-25 Adopted Budget 80 percent of Mission Bay, Transbay, and Shipyard Phase 1 housing has been constructed, compared to the 3 percent for Shipyard Phase 2 (which includes Candlestick).

16,818 residents at Candlestick Point and 8,048 residents in Shipyard, a third of which would be in income-restricted units, and contribute to economic growth during and after construction.

At the same time, the proposed Plan Amendments would push the end date of the Shipyard project to 2083, or 85 years after the competitive solicitation was issued to select the predecessor to the current developer. This request comes to the Board of Supervisors on a relatively thin record of accomplishments.

The Board could consider requesting OCII reprocur the developer. Three other developers responded to the 1998 competitive solicitation. Such a process would be complicated by the fact that the developer owns roughly half the land in the Candlestick area, with the remaining land in Candlestick and Shipyard owned by various public agencies (see land ownership maps in Attachment 2). Reprocuring a developer could result in the loss of redevelopment financing tools,<sup>9</sup> however those could be replaced by an infrastructure financing district and negotiating pledge agreements with other taxing agencies. Reprocuring the developer and establishing new public financing mechanisms would very likely add to the project delivery timeline.

The Board could also defer approval of the Shipyard Plan Amendments and related language in the Pledge Agreement. At a later time, the Board of Supervisors could evaluate progress on the Candlestick project to assess whether further financial commitments from the City are warranted. As noted above, the Shipyard Plan’s time limit to incur debt currently expires in 2033 and the term of the Plan currently expires in 2043, so any decision to extend the HPS Redevelopment Plan would need to be made before then.

**No Performance Audits of the Candlestick or Shipyard Redevelopment Projects Have Occurred**

Section 1.2.5 of the BVHP Redevelopment Plan allows the Controller’s City Service Auditor to conduct performance audits of the project, but that has never occurred. The Controller’s Office is considering how to incorporate an audit of this project into its work plan. The Shipyard Redevelopment Plan does not have similar audit language.

**RECOMMENDATIONS**

Approval of the proposed ordinances and resolution are policy matters for the Board of Supervisors.

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<sup>9</sup> With the dissolution of redevelopment agencies, redevelopment financing tools are available only if the “enforceable obligation” (such as the DDA or Pledge Agreement) is still in effect.

**Attachment 1: Project Phasing**

Major years infrastructure <sup>1</sup>	Phase/est. of	Public Infrastructure <sup>4</sup>	Est. Total Housing Units <sup>1</sup>	Est. Affordable (BMR) Units <sup>1</sup>	Parks & Open Space (acres)	Additional Community Benefits <sup>3</sup>
1 Alice Griffith ("AG") (completed)		Arelious Walker Dr. Giants Dr. Donner Ave. Egbert Ave. Fitzgerald Dr.	337	337	-	Accelerated ahead of market rate \$1M to scholarship & education funds \$250K credit support Local hire preference
2 CP Outfield/Harney (2026-2028)		Arelious Walker Dr. Harney Way West Harney Way Harney Way off-site Candlestick Park Dr. Marichal Lane Rice Road Montana-Clark Dr. Policy Ave.	675	278	Willie Mays Plaza interim uses (.77) Alice Griffith interim uses Central Promenade	Community facilities Space (retail space offered with no base rent to local residents/business) 12K sq.ft. \$300K Scholarship Fund payment \$950K Education Improvement Fund \$250K per year Construction Assistance Fund during development Community Real Estate Broker Program Community Benefits Fund (.5% market rate condo sales) Local hire preference
3 CP Infield/Ingerson (2029-2032)		Ingerson Ave. West Harney Way	848	244	Willie Mays Plaza (.77)	Community facilities Space ~8K sq.ft.

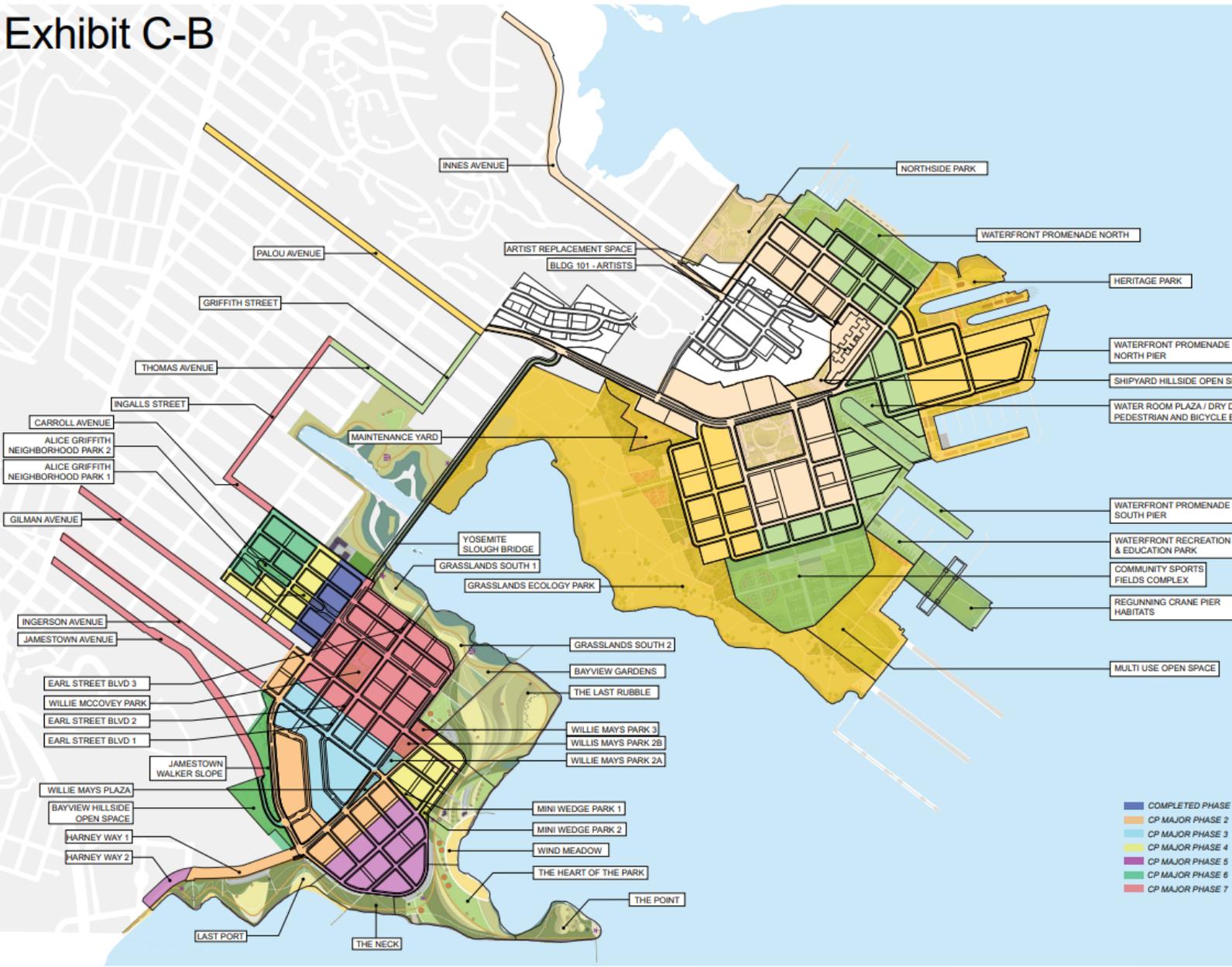
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		DeBartolo Way Zerline Dixon St. Earl St. Elder Smith St.			Willie Mays Park 2a (1) Central Promenade	\$250K credit support Community Real Estate Broker Program Community Benefits Fund (.5% market rate sales) Local hire preference
4 CP East and AG 2 (2032-2035)		Harney Way Gilman Ave. Candlestick Park Dr. Walsh St. Lott Lane Griffith St. Carroll Ave. Donner Ave. Egbert Ave. Fitzgerald Ave.	1,054: CP East = 530 AG 2 = 524	346: CP East = 128 AG 2= 218	AG Neighborhood Park East (.36) Mini Wedge Park (.8)	\$300K Scholarship Fund payment \$950K Education Improvement Fund Community Builder Lots \$250K credit support Community Real Estate Broker Program Community Benefits Fund (.5% market rate condo sales) Local hire preference
5 CP South (2035-2038)		Candlestick Park Dr. Harney Way off-site Marichal Lane Walsh St. Cepeda Lane Rice Road	1,683	292	Jamestown Walker Slope (3.44) Bayview Hillside Open Space (2.85) Wind Meadow <sup>2</sup> (11.4) Heart of the Park <sup>2</sup> (15.4)	\$950K Education Improvement Fund \$250K credit support Community Real Estate Broker Program Community Benefits Fund (.5%)

Major years infrastructure <sup>1</sup>	Phase/est. of	Public Infrastructure <sup>4</sup>	Est. Total Housing Units <sup>1</sup>	Est. Affordable (BMR) Units <sup>1</sup>	Parks & Open Space (acres)	Additional Community Benefits <sup>3</sup>
		Montana-Clark Dr. Policy Ave.			The Point <sup>2</sup> (6.1) Last Port <sup>2</sup> (14.6) The Neck <sup>2</sup> (4.9)	market rate condo sales) Local hire preference
6 AG 3 (2039-2042)		Hawes St. Neal St. Carroll Ave. Donner Ave. Egbert Ave. Jamestown Ave. off-site	908	371	AG Neighborhood Park West (.36)	\$950K Education Improvement Fund Community Real Estate Broker Program Community Benefits Fund (.5% market rate condo sales) Local hire preference
7 CP North (2045-2048)		Arelious Walker Dr. Gilman Ave. Egbert Ave. Donner Ave. West Harney Way Elder Smith St. Earl St. Zerline Dixon St.	1,713	591	Willie Mays Park 2b & 3 (1.93) McCovey Park (3.1) Grasslands South (10.3) Bayview Gardens (9.5) Last Rubble (24.5)	\$950K Education Improvement Fund Community Real Estate Broker Program Community Benefits Fund (.5% market rate condo sales) Local hire preference
<b>Total</b>			<b>7,218 homes</b>	<b>2,459 homes</b>	<b>105.7 acres</b>	

Source: FivePointe (Developer)

Phasing Map with Public Benefits

Exhibit C-B



Attachment 2: Current Landownership within Project Areas

Candlestick Point Landownership



EXISTING OWNERSHIP

-  Private Land
-  SFHA
-  State
-  OCII
-  CP Development Co., LLC
-  CP Vertical Development Co., LLC

N  
0' 750'  
Scale: 1" = 750'  
MAP GENERATED OCT 3, 2019

Source: OCII

### Hunters Point Shipyard Landownership

NAVY PARCELS-GREEN PARCELS ARE PHASE 2 PARCELS UNDER NAVY CONTROL



Source: OCII

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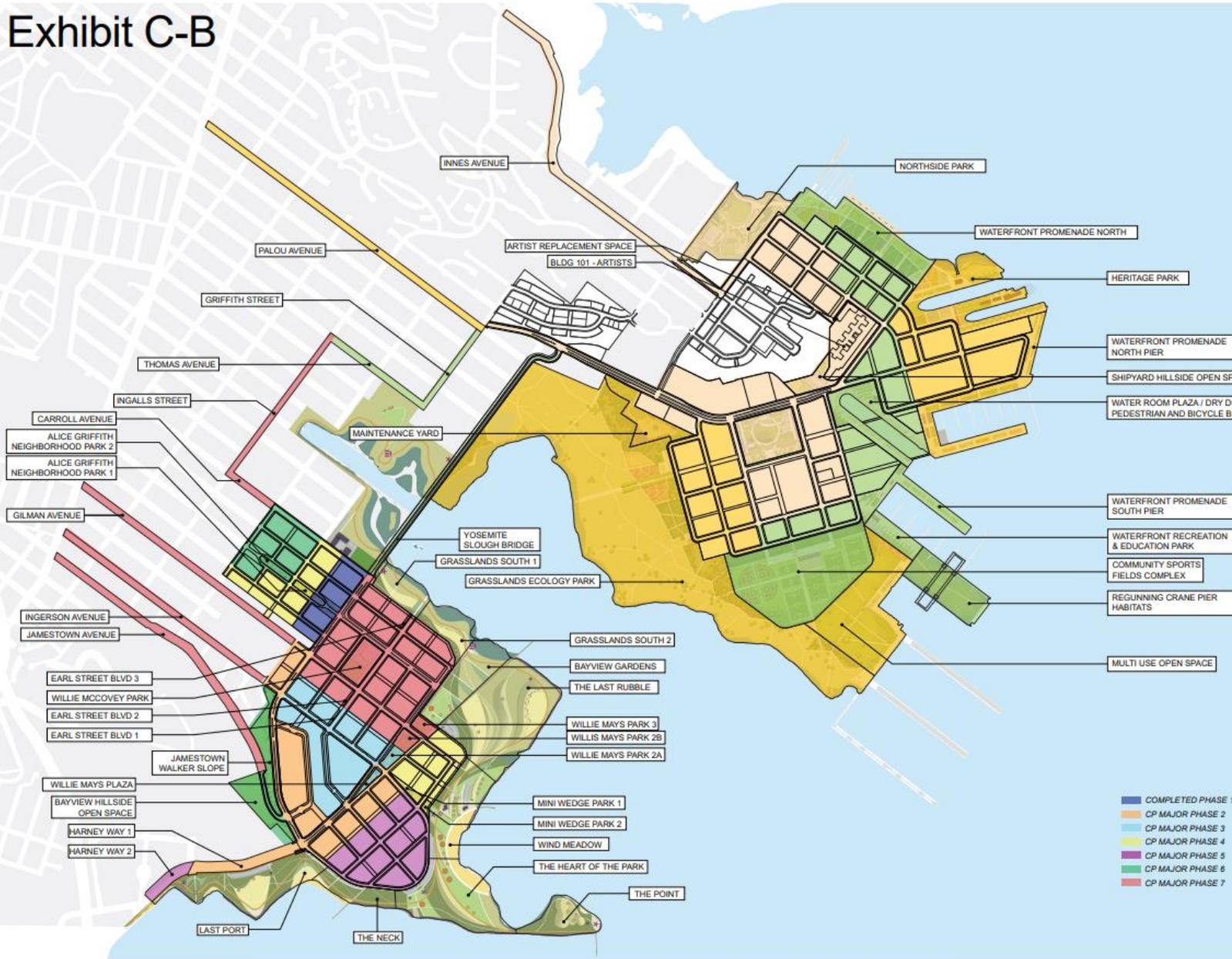
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Source: FivePointe (Developer)

Phasing Map with Public Benefits

Exhibit C-B



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**Candlestick Point Landownership**



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-  OCII
-  CP Development Co., LLC
-  CP Vertical Development Co., LLC

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MAP GENERATED OCT 3, 2019

Source: OCII

### Hunters Point Shipyard Landownership

NAVY PARCELS-GREEN PARCELS ARE PHASE 2 PARCELS UNDER NAVY CONTROL



Source: OCII

**REPORT TO THE BOARD OF SUPERVISORS  
ON THE AMENDMENT TO THE  
HUNTERS POINT SHIPYARD REDEVELOPMENT PLAN**

**Prepared by:**

**The Office of Community Investment and Infrastructure,  
as the Successor Agency to the San Francisco Redevelopment Agency**

**September 3, 2024  
As updated September 6, 2024**

**REPORT TO THE BOARD OF SUPERVISORS  
ON THE AMENDMENT TO THE  
HUNTERS POINT SHIPYARD REDEVELOPMENT PLAN**

**I. INTRODUCTION**

The Successor Agency to the Redevelopment Agency of the City and County of San Francisco, commonly known as the Office of Community Investment and Infrastructure (“Successor Agency” or “OCII”), has prepared this report (“Report”) to the Board of Supervisors of the City and County of San Francisco (“Board of Supervisors”) on an amendment (“Plan Amendment”) to the Hunters Point Shipyard Redevelopment Plan (“HPS Plan”), in accordance with the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) (“CRL”). On September 3, 2024, by Resolution No. 26-2024, the Successor Agency Commission, commonly known as the Commission on Community Investment and Infrastructure, (“Commission”) approved the Plan Amendment and, by Resolution No. 24-2025, approved this Report and authorized its transmittal to the Board of Supervisors.

The HPS Plan establishes land use controls for development in the Hunters Point Shipyard Project Area (“HPS Project Area”). The Plan Amendments, which are further described in Section III, are intended to advance the development and revitalization of Phase 2 of the HPS Project Area (also referred to as “Shipyard Site”), which includes the development of the Candlestick Point-Hunters Point Shipyard Phase 2 project (“CP-HPS2 Project” or “Project”), which was approved in 2010. The CP-HPS2 Project will provide up to 10,672 new homes, approximately 32% of which will be affordable, millions of square feet of commercial uses, over 300 acres of parks and open space, and significant jobs and community benefits.

OCII is simultaneously proposing to amend the HPS Plan and the Bayview Hunters Point Redevelopment Plan (“BVHP Plan”) to facilitate the development of the CP-HPS2 Project and to ensure the financial and economic feasibility of the CP-HPS2 Project.

As originally conceived, the CP-HPS2 Project was intended to be developed in a cohesive manner where phases of development within portions of Candlestick Point and Phase 2 of the HPS Project Area (also referred to as “Shipyard Site”) would occur simultaneously. While the CP-HPS2 Project has progressed since 2010, there have been challenges that have impeded the timely implementation of the CP-HPS2 Project. Since 2010, the clean-up of the Shipyard Site has faced unprecedented and extraordinary delays due to the fraud committed by the United States Navy’s contractor and the ongoing additional investigation, testing, and remedial activities resulting from such fraud, substantially delaying the overall development of the CP-HPS2 Project. In addition, the initial development program contemplated for the CP-HPS2 Project contemplated a new stadium at the Shipyard Site for the San Francisco 49ers (“49ers”). However, in 2011, the 49ers announced that they would build a new football stadium in the City of Santa Clara, vacating the former stadium located on the Candlestick Site in 2014. The newly vacant 49ers stadium therefore needed to be demolished, which was completed by the end of 2015. Furthermore, in 2012, the State of California dissolved the former Redevelopment Agency of the City and County of San Francisco (“SFRA”). These unique challenges impeded the timely implementation of the Project, and as a result of these delays, Candlestick Point and the Shipyard Site can no longer be developed in concert as originally conceived.

As further detailed in this Report, the purpose of the Plan Amendment is to advance the development of the CP-HPS2 Project and to ensure the financial and economic feasibility of the CP-HPS2 Project by: 1) authorizing the transfer of up to 2,050,000 square feet of commercial uses from Phase 2 of the HPS Project Area to commercially-zoned areas of Zone 1 of the BVHP Project Area with a corresponding reduction in those uses at Phase 2 of the HPS Project Area; 2) clarifying that certain commercial uses currently authorized within the HPS Project Area are also allowed within Zone 1 of Project Area B; 3) implement SB 143 (defined in Section III.D) by extending the limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the BVHP Plan, and the time to repay indebtedness and receive property taxes, in connection with Zone 1 of Project Area B; 4) authorizing property tax increment revenues from Phase 2 of the HPS Project Area and Zone 1 of the BVHP Project Area to be combined to fund costs under the Project agreements; and 5) adjusting the limit on the amount of bonded indebtedness that can be outstanding at one time by establishing a single limit on the amount of bonded indebtedness applicable to both Zone 1 of the BVHP Plan and Phase 2 of the HPS Project Area.

## **II. OVERVIEW OF THE REPORT ON THE PLAN AMENDMENT**

This Report is prepared pursuant to CRL Sections 33457.1 and 33352, which delineate the information that the Successor Agency must provide to the Board of Supervisors for its consideration of an amendment to a redevelopment plan. The Report is an integral step in the process to consider the proposed Plan Amendment and is a public document designed to provide comprehensive information the Board of Supervisors must consider when determining whether or not to adopt the Plan Amendment.

The contents of this Report provide the information required for redevelopment plan amendment “to the extent warranted” by the proposed amendment pursuant to Health & Safety Code Section 33457.1. The contents of this Report, as described below, are consistent with the CRL, and include the following:

- Description of the Plan Amendment;
- Reason for the Plan Amendment (subsection (a) of Section 33352 of the CRL);
- Description of how the Plan Amendment will improve or alleviate blighting conditions (subsection (b) of Section 33352 of the CRL);
- Proposed method of financing the redevelopment of the Project Area as applicable to the Plan Amendment (subsection (e) of Section 33352 of the CRL);
- Discussion of the Planning Commission’s forthcoming report and recommendation regarding conformity of the Plan Amendment to the General Plan, as required (subsection (h) of Section 33352 of the CRL and Section 4.105 of the San Francisco Charter);
- Consultation with the community;

- Report on the environmental review required by Section 21151 of the Public Resources Code as applicable to the Plan Amendment (subsection (k) of Section 33352 of the CRL); and
- The neighborhood impact report (subsection (m) of Section 33352 of the CRL).

### **III. DESCRIPTION OF THE PLAN AMENDMENT**

#### **A. Background**

On July 14, 1997, the Board of Supervisors adopted the Hunters Point Shipyard Redevelopment Plan (“HPS Plan”) by Ordinance No. 285-97 and amended the HPS Plan on August 3, 2010, by Ordinance No. 211-10 and on June 22, 2017, by Ordinance No. 122-17. The HPS Plan calls for redevelopment of United States Navy lands constituting the former Hunters Point Naval Shipyard, proceeding on a multi-phased timeframe determined by the Navy’s environmental remediation and ultimate transfer of remediated land to the Redevelopment Agency of the City and County of San Francisco.

In 2010, the Former Redevelopment Agency of the City and County of San Francisco (“Former Agency”) and the City and County of San Francisco (“City”) undertook a series of actions to approve the development of Phase 2 as part of a 702-acre development project—the “CP-HPS2 Project”—that includes both HPS Phase 2 and Candlestick Point. Within Phase 2 of the HPS Project Area, the CP-HPS2 Project proposed two development alternatives, primarily distinguished by the presence or absence of a football stadium. Subsequent to the 2010 actions, the San Francisco 49ers football team elected to construct a new football stadium outside of San Francisco, and as a result, the Successor Agency and CP Development Co. LLC, the master developer of the CP-HPS2 Project (“Developer”), have focused on implementation of the non-stadium development alternative.

#### **B. CP-HPS2 Project**

The SFRA and the Developer entered into the Disposition and Development Agreement for the Candlestick Point-Hunters Point Shipyard Phase 2 Project, as amended by the First Amendment to DDA, dated as of December 19, 2012, as amended by the Second Amendment to DDA, dated as of December 1, 2014, and as amended by the Third Amendment to DDA, dated as of August 10, 2018 (collectively, including all attached and incorporated exhibits and as amended from time to time, the “DDA”). Following the Project’s approval in 2010, the State of California enacted legislation in 2011 that dissolved redevelopment agencies in the State, including the SFRA.

Redevelopment Dissolution Law became effective on February 1, 2012. The Oversight Board and California Department of Finance have recognized and approved the DDA and the Original Pledge Agreement as enforceable obligations that survived redevelopment dissolution, and approved recognized obligation payment schedules that include various obligations and commitments relating to these enforceable obligations.

The Project's initial development program included a new stadium at the Shipyard Site for the San Francisco 49ers. In 2014, the 49ers moved to a new stadium in the City of Santa Clara and the Developer proceeded with the Project under the Project's non-stadium alternative. In 2015, the Developer completed the demolition of the former 49ers' stadium, and the City transferred the land to the Developer. From 2014 to 2016, the Developer performed groundwork and utility work around Candlestick Center (neighborhood located within the southwest quadrant of Candlestick Site) to facilitate additional development within the area.

The Developer has funded over \$116 million of community benefits and investment associated with the development program, which includes contributions to the Southeast Health Center, scholarship funds, and infrastructure and housing investments for the new Alice Griffith development. In 2019, the Developer delivered infrastructure related to the development of 337 units as part of the Alice Griffith Replacement Project, including 226 Alice Griffith Replacement Units and 111 Agency Affordable Units.

Commencing in May 2018, the Excusable Delay provisions of the DDA became applicable to all dates in the Schedule of Performance for the Shipyard Site because of ongoing Navy parcel transfer delays that were not in the control of the Developer. As a result, all dates in the Schedule of Performance for the Shipyard Site are no longer applicable given the severity of the ongoing delays.

### **C. Prior Plan Amendments**

Following the approval of the CP-HPS2 Project in 2010, the Board of Supervisors approved amendments to the HPS Plan on June 22, 2017, by Ordinance No. 122-17.

On July 16, 2018, the Board of Supervisors approved amendments to the HPS Plan by Ordinance No. 0166-18.

These amendments in 2017 and 2018 amended the land use regulations of the HPS Plan to facilitate the development of the CP-HPS2 Project in a manner that best responds to market demands, maximizes economic development and employment generation within Candlestick Point and the surrounding community, consistent with the objectives of the BVHP Plan and HPS Plan.

### **D. Senate Bill 143**

On September 13, 2023, the Governor signed Senate Bill 143 (2023) (codified at Section 34177.7(j) of the California Health and Safety Code) ("SB 143") into law. SB 143 amends Health & Safety Code section 34177.7 to add subdivision (j), which states that "the limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the redevelopment plans, the time to repay indebtedness, the time for applying tax increment, the number of tax dollars, or any other matters set forth in Section 33333.2 and Section 33492.13 shall not apply" to the CP-HPS2 Project. SB 143 provides that the applicable time limits referenced in the preceding sentence will be established in the CP-HPS2 Project agreements, including the DDA. SB 143 further clarified that Redevelopment Dissolution Law does not "limit the receipt and use of property tax revenues generated from the HPS Redevelopment Plan

project area or Zone 1 of the BVHP Redevelopment Plan project area” in connection with the CP-HPS2 Project.

#### **E. 2024 Plan Amendment**

The primary purpose of the Plan Amendment is to facilitate the successful implementation of the CP-HPS2 Project and realize the CP-HPS2 Project’s vision of bringing significant housing, jobs, and community benefits to Candlestick Point and the Shipyard Site. As with the adoption of the 2010 Plan Amendment, the fundamental purpose of the Plan Amendment is to provide the Successor Agency with the necessary financial and legal resources and tools to complete the needed program of redevelopment in Phase 2 of the HPS Project Area in order to:

- Eliminate the significant blight identified in Project Area B;
- Facilitate the economic development of Project Area B including the provision of additional job opportunities for local residents;
- Provide additional quality affordable housing for residents of the Bayview and the entire community;
- Implement the objectives of voter-approved Proposition G.

Specifically, the Plan Amendment would, if adopted:

#### Land Use and Development Program Modifications

- Allow the transfer of up to 2,050,000 square feet of research and development and office space from Phase 2 of the HPS Project Area to commercially-zoned areas of Zone 1 of the BVHP Project Area, subject to Commission approval and any necessary environmental review. There would be a corresponding reduction in those uses at Phase 2 of the HPS Project Area.
- Allow the transfer of residential units from Phase 2 of the HPS Project Area to Zone 1 of Project Area B, subject to Commission approval and any necessary environmental review.

#### Redevelopment Plan Time Limits

Implement SB 143 by establishing the applicable limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the HPS Plan, and the time to repay indebtedness and receive property taxes, in connection with Phase 2 of the HPS Project Area as follows:

- **Time Limit to Incur Debt.** Establish that the time limit for establishing loans, advances, and indebtedness in connection with Phase 2 of the HPS Project Area shall be a) 30 years from the date of conveyance to the Developer all Phase 2 parcel(s) required for the completion of development of the first Major Phase (as defined in that certain Disposition and Development Agreement for the CP-HPS2 Project) located within Phase 2 (“Initial HPS Transfer Date”), b) plus an additional fifteen (15) years, which represents the “Anticipated Navy Delay”. The

“Anticipated Navy Delay” is the estimated delay, based on documentation from the Navy, that completion of remediation and conveyance of all portions of Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area, excluding Parcel F, to the master developer of the CP HPS2 project will occur in 2036-2038, including time needed for issuance of a Finding of Suitability for Transfer and associated conveyance documentation. This Anticipated Navy Delay warrants an additional 15-year extension of the redevelopment timelines for purposes of those redevelopment activities on Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area and related tax increment financing.

- **Effectiveness of the Plan.** Establish that the time limit for the effectiveness of the HPS Plan for Phase 2 of the HPS Project Area shall be a) 30 years from the Initial HPS Transfer Date, b) plus an additional fifteen (15) years which represents the Anticipated Navy Delay.
- **Repayment of Debt/Receive Property Taxes.** Establish that the time limit to repay indebtedness and receive property taxes for Phase 2 of the HPS Project Area shall be a) 45 years from the Initial HPS Transfer Date, b) plus fifteen (15) years which represents the Anticipated Navy Delay.

Increase in Indebtedness Limit

- Consistent with SB 143’s authorization for tax increment revenues to flow between Phase 2 of the HPS Project Area and Zone 1 of Project Area B, the Plan Amendments also adjust the limit on the amount of bonded indebtedness that can be outstanding at one time by establishing a single limit on the amount of bonded indebtedness applicable to both Zone 1 of the BVHP Plan and Phase 2 of the HPS Project Area. The Plan Amendment establishes that the aggregate total amount of bonded indebtedness of OCII to be repaid from the allocation of taxes to OCII for both Zone 1 of Project Area B and Phase 2 of the HPS Project Area that can be outstanding at one time may not exceed \$5.9 billion.

Table 1 summarizes the current and proposed time and fiscal limits.

**Table 1  
Summary of Existing and Proposed Time and Fiscal Limits  
Hunters Point Shipyard Redevelopment Project Area**

	<b>Current</b>	<b>Proposed</b>
<b>Time Limits (Phase 2 of HPS Project Area)</b>		
Incurring Debt	20 years after first \$100,000 in increment received  (2033)	30 years from the date of conveyance to the Developer of all Phase 2 parcel(s) required for the completion of development of the first Major Phase located within Phase 2 (“Initial HPS Transfer Date”) plus 15 years which represents the Anticipated Navy Delay

Plan Effectiveness	30 years from the date the SF Controller certifies as the final day of the first fiscal year in which \$100,000 or more of tax increment from the Project Area are paid to the Agency  (2043)	30 years from Initial HPS Transfer Date plus 15 years which represents the Anticipated Navy Delay
Repay Indebtedness and Receive Property Taxes	45 years after first \$100,000 increment received  (2058)	45 years from the Initial HPS Transfer Date plus 15 years which represents the Anticipated Navy Delay
<b>Fiscal Limit</b>		
Limit on Bonded Indebtedness	\$900 million	\$5.9 billion (combined limit on bonded indebtedness for Zone 1 of Project Area B and Phase 2 of HPS Project Area)

The proposed amendments to the time limits described above and the limit on the amount of bonded indebtedness will also be set forth in applicable Project agreements, including the DDA, which the Oversight Board of the City and County of San Francisco and State of California Department of Finance will have the opportunity to review and approve.

**IV. DESCRIPTION OF AGENCY’S REDEVELOPMENT PROGRAM**

The proposed Plan Amendment is intended to support the Agency’s Redevelopment Program (Agency’s Affordable Housing Program and Non-Housing Redevelopment Program) within Phase 2 of the HPS Project Area and to enable the Agency to continue meeting its redevelopment mission in the City. The presence of blighting conditions in the Project Area warrants continued redevelopment activities and the Agency’s Redevelopment Program is organized broadly into two categories that reflect the division of tax increment revenues into funds that can be used specifically for the Agency’s affordable housing efforts and all other development and redevelopment activities. The CP-HPS2 Project, which includes redevelopment activities in Zone 1 of BVHP Project Area B and Phase 2 of the HPS Project Area will alleviate blight in the Project Area and stimulate additional economic development, community enhancements, and affordable housing opportunities in the Bayview.

**V. REASONS FOR PLAN AMENDMENTS**

*Every redevelopment plan submitted by the agency to the legislative body shall be accompanied by a report containing all of the following:*

(a) *The reasons for the selection of the project area, a description of the specific projects then proposed by the agency, a description of how these projects will improve or alleviate the conditions described in subdivision (b).*

**A. Introduction**

CRL Sections 33352(a) and 33457.1 require that to the extent necessary, the Report include the reasons for selecting a redevelopment project area. As Phase 2 of the HPS Project Area was previously selected and established, and the Plan Amendment does not propose the addition of any new territory, the summary of the reasons the Project Area was selected and established are set forth in the Report to the Board of Supervisors for the 2010 Plan Amendment and remain unchanged in connection with the Plan Amendments.

**B. Reasons for 2024 Plan Amendments**

The Plan Amendments provide the mechanisms to facilitate and finance the development of the CP-HPS2 Project in Candlestick Point. Many of the blighting conditions identified in Project Area B in the Report to the Board of Supervisors for the 2010 Plan Amendment remain. Without the Plan Amendments, which are further described below, the redevelopment activities proposed for Candlestick Point in connection with the CP-HPS2 Project would not be feasible.

**1. Amendment to Redevelopment Plan Time Limits**

**a. Without the Plan Amendments the Existing Statutory Time Limits Will Expire Starting in 2033**

The HPS Plan currently establishes the following time limits: 1) a 30-year time limit on the effectiveness of the HPS Plan; 2) a 20-year time limit on establishing loans, advances and indebtedness; and 3) a 45-year time limit to repay indebtedness. The DDA and Tax Allocation Agreement, both enforceable obligations, specifically refer to and implement certain of these time limits. As shown in Table 1 above, certain of these time limits are quickly approaching, with the earliest time limit – the time limit for establishing loans, advances, and indebtedness – set to expire in 2033.

Since 2010, the clean-up of the Hunters Point Shipyard site has faced unprecedented delays due to the ongoing investigation, re-testing, and litigation related to the fraudulent work by the Navy’s contractor. When the Project was approved in 2010, the Navy was anticipated to complete the environmental remediation in 2015. Since that time, the Navy’s completion of the environmental remediation of the Shipyard property has been further delayed. The Navy has recently informed the Successor Agency that completion of remediation and conveyance of all portions of the Shipyard Site, excluding Parcel F, will occur between 2036-2038, including time needed for a Finding of Suitability for Transfer and associated conveyance documentation. Documentation from the Navy relaying these schedule delays are described in correspondence provided to OCII by the Navy. These Navy delays have impeded the timely implementation of the CP-HPS2 Project, adversely impacting the Developer’s redevelopment activities on both Candlestick Point and the Shipyard Site and substantially delaying the overall CP-HPS2 Project. Given the significant delays facing the CP-HPS2 Project, imposing the statutory time limits described above means that the amount of tax increment financing that the Successor Agency

can receive will be severely impacted, and would imperil the viability and financial feasibility of the CP-HPS2 Project. Specifically, given the extraordinary delays facing the CP-HPS2 Project caused by the fraud committed by the Navy’s contractor, the Developer and Successor Agency would not be able to complete all project activities within Phase 2 of the HPS Project Area by 2043. In addition, the expiration of the 20-year time limit on establishing loans, advances and indebtedness in 2033 would prevent the Successor Agency from entering into new bonded indebtedness that would be necessary to carry out its redevelopment activities within Phase 2 of the HPS Project Area.

Without extending the time limit on establishing loans, advances, and indebtedness for the Successor Agency to access tax increment financing and associated bonding capacity, the cost of the CP-HPS2 Project’s infrastructure, park and open space development, and community benefits will far exceed projected revenues. The extension of the time limits as proposed by the Plan Amendments are therefore critical to ensuring there are adequate funding sources to finance the construction of public infrastructure, parks and open space, and other community benefits contemplated by the CP-HPS2 Project.

**b. Plan Amendments Implement SB 143**

Recognizing the significant adverse impact of the expiration of the above-referenced time limits, the State Legislature adopted, and the Governor signed into law, SB 143, which amended Health & Safety Code section 34177.7 to add subdivision (j), which states that “the limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the redevelopment plans, the time to repay indebtedness, the time for applying tax increment, the number of tax dollars, or any other matters set forth in Section 33333.2 and Section 33492.13 shall not apply” to the CP-HPS2 Project. Accordingly, the 30-year time limit on the effectiveness of the HPS Plan; the 20-year time limit on establishing loans, advances and indebtedness; and the 45-year time limit to repay indebtedness and receive property taxes, do not apply to Phase 2 of the HPS Project Area.

Consistent with SB 143, the Plan Amendments include the following amended time limits which are set forth in the CP-HPS2 Project agreements:

	<b>Current</b>	<b>Proposed</b>
<b>Time Limits (Phase 2 of HPS Project Area)</b>		
Incurring Debt	20 years after first \$100,000 in increment received (2033)	30 years from the date of conveyance to the Developer of all Phase 2 parcel(s) required for the completion of development of the first Major Phase located within Phase 2 (“Initial HPS Transfer Date”) plus 15 years which represents the Anticipated Navy Delay
Plan Effectiveness	30 years from the date the SF Controller certifies as the final day of the first	30 years from Initial HPS Transfer Date plus 15 years

	fiscal year in which \$100,000 or more of tax increment from the Project Area are paid to the Agency  (2043)	which represents the Anticipated Navy Delay
Repay Indebtedness and Receive Property Taxes	45 years after first \$100,000 increment received  (2058)	45 years from the Initial HPS Transfer Date plus 15 years which represents the Anticipated Navy Delay

**c. Plan Amendments Advance CP-HPS2 Financing Plan Funding Goals**

The Plan Amendments advance the Funding Goals identified in the Financing Plan for the CP-HPS2 Project. In particular, the Plan Amendments further the Financing Plan’s Funding Goals of maximizing funding sources available to finance Qualified Project Costs, community benefits, and affordable housing.

The Financing Plan, which was approved in 2010 for the CP-HPS2 Project, identified Funding Goals for the CP-HPS2 Project which included promoting “financial self-sufficiency in the development of the Project by encouraging substantial private capital investment, contributing public land in the Project Site to facilitate the provision of public benefits of the Project, and using Funding Sources to finance Qualified Project Costs[.]” The Funding Sources identified in the Financing Plan include tax increment financing. The CP-HPS2 Project is financially infeasible without public financing through tax increment financing. The extension of the time limits proposed by the Plan Amendments for incurring debt and repaying indebtedness and receiving property taxes is necessary to ensure there is sufficient time to access tax increment financing in order to finance Qualified Project Costs and other costs necessary to complete the enforceable obligations of the CP-HPS2 project, including Agency Affordable Housing Costs and Agency Costs (as defined in the DDA) of the CP-HPS2 Project. In addition, the extension of the time limit for the effectiveness of the HPS Plan is needed to ensure that the Successor Agency retains land use authority within Phase 2 of the HPS Project Area during the buildout of the CP-HPS2 Project.

As set forth in Table 1 above, solely for the purpose of using property tax revenues generated from Zone 1 of the Project Area to fund Qualified Project Costs and other costs necessary to complete the enforceable obligations of the CP-HPS2 project, including Agency Affordable Housing Costs and Agency Costs in Phase 2 of the HPS Project Area, the time limits include an additional 15 years for Anticipated Navy Delay. The additional 15-years provided for the Anticipated Navy Delay is consistent with the Project’s Funding Goals for the following reasons:

- 30-year bonds are the most effective and cost-efficient financing tools – and are most consistent with the Project’s adopted “Funding Goals” as reflected in the Financing Plan.

- For 30-year bonds secured by Candlestick Point tax increment financing to remain available to finance 2054 development activities at the Shipyard Site, it is necessary for repayment of Shipyard indebtedness through Candlestick Point tax increment financing to be authorized through 2084, or 60 years (45 plus 15) from the 2024 Plan Amendment Date.
- Reliance on 15-year bonds instead of 30-year bonds, which would be required absent the additional 15 years for Anticipated Navy Delay, would result in a nearly 45% reduction in bonded amounts, as shown below:

	Full	Reduced	Change
Bond Term	30 Yrs	15 Yrs	-15 Yrs
Rate	5.50%	5.50%	0%
Payment	\$1	\$1	\$0
Bond PV	\$14.53	\$10.04	-44.8%

- Shorter 15-year bond terms, as would be required absent the additional 15 years for Anticipated Navy Delay, do not merely affect the Developer’s delivery of Project infrastructure, parks, and community benefits, it would also negatively impact the Agency’s ability to maximize leverage of its 20% affordable housing set-aside.
- Making 30-year bond instruments unavailable to the final stages of development would be inconsistent with the Funding Goals adopted by the Agency when the Project was originally approved. Those Funding Goals include:
  - To “maximize Funding Source available to finance Qualified Project Costs by among other things, to the extent reasonably feasible and consistent with this Financing Plan, using tax-exempt debt...” (Section 1.1(a)(iii);
  - To “promote financial self-sufficiency in the development of the Project by encouraging substantial private capital investment . . . ”
- Ensuring availability of 30-year bonds in the final stages of development encourages private investment by demonstrating a robust set of public financing tools.

**d. Navy Delays Require Extended Timelines**

The extraordinary Navy delays at the Shipyard Site and the substantial cost increases during the period of delay have resulted in significantly increased CP-HPS2 Project costs overall, which has deepened the need for cross-funding and lengthier timelines for recovery of Qualified Project Costs.

While the redevelopment timelines would be extended, the Project’s Fiscal Impact Analysis demonstrates that Candlestick Point, upon its build-out, will generate a net surplus in revenues from other taxes (sales tax, etc.) of \$23.3M per year, which will flow to the City’s General Fund.

**e. Plan Amendments Bridge the Gap Between Revenues and Costs**

While it may be possible legally to further increase Community Facilities District (“CFD”) rates on existing and future CP-HPS2 residents (up to the very maximum allowed under the City’s code), such increases would not be competitive with other comparable projects and would therefore make development parcels in the CP-HPS2 Project unmarketable. Increased CFD rates also would overburden Bayview residents and would still be far inadequate to make up for the currently projected shortfall between Project revenues and costs.

Tax increment financing has always been essential to the financial viability of the CP-HPS2 Project. The time extensions described above – which ensure availability of tax increment financing to pay for affordable housing, community benefits, and Qualified Project Costs – are therefore essential for the Project to achieve goals and objectives of both the HPS Plan and the City’s 2022 Housing Element. In addition, extended timelines protecting tax increment financing availability will accelerate development of the Shipyard Site, which will result in earlier and greater tax revenues to the taxing entities as well as earlier funding for affordable housing.

**2. Amendment to Limit on Bonded Indebtedness**

The Plan Amendment will adjust the limit on the amount of bonded indebtedness that can be outstanding at one time by establishing a single limit on the amount of bonded indebtedness applicable to both Zone 1 of Project Area B and Phase 2 of the HPS Project Area. The adjusted single limit on bonded indebtedness proposed by the Plan Amendment is \$5.9 billion. Of this combined single limit on bonded indebtedness, it is estimated that approximately \$3.3 billion in bonded indebtedness may be required for Zone 1 of Project Area B and up to \$2.6 billion in bonded indebtedness may be required for Phase 2 of the HPS Project Area. These estimates are informational and shall not operate as limits upon bonded indebtedness within Zone 1 of Project Area B and Phase 2 of the HPS Project Area, respectively.

In 2010, the aggregate total limit on bonded indebtedness between Candlestick Point and the Shipyard Site was \$1.7 billion, with the limit set at \$800 million at Candlestick Point and \$900 million at the Shipyard Site. The limits on bonded indebtedness have not been adjusted since the Project’s approval in 2010. Therefore, while the costs related to the construction of residential and commercial property have increased significantly since the Project’s approval in 2010, the limit on bonded indebtedness has not been adjusted to reflect the significant increases in project costs and inflation over the past fourteen years.

The proposed Plan Amendment to establish a single limit on bonded indebtedness is necessary to address increases in project costs and inflation since 2010, and to reflect projected future increases in project costs and inflation as redevelopment activities within Zone 1 of Project Area

B and Phase 2 of the HPS Project Area progress over the life of the Redevelopment Plan as reflected in the proposed Plan Amendments.

Establishing a single limit on bonded indebtedness is also consistent with SB 143's authorization for tax increment revenues to flow between Phase 2 of the HPS Project Area and Zone 1 of Project Area B. Further, as detailed in this Report, the remaining adverse conditions in Phase 2 of the HPS Project Area are substantial and prevalent and continue to represent a significant burden on the community that cannot be eliminated under the current \$900 million limit. To maintain the Successor Agency's ability to alleviate blight and promote economic growth in Hunters Point Shipyard, including facilitating the development of the CP-HPS2 Project, an increase in the limit on bonded indebtedness for both Project Areas in the amount of \$5.9 billion is needed.

The method for calculating the adjusted limit of bonded indebtedness is further described in Section VII and summarized in Exhibit B and Exhibit C.

### **3. Land Use and Development Program Amendments**

The Plan Amendments would authorize the transfer of up to 2,050,000 square feet of commercial uses from Phase 2 of the HPS Project Area to Candlestick Point, subject to Commission approval and any necessary environmental review. In addition, the Plan Amendments would allow the transfer of residential units from Phase 2 of the HPS Project Area to Zone 1 of Project Area B, subject to Commission approval and any necessary environmental review.

These Plan Amendments support redevelopment of the Shipyard Site in a manner that responds to changes in market conditions to provide for economically feasible development. The Plan Amendment will maximize the potential for long-term economically successful development within the Shipyard Site.

The following objectives and goals, as described in Section II of the HPS Plan would be further advanced by the adoption of the Plan Amendment:

- Foster employment, business, and entrepreneurial opportunities in the rehabilitation, construction, operations and maintenance of facilities in the Project Area.
- Stimulate and attract private investments, thereby improving the City's economic health, tax base, and employment opportunities.
- Provide for the development of economically vibrant and environmentally sound districts for mixed use; cultural, educational and arts activities; research, industrial and training activities; and housing.
- Provide public parks, open space, and other community facilities.
- Provide for infrastructure improvements, including: streets and transportation facilities, open space and recreation areas; and utilities for water, sewer, gas and electricity.

- Provide sufficient flexibility in the development of real property within the Project Area to respond readily and appropriately to market conditions.

## **VI. DESCRIPTION OF HOW THE PLAN AMENDMENT WILL IMPROVE OR ALLEVIATE BLIGHT**

*Every redevelopment plan submitted by the agency to the legislative body shall be accompanied by a report containing all of the following:*

*(b) A description of the physical and economic conditions specified in Section 33031 that exist in the area that cause the project area to be blighted. The description shall include a list of the physical and economic conditions described in Section 33031 that exist within the project area and a map showing where in the project the conditions exist. The description shall contain specific, quantifiable evidence that documents both of the following:*

*(1) The physical and economic conditions specified in Section 33031.*

*(2) That the described physical and economic conditions are so prevalent and substantial that, collectively, they seriously harm the entire project area.*

The physical and economic conditions of blight existing at the time of adoption of the 2010 HPS Plan Amendment remain substantially the same. The HPS Project Area is characterized by adverse physical conditions including buildings in which it is unsafe or unhealthy for persons to live or work, and the existence of factors that prevent or substantially hinder the economically viable reuse of buildings and areas. Adverse economic conditions include depreciated and stagnant property values, properties containing hazardous wastes, abnormally high business vacancies, abandoned buildings, and excessive vacant lots within an area formerly used as a military base.

The Plan Amendment will continue to improve or alleviate the adverse conditions in the HPS Project Area through the development of under-utilized land, economic development activities, community enhancement efforts, affordable housing activities, and the delivery of public parks and open space. As detailed in this Report, the Plan Amendments will further improve or alleviate the adverse conditions in Phase 2 of the HPS Project Area by establishing CP-HPS2 Project-specific time limits for establishing loans, advances, and indebtedness, the effectiveness of the HPS Plan, and the time to repay indebtedness and receive property taxes, in connection with Phase 2 of the HPS Project Area. As discussed in Section V, the extension of these time limits is required in light of the extraordinary Navy delays which have impacted the timely implementation of the Project, and to protect the financial feasibility of the CP-HPS2 Project which rely on tax increment financing to fund Qualified Project Costs.

*(d) An explanation of why the elimination of blight and the redevelopment of the project area cannot reasonably be expected to be accomplished by private enterprise acting alone or by the legislative body's use of financing alternatives other than tax increment financing.*

The elimination of blight cannot be borne solely by the private sector and private funds. The private sector's ability to alleviate blight is limited by the same factors that were identified in the Report to the Board of Supervisors for the 2010 Plan Amendment.

As set forth in the Financing Plan for the CP-HPS2 Project, the financial feasibility of the CP-HPS2 Project requires various public Funding Sources. Section VII describes the need for the increased bonded indebtedness cap proposed in the Plan Amendment in order to fund the redevelopment of Phase 2 of the HPS Project Area to alleviate the remaining adverse physical and economic conditions in the Project Area.

## **VII. PROPOSED METHOD OF FINANCING AND FEASIBILITY OF PLAN AMENDMENT**

*(e) The proposed method of financing the redevelopment of the project area in sufficient detail so that the legislative body may determine the economic feasibility of the plan.*

This Section explains why tax increment financing is the primary source of funding and why the Plan Amendment to increase the limit on bonded indebtedness is necessary to accomplish and complete the goals set forth in the HPS Plan and to alleviate the remaining blight in the Project Area. As summarized in Section V, blighting conditions in the Project Area continue to be substantial and require tax increment in order to be alleviated.

### **1. Potential Funding Sources**

The proposed Plan Amendment authorizes the Agency to finance its Redevelopment Program using all available funding sources, including local, state and federal sources, and the Agency will make every effort to obtain alternative funding sources as a means to accelerate its Redevelopment Program. However, tax increment financing is the most reliable source of long-term funding available to the Agency.

This section describes funding sources that will likely be available to assist in financing the Agency's Redevelopment Program, which primarily includes the CP-HPS2 Project in Zone 1 of BVHP Project Area B. Some sources described below may generate more funds than estimated, while other sources may generate less. On balance, the estimates of alternative revenues provide an initial assessment of funding availability to determine the need for tax increment revenue to fill the funding gap in the Agency's Redevelopment Program costs.

Tax increment, CFDs, and developer participation are the sources of funding that are most likely to be available to provide funding for the Agency's Redevelopment Program, while private capital will provide funding for upfront costs and initial expenses in order to get the program started. Secondary funding sources are less likely to be available. Complementary sources would not provide direct funding for the Agency's Redevelopment Program. However, they could be used for economic development, business support and expansion, neighborhood improvements, and community enhancement, which would enhance the effectiveness of the Agency's Redevelopment Program.

#### **a. Primary Funding Sources**

The primary sources of funding that are expected to generate substantial revenues to finance the Agency's Redevelopment Program are tax increment, CFDs, and developer participation and will provide the backbone of funding for the CP-HPS2 Project.

### Tax Increment Financing

Tax increment revenue generated by the increase in property values within Phase 2 of the HPS Project Area will continue to be one of three primary sources of funding to support the completion of the CP-HPS2 Project. Section VII.3 details the Agency's projection of tax increment resources that will be available to finance its redevelopment activities in Zone 1 of Project Area B and Phase 2 of the HPS Project Area.

### Mello Roos Act

A common method for imposing special taxes in California is through a special tax levied pursuant to the Mello-Roos Community Facilities Act of 1982 (the Mello-Roos Act), which authorizes certain public entities to form a Community Facilities District (CFD). The Mello-Roos Act authorizes the formation of a special tax district to finance capital improvement projects and pay for certain services. Revenues generated through the formation of a CFD are expected to provide significant funding for the redevelopment of Candlestick Point and will be key to the timely implementation of infrastructure improvements necessary for further development.

### Developer Participation

Developer participation has been used to help fund redevelopment activities in many communities. The DDA for the CP-HPS2 Project includes a Financing Plan that describes the Developer Return in connection with the CP-HPS2 Project.

## **b. Secondary Funding Sources**

While less significant or less likely to be available than primary funding sources, secondary sources, such as federal, state, and other local funds have helped, and are anticipated to help the Agency in meeting its redevelopment goals and objectives. The level of funding provided by these funding sources will not be sufficient to fully fund the cost of redevelopment activities. Furthermore, many grant programs offer one-time funding allocations and are not a reliable source of funding for future years.

## **2. Tax Increment Projections and Plan Amendments**

The HPS Plan currently imposes specific time and fiscal limits that will affect the amount of tax increment revenue the Agency can receive, as follows:

- **Time Limit to Incur Debt.** The Agency's ability to enter into new bonded indebtedness is limited to 20 years after the first \$100,000 in increment is received.
- **Time Limit to Carry Out Projects.** The Agency must complete all project activities within 30 years after the first \$100,000 in increment is received.

- **Time Limit to Receive Tax Increment and Repay Debt.** The Agency can collect tax increment for 45 years after the first \$100,000 in increment is received.
- **Limit on Amount of Outstanding Bonded Indebtedness.** The Redevelopment Plan currently includes a limit of \$900 million on the total amount of outstanding bonded indebtedness secured by tax increment revenue.

Table 1 presents the current limits and the proposed changes to the redevelopment plan time limits and bond limit. As authorized by SB 143, the Plan Amendment will extend the time limits to incur debt, plan effectiveness, and repay debt and receive tax increment for Phase 2 of the HPS Project Area. The Plan Amendments further propose extending the limit on the amount of bonded indebtedness. These Plan Amendments are necessary in order to provide the financing necessary to implement the CP-HPS2 Project and to provide for additional time for the Agency to complete all project activities within Phase 2 of the HPS Project Area.

Exhibit B provides a more detailed summary of the tax increment projections over the tax increment collection period under the proposed Plan Amendment.<sup>1</sup> The tax increment projections are intended only as estimates for financial feasibility purposes. Actual tax increment revenues may be higher or lower. The development projections shown in Exhibit B are not intended to predict future development, but rather to provide a reasonable estimate of potential tax increment growth on an average annualized basis. The tax increment projections are based on the best available information and analysis techniques, and actual tax increment generated in each year will likely vary.

### 3. Increase in Limit on Amount of Outstanding Bonded Indebtedness

The Plan Amendment proposes to merge the existing limits on bonded indebtedness for Zone 1 of Project Area B and Phase 2 of the HPS Project Area into a single limit on bonded indebtedness in the amount of \$5.9 billion.

This section generally describes the methodology used to determine the proposed combined bonded indebtedness cap of \$5.9 billion. Exhibit C includes details of the methodology and calculation described in this Section with a direct comparison to the analogous 2010 calculation by the Successor Agency.

To determine the new proposed combined bonded indebtedness cap for Hunters Point Shipyard, the Developer used the same methodology relied on by the Successor Agency in 2010. The 2010 methodology used three calculations to inform the estimated bonded indebtedness limit for Hunters Point Shipyard: 1) bonding capacity (Method 1) which yielded a bonded debt need of \$767.3 million; 2) present value of tax increment (Method 2) which yielded a bonded debt need of \$737.5 million; and 3) tax increment in nominal dollars (Method 3) which yielded a bonded debt need of \$1.2 billion. Based on the range established by these three calculations (\$737.5

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<sup>1</sup> The tax increment projections identified in Exhibit B are estimates that are provided solely for the purpose of this Report. The Shipyard Site is currently under Excusable Delay and all amounts shown for the Shipyard Site on the Summary Proforma are based on the Summary Proforma provided in 2018 and such amounts will need to be updated once Excusable Delay no longer exists at the Shipyard Site.

million to \$1.2 billion), the Agency determined that a bonded indebtedness limit of \$900 million was needed to fund the HPS Redevelopment Plan programs and projects.

Using the same three methodologies that the Agency relied on in 2010, the Developer proposes a combined bonded indebtedness cap of \$5.9 billion, which was calculated as follows:

- Under the bonding capacity method (Method 1), the estimated combined total debt for Candlestick Point, as updated with 2024 inputs, is approximately \$2.9 billion. Under the present value of tax increment method (Method 2), the estimated combined total debt need is approximately \$2.5 billion. Under the tax increment in nominal dollars method (Method 3), the estimated combined total debt need is \$4.5 billion. In 2010, the Agency’s consultant averaged the estimates from Methods 1 and 3 to determine the appropriate point within the range. Applying this same methodology to the updated 2024 estimates results in a combined bonded indebtedness cap of \$3.3 billion for Candlestick Point.
- For the Shipyard Site, under the bonding capacity method (Method 1), the estimated combined total debt, as updated with 2024 inputs, is approximately \$2.3 billion. Under the present value of tax increment method (Method 2), the estimated combined total debt need is approximately \$2.4 billion. Under the tax increment in nominal dollars method (Method 3), the estimated combined total debt need is \$3.2 billion. In 2010, the Agency’s consultant averaged the estimates from Methods 1 and 3 to determine the appropriate point within the range. Applying this same methodology to the updated 2024 estimates results in a combined bonded indebtedness cap of \$2.6 billion for the Shipyard Site. This results in the overall combined total of \$5.9 billion (\$3.3B for CP and \$2.6B for HPS = \$5.9B combined).
- The method for calculating the adjusted limit of bonded indebtedness of \$5.9 billion is described in Exhibits B and C and assumes an annual interest rate of five percent (5%) and application of a fifty percent (50%) contingency factor. The industry standard for tax-exempt municipal bonds is to pay an annual interest rate of 5% of the bond principal amount. Investors’ willingness to pay more than 100 cents for each dollar of bond principal depends on whether alternative investments are yielding lower than a 5% interest rate. Based on historical borrowing rate indices and OCII’s prior borrowing rates relative to those indices, OCII’s future bond borrowing rate is expected to be close to 5%. Therefore, using a 5% rate to compute the bonded indebtedness limit principal amount generates an appropriate estimate of the funds OCII would be able to raise from bond investors for this project area. The adjusted limit on bonded indebtedness reflects projected property tax increment plus a contingency factor of 50% to account for variables such as higher assessed values of taxable property, more frequent reassessments due to resales, and the time it takes to buildout the CP-HPS2 Project.

## **VIII. METHOD OF PLAN FOR RELOCATION**

*(f) A method or plan for the relocation of families and persons to be temporarily or permanently displaced from housing facilities in the project area, which method or plan shall include the provision required by Section 33411.1 that no persons or families of low and moderate income shall be displaced unless and until there is a suitable housing unit available and ready for*

*occupancy by the displaced person or family at rents comparable to those at the time of their displacement.*

The Plan Amendment does not displace any residents in Phase 2 of the HPS Project Area.

**IX. REPORT OF THE PLANNING COMMISSION**

*(h) The report and recommendations of the planning commission.*

On September 3, 2024, the Commission approved the Plan Amendment, and by Resolution No. 26-2024, referred it to the Planning Commission for its report and recommendation, and findings of conformity with the General Plan.

The Planning Commission is scheduled on September 12, 2024, to make its finding and determine that the Plan Amendment is in conformity with the General Plan, as amended, and consistent with Planning Code Section 101.1.

**X. CONSULTATION WITH THE COMMUNITY**

The Successor Agency has provided extensive opportunities in-person and virtual/hybrid for the public to participate and comment during the Plan Amendment process. The meetings included Subcommittee and full board meetings of the Hunters Point Shipyard Citizens Advisory Committee (“HPSCAC”) and community-wide and neighborhood meetings. The following outlines the various community events in connection with the Plan Amendment:

<b>Community Meetings</b>	<b>Date</b>
HPSCAC Subcommittees (Business & Employment, Housing and Planning) Meeting	May 16, 2024
Community Outreach Workshop	May 22, 2024
Community Outreach Workshop	June 1, 2024
Bayview Hill Neighborhood Association	June 3, 2024
HPSCAC Full Subcommittee (Approval)	June 17, 2024
San Francisco Housing Action Coalition	June 20, 2024

Community Outreach Workshop (in-person and virtual using Slido)	June 26, 2024
Alice Griffith residents and service providers – Community Outreach Workshop, True Hope Church	July 11, 2024
Bay Area Council	August 8, 2024
Alice Griffith residents, Candlestick Update Presentation: Alice Griffith Tenants Association meeting	August 12, 2024
Community Benefits Implementation Committee (members invited include Faith in Action, AD10 and Labor Council) - Candlestick Update Presentation	August 20 and 22, 2024
Meeting with Shirley Moore and other Bayview Hill Neighbors at the home of Brenda Ramirez (response to questions in person during meeting and in writing after meeting)	July 2, 2024
Upcoming meetings as of the date of this Report:	
Local contractors	August 27, 2024
Council of Community Housing Organizations	August 28, 2024
Taste of Bayview – Renaissance Entrepreneurship Center event	August 29, 2024
Youth outreach	November 2025 and ongoing

**XI. ENVIRONMENTAL REVIEW**

*(k) The report required by Section 21151 of the Public Resources Code*

On June 3, 2010, the Commission of the former Redevelopment Agency of the City and County of San Francisco (“Redevelopment Commission”) by Resolution No. 58-2010 and the Planning Commission by Motion No. 18096, acting as co-lead agencies, certified the Final Environmental Impact Report (“FEIR”) under the California Environmental Quality Act (“CEQA”) for the CP-

HPS2 Project. On July 14, 2010, the Board of Supervisors affirmed the Planning Commission's certification of the FEIR by Resolution No. 347-10 and that various actions related to the Project complied with CEQA. Subsequent to the certification of the FEIR, OCII and the Planning Department prepared Addenda 1 through 6 to the FEIR analyzing certain Project modifications.

On September 3, 2024, OCII, as Lead Agency, approved Addendum 7 to the FEIR, which evaluated the updated land use program of the Plan Amendment and determined that the analyses conducted and the conclusions reached in the FEIR remain valid and no supplemental environmental review is required beyond Addendum 7. With assistance from the Planning Department, OCII has reviewed Addendum 7, the FEIR and the Plan Amendment and determined that development facilitated by the Plan Amendment will not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts that would alter the conclusions reached in the FEIR. Accordingly, no additional environmental review pursuant to State CEQA Guidelines Sections 15180, 15162, and 15163.

## **XII. NEIGHBORHOOD IMPACT REPORT**

*(m) If the project area contains low- or moderate-income housing, a neighborhood impact report which describes in detail the impact of the project upon the residents of the project area and the surrounding areas, in terms of relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population and quality of education, property assessments and taxes, and other matters affecting the physical and social quality of the neighborhood.*

The Plan Amendment does not impact or alter the existing affordable housing obligations articulated in the HPS Plan. Under the CRL, at least 15 percent of all new and substantially rehabilitated dwelling units developed within Phase 2 of the HPS Project Area by private or public entities other than OCII must be available at affordable housing cost to, and occupied by persons and families of extremely low, very low, low, or moderate income. Under the CP-HPS2 Project, approximately 32% of the housing developed by parties other than OCII will be available at affordable housing cost to, and occupied by persons and families of extremely low, very low, low, or moderate income.

The Plan Amendment will not cause the destruction or removal of housing units from the low and moderate-income housing market and no persons will be displaced, temporarily or permanently, from dwelling units as a result of the Plan Amendment.

The means of financing the low- and moderate-income housing units in Hunters Point Shipyard are tax increment financing, revenue from the sales of public properties within the Project (if any), and development fees. The Plan Amendment does not change OCII's tax increment financing committed to affordable housing.

The process and requirements for the development of housing within the HPS Project Area is designed to provide new housing opportunities for households of diverse income, ages, lifestyles and family size. OCII will continue to promote the development of a wide variety of affordable housing including mixed-use development, development of new rental and ownership units and development and rehabilitation of existing rental and ownership units, infill development, and

the possibility of senior housing. The housing opportunities within the HPS Project Area address the demand for housing suitable for families, seniors, young adults, and others with special needs. The amount and timing of this development is dependent on the amount and pace of the overall development in the HPS Project Area.

### **XIII. CONSULTATION WITH TAXING ENTITIES**

Under Assembly Bill No. IX 26 (Chapter 5, Statutes of 2011-12, First Extraordinary Session) (“AB 26”) and the California Supreme Court’s decision in California Redevelopment Association v. Matosantos, No. S194861, all redevelopment agencies in the State of California, including the Redevelopment Agency, were dissolved by operation of law as of February 1, 2012, and their non-affordable housing assets and obligations were transferred to certain designated successor agencies, which AB 26 charged with satisfying enforceable obligations of the former redevelopment agencies.

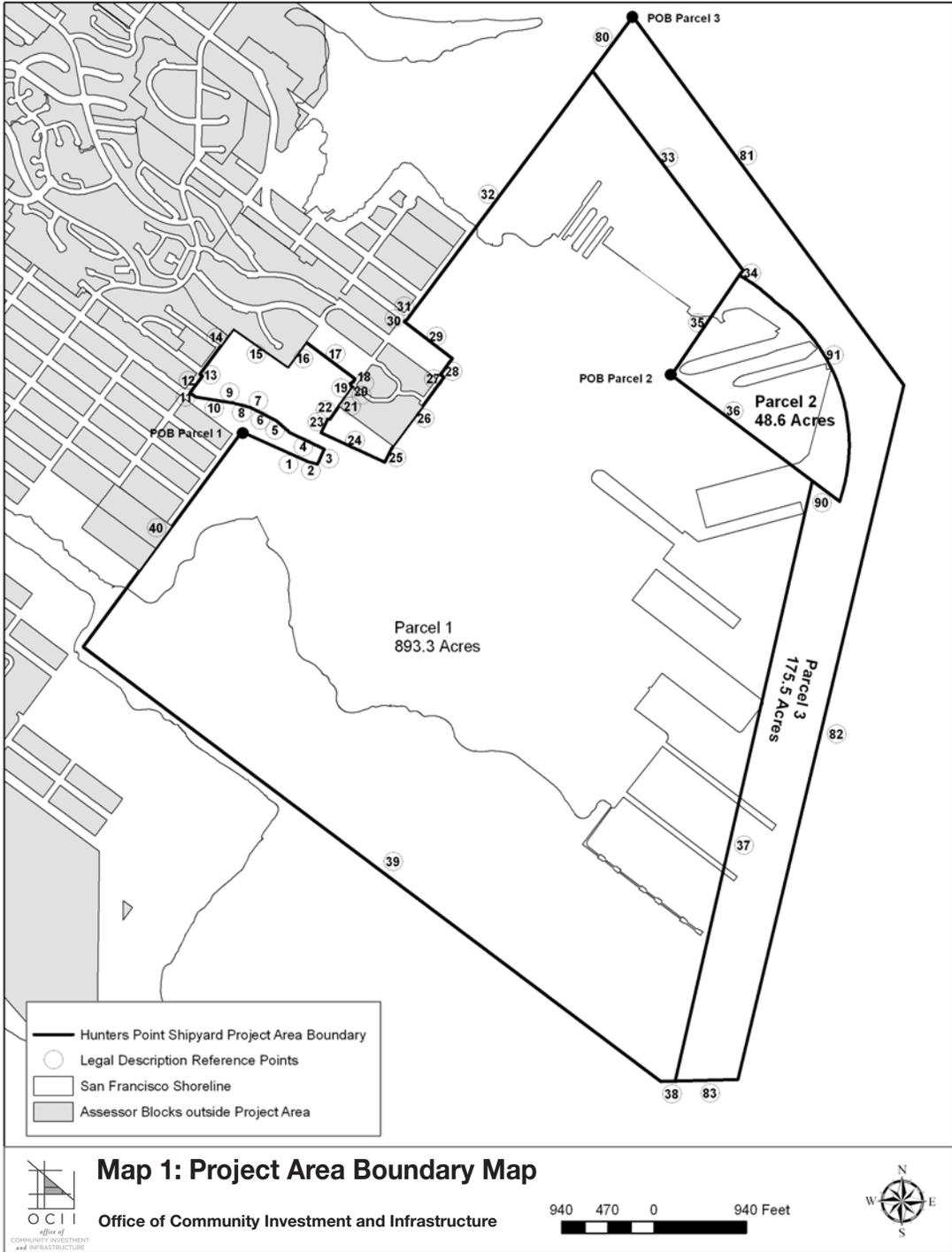
In June 2012, the California Legislature adopted legislation amending AB 26 as a trailer bill to the State’s budget bill for the 2012-2013 fiscal year, known as Assembly Bill No. 1484 (Chapter 26, Statutes of 2011-12, Regular Session) (“AB 1484”), and the Governor signed that bill on June 27, 2012. While AB 26 defined the successor agency to be the sponsoring community, AB 1484 provided that (1) the successor agency is a separate public entity from the public agency that provides for its governance and the two entities shall not merge, (2) the successor agency has its own name and the capacity to sue and be sued, (3) the successor agency succeeds to the organizational status of the former redevelopment agency but without any legal authority to participate in redevelopment activities except to complete the work related to an approved enforceable obligation.

On October 2, 2012, the City’s Board of Supervisors adopted Ordinance 215-12 (File No. 120898) acknowledging that the Agency is a separate legal entity, creating the Commission as a policy body of the Agency and delegating to the Commission the authority to implement certain projects, including the CP-HPS2 Project.

Following the public hearing before the Commission on September 3, 2024, the Oversight Board will consider the 4<sup>th</sup> Amendment to the DDA and First Amendment to the Tax Allocation Agreement which set forth the applicable limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the BVHP Plan, and the time to repay indebtedness and receive property taxes, in connection with the CP-HPS2 Project. These Project agreements were then forwarded to the Department of Finance which will review and consider the 4<sup>th</sup> Amendment to the DDA and First Amendment to the Tax Allocation Agreement.

**Exhibit A**

**Maps**

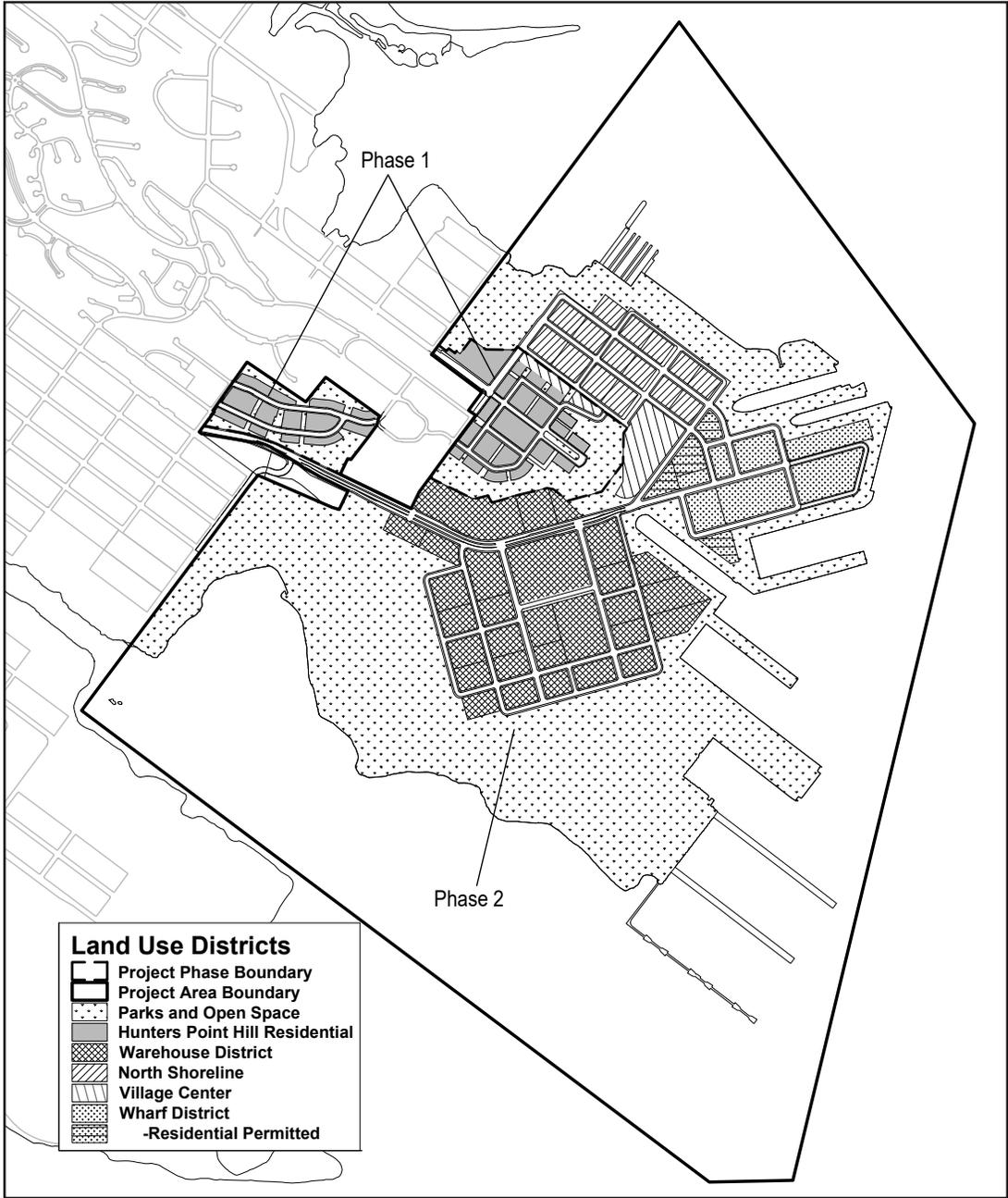


**Map 1: Project Area Boundary Map**

Office of Community Investment and Infrastructure

940 470 0 940 Feet





**Map 2: Land Use Districts Map**

Office of Community Investment and Infrastructure

1,000 500 0 1,000 Feet

OCII  
Office of  
COMMUNITY INVESTMENT  
& INFRASTRUCTURE

N  
W E  
S

**Exhibit B**

**Tax Increment Projections**

**Tax Increment Projections  
Hunters Point Shipyard Phase II  
(In Nominal/Future Dollars)**

Plan Year	Fiscal Year	Beginning of the Year Assessed Value			New Development Value (4)	Incremental Tax Revenues				Agency Obligations				
		Secured Assessed Value (1)	Other Assessed Value (2)	Total Beginning of Year Assessed Value (3)		Beginning of Year Incremental AV over Base (5)	Basic Incremental Revenue (6)	Supplemental Revenue from New Development (7)	Gross Incremental Tax Revenues (8)	County Admin (9)	20% Housing Set Aside (10)	Pass Through Payments (11)	Housing Redevelopment Program (12)	Non-Housing Redevelopment Program (13)
	Prior Years													
7	2024 - 2025	0	0	0	0	0	0	0	0	0	0	0	0	0
8	2025 - 2026	0	0	0	0	0	0	0	0	0	0	0	0	0
9	2026 - 2027	0	0	0	0	0	0	0	0	0	0	0	0	0
10	2027 - 2028	0	0	0	0	0	0	0	0	0	0	0	0	0
11	2028 - 2029	0	0	0	0	0	0	0	0	0	0	0	0	0
12	2029 - 2030	0	0	0	0	0	0	0	0	0	0	0	0	0
13	2030 - 2031	0	0	0	0	0	0	0	0	0	0	0	0	0
14	2031 - 2032	0	0	0	0	0	0	0	0	0	0	0	0	0
15	2032 - 2033	0	0	0	0	0	0	0	0	0	0	0	0	0
16	2033 - 2034	0	0	0	0	0	0	0	0	0	0	0	0	0
17	2034 - 2035	0	0	0	0	0	0	0	0	0	0	0	0	0
18	2035 - 2036	0	0	0	147,143,994	0	0	1,471,440	1,471,440	0	294,288	381,827	294,288	795,325
19	2036 - 2037	150,511,709	0	150,511,709	0	150,511,709	1,505,117	0	1,505,117	0	301,023	390,566	301,023	813,528
20	2037 - 2038	153,956,502	0	153,956,502	182,763,019	153,956,502	1,539,565	1,827,630	3,367,195	0	673,439	873,760	673,439	1,819,997
21	2038 - 2039	344,426,091	0	344,426,091	1,019,186,235	344,426,091	3,444,261	10,191,862	13,636,123	0	2,727,225	3,538,462	2,727,225	7,370,436
22	2039 - 2040	1,394,821,607	0	1,394,821,607	54,308,046	1,394,821,607	13,948,216	543,080	14,491,297	0	2,898,259	3,760,373	2,898,259	7,832,664
23	2040 - 2041	1,482,296,186	0	1,482,296,186	1,359,194,744	1,482,296,186	14,822,962	13,591,947	28,414,909	0	5,682,982	7,373,436	5,682,982	15,358,491
24	2041 - 2042	2,906,524,727	0	2,906,524,727	562,748,402	2,906,524,727	29,065,247	5,627,484	34,692,731	0	6,938,546	9,002,480	6,938,546	18,751,705
25	2042 - 2043	3,548,675,109	0	3,548,675,109	368,745,940	3,548,675,109	35,486,751	3,687,459	39,174,210	0	7,834,842	10,165,387	7,834,842	21,173,981
26	2043 - 2044	4,007,079,885	0	4,007,079,885	1,642,182,627	4,007,079,885	40,070,799	16,421,826	56,492,625	0	11,298,525	14,659,374	11,298,525	32,152,475
27	2044 - 2045	5,778,558,364	0	5,778,558,364	170,005,649	5,778,558,364	57,785,584	1,700,056	59,485,640	0	11,897,128	15,436,037	11,897,128	32,152,475
28	2045 - 2046	6,084,710,043	0	6,084,710,043	2,444,591,920	6,084,710,043	60,847,100	24,445,919	85,293,020	0	17,058,604	22,132,840	17,058,604	46,101,575
29	2046 - 2047	8,724,513,881	0	8,724,513,881	775,786,499	8,724,513,881	87,245,139	7,757,865	95,003,004	0	19,000,601	24,652,502	19,000,601	51,349,901
30	2047 - 2048	9,717,735,743	0	9,717,735,743	979,526,104	9,717,735,743	97,177,357	9,795,261	106,972,618	0	21,394,524	27,758,519	21,394,524	57,819,576
31	2048 - 2049	10,942,092,317	0	10,942,092,317	64,786,096	10,942,092,317	109,420,923	647,681	110,068,604	0	22,013,721	28,684,692	22,013,721	59,370,191
32	2049 - 2050	11,258,776,731	0	11,258,776,731	1,975,390,860	11,258,776,731	112,587,767	19,753,909	132,341,676	0	26,468,335	35,347,749	26,468,335	70,525,592
33	2050 - 2051	13,537,060,753	0	13,537,060,753	75,984,499	13,537,060,753	135,370,608	759,845	136,130,453	0	27,226,091	36,481,173	27,226,091	72,423,189
34	2051 - 2052	13,924,609,868	0	13,924,609,868	78,264,034	13,924,609,868	139,246,099	782,640	140,028,739	0	28,005,748	37,647,357	28,005,748	74,675,634
35	2052 - 2053	14,323,360,607	0	14,323,360,607	58,700,964	14,323,360,607	143,233,606	587,010	143,820,616	0	28,764,123	38,781,709	28,764,123	76,274,784
36	2053 - 2054	14,711,226,824	0	14,711,226,824	38,836,106	14,711,226,824	147,112,268	388,361	147,500,629	0	29,500,126	39,882,596	29,500,126	78,117,908
37	2054 - 2055	15,087,650,706	0	15,087,650,706	40,001,189	15,087,650,706	150,876,507	400,012	151,276,519	0	30,255,304	41,012,165	30,255,304	80,009,051
38	2055 - 2056	15,473,881,630	0	15,473,881,630	0	15,473,881,630	154,738,816	0	154,738,816	0	30,947,763	42,047,921	30,947,763	81,743,132
39	2056 - 2057	15,828,035,597	0	15,828,035,597	0	15,828,035,597	158,280,356	0	158,280,356	0	31,656,071	43,107,384	31,656,071	83,516,901
40	2057 - 2058	16,190,295,160	0	16,190,295,160	0	16,190,295,160	161,902,952	0	161,902,952	0	32,380,590	44,191,094	32,380,590	85,331,267
41	2058 - 2059	16,560,845,833	0	16,560,845,833	0	16,560,845,833	165,608,458	0	165,608,458	0	33,121,692	45,299,608	33,121,692	87,187,159
42	2059 - 2060	16,939,877,377	0	16,939,877,377	0	16,939,877,377	169,398,774	0	169,398,774	0	33,879,755	46,433,492	33,879,755	89,085,527
43	2060 - 2061	17,327,583,896	0	17,327,583,896	0	17,327,583,896	173,275,839	0	173,275,839	0	34,655,168	47,593,328	34,655,168	91,027,344
44	2061 - 2062	17,724,163,934	0	17,724,163,934	0	17,724,163,934	177,241,639	0	177,241,639	0	35,448,328	48,779,709	35,448,328	93,013,603
45	2062 - 2063	18,129,820,583	0	18,129,820,583	0	18,129,820,583	181,298,206	0	181,298,206	0	36,259,641	49,993,243	36,259,641	95,045,322
46	2063 - 2064	18,544,761,581	0	18,544,761,581	0	18,544,761,581	185,447,616	0	185,447,616	0	37,089,523	51,234,552	37,089,523	97,123,541
47	2064 - 2065	18,969,199,420	0	18,969,199,420	0	18,969,199,420	189,691,994	0	189,691,994	0	37,938,399	52,504,270	37,938,399	99,249,325
48	2065 - 2066	19,403,351,457	0	19,403,351,457	0	19,403,351,457	194,033,515	0	194,033,515	0	38,806,703	53,803,049	38,806,703	101,423,763
49	2066 - 2067	19,847,440,022	0	19,847,440,022	0	19,847,440,022	198,474,400	0	198,474,400	0	39,694,880	55,131,553	39,694,880	103,647,967
50	2067 - 2068	20,301,692,535	0	20,301,692,535	0	20,301,692,535	203,016,925	0	203,016,925	0	40,603,385	56,490,464	40,603,385	105,923,077
51	2068 - 2069	20,766,341,620	0	20,766,341,620	0	20,766,341,620	207,663,416	0	207,663,416	0	41,532,683	57,880,475	41,532,683	108,250,258
52	2069 - 2070	21,241,625,227	0	21,241,625,227	0	21,241,625,227	212,416,252	0	212,416,252	0	42,483,250	59,302,301	42,483,250	110,630,701
53	2070 - 2071	21,727,786,748	0	21,727,786,748	0	21,727,786,748	217,277,867	0	217,277,867	0	43,455,573	60,756,668	43,455,573	113,065,626
54	2071 - 2072	22,225,075,150	0	22,225,075,150	0	22,225,075,150	222,250,752	0	222,250,752	0	44,450,150	62,244,321	44,450,150	115,556,280
55	2072 - 2073	22,733,745,096	0	22,733,745,096	0	22,733,745,096	227,337,451	0	227,337,451	0	45,467,490	63,766,022	45,467,490	118,103,938
56	2073 - 2074	23,254,057,077	0	23,254,057,077	0	23,254,057,077	232,540,571	0	232,540,571	0	46,508,114	65,322,551	46,508,114	120,709,905
57	2074 - 2075	23,786,277,548	0	23,786,277,548	0	23,786,277,548	237,862,775	0	237,862,775	0	47,572,555	66,914,705	47,572,555	123,375,515
58	2075 - 2076	24,330,679,060	0	24,330,679,060	0	24,330,679,060	243,306,791	0	243,306,791	0	48,661,358	68,543,299	48,661,358	126,102,134
59	2076 - 2077	24,887,540,403	0	24,887,540,403	0	24,887,540,403	248,875,404	0	248,875,404	0	49,775,081	70,209,166	49,775,081	128,891,157
60	2077 - 2078	25,457,146,748	0	25,457,146,748	0	25,457,146,748	254,571,467	0	254,571,467	0	50,914,293	71,913,161	50,914,293	131,744,013
61	2078 - 2079	26,039,789,793	0	26,039,789,793	0	26,039,789,793	260,397,898	0	260,397,898	0	52,079,580	73,656,155	52,079,580	134,662,163
62	2079 - 2080	26,635,767,911	0	26,635,767,911	0	26,635,767,911	266,357,679	0	266,357,679	0	53,271,536	75,439,042	53,271,536	137,647,102
63	2080 - 2081	27,245,386,305	0	27,245,386,305	0	27,245,386,305	272,453,863	0	272,453,863	0	54,490,773	77,262,733	54,490,773	140,700,357
64	2081 - 2082	27,868,957,163	0	27,868,957,163	0	27,868,957,163	278,689,572	0	278,689,572	0	55,737,914	79,128,164	55,737,914	143,823,493
65	2082 - 2083	28,506,799,818	0	28,506,799,818	0	28,506,799,818	285,067,998	0	285,067,998	0	57,013,600	81,036,290	57,013,600	147,018,108
<b>Total</b>					12,038,128,924		7,360,265,123	120,381,289	7,480,646,413	0	1,496,129,283	2,067,947,720	1,496,129,283	3,916,569,410
<b>Present Value (a)</b>							1,048,320,182	43,811,248	1,092,131,430	0	218,426,286	297,450,661	218,426,286	576,254,483

Notes for each column included on next page.

(a) Discounted to constant FY 2037-2038 dollars at 5.0%.

Source: Land use plan provided by EPS, November 2023. Pass-Through years provided by OCIL, August 2023.

**Notes on Hunters Point Shipyard Phase II Tax Increment Projections**

- (1) Includes prior year's new development value plus prior years beginning of year assessed value escalated at 2% annually due to inflation and an additional 0.29% starting FY 2024-25 to reflect reassessments due to property turnover and establishment of master planned community.
- (2) Provided for consistency, amounts were zero in 2010 Plan Amendment
- (3) Sum of columns (1) and (2).
- (4) Based on new development value additions from Proposed Scenario, reviewed by OCII's consultants.
- (5) Total beginning of the year assessed value (column 3) less base year assessed value.
- (6) Equals 1 % of beginning of year incremental AV over base value (column 5).
- (7) Equals 1 % of the new development supplemental roll value assessed during the year (column 4).
- (8) Sum of columns (6) and (7). Also equals Gross Tax Increment to Agency.
- (9) Assumed to equal 0% of gross tax increment as the County does not currently charge a fee.
- (10) CRL mandated housing set aside.
- (11) AB 1290 statutory pass through payments timelines provided by OCII. Assumes City takes Tier 1 pass through. Assumes City's Tier 2 and 3 pass throughs are retained by the Agency.
- (12) Total tax increment available for housing-related redevelopment activities.
- (13) Total tax increment available for non-housing related redevelopment activities.

**Exhibit C**

**Limit on Bonded Indebtedness**

	CP	HPS2	Total
<b>A. Summary/Reconciliation</b>			
Method 1 at 50% Cont	\$2,934,900,000	\$2,308,950,000	\$5,243,850,000
Method 2 at 50% Cont	\$2,506,817,382	\$2,407,057,435	\$4,913,874,817
Method 3 at 50% Cont	\$4,537,800,000	\$3,187,200,000	\$7,725,000,000

**B. Average of 3 Methods (rounded)**

Contingency	50%	\$3,300,000,000	\$2,600,000,000	\$5,900,000,000
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	CP	HPS2	Total
<b>Method 1 - Present Value of Average Bonding Capacity</b>			
Average Annual Future Gross TI (net of pass-throughs)	\$159,103,033	\$125,168,285	\$284,271,318
DSCR	1.25	1.25	
Payment	\$127,282,426	\$100,134,628	\$193,974,628
Periods	30	30	
Int Rate	5.0%	5.0%	
PV of Average TI	\$1,956,600,000	\$1,539,300,000	
Estimated Principal of Outstanding Bonded Indebtedness	\$0	\$0	
Subtotal	\$1,956,600,000	\$1,539,300,000	
Contingency	1.50	1.50	
Total Future Bond Principal Amount at 50% Cont	\$2,934,900,000	\$2,308,950,000	\$5,243,850,000

**Method 2 - Present Value of Projected Tax Increment**

	FY 2024-25	FY 2037-38	
Discounted to			
Discount Rate	5.0%	5.0%	
NPV of Projected Tax Increment	\$1,671,211,588	\$1,604,704,957	
Outstanding Bond	\$0	\$0	
Subtotal	\$1,671,211,588	\$1,604,704,957	\$3,275,916,545
Contingency Factor	1.50	1.50	
Total Future Bond Principal Amount at 50% Cont	\$2,506,817,382	\$2,407,057,435	\$4,913,874,817

**Method 3 - Tax Increment in Nominal Dollars**

Future Tax Increment (net of pass-throughs)	\$9,075,549,565	\$6,374,317,787	\$15,449,867,352
Tax increment Collected through FY 2008/09	\$0	\$0	
Subtotal	\$9,075,549,565	\$6,374,317,787	\$15,449,867,352
Divide by Three	3.00	3.00	
Subtotal	\$3,025,200,000	\$2,124,800,000	\$5,150,000,000
Contingency Factor	1.50	1.50	
Total Future Bond Principal Amount at 50% Cont	\$4,537,800,000	\$3,187,200,000	\$7,725,000,000



Final Environmental Impact Report  
**CANDLESTICK POINT–HUNTERS POINT SHIPYARD PHASE II  
DEVELOPMENT PLAN PROJECT**

Volume I: Final EIR Executive Summary

**SAN FRANCISCO REDEVELOPMENT AGENCY**  
File No. ER06.05.07

**CITY AND COUNTY OF SAN FRANCISCO PLANNING DEPARTMENT**  
File No. 2007.0946E

**State Clearinghouse No. 2007082168**

**San Francisco Redevelopment Agency**  
One South Van Ness Avenue, Fifth Floor, San Francisco, California 94103, and

**City and County of San Francisco Planning Department**  
1650 Mission Street, Suite 400, San Francisco, California 94103

Draft EIR Publication Date: November 12, 2009  
San Francisco Redevelopment Agency Commission Public Hearing Dates: December 15, 2009, January 5, 2010  
San Francisco Planning Commission Public Hearing Date: December 17, 2009  
Draft EIR Public Review Period: November 12, 2009–January 12, 2010  
Final EIR Certification Hearing Date: June 3, 2010

**August 2017**



A dot (●) indicates material that has been revised since publication of the Draft EIR. Long changes are indicated with opening dots (⤵) and closing dots (⤴).

# CANDLESTICK POINT–HUNTERS POINT SHIPYARD PHASE II DEVELOPMENT PLAN PROJECT Final Environmental Impact Report

*Volume I: Final EIR Executive Summary*

San Francisco Redevelopment Agency File No. ER06.05.07  
City and County of San Francisco Planning Department File No. 2007.0946E  
State Clearinghouse No. 2007082168

**San Francisco Redevelopment Agency**  
One South Van Ness Avenue, Fifth Floor, San Francisco, California 94103, *and*  
**City and County of San Francisco Planning Department**  
1650 Mission Street, Suite 400, San Francisco, California 94103

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August 2017



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# Executive Summary

## PURPOSE OF THE SUMMARY

This summary is intended to highlight the major areas of importance in the environmental analysis for the Project as required by Section 15123 of the *California Environmental Quality Act* (CEQA) Guidelines. The summary includes a brief description of the Project, the Project objectives, approval requirements, areas of controversy/issues to be resolved, and a summary of alternatives to the Project. In addition, this chapter provides a table summarizing (1) potential environmental impacts that would occur as a result of the Project; (2) the level of significance of the environmental impacts prior to implementation of any applicable mitigation measures; (3) the recommended mitigation measures that avoid or reduce significant environmental impacts; and (4) the level of significance after mitigation measures are implemented (refer to Table ES-2 [Summary of Environmental Effects and Project Requirements/Mitigation Measures] at the end of this chapter).

## PROJECT DESCRIPTION

The Project is located on approximately 702-acres east of United States Route 101 (US-101) in the southeast area of the City and County of San Francisco (City). It occupies the waterfront area from south of India Basin to Candlestick Cove. Figure II-1 (Project Location) illustrates the regional location of the Project and the location of the Project within the City.

The Project proposed by Lennar Urban includes a mixed-use community with a wide range of residential, retail, office, research and development, civic and community uses, and parks and recreational open space. A major component would be a new stadium for the San Francisco 49ers National Football League (NFL) team. Additionally, new transportation and utility infrastructure would serve the Project including a bridge across Yosemite Slough.

Specifically, the Project proposes development of 10,500 residential units with an associated population of 24,465 residents; 885,000 gross square feet (gsf) of retail; 150,000 gsf of office; 2.5 million gsf of Research & Development (R&D) uses; a 220-room, 150,000 gsf hotel; 255,000 gsf of artist live/work space; 100,000 gsf of community services; 251.3 acres of new parks, sports fields, and waterfront recreation areas, as well as 84 acres of new and improved State parkland; a 69,000-seat 49ers stadium; and a 75,000 gsf performance arena. The permanent employee population associated with the Project would be 10,730.

In addition, a 300-slip marina would be provided. Shoreline improvements would also be provided to stabilize the shoreline. The Project would include structured and on-street parking and various infrastructure improvements to support the development.

The Project includes amendments of the Bayview Hunters Point and Hunters Point Shipyard Redevelopment Plans, and amendments of the San Francisco General Plan and *Planning Code*, consistent with the development project.

## PROJECT OBJECTIVES

Project objectives are identified to both describe the underlying purpose of the Project and to guide the selection of potential Project alternatives. CEQA Guidelines Section 15126.6(a) requires that an EIR “describe a reasonable range of alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives but would avoid or substantially lessen any of the significant effects of the project.” Typically, project objectives represent a combination of both the Lead Agency and the developer’s intent and purpose in moving forward with the project.

In May 2007, the Board of Supervisors and the Mayor approved a resolution endorsing a Conceptual Framework for the integrated planning of both Hunters Point Shipyard and Candlestick Point. The Conceptual Framework was the result of a long planning process undertaken by the City and County of San Francisco, acting by and through the Mayor’s Office of Economic and Workforce Development, the Redevelopment Agency of the City and County of San Francisco, and Lennar Urban.

The City’s overarching goal for the 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.

Subsequently, and in response to the Conceptual Framework, the San Francisco voters approved Proposition G in June 2008, which is called the Bayview Jobs, Parks, and Housing Initiative (“the Initiative”). Proposition G repealed Proposition F, which had established a special use district for the Project site; instead, Proposition G proposed that new zoning be established along with a land use program (Proposition G is included as Appendix B to this EIR). The Initiative states that the Project must be consistent with the following objectives, which are also identified in this EIR as the Project’s objectives:

1. The integrated development should produce tangible community benefits for the Bayview and the City, and in so doing should:
  - Improve the Candlestick Point State Recreation Area to enhance public access to the waterfront and enjoyment of the Bay
  - Create new public recreational and public open spaces in the Candlestick Point-Hunters Point Shipyard Development Plan (CP-HPS Development Plan)
  - Preserve the shoreline of the CP-HPS Development Plan site primarily for public park and public open space uses, including an extension of the Bay Trail along the waterfront
  - Create 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
  - Provide neighborhood-serving retail
  - Subsidize the creation of permanent space in the Shipyard for the existing artists
  - Transform the contaminated portions of the Shipyard Property into economically productive uses or public open space, as appropriate

- Implement the CP-HPS Development Plan with public benefits, whether or not the 49ers decide to remain in San Francisco, including developing alternate uses for the stadium site on the Shipyard Property that are consistent with the overall CP-HPS Development Plan objectives
2. The integrated development should re-connect Candlestick Point and the Hunters Point Shipyard site with the larger BVHP neighborhood and should maintain the character of the Bayview for its existing residents, and in so doing should:
    - Foster the creation of strong commercial, institutional, cultural and urban design ties between the development on Candlestick Point and the Hunters Point Shipyard and the Bayview in particular and the City in general
    - Provide automobile, public transportation, and pedestrian connections between the Shipyard, Candlestick Point, and the larger BVHP neighborhood
    - Create substantial affordable housing, jobs, and commercial opportunities for existing Bayview residents and businesses
  3. The integrated development should include substantial new housing in a mix of rental and for-sale units, both affordable and market-rate, and encourages the rebuilding of Alice Griffith Housing, and in so doing should:
    - Provide new affordable housing that is targeted to the lower income levels of the Bayview population, including new units that are suitable for families, seniors, and young adults
    - Include housing at levels dense enough to create a distinctive urban form and at levels sufficient to make the CP-HPS Development Plan financially viable; attract and sustain neighborhood retail services and cultural amenities; create an appealing walkable urban environment served by transit; help pay for transportation and other infrastructure improvements; and achieve economic and public benefits for the Bayview in particular and the City generally
    - Upon consultation with Alice Griffith Housing residents and the receipt of all required governmental approvals, rebuild Alice Griffith Housing to provide one-for-one replacement units targeted to the same income levels as those of the existing residents and ensure that eligible Alice Griffith Housing residents have the opportunity to move to the new, upgraded units directly from their existing Alice Griffith Housing units without having to relocate to any other area
    - Include a mix of stacked flats, attached townhomes and—in appropriately selected locations—low-rise, mid-rise, and high-rise towers, to help assure the economic feasibility of the development and provide a varied urban form
  4. The integrated development should incorporate environmental sustainability concepts and practices, and in so doing should:
    - Apply sustainability principles in the design and development of public open spaces, recreation facilities, and infrastructure including wastewater, storm water, utility, and transportation systems
    - Incorporate green building construction practices
    - Include energy efficiency and the use of renewable energy
    - Encourage green development projects, such as green office, research and development, or industrial projects, including a green technology, biotechnology, or digital media campus
  5. The integrated development should encourage the 49ers—an important source of civic pride—to remain in San Francisco by providing a world-class site for a new waterfront stadium and necessary infrastructure, and in so doing should:
    - Provide the parking necessary to operate the stadium

- Provide the necessary transportation infrastructure, including automobile, public transit and pedestrian connections between Candlestick Point, Hunters Point Shipyard, and the larger BVHP neighborhood, to facilitate the efficient handling of game day traffic
- 6. The integrated development should be fiscally prudent, with or without a new stadium, and in so doing should:
  - Minimize any adverse impact on the General Fund relating to the development of the Project Site by relying to the extent feasible on the development to be self-sufficient
  - Encourage substantial private capital investment

## APPROVAL REQUIREMENTS

Consistent with the intended uses of the EIR, implementation of the Project would require multiple approvals from City, regional, state, and federal agencies. Table ES-1 (Major Project Approvals) presents the major approval requirements.

**Table ES-1 Major Project Approvals**

### CITY AND COUNTY SAN FRANCISCO APPROVAL PROCESS AND PERMITS

#### Redevelopment Agency Commission

- Certifies the Final EIR
- Adopts CEQA findings, a statement of overriding considerations, and a mitigation monitoring and reporting program
- ■ Reports to the Board of Supervisors on the amendments to Redevelopment Plans
- Approves amendments to the *Hunters Point Shipyard Redevelopment Plan* and approves amendments to the Hunters Point Shipyard Design for Development
- Approves amendments to the *Bayview Hunters Point Redevelopment Plan* and approves a Design for Development for Candlestick Point
- ■ Approves land transfer agreements with the Navy, City, and State agencies
- Approves land transfer agreements with Port Commission, State Lands Commission, and California Department of Parks and Recreation (CDPR)
- Approves Disposition and Development Agreements and Owner Participation Agreements

#### Port Commission

- Approves land transfer agreements with Agency, State Lands Commission, and CDPR

#### Planning Commission

- Certifies the Final EIR
- Adopts CEQA findings, a statement of overriding considerations, and mitigation monitoring and reporting program
- Approves shadow determinations/impacts
- Adopts amendments to the General Plan to accommodate the Project and to find the amendments for the *Hunters Point Shipyard Redevelopment Plan* and *Bayview Hunters Point Redevelopment Plan* in conformity with the General Plan
- Adopts resolution recommending to the Board of Supervisors approval of amendments to the Planning Code/Zoning Maps for the Project
- Authorizes cooperative agreement with Redevelopment Agency

## Table ES-1 Major Project Approvals

### Board of Supervisors

- Affirms certification of Final EIR
- Adopts CEQA findings, a statement of overriding considerations, and a mitigation monitoring and reporting program
- Approves General Plan amendments
- Approves amendments to the *Hunters Point Shipyard Redevelopment Plan* and the *Bayview Hunters Point Redevelopment Plan*
- Approves amendments to the Planning Code/Zoning Maps
- Approves other necessary code amendments
- Approves a Joint Facilities Agreement and Tax Allocation Agreements with the Redevelopment Agency
- Approves land transfer agreements

### San Francisco Public Utilities Commission

- Approves Project infrastructure for water, sewer, stormwater, electricity

### Department of Building Inspection

- Approves Project construction-related permits.

### Department of Public Works

- Approves subdivision maps, public improvements, and infrastructure

### Department of Public Health

- Recommends ordinance to Board related to oversight of environmental controls; oversees compliance with environmental controls

### Municipal Transportation Authority

- Approves transit improvements

### Department of Recreation and Parks

- Approves land transfers
- Recommends to Planning Commission shadow determinations/impacts

### Art Commission

- Approves public art and the design of public structures on City property

### San Francisco Housing Authority

- Approves replacement of Alice Griffith housing

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## REGIONAL, STATE, AND FEDERAL APPROVALS

### Bay Conservation and Development Commission

- Approves amendments of the Bay Plan and Seaport Plan
- Approves permits for activities within BCDC's jurisdiction, including the proposed Yosemite Slough bridge
- Reviews Project land use plan for federal consistency under the Coastal Zone Management Act for activities not previously authorized in Consistency Determination No. CN 1-99

### State Lands Commission

- Approves public trust land exchange agreement

### California Department of Parks and Recreation

- Approves agreement for the reconfiguration of Candlestick Point State Recreation Area
- Approves General Plan Amendment for the reconfiguration of Candlestick Point State Recreation Area

### California Department of Transportation

- Approves any necessary encroachment permits for the Project roadway improvements

### Regional Water Quality Control Board

- Approves Section 401 water quality certification

## Table ES-1 Major Project Approvals

### Bay Area Air Quality Management District

- Approves any necessary air quality permits for individual uses

### Navy

- Authorizes the execution of necessary transactional documents with the Redevelopment Agency to transfer property at Hunters Point Shipyard for the development of the Project

### US Army Corps of Engineers

- ■ Approves permit for fill related to the Yosemite Slough bridge, shoreline improvements, and other activities
- ■ Consults with USFWS or NMFS regarding federally listed species prior to carrying out its discretionary authority under Section 404 of the CWA, pursuant to Section 7 of federal ESA
- ■ Consults with NMFS regarding pile-driving and harbor seal and California sea lion prior to carrying out its discretionary authority under Section 404 of the CWA, pursuant to *Marine Mammal Protection Act*
- ■ Consults with NMFS regarding modifying designated EFH prior to carrying out its discretionary authority under Section 404 of the CWA, pursuant to the *Magnuson-Stevens Act*

### Department of the Interior

- Approves conversion of portions of Candlestick Point State Recreation Area reconfiguration improved with Land and Water Conservation Fund grants

### US Coast Guard

- Issues determination regarding vessel navigability for the Yosemite Slough bridge

### US Department of Housing and Urban Development

- Approves land transfer agreements involving Alice Griffith public housing site and funding approvals

SOURCE: Agency, Planning Department.

This Table is not intended to provide an exhaustive or exclusive list of the numerous public agency approvals that may be necessary to carry out the Project over its 20-year build-out. Instead, the Table provides a list of the major land use entitlements and related approvals anticipated from local and State agencies that may rely on this EIR. It is also anticipated that other permit and transactional approvals will be necessary as these major entitlements are implemented and that the approving public agencies, to the extent required by law, will rely on this EIR, in accordance with the requirements of CEQA and the CEQA Guidelines, in granting such approvals. This Table also lists federal agencies that would have jurisdiction over certain aspects of the Project.

## AREAS OF CONTROVERSY/ISSUES TO BE RESOLVED

This EIR has been prepared by the Redevelopment Agency and the City (Planning Department) as co-lead agencies for the Project, in conformance with the substantive and procedural requirements of CEQA and the CEQA Guidelines (as amended through 2007),<sup>1</sup> Agency CEQA guidelines, Chapter 31 of the *San Francisco Administrative Code*, and Planning Department CEQA guidelines. In accordance with *Public Resources Code* Section 21002.1, the purpose of this EIR is to identify the significant environmental impacts of the Project, to identify alternatives to the Project, and to indicate the manner in which those significant effects could be mitigated or avoided.

This EIR evaluates the Project's environmental effects at a project level of detail and examines all phases of the Project, including planning, construction, and operation, as well as the direct, indirect, and cumulative impacts that might result. It is anticipated that each discretionary approval related to the implementation of the Project would rely on this EIR and would not require preparation of subsequent

<sup>1</sup> *California Environmental Quality Act*, (*Pub. Res. Code* Sec. 21000 et seq.; CEQA) and the CEQA Guidelines (*Cal. Code Regs.* Sec. 15000 et seq.).

environmental documentation, unless otherwise required by CEQA pursuant to *Public Resources Code* Section 21166 and CEQA Guidelines Sections 15162 through 15164.

Lennar Urban filed an Environmental Evaluation application (EE application) with the Planning Department on August 27, 2007. The filing of the EE application initiated the environmental review process as outlined below. The EIR process provides an opportunity for the public to review and comment upon the Project's potential environmental effects and to further inform the environmental analysis. As a first step in complying with the procedural requirements of CEQA, the Notice of Preparation (NOP) process was used to determine whether any aspect of the Project, either individually or cumulatively, may cause a significant effect on the environment and, if so, to narrow the focus (or scope) of the environmental analysis.

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

A copy of the NOP is included as Appendix A to this EIR. The NOP included the India Basin Shoreline, which would be evaluated on a programmatic basis, as part of the Project; however, since publication of the NOP, the Agency and the City decided to remove the India Basin Shoreline area from the Project and will analyze development in that area as part of a separate EIR.

This EIR addresses environmental issues that are known or were raised by agencies or interested parties during the NOP public review period for the proposed project. In response to the NOP, nine comment letters were submitted to the Agency and the City by public agencies, organizations, and individuals. The NOP comment letters are summarized below:

- **California Department of Transportation (Caltrans)** provided comments pertaining to traffic volume and congestion on the State Highway System and recommended that a traffic impact analysis be prepared.
- **California Public Utilities Commission (CPUC)** provided comments identifying CPUC as a responsible agency if new at-grade rail crossings were proposed. The letter suggested that the unused railroad tracks leading to the Shipyard be removed as mitigation for development in the area.
- **California Department of Parks and Recreation** provided comments for the analysis of the Project in relation to the Candlestick Point State Recreation Area (CPSRA) and consistency with the adopted CPSRA General Plan. The comments also addressed public access to the shoreline, hazardous materials, proposed transportation improvements, and stormwater.
- **San Francisco Bay Conservation and Development Commission (BCDC)** provided a comment regarding BCDC's jurisdiction over the Project, including the 100-foot BCDC jurisdictional band and the BCDC priority use areas identified in the Bay Plan. The Bay Plan identifies Hunters Point Shipyard (HPS) as a "Port priority" use area and Candlestick Point as "Waterfront Park" and "Beach" priority areas.

- **The Bay Trail Project** provided comments on the proposed extension of the Bay Trail. The Bay Trail Project is a nonprofit organization administered by the Association of Bay Area Governments and is responsible for implementation of the Bay Trail Plan. The comments addressed consistency of the proposed Bay Trail improvements with the Bay Trail Plan and the relationship of the trail with proposed transportation improvements.
- **City of Brisbane** provided comments regarding the characterization of the US-101/Geneva/Harney interchange and Geneva Avenue extension and analysis of the Project in relation to future transportation improvements necessary to serve the Project.
- **Literacy for Environmental Justice** provided comments regarding the cleanup of the Shipyard, and stated that such actions must be to residential standards.
- **Arc Ecology** provided comments regarding Project alternatives, social and economic impacts, and the level of environmental review that was proposed for the Project. Additional concerns focused on the content of the NOP.
- An **individual** resident in Bayview Hunters point provided comments regarding accessibility to the waterfront, aesthetics and neighborhood character of the waterfront area, and traffic.

## 🔍 PROJECT VARIANTS

Six variants of the Project were formulated by the Agency, the City, and Lennar Urban. These variants include the following:

- Variant 1: San Francisco 49ers move outside the project area (no football stadium constructed at HPS Phase II)—R&D Variant
- Variant 2: San Francisco 49ers move outside the project area (no football stadium constructed at HPS Phase II)—Housing Variant
- Variant 2A: San Francisco 49ers move outside the project area (no football stadium constructed at HPS Phase II)—Housing/R&D Variant
- Variant 3 (Tower Variants A, B, C, and D): Four Candlestick Point tower variants would have the same land use program and overall description as with the Project, but would have different locations and heights for residential towers at Candlestick Point
- Variant 4: A utilities variant would include an automated solid waste collection system, decentralized wastewater treatment, and district energy
- Variant 5: Shared stadium where both the San Francisco 49ers and Oakland Raiders would play at the stadium at HPS Phase II

Three variants (Variants 1, 2, and 2A) address the scenario of the San Francisco 49ers moving to the City of Santa Clara or elsewhere with no football stadium constructed at HPS Phase II. Each of those three variants includes a different land use program at the HPS Phase II site. Variant 1 (R&D Variant) would include increases in R&D space at the stadium location. Variant 2 (Housing Variant) would relocate 1,350 residential units from Candlestick Point to the stadium site. Variant 2A (Housing/R&D Variant) would relocate 1,650 housing units from Candlestick Point to the stadium site, and, in addition, includes an additional 500,000 sf of R&D compared to the Project (for a total of 3,000,000 sf of R&D); 500,000 sf of the total R&D for Variant 2A would be constructed on the stadium site along with the residential uses.

The Candlestick Point Tower Variant (Variant 3) would have the same land use program and overall description as the Project, but would have different locations, heights, and massing of residential towers at Candlestick Point (expressed as four options for this variant: Candlestick Point Tower Variant (Variant 3 [Tower Variants A, B, C, and D])).

A Utilities Variant (Variant 4) would include an automated solid waste collection system, decentralized wastewater treatment, and district energy. A 49ers/Raiders Shared Stadium Variant (Variant 5) would include the scenario of a shared stadium, where both the 49ers and Oakland Raiders would play at a new stadium at HPS Phase II.

None of the variants would alter the Project Objectives, which are provided in detail in Chapter II (Project Description) of this EIR. The variants are analyzed at a project level of detail, which is equal to the Project analysis included in Chapter III (Environmental Setting, Impacts, and Mitigation Measures), Section III.A through Section III.S of this EIR. The environmental impacts that would result from implementation of the variants are presented following the description of each variant. A comparison of the variant development programs to the Project is presented in Table ES-1a (Comparison of Variants to the Project). Table ES-1b (Impact Comparison of Project Variants) summarizes the effects of the Variants compared to the Project.

**Table ES-1a Comparison of Variants to the Project**

<i>Differences</i>	<i>Project</i>	<i>Variant 1: R&amp;D Variant (No Stadium, Additional R&amp;D)</i>	<i>Variant 2: Housing Variant (No Stadium, Housing)</i>	<i>Variant 2A: Housing/ R&amp;D Variant (No Stadium)</i>	<i>Variant 3: Candlestick Point Tower Variants (Different Tower Heights and Locations, Larger Floor Plates)</i>	<i>Variant 4: Utilities Variant (Additional On-Site Infrastructure)</i>	<i>Variant 5: 49ers/Raiders Shared Stadium</i>
						Same overall development plan as Project, but with minor shifts in building locations to accommodate 570,000 gsf for the proposed utility systems (with 330,000 gsf located below ground).	Same development plan as Project
<b>Land Use Plan</b>							
Residential (units)—Candlestick Point	7,850	7,850	6,500	6,225 <sup>a</sup>	7,850	7,850	7,850
Residential (units)—Hunters Point Phase II	2,650	2,650	4,000	4,275 <sup>a</sup>	2,650	2,650	2,650
					Same number of residential units, but different placement of towers		
Office	150,000	150,000	150,000	150,000	150,000	150,000	150,000
Research & Development (gsf)	2,500,000	5,000,000	2,500,000	3,000,000	2,500,000	2,500,000	2,500,000
Regional Retail	635,000	635,000	635,000	635,000	635,000	635,000	635,000
Neighborhood Retail	250,000	250,000	250,000	250,000	250,000	250,000	<u>250,000</u>
			Same overall amount of neighborhood retail as Project, but different distribution within HPS Phase II (refer to text for a description)	Same overall amount of neighborhood retail as Project, but different distribution within HPS Phase II (refer to text for a description)			
Tower Floor Plates	10,000 sf	10,000 sf	10,000 sf	10,000 sf	12,500 sf	N/A	N/A
Football Stadium (seats)	69,000 Stadium built by 2017	0	0	0	69,000 Stadium built by 2017	69,000 Stadium built by 2017	69,000 Shared stadium with 49ers and Oakland Raiders Stadium site built by 2017
Yosemite Slough Bridge	Auto/BRT/Ped	BRT/Ped	BRT/Ped	BRT/Ped	Auto/BRT/Ped	Auto/BRT/Ped	Auto/BRT/Ped
<b>Parks, Open Space, and Recreation Uses</b>							
Total Parks, Open Space, and Recreational Uses	336.4	327.0	349.4	326.6	336.4	336.4	337.5

<b>Table ES-1a Comparison of Variants to the Project</b>							
<i>Differences</i>	<i>Project</i>	<i>Variant 1: R&amp;D Variant (No Stadium, Additional R&amp;D)</i>	<i>Variant 2: Housing Variant (No Stadium, Housing)</i>	<i>Variant 2A: Housing/ R&amp;D Variant (No Stadium)</i>	<i>Variant 3: Candlestick Point Tower Variants (Different Tower Heights and Locations, Larger Floor Plates)</i>	<i>Variant 4: Utilities Variant (Additional On-Site Infrastructure)</i>	<i>Variant 5: 49ers/Raiders Shared Stadium</i>
New Parks	148.1	160.5	158	159	148.1	148.1	148.6
Sports Fields and Active Recreation	91.6	69.8	96.7	70.9	91.6	91.6	91.6
State Parklands (acres)	96.7	96.7	96.7	96.7	96.7	96.7	96.7

SOURCE: Lennar Urban, 2010.

a. The bridge would be open to automobiles only on game days.

**Table ES-1b Impact Comparison of Project Variants to Project**

Topic	Impacts									
	Variant 1: R&D Variant (No Stadium, Additional R&D)	Variant 2: Housing Variant (No Stadium, Housing)	Variant 2A: Housing Variant with R&D (No Stadium)	Variant 3: Candlestick Point Tower Variants				Variant 4: Utilities Variant (Additional On-Site Infrastructure)	Variant 5: 49ers/Raiders Shared Stadium	
				Tower Variant A	Tower Variant B	Tower Variant C	Tower Variant D			
III.B Land Use and Plans	=	=	=	=	=	=	=	=	=	=
III.C Population, Housing, and Employment	=	=	=	=	=	=	=	=	=	=
III.D Transportation and Circulation	>	<	>	=	=	=	=	=	=	=
III.E Aesthetics	=	<	<	>	>	>	>	=	=	=
III.F Shadows	<	<	<	>	=	<	<	=	=	=
III.G Wind	<	<	<	=	=	=	=	=	=	=
III.H Air Quality	=	=	=	=	=	=	=	=	=	=
III.I Noise	>	<	=	=	=	=	=	=	=	=
III.J Cultural Resources and Paleontological Resources	=	=	=	=	=	=	=	=	=	=
III.K Hazards and Hazardous Materials	=	=	=	=	=	=	=	=	=	=
III.L Geology and Soils	=	=	=	=	=	=	=	=	=	=
III.M Hydrology and Water Quality	>	<	=	=	=	=	=	<	=	=
III.N Biological Resources	=	=	=	=	=	=	=	=	=	=
III.O Public Services	>	<	=	=	=	=	=	=	=	=
III.P Recreation	=	=	=	=	=	=	=	=	=	=
III.Q Utilities	=	=	=	=	=	=	=	<	=	=
III.R Energy	=	=	=	=	=	=	=	=	=	=
III.S Greenhouse Gas Emissions	>	=	=	=	=	=	=	=	=	=

SOURCE: PBS&J,2010.

NOTE: Each topic is compared to the Project and for each impact area, impacts are equal to (=), greater than (>), or less than (<) the Project impacts.



## ALTERNATIVES

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

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

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

- **Alternative 2: CP-HPS Phase II Development Plan; No Yosemite Slough Bridge**—Alternative 2 would have the same land use program proposed with the Project, including the State Parks agreement. Alternative 2 would not include the Yosemite Slough bridge. The main roadway connection between Candlestick Point and HPS Phase II would be via Ingalls Street. A bus rapid transit route would be constructed along an abandoned railroad right-of-way to provide access between Candlestick Point and HPS Phase II. This alternative assumes that the 49ers Stadium is relocated to HPS Phase II and the Agency enters into an agreement with CPSRA to reconfigure CPSRA land in the same way as for the Project.

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

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

This alternative was selected to provide an alternative to the Project that reduces construction-related impacts generally and operational impacts associated with traffic, air quality, noise, demand for public services, biological resources, and other growth-related impacts. The development program of this alternative would be reduced compared to the Project and would generate fewer vehicle trips and reduce the area subject to development. This alternative would reduce traffic and noise impacts associated with an increase in vehicle trips and air quality impacts associated with Project

construction and operation. This alternative would reduce impacts to biological resources associated with bridge construction and operation as a result of the narrower bridge footprint and reduced bridge traffic. Construction and/or operational impacts related to the amount of development and the development footprint, such as soil erosion and stormwater runoff, as well as operational impacts related to population and employment growth, such as police and fire services, would also be reduced by this alternative.

- **Alternative 4: Reduced CP-HPS Phase II Development; Historic Preservation; No HPS Phase II Stadium, Marina, or Yosemite Slough Bridge**—Alternative 4 would also be a reduced development alternative. Total housing with this alternative would be 7,350 units, about 30 percent less than proposed with the Project. The proposed floor areas for most uses would be approximately 30 percent smaller at full build-out in comparison to build-out of the Project. No improvements would be made in the CPSRA. This alternative includes preservation of five potentially historic structures at HPS Phase II. This alternative does not include construction of a bridge over Yosemite Slough.
- This alternative was selected to include historic preservation of the five eligible structures on HPS and to provide a reduced development alternative to the Project. This alternative would reduce the area subject to development and would avoid significant impacts to historic resources at HPS Phase II. Reduced development would result in fewer vehicle trips. This alternative would reduce traffic and noise impacts associated with the increase in vehicle trips and air quality impacts associated with Project operation and construction. This alternative would also avoid impacts to biological resources associated with bridge construction and operation. Construction and/or operational impacts related to the amount of development and the development footprint, such as soil erosion and stormwater runoff, as well as operational impacts related to population and employment growth, such as police and fire services, would also be reduced by this alternative.
- > **Subalternative 4A: CP-HPS Phase II Development Plan with Historic Preservation**—This subalternative to Alternative 4 retains all of the historic buildings, but includes the same land use plan as described for the Project rather than a reduced development plan as under Alternative 4. This subalternative would preserve the same five historically eligible structures (Buildings 208, 211, 224, 231, and 253) as Alternative 4. The Project's land use plan would be implemented under this subalternative in terms of total square footage of land uses and district locations. However, unlike the Project, Buildings 211, 224, 231, and 253 would be retained and not demolished. The displaced R&D that, under the Project, would be built at the location of Buildings 211, 224, 231, and 253 would be distributed throughout the remainder of the HPS Phase II development and total floor area for R&D would remain the same as the Project, at 2,500,000 sf. However, the building heights in the R&D District on HPS Phase II would increase to accommodate the displaced square footage. Buildings 211, 231, and 253 would be rehabilitated under the Secretary of Interior's Standards to accommodate approximately 338,000 gsf of R&D and 1,000 parking spaces. Building 224, the air raid shelter, would be rehabilitated to provide museum space. Subalternative 4A would also retain existing grades, allowing railroad spurs and other historic elements to remain. A wave protection berm is proposed to accommodate a 36-inch sea level rise. The Bay Trail would run on top of the berm, which would be designed to include seat steps. All other components of Subalternative 4A would remain the same as under the Project.
- **Alternative 5: Reduced CP-HPS Phase II Development; No HPS Phase II Stadium, State Parks Agreement, or Yosemite Slough Bridge**—Alternative 5 would have the same land use program proposed with the Project, except that the new stadium at HPS Phase II and the Yosemite Slough bridge would not be constructed. The total number of housing units would be the same as for the Project; however, because this alternative would not include the CPSRA boundary

reconfiguration, the land area available for development would be smaller. Approximately 1,350 units would be shifted from Candlestick Point to HPS Phase II. This alternative assumes a State Parks agreement does not occur and there is no agreement with the 49ers for a stadium at the Project site.

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

Other alternatives were considered, but eliminated from further analysis in this EIR, including:

- Alternative San Francisco 49ers stadium locations (City of Brisbane or Port of San Francisco sites)
- Alternative land use plans and locations for the 49ers Stadium on HPS Phase II
- Alternative land use plan for Candlestick Point
- Develop Candlestick Point for parks and open space only
- Alternative locations for the Project within the City of San Francisco
- Alternative locations for the Project outside the City of San Francisco

- ① Table ES-1c (Summary of Project Alternatives) provides an overview of how the land uses of the Alternatives compare to the land uses of the Project. Table ES-1d (Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives) provides a summary comparison of the significant and unavoidable impacts of the Project compared to each of the Alternatives.

<b>Table ES-1c Summary of Project Alternatives</b>							
<i>Use</i>	<i>Project</i>	<i>Alternative 1 No Project<sup>a</sup></i>	<i>Alternative 2 No Bridge Alt</i>	<i>Alternative 3 49ers at Candlestick</i>	<i>Alternative 4 Lesser Build with Historic Preservation</i>	<i>Subalternative 4A: CP-HPS Phase II Development Plan with Historic Preservation</i>	<i>Alternative 5 No Park Agreement</i>
<b>Candlestick Point</b>							
Residential (units)	7,850	0	7,850	1,210	5,495	7,850	6,500
Retail (gsf):							
Regional Retail	635,000	0	635,000	0	444,500	635,000	635,000
Neighborhood Retail	125,000	0	125,000	0	87,500	125,000	125,000
<i>Retail Subtotal (gsf)</i>	<i>760,000</i>	<i>0</i>	<i>760,000</i>	<i>0</i>	<i>532,000</i>	<i>760,000</i>	<i>760,000</i>
Community Services (gsf)	50,000	0	50,000	0	50,000	50,000	50,000
Hotel (gsf) <sup>a</sup>	150,000	0	150,000	0	105,000	150,000	150,000
Office (gsf)	150,000	0	150,000	0	105,000	150,000	150,000
10,000-seat Arena (gsf)	75,000	0	75,000	0	75,000	75,000	75,000
Football Stadium (seats)	0	70,000	0	70,000	0	0	70,000
<b>HPS Phase II</b>							
Residential (units)	2,650	1,800 <sup>b</sup>	2,650	4,000	1,855	2,650	4,000

**Table ES-1c Summary of Project Alternatives**

<i>Use</i>	<i>Project</i>	<i>Alternative 1 No Project<sup>a</sup></i>	<i>Alternative 2 No Bridge Alt</i>	<i>Alternative 3 49ers at Candlestick</i>	<i>Alternative 4 Lesser Build with Historic Preservation</i>	<i>Subalternative 4A: CP-HPS Phase II Development Plan with Historic Preservation</i>	<i>Alternative 5 No Park Agreement</i>
Neighborhood Retail (gsf)	125,000	570,000	125,000	125,000	87,500	125,000	125,000
Research & Development (gsf)	2,500,000	1,087,000	2,500,000	2,500,000	1,750,000	2,500,000	2,500,000
Artists' Studios (gsf):							
1:1 Studio Renovation and Replacement (gsf) <sup>c</sup>	225,000	225,000	225,000	225,000	225,000	225,000	225,000
New Artist Center (gsf)	30,000	0	30,000	30,000	30,000	30,000	30,000
<i>Artist Studio Subtotal (gsf)</i>	<i>255,000</i>	<i>225,000</i>	<i>255,000</i>	<i>255,000</i>	<i>255,000</i>	<i>255,000</i>	<i>255,000</i>
Community Services (gsf)	50,000	0	50,000	50,000	50,000	50,000	50,000
Football Stadium (seats)	69,000	0	69,000	0	0	69,000	0
Mixed-Use	0	580,000	0	0	0	0	0
Cultural and Education	0	330,600	0	0	0	0	0
Marina (slips)	300	0	300	300	0	300	300
<b>Other Elements</b>							
Yosemite Slough bridge	Bridge	No bridge	No bridge	BRT/Pedestrian bridge	No bridge	Bridge	No bridge
Shoreline Improvements	Yes	No	Yes	Yes	Yes	Yes	Yes
State Parks Agreement/ total acres of State Parkland	Yes/96.7	No/120.2	Yes/96.7	Yes/117.2 <sup>d</sup>	Yes/96.7	Yes/96.7	No/120.2

SOURCE: Lennar Urban, PBS&J, 2009.

- a. Hotel uses include 220 rooms at the proposed Regional Retail Center.
- b. 1,800 housing units on the entire Shipyard including the Phase I site.
- c. Existing artist studios would be replaced at a one-to-one ratio under all alternatives.
- d. Limited exchange of 3.03 acres to construct BRT/pedestrian only Yosemite Slough bridge and Alice Griffith Public Housing

**Table ES-1d Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives**

	<i>Alternative 1 No Project<sup>a</sup></i>	<i>Alternative 2 No Bridge Alt<sup>b</sup></i>	<i>Alternative 3 49ers at Candlestick<sup>c</sup></i>	<i>Alternative 4 Lesser Build with Historic Preservation<sup>d</sup></i>	<i>Alternative 5 No Park Agreement<sup>e</sup></i>
<b>TRANSPORTATION</b>					
<b>Impact TR-1</b> The Project would result in construction-related transportation impacts in the Project vicinity due to construction vehicle traffic and roadway construction and would contribute to cumulative construction impacts in the Project vicinity. Mitigation measure MM TR-1 would reduce but not avoid construction-related transportation impacts during construction activities. Therefore, construction transportation impacts would remain significant.					
Significance of Alternative Compared to Project	<	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-2</b> Implementation of the Project would cause an increase in traffic that would be substantial relative to the existing and proposed capacity of the street system, and result in significant and unavoidable impacts. Although implementation of a Travel Demand Management Plan was assumed in developing Project travel demand estimates, and would be essential to ensure that impacts at additional locations do not occur, traffic congestion caused by the Project and the Project's contribution to cumulative impacts would still be significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-3</b> The Project would result in significant impacts and would contribute to significant cumulative impacts at intersections in the Project vicinity where no feasible traffic mitigation measures have been identified.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-4</b> At the intersection of Tunnel/Blanken, the Project would result in significant Project AM peak hour traffic impacts, and contribute to cumulative PM peak hour traffic impacts, for which a feasible mitigation measure has been identified. The identified mitigation measure would improve traffic operations, but not to acceptable levels of service.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-5</b> Project contributions at some study area intersections that would operate at LOS E or LOS F under 2030 No Project conditions were determined to be significant, and no feasible mitigation measures have been identified.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-6</b> Project contributions at the intersections of Geneva/US-101 Southbound Ramps and Harney/US-101 Northbound Ramps, which would operate at LOS F under 2030 No Project conditions, were determined to be significant, and a mitigation measure has been identified to avoid this impact. However, implementation of mitigation measure MM TR-6 is uncertain, and this impact would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

**Table ES-1d Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives**

	<i>Alternative 1 No Project<sup>a</sup></i>	<i>Alternative 2 No Bridge Alt<sup>b</sup></i>	<i>Alternative 3 49ers at Candlestick<sup>c</sup></i>	<i>Alternative 4 Lesser Build with Historic Preservation<sup>d</sup></i>	<i>Alternative 5 No Park Agreement<sup>e</sup></i>
<b>Impact TR-8</b> Project contributions at the intersections of Bayshore/Geneva, which would operate at LOS F under 2030 No Project conditions, were determined to be significant, and a mitigation measure has been identified to avoid this impact. However, implementation of mitigation measure MM TR-8 is uncertain, and this impact would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-10</b> The Project would result in significant Project traffic spillover impacts and contribute to cumulative traffic spillover impacts. The identified mitigation measures would reduce, but not avoid, traffic spillover impacts.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-11</b> The Project would contribute to significant cumulative traffic impacts at four freeway segments. No feasible mitigation is available.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-12</b> The Project would result in significant impacts at four freeway on-ramp locations. No feasible traffic mitigation is available.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-13</b> The Project would contribute to significant cumulative traffic impacts at 12 freeway ramp locations. No feasible traffic mitigation is available.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-14</b> The Project would result in significant impacts related to freeway diverge queue storage at the Harney/US-101 Northbound Off-ramp. Mitigation measure MM TR-6 has been identified to avoid this impact, but its implementation is uncertain. Therefore, this impact would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-15</b> The Project would contribute to significant cumulative traffic impacts related to freeway diverge queue storage at some off-ramp locations. Mitigation measure MM TR-6 has been identified to avoid this impact at the US-101 Northbound off-ramp to Harney Way, and US-101 Southbound Off-ramp to Harney Way/Geneva Avenue. However, implementation is uncertain. For the other ramps, no feasible mitigations have been identified. Therefore, this impact would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

**Table ES-1d Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives**

	<i>Alternative 1 No Project<sup>a</sup></i>	<i>Alternative 2 No Bridge All<sup>b</sup></i>	<i>Alternative 3 49ers at Candlestick<sup>c</sup></i>	<i>Alternative 4 Lesser Build with Historic Preservation<sup>d</sup></i>	<i>Alternative 5 No Park Agreement<sup>e</sup></i>
<b>Impact TR-21</b> The Project would increase congestion and contribute to cumulative conditions at intersections along San Bruno Avenue, which would increase travel times and impact operations of the 9-San Bruno. Implementation of mitigation measures MM TR-21.1 and MM TR-21.2 could reduce impacts to transit operations. However, since feasibility of MM TR-21.1 is uncertain, and since MM TR-21.2, without MM TR-21.1, would reduce, but not completely avoid, impacts on the 9-San Bruno, Project impacts and Project contributions to cumulative impacts on the 9-San Bruno would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-22</b> The Project would increase congestion and contribute to cumulative conditions at intersections along Palou Avenue, which would increase travel times and impact operations of the 23-Monterey, 24-Divisadero, and the 44-O'Shaughnessy. Implementation of mitigation measure MM TR-22.1 and MM TR-22.2 would reduce impacts to transit operations. However, since feasibility of MM TR-22.1 is uncertain, and since MM TR-22.2, without MM TR-22A, would reduce, but not completely avoid, impacts on the 23-Monterey, 24-Divisadero, and 44-O'Shaughnessy, Project impacts and Project contributions to cumulative impacts on the these lines would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-23</b> The Project would increase congestion at intersections along Gilman Avenue and Paul Avenue, which would increase travel times and would impact operations of the 29-Sunset. Implementation of mitigation measures MM TR-23.1 and MM TR-23.2 would reduce impacts to transit operations. However, since feasibility of MM TR-23.1 is uncertain, and since MM TR-23.2, without MM TR-23.1, would reduce, but not completely avoid, impacts on the 29-Sunset, Project impacts and Project contributions to cumulative impacts on the 29-Sunset would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-24</b> The Project would increase congestion at intersections along Evans Avenue, which would increase travel times and impact operations of the 48-Quintara-24 <sup>th</sup> Street. Implementation of mitigation measures MM TR-24.1 and MM TR-24.2 would reduce impacts to transit operations. However, since feasibility of MM TR-24.1 is uncertain, and since MM TR-24.2, without MM TR-24.1, would reduce, but not completely avoid, impacts on the 48-Quintara-24 <sup>th</sup> Street, Project impacts and Project contributions to cumulative impacts on the 48-Quintara-24 <sup>th</sup> Street would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-25</b> The Project would increase congestion at intersections in the study area, and make a considerable contribution to cumulative impacts that would increase travel times and impact operations of the 54-Felton. Implementation of mitigation measure MM TR-25 would reduce, but not avoid impacts.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU

**Table ES-1d Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives**

	<i>Alternative 1 No Project<sup>a</sup></i>	<i>Alternative 2 No Bridge All<sup>b</sup></i>	<i>Alternative 3 49ers at Candlestick<sup>c</sup></i>	<i>Alternative 4 Lesser Build with Historic Preservation<sup>d</sup></i>	<i>Alternative 5 No Park Agreement<sup>e</sup></i>
<b>Impact TR-26</b> The Project would increase congestion at intersections along Third Street, and make a considerable contribution to cumulative impacts that would increase travel times and impact operations of the T-Third. Implementation of mitigation measures MM TR-26.1 and MM TR-26.2 would reduce impacts to transit operations. However, since feasibility of MM TR-26.1 is uncertain, and since MM TR-26.2, without MM TR-26.1, would reduce, but not completely avoid, impacts on the T-Third, Project impacts and Project contributions to cumulative impacts on the T-Third would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-27</b> The Project would increase congestion at the intersection of Geneva Avenue and Bayshore Boulevard. This would increase travel times and impact operations of the 28L-19 <sup>th</sup> Avenue/Geneva Limited. Implementation of mitigation measures MM TR-27.1 and MM TR-27.2 would reduce impacts to transit operations. However, since feasibility of MM TR-27.1 is uncertain, and since MM TR-27.2, without MM TR-27.1, would reduce, but not completely avoid, impacts on the 28L-19 <sup>th</sup> Avenue/Geneva Limited, Project impacts and Project contributions to cumulative impacts on the 28L-19 <sup>th</sup> Avenue/Geneva Limited would remain significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-28</b> The Project would increase congestion on US-101 mainline and ramps, which would increase travel times and impact operations of the 9X, 9AX, 9BX-Bayshore Expresses, and 14X-Mission Express. The Project would also contribute to cumulative impacts on these transit routes on US-101. No feasible mitigation has been identified.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-30</b> The Project would increase congestion and contribute to cumulative congestion on US-101 and on Bayshore Boulevard, which would increase travel times and adversely affect operations of SamTrans bus lines on these facilities. No feasible mitigation has been identified.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-32</b> The Project's proposed transit preferential treatments and significant increases in traffic volumes on Palou Avenue would result in impacts on bicycle travel on Bicycle Routes #70 and #170 between Griffith Street and Third Street. The effectiveness of mitigation is uncertain. Therefore, the impact would remain significant.					
Significance of Alternative Compared to Project	<	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/NI	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact TR-38</b> For as many as 12 times a year 49ers games at the proposed stadium would result in significant impacts on study area roadways and intersections. Implementation of mitigation measure MM TR-38 would lessen game-day impacts; however, traffic impacts would remain significant.					
Significance of Alternative Compared to Project	<	=	<	<	<
Level of Significance after Mitigation (Project/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/NI

**Table ES-1d Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives**

	<i>Alternative 1 No Project<sup>a</sup></i>	<i>Alternative 2 No Bridge Alt<sup>b</sup></i>	<i>Alternative 3 49ers at Candlestick<sup>c</sup></i>	<i>Alternative 4 Lesser Build with Historic Preservation<sup>d</sup></i>	<i>Alternative 5 No Park Agreement<sup>e</sup></i>
<b>Impact TR-39</b> The existing game day service and Project transit improvements would not be adequate to accommodate projected transit demand. Implementation of mitigation measure MM TR-39 would reduce game-day impacts on transit capacity; however, traffic impacts on transit operations would remain significant.					
Significance of Alternative Compared to Project	<	=	<	<	<
Level of Significance after Mitigation (Project/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/NI
<b>Impact TR-46</b> Weekday evening secondary events at the stadium would result in increased congestion at intersections, freeway mainline, and freeway ramps already operating at unacceptable LOS under Project conditions without a secondary event, and result in significant impacts at nine additional intersections and one additional freeway off-ramp. Implementation of mitigation measure MM TR-46 would reduce but not avoid impacts.					
Significance of Alternative Compared to Project	<	=	<	<	<
Level of Significance after Mitigation (Project/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/NI
<b>Impact TR-47</b> The existing transit service and Project improvements would not be adequate to accommodate projected transit demand during secondary events with attendance of 37,500 spectators. In addition, transit lines serving the area would experience additional delays due to traffic generated by the secondary event.					
Significance of Alternative Compared to Project	<	=	<	<	<
Level of Significance after Mitigation (Project/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/NI
<b>Impact TR-51</b> Weekday evening events at the arena would exacerbate congestion at intersections, freeway mainline, and freeway ramps already operating at unacceptable LOS under Project conditions without an arena event, and result in significant traffic impacts at Harney Way and Jamestown Avenue, which was operating acceptably under Project conditions without an arena event. Mitigation measure MM TR-51 would reduce but not avoid impacts.					
Significance of Alternative Compared to Project	<	=	<	<	=
Level of Significance after Mitigation (Project/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/SU
<b>Impact TR-52</b> Sell-out weekday evening events at the arena could impact existing and proposed transit service. However, traffic congestion would impact transit operations. Implementation of mitigation measure MM TR-23.1 would reduce impacts to less than significant. Due to the uncertainty of this mitigation the impact would remain significant.					
Significance of Alternative Compared to Project	<	=	<	<	=
Level of Significance after Mitigation (Project/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/SU
<b>AIR QUALITY</b>					
<b>Impact AQ-4</b> Operation of the Project would violate BAAQMD CEQA significance thresholds for mass criteria pollutant emissions from mobile and area sources and contribute substantially to an existing or projected air quality violation at full build-out in the year 2029.					
Significance of Alternative Compared to Project	<	=	<	<	=
Level of Significance after Mitigation (Project/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU

**Table ES-1d Comparison of the Significant and Unavoidable Impacts of the Project to Each of the Alternatives**

	<i>Alternative 1 No Project<sup>a</sup></i>	<i>Alternative 2 No Bridge All<sup>b</sup></i>	<i>Alternative 3 49ers at Candlestick<sup>c</sup></i>	<i>Alternative 4 Lesser Build with Historic Preservation<sup>d</sup></i>	<i>Alternative 5 No Park Agreement<sup>e</sup></i>
<b>NOISE</b>					
<b>Impact NO-2</b> Construction activities associated with the Project would create excessive groundborne vibration levels in existing residential neighborhoods adjacent to the Project site and at proposed on-site residential uses should the latter be occupied before Project construction activity on adjacent parcels is complete. Although the Project's construction vibration impacts would be temporary, would not occur during recognized sleep hours, and would be consistent with the requirements for construction activities that exist in Sections 2907 and 2908 of the <i>Municipal Code</i> , vibration levels would still be significant.					
Significance of Alternative Compared to Project	=	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact NO-3</b> Construction activities associated with the Project would result in a substantial temporary or periodic increase in ambient noise levels.					
Significance of Alternative Compared to Project	<	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact NO-6</b> Operation of the Project would generate increased local traffic volumes that could cause a substantial permanent increase in ambient noise levels in existing residential areas along the major Project site access routes.					
Significance of Alternative Compared to Project	<	=	=	=	=
Level of Significance after Mitigation (Project/Alternative)	SU/LTS	SU/SU	SU/SU	SU/SU	SU/SU
<b>Impact NO-7</b> Noise during football games and concerts at the proposed stadium would result in temporary increases in ambient noise levels that could adversely affect surrounding residents for the duration of a game or concert.					
Significance of Alternative Compared to Project	<	=	<	<	<
Level of Significance after Mitigation (Project/Alternative)	SU/NI	SU/SU	SU/NI	SU/NI	SU/NI

**CULTURAL RESOURCES**

**Impact CP-1** Construction activities associated with the Project could result in a substantial adverse change in the significance of a historical resource.

Significance of Alternative Compared to Project	=	=	=	<	=
Level of Significance after Mitigation (Project/Alternative)	SU/SU	SU/SU	SU/SU	SU/LTS	SU/SU

< Alternative does lessen the severity of the impact

> Alternative increases the severity of the impact

= Alternative impact is similar to the Project impact

NI = No Impact

LTS = Less-Than-Significant impact

SU = Significant and Unavoidable Impact

a. No Project

b. CP-HPS Phase II Development Plan, HPS Phase II Stadium, State Parks Agreement, and without the Yosemite Slough Bridge

c. Reduced CP-HPS Phase II Development, San Francisco 49ers Stay at Existing Candlestick Park Stadium, with Limited State Parks Agreement, and Yosemite Slough Bridge Serving Only Transit, Bicycles, and Pedestrians

d. Reduced CP-HPS Phase II Development; Historic Preservation; State Parks Agreement; No HPS Phase II Stadium, Marina, or Yosemite Slough Bridge

e. Reduced CP-HPS Phase II Development, No HPS Phase II Stadium, No State Parks Agreement, and without the Yosemite Slough Bridge



## SUMMARY OF IMPACTS

Table ES-2, which is provided below, summarizes the (1) potential environmental impacts that would occur as a result of the proposed project, provided in the form of an “impact statement”; (2) the level of significance of the environmental impact prior to implementation of any applicable mitigation measures; (3) the recommended mitigation measures that avoid or reduce significant environmental impacts; and (4) the level of significance after mitigation measures are implemented.

There are generally two ways that the impact analysis is structured and then presented in Table ES-2. In most cases, there are three impact statements, with the first one reflecting the combined impact of Candlestick Point and HPS Phase II (i.e., Impact XX-#, such as Impact PH-2); the second addressing the impact at Candlestick Point (i.e., Impact XX-#a, such as Impact PH-2a); and the third addressing the impact at HPS Phase II (i.e., Impact XX-#b, such as Impact PH-2b). Where impacts could occur as a result of construction of the Yosemite Slough bridge, the marina, or the shoreline improvements, those impacts are usually discussed separately, resulting in four or more impact discussions, which would be numbered Impact PH-2c, Impact PH-2d, and Impact PH-2e, using the numbering sequence of the preceding example. In these cases, the impacts are still summarized with a combined impact of the Project. In some instances, the analyses for Candlestick Point and Hunters Point Shipyard Phase II are similar, and, therefore, are discussed together as the Project (i.e., Impact XX-#, such as Impact LU-2); in these cases, the analysis is not differentiated by area. One exception to this general format is in Section III.N (Biological Resources), where Project impacts are presented after the discussion of individual impacts at Candlestick Point and HPS Phase II. Project impacts begin with Impact BI-22 and conclude with Impact BI-26.

The impact statements provided in Table ES-2 (in the first column) reflect whether the impact is caused by construction of the Project; implementation of the Project (meaning the conditions that would exist after the Project were constructed, which is generally related to the development pattern); or operation of the Project (reflecting conditions that would exist during actual operational activities, such as additional motor vehicle trips resulting from uses at the Project site). In a few instances, the impact statement is factual, such as “The Project would conform to the current regional air quality plan.” In all cases, the impact statement reflects the condition that would result after the implementation of all of the identified mitigation measures.

The Draft EIR uses the following terms to describe the level of significance of impacts identified during the course of the environmental analysis:

- **Significant Impact (S)**—A “significant effect” is defined by Section 15382 of the CEQA Guidelines as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment ... [but] may be considered in determining whether the physical change is significant.” As defined in this EIR, a significant impact exceeds the defined significance criteria and will result in significant and unavoidable impacts, either with or without feasible mitigation. If there are no feasible mitigation measures to reduce the impact, including compliance with existing local, State, and federal laws and regulations, it is considered significant and unavoidable (SU) at the conclusion of the analysis. If there are feasible mitigation measures to reduce the impact, including compliance with existing local, State, and federal laws and

regulations, it is considered significant and unavoidable with mitigation (SU/M) at the conclusion of the analysis

- **Potentially Significant Impact (PS)**—Impact that could exceed the defined significance criteria, but can be eliminated or reduced to a less-than-significant level through implementation of the identified mitigation measures.
- **Less-Than-Significant Impact (LTS)**—Impact that does not exceed the defined significance criteria or would be eliminated or reduced to a less-than-significant level through compliance with existing local, State, and federal laws and regulations.
- **No Impact (NI)**—No adverse changes (or impacts) to the environment are expected.
- **Significant and Unavoidable Impact (SU)**—Impact that exceeds the defined significance criteria and cannot be eliminated or reduced to a less-than-significant level through compliance with existing local, State, and federal laws and regulations and/or implementation of all feasible mitigation measures.
- **Significant and Unavoidable Impact with Mitigation (SU/M)**— Impact that exceeds the defined significance criteria and can be reduced through compliance with existing local, State, and federal laws and regulations and/or implementation of all feasible mitigation measures, but cannot be reduced to a less-than-significant level.
- **Less-Than-Significant Impact with Mitigation (LTS/M)**—Impact that is reduced to a less-than-significant level through implementation of the identified mitigation measures.

Project impacts are assessed in light of existing regulatory requirements that would serve to mitigate potential impacts. The effectiveness of existing regulations to mitigate potential impacts is often affected by discretionary requirements, site characteristics, and project features and design-level considerations that are not yet detailed. Because there is some discretion in how these regulations can be applied, for some impacts, these requirements are included as mitigation measures to outline the specific process by which the Project will comply with these regulations.

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>SECTION III.B( LAND USE AND PLANS )</b>			
<b>Impact LU-1</b> Implementation of the Project would not physically divide an established community.	<b>NI</b>	No mitigation is required.	<b>NI</b>
<b>Impact LU-2</b> Implementation of the Project would not conflict with land use plans, policies, or regulations adopted to avoid or mitigate an environmental effect.	<b>LTS</b>	No mitigation is required.	<b>LTS</b>
<b>Impact LU-3</b> Implementation of the Project would not have a substantial adverse impact on the existing character of the vicinity.	<b>LTS</b>	No mitigation is required.	<b>LTS</b>
<b>SECTION III.C (POPULATION, HOUSING, AND EMPLOYMENT)</b>			
<b>Impact PH-1</b> Construction of the Project would not induce substantial direct population growth.	<b>LTS</b>	No mitigation is required.	<b>LTS</b>
<b>Impact PH-2</b> Operation of the Project would not induce substantial direct or indirect population growth.	<b>LTS</b>	No mitigation is required.	<b>LTS</b>
<b>Impact PH-2a</b> Operation of Candlestick Point would not induce substantial direct or indirect population growth.	<b>LTS</b>	No mitigation is required.	<b>LTS</b>
<b>Impact PH-2b</b> Operation of HPS Phase II would not induce substantial direct or indirect population growth.	<b>LTS</b>	No mitigation is required.	<b>LTS</b>
<b>Impact PH-3</b> The Project would not displace existing housing units or residents, necessitating the construction of new units elsewhere.	<b>NI</b>	No mitigation is required.	<b>NI</b>

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact PH-3a</b> Implementation of the Project would not displace existing housing units and residents at Candlestick Point, necessitating the construction of new units elsewhere.	NI	No mitigation is required.	NI
<b>Impact PH-3b</b> Implementation of the Project would not displace existing housing units or residents at HPS Phase II, necessitating the construction of new units elsewhere.	NI	No mitigation is required.	NI

**SECTION III.D (TRANSPORTATION AND CIRCULATION)**

<b>Impact TR-1</b> Construction of the Project would result in transportation impacts in the Project vicinity due to construction vehicle traffic and roadway construction and would contribute to cumulative construction impacts in the Project vicinity.	PS	<p><b>MM TR-1</b> <u>Candlestick Point–Hunters Point Shipyard Phase II Construction Traffic Management Program</u>. The Project Applicant shall develop and implement a Candlestick Point–Hunters Point Shipyard Phase II Construction Traffic Management Program to minimize impacts of the Project and its contribution to cumulative impacts related to construction activities and construction traffic. The program shall provide necessary information to various contractors and agencies as to how to maximize the opportunities for complementing construction management measures and to minimize the possibility of conflicting impacts on the roadway system, while safely accommodating the traveling public in the area. The program shall supplement and expand, rather than modify or supersede any manual, regulations, or provisions set forth by SFMTA, DPW or other City departments and agencies.</p> <p>Preparation of the Construction Management Program shall be the responsibility of the Project Applicant, and shall be reviewed and approved by SFMTA and DPW prior to initiation of construction. The Project Applicant shall update the program prior to approval of development plans for Phase 2, Phase 3, and Phase 4 of construction to reflect any change to Project development schedule, reflect transportation network changes, to update status of other development construction activities, and to reflect any changes to City requirements.</p> <p>The program shall:</p> <ul style="list-style-type: none"> <li>■ Identify construction traffic management practices in San Francisco, as well as other jurisdictions that although not being implemented in the City could provide useful guidance for a project of this size and characteristics.</li> <li>■ Describe procedures required by different departments and/or agencies in the City for implementation of a construction management plan, such as reviewing agencies, approval process, and estimated timelines.</li> <li>■ Describe coordination efforts associated with the Navy remediation efforts and scheduling regarding construction vehicle routing via the Crisp gate.</li> </ul>	SU/MM
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<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<p><b>Impact TR-2</b> Implementation of the Project would cause an increase in traffic that would be substantial relative to the existing and proposed capacity of the street system, even with implementation of a Travel Demand Management Plan.</p>	<p><b>PS</b></p>	<ul style="list-style-type: none"> <li>■ Identify construction traffic management strategies and other elements for the Project, and present a cohesive program of operational and demand management strategies designed to maintain acceptable levels of traffic flow during periods of construction activities in the Bayview Hunters Point area. These could include construction strategies, demand management strategies, alternate route strategies, and public information strategies.</li> <li>■ Coordinate with other projects in construction in the immediate vicinity, so that they can take an integrated approach to construction-related traffic impacts.</li> <li>■ Present guidelines for selection of construction traffic management strategies.</li> </ul> <p><b>MM TR-2 TDM Plan.</b> The Project Applicant shall prepare and implement a final TDM plan, which shall include the following elements:</p> <ul style="list-style-type: none"> <li>■ Visitor Variable, Market-Rate Parking Pricing</li> <li>■ Maximum Permitted Parking Ratios</li> <li>■ Flexible Parking Management Strategies</li> <li>■ Unbundled Residential Parking</li> <li>■ Transit Strategies and Support Strategies</li> <li>■ Central Transit Hub</li> <li>■ Enhanced Transit Service and Bicycle Facilities</li> <li>■ Bicycle Support Facilities</li> <li>■ Wayfinding Signs</li> <li>■ EcoPass for Residents</li> <li>■ Carshare Services</li> <li>■ Employee TDM Programs                             <ul style="list-style-type: none"> <li>&gt; Information Boards/Kiosks</li> <li>&gt; In-building Real-Time transit monitors with sightlines of transit hubs</li> <li>&gt; Commuter Benefits</li> <li>&gt; Employee EcoPass</li> <li>&gt; Carpool/Vanpools</li> <li>&gt; Guaranteed Ride Home Program</li> <li>&gt; Compressed Work Weeks, Flex Time, and Telecommuting</li> </ul> </li> <li>■ CP-HPS Transportation Management Association</li> <li>■ On-site Transportation Coordinator and Website</li> <li>■ Targeted Marketing</li> </ul>	<p><b>SU/MM</b></p>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<ul style="list-style-type: none"> <li>■ Monitoring of Transportation Demand</li> <li>■ Monitoring Effectiveness of Congestion-Reducing and Traffic-Calming Efforts</li> </ul> <p>The final TDM plan shall be approved as part of the Disposition and Development Agreement (DDA).</p>	
<b>Impact TR-3</b> Implementation of the Project would contribute traffic to significant cumulative impacts at intersections in the Project vicinity.	PS	No feasible mitigation is identified.	SU
<b>Impact TR-4</b> At the intersection of Tunnel/Blanken, implementation of the Project would result in significant Project AM peak hour traffic impacts, and would contribute to cumulative PM peak hour traffic impacts.	PS	<p><b>MM TR-4</b> <u>Restripe the northbound and southbound approaches of the intersection of Tunnel/Blanken to provide dedicated left-turn lanes adjacent to shared through/right-turn lanes.</u> The restriping would require prohibition of parking for 160 feet in the southbound approach (loss of eight parking spaces) and for 100 feet in the northbound approach (loss of five parking spaces).</p> <p>Implementation of the intersection restriping shall be the responsibility of SFMTA, and shall be implemented when intersection improvements associated with the Visitacion Valley Redevelopment Plan (i.e., signalization) are no longer sufficient to maintain acceptable intersection level of service conditions.</p>	SU/MM
<b>Impact TR-5</b> Implementation of the Project would contribute traffic at some study area intersections that would operate at LOS E or LOS F under 2030 No Project conditions.	PS	No feasible mitigation is identified.	SU
<b>Impact TR-6</b> Implementation of the Project could contribute traffic at the intersections of Geneva/US-101 Southbound Ramps and Harney/US-101 Northbound Ramps, which would operate at LOS F under 2030 No Project conditions.	PS	<p><b>MM TR-6</b> <u>Mitigations and associated fair-share funding measures for cumulative regional roadway system impacts.</u> The City of Brisbane and Caltrans, as part of the Harney Interchange Project, shall account for existing traffic, background traffic growth, and the most recent forecasts of traffic expected to be associated with each of several adjacent development projects, including the Project. The San Francisco County Transportation Authority (SFCTA) shall coordinate with the City of Brisbane and Caltrans to ensure Project-generated vehicle trips are accounted for in the Harney Interchange analyses and design.</p> <p>Mitigations and associated fair-share funding measures for cumulative regional roadway system impacts, including freeway segment impacts, shall be formulated through the current interjurisdictional Bi-County Transportation Study effort being led by the SFCTA or its equivalent. The Project Applicant shall contribute its fair share to the Harney Interchange Project.</p>	SU/MM

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact TR-7</b> Implementation of the Project could contribute traffic to the intersections of Amador/Cargo/Illinois, which would operate at LOS E under 2030 No Project.	PS	<b>MM TR-7</b> <u>Feasibility study of reconfiguring the southbound approach on Illinois Street to provide a dedicated southbound left turn lane and a dedicated right-turn lane.</u> SFMTA shall conduct a feasibility study with the Port of San Francisco to determine the feasibility of reconfiguring the southbound approach on Illinois Street to provide a dedicated southbound left turn lane and a dedicated right-turn lane. Sufficient right-of-way is available to implement this improvement; however, provision of two southbound lanes would require narrowing a portion of the island to the west of the southbound approach to Cargo Way. Implementation of the intersection improvements shall be the responsibility of SFMTA and the Port of San Francisco, and shall be implemented when traffic operating conditions with the existing intersection configuration worsens to unacceptable levels. If determined feasible, the Project Applicant shall contribute its fair share to the intersection improvements.	SU/MM
<b>Impact TR-8</b> Implementation of the Project could contribute traffic to the intersections of Bayshore/Geneva, which would operate at LOS F under 2030 No Project.	PS	<b>MM TR-8</b> <u>Mitigations and associated fair-share funding measures for cumulative regional roadway system impacts.</u> The City of Brisbane, as part of the Geneva Avenue Extension Project, shall account for existing traffic, background traffic growth, and the most recent forecasts of traffic expected to be associated with each of several adjacent development projects, including the Project. The San Francisco County Transportation Authority (SFCTA) and SFMTA shall coordinate with the City of Brisbane to ensure projected traffic volumes are accounted for in the design of the Geneva Avenue Extension.  Mitigations and associated fair-share funding measures for cumulative regional roadway system impacts, including freeway segment impacts, shall be formulated through the current interjurisdictional Bi-County Transportation Study effort being led by the SFCTA or its equivalent. The Project Applicant shall contribute its fair share to the Geneva Avenue Extension Project.	SU/MM
<b>Impact TR-9</b> Implementation of the Project would have less-than-significant Project and cumulative impacts at some study area intersections that would operate at LOS E or LOS F under 2030 No Project conditions.	LTS		LTS
<b>Impact TR-10</b> Implementation of the Project would result in significant Project traffic spillover impacts and contribute to cumulative traffic spillover impacts.	PS	MM TR-2 and MM TR-17 would apply to this impact.	SU/MM
<b>Impact TR-11</b> Implementation of the Project would contribute to significant cumulative traffic impacts at four freeway segments.	PS	No feasible mitigation is identified.	SU

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<b>Impact TR-12</b> Implementation of the Project would result in significant impacts at four freeway on-ramp locations.	PS	No feasible mitigation is identified.	SU
<b>Impact TR-13</b> Implementation of the Project would contribute to significant cumulative traffic impacts at 12 freeway ramp locations.	PS	No feasible mitigation is identified.	SU
<b>Impact TR-14</b> Implementation of the Project could result in significant impacts related to freeway diverge queue storage at the Harney/US-101 Northbound Off-ramp.	PS	MM TR-6 would apply to this impact.	SU/MM
<b>Impact TR-15</b> Implementation of the Project could contribute to significant cumulative traffic impacts related to freeway diverge queue storage at some off-ramp locations (US-101 Northbound off-ramp to Harney Way, and US-101 Southbound Off-ramp to Harney Way/Geneva Avenue).	PS	MM TR-6 would apply to this impact.	SU/MM
● <b>Impact TR-16</b> Implementation of the Project would increase traffic volumes and would not make a considerable contribution to cumulative traffic volumes on Harney Way.	PS	<b>MM TR-16</b> <u>Widen Harney Way as shown in Figure 5 in the Transportation Study.</u> Prior to issuance of the grading permit for Development Phase 2 of the Project, the Project Applicant shall widen Harney Way as shown in Figure 5 in the Transportation Study. Prior to the issuance of grading permits for Phases 2, 3 and 4, the Project Applicant shall fund a study to evaluate traffic conditions on Harney Way and determine whether additional traffic associated with the next phase of development would result in the need to modify Harney Way to its ultimate configuration, as shown in Figure 6 in the Transportation Study, unless this ultimate configuration has already been built. This study shall be conducted in collaboration with the SFMTA, which would be responsible for making final determinations regarding the ultimate configuration. The ultimate configuration would be linked to intersection performance, and it would be required when study results indicate intersection LOS at one or more of the three signalized intersection on Harney Way at mid-LOS D (i.e., at an average delay per vehicle of more than 45 seconds per vehicle). If the study and SFMTA conclude that reconfiguration would be necessary to accommodate traffic demands associated with the next phase of development, the Project Applicant shall be responsible to fund and complete construction of the improvements prior to occupancy of the next phase.	LTS/MM

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<p><b>Impact TR-17</b> Implementation of the Project would not exceed available transit capacity, because the Project and the Project's contribution to cumulative demand would be accommodated within the existing transit service, proposed TEP service, plus the service proposed as part of the Project.</p>	<p>PS</p>	<p><b>MM TR-17</b> <u>Implement the Project's Transit Operating Plan.</u> The Project Applicant shall work with SFMTA to develop and implement the Project's Transit Operating Plan. Elements of the Project Transit Operating Plan shall include:</p> <ul style="list-style-type: none"> <li>■ Extension of the 24-Divisadero, the 44-O'Shaughnessy, and the 48-Quintara-24<sup>th</sup> Street into Hunters Point Shipyard.</li> <li>■ Increased frequency on the 24-Divisadero to 6 minutes in the AM and PM peak periods. Extension of the 29-Sunset from its current terminus near the Alice Griffith housing development, near Gilman Avenue and Giants Drive, into the proposed Candlestick Point retail area. The 29-Sunset would operate a short line between Candlestick Point and the Balboa Park BART station. This would increase frequencies on the 29-Sunset by reducing headways between buses from 10 minutes to 5 minutes during the AM and PM peak periods between Candlestick Point and the Balboa BART station. Every other bus would continue to serve the Sunset District (to the proposed terminus at Lincoln Drive and Pershing Drive in the Presidio) at 10-minute headways.</li> <li>■ Convert T-Third service between Bayview and Chinatown via the Central Subway from one-car to two-car trains or comparable service improvement. Extension of the 28L-19<sup>th</sup> Avenue Limited from its TEP-proposed terminus on Geneva Avenue, just east of Mission Street, into the Hunters Point Shipyard transit center. The 28L-19<sup>th</sup> Avenue Limited would travel along Geneva Avenue across US-101 via the proposed Geneva Avenue extension and new interchange with US-101, to Harney Way. East of Bayshore Boulevard, the 28L-19<sup>th</sup> Avenue Limited would operate as BRT, traveling in exclusive bus lanes into the Candlestick Point area. The BRT route would travel through the Candlestick Point retail corridor, and cross over Yosemite Slough into the Hunters Point Shipyard transit center.</li> <li>■ The 28L-19<sup>th</sup> Avenue Limited would operate a short line to the Balboa Park BART station. This would increase frequencies on the 28L-19<sup>th</sup> Avenue Limited by reducing headways between buses from 10 minutes to 5 minutes for the segment between Hunters Point Shipyard and the Balboa Park BART station. Every other bus would continue to the Sunset District (to the proposed terminus at North Point Street and Van Ness Avenue) at 10-minute headways. If the TEP-proposed extension of the 28L has not been implemented by the SFMTA by the time implementation of this measure is called for in the Transportation Study (Appendix D), the Project Applicant shall fund the extension of that line between its existing terminus and Bayshore Boulevard.</li> <li>■ New CPX-Candlestick Express to downtown serving the Candlestick Point site, traveling along Harney Way (with potential stops at Executive Park), before traveling on US-101 toward downtown, terminating at the Transbay Terminal.</li> <li>■ New HPX-Hunters Point Shipyard Express to downtown serving the Hunters Point Shipyard site, traveling from the Hunters Point Shipyard Transit Center, along Innes Avenue, with stops at the India Basin and Hunters View areas, before continuing along Evans Avenue to Third Street, eventually entering I-280 northbound at 25<sup>th</sup>/Indiana. The HPX would continue non-stop to the Transbay Terminal in Downtown San Francisco.</li> </ul>	<p>LTS/MM</p>

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact TR-18</b> With full implementation of the Project with proposed transit improvements, the Project demand and the Project's contribution to cumulative demand would not exceed the proposed transit system's capacity at the study area cordons.	PS	MM TR-17 would apply to this impact.	LTS/MM
<b>Impact TR-19</b> Implementation of the Project would add transit trips and the Project's contribution to cumulative transit trips to the Downtown Screenlines would not increase demands in excess of available capacity.	LTS	No mitigation is required.	LTS
<b>Impact TR-20</b> Implementation of the Project would add transit trips and the Project's contribution to cumulative transit trips would not contribute significantly to Regional Screenlines conditions where overall ridership is projected to exceed available capacity.	LTS	No mitigation is required.	LTS
● <b>Impact TR-21</b> Implementation of the Project could increase congestion and contribute to cumulative conditions at intersections along San Bruno Avenue, which would increase travel times and impact operations of the 9-San Bruno.	PS	<p><b>MM TR-21.1</b> <u>Maintain the proposed headways of the 9-San Bruno.</u> To address Project impacts to the 9-San Bruno, prior to issuance of a grading permit for Development Phase 1, the Project Applicant in cooperation with SFMTA shall conduct a study to evaluate the effectiveness and feasibility of the following improvements which could reduce Project impacts on transit operations along the San Bruno Avenue corridor, generally between Campbell Avenue and Silver Avenue. The study shall create a monitoring program to determine the implementation extent and schedule (as identified below) to maintain the proposed headways of the 9-San Bruno.</p> <ul style="list-style-type: none"> <li>■ Install a transit-only lane on northbound San Bruno Avenue for the one-block section (400 feet) between Silliman Street and Silver Avenue. This would involve removal of five metered spaces on the east side of San Bruno Avenue, just south of Silver Avenue. Treatment for transit-only lanes can range from striping to physical elevation changes or barriers to protect transit right-of-way from mixed-flow traffic.</li> <li>■ Install a transit-only lane on southbound San Bruno Avenue at the approach to Dwight Street/Paul Avenue. This lane would function as a so-called "queue-jump" lane, allowing buses to bypass queues on southbound San Bruno Avenue at the intersection. The lane should begin approximately 200 feet north of Dwight Street and extend one block (about 300 feet) south of Paul Avenue to Olmstead Street. This would involve the removal of up to 20</li> </ul>	SU/MM

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>● <b>Impact TR-22</b> Implementation of the Project would contribute traffic to cumulative conditions at intersections along Palou Avenue, which would increase travel times and impact operations of the 23-Monterey, 24-Divisadero, and the 44-O'Shaughnessy.</p>	<p>PS</p>	<p>on-street parking spaces on the west side of San Bruno Avenue. This treatment could be limited to peak hours only, which would minimize the impact of the parking loss. The segment of San Bruno Avenue between Dwight Street and Olmstead Street is designated as Bicycle Routes #705 and 5 (Class III signed routes).</p> <ul style="list-style-type: none"> <li>■ At the intersection of San Bruno/Silver install signal priority treatments on westbound Silver Avenue, where buses waiting to turn left from Silver Avenue onto southbound San Bruno Avenue must currently wait through almost an entire signal cycle due to the heavy oncoming traffic on eastbound Silver Avenue. Installation of a transit signal pre-emption at this location that provides a "green" signal for westbound vehicles but holds eastbound vehicles when buses are present would allow transit vehicles to turn left onto San Bruno Avenue without having to wait for opposing eastbound through traffic to clear.</li> </ul> <p>The Project Applicant shall fully fund the costs of implementing the transit priority improvements (either the improvements identified above, or alternative improvements of equal or greater effectiveness and comparable cost) as determined by the study and the monitoring program. Other options to be evaluated in the study could include comprehensive replacement of stop-controlled intersections with interconnected traffic signals equipped with transit priority elements.</p> <p><b>MM TR-21.2</b> Purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 9-San Bruno. Should mitigation measure MM TR-21.1 not be feasible or effective, the Project Applicant shall work with SFMTA to purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 9-San Bruno. Funds for the implementation of this mitigation measure are expected to be generated from a combination of Project revenues that accrue to the City, and other funding sources.</p> <p><b>MM TR-22.1</b> Maintain the proposed headways of the 23-Monterey, 24-Divisadero and the 44-O'Shaughnessy. To address Project impacts to the 23-Monterey, 24-Divisadero and the 44-O'Shaughnessy, prior to issuance of a grading permit for Development Phase 1, the Project Applicant in cooperation with SFMTA shall conduct a study to evaluate the effectiveness and feasibility of the following improvements which could reduce Project impacts on transit operations along the Palou Avenue corridor, generally between Griffith Street and Newhall Street. The study shall create a monitoring program to determine the implementation extent and schedule (as identified below) to maintain the proposed headways of the 23-Monterey, 24-Divisadero and the 44-O'Shaughnessy.</p> <ul style="list-style-type: none"> <li>■ Convert one of the two westbound travel lanes on Palou Avenue between Keith Street and Newhall Street (three blocks) to a transit-only lane at all times. Treatment for transit-only lanes can range from striping to physical elevation changes to protect right-of-way from mixed-flow traffic. Because the westbound lanes between Third Street and Newhall Street are relatively narrow, parking would likely need to be prohibited on the north side of Palou Avenue between Third Street and Newhall Street (approximately 600 feet) during peak periods to maximize the effectiveness of the transit-only lane.</li> <li>■ Convert one of the two eastbound travel lanes on Palou Avenue between Newhall Street and Third Street (one block) to a transit-only lane at all times. Because the eastbound travel lanes between Newhall Street are relatively narrow, parking would likely need to be prohibited on the south side of Palou Avenue between</li> </ul>	<p>SU/MM</p>

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<p>Newhall Street and Third Street (approximately 600 feet) during peak periods to maximize the effectiveness of the transit-only lane. In the eastbound direction, east of Third Street, buses would re-enter the single mixed-flow traffic lane at the bus stop on the far (east) side of Third Street.</p> <ul style="list-style-type: none"> <li>■ There are currently pedestrian corner bulbs on the northwest and southwest corners of the intersection of Palou Avenue and Third Street. In order to accommodate the transit-only lanes west of Third Street, these bulbouts would be reconfigured or removed. Although removing pedestrian bulb-outs may increase pedestrian crossing distances and is generally inconsistent with the City's desire to prioritize pedestrian activity, in this case, the improvement would offer substantial benefits to transit travel times by allowing a transit-only lane through a congested intersection. This would be consistent with the City's transit-first policy.</li> <li>■ During the PM peak period only, prohibit parking on westbound Palou Avenue for the four-block segment between Griffith Street/Crisp Avenue and Keith Street, to provide for a PM peak period curb transit-only lane along this segment. This would create a continuous westbound transit-only lane on Palou Avenue between Griffith Street/Crisp Avenue and Newhall Street during the PM peak period.</li> <li>■ As an alternative to the bulleted measures above, narrow the existing sidewalks on Palou Avenue from Third Street to Crisp Avenue (seven blocks) from 15 feet to 12 feet in width. The pedestrian bulb-outs on the west side of Third Street would be removed. The resulting 12-foot-wide sidewalks would be consistent with the Better Streets Plan guidelines. The reduction in sidewalk width would allow for the provision of a 7-foot-wide on-street parking lane, an 11-foot-wide transit-only lane, and a 10-foot-wide mixed-flow lane in each direction on Palou Avenue. This would preserve on-street parking along the corridor and provide a seven-block transit-only lane on Palou Avenue between Griffith Street/Crisp Avenue and Newhall Street. Treatment for transit-only lanes can range from striping to physical elevation changes to protect right-of-way from mixed-flow traffic. Subsequent to publication of the Draft EIR, SFMTA and the Project Applicant conducted an evaluation of this alternative measure and determined that it is a feasible and viable alternative to the four bulleted items above.</li> </ul> <p>The Project Applicant shall fully fund the costs of implementing the transit priority improvements (either the improvements identified above, or alternative improvements of equal or greater effectiveness and comparable cost) as determined by the study and the monitoring program. Other options to be evaluated in the study could include signal priority treatments at other signalized intersections including at Bayshore/Cortland, Bayshore/Industrial, and Bayshore/Oakdale.</p> <p><b>MM TR-22.2</b> Purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 23-Monterey, the 24-Divisadero and the 44-O'Shaughnessy. Should mitigation measure MM TR-22.1 not be feasible or effective, the Project Applicant shall work with SFMTA to purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 23-Monterey, the 24-Divisadero and the 44-O'Shaughnessy. Funds for the implementation of this mitigation measure are expected to be generated from a combination of Project revenues that accrue to the City, and other funding sources.</p>	

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p><b>Impact TR-23</b> Implementation of the Project would increase congestion at intersections along Gilman Avenue and Paul Avenue, which would increase travel times and would impact operations of the 29-Sunset.</p>	PS	<p><b>MM TR-23.1</b> <u>Maintain the proposed headways of the 29-Sunset.</u> To address Project impacts to the 29-Sunset, prior to issuance of a grading permit for Development Phase 1, the Project Applicant in cooperation with SFMTA shall conduct a study to evaluate the effectiveness and feasibility of the following improvements which could reduce Project impacts on transit operations along the Gilman Avenue and Paul Avenue corridor, generally between Arelious Walker Drive and Bayshore Boulevard. The study shall create a monitoring program to determine the implementation extent and schedule (as identified below) to maintain the proposed headways of the 29-Sunset.</p> <ul style="list-style-type: none"> <li>■ For the five-block segment of Gilman Avenue between Arelious Walker Drive and Third Street, prohibit on-street parking on westbound Gilman Avenue during the AM and PM peak periods to provide for three westbound travel lanes. During the peak periods convert one of the three westbound travel lanes to transit-only. During off-peak periods, parking would be allowed, and buses would travel in one of the two mixed-flow lanes. The peak period transit lanes would impact 90 parking spaces.</li> <li>■ For the same five-block segment of Gilman Avenue between Arelious Walker Drive and Third Street, restripe the eastbound direction to provide two travel lanes, one of which would accommodate on-street parking and one of which would be a mixed-flow travel lane. During the AM and PM peak periods, prohibit on-street parking in the eastbound direction, and operate one of the two eastbound lanes as transit-only lanes. The peak period transit lanes would impact 80 parking spaces.</li> <li>■ As an alternative to the two bulleted measures above, convert one of the travel lanes in each direction on Gilman Avenue from Third Street to Griffith Street to transit-only. This would allow for the provision of a 7-foot-wide on-street parking lane, an 11-foot-wide transit-only lane, and a 10-foot-wide mixed-flow lane in each direction on Gilman Avenue. This would preserve on-street parking along the corridor and provide four-block transit-only lanes on Gilman Avenue between Griffith Street and Third Street. Treatment for transit-only lanes can range from striping to physical elevation changes to protect right-of-way from mixed-flow traffic. Subsequent to publication of the Draft EIR, SFMTA and the Project Applicant conducted an evaluation of this alternative measure and determined that is a feasible and viable alternative to the two bulleted items above,</li> <li>■ Prohibit on-street parking on the north side of Paul Avenue, between Third Street and Bayshore Boulevard to create two westbound through lanes. Convert one westbound through lane to transit-only in the AM and PM peak periods. The peak period transit-only lane would impact 40 parking spaces. At the intersection of Paul Avenue and Bayshore Avenue, provide transit signal priority treatment (i.e., queue jump) to allow transit vehicles to maneuver into the mixed flow left-hand lane, facilitating a left-turn movement immediately west of Bayshore Boulevard from westbound Paul Avenue to southbound San Bruno.</li> </ul> <p>The Project Applicant shall fully fund the costs of implementing the transit priority improvements (either the improvements identified above, or alternative improvements of equal or greater effectiveness and comparable cost) as determined by the study and the monitoring program. Other options to be evaluated in the study could include transit priority treatments on San Bruno Avenue, on the portions where the 29-Sunset travels.</p>	SU/MM

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>● <b>Impact TR-24</b> Implementation of the Project would increase congestion at intersections along Evans Avenue, which would increase travel times and impact operations of the 48-Quintara-24<sup>th</sup> Street.</p>	PS	<p><b>MM TR-23.2</b> <u>Purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 29-Sunset.</u> Should mitigation measure MM TR-23.1 not be feasible or effective, the Project Applicant shall work with SFMTA to purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 29-Sunset. Funds for the implementation of this mitigation measure are expected to be generated from a combination of Project revenues that accrue to the City, and other funding sources.</p> <p><b>MM TR-24.1</b> <u>Maintain the proposed headways of the 48-Quintara-24<sup>th</sup> Street.</u> To address Project impacts to the 48-Quintara-24<sup>th</sup> Street, prior to issuance of a grading permit for Development Phase 1, the Project Applicant in cooperation with SFMTA shall conduct a study to evaluate the effectiveness and feasibility of the following improvements which could reduce Project impacts on transit operations along the Evans Avenue corridor, generally between Hunters Point Boulevard and Napoleon Street. The study shall create a monitoring program to determine the implementation extent and schedule (as identified below) to maintain the proposed headways of the 48-Quintara-24<sup>th</sup> Street.</p> <ul style="list-style-type: none"> <li>■ On Evans Avenue, between Jennings Street and Napoleon Street (a nine-block segment—about 6,000 feet), convert one of the two travel lanes in each direction to a transit-only lane at all times. Treatment for transit-only lanes can range from striping to physical elevation changes or barriers to protect transit right-of-way from mixed-flow traffic.</li> </ul> <p>The Project Applicant shall fully fund the costs of implementing the transit priority improvements (either the improvements identified above, or alternative improvements of equal or greater effectiveness and comparable cost) as determined by the study and the monitoring program. Other options to be evaluated in the study could include extension of transit only lanes in one or both directions between Napoleon Street and Cesar Chavez Street or onto Hunters Point Boulevard and Innes Avenue.</p> <p><b>MM TR-24.2</b> <u>Purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 48-Quintara-24<sup>th</sup> Street.</u> Should mitigation measure MM TR-24.1 not be feasible or effective, the Project Applicant shall work with SFMTA to purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 48-Quintara-24<sup>th</sup> Street. Funds for the implementation of this mitigation measure are expected to be generated from a combination of Project revenues that accrue to the City, and other funding sources.</p>	SU/MM
<p><b>Impact TR-25</b> Implementation of the Project would increase congestion at intersections in the study area, and make a considerable contribution to cumulative impacts that would increase travel times and impact operations of the 54-Felton.</p>	PS	<p><b>MM TR-25</b> <u>Purchase additional transit vehicles to mitigate the Project impacts and Project contribution to cumulative impacts to headways on 54-Felton.</u> SFMTA shall purchase additional transit vehicles to mitigate the Project impacts and Project contribution to cumulative impacts to headways on 54-Felton. Funds for the implementation of this mitigation measure are expected to be generated from a combination of Project revenues that accrue to the City, and other funding sources.</p>	SU/MM

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>● <b>Impact TR-26</b> Implementation of the Project would increase congestion at intersections along Third Street, and make a considerable contribution to cumulative impacts that would increase travel times and impact operations of the T-Third.</p> <p>●</p>	PS	<p><b>MM TR-26.1</b> <u>Maintain the proposed headways of the T-Third.</u> To address Project impacts to the T-Third, prior to issuance of a grading permit for Development Phase 1, the Project Applicant in cooperation with SFMTA shall conduct a study to evaluate the effectiveness and feasibility of the following improvement that could reduce Project impacts on transit operations along Third Street between Thomas Avenue and Kirkwood Avenue. The study shall create a monitoring program to determine the implementation extent and schedule (as identified below) to maintain the proposed headways of the T-Third.</p> <ul style="list-style-type: none"> <li>■ Reconfigure the section of Third Street between Thomas Avenue and Kirkwood Avenue (9 blocks) where the light rail vehicles currently share the travel lane with auto traffic to provide a dedicated transit right-of-way, consistent with the rest of the route. This would require either removal of one travel lane in each direction on Third Street, or removal of on-street parking and some sidewalk bulbouts. In addition, left-turns from Third Street in this segment would be restricted in both directions. Treatment for transit-only lanes can range from striping to physical elevation or barriers to protect transit right-of-way from mixed-flow traffic.</li> </ul> <p>Implementation of the roadway reconfiguration shall be the responsibility of SFMTA, and shall be implemented when the results of the study described above indicate transit improvements are necessary. The Project Applicant shall fully fund the costs of implementing the transit priority improvements prior to approval of subsequent phases of development.</p> <p><b>MM TR-26.2</b> <u>Purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the T-Third.</u> Should mitigation measure MM TR-26.1 not be feasible or effective, the Project Applicant shall work with SFMTA to purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the T-Third. Funds for the implementation of this mitigation measure are expected to be generated from a combination of Project revenues that accrue to the City, and other funding sources.</p>	SU/MM
<p><b>Impact TR-27</b> Implementation of the Project could increase congestion at the intersection of Geneva Avenue and Bayshore Boulevard. This would increase travel times and impact operations of the 28L-19<sup>th</sup> Avenue/Geneva Limited.</p>	PS	<p><b>MM TR-27.1</b> <u>Ensure transit preferential treatment is accounted for in the design of the Geneva Avenue Extension.</u> The City of Brisbane, as part of the Geneva Avenue Extension Project, shall account for existing traffic, background traffic growth, and the most recent forecasts of traffic expected to be associated with each of several adjacent development projects, including the Project. The San Francisco County Transportation Authority (SFCTA) and SFMTA shall coordinate with the City of Brisbane to ensure transit preferential treatment is accounted for in the design of the Geneva Avenue Extension.</p> <p><b>MM TR-27.2</b> <u>Purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 28L-19<sup>th</sup> Avenue/Geneva Limited.</u> Should mitigation measure MM TR-27.1 not be feasible or effective, the Project Applicant shall work with SFMTA to purchase additional transit vehicles as necessary to mitigate the Project impacts and Project contribution to cumulative impacts to headways on the 28L-19<sup>th</sup> Avenue/Geneva Limited. Funds for the implementation of this mitigation measure are expected to be generated from a combination of Project revenues that accrue to the City, and other funding sources.</p>	SU/MM

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact TR-28</b> Implementation of the Project would increase congestion on US-101 mainline and ramps, which would increase travel times and impact operations of the 9X, 9AX, 9BX-Bayshore Expresses, and 14X-Mission Express. The Project would also contribute to cumulative impacts on these transit routes on US-101.	PS	No feasible mitigation is identified.	SU
<b>Impact TR-29</b> Implementation of the Project would not contribute to cumulative impacts on the 14X-Mission Express transit route when on I-280.	LTS	No mitigation is required.	LTS
<b>Impact TR-30</b> Implementation of the Project would increase congestion and contribute to cumulative congestion on US-101 and on Bayshore Boulevard, which would increase travel times and adversely affect operations of SamTrans bus lines on these facilities. No feasible mitigation has been identified.	PS	No feasible mitigation is identified.	SU
<b>Impact TR-31</b> During implementation of the Project, bicycle facilities would be expanded to serve additional users. This would be a beneficial impact of the Project.	NI	No mitigation is required.	NI
● <b>Impact TR-32</b> Implementation of the Project's proposed transit preferential treatments and significant increases in traffic volumes on Palou Avenue could result in impacts on bicycle travel on Bicycle Routes #70 and #170 between Griffith Street and Third Street.	PS	<b>MM TR-32</b> <u>Determine the feasibility of relocating Bicycle Routes #70 and #170.</u> Prior to issuance of the grading permit for Development Phase 1, the Project Applicant shall fund a study to determine the feasibility of relocating Bicycle Routes #70 and #170. The study of the bicycle route relocation, necessary environmental clearance documentation, and implementation shall be the responsibility of SFMTA.	SU/MM

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact TR-33</b> During implementation of the Project, pedestrian facilities would be expanded to serve additional users. This would be a beneficial impact of the Project.	NI	No mitigation is required.	NI
<b>Impact TR-34</b> Implementation of the Project would result in traffic volumes on area roadways that would not substantially affect pedestrian circulation and safety in the Project vicinity.	LTS	No mitigation is required.	LTS
<b>Impact TR-35</b> Implementation of the Project would not result in significant impacts associated with a lack of an adequate supply of parking that could not be accommodated within alternative modes.	LTS	No mitigation is required.	LTS
<b>Impact TR-36</b> Implementation of the Project roadway improvements would displace on-street parking spaces, and the existing demand could be accommodated in the nearby vicinity.	LTS	No mitigation is required.	LTS
<b>Impact TR-37</b> Implementation of the Project would not result in significant impacts associated with a lack of adequate supply of loading spaces.	LTS	No mitigation is required.	LTS
<b>Impact TR-38</b> For as many as 12 times a year, 49ers games at the proposed stadium would result in significant impacts on study area roadways and intersections.	PS	<p><b>MM TR-38</b> <u>Transportation Management Plan (TMP) for the stadium.</u> The stadium operators shall develop and maintain a Transportation Management Plan (TMP) for the stadium. The stadium operator shall work with representatives from the SFMTA, the State Highway Patrol, the Police Department, private charter operators, Caltrain and others on a continuing basis to develop and refine the TMP, as determined appropriate by SFMTA. The final stadium TMP shall be approved by SFMTA. Preparation of the TMP shall be fully funded by the stadium operator, and shall be completed in time for implementation on opening day of the stadium.</p> <p>The following actions shall be included in the TMP:</p> <ul style="list-style-type: none"> <li>Information on transportation options to the stadium, including game day service by the various regional service providers shall be distributed to season ticket holders, employees, and other patrons if possible.</li> </ul>	SU/MM

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<ul style="list-style-type: none"> <li>● <b>Impact TR-39</b> Implementation of the Project with existing game day service and Project transit improvements would not be adequate to accommodate projected transit demand.</li> </ul>	<p>PS</p>	<ul style="list-style-type: none"> <li>■ A brochure, information packet, and/or web page providing full information on transit access to the stadium, similar to that currently offered at the 49ers website, shall be updated and maintained.</li> <li>■ The use of charter buses to the stadium shall be encouraged and expanded. A number of measures shall be considered that could be implemented at low-cost to expand the use of group charters, including reduced parking costs, publicize the groups in 49ers publications and mailings, provide priority parking, provide lounges for bus drivers and provide support services for rooster clubs.</li> <li>■ Residential Permit Parking Program and/or additional parking restrictions, such as time limits, during game days, particularly in the Bayview Hunters Point areas, shall be explored with residents to reduce potential for intrusion of stadium vehicles into the adjacent neighborhood during a football game or secondary event.</li> <li>■ The stadium operator shall implement measures to encourage carpools of 4-plus persons per vehicle.</li> <li>■ The stadium operator shall charge a higher parking cost for low occupancy vehicles.</li> <li>■ The stadium operator shall develop a separate TDM plan for employees of the stadium and concessionaires. The plan shall consider measures such as providing employees and concessionaires with free or subsidized transit passes to encourage transit use and reduce vehicular travel to the stadium. Employees shall not receive preferential parking.</li> <li>■ The stadium operator shall develop measures with CPSRA to ensure that game day spectators do not park in CPSRA day use parking lots. Strategies to be explored include limiting parking in CPSRA lots to a limited duration during game days (e.g., to a two-hour period), or an increase in parking fees equivalent to game day parking, and ticketing and enforcement.</li> <li>■ The TMP shall ensure that regular transit routes operate acceptably near the stadium. The plan should consider providing alternate routes for those transit lines that do not have exclusive right-of-way on game days (48-Quintara-24<sup>th</sup> Street, 44-O'Shaughnessy, 29-Sunset) onto transit-only facilities such as the BRT right-of-way to the south and Palou Avenue to the north (which would be a transit-only facility on game days).</li> </ul> <p><b>MM TR-39</b> <i>Transit Service during Game Days.</i> SFMTA shall increase frequency on regularly scheduled Muni routes serving the stadium area on game days. In addition, the stadium operator shall fund additional Muni shuttle service between the stadium and regional transit service, including BART (Balboa Park and/or Glen Park Station) and Caltrain (Bayshore Station). Although the specific frequencies of individual routes should be determined based on patron characteristics that may evolve over time, the increased transit service, taken as an aggregate, should generally compensate for the projected shortfall of 3,600 passengers per hour on the existing and proposed transit lines.</p> <p>Prior to opening day at the new stadium, the City and stadium operator shall determine costs associated with the increased service and determine funding sources. Examples of funding sources that shall be considered include a surcharge on game tickets or other such revenue mechanism. Implementation of increased transit service would be the responsibility of SFMTA and the stadium operator, and would be implemented when projected attendance warrants additional service.</p>	<p>SU/MM</p>

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact TR-40</b> For as many of 12 times per year during game days, bicycle access in the vicinity of the proposed stadium would be constrained, however, accommodations for bicycle access and circulation would be provided.	LTS	No mitigation is required.	LTS
<b>Impact TR-41</b> For as many of 12 times per year during game days, pedestrian access in the vicinity of the proposed stadium would be constrained, however, accommodations for pedestrian access and circulation would be provided.	LTS	No mitigation is required.	LTS
<b>Impact TR-42</b> For as many as 12 times per year during game days, access to state park facilities for vehicles, bicyclists and pedestrians would be constrained, and heavy traffic congestion could discourage use of the park. However, access for vehicles, bicyclists, and pedestrians would be maintained.	LTS	No mitigation is required.	LTS
<b>Impact TR-43</b> For as many of 12 times per year during game days, parking demand associated with sell-out events would exceed the proposed on-site supply, resulting in a parking supply shortfall. The shortfall would be accommodated within other on-street and off-street parking facilities, and some patrons may elect to take transit to the stadium.	LTS	No mitigation is required.	LTS

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<b>Impact TR-44</b> Implementation of the Project would result in stadium game day loading demand that would be accommodated within the proposed on-site supply.	LTS	No mitigation is required.	LTS
<b>Impact TR-45</b> During game days, accommodation for emergency access would be provided.	LTS	No mitigation is required.	LTS
● <b>Impact TR-46</b> Weekday evening secondary events at the stadium would result in increased congestion at intersections, freeway mainline, and freeway ramps already operating at unacceptable LOS under Project conditions without a secondary event, and result in significant impacts at nine additional intersections and one additional freeway off-ramp.	PS	<b>MM TR-46</b> <u>Traffic Control Officers</u> . The stadium operator shall develop as part of a stadium Transportation Management Plan (TMP), a strategy for coordinating with representatives of SFMTA and the SF Police Department for deploying traffic control officers in the Project vicinity to increase efficiency of pre- and post- event traffic, similar to what would be in place for football game days. The secondary event component of the stadium TMP shall be approved by SFMTA. The stadium operator shall fully fund implementation of the secondary event (i.e., non-49ers football events) measures.	SU/MM
● <b>Impact TR-47</b> With implementation of the Project, the existing transit service and Project improvements would not be adequate to accommodate projected transit demand during secondary events with attendance of 37,500 spectators. In addition, transit lines serving the area would experience additional delays due to traffic generated by the secondary event.	PS	<b>MM TR-47</b> <u>Transit Service during Secondary Events</u> . SFMTA shall increase frequency on regularly scheduled Muni routes serving the stadium area prior to large special events. In addition, the stadium operator shall fund additional Muni shuttle service between the stadium and regional transit service, including BART (Balboa Park and/or Glen Park stations) and Caltrain (Bayshore station). <ul style="list-style-type: none"> <li>■ Routes 24-Divisadero, 28L-19th Avenue Limited, and 44-O'Shaughnessey would already be operating near their maximum frequency. Therefore, this mitigation measure primarily applies to the 48-Quintara-24th Street route and the new HPX service. If each of these routes were increased to have five-minute frequencies (typically considered the maximum frequency that can be regularly maintained), the transit capacity toward the stadium would increase by 828 passengers per hour, for a total of 3,928 passengers. Even with the additional service on these two lines, there would be a shortfall of 1,797 passengers per hour in transit capacity.</li> <li>■ Additional express service to key regional transit destinations and regional charter express service, similar to what is offered on football game days, would offset a portion of the shortfall in transit capacity. The amount and nature of special service to special stadium events would depend on the type and size of the special event. Generally, the capacity of the express service should compensate for the shortfall of 1,797 passengers per hour for a 37,500-person event (transit supply, would of course, be designed on a case-by-case basis depending on the expected size of the secondary event).</li> </ul>	SU/MM

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<ul style="list-style-type: none"> <li>SFMTA and the stadium operator shall implement a stadium transportation systems plan similar to that developed for game-day operations (except that the Yosemite Slough bridge shall not be available for private automobiles), on a case-by-case basis depending on the expected size of the secondary event.</li> </ul> <p>Prior to opening day at the new stadium, the City and the stadium operator shall determine costs associated with the increased service and determine funding requirements. Examples of funding sources that shall be considered include a surcharge on game tickets, parking or admission surcharge, or other such revenue mechanism. Implementation of increased transit service would be the responsibility of SFMTA and the stadium operator, and would be implemented when projected attendance warrants additional service.</p>	
<b>Impact TR-48</b> With implementation of the Project, bicycle circulation would not be impeded during secondary events at the stadium.	LTS	No mitigation is required.	LTS
<b>Impact TR-49</b> With implementation of the Project, pedestrian circulation would not be impeded during arena events.	LTS	No mitigation is required.	LTS
<b>Impact TR-50</b> With implementation of the Project, parking demand associated with a secondary event with an attendance of 37,500 spectators would be accommodated within the proposed supply.	LTS	No mitigation is required.	LTS
<b>Impact TR-51</b> With implementation of the Project, weekday evening events at the arena would exacerbate congestion at intersections, freeway mainline, and freeway ramps already operating at unacceptable LOS under Project conditions without an arena event, and result in significant traffic impacts at Harney Way and Jamestown Avenue, which was operating acceptably under Project conditions without an arena event.	PS	<b>MM TR-51</b> <u>Transportation Management Plan (TMP)</u> . The arena operator shall develop a Transportation Management Plan (TMP) for coordinating with representatives of SFMTA and the SF Police Department for deploying traffic control officers in the Project vicinity to increase efficiency of pre- and post- event traffic, and for developing incentives to increase transit ridership to the arena. If Variants 1, 2, or 2A are implemented the TMP shall provide for SFMTA to increase the frequency on regularly scheduled Muni routes (primarily the CPX-Candlestick Express) serving the arena area prior to large events at the arena and for the arena operator to provide additional shuttle service to key regional transit destinations, such as BART, Caltrain, and the T-Third light-rail route. Implementation of this mitigation measure would likely speed vehicle entrance and exit to the arena site as well as maintain orderly traffic and transit operations and reduce intrusion onto minor routes to and from the arena. Traffic control officers would facilitate traffic flow at the intersection of Harney/Jamestown which would operate at LOS F conditions with a sell-out arena event. The final arena TMP shall be approved by SFMTA. Preparation of the TMP Plan shall be fully funded by the arena operator, and shall be completed in time for implementation on opening day of the arena.	SU/MM

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact TR-52</b> With implementation of the Project, sell-out weekday evening events at the arena could impact existing and proposed transit service.	PS	MM TR-23.1 would apply to this impact.	SU/MM
<b>Impact TR-53</b> With implementation of the Project, bicycle circulation would not be impeded during arena events.	LTS	No mitigation is required.	LTS
<b>Impact TR-54</b> With implementation of the Project, pedestrian circulation would not be impeded during arena events.	LTS	No mitigation is required.	LTS
<b>Impact TR-55</b> With implementation of the Project, arena parking demand would be accommodated on street and within proposed off-street parking facilities.	LTS	No mitigation is required.	LTS
<b>Impact TR-56</b> Implementation of the Project would not impact air traffic.	NI	No mitigation is required.	NI
<b>Impact TR-57</b> Implementation of the Project would not create hazards due to any proposed design features.	LTS	No mitigation is required.	LTS
<b>Impact TR-58</b> Implementation of the Project would not result in significant emergency access impacts.	LTS	No mitigation is required.	LTS
<b>SECTION III.E (AESTHETICS)</b>			
<b>Impact AE-1</b> Construction activities associated with the Project would not have a substantial adverse effect on a scenic vista or scenic resources.	LTS	No mitigation is required.	LTS

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact AE-2</b> Construction activities associated with the Project would not result in temporary degradation of the visual character or quality of the site.	PS	<b>MM AE-2</b> <u>Mitigation for Visual Character/Quality Impacts During Construction</u> . Construction documents shall require all construction contractors to strictly control the staging of construction equipment and the cleanliness of construction equipment stored or driven beyond the limits of the construction work area. Construction equipment shall be parked and staged on the Project site. Staging areas shall be screened from view at street level with solid wood fencing or green fence. Prior to the issuance of building permits, the Project Applicant (through the construction contractor[s]) shall submit a construction staging, access, and parking plan to the San Francisco Department of Building Inspection for review and approval. On-street parking of construction worker vehicles shall be prohibited. Vehicles shall be kept clean and free of mud and dust before leaving the Project site. Project contractors shall sweep surrounding streets used for construction access daily and maintain them free of dirt and debris.	LTS/M
<b>Impact AE-3</b> Construction activities associated with the Project would not create a new source of substantial light or glare that would adversely affect day or night views in the area or that would substantially impact other people or properties.	LTS	No mitigation is required.	LTS
<b>Impact AE-4</b> Implementation of the Project would not have a substantial adverse effect on a scenic vista.	LTS	No mitigation is required.	LTS
<b>Impact AE-5</b> Implementation of the Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment that contribute to a scenic public setting.	LTS	No mitigation is required.	LTS
<b>Impact AE-5a</b> Implementation of the Project at Candlestick Point would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment that contribute to a scenic public setting.	LTS	No mitigation is required.	LTS

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact AE-5b</b> Implementation of the Project at HPS Phase II would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment that contribute to a scenic public setting.	LTS	No mitigation is required.	LTS
<b>Impact AE-6</b> Implementation of the Project would not substantially degrade the existing visual character or quality of the site or its surroundings.	LTS	No mitigation is required.	LTS
<b>Impact AE-6a</b> Implementation of the Project at Candlestick Point would not substantially degrade the existing visual character or quality of the site or its surroundings.	LTS	No mitigation is required.	LTS
<b>Impact AE-6b</b> Implementation of the Project at HPS Phase II would not substantially degrade the visual character or quality of the site or its surroundings.	LTS	No mitigation is required.	LTS
<b>Impact AE-7</b> Implementation of the Project would not create a new source of substantial light or glare that would adversely affect day or night views in the area or that would substantially impact other people or properties.	PS	MM AE-7a.1, MM AE-7a.2, MM AE-7a.3, MM AE-7a.4, MM AE-7b.1, and MM AE-7b.2 would apply to this impact.	LTS/M

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p><b>Impact AE-7a</b> Implementation of the Project at Candlestick Point would not create a new source of substantial light or glare that would adversely affect day or night views in the area or that would substantially impact other people or properties.</p>	PS	<p><b>MM AE-7a.1</b> <u>Lighting Direction/Fixtures and Screening Walls to Minimize Glare and Light Spill.</u> The Project Applicant shall ensure that all parking lot and other security lighting shall be directed away from surrounding land uses and towards the specific location intended for illumination. State-of-the-art fixtures shall be used, and all lighting shall be shielded to minimize the production of glare and light spill onto surrounding use. All parking structures shall be constructed with screening walls of sufficient height to block spill light from vehicle headlights.</p> <p><b>MM AE-7a.2</b> <u>Low-level/Unobtrusive Light Fixtures.</u> The Project Applicant shall ensure that landscape illumination and exterior sign lighting shall be accomplished with low-level, unobtrusive fixtures.</p> <p><b>MM AE-7a.3</b> <u>Lighting Plan.</u> The Project Applicant shall prepare a lighting plan for each phase of the Project and submit it for review and approval to the San Francisco Police Department and the Agency prior to the issuance of building permits. Outdoor lighting shall maintain a minimum required illumination, as determined appropriate by the San Francisco Police Department and the Planning Department, for all parking and pedestrian areas. In addition, the plan shall include details such as beam spreads and/or photometric calculation, location and type of fixtures, exterior colors, details on foundations, and arrangement of exterior lighting such that it does not create glare, hazardous interference on adjacent streets, or properties or result in spill light that would adversely impact sensitive receptors in the project area.</p> <p><b>MM AE-7a.4</b> <u>Non-reflective Exterior Surfaces to Minimize Glare Impacts.</u> The Project Applicant shall ensure that design of the proposed structures shall include the use of textured or other nonreflective exterior surfaces and nonreflective glass.</p>	LTS/M
<p><b>Impact AE-7b</b> Implementation of the Project at HPS Phase II would not create a new source of substantial light or glare that would adversely affect day or night views in the area or that would substantially impact other people or properties.</p>	PS	<p><b>MM AE-7b.1</b> <u>Testing of the Field-Lighting System.</u> Prior to opening the stadium, the Stadium Operator shall test the installed field-lighting system to ensure that lighting meets operating requirements in the stadium and minimizes obtrusive spill lighting in the ballpark facility. Testing shall include light-meter measurements at selected locations in the vicinity to measure spill lighting from stadium field-lighting fixtures, permit adjustment of lighting fixtures, and confirm that spill-lighting effects shall be within an acceptable range and compatible with typical street lighting fixtures.</p> <p><b>MM AE-7b.2</b> <u>Stadium Lighting Orientation and Cut-Off Shields.</u> Prior to opening the stadium, the Stadium Operator shall ensure that stadium lighting is oriented in such a manner to reduce the amount of light shed onto sensitive receptors and incorporate “cut-off” shields as appropriate to minimize any increase in lighting at adjacent properties, providing that it still meets the standard of lighting for football operations.</p>	LTS/M

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
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**SECTION III.F (SHADOWS)**

<b>Impact SH-1</b> Implementation of the Project would not result in new structures with the potential to cast shadows on existing or proposed parks and open space in a manner that would have an adverse effect on the use of the open space.	<b>LTS</b>	No mitigation is required.	<b>LTS</b>
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<b>Impact SH-1a</b> Implementation of the Project at Candlestick Point would not result in new structures with the potential to cast shadows on existing or proposed parks and open space in a manner that would have an adverse effect on the use of the open space.	<b>LTS</b>	No mitigation is required.	<b>LTS</b>
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<b>Impact SH-1b</b> Implementation of the Project at HPS Phase II would not result in new structures with the potential to cast shadows on existing or proposed parks and open space in a manner that would have an adverse effect on the use of the open space.	<b>LTS</b>	No mitigation is required.	<b>LTS</b>
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**SECTION III.G (WIND)**

<b>Impact W-1</b> Implementation of the Project would not include tall structures that would result in ground-level-equivalent wind speed exceeding 26 mph for a single hour of the year in pedestrian corridors and public spaces.	<b>PS</b>	<b>MM W-1(a)</b> would apply to this impact.	<b>LTS/M</b>
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<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
● <b>Impact W-1a</b> Implementation of the Project at Candlestick Point would not include tall structures that would result in ground-level-equivalent wind speed exceeding 26 mph for a single hour of the year in pedestrian corridors and public spaces.	PS	<b>MM W-1a</b> <u>Building Design Wind Analysis</u> . Prior to design approval of Project buildings, for high-rise structures above 100 feet, the Project Applicant shall retain a qualified wind consultant to provide a wind review to determine if the exposure, massing, and orientation of the building would result in wind impacts that could exceed the threshold of 26-mph-equivalent wind speed for a single hour during the year. The wind analysis shall be conducted to assess wind conditions for the proposed building(s) in conjunction with the anticipated pattern of development on surrounding blocks to determine if the Project building(s) would cause an exceedance of the wind hazard standard. The analysis shall be conducted as directed by the City's wind study guidelines, including, if required, wind tunnel modeling of potential adverse effects relating to hazardous wind conditions. The Agency shall require the Project Applicant to identify design changes that would mitigate the adverse wind conditions to below the threshold of 26-mph-equivalent wind speed for a single hour of the year. These design changes could include, but are not limited to, wind-mitigating features, such as placing towers on podiums with a minimum 15-foot setback from street edges, placement of awnings on building frontages, street and frontage plantings, articulation of building facades, or the use of a variety of architectural materials.	LTS/M
<b>Impact W-1b</b> Implementation of the Project at HPS Phase II would not include tall structures that would result in ground-level-equivalent wind speed exceeding 26 mph for a single hour of the year in pedestrian corridors and public spaces.	PS	<b>MM W-1(a)</b> would apply to this impact.	LTS/M

**SECTION III.H (AIR QUALITY)**

● <b>Impact AQ-1</b> Construction activities associated with the Project would not result in short-term increases in emission of criteria air pollutants and precursors that exceed BAAQMD CEQA significance criteria.	PS	<b>MM HZ-15</b> would apply to this impact.	LTS/M
● <b>Impact AQ-2</b> Construction activities associated with the Project would not result in impacts to on-site and off-site populations from Project-generated emissions of DPM.	PS	<b>MM AQ-2.1</b> and <b>MM AQ-2.2</b> would apply to this impact	LTS/M

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p><b>Impact AQ-2a</b> Construction at Candlestick Point would not result in impacts to off-site populations from Project-generated emissions of DPM.</p>	PS	<p><b>MM AQ 2.1</b> <u>Implement Emission Control Device Installation on Construction.</u> To reduce DPM emissions during Project construction, the Project Applicant shall require construction equipment used for the Project to utilize emission control technology such that 50% of the fleet will meet USEPA Tier 2 standards outfitted with California ARB Level 3 VDECS (Verified Diesel Emission Control Strategies) for particulate matter control (or equivalent) during the first two years of construction activities, increasing to 75% of the fleet in the third year and 100% of the fleet starting in the fourth year and for the duration of the Project.</p>	LTS/M
<p><b>Impact AQ-2b</b> Construction at HPS Phase II would not result in impacts to off-site populations from Project-generated emissions of DPM.</p>	PS	<p><b>MM AQ-2.1</b> would apply to this impact.</p>	LTS/M
<p><b>Impact AQ-2c</b> Construction activities associated with the Project would not result in impacts to the existing Alice Griffith Public Housing from Project-generated emissions of DPM.</p>	PS	<p><b>MM AQ-2.1</b> would also apply to this impact.</p> <p><b>MM AQ-2.2</b> <u>Implement Accelerated Emission Control Device Installation on Construction Equipment Used for Alice Griffith Parcels.</u> In addition to mitigation measure MM AQ-2.1, in order to minimize the potential impacts to residents living in Alice Griffith from the construction activities in that area, the Project Applicant will require that all construction equipment used in the Alice Griffith parcels (CP01 through CP06) utilize equipment which meets the USEPA Tier 2 standards outfitted with California ARB Level 3 VDECS (Verified Diesel Emission Control Strategies) for particulate matter control (or equivalent) throughout the entire duration of construction activities on those parcels.</p>	LTS/M
<p><b>Impact AQ-3</b> Construction activities associated with the Project would not result in impacts to off-site and Alice Griffith populations from emissions of TACs bound to soil-PM<sub>10</sub>.</p>	PS	<p><b>MM HZ-15</b> would apply to this impact.</p>	LTS/M
<p><b>Impact AQ-3a</b> Construction at Candlestick Point would not result in impacts to off-site and Alice Griffith populations from emissions of TACs bound to soil-PM<sub>10</sub>.</p>	PS	<p><b>MM HZ-15</b> would apply to this impact.</p>	LTS/M
<p><b>Impact AQ-3b</b> Construction at HPS Phase II would not result in impacts to off-site and Alice Griffith populations from emissions of TACs bound to soil-PM<sub>10</sub>.</p>	PS	<p><b>MM HZ-15</b> would apply to this impact.</p>	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
● <b>Impact AQ-4</b> Operation of the Project would violate BAAQMD CEQA significance thresholds for mass criteria pollutant emissions from mobile and area sources and contribute substantially to an existing or projected air quality violation at full buildout.	<b>S</b>	No feasible mitigation is available.	<b>SU</b>
● <b>Impact AQ-5</b> Operation of the Project would not cause local concentrations of CO to exceed State and federal ambient air quality standards due to motor vehicles trips.	<b>LTS</b>	No mitigation is required.	<b>LTS</b>
● <b>Impact AQ-6</b> Implementation of HPS Phase II would not expose nearby receptors to an increase in local concentrations of toxic air contaminants due to the operation of Research and Development uses.	<b>PS</b>	<b>MM AQ-6.1</b> If a facility with sources of TAC emission wishes to locate on a plot size smaller than 1 acre, an analysis will be required to show the facility, in conjunction with all other TAC emitting facilities in the R&D areas, will not cause these thresholds of a residential cancer risk of 10 in one million and a chronic noncancer HI of 1.0 to be exceeded at the nearest residential locations. <b>MM AQ-6.2</b> Each facility with sources of TAC emissions on a plot of 1 acre or larger will limit their emissions such that residential cancer risk and chronic non-cancer hazard index evaluated at the facility boundary does not exceed 10 in one million or 1.0, respectively. If these thresholds are exceeded at the boundary, an analysis will be required to show the facility, in conjunction with all other TAC emitting facilities in the R&D areas, will not cause these thresholds to be exceeded at the nearest residential locations.	<b>LTS/M</b>
● <b>Impact AQ-7</b> Operation of the Project would not expose receptors to concentrations of PM <sub>2.5</sub> above a 0.2 µg/m <sup>3</sup> action level for PM <sub>2.5</sub> and, therefore, would not substantially affect the health of nearby receptors as a result of an increase in local concentrations of vehicle emissions (PM <sub>2.5</sub> ) associated with vehicle use attributable to operation of the Project.	<b>LTS</b>	No mitigation is required.	<b>LTS</b>
<b>Impact AQ-8</b> Implementation of the Project would not generate objectionable odors affecting a substantial number of people.	<b>LTS</b>	No mitigation is required.	<b>LTS</b>

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact AQ-9</b> The Project would conform to the current regional air quality plan.	LTS	No mitigation is required.	LTS

**SECTION III.I (NOISE AND VIBRATION)**

<b>Impact NO-1</b> Construction activities associated with the Project would generate increased noise levels for both off-site and on-site sensitive receptors; however, the Project's construction noise impacts would occur primarily in noise-sensitive areas adjacent or near to active construction sites (which would vary in location and duration over the entire period the proposed Project would be under construction); they would also not occur during recognized sleep hours, and would be consistent with the requirements for construction noise that exist in Sections 2907 and 2908 of the <i>Municipal Code</i> .	PS	MM NO.1a.1 and MM NO-1a.2 would apply to this impact.	LTS/M
<b>Impact NO-1a</b> Construction at Candlestick Point would generate increased noise levels for both off-site and on-site sensitive receptors; however, the Project's construction noise impacts would occur primarily in noise-sensitive areas adjacent or near to active construction sites (which would vary in location and duration over the entire period the proposed Project would be under construction), they would not occur during recognized sleep	PS	<p><b>MM NO-1a.1</b> <u>Construction Document Mitigation to Reduce Noise Levels during Construction</u>. The Project Applicant shall incorporate the following practices into the construction documents to be implemented by the Project contractor:</p> <ul style="list-style-type: none"> <li>■ Provide enclosures and mufflers for stationary equipment, shrouding or shielding for impact tools, and barriers around particularly noisy operations on the site</li> <li>■ Use construction equipment with lower noise emission ratings whenever possible, particularly air compressors</li> <li>■ Provide sound-control devices on equipment no less effective than those provided by the manufacturer</li> <li>■ Locate stationary equipment, material stockpiles, and vehicle staging areas as far as practicable from sensitive receptors</li> <li>■ Prohibit unnecessary idling of internal combustion engines</li> </ul>	LTS/M

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>hours, and would be consistent with the requirements for construction noise that exist in Sections 2907 &amp; 2908 of the <i>Municipal Code</i>.</p>		<ul style="list-style-type: none"> <li>■ Require applicable construction-related vehicles and equipment to use designated truck routes to access the Project site</li> <li>■ Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, noise barriers or noise blankets. The placement of such attenuation measures will be reviewed and approved by the Director of Public Works prior to issuance of development permits for construction activities.</li> <li>■ Designate a Noise Disturbance Coordinator who shall be responsible for responding to complaints about noise during construction. The telephone number of the Noise Disturbance Coordinator shall be conspicuously posted at the construction site and shall be provided to the City. Copies of the construction schedule shall also be posted at nearby noise-sensitive areas.</li> </ul> <p><b>MM NO-1a.2</b> <u>Noise-reducing Pile Driving Techniques and Muffling Devices</u>. The Project Applicant shall require its construction contractor to use noise-reducing pile driving techniques if nearby structures are subject to pile driving noise and vibration. These techniques include pre-drilling pile holes (if feasible, based on soils) to the maximum feasible depth, installing intake and exhaust mufflers on pile driving equipment, vibrating piles into place when feasible, and installing shrouds around the pile driving hammer where feasible. Contractors shall be required to use construction equipment with state-of-the-art noise shielding and muffling devices. In addition, at least 48 hours prior to pile-driving activities, the Project Applicant shall notify building owners and occupants within 500 feet of the Project site of the dates, hours, and expected duration of such activities.</p>	
<p><b>Impact NO-1b</b> Construction at HPS Phase II would generate increased noise levels for both off-site and on-site sensitive receptors; however, the Project's construction noise impacts would be temporary, they would also not occur during recognized sleep hours, and would be consistent with the requirements for construction noise that exist in Sections 2907 and 2908 of the <i>Municipal Code</i>.</p>	PS	<p><b>MM NO-1a.1</b> and <b>MM NO-1a.2</b> would apply to this impact.</p>	LTS/M

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p><b>Impact NO-2</b> Construction activities associated with the Project would create excessive groundborne vibration levels in existing residential neighborhoods adjacent to the Project site and at proposed on-site residential uses should the latter be occupied before Project construction activity on adjacent parcels is complete. Although the Project's construction vibration impacts would be temporary, would not occur during recognized sleep hours, and would be consistent with the requirements for construction activities that exist in Sections 2907 &amp; 2908 of the <i>Municipal Code</i>, vibration levels would still be significant.</p>	S	MM NO-1a.1, MM NO-1a.2, and MM NO-2a would apply to this impact.	SU/M
<p><b>Impact NO-2a</b> Construction activities at Candlestick Point would create excessive groundborne vibration levels in existing residential neighborhoods adjacent to the Project site and at proposed on-site residential uses should the latter be occupied before Project construction activity on adjacent parcels is complete. Although the Project's construction vibration impacts would be temporary, would not occur during recognized sleep hours, and would be consistent with the requirements for construction activities that exist in Sections 2907 &amp; 2908 of the <i>Municipal Code</i>, vibration levels would still be significant.</p>	S	<p><b>MM NO-2a</b> <u>Pre-construction Assessment to Minimize Pile Driving Impacts</u>. The Project Applicant shall require its geotechnical engineering contractor to conduct a pre-construction assessment of existing subsurface conditions and the structural integrity of nearby buildings subject to pile driving impacts prior to receiving a building permit. If recommended by the geotechnical engineer, for structures or facilities within 50 feet of pile driving, the Project Applicant shall require groundborne vibration monitoring of nearby structures. Such methods and technologies shall be based on the specific conditions at the construction site such as, but not limited to, the following:</p> <ul style="list-style-type: none"> <li>■ Pre-pile driving surveying of potentially affected structures.</li> <li>■ Underpinning of foundations of potentially affected structures, as necessary.</li> <li>■ The construction plan shall include a monitoring program to detect ground settlement or lateral movement of structures in the vicinity of an excavation. Monitoring results shall be submitted to DBI. In the event of unacceptable ground movement, as determined by DBI inspections, all pile driving work shall cease and corrective measures shall be implemented. The pile driving program and ground stabilization measures shall be reevaluated and approved by DBI.</li> </ul> <p>MM NO-1a.1 and MM NO-1a.2 would apply to this impact.</p>	SU/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact NO-2b</b> Rock removal in the Alice Griffith and Jamestown districts would result in vibration levels that exceed the FTA threshold of 80 VdB or could cause damage to structures from vibration caused by the fracturing of bedrock for excavation.	<b>S</b>	<b>MM NO-1a.1</b> and <b>MM GE-3a</b> would apply to this impact.	<b>SU/M</b>
<b>Impact NO-2c</b> Construction at HPS Phase II would create excessive groundborne vibration levels in existing residential neighborhoods adjacent to the Project site and at proposed on-site residential uses should the latter be occupied before Project construction activity on adjacent parcels is complete. Although the Project's construction vibration impacts would be temporary, would not occur during recognized sleep hours, and would be consistent with the requirements for construction activities that exist in Sections 2907 & 2908 of the <i>Municipal Code</i> , vibration levels would be significant.	<b>S</b>	<b>MM NO-1a.1</b> , <b>MM NO-1a.2</b> , and <b>MM NO-2a</b> would apply to this impact.	<b>SU/M</b>
<b>Impact NO-3</b> Construction activities associated with the Project would result in a substantial temporary or periodic increase in ambient noise levels.	<b>S</b>	<b>MM NO-1a.1</b> , <b>MM NO-1a.2</b> , and <b>MM NO-2a</b> would apply to this impact.	<b>SU/M</b>

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact NO-4</b> Implementation of the Project, including the use of mechanical equipment or the delivery of goods, would not expose noise-sensitive land uses on or off site to noise levels that exceed the standards established by the City.	LTS	No mitigation is required.	LTS
<b>Impact NO-5</b> Implementation of the Project would not generate or expose persons on or off site to excessive groundborne vibration.	LTS	No mitigation is required.	LTS
<b>Impact NO-6</b> Operation of the Project would generate increased local traffic volumes that could cause a substantial permanent increase in ambient noise levels in existing residential areas along the major Project site access routes.	S	No feasible mitigation is available.	SU
<b>Impact NO-7</b> Noise during football games and concerts at the proposed stadium would result in temporary increases in ambient noise levels that could adversely affect surrounding residents for the duration of a game or concert.	S	<p><b>MM NO-7.1</b> <u>Mitigation to Minimize Game/Concert-related Temporary Increases in Ambient Noise Levels at Nearby Residences.</u> To ensure that stadium game-and event-induced interior L<sub>max</sub> noise levels do not exceed an interior noise level of 60 dBA and interfere with speech and other indoor activities in the existing Hunters Point Hill residential community closest to and north of the proposed Stadium (i.e., as identified by the R3 stadium noise model receiver), the Stadium Operator shall:</p> <ul style="list-style-type: none"> <li>■ After Stadium Operator enters into lease agreement with Agency, send notification of the establishment of a stadium noise mitigation program (SNMP) to the residential property owners in the identified neighborhood potentially affected by noise from the proposed Stadium</li> <li>■ Allow property owners an appropriate time after the date of notification about the SNMP to apply for the program, with a reminder sent to the owners before the end of the application period</li> <li>■ Determine if responding property owners meet qualifications</li> <li>■ Compile for property-owners reference and send to them a summary of standard types of structural acoustical mitigations</li> <li>■ Choose a qualified acoustical consultant to survey the potentially affected residential units and recommend sound reduction measures appropriate to offset the modeled stadium noise impacts, which may include:                             <ul style="list-style-type: none"> <li>&gt; Acoustical upgrades to windows and doors</li> </ul> </li> </ul>	SU/M

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<ul style="list-style-type: none"> <li>&gt; Acoustical stripping around doors and other openings</li> <li>&gt; Ventilation improvements</li> <li>■ Estimates cost of recommended sound reduction measures, which shall include labor and materials, permit fees, and City inspections; material costs will, as much as possible, be based on “like-for-like”, that is, for replacement of existing materials similar in quality or appearance</li> <li>■ Pay each qualifying property owner the amount of this estimate after obtaining a release from future claims for stadium event noise impacts at each property with each property owner responsible for implementing the sound reduction improvements</li> <li>■ Establish an ad hoc community working group of neighbors to develop a mediation process should any future disputes arise over the effectiveness of the SNMP in eliminating stadium noise intrusions</li> </ul> <p><b>MM NO-7.2 Residential Use Plan Review by Qualified Acoustical Consultant.</b> To ensure that stadium game-and event-induced interior L<sub>max</sub> noise levels do not exceed an interior noise level of 60 dBA and interfere with speech and other indoor activities in the proposed on-site residential uses closest to the proposed Stadium, the Project Applicant shall choose a qualified acoustical consultant to review plans for the new residential uses planned for areas closest to the proposed Stadium and follow their recommendations to provide acoustic insulation or other equivalent measures to ensure that interior peak noise events would not exceed 60 dBA L<sub>max</sub>.</p>	
<b>Impact NO-8</b> Implementation of the Project would not expose residents and visitors to excessive noise levels from flights from San Francisco International Airport such that the noise would be disruptive or cause annoyance.	LTS	No mitigation is required.	LTS
<b>SECTION III.J (CULTURAL RESOURCES AND PALEONTOLOGICAL RESOURCES)</b>			
<b>Impact CP-1</b> Construction activities associated with the Project could result in a substantial adverse change in the significance of a historical resource.	S	MM CP-1b.1 and MM CP-1b.2 apply to this impact.	SU/M
<b>Impact CP-1a</b> Construction at Candlestick Point would not result in a substantial adverse change in the significance of an historical resource.	LTS	No mitigation is required.	LTS

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<p><b>Impact CP-1b</b> Construction at HPS Phase II could result in a substantial adverse change in the significance of an historical resource.</p>	<p><b>S</b></p>	<p><b>MM CP-1b.1</b> <u>Mitigation to Minimize Impacts on Historic Resources at HPS Phase II.</u> To reduce the adverse effect on historical resources, prior to any structural demolition and removal activities, the Project Applicant shall retain a professional who meets the Secretary of the of the Interior's Professional Qualifications Standards for Architectural History to prepare written and photographic documentation of the potential Hunters Point Commercial Dry Dock and Naval Shipyard Historic District, as identified in the report titled <i>Bayview Waterfront Plan Historic Resources Evaluation, Volume II: Draft Historic Resources Survey and Technical Report</i>, July 2009, prepared by Circa Historic Property Development.</p> <p>The documentation for the property shall be prepared based on the National Park Services' (NPS) Historic American Building Survey (HABS) / Historic American Engineering Record (HAER) Historical Report Guidelines. This type of documentation is based on a combination of both HABS/HAER standards (Levels II and III) and NPS new policy for NR-NHL photographic documentation as outlined in the National Register of Historic Places and National Historic Landmarks Survey Photo Policy Expansion (March 2005).</p> <p>The written historical data for this documentation shall follow HABS / HAER Level I standards. The written data shall be accompanied by a sketch plan of the property. Efforts should also be made to locate original construction drawings or plans of the property during the period of significance. If located, these drawings should be photographed, reproduced, and included in the dataset. If construction drawings or plans cannot be located as-built drawings shall be produced.</p> <p>Either HABS / HAER standard large format or digital photography shall be used. If digital photography is used, the ink and paper combinations for printing photographs must be in compliance with NR-NHL photo expansion policy and have a permanency rating of approximately 115 years. Digital photographs will be taken as uncompressed .TIF file format. The size of each image will be 1600x1200 pixels at 300 ppi (pixels per inch) or larger, color format, and printed in black and white. The file name for each electronic image shall correspond with the index of photographs and photograph label.</p> <p>Photograph views for the dataset shall include (a) contextual views; (b) views of each side of each building and interior views, where possible; (c) oblique views of buildings; and (d) detail views of character-defining features, including features on the interiors of some buildings. All views shall be referenced on a photographic key. This photograph key shall be on a map of the property and shall show the photograph number with an arrow indicate the direction of the view. Historic photographs shall also be collected, reproduced, and included in the dataset.</p> <p>All written and photographic documentation of the potential Hunters Point Commercial Dry Dock and Naval Shipyard Historic District shall be approved by the SFRA, in consultation with the ERO, prior to any demolition and removal activities.</p> <p><b>MM CP-1b.2</b> <u>Interpretive Displays Depicting History of HPS.</u> Interpretive displays related to the history of HPS shall be installed at Heritage Park at Dry Dock Nos. 2 and 3. The number and type of displays shall be approved by the SFRA, in consultation with the ERO.</p>	<p><b>SU/M</b></p>

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<p><b>Impact CP-2</b> Construction activities associated with the Project would not result in a substantial adverse change in the significance of archaeological resources, including prehistoric Native American resources, Chinese fishing camps, and maritime related resources.</p>	PS	MM CP-2a would apply to this impact.	LTS/M
<p><b>Impact CP-2a</b> Construction at Candlestick Point would not result in a substantial adverse change in the significance of archaeological resources, including prehistoric Native American, Chinese fishing camp, and maritime-related archaeological remains.</p>	PS	<p><b>MM CP-2a</b> <u>Mitigation to Minimize Impacts to Archaeological Resources at Candlestick Point.</u> Based on a reasonable presumption that archaeological resources may be present within the Project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the Project on buried or submerged historical resources.</p> <p><u>Overview:</u> The Project Applicant shall retain the services of a qualified archaeological consultant having expertise in California prehistoric and urban historical archeology. The archaeological consultant shall undertake an archaeological testing program as specified herein. In addition, the archaeological consultant shall be available to conduct an archaeological monitoring and/or data recovery program if required pursuant to this measure. The archaeological consultant's work shall be conducted in accordance with this measure and with the requirements of the Project Archaeological Research Design and Treatment Plan (Archeo-Tec. Archaeological Research Design and Treatment Plan for the Bayview Waterfront Project, San Francisco, California, 2009) at the direction of the City's Environmental Review Officer (ERO). In instances of inconsistency between the requirement of the Project Archaeological Research Design and Treatment Plan and of this archaeological mitigation measure, the requirement of this archaeological mitigation measure shall prevail. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archaeological monitoring and/or data recovery programs required by this measure could suspend construction of the Project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce potential effects on a significant archaeological resource as defined in CEQA Guidelines Section 15064.5(a)(c) to a less-than-significant level.</p> <p><u>Archaeological Testing Program:</u> The archaeological consultant shall prepare and submit to the ERO for review and approval an archaeological testing plan (ATP). The archaeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archaeological resource(s) that potentially could be adversely affected by the Project, the testing method to be used, and the locations recommended for testing. The purpose of the archaeological testing program will be to determine to the extent possible the presence or absence of archaeological resources and to identify and to evaluate whether any archaeological resource encountered on the site constitutes an historical resource under CEQA.</p>	LTS/M

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<p>At the completion of the archaeological testing program, the archaeological consultant shall submit a written report of the findings for submittal to the ERO. If, based on the archaeological testing program, the archaeological consultant finds that significant archaeological resources may be present, the ERO (in consultation with the archaeological consultant) shall determine if additional measures are warranted. Additional measures that may be undertaken include, but are not necessarily limited to, additional archaeological testing, archaeological monitoring, and/or an archaeological data recovery program. If the ERO determines that a significant archaeological resource is present and that the resource could be adversely affected by the Project, the Project Applicant shall either:</p> <ol style="list-style-type: none"> <li>a. Re-design the Project so as to avoid any adverse effect on the significant archaeological resource; or</li> <li>b. Implement a data recovery program, unless the ERO determines that the archaeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.</li> </ol> <p><u>Archaeological Monitoring Program:</u> If the ERO, in consultation with the archaeological consultant, determines that an Archaeological Monitoring Program (AMP) shall be implemented, the AMP shall include the following provisions, at a minimum:</p> <ul style="list-style-type: none"> <li>■ The archaeological consultant, Project Applicant, and ERO shall meet and consult on the scope of the AMP prior to the commencement of any Project-related soils disturbing activities. The ERO, in consultation with the archaeological consultant, shall determine what Project activities shall be archaeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), and site remediation, shall require archaeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context.</li> <li>■ The archaeological consultant shall train all Project construction personnel who could reasonably be expected to encounter archaeological resources of the expected resource(s), how to identify the evidence of the expected resource(s), and the appropriate protocol in the event of apparent discovery of an archaeological resource.</li> <li>■ The archaeological monitor(s) shall be present on the Project site according to a schedule agreed upon by the archaeological consultant and the ERO until the ERO has, in consultation with the archaeological consultant, determined that Project construction activities could have no effects on significant archaeological deposits.</li> <li>■ The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis.</li> <li>■ If an intact archaeological deposit is encountered, all soil-disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be authorized to temporarily halt demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If, in the case of pile driving activity (foundation, shoring, etc.), the archaeological monitor has cause to believe that the pile driving activity may affect an archaeological resource, the pile driving activity shall be terminated until an</li> </ul>	

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<p>appropriate evaluation of the resource has been made in consultation with the ERO. The archaeological consultant shall immediately notify the ERO of any encountered archaeological deposit. The archaeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit and present the findings of this assessment to the ERO as expeditiously as possible.</p> <ul style="list-style-type: none"> <li>■ Whether or not significant archaeological resources are encountered, the archaeological consultant shall submit a written report of the findings of the monitoring program to the ERO.</li> </ul> <p><u>Archaeological Data Recovery Program:</u> The archaeological data recovery program shall be conducted in accord with an Archaeological Data Recovery Plan (ADRP). The archaeological consultant, Project Applicant, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archaeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archaeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the Project. Destructive data recovery methods shall not be pursued if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> <li>■ Field Methods and Procedures. Descriptions of proposed field strategies, procedures, and operations.</li> <li>■ Cataloguing and Laboratory Analysis. Description of selected cataloguing system and artifact analysis procedures.</li> <li>■ Discard and Deaccession Policy. Description of and rationale for field and post-field discard and deaccession policies.</li> <li>■ Interpretive Program. Consideration of an on-site/off-site public interpretive program during the course of the archaeological data recovery program.</li> <li>■ Security Measures. Recommended security measures to protect the archaeological resource from vandalism, looting, and other potentially damaging activities.</li> <li>■ Final Report. Description of proposed report format and distribution of results.</li> <li>■ Curation. Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.</li> </ul> <p><u>Human Remains and Associated or Unassociated Funerary Objects:</u> The treatment of human remains and associated or unassociated funerary objects discovered during any soil-disturbing activity shall comply with applicable state and federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner’s determination that the human remains are Native American</p>	

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<p>remains, notification of the California State Native American Heritage Commission (NAHC), which shall appoint a Most Likely Descendant (MLD) (PRC Sec. 5097.98). The archaeological consultant, Project Applicant, and MLD shall make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines Sec. 15064.5(d)). The agreement shall take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.</p> <p><u>Final Archaeological Resources Report:</u> The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s). Information that may put at risk any archaeological resource shall be provided in a separate removable insert within the final report.</p> <p>Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than presented above.</p>	
<b>Impact CP-2b</b> Construction at HPS Phase II would not result in a substantial adverse change in the significance of archaeological resources, including prehistoric Native American resources, Chinese fishing camps, and maritime related resources.	PS	<b>MM CP-2a</b> would apply to this impact.	LTS/M
<b>Impact CP-3</b> Construction activities associated with the Project would not result in a substantial adverse change in the significance of a paleontological resource.	PS	<b>MM CP-3a</b> would apply to this impact.	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact CP-3a</b> Construction at Candlestick Point would not result in a substantial adverse change in the significance of a paleontological resource.	PS	<p><b>MM CP-3a Paleontological Resources Monitoring and Mitigation Program:</b> The Project Applicant shall retain the services of a qualified paleontological consultant having expertise in California paleontology to design and implement a Paleontological Resources Monitoring and Mitigation Program (PRMMP). The PRMMP shall include a description of when and where construction monitoring would be required; emergency discovery procedures; sampling and data recovery procedures; procedures for the preparation, identification, analysis, and curation of fossil specimens and data recovered; preconstruction coordination procedures; and procedures for reporting the results of the monitoring program.</p> <p>The PRMMP shall be consistent with the Society for Vertebrate Paleontology (SVP) Standard Guidelines for the mitigation of construction-related adverse impacts to paleontological resources and the requirements of the designated repository for any fossils collected. During construction, earth-moving activities shall be monitored by a qualified paleontological consultant having expertise in California paleontology in the areas where these activities have the potential to disturb previously undisturbed native sediment or sedimentary rocks. Monitoring need not be conducted in areas where the ground has been previously disturbed, in areas of artificial fill, in areas underlain by nonsedimentary rocks (serpentinite, greenstone), or in areas where exposed sediment would be buried, but otherwise undisturbed.</p> <p>The consultant's work shall be conducted in accordance with this measure and at the direction of the City's Environmental Review Officer (ERO). Plans and reports prepared by the consultant shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Paleontological monitoring and/or data recovery programs required by this measure could suspend construction of the Project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce potential effects on a significant paleontological resource as previously defined to a less-than-significant level.</p>	LTS/M
<b>Impact CP-3b</b> Construction at HPS Phase II would not result in a substantial adverse change in the significance of a paleontological resource.	PS	<b>MM CP-3a</b> would apply to this impact.	LTS/M
<b>Impact CP-3c</b> Construction of the Yosemite Slough bridge, shoreline improvements, and the marina improvements activities, including in-water activities, would not result in a substantial adverse change in the significance of a paleontological resource.	PS	<b>MM CP-3a</b> would apply to this impact.	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact CP-3d</b> Pile driving associated with construction of the Yosemite Slough bridge, shoreline improvements, and the marina improvements would not result in a substantial adverse change in the significance of a paleontological resource.	PS	<b>MM CP-3a</b> would apply to this impact.	LTS/M
<b>SECTION III.K (HAZARDS AND HAZARDOUS MATERIALS)</b>			
<b>Impact HZ-1</b> Construction activities associated with the Project would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the disturbance of soil and/or groundwater with known contaminants from historic uses.	PS	<b>MM HZ-1a</b> and <b>MM HZ-1b</b> would apply to this impact.	LTS/M
● <b>Impact HZ-1a</b> Construction at Candlestick Point bayward of the historic high tide line would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the disturbance of soil and/or groundwater with known contaminants from historic uses.	PS	<b>MM HZ-1a</b> <u>Article 22A Site Mitigation Plans.</u> (Applies only to Candlestick Point.) Prior to obtaining a site, building or other permit from the City for development activities involving subsurface disturbance at portions of Candlestick Point bayward of the high tide line, the Project Applicant shall comply with the requirements of San Francisco Health Code Article 22A. If the site investigation required by Article 22A (or, in the case of development activity in CPSRA, which is not subject to Article 22A, a comparable site investigation that is carried out to comply with this measure, and which involves notification to California State Parks if a site mitigation plan is prepared), indicates the presence of a hazardous materials release, a site mitigation plan must be prepared. The site mitigation plan must specify the actions that will be implemented to mitigate the significant environmental or health and safety risks caused or likely to be caused by the presence of the identified release of hazardous materials. The site mitigation plan shall identify, as appropriate, such measures as excavation, containment, or treatment of the hazardous materials, monitoring and follow-up testing, and procedures for safe handling and transportation of the excavated materials, or for protecting the integrity of the cover or for addressing emissions from remedial activities, consistent with the requirements set forth in Article 22A.  To the extent that Article 22A does not apply to state-owned land at CPSRA, prior to undertaking subsurface disturbance activities at CPSRA, the Agency and the California Department of Parks and Recreation shall enter into an agreement to follow procedures equivalent to those set forth in Article 22A for construction and development activities conducted at Candlestick Point State Recreation Area.	LTS/M

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>● <b>Impact HZ-1b</b> Construction at HPS Phase II would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the disturbance of soil and/or groundwater with known contaminants from historic uses.</p>	PS	<p><b>MM HZ-1b</b> <u>Compliance with Requirements Imposed by Cleanup Decision Documents and Property Transfer Documents.</u> (Applies only to HPS Phase II) Prior to obtaining a grading, excavation, site, building or other permit from the City for development activity at HPS Phase II involving subsurface disturbance, the Project Applicant shall submit documentation acceptable to the San Francisco Department of Public Health that the work will be undertaken in compliance with all notices, restrictions, and requirements imposed pursuant to a CERCLA ROD, Petroleum Corrective Action Plan, FOST, FOSET or FOSSL, including notices, restrictions, and requirements imposed in deeds, covenants, leases, easements, and LIFOs, and requirements set forth in Land Use Control Remedial Design Documents, Risk Management Plans, Community Involvement Plans, and health and safety plans. Such restrictions, imposed by federal and state regulatory agencies as a condition on the Navy transfer of the property to the Agency, will ensure that the property after transfer will be used in a manner that is protective of the environment and human health. The City/Agency may choose to implement this measure by requiring these actions as part of amendments to San Francisco Health Code Article 31, which currently sets forth procedural requirements for development in HPS Phase I, or through an equivalent process established by the City or Agency.</p>	LTS/M
<p><b>Impact HZ-2</b> Construction activities associated with the Project would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the disturbance of soil and/or groundwater with previously unidentified subsurface contaminants from historic uses.</p>	PS	<p><b>MM HZ-2a.1</b> and <b>MM HZ-2a.2</b> would apply to this impact.</p>	LTS/M
<p>● <b>Impact HZ-2a</b> Construction at Candlestick Point would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the disturbance of soil and/or groundwater with previously unidentified subsurface contaminants from historic uses.</p>	PS	<p><b>MM HZ-2a.1</b> <u>Unknown Contaminant Contingency Plan.</u> (Applies to Candlestick Point, HPS Phase II, and off-site improvements.) Prior to obtaining the first site, building or other permit for development activities involving subsurface disturbance, the Project Applicant shall prepare and the San Francisco Department of Public Health shall approve a contingency plan to address unknown contaminants encountered during development activities. This plan, the conditions of which shall be incorporated into the first permit and any applicable permit thereafter, shall establish and describe procedures for implementing a contingency plan, including appropriate notification to nearby property owners, schools, and residents and appropriate site control procedures, in the event unanticipated subsurface hazards or hazardous material releases are discovered during construction. Control procedures would include, but would not be limited to, further investigation and, if necessary remediation of such hazards or releases, including off-site removal and disposal, containment or treatment. In the event unanticipated subsurface hazards or hazardous material releases are discovered during construction, the requirements of this unknown contaminant contingency plan shall be followed. The contingency plan shall be amended, as necessary, in the event new information becomes available that could affect the implementation of the plan. This measure</p>	LTS/M

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<p>shall be implemented for HPS Phase II through additions to Article 31 or through an equivalent process established by the City or Agency as explained in MM HZ-1b.</p> <p><b>MM HZ-2a.2 Site-Specific Health and Safety Plans.</b> (Applies to Candlestick Point, HPS Phase II, and off-site improvements.) Prior to obtaining the first site, building or other permit for the Project from the City for development activities involving subsurface disturbance, the Project Applicant shall prepare and submit to SFDPH a site-specific health and safety plan (HASP) in compliance with applicable federal and state OSHA requirements and other applicable laws to minimize impacts to public health and the environment. development of the plan shall be required as a condition of any applicable permit. The plan shall include identification of chemicals of concern, potential hazards, personal protective equipment and devices, and emergency response procedures. The HASP shall be amended, as necessary, in the event new information becomes available that could affect the implementation of the plan.</p> <p>This measure shall be implemented for HPS Phase II through additions to Article 31 or through an equivalent process established by the City or Agency as explained in MM HZ-1b.</p>	
<b>Impact HZ-2b</b> Construction at HPS Phase II would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the disturbance of soil and/or groundwater with previously unidentified subsurface contaminants from historic uses.	PS	<b>MM HZ-2a.1</b> and <b>MM HZ-2a.2</b> would apply to this impact.	LTS/M
<b>Impact HZ-3</b> Construction activities associated with the Project would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of off-site transport and disposal of contaminated soil and groundwater.	PS	<b>MM HZ-1b</b> and <b>MM HY-1a.3</b> would apply to this impact	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact HZ-3a</b> Construction at Candlestick Point would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of off-site transport and disposal of contaminated soil and groundwater.	PS	MM HY-1a.3 would apply to this impact.	LTS/M
<b>Impact HZ-3b</b> Construction at HPS Phase II would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of off-site transport and disposal of contaminated soil and groundwater.	PS	MM HZ-1b and MM HY-1a.3 would apply to this impact	LTS/M
<b>Impact HZ-4</b> Construction activities associated with the Project would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of improvements to existing and installation of new underground utilities.	PS	MM HZ-1a, MM HZ-1b, MM HZ-2a.1, and MM H2-2a.2 would apply to this impact.	LTS/M
<b>Impact HZ-4a</b> Construction at Candlestick Point would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of improvements to existing and installation of new underground utilities.	PS	MM HZ-1a and MM HZ-2a.1 would apply to this impact.	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact HZ-4b</b> Construction at HPS Phase II would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of improvements to existing and installation of new underground utilities.	PS	MM HZ-1b, MM HZ-2a.1, and MM HZ-2a.2 would apply to this impact.	LTS/M
<b>Impact HZ-5</b> Construction activities associated with the Project would not create vertical conduits for hazardous materials that could contaminate groundwater as a result of installation of foundation support piles.	PS	MM HZ-1a, MM HZ-1b and MM HZ-5a would apply to this impact.	LTS/M
<b>Impact HZ-5a</b> Construction at Candlestick Point would not create vertical conduits for hazardous materials that could contaminate groundwater as a result of installation of foundation support piles.	PS	<b>MM HZ-5a</b> <u>Foundation Support Piles Installation Plan</u> . (Applies to Candlestick Point and HPS Phase II.) Prior to obtaining a permit from the City that authorizes installation of deep foundation piles, the Project Applicant shall prepare and submit a plan acceptable to the City stating that pilot boreholes for each pile would be drilled through the artificial fill materials so the piles can be installed without damage or misalignment and to prevent potentially contaminated fill materials from being pushed into the underlying sediments or groundwater. This measure shall be implemented for Candlestick Point through implementation of mitigation measure MM HZ-1a. This measure shall be implemented for HPS Phase II through additions to Article 31 or through an equivalent process established by the City or Agency as explained in MM HZ-1b.	LTS/M
<b>Impact HZ-5b</b> Construction at HPS Phase II would not create vertical conduits for hazardous materials that could contaminate groundwater as a result of installation of foundation support piles.	PS	MM HZ-1b and MM HZ-5a would apply to this impact.	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact HZ-6</b> Construction activities associated with the Project would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the handling, stockpiling, and transport of soil that may contain contaminants.	PS	MM HZ-1a, MM HY-1a.2, MM HZ-1b, and MM HY-1a.1 would apply to this impact.	LTS/M
<b>Impact HZ-6a</b> Construction at Candlestick Point would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of handling, stockpiling, and transport of soil that may contain contaminants.	PS	MM HZ-1a, MM HY-1a.2, and MM HY-1a.1 would apply to this impact.	LTS/M
<b>Impact HZ-6b</b> Construction at HPS Phase II would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of handling, stockpiling, and transport of soil that may contain contaminants.	PS	MM HZ-1b, MM HZ-1a.2, and MM HY-1a.1 would apply to this impact.	LTS/M
<b>Impact HZ-7</b> Construction activities associated with the Project would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials that could be present in stormwater runoff.	PS	MM HZ-1a, MM HY-1a.2, MM HZ-1b, MM HZ-2a.1, and MM HY-1a.1 would apply to this impact.	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact HZ-7a</b> Construction at HPS Phase II would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials that could be present in stormwater runoff.	PS	MM HZ-1a, MM HY-1a.2, MM HZ-2a.1, and MM HY-1a.1 would apply to this impact.	LTS/M
<b>Impact HZ-7b</b> Construction at HPS Phase II would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials that could be present in stormwater runoff.	PS	MM HZ-1b, MM HY-1a.2, MM HZ-2a.1, and MM HY-1a.1 would apply to this impact.	LTS/M
<b>Impact HZ-8</b> Project occupants or visitors in or near portions of HPS Phase II where remediation has not been fully completed would not be exposed to unacceptable levels of hazardous materials.	PS	MM HZ-1b and MM HZ-12 would apply to this impact.	LTS/M
<b>Impact HZ-9</b> Construction at HPS Phase II would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of Yosemite Slough bridge construction.	PS	MM HZ-9 <u>Navy-approved workplans for construction and remediation activities on Navy-owned property.</u> (Applies only to the portions of HPS Phase II on Navy-owned property). Construction activities and remediation activities conducted on behalf of the Agency or the Project Applicant, on Navy-owned property shall be conducted in compliance with all required notices, restrictions, or other requirements set forth in the applicable lease, easement, or license or other form of right of entry and in accordance with a Navy-approved workplan. This mitigation measure also requires that such activities be conducted in accordance with applicable health and safety plans, dust control plans, stormwater pollution prevention plans, community involvement plans, or any other documents or plans required under applicable law. The City/Agency will access Navy property through a lease, license, or easement. The City/Agency shall not undertake any activity or approve any Project Applicant activity on Navy-owned property until the Navy and other agencies with approval authority have approved a workplan for the activity. The requirement to comply with the approved work plans shall be incorporated into and made a condition of any City/Agency approvals related to activities on Navy property. This measure shall be implemented for HPS Phase II through a process established by the City or Agency as explained in MM HZ-1b.	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact HZ-10</b> Construction activities associated with the Project in shoreline areas would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the disturbance of sediment or soil that may contain chemical or radiological contaminants.	PS	<b>MM BI-4a.1, MM BI-4a.2, MM BI-5b.4, MM BI-12b.1, MM HY-1a.1, MM HY-1a.2, MM HZ-1a, MM HZ-2a.1, and MM HZ-10b</b> would apply to this impact	LTS/M
<b>Impact HZ-10a</b> Construction in the shoreline areas at Candlestick Point would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the disturbance of sediment or soil that may contain chemical contaminants.	PS	<b>MM BI-4.a.1, MM BI-4.a.2, MM HY-1a.1, MM HY-1a.2, MM HZ-1a, and MM HZ-2a.1</b> would apply to this impact.	LTS/M
<b>Impact HZ-10b</b> Construction in the shoreline areas at HPS Phase II would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the disturbance of sediment or soil that is radiologically affected or that may contain chemical contaminants.	PS	<b>MM HZ-10b</b> <u>Regulatory Agency–Approved Workplans and Permits for Shoreline Improvements</u> . Prior to undertaking any shoreline improvement activities that would affect sediment at HPS Phase II, the Agency or its contractor or Project Applicant shall prepare appropriate design documents and submit to USEPA, DTSC, RWQCB, and, if necessary, the Navy and CDPH for approval. A Dredged Material Management Office (DMMO) permit shall be obtained. The design documents shall incorporate the necessary shoreline improvements required for each specific area (e.g., including, but not limited to, rock buttressing, pile replacement, backfilling, riprap, or installation of natural-looking shoreline protection using fill and ACB mats) such that remediation (removal of sediment and any necessary dredging) and structural improvements are performed under the same regulatory approvals and permits.  Prior to undertaking any shoreline improvement activities that could affect contaminated sediments left in place and covered or capped with a Navy-installed remedial measure, or that would involve pile replacement in such areas, the Agency or its contractor or Project Applicant shall prepare appropriate design documents that: (1) describes how the cover or cap would be inspected to determine whether proposed shoreline improvements would adversely affect the cover or cap; and (2) describes how construction activities would be performed to mitigate environmental risk and to restore the cover or cap. The design documents shall be submitted to USEPA, DTSC, RWQCB, and, if necessary, the Navy and CDPH for approval. A DMMO permit shall be obtained, as applicable.  Prior to undertaking any shoreline improvements that could encounter contaminated sediments, the Agency or its contractor or Project Applicant shall comply with all requirements incorporated into the design documents, work	LTS/M

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<p><b>Impact HZ-11</b> Construction activities associated with the Project on Navy-owned property, including improvements to existing utilities and installation of new underground utilities, would not expose occupants, construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the disturbance of soil, sediment, or groundwater that may contain contaminants from historic uses, including radiological contaminants.</p>	<p>PS</p>	<p>plans, health and safety plans, dust control plans, and any other document or plan required under the Administrative Order of Consent. This includes all restrictions imposed pursuant to a CERCLA ROD, Petroleum Corrective Action Plan, FOSET, including restrictions imposed in deeds, covenants, and requirements set forth in Land Use Control Remedial Design Documents, Risk Management Plans and health and safety plans. Prior to obtaining a grading, excavation, site, building, or other permit from the City that authorizes remedial activities, SFDPH shall confirm that the work proposed complies with the applicable plans required by the Administrative Order of Consent. This measure shall be implemented through additions to Article 31 or through an equivalent process established by the City or Agency as explained in MM HZ-1b.</p> <p><b>MM HZ-1b, MM HZ-12, MM HY-1a.1, MM HY-1a.2, MM B1-4a.1, MM BI-4a.2, MM BI-5b.4, and MM BI-12b.1</b> would also apply to this impact.</p> <p><b>MM HZ-1b</b> and <b>MM HZ-9</b> would apply to this impact.</p>	<p>LTS/M</p>
<p>● <b>Impact HZ-12</b> Remediation activities conducted on behalf of the City or Project Applicant at the HPS Phase II parcels transferred prior to completion of remediation in an “early transfer” would not expose remediation and construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the disturbance of soil, sediment, and/or groundwater that may contain contaminants from historic uses.</p>	<p>PS</p>	<p><b>MM HZ-12</b> <u>Compliance with Administrative Order on Consent at Early Transferred Parcels.</u> (Applies only at HPS Phase II.) Prior to undertaking any remediation activities at HPS Phase II on property that the Navy has transferred to the Agency as part of an early-transfer, the Agency or its contractor or Project Applicant shall comply with all requirements incorporated into remedial design documents, work plans, health and safety plans, dust control plans, community involvement plans, and any other document or plan required under the Administrative Order of Consent. This includes all notices, restrictions, and requirements imposed pursuant to a CERCLA ROD, Petroleum Corrective Action Plan, FOSET, including restrictions imposed in deeds, covenants, and requirements set forth in Land Use Control Remedial Design Documents, Risk Management Plans, community involvement plans, and health and safety plans. Prior to obtaining a grading, excavation, site, building, or other permit from the City that authorizes remedial activities, SFDPH shall confirm that the work proposed complies with the applicable plans required by the Administrative Order on Consent. This measure shall be implemented through a requirement in the potential additions to Article 31 imposing requirements to parcels other than Parcel A or through an equivalent process established by the City or Agency.</p>	<p>LTS/M</p>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact HZ-13</b> Construction of off-site roadway improvements would not expose construction workers, the public, or the environment to unacceptable levels of hazardous materials as a result of the disturbance of soil or groundwater that may contain contaminants.	LTS	No mitigation is required.	LTS
<b>Impact HZ-14</b> Construction activities associated with the Project would not expose ecological receptors to unacceptable levels of hazardous materials as a result of the disturbance of soil, sediment, and/or groundwater with contaminants from historic uses.	PS	MM HZ-1a, MM HZ-1b, MM HZ-2a.1, MM HZ-9, MM HZ-10b, MM HZ-12, MM HY-1a.1, MM HY-1a.2, MM HY-1a.3, MM BI-4a.1, MM BI-4a.2, and MM BI-12b.1 would apply to this impact.	LTS/M
<b>Impact HZ-14a</b> Construction at Candlestick Point would not expose ecological receptors to unacceptable levels of hazardous materials as a result of the disturbance of soil, sediment, and/or groundwater that may contain contaminants from historic uses.	PS	MM HZ-1a, MM HZ-2a.1, MM HZ-15, MM HY-1a.1, MM HY-1a.2, MM HY-1a.3, MM BI-4a.1, and MM BI-4a.2 would apply to this impact.	LTS/M
<b>Impact HZ-14b</b> Construction at HPS Phase II would not expose ecological receptors to unacceptable levels of hazardous materials as a result of the disturbance of soil, sediment, and/or groundwater that may contain contaminants from historic uses.	PS	MM HZ-1b, MM HZ-1a, MM HZ-9, MM HZ-10b, MM HZ-12, MM HZ-15, MM HY-1a.1, MM HY-1a.2, MM HY-1a.3, MM BI-4a.1, MM BI-4a.2, and MM BI-12b.1 would apply to this impact.	LTS/M

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p><b>Impact HZ-15</b> Construction and grading activities associated with the Project would not disturb soil or rock that could be a source of naturally occurring asbestos in a manner that would present a human health hazard.</p>	<p>PS</p>	<p><b>MM HZ-15</b> <u>Asbestos Dust Mitigation Plans and Dust Control Plans</u>. Prior to obtaining a grading, excavation, site, building or other permit from the City that includes soil disturbance activities, the Project Applicant shall obtain approval of an Asbestos Dust Mitigation Plan (ADMP) from BAAQMD for areas over 1 acre that potentially contain naturally occurring asbestos and approval of a Dust Control Plan (DCP) from SFDPH for all areas at HPS Phase II and for areas over 0.5 acre at Candlestick Point. Compliance with the ADMP and DCP shall be required as a condition of the permit.</p> <p>The ADMP shall be submitted to and approved by the BAAQMD prior to the beginning of construction, and the Project Applicant must ensure the implementation of all specified dust control measures throughout the construction Project. The ADMP shall require compliance with the following specific control measures to the extent deemed necessary by the BAAQMD to meet its standard:</p> <ul style="list-style-type: none"> <li>■ For construction activities disturbing less than one acre of rock containing naturally occurring asbestos, the following specific dust control measures must be implemented in accordance with the asbestos ATCM before construction begins and each measure must be maintained throughout the duration of the construction Project:                             <ul style="list-style-type: none"> <li>&gt; Limit construction vehicle speed at the work site to 15 miles per hour</li> <li>&gt; Sufficiently wet all ground surfaces prior to disturbance to prevent visible dust emissions from crossing the property line</li> <li>&gt; Keep all graded and excavated areas around soil improvement operations, visibly dry unpaved roads, parking and staging areas wetted at least three times per shift daily with reclaimed water during construction to prevent visible dust emissions from crossing the property line. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour</li> <li>&gt; Adequately wet all storage piles, treat with chemical dust suppressants, or cover piles when material is not being added to or removed from the pile</li> <li>&gt; Wash down all equipment before moving from the property onto a paved public road</li> <li>&gt; Clean all visible track out from the paved public road by street sweeping or a HEPA filter equipped vacuum device within 24 hours</li> </ul> </li> <li>■ For construction activities disturbing greater than one acre of rock containing naturally occurring asbestos, construction contractors are required to prepare an ADMP specifying measures that will be taken to ensure that no visible dust crosses the property boundary during construction. The plan must specify the following measures, to the extent deemed necessary by the BAAQMD to meet its standard:                             <ul style="list-style-type: none"> <li>&gt; Prevent and control visible track out from the property onto adjacent paved roads. Sweep with reclaimed water at the end of each day if visible soil material is carried out from property</li> <li>&gt; Ensure adequate wetting or covering of active storage piles</li> </ul> </li> </ul>	<p>LTS/M</p>

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<ul style="list-style-type: none"> <li>&gt; Hydroseed or apply non-toxic soil stabilizers to disturbed surface areas and storage piles greater than ten cubic yards or 500 square feet of excavated materials, backfill material, import material, gravel, sand, road base, and soil that will remain inactive for seven days or more.</li> <li>&gt; Control traffic on on-site unpaved roads, parking lots, and staging areas—including a maximum vehicle speed of 15 miles per hour or less</li> <li>&gt; Control earth moving activities</li> <li>&gt; Provide as much water as necessary to control dust (without creating run-off) in any area of land clearing, earth movement, excavation, drillings, and other dust-generating activity</li> <li>&gt; Control dust emissions from off-site transport of naturally occurring asbestos containing materials</li> <li>&gt; Stabilize disturbed areas following construction</li> </ul> <p>If required by the BAAQMD, air monitoring shall be implemented to monitor for off-site migration of asbestos dust during construction activities, and appropriate protocols shall be established and implemented for notification of nearby schools, property owners, and residents when monitoring results indicate asbestos levels that have exceeded the standards set forth in the plan.</p> <p>The DCP shall be submitted to and approved by the SFDPH prior to the beginning of construction, and the site operator must ensure the implementation of all specified dust control measures throughout the construction Project. The DCP shall require compliance with the following specific mitigation measures to the extent deemed necessary by the SFDPH to achieve no visible dust at the property boundary:</p> <ul style="list-style-type: none"> <li>■ Submission of a map to the Director of Health showing all sensitive receptors within 1,000 feet of the site.</li> <li>■ Keep all graded and excavated areas, areas around soil improvement operations, visibly dry unpaved roads, parking and staging areas wetted at least three times per shift daily with reclaimed water during construction to prevent visible dust emissions from crossing the property line. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour</li> <li>■ Analysis of wind direction and placement of upwind and downwind particulate dust monitors.</li> <li>■ Record keeping for particulate monitoring results.</li> <li>■ Requirements for shutdown conditions based on wind, dust migration, or if dust is contained within the property boundary but not controlled after a specified number of minutes.</li> <li>■ Establishing a hotline for surrounding community members who may be potentially affected by Project-related dust. Contact person shall respond and take corrective action within 48 hours. Post publicly visible signs around the site with the hotline number as well as the phone number of the BAAQMD and make sure the numbers are given to adjacent residents, schools, and businesses.</li> <li>■ Limiting the area subject to construction activities at any one time.</li> <li>■ Installing dust curtains and windbreaks on windward and downwind sides of the property lines, as necessary. Windbreaks on windward side should have no more than 50% air porosity.</li> </ul>	

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<ul style="list-style-type: none"> <li>■ Limiting the amount of soil in trucks hauling soil around the job site to the size of the truck bed and securing with a tarpaulin or ensuring the soil contains adequate moisture to minimize or prevent dust generation during transportation.</li> <li>■ Enforcing a 15 mph speed limit for vehicles entering and exiting construction areas.</li> <li>■ Sweeping affected streets with water sweepers at the end of the day.</li> <li>■ Hiring an independent third party to conduct inspections for visible dust and keeping records of those inspections.</li> <li>■ Minimizing the amount of excavated material or waste materials stored at the site.</li> <li>■ Prevent visible track out from the property onto adjacent paved roads. Sweep with reclaimed water at the end of each day if visible soil material is carried out from property</li> </ul> <p>For all areas, this measure shall be implemented through Article 22B (areas over one half acre) or for HPS Phase II through a requirement in the potential additions to Article 31 imposing requirements to parcels other than Parcel A or through an equivalent process established by the City or Agency.</p>	
<b>Impact HZ-16</b> Construction activities associated with the Project would not result in a health hazard to construction workers, the public, or the environment as a result of the demolition or renovation of existing structures that could include asbestos-containing materials, lead-based paint, PCBs, or fluorescent lights containing mercury.	LTS	No mitigation is required.	LTS
<b>Impact HZ-16a</b> Construction at Candlestick Point would not result in a health hazard to construction workers, the public, or the environment as a result of the demolition or renovation of existing structures that could include asbestos-containing materials, lead-based paint, PCBs, or fluorescent lights containing mercury.	LTS	No mitigation is required.	LTS

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<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact HZ-16b</b> Construction at HPS Phase II would not result in a health hazard to construction workers, the public, or the environment as a result of the demolition or renovation of existing structures that could include asbestos-containing materials, lead-based paint, PCBs, or fluorescent lights containing mercury.	LTS	No mitigation is required.	LTS
<b>Impact HZ-17</b> Construction activities associated with the Project would not expose construction workers to unacceptable levels of hazardous materials in soil, sediment, or groundwater in a manner which would present a human health risk.	PS	<b>MM HZ-2a.2</b> would apply to this impact.	LTS/M
<b>Impact HZ-17a</b> Construction at Candlestick Point would not expose construction workers to unacceptable levels of hazardous materials in soil or groundwater in a manner which would present a human health risk.	PS	<b>MM HZ-2a.2</b> would apply to this impact.	LTS/M
<b>Impact HZ-17b</b> Construction at HPS Phase II would not expose construction workers to unacceptable levels of hazardous materials in soil, sediment, or groundwater in a manner which would present a human health risk.	PS	<b>MM HZ-2a.2</b> would apply to this impact.	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact HZ-18</b> Construction activities associated with the Project would not result in a human health risk involving the disturbance of naturally occurring asbestos, demolition of buildings that could contain hazardous substances in building materials, or possible disturbance of contaminated soils or groundwater within one-quarter mile of an existing school.	PS	MM HZ-1a, MM HZ-1b, MM HZ-2a.1, MM HZ-2a.2, and MM HZ-15 would apply to this impact.	LTS/M
<b>Impact HZ-18a</b> Construction at Candlestick Point would not result in a human health risk involving the disturbance of naturally occurring asbestos, demolition of buildings that could contain hazardous substances in building materials, or possible disturbance of contaminated soils or groundwater within one-quarter mile of an existing school.	PS	MM HZ 1a, HZ-2a.1, MM HZ-2a.2, and MM HZ-15 would apply to this impact.	LTS/M
<b>Impact HZ-18b</b> Construction at HPS Phase II would not result in a human health risk involving the disturbance of naturally occurring asbestos, demolition of buildings that could contain hazardous substances in building materials, or possible disturbance of contaminated soils or groundwater within one-quarter mile of an existing school.	PS	MM HZ-1b, MM HZ-2a.1, MM HZ-2a.2, and MM HZ-15 would apply to this impact.	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact HZ-19</b> Simultaneous construction activities at the Project site would not pose a human health risk from the release of contaminants from historic uses or fill.	PS	MM HZ-1a, MM HZ-1b, MM HZ-9, and MM HZ-15 would apply to this impact.	LTS/M
<b>Impact HZ-20</b> Construction activities associated with the Project would not result in adverse impacts to construction workers, visitors, or the environment from the routine use, storage, transportation, and disposal of hazardous materials.	LTS	No mitigation is required.	LTS
<b>Impact HZ-21</b> Implementation of the Project would not result in adverse impacts to residents, visitors, or the environment from periodic maintenance requiring excavation of site soils to maintain or replace utilities, repair foundations, or make other subsurface repairs.	PS	MM HZ-1a, MM HZ-1b, MM HZ-2a.1, MM HZ-2a.2, MM HZ-9, and MM HZ-12 would apply to this impact.	LTS/M
<b>Impact HZ-21a</b> Implementation of the Project at Candlestick Point would not result in adverse impacts to residents, visitors, or the environment from periodic maintenance requiring excavation of site soils to maintain or replace utilities, repair foundations, or make other subsurface repairs.	PS	MM HZ-1a, MM HZ-2a.1, and MM HZ-2a.2 would apply to this impact.	LTS/M

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<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact HZ-21b</b> Implementation of the Project at HPS Phase II would not result in adverse impacts to residents, visitors, or the environment from periodic maintenance requiring excavation of site soils to maintain or replace utilities, repair foundations, or make other subsurface repairs.	<b>PS</b>	<b>MM HZ-1b, MM HZ-2a.1, MM HZ-2a.2, MM HZ-9, and MM HZ-12</b> would apply to this impact.	<b>LTS/M</b>
<b>Impact HZ-22</b> Implementation of the Project would not result in a significant impact involving the routine use, storage, transportation, and disposal of hazardous materials.	<b>LTS</b>	No mitigation is required.	<b>LTS</b>
<b>Impact HZ-23</b> Implementation of the Project would not pose a human health risk and/or result in an adverse effect on the environment from reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	<b>LTS</b>	No mitigation is required.	<b>LTS</b>
<b>Impact HZ-24</b> Areas designated for research and development uses within HPS Phase II would not pose a human health risk as a result of hazardous air emissions within one-quarter mile of a school.	<b>PS</b>	<b>MM AQ-6.1 and MM AQ-6.2</b> would apply to this impact.	<b>LTS/M</b>
<b>Impact HZ-25</b> The Project site is not within the San Francisco Airport Land Use Policy Plan and the Project would not result in a safety hazard for people residing or working in the Project site.	<b>NI</b>	No mitigation is required.	<b>NI</b>

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<b>Impact HZ-26</b> Implementation of the Project would not occur within the vicinity of a private airstrip and would not result in a safety hazard for people residing or working in the Project site.	NI	No mitigation is required.	NI
<b>Impact HZ-27</b> Implementation of the Project would not expose people or structures to a significant risk of loss, injury, or death involving fires or conflict with emergency response or evacuation plans.	LTS	No mitigation is required.	LTS
<b>SECTION III.L (GEOLOGY AND SOILS)</b>			
<b>Impact GE-1</b> Construction activities associated with the Project would not result in the loss of topsoil caused by soil erosion.	PS	<b>MM HY-1a.1</b> would apply to this impact.	LTS/M
<b>Impact GE-1a</b> Construction at Candlestick Point, including the Yosemite Slough bridge, would not result in the loss of topsoil caused by soil erosion.	PS	<b>MM HY-1a.1</b> would apply to this impact.	LTS/M
<b>Impact GE-1b</b> Construction at HPS Phase II would not result in the loss of topsoil caused by soil erosion.	PS	<b>MM HY-1a.1</b> would apply to this impact.	LTS/M
<b>Impact GE-2</b> Construction activities associated with the Project would not result in damage to structures caused by settlement from lowering of groundwater levels.	PS	<b>MM GE-2a</b> would apply to this impact.	LTS/M

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Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p><b>Impact GE-2a</b> Construction at Candlestick Point and the Yosemite Slough bridge would not result in damage to structures from settlement caused by lowering of groundwater levels.</p>	PS	<p><b>MM GE-2a</b> <u>Mitigation to Minimize Dewatering Impacts during Construction.</u> Prior to the issuance of any permit for a construction activity that would involve dewatering that could affect structures on adjacent or nearby properties, the Applicant shall, in compliance with Section 1803.1 of the <i>San Francisco Building Code</i> (SFBC), include in the permit application methods and techniques to ensure that dewatering would not lower the water table such that unacceptable settlement (as determined by a California Certified Engineering Geologist [CEG] or California Registered Geotechnical Engineer [GE]) at adjacent or nearby properties would occur. Such methods and technologies shall be based on the specific conditions at the construction site and could include, but are not necessarily limited to, the following:</p> <ul style="list-style-type: none"> <li>■ Excavating below the groundwater table in confined areas with steel sheet piling driven below the base elevation of the proposed excavation, installation of bracing to support the excavation walls as required and, if necessary, underpinning the foundations of adjacent structures. Subsequently, the excavation would be carried out and seepage that enters the dammed area would be pumped out.</li> <li>■ Perform dewatering using methods such as wellpoint systems, drainage ditches, and sump pumps.</li> </ul> <p>The excavation or dewatering methods shall be monitored to detect ground settlement and to monitor individual dewatering activities in the vicinity of an excavation. Monitoring results shall be submitted to the San Francisco Department of Building Inspection (DBI). In the event of unacceptable ground movement, as determined by DBI inspections and/or the review of monitoring results, all excavation work shall cease and corrective measures (including, for example, different dewatering methods and/or ground stabilization methods) shall be determined by the Project CEG or GE and reviewed and approved by DBI. No construction permit involving dewatering would be issued until the Project CEG or GE and DBI have approved dewatering and/or ground stabilization methods. The Project CEG or GE shall implement the corrective measures and continue monitoring activities.</p>	LTS/M
<p><b>Impact GE-2b</b> Construction at HPS Phase II would not result in damage to structures caused by settlement from lowering of groundwater levels.</p>	PS	<p><b>MM GE-2a</b> would apply to this impact.</p>	LTS/M

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Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<b>Impact GE-3</b> Rock removal activities at the Alice Griffith Public Housing site and the Jamestown area would not result in damage to structures from vibration and/or settlement caused by the fracturing of bedrock for excavation.	PS	<p><b>MM GE-3</b> <u>Mitigation to Minimize Rock Fragmentation Impacts during Construction.</u> Prior to the issuance of any permit for a construction activity that would involve controlled rock fragmentation that could cause settlement or lateral movement of structures on adjacent or nearby properties, the Applicant shall, in compliance with Section 1803.1 of the <i>San Francisco Building Code</i> (SFBC), include in the permit application methods and techniques to ensure that controlled rock fragmentation would not cause unacceptable vibration and/or settlement or lateral movement of structures at adjacent or nearby properties. Such methods and technologies shall be based on the specific conditions at the construction site such as, but not limited to, the following:</p> <ul style="list-style-type: none"> <li>■ Pre-excavation surveying of potentially affected structures.</li> <li>■ Underpinning of foundations of potentially affected structures, as necessary.</li> </ul> <p>The excavation plan shall include a monitoring program to detect ground settlement or lateral movement of structures in the vicinity of an excavation. Monitoring results shall be submitted to DBI. In the event of unacceptable ground movement, as determined by DBI inspections, all excavation work shall cease and corrective measures shall be implemented. The controlled rock fragmentation program and ground stabilization measures shall be reevaluated and approved by the DBI.</p>	LTS/M
<b>Impact GE-4</b> Implementation of the Project would not expose people and structures to substantial adverse effects caused by seismically induced groundshaking.	PS	<b>MM GE-4a.1</b> , <b>MM GE-4a.2</b> , and <b>MM GE-4a.3</b> would apply to this impact.	LTS/M
<b>Impact GE-4a</b> Implementation of the Project at Candlestick Point, including the Yosemite Slough bridge and Alice Griffith Housing, would not expose people or structures to substantial adverse effects caused by seismically induced groundshaking.	PS	<p><b>MM GE-4a.1</b> <u>Site-Specific Geotechnical Investigation with Seismic Analyses.</u> Prior to the issuance of any building permits for the Project site:</p> <ul style="list-style-type: none"> <li>■ The Applicant shall submit to the San Francisco Department of Building Inspection (DBI) for review and approval a site-specific, design-level geotechnical investigation prepared by a California Certified Engineering Geologist (CEG) or California Registered Geotechnical Engineer (GE), as well as project plans prepared in compliance with the requirements of the San Francisco Building Code (SFBC), the Seismic Hazards Mapping Act, and requirements contained in CGS Special Publication 117A “Guidelines for Evaluating and Mitigating Seismic Hazards in California.” In addition, all engineering practices and analyses of peak ground accelerations and structural design shall be consistent with SFBC standards to ensure that structures can withstand expected ground accelerations. The CEG or GE shall determine and DBI shall approve design requirements for foundations and all other improvements associated with the permit application.</li> <li>■ DBI shall employ a third-party CEG and California Registered Professional Engineer (Civil) (PE) to form a Geotechnical Peer Review Committee (GPRC), consisting of DBI and these third-party reviewers. The GPRC shall review the site-specific geotechnical investigations and the site-specific structural, foundation, infrastructure, and other relevant plans to ensure that these plans incorporate all necessary geotechnical mitigation measures. No permits shall be issued by DBI until the GPRC has approved the geotechnical</li> </ul>	LTS/M

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<p>investigation and the Project plans, including the factual determinations and the proposed engineering designs and construction methods.</p> <ul style="list-style-type: none"> <li>■ All Project structural designs shall incorporate and conform to the requirements in the site-specific geotechnical investigations.</li> <li>■ The Project CEG or GE shall be responsible for ensuring compliance with these requirements.</li> </ul> <p><b>MM GE-4a.2 Seismic Design Compliance Documentation.</b> Prior to the issuance of building permits for the replacement of the Alice Griffith Public Housing site, the Applicant shall submit any and all seismic design compliance documentation to the HUD, as required by that agency. The Project Developer shall confirm, by copy of all documents submitted, including transmittal, compliance with this requirement to DBI. The Project California Certified Engineering Geologist (CEG) or California Registered Geotechnical Engineer (GE) shall be responsible for verifying Project compliance with this requirement.</p> <p><b>MM GE-4a.3 Site-specific Seismic Analyses to Ensure Safety of Bridge Design.</b> Prior to the issuance of any building permits for the Project site, the California Certified Engineering Geologist (CEG) or California Registered Geotechnical Engineer (GE) for the Project shall confirm that the design-level geotechnical investigation for the Yosemite Slough bridge is based on Caltrans specifications (<i>Bridge Design Specifications</i>, Section 20 of <i>Bridge Memos to Designers</i>, <i>Seismic Design Criteria</i> as previously described) and meets the San Francisco Department of Public Works Bureau of Engineering (BOE) requirements. The Project CEG or GE and California Registered Structural Engineer (SE) shall approve bridge design. No building permits shall be issued until the CEG or GE and SE verify that the Project's bridge design complies with all Caltrans specifications and BOE requirements.</p>	
<b>Impact GE-4b</b> Implementation of the Project at HPS Phase II would not expose people and structures to substantial adverse effects caused by seismically induced groundshaking.	PS	<b>MM GE-4a.1</b> would apply to this impact.	LTS/M
<b>Impact GE-5</b> Implementation of the Project would not expose people or structures to substantial adverse effects caused by seismically induced ground failure such as liquefaction, lateral spreading, and settlement.	PS	<b>MM GE-4a.1, MM GE-4a.2, MM GE-4a.3, and MM GE-5a</b> would apply to this impact.	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<p><b>Impact GE-5a</b> Implementation of the Project at Candlestick Point, including the Alice Griffith Housing and Yosemite Slough bridge, would not expose people or structures to substantial adverse effects caused by seismically induced ground failure such as liquefaction, lateral spreading, and settlement.</p>	<p><b>PS</b></p>	<p><b>MM GE-5a</b> <u>Site-Specific Geotechnical Investigation with Analyses of Liquefaction, Lateral Spreading and/or Settlement</u>. Prior to issuance of building permits for the Project site:</p> <ul style="list-style-type: none"> <li>■ The Applicant shall submit to the San Francisco Department of Building Inspection (DBI) for review and approval a site-specific, design-level geotechnical investigation prepared by a California Certified Engineering Geologist (CEG) or California Registered Geotechnical Engineer (GE), as well as project plans prepared in compliance with the requirements of the San Francisco Building Code (SFBC), the Seismic Hazards Mapping Act, and requirements contained in CGS Special Publication 117A "Guidelines for Evaluating and Mitigating Seismic Hazards in California." In addition, all engineering practices, and analyses of structural design shall be consistent with SFBC standards to ensure seismic stability, including reduction of potential liquefaction hazards.</li> <li>■ DBI shall employ a third-party CEG and California Registered Professional Engineer (Civil) (PE) to form a Geotechnical Peer Review Committee (GPRC), consisting of DBI and these third-party reviewers. The GPRC shall review the site-specific geotechnical investigations and the site-specific structural, foundation, infrastructure, and other relevant plans to ensure that these plans incorporate all necessary geotechnical mitigation measures. No permits shall be issued by DBI until the GPRC has approved the geotechnical investigation and the Project plans, including the factual determinations and the proposed engineering designs and construction methods.</li> <li>■ All Project structural designs shall incorporate and conform to the requirements in the site-specific geotechnical investigations.</li> <li>■ The site-specific Project plans shall incorporate the mitigation measures contained in the approved site-specific geotechnical reports to reduce liquefaction hazards. The engineering design techniques to reduce liquefaction hazards shall include proven methods generally accepted by California Certified Engineering Geologists, subject to DBI and GPRC review and approval, including, but not necessarily limited to: <ul style="list-style-type: none"> <li>&gt; Structural Measures <ul style="list-style-type: none"> <li>○ Construction of deep foundations, which transfer loads to competent strata beneath the zone susceptible to liquefaction, for critical utilities and shallow foundations</li> <li>○ Structural mat foundations to distribute concentrated load to prevent damage to structures</li> </ul> </li> <li>&gt; Ground Improvement Measures <ul style="list-style-type: none"> <li>○ Additional over-excavation and replacement of unstable soil with engineering-compacted fill</li> <li>○ Dynamic compaction, such as Deep Dynamic Compaction (DDC) or Rapid Impact Compaction (RIC), to densify loose soils below the groundwater table</li> <li>○ Vibro-compaction, sometimes referred to as vibro-floatation, to densify loose soils below the groundwater table</li> <li>○ Stone columns to provide pore pressure dissipation pathways for soil, compact loose soil between columns, and provide additional bearing support beneath foundations</li> </ul> </li> </ul> </li> </ul>	<p><b>LTS/M</b></p>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<ul style="list-style-type: none"> <li>o Soil-cement columns to densify loose soils and provide additional bearing support beneath foundations</li> <li>■ The Project CEG or GE shall be responsible for ensuring compliance with these requirements.</li> </ul> <p><b>MM GE-4a.1, MM GE-4a.2, and MM GE-4a.3</b> would also apply to this impact.</p>	
<b>Impact GE-5b</b> Implementation of the Project at HPS Phase II would not expose people or structures to substantial adverse effects caused by seismically induced ground failure such as liquefaction, lateral spreading, and settlement.	PS	<b>MM GE-4a.1</b> and <b>MM GE-5a</b> would apply to this impact.	LTS/M
<b>Impact GE-6</b> Implementation of the Project would not expose people or structures to substantial adverse effects caused by seismically induced landslides.	PS	<b>MM GE-4a.2</b> and <b>MM GE-6a</b> would apply to this impact.	LTS/M
<b>Impact GE-6a</b> Implementation of the Project at Candlestick Point, including the Alice Griffith Housing, would not expose people or structures to substantial adverse effects caused by seismically induced landslides.	PS	<p><b>MM GE-6a</b> <u>Site-Specific Geotechnical Investigation with Landslide Risk Analyses</u>. Prior to issuance of building permits for the Project site:</p> <ul style="list-style-type: none"> <li>■ The Applicant shall submit to the San Francisco Department of Building Inspection (DBI) for review and approval a site-specific, design-level geotechnical investigation prepared by a California Certified Engineering Geologist (CEG) or California Registered Geotechnical Engineer (GE), as well as project plans prepared in compliance with the requirements of the San Francisco Building Code (SFBC), the Seismic Hazards Mapping Act, and requirements contained in CGS Special Publication 117A "Guidelines for Evaluating and Mitigating Seismic Hazards in California." In addition, all engineering practices, and analyses of structural design shall be consistent with SFBC standards to ensure seismic stability, including reduction of potential landslide hazards.</li> <li>■ DBI shall employ a third-party CEG and California Registered Professional Engineer (Civil) (PE) to form a Geotechnical Peer Review Committee (GPRC), consisting of DBI and these third-party reviewers. The GPRC shall review the site-specific geotechnical investigations and the site-specific structural, foundation, infrastructure, and other relevant plans to ensure that these plans incorporate all necessary geotechnical mitigation measures. No permits shall be issued by DBI until the GPRC has approved the geotechnical investigation and the Project plans, including the factual determinations and the proposed engineering designs and construction methods.</li> </ul>	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<ul style="list-style-type: none"> <li>■ All Project structural designs shall incorporate and conform to the requirements in the site-specific geotechnical investigations.</li> <li>■ The site-specific Project plans shall incorporate the mitigation measures contained in the approved site-specific geotechnical reports to reduce landslide hazards. The engineering design techniques to reduce landslide hazards shall include proven methods generally accepted by California Certified Engineering Geologists, subject to DBI and GPRC review and approval. The design-level geologic and geotechnical studies shall identify the presence of landslides and potentially unstable slopes and shall identify means to avoid the hazard or support the design of engineering procedures to stabilize the slopes, as required by Chapter 18 (Soils and Foundations) of the SFBC, as well as the procedures outlined in CGS Special Publication 117A. SFBC Sections 1803 through 1812 contain the formulae, tables, and graphs by which the Project engineer shall develop the Project's slope-stability specifications, including the appropriate foundation designs for structures on slopes and which would be used by DBI to verify the applicability of the specifications. If the presence of unstable slopes is identified, appropriate support and protection procedures shall be designed and implemented to maintain the stability of slopes adjacent to newly graded or re-graded access roads, work areas, and structures during and after construction, and to minimize potential for damage to structures and facilities at the Project site. These stabilization procedures, including, but not necessarily limited to, the following:               <ul style="list-style-type: none"> <li>&gt; Retaining walls, rock buttresses, screw anchors, or concrete piers</li> <li>&gt; Slope drainage or removal of unstable materials</li> <li>&gt; Rockfall catch fences, rockfall mesh netting, or deflection walls</li> <li>&gt; Setbacks at the toe of slopes</li> <li>&gt; Avoidance of highly unstable areas</li> </ul> </li> <li>■ The Project CEG or GE shall be responsible for ensuring compliance with these requirements.</li> </ul> <p><b>MM GE-4a.2</b> and <b>MM GE-6a</b> would also apply to this impact.</p>	
<b>Impact GE-6b</b> Implementation of the Project at HPS Phase II would not expose people or structures to substantial adverse effects caused by seismically induced landslides.	<b>NI</b>	No mitigation is required.	<b>NI</b>
<b>Impact GE-7</b> Implementation of the Project would not expose people or structures to substantial adverse effects caused by shoreline instability.	<b>PS</b>	<b>MM HY-12a.1</b> would apply to this impact.	<b>LTS/M</b>

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<b>Impact GE-7a</b> Implementation of the Project at Candlestick Point would not expose people or structures to substantial adverse effects caused by shoreline instability.	PS	MM HY-12a.1 would apply to this impact.	LTS/M
<b>Impact GE-7b</b> Implementation of the Project at HPS Phase II would not expose people or structures to substantial adverse effects caused by shoreline instability.	PS	MM HY-12a.1 would apply to this impact.	LTS/M
<b>Impact GE-8</b> Implementation of the Project would not expose people or structures to substantial adverse effects caused by landslides.	PS	MM GE-6a would apply to this impact.	LTS/M
<b>Impact GE-8a</b> Implementation of the Project at Candlestick Point would not expose people or structures to substantial adverse effects caused by landslides.	PS	MM GE-6a would apply to this impact.	LTS/M
<b>Impact GE-8b</b> Implementation of the Project at HPS Phase II would not expose people or structures to substantial adverse effects caused by landslides.	PS	MM GE-6a would apply to this impact.	LTS/M
<b>Impact GE-9</b> Implementation of the Project would not expose people or structures to substantial adverse effects caused by damage from settlement.	PS	MM GE-4a.2, MM GE-4a.3, and MM GE-5a would apply to this impact.	LTS/M

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<b>Impact GE-9a</b> Implementation of the Project at Candlestick Point, including Alice Griffith Housing and the Yosemite Slough bridge, would not expose people or structures to substantial adverse effects caused by damage from settlement.	PS	MM GE-4a.2, MM GE-4a.3, and MM GE-5a would apply to this impact.	LTS/M
<b>Impact GE-9b</b> Implementation of the Project at HPS Phase II would not expose people or structures to substantial adverse effects caused by damage from settlement.	PS	MM GE-5a would apply to this impact.	LTS/M
<b>Impact GE-10</b> Implementation of the Project would not expose people or structures to substantial adverse effects caused by expansive soils.	PS	MM GE-4a.1, MM GE-4a.2, GE-4a.3, and MM GE-10a would apply to this impact.	LTS/M
<b>Impact GE-10a</b> Implementation of the Project at Candlestick Point, including Alice Griffith Housing and the Yosemite Slough bridge, would not expose people or structures to substantial adverse effects caused by expansive soils.	PS	<p><b>MM GE-10a</b> <u>Site-Specific Geotechnical Investigation with Expansive Soils Analyses</u>. Prior to issuance of building permits for the Project site:</p> <ul style="list-style-type: none"> <li>■ The Applicant shall submit to the San Francisco Department of Building Inspection (DBI) for review and approval a site-specific, design-level geotechnical investigation prepared by a California Certified Engineering Geologist (CEG) or California Registered Geotechnical Engineer (GE), as well as project plans prepared in compliance with the requirements of the San Francisco Building Code (SFBC). In addition, all engineering practices, and analyses of structural design shall be consistent with SFBC standards to ensure soils stability, including reduction of potential soil expansion hazards.</li> <li>■ DBI shall employ a third-party CEG and California Registered Professional Engineer (Civil) (PE) to form a Geotechnical Peer Review Committee (GPRC), consisting of DBI and these third-party reviewers. The GPRC shall review the site-specific geotechnical investigations and the site-specific structural, foundation, infrastructure, and other relevant plans to ensure that these plans incorporate all necessary geotechnical mitigation measures. No permits shall be issued by DBI until the GPRC has approved the geotechnical investigation and the Project plans, including the factual determinations and the proposed engineering designs and construction methods.</li> <li>■ All Project structural designs shall incorporate and conform to the requirements in the site-specific geotechnical investigations.</li> </ul>	LTS/M

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Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<ul style="list-style-type: none"> <li>The site-specific Project plans shall incorporate the mitigation measures contained in the approved site-specific geotechnical reports to reduce expansive soils hazards. The engineering design techniques to reduce expansive soils hazards shall include proven methods generally accepted by California Certified Engineering Geologists, subject to DBI and GPRC review and approval. The design-level geologic and geotechnical studies shall identify the presence of expansive soils and potentially unstable soils and shall identify means to avoid the hazard or support the design of engineering procedures to stabilize the soils, as required by Chapter 18 (Soils and Foundations) of the SFBC. SFBC Sections 1803 through 1812 contain the formulae, tables, and graphs by which the Project engineer shall develop the Project's soil-stability specifications, including the appropriate foundation designs for structures on expansive soils and which would be used by DBI to verify the applicability of the specifications. If the presence of expansive soils is identified, appropriate support and protection procedures shall be designed and implemented to maintain the stability of soils adjacent to newly graded or re-graded access roads, work areas, and structures during and after construction, and to minimize potential for damage to structures and facilities at the Project site.</li> <li>The Project CEG or GE shall be responsible for ensuring compliance with these requirements.</li> </ul> <p><b>MM GE-4a.2</b>, and <b>MM GE-4a.3</b> would also apply to this impact.</p>	
<b>Impact GE-10b</b> Implementation of the Project at HPS Phase II would not expose people or structures to substantial adverse effects caused by expansive soils.	PS	<b>MM GE-10a</b> would apply to this impact.	LTS/M
<b>Impact GE-11</b> Implementation of the Project would not expose people or structures to substantial adverse effects caused by corrosive soils.	PS	<b>MM GE-4a.2</b> , <b>MM GE-4a.3</b> , and <b>MM GE-11a</b> would apply to this impact.	LTS/M
<b>Impact GE-11a</b> Implementation of the Project at Candlestick Point, including Alice Griffith Housing and the Yosemite Slough bridge, would not expose people or structures to substantial adverse effects caused by corrosive soils.	PS	<p><b>MM GE-11a</b> <u>Site-Specific Geotechnical Investigation with Corrosive Soils Analyses</u>. Prior to issuance of building permits for the Project site:</p> <ul style="list-style-type: none"> <li>The Applicant shall submit to the San Francisco Department of Building Inspection (DBI) for review and approval a site-specific, design-level geotechnical investigation prepared by a California Certified Engineering Geologist (CEG) or California Registered Geotechnical Engineer (GE), as well as project plans prepared in compliance with the requirements of the San Francisco Building Code (SFBC). In addition, all engineering practices, and analyses of structural design shall be consistent with SFBC standards to ensure soils stability, including reduction of potential hazards from corrosive soils.</li> <li>DBI shall employ a third-party CEG and California Registered Professional Engineer (Civil) (PE) to form a Geotechnical Peer Review Committee (GPRC), consisting of DBI and these third-party reviewers. The GPRC shall review the site-specific geotechnical investigations and the site-specific structural, foundation,</li> </ul>	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<p>infrastructure, and other relevant plans to ensure that these plans incorporate all necessary geotechnical mitigation measures. No permits shall be issued by DBI until the GPRC has approved the geotechnical investigation and the Project plans, including the factual determinations and the proposed engineering designs and construction methods.</p> <ul style="list-style-type: none"> <li>■ All Project structural designs shall incorporate and conform to the requirements in the site-specific geotechnical investigations.</li> <li>■ The site-specific Project plans shall incorporate the mitigation measures contained in the approved site-specific geotechnical reports to reduce potential hazards from corrosive soils. The engineering design techniques to reduce corrosive soils hazards shall include proven methods generally accepted by California Certified Engineering Geologists, subject to DBI and GPRC review and approval. The design-level geologic and geotechnical studies shall identify the presence of corrosive soils and shall identify means to avoid the hazard, as required by Chapter 18 (Soils and Foundations) of the SFBC. SFBC Sections 1803 through 1812 contain the formulae, tables, and graphs by which the Project engineer shall develop the Project's structural design specifications, including the appropriate foundation designs for structures on corrosive soils and which would be used by DBI to verify the applicability of the specifications. If the presence of corrosive soils is identified, appropriate protection procedures shall be designed and implemented to minimize potential for damage from corrosive soils to structures and facilities at the Project site.</li> <li>■ The Project CEG or GE shall be responsible for ensuring compliance with these requirements.</li> </ul> <p><b>MM GE-4a.2</b> and <b>MM GE-4a.3</b> would also apply to this impact.</p>	
<b>Impact GE-11b</b> Implementation of the Project at HPS Phase II would not expose people or structures to substantial adverse effects caused by corrosive soils.	<b>PS</b>	<b>MM GE-11a</b> would apply to this impact.	<b>LTS/M</b>
<b>Impact GE-12</b> Implementation of the Project would not expose people or structures to substantial adverse effects caused by surface fault rupture.	<b>NI</b>	No mitigation is required.	<b>NI</b>
<b>Impact GE-13</b> Implementation of the Project would not result in the use of soils incapable of adequately supporting septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.	<b>NI</b>	No mitigation is required.	<b>NI</b>

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<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact GE-14</b> Implementation of the Project would not result in a substantial change of topography or destruction of unique geologic features.	NI	No mitigation is required.	NI
<b>SECTION III.M (HYDROLOGY AND WATER QUALITY)</b>			
<b>Impact HY-1</b> Construction activities associated with the Project would not cause an exceedance of water quality standards or contribute to or cause a violation of waste discharge requirements.	PS	<b>MM HY-1a.1, MM HY-1a.2, MM HY-1a.3, MM BI-4a.1, MM HZ-12, MM HZ-15, MM HZ-10b, MM BI-4a.2, MM BI-5b.4, MM BI-12b.1, MM BI-12b.2, MM HZ-1a, MM HZ-2a.1, and MM HZ-9</b> would apply to this impact.	LTS/M
<b>Impact HY-1a</b> Construction at Candlestick Point would not cause an exceedance of water quality standards or contribute to or cause a violation of waste discharge requirements.	PS	<p><b>MM HY-1a.1 Storm Water Pollution Prevention Plan: Combined Storm Sewer System.</b> In compliance with the Article 4.1 of the Public Works Code and the City's Construction Site Water Pollution Prevention Program, the Project Applicant shall submit a site-specific Storm Water Pollution Prevention Plan (SWPPP) to the SFPUC for approval, prior to initiating construction activities in areas draining to the combined sewer system. The SFPUC requires implementation of appropriate Best Management Practices (BMPs) from the California Stormwater Quality Association Stormwater BMP Handbook- Construction or the Caltrans Construction Site BMPs Manual. In accordance with SFPUC's requirements, the SWPPP shall include:</p> <ul style="list-style-type: none"> <li>■ An Erosion and Sediment Control Plan that includes a site map illustrating the BMPs that will be used to minimize on-site erosion and the sediment discharge into the combined sewer system, and a narrative description of those BMPs. Appropriate BMPs for Erosion and Sediment Control Plan may include:                             <ul style="list-style-type: none"> <li>&gt; Scheduling—Develop a schedule that includes sequencing of construction activities with the implementation of appropriate BMPs. Perform construction activities and control practices in accordance with the planned schedule. Schedule work to minimize soil-disturbing activities during the rainy season. Schedule major grading operations for the dry season when practical. Monitor the weather forecast for rainfall and adjust the schedule as appropriate.</li> <li>&gt; Erosion Control BMPs—Preserve existing vegetation where feasible, apply mulch or hydroseed areas with native, non-invasive species, until permanent stabilization is established, and use soil binders, geotextiles and mats, earth dikes and drainage swales, velocity dissipation devices, slope drains, or polyacrylamide to protect soil from erosion.</li> <li>&gt; Wind Erosion BMPs—Apply water or other dust palliatives to prevent dust nuisance; prevent overwatering which can cause erosion. Alternatively, cover small stockpiles or areas that remain inactive for seven or more days.</li> </ul> </li> </ul>	LTS/M

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<ul style="list-style-type: none"> <li>&gt; Sediment Control BMPs—Install silt fences, sediment basins, sediment traps, check dams, fiber rolls, sand or gravel bag barriers, straw bale barriers, approved chemical treatment, and storm drain inlet protection to minimize the discharge of sediment. Employ street sweeping to remove sediment from streets.</li> <li>&gt; Tracking Controls—Stabilize the construction site entrance to prevent tracking of sediment onto public roads by construction vehicles. Stabilize on-site vehicle transportation routes immediately after grading to prevent erosion and control dust. Install a tire wash area to remove sediment from tires and under carriages.</li> <li>■ Non-Stormwater Management BMPs that may include water conservation practices; dewatering practices that minimize sediment discharges; and BMPs for: paving and grinding activities; identifying illicit connections and illegal dumping; irrigation and other planned or unplanned discharges of potable water; vehicle and equipment cleaning, fueling, and maintenance; concrete curing and finishing; temporary batch plants; implementing shoreline improvements and working over water. Discharges from dewatering activities shall comply with the SFPUC’s Batch Wastewater Discharge Requirements that regulate influent concentrations for various constituents.</li> <li>■ Waste Management BMPs shall be implemented for material delivery, use, and storage; stockpile management; spill prevention and control; solid and liquid waste management; hazardous waste management; contaminated soil management; concrete waste management; and septic/sanitary waste management.</li> <li>■ SWPPP Training Requirements—Construction personnel will receive training on the SWPPP and BMP implementation.</li> <li>■ Site Inspections and BMP Maintenance—An inspector identified in the SWPPP will inspect the site on a regular basis, before and after a storm event, and once each 24-hour period during extended storms to identify BMP effectiveness and implement corrective actions if required. The SWPPP shall include checklists that document when the inspections occurred, the results of the inspection, required corrective measures, and when corrective measures were implemented. Required BMP maintenance related to a storm event shall be completed within 48 hours of the storm event.</li> </ul> <p><b>MM HY-1a.2 Stormwater Pollution Prevention Plan: Separate Storm Sewer System.</b> Consistent with the requirements of the SWRCB General Permit for Storm Water Discharges Associated with Construction and Land Disturbing Activities (Construction General Permit), the Project Applicant shall undertake the proposed Project in accordance with a project-specific Storm Water Pollution Prevention Plan (SWPPP) prepared by Qualified SWPPP Developer, who shall consult with California State Parks on those elements of the SWPPP that cover the Candlestick Park State Recreation Area, including selection of best management practices and other SWPPP improvements. The SFRWQCB, the primary agency responsible for protecting water quality within the project area, is responsible for reviewing and ensuring compliance with the SWPPP. This review is based on the Construction General Permit issued by the SWRCB.</p> <p>The SWPPP shall include, as applicable, all Best Management Practices (BMPs) required in Attachment C of the Construction General Permit for Risk Level 1 dischargers, Attachment D for Risk Level 2 dischargers, or</p>	

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		<p>Attachment E for Risk Level 3 dischargers. In addition, recommended BMPs, subject to review and approval by the SFRWQCB, include the measures listed below. However, the measures themselves may be altered, supplemented, or deleted during the SFRWQCB's review process, since the SFRWQCB has final authority over the terms of the SWPPP.</p> <ul style="list-style-type: none"> <li>■ Scheduling:                             <ul style="list-style-type: none"> <li>&gt; To reduce the potential for erosion and sediment discharge, schedule construction to minimize ground disturbance during the rainy season. Schedule major grading operations during the dry season when practical, and allow enough time before rainfall begins to stabilize the soil with vegetation or to install sediment-trapping devices.</li> <li>&gt; Sequence construction activities to minimize the amount of time that soils remain disturbed.</li> <li>&gt; Stabilize all disturbed soils as soon as possible following the completion of ground disturbing work.</li> <li>&gt; Install erosion and sediment control BMPs prior to the start of any ground-disturbing activities.</li> </ul> </li> <li>■ Erosion and Sedimentation:                             <ul style="list-style-type: none"> <li>&gt; Preserve existing vegetation in areas where no construction activity is planned or where construction activity will occur at a later date.</li> <li>&gt; Stabilize and re-vegetate disturbed areas as soon as possible after construction with planting, seeding, and/or mulch (e.g., straw or hay, erosion control blankets, hydromulch, or other similar material) except in actively cultivated areas. Planting and seeding shall use native, non-invasive species.</li> <li>&gt; Install silt fences, coir rolls, and other suitable measures around the perimeter of the areas affected by construction and staging areas and around riparian buffers, storm drains, temporary stockpiles, spoil areas, stream channels, swales, down-slope of all exposed soil areas, and in other locations determined necessary to prevent off-site sedimentation.</li> <li>&gt; Install temporary slope breakers during the rainy season on slopes greater than 5 percent where the base of the slope is less than 50 feet from a water body, wetland, or road crossing at spacing intervals required by the SFRWQCB.</li> <li>&gt; Use filter fabric or other appropriate measures to prevent sediment from entering storm drain inlets.</li> <li>&gt; Detain and treat stormwater using sedimentation basins, sediment traps, baker tanks, or other measures to ensure that discharges to receiving waters meet applicable water quality objectives.</li> <li>&gt; Install check dams, where applicable, to reduce flow velocities. Check dams reduce erosion and allow sediment to settle out of runoff.</li> <li>&gt; Install outlet protection/energy dissipation, where applicable, to prevent scour of the soil caused by concentrated high velocity flows.</li> <li>&gt; Implement control measures such as spraying water or other dust palliatives to alleviate nuisance caused by dust.</li> </ul> </li> </ul>	

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		<ul style="list-style-type: none"> <li>■ Groundwater/Dewatering:                             <ul style="list-style-type: none"> <li>&gt; Prepare a dewatering plan prior to excavation specifying methods of water collection, transport, treatment, and discharge of all water produced by construction site dewatering.</li> <li>&gt; Impound water produced by dewatering in sediment retention basins or other holding facilities to settle the solids and provide other treatment as necessary prior to discharge to receiving waters. Locate sedimentation basins and other retention and treatment facilities away from waterways to prevent sediment-laden water from reaching streams.</li> <li>&gt; Control discharges of water produced by dewatering to prevent erosion.</li> <li>&gt; If contaminated groundwater is encountered, contact the SFRWQCB for appropriate disposal options. Depending on the constituents of concern, such discharges may be disallowed altogether, or require regulation under a separate general or individual permit that would impose appropriate treatment requirements prior to discharge to the stormwater drainage system.</li> </ul> </li> <li>■ Tracking Controls:                             <ul style="list-style-type: none"> <li>&gt; Grade and stabilize construction site entrances and exits to prevent runoff from the site and to prevent erosion.</li> <li>&gt; Install a tire washing facility at the site access to allow for tire washing when vehicles exit the site.</li> <li>&gt; Remove any soil or sediment tracked off paved roads during construction by street sweeping.</li> </ul> </li> <li>■ Non-stormwater Controls:                             <ul style="list-style-type: none"> <li>&gt; Place drip pans under construction vehicles and all parked equipment.</li> <li>&gt; Check construction equipment for leaks regularly.</li> <li>&gt; Wash construction equipment in a designated enclosed area regularly.</li> <li>&gt; Contain vehicle and equipment wash water for percolation or evaporative drying away from storm drain inlets.</li> <li>&gt; Refuel vehicles and equipment away from receiving waters and storm drain inlets, contain the area to prevent run-on and run-off, and promptly cleanup spills.</li> <li>&gt; Cover all storm drain inlets when paving or applying seals or similar materials to prevent the discharge of these materials.</li> </ul> </li> <li>■ Waste Management and Hazardous Materials Pollution Control:                             <ul style="list-style-type: none"> <li>&gt; Remove trash and construction debris from the project area daily.</li> <li>&gt; Locate sanitary facilities a minimum of 300 feet from receiving waters. Maintain sanitary facilities regularly.</li> <li>&gt; Store all hazardous materials in an area protected from rainfall and stormwater run-on and prevent the off-site discharge of hazardous materials.</li> </ul> </li> </ul>	

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		<ul style="list-style-type: none"> <li>&gt; Minimize the potential for contamination of receiving waters by maintaining spill containment and cleanup equipment on site, and by properly labeling and disposing of hazardous wastes.</li> <li>&gt; Locate waste collection areas close to construction entrances and away from roadways, storm drains, and receiving waters.</li> <li>&gt; Inspect dumpsters and other waste and debris containers regularly for leaks and remove and properly dispose of any hazardous materials and liquid wastes placed in these containers.</li> <li>&gt; Train construction personnel in proper material delivery, handling, storage, cleanup, and disposal procedures.</li> <li>&gt; Implement construction materials management BMPs for:                             <ul style="list-style-type: none"> <li>&gt; Road paving, surfacing and asphalt removal activities.</li> <li>&gt; Handling and disposal of concrete and cement.</li> </ul> </li> <li>■ <b>BMP Inspection, Maintenance, and Repair:</b> <ul style="list-style-type: none"> <li>&gt; Inspect all BMPs on a regular basis to confirm proper installation and function. Inspect BMPs daily during storms.</li> <li>&gt; Immediately repair or replace BMPs that have failed. Provide sufficient devices and materials (e.g., silt fence, coir rolls, erosion blankets, etc.) throughout project construction to enable immediate corrective action for failed BMPs.</li> </ul> </li> <li>■ <b>Monitoring and Reporting:</b> <ul style="list-style-type: none"> <li>&gt; Provide the required documentation for SWPPP inspections, maintenance, and repair requirements. Personnel that will perform monitoring and inspection activities shall be identified in the SWPPP.</li> <li>&gt; Maintain written records of inspections, spills, BMP-related maintenance activities, corrective actions, and visual observations of off-site discharges of sediment or other pollutants, as required by the SFRWQCB.</li> <li>&gt; Monitor the water quality of discharges from the site to assess the effectiveness of control measures.</li> </ul> </li> <li>■ <b>Implement Shoreline Improvements and work over water BMPs to minimize the potential transport of sediment, debris, and construction materials to the Lower Bay during construction of shoreline improvements.</b></li> <li>■ <b>Post-construction BMPs:</b> <ul style="list-style-type: none"> <li>&gt; Re-vegetate all temporarily disturbed areas as required after construction activities are completed. Re-vegetation shall use native, non-invasive species.</li> <li>&gt; Remove any remaining construction debris and trash from the project site and area upon project completion.</li> <li>&gt; Phase the removal of temporary BMPs as necessary to ensure stabilization of the site.</li> </ul> </li> </ul>	

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		<ul style="list-style-type: none"> <li>&gt; Maintain post-construction site conditions to avoid formation of unintended drainage channels, erosion, or areas of sedimentation.</li> <li>&gt; Correct post-construction site conditions as necessary to comply with the SWPPP and any other pertinent SFRWQCB requirements.</li> <li>■ Train construction site personnel on components of the SWPPP and BMP implementation. Train personnel that will perform inspection and monitoring activities.</li> </ul> <p><b>MM HY-1a.3 Groundwater Dewatering Plan.</b> Prior to commencement of construction activities and to minimize potential impacts to receiving water quality during the construction period, the Project Applicant shall through the proper implementation of this dewatering plan, show compliance with SFRWQCB/NPDES requirements, whichever are applicable.</p> <p>The Dewatering Plan shall specify how the water would be collected, contained, treated, monitored, and/or discharged to the vicinity drainage system or Lower Bay. Subject to the review and approval of the SFRWQCB, the Dewatering Plan shall include, at a minimum:</p> <ul style="list-style-type: none"> <li>■ Identification of methods for collecting and handling water on site for treatment prior to discharge, including locations and capacity of settling basins, infiltration basins (where not restricted by site conditions), treatment ponds, and/or holding tanks</li> <li>■ Identification of methods for treating water on site prior to discharge, such as filtration, coagulation, sedimentation settlement areas, oil skimmers, pH adjustment, and other BMPs</li> <li>■ Procedures and methods for maintaining and monitoring dewatering operations to ensure that no breach in the process occurs that could result in an exceedance of applicable water quality objectives</li> <li>■ Identification of discharge locations and inclusion of details on how the discharge would be conducted to minimize erosion and scour</li> <li>■ Identification of maximum discharge rates to prevent exceedance of storm drain system capacities</li> <li>■ Additional requirements of the applicable General Permit or NPDES Permit/WDR (including effluent and discharge limitations and reporting and monitoring requirements, as applicable) shall be incorporated into the Dewatering Plan</li> </ul> <p>Any exceedance of established narrative or numeric water quality objectives shall be reported to the SFRWQCB and corrective action taken as required by the SFRWQCB and the Dewatering Plan. Corrective action may include increased residence time in treatment features (e.g., longer holding time in settling basins) and/or incorporation of additional treatment measures (e.g., addition of sand filtration prior to discharge).</p> <p><b>MM HZ-1a, MM HZ-2a.1, MM HZ-5a, MM HZ-15, MM BI-4a.1, and MM BI-4a-2</b> would also apply to this impact.</p>	

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<b>Impact HY-1b</b> Construction at HPS Phase II would not cause an exceedance of water quality standards or contribute to or cause a violation of waste discharge requirements.	PS	MM HY-1a.1, MM HY-1a.2, MM HY-1a.3, MM HZ-1a, MM HZ-2a.1, MM HZ-5a, MM HZ-10b,MM HZ-12, MM HZ-15, MM BI-4a.1, MM BI-4a.2, MM BI-5b.4, MM BI-12b.1, and MM BI 12b.2 would apply to this impact.	LTS/M
<b>Impact HY-1c</b> Construction of the Yosemite Slough bridge would not cause an exceedance of water quality standards or contribute to or cause a violation of waste discharge requirements.	PS	MM HY-1a1, MM HY-1a.2, MM HZ-1a, MM HZ-2a.1, MM HZ-9, MM BI-4a.1, MM BI-4a.2; MM BI-12b.1, and MM BI-12b.2 would apply to this impact.	LTS/M
<b>Impact HY-2</b> Construction activities associated with the Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.	LTS	No mitigation is required.	LTS
<b>Impact HY-3</b> Construction activities associated with the Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site.	LTS	No mitigation is required.	LTS

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<b>Impact HY-4</b> Construction activities associated with the Project would not substantially alter the existing drainage pattern of the site, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off site.	PS	MM HY-1a.1, MM HY-1a.2, and MM HY-1a.3 would apply to this impact.	LTS/M
<b>Impact HY-5</b> Construction activities associated with the Project would not create or contribute runoff water that would exceed the capacity of existing or planned storm sewer systems or provide substantial additional sources of polluted runoff.	PS	MM HY-1a.2 would apply to this impact.	LTS/M
<b>Impact HY-6</b> Implementation of the Project would not contribute to violations of water quality standards or waste discharge requirements.	PS	MM HY-6a.1, MM HY-6a.2, MM HY-6b.1, MM HY-6b.2, MM HY-6b.3, MM BI-18b.1, MM BI-18b.2, MM BI-19b.1, and MM BI-19b.2 would apply to this impact.	LTS/M
<b>Impact HY-6a</b> Implementation of the Project at Candlestick Point would not contribute to violations of water quality standards or waste discharge requirements.	PS	<p><b>MM HY-6a.1 Regulatory Stormwater Requirements.</b> The Project Applicant shall comply with requirements of the Municipal Stormwater General Permit and associated City SWMP, appropriate performance standards established in the Green Building Ordinance, and performance standards established by the SFPUC in the San Francisco Stormwater Design Guidelines.</p> <p>The Draft San Francisco Stormwater Design Guidelines have been developed to satisfy the Municipal Stormwater General Permit requirements for new development and redevelopment projects in areas served by separate storm sewers, and are expected to be adopted by December 2009. The Project Applicant shall comply with requirements of the Draft San Francisco Stormwater Design Guidelines. Upon adoption of the Final Stormwater Design Guidelines, the Project shall comply with the Final San Francisco Stormwater Design Guidelines unless discretionary permits have been approved.</p> <p>Per the Draft San Francisco Stormwater Design Guidelines, the Project Applicant shall submit a SCP to the SFPUC, as part of the development application submitted for approval. The SCP shall demonstrate how the following measures would be incorporated into the Project:</p> <ul style="list-style-type: none"> <li>■ Low impact development site design principles (e.g., preserving natural drainage channels, treating stormwater runoff at its source rather than in downstream centralized controls)</li> </ul>	LTS/M

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		<ul style="list-style-type: none"> <li>■ Source control BMPs in the form of design standards and structural features for the following areas, as applicable:                             <ul style="list-style-type: none"> <li>&gt; Commercial areas</li> <li>&gt; Restaurants</li> <li>&gt; Retail gasoline outlets</li> <li>&gt; Automotive repair shops</li> <li>&gt; Parking lots</li> </ul> </li> <li>■ Source control BMPs for landscaped areas shall be documented in the form of a Landscape Management Plan that relies on Integrated Pest Management and also includes pesticide and fertilizer application guidelines.</li> <li>■ Treatment control measures (e.g., bioretention, porous pavement, vegetated swales) targeting the Project-specific COCs: sediment, pathogens, metals, nutrients (nitrogen and phosphorus compounds), oxygen-demanding substances, organic compounds (e.g., PCBs, pesticides), oil and grease, and trash and debris. The SCP shall demonstrate that the Project has the land area available to support the proposed BMP facilities sized per the required water quality design storm. Volume-based BMPs shall be sized to treat runoff resulting from 0.75 inches of rainfall (LEED® SS6.2), and flow-based BMPs shall be sized to treat runoff resulting from a rainfall intensity of 0.2 inches per hour. Treatment trains shall be used where feasible.</li> </ul> <p>Additional requirements:</p> <ul style="list-style-type: none"> <li>■ LEED® SS6.2: BMPs used to treat runoff shall be designed to remove 80 percent of the average annual post-development total suspended solids loads. BMPs are considered to meet these criteria if they are designed in accordance with SFPUC requirements.</li> <li>■ The SCP shall include an Operations and Maintenance Plan that demonstrates how the treatment control BMPs would be maintained in the long term, what entities would be responsible for BMP maintenance within the public and private rights-of-way, funding mechanisms, and what mechanisms would be used to formalize maintenance and access agreements.</li> <li>■ The Project Applicant shall also prepare a Stormwater Drainage Master Plan (SDMP) for approval by the SFPUC. The SDMP shall include plans for the storm drain infrastructure and plans for stormwater management controls (e.g., vegetated swales, dry wells). The storm drain infrastructure shall illustrate conveyance of the 5-year storm event in a separate storm drain piped system, and conveyance of the 100-year storm event in the street and drainage channel rights-of-way.</li> </ul> <p><b>MM HY-6a.2 Recycled Water Irrigation Requirements.</b> Prior to application of recycled water at the Project site for landscape irrigation, the Project Applicant shall demonstrate compliance with all terms and conditions of the SFPUC's Operations and Maintenance Plan and the Recycled Water General Permit conditions for the use of recycled water. As required by the Recycled Water General Permit, the Project Applicant shall submit an Operations and Maintenance Plan and an Irrigation Management Plan to the SWRCB. The Project Applicant shall also submit the Operations and Maintenance Plan and the Irrigation Management Plan to the SFPUC. Prior to</p>	

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		<p>on-site application of recycled water, the Project Applicant shall obtain written confirmation from the SFPUC that the Project Operations and Maintenance Plan and the Irrigation Management Plan is in compliance with the SFPUC's Operations and Maintenance Plan, and other SFPUC requirements for the use of recycled water.</p> <p>All recycled water provided to Project Applicant, pursuant to the Recycled Water General Permit, shall be treated in and managed in conformance with all applicable provisions of the Recycled Water Policy and shall meet Title 22 Requirements for disinfected tertiary recycled water as described in CCR Title 22, sections 60301.230 and 60301.320.</p> <p>In accordance with the Recycled Water General Permit, the Project Applicant's Operations and Maintenance Plan shall describe methods and procedures for complying with recycled water regulations, and the maintenance of equipment and emergency backup systems to maintain compliance with the General Permit conditions and California Department of Public Health (CDPH) requirements. The Project Applicant shall ensure that all users of recycled water comply with the Operations and Maintenance Plan by developing educational materials (e.g., pamphlet or brochure) that convey key operational elements (e.g., prevention of cross-connections) of the plan.</p> <p>In accordance with the Recycled Water General Permit, the Project Applicant's Irrigation Management Plan shall include measures to ensure the use of recycled water occurs at an agronomic rate while employing practices to minimize application of salinity constituents. The Irrigation Management Plan shall account for soil characteristics, recycled water characteristics, plant species irrigation requirements, climatic conditions, supplemental nutrient additions to support plant growth, and management of impoundments used to store or collect recycled water. The Irrigation Management Plan shall describe any conditions of approval required by the City, CDPH, or SWRCB.</p> <p>The Project Applicant shall implement the following landscape irrigation BMPs in accordance with Recycled Water General Permit Requirements:</p> <ul style="list-style-type: none"> <li>■ The Operations and Maintenance Plan shall include leak detection methods and correction within 72 hours of identifying a leak or prior to the release of 1,000 gallons.</li> <li>■ Recycled water shall not be applied during precipitation events.</li> <li>■ Impoundment areas shall be managed such that no discharge occurs from storms smaller than the 25-year, 24-hour event.</li> </ul> <p>The Project Applicant shall also implement BMPs for general operational controls, protection of workers and the public (e.g., education about not drinking recycled water), and efficient irrigation (e.g., dedicated landscape water meters for monitoring water usage and leak detection).</p> <p>The Project Applicant shall conduct monthly monitoring to quantify the volume of recycled water applied, the locations and total area of application, and the mass of nitrogen and salinity constituents applied.</p> <p><b>MM HZ-1a</b> and <b>MM HZ-2a.1</b> would also apply to this impact.</p>	

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<p><b>Impact HY-6b</b> Implementation of the Project at HPS Phase II would not contribute to violations of water quality standards or waste discharge requirements.</p>	<p>PS</p>	<p><b>MM HY-6b.1</b> <u>Limitations on Stormwater Infiltration.</u> Infiltration BMPs on HPS Phase II shall be prohibited. Alternative BMPs for stormwater quality control, reuse, and treatment shall be used. For instance, biofiltration BMPs can be implemented with an impervious liner and subdrain system to treat stormwater runoff while preventing infiltration. Overland flow (greater than the five-year and up to the 100-year storm) shall be conveyed in lined channels or other conveyances that will not result in infiltration.</p> <p><b>MM HY-6b.2</b> <u>Industrial General Permit.</u> The Facility Operator shall apply for an Industrial General Permit prior to operational activities for facilities requiring coverage under the Industrial General Permit, which is determined based on the facility’s SIC. The Facility Operator shall comply with all provisions in the Industrial General Permit, including implementation of a SWPPP, to effectively control pollutants to the BAT/BCT during the normal course of operations. Primary components and pollution prevention measures that the SWPPP shall address are described below. The Facility Operator shall refer to the California Stormwater Quality Association Stormwater Best Management Practice Handbook – Industrial and Commercial or equivalent for details on BMP implementation. The SFRWQCB is responsible for overseeing Industrial General Permit activities, including SWPPP compliance. The following BMPs shall be incorporated into the SWPPP.</p> <p><u>Non-Structural BMPs</u></p> <ul style="list-style-type: none"> <li>■ Good Housekeeping: Good housekeeping generally consists of practical procedures to maintain a clean and orderly facility.</li> <li>■ Preventive Maintenance: Regular inspection and maintenance of structural stormwater controls (catch basins, oil/water separators, etc.) as well as other facility equipment and systems.</li> <li>■ Spill Response: Spill clean-up procedures and necessary clean-up equipment based upon the quantities and locations of significant materials that may spill or leak.</li> <li>■ Material Handling and Storage: Procedures to minimize the potential for spills and leaks and to minimize exposure of significant materials to stormwater and authorized non-stormwater discharges.</li> <li>■ Employee Training: Training of personnel who are responsible for (1) implementing activities identified in the SWPPP, (2) conducting inspections, sampling, and visual observations, and (3) managing stormwater. The SWPPP shall identify periodic dates for such training. Records shall be maintained of all training sessions held.</li> <li>■ Waste Handling/Recycling: Procedures or processes to handle, store, or dispose of waste materials or recyclable materials.</li> <li>■ Recordkeeping and Internal Reporting: Procedures to ensure that all records of inspections, spills, maintenance activities, corrective actions, visual observations, etc., are developed, retained, and provided, as necessary, to the appropriate facility personnel.</li> <li>■ Erosion Control and Site Stabilization: This may include the planting and maintenance of vegetation, diversion of run-on and runoff, placement of sandbags, silt screens, or other sediment control devices, etc.</li> </ul>	<p>LTS/M</p>

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		<ul style="list-style-type: none"> <li>■ Inspections: This includes, in addition to the preventative maintenance inspections identified above, an inspection schedule of all potential pollutant sources. Tracking and follow-up procedures shall be described to ensure adequate corrective actions are taken and SWPPP revisions are made as needed.</li> <li>■ Quality Assurance: Procedures to ensure that all elements of the SWPPP and Monitoring Program are adequately conducted.</li> </ul> <p><u>Structural BMPs to be Considered</u></p> <ul style="list-style-type: none"> <li>■ Overhead Coverage: Structures that provide horizontal coverage of materials, chemicals, and pollutant sources from contact with stormwater and authorized non-stormwater discharges.</li> <li>■ Retention Ponds: Basins, ponds, surface impoundments, etc. that do not allow stormwater to discharge from the facility.</li> <li>■ Control Devices: Berms or other devices that channel or route run-on and runoff away from pollutant sources.</li> <li>■ Secondary Containment Structures: This generally includes containment structures around storage tanks and other areas for the purpose of collecting any leaks or spills.</li> <li>■ Treatment: This includes inlet controls, infiltration devices, oil/water separators, detention ponds, vegetative swales, etc. that reduce the pollutants in stormwater discharges and authorized non-stormwater discharges. However, because of extensive site constraints, use of infiltration BMPs shall be limited.</li> </ul> <p><b>MM HY-6b.3 Clean Marinas California Program.</b> The marina operator shall obtain certification under the Clean Marinas California Program. The Clean Marinas California Program has developed marina BMPs and an inspection and certification process for marinas that meet the program standard for BMP implementation. The marina operator shall implement BMPs that address the following sources of pollution: petroleum containment, topside boat maintenance and cleaning, underwater boat hull cleaning, marina operations, marina debris, boat sewage discharge, solid waste, liquid waste, fish waste, hazardous materials, and stormwater runoff.</p> <p><b>MM HY-6a.1, MM HY-6a.2 MM HZ-1b, MM HZ-2a.1, MM HZ-5a, MM HZ-9, MM HZ-10b, MM HZ-12, MM HZ-15, MM BI-18b.1, MM BI-18b.2, MM BI-19b.1, and MM BI-19b.2</b> would also apply to this impact.</p>	
<b>Impact HY-6c</b> Implementation of the Yosemite Slough bridge would not contribute to violations of water quality standards or waste discharge requirements.	LTS	No mitigation is required.	LTS
<b>Impact HY-7</b> Implementation of the Project would not otherwise degrade water quality.	PS	MM HY-6a.1, MM HY-6a.2, and MM HY-6b.1 would apply to this impact.	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact HY-8</b> Implementation of the Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.	NI	No mitigation is required.	NI
<b>Impact HY-9</b> Implementation of the Project would not alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, and would not result in substantial erosion or siltation on site or off site.	PS	MM HY-6a.1 would apply to this impact.	LTS/M
<b>Impact HY-10</b> Implementation of the Project would not alter the existing drainage pattern of the site, through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff, and would not result in flooding on site or off site.	PS	MM HY-6a.1 would apply to this impact.	LTS/M
<b>Impact HY-11</b> Implementation of the Project would not create or contribute runoff water that would exceed the capacity of existing or planned storm sewer systems or provide substantial additional sources of polluted runoff.	PS	MM HY-6a.1 would apply to this impact.	LTS/M
<b>Impact HY-12</b> Implementation of the Project would not place housing in a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.	PS	MM HY-12a.1 and MM HY-12a.2 would apply to this impact.	LTS/M

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>● <b>Impact HY-12a</b> Implementation of the Project at Candlestick Point would not place housing in a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.</p>	PS	<p><b>MM HY-12a.1</b> <u>Finished Grade Elevations Above Base Flood Elevation</u>. The Project site shall be graded such that finished floor elevations are 3.5 feet above the Base Flood Elevation (BFE), and streets and pads are 3 feet above BFE to allow for future sea level rise, thereby elevating all housing and structures above the existing and potential future flood hazard area. If the FIRM for San Francisco is not finalized prior to implementation of the Project, the Project Applicant shall work with the City Surveyor to revise the City's Interim Floodplain Map. If the FIRM for San Francisco is finalized prior to implementation of the Project, the Project Applicant shall request that the Office of the City Administrator (Floodplain Manager) request a Letter of Map Revision based on Fill (LOMR-F) from FEMA that places the Project outside SFHA and requires that the FIRM is updated by FEMA to reflect revised regulatory floodplain designations.</p> <p><b>MM HY-12a.2</b> <u>Shoreline Improvements for Future Sea-Level Rise</u>. Shoreline and public access improvements shall be designed to allow future increases in elevation along the shoreline edge to keep up with higher sea level rise values, should they occur. Design elements shall include providing adequate setbacks to allow for future elevation increases of at least 3 feet from the existing elevation along the shoreline. Before the first Small Lot Final Map is approved, the Project Applicant must petition the appropriate governing body to form (or annex into if appropriate) and administer a special assessment district or other funding mechanism to finance and construct future improvements necessary to ensure that the shoreline, public facilities, and public access improvements will be protected should sea level rise exceed 16 inches at the perimeter of the Project. Prior to the sale of the first residential unit within the Project, the legislative body shall have acted upon the petition to include the property within the district boundary. The newly formed district shall also administer a Monitoring and Adaptive Management Plan to monitor sea level and implement and maintain the protective improvements.</p>	LTS/M
<p>● <b>Impact HY-12b</b> Implementation of the Project at HPS Phase II would not place housing in a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.</p>	PS	<p><b>MM HY-12a.1</b> and <b>MM HY-12a.2</b> would apply to this impact.</p>	LTS/M
<p>● <b>Impact HY-13</b> Implementation of the Project would not place structures within a 100-year flood hazard area or impede or redirect flood flows.</p>	PS	<p><b>MM HY-12a.2</b> would apply to this impact.</p>	LTS/M

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<b>Impact HY-13a</b> Implementation of the Project at Candlestick Point would not place structures within a 100-year flood hazard area that could impede or redirect flood flows.	LTS	No mitigation is required.	LTS
<b>Impact HY-13b</b> Implementation of the Project at HPS Phase II would not place structures within a 100-year flood hazard area or impede or redirect flood flows.	PS	<p><b>MM HY-13b Floodplain Development Permit.</b> To reduce the impacts of placing structures in a 100-year flood hazard area that could impede or redirect flows, the Project Applicant shall implement that following measures:</p> <ul style="list-style-type: none"> <li>■ The Project Applicant shall obtain a Floodplain Development Permit from the Office of the City Administrator in accordance with the City’s floodplain management ordinance that includes a hydraulic evaluation to determine whether structures or structural elements would impede or redirect flood flows and mandates minimum design and construction standards. Design and construction methods shall comply with NFIP requirements for placing structures in Zone V.</li> <li>■ The Floodplain Development Permit shall include a “V-Zone Certification” in accordance with the NFIP. As part of the certification, a professional engineer or architect shall consider the NFIP “Free-of-Obstruction” requirement, to ensure that floodwaters or waves would not be deflected into a building or adjacent structure.</li> </ul>	LTS/M
<b>Impact HY-13c</b> The Yosemite Slough bridge would not place structures within a 100-year flood hazard area or impede or redirect flood flows.	LTS	No mitigation is required.	LTS
● <b>Impact HY-14</b> Implementation of the Project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam.	PS	<p><b>MM HY-14 Shoreline Improvements to Reduce Flood Risk.</b> To reduce the flood impacts of failure of existing shoreline structures, the Project Applicant shall implement shoreline improvements for flood control protection, as identified in the Candlestick Point/Hunters Point Development Project Proposed Shoreline Improvements report. Where feasible, elements of living shorelines shall be incorporated into the shoreline protection improvement measures.</p> <p><b>MM HY-11a.2</b> would also apply to this impact.</p>	LTS/M
<b>Impact HY-15</b> Implementation of the Project would not expose people or structures to inundation by seiche, tsunami, or mudflow.	LTS	No mitigation is required.	LTS

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
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**SECTION III.N (BIOLOGICAL RESOURCES)**

(Note: As mentioned in the introductory text, Project impacts for Impact BI-3a through Impact BI-21b are provided by Impact BI-22 through Impact BI-26)

<b>Impact BI-1</b> Implementation of the Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.	<b>NI</b>	No mitigation is required.	<b>NI</b>
<b>Impact BI-2</b> Implementation of the Project would not have a substantial adverse effect, either directly or through habitat modifications, on any common species or habitats through substantial interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	<b>LTS</b>	No mitigation is required. Implementation of <b>MM BI-7b</b> would be beneficial to grassland-associated raptors and terrestrial biological resources.	<b>LTS</b>
<b>Impact BI-3a</b> Construction at Candlestick Point would not have a substantial adverse effect, either directly or through habitat modifications, on any plant species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS.	<b>NI</b>	No mitigation is required.	<b>NI</b>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p><b>Impact BI-3b</b> Construction at HPS Phase II and construction of the Yosemite Slough bridge would not have a substantial adverse effect, either directly or through habitat modifications, on any plant species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS.</p>	NI	No mitigation is required.	NI
<p><b>Impact BI-4a</b> Construction at Candlestick Point would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the <i>Clean Water Act</i> through direct removal, filling, hydrological interruption, or other means.</p>	PS	<p><b>MM BI-4a.1 Wetlands and Jurisdictional/Regulated Waters Mitigation for Temporary and/or Permanent Impacts.</b> Wetlands and jurisdictional waters shall be avoided to the maximum extent practicable for all Project components. For example, any measures taken to improve the existing shoreline of Candlestick Point or HPS Phase II for purposes of flood control, erosion control, or repair or stabilization of existing structures shall minimize the amount of fill to be placed in jurisdictional areas.</p> <p>Where avoidance of existing wetlands and drainages is not feasible, and before any construction activities are initiated in jurisdictional areas, the Applicant shall obtain the following permits, as applicable to the activities in question:</p> <ul style="list-style-type: none"> <li>■ CWA Section 404 permit from the USACE.</li> <li>■ Section 10 <i>Rivers and Harbors Act</i> Permit from the USACE.</li> <li>■ CWA Section 401 water quality certification from the RWQCB, and/or Report of Waste Discharge for Waters of the State.</li> <li>■ CWA Section 402/National Pollution Discharge Elimination System permit from SWRCB [requiring preparation of a Stormwater Pollution Prevention Plan (SWPPP)].</li> <li>■ CDFG Section 1602 streambed alteration agreement from CDFG.</li> <li>■ A permit from the BCDC.</li> <li>■ Dredging permits from the USACE and BCDC as required, obtained through the Dredged Material Management Office (DMMO) process.</li> </ul> <p>Copies of these permits shall be provided to the contractor, along with the construction specifications. The Project Applicant shall be responsible for complying with all of the conditions set forth in these permits, including any financial responsibilities.</p> <p>Compensation for impacts to wetlands and jurisdictional waters shall be required to mitigate any permanent impacts to these habitats to less-than significant-levels. Such mitigation shall also be developed (separately from the CEQA process) as a part of the permitting process with the USACE, or for non-USACE-jurisdictional wetlands,</p>	LTS/M

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<p>during permitting through the SFRWQCB, BCDC, and/or CDFG. The exact mitigation ratio shall be established during the permitting process, and depends on a number of factors, including the type and value of the wetlands permanently affected by the Project; however, mitigation shall be provided at a ratio of no less than 1:1 (at least 1 acre of mitigation for every 1 acre of waters of the US/State permanently filled). Mitigation could be achieved through a combination of on-site restoration or creation of wetlands or aquatic habitats (including removal of on-site fill or structures such as piers, resulting in a gain of wetland or aquatic habitats); off-site restoration/creation; and/or mitigation credits purchased at mitigation banks within the San Francisco Bay Region. However, any mitigation for impacts to jurisdictional waters providing habitat for special-status fish such as the green sturgeon, Central California Coast steelhead, Chinook salmon, and longfin smelt must result in the restoration or creation (at a minimum 1:1 ratio) of suitable habitat for these species, and any mitigation for impacts to jurisdictional wetlands or other waters that are considered EFH by the NMFS must result in the restoration or creation (at a minimum 1:1 ratio) of EFH. Suitably planned mitigation sites may satisfy mitigation requirements for jurisdictional areas, special-status fish, and EFH simultaneously (i.e., in the same mitigation areas) if the mitigation satisfies all these needs.</p> <p>For funding of off-site improvements or purchase of mitigation bank credits, the Project Applicant shall provide written evidence to the City/Agency that either (a) compensation has been established through the purchase of a sufficient number of mitigation credits to satisfy the mitigation acreage requirements of the Project activity, or (b) funds sufficient for the restoration of the mitigation acreage requirements of the Project activity have been paid to the BCDC, CCC, or other entity or agency that offers mitigation credits in the San Francisco Bay Area.</p> <p>For areas to be restored, to mitigate for temporary or permanent impacts, the Project Applicant shall prepare and implement a Wetland and Jurisdictional Waters Mitigation Monitoring Plan (Mitigation Monitoring Plan). The Plan shall be submitted to the regulatory agencies along with permit application materials for approval, along with a copy to the City/Agency.</p> <p>The Project Applicant shall retain a restoration ecologist or wetland biologist to develop the Wetland and Jurisdictional Waters Mitigation and Monitoring Plan, and it shall contain the following components (or as otherwise modified by regulatory agency permitting conditions):</p> <ol style="list-style-type: none"> <li>1. Summary of habitat impacts and proposed mitigation ratios, along with a description of any other mitigation strategies used to achieve the overall mitigation ratios, such as funding of off-site improvements and/or purchase of mitigation bank credits</li> <li>2. Goal of the restoration to achieve no net loss of habitat functions and values</li> <li>3. Location of mitigation site(s) and description of existing site conditions</li> <li>4. Mitigation design: <ul style="list-style-type: none"> <li>■ Existing and proposed site hydrology</li> <li>■ Grading plan if appropriate, including bank stabilization or other site stabilization features</li> <li>■ Soil amendments and other site preparation elements as appropriate</li> </ul> </li> </ol>	

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<ul style="list-style-type: none"> <li>■ Planting plan</li> <li>■ Irrigation and maintenance plan</li> <li>■ Remedial measures/adaptive management, etc.</li> </ul> <p>5. Monitoring plan (including final and performance criteria, monitoring methods, data analysis, reporting requirements, monitoring schedule, etc.)</p> <p>6. Contingency plan for mitigation elements that do not meet performance or final success criteria.</p> <p>Restoration and/or creation of wetlands or aquatic habitats could occur on site or off site and at one or more locations, as approved by the regulatory agencies. Impacts occurring due to activities on Candlestick Point may be mitigated by restoration or creation activities on HPS Phase II and vice versa. For example, loss of open water habitat that might result from construction of shoreline treatments could potentially be mitigated by the removal of fill or structures from aquatic habitat on HPS Phase II.</p> <p>The Project Applicant, or its agent, shall implement the Wetland and Jurisdictional Waters Mitigation Monitoring Plan. At least five years of monitoring (or more if required as a condition of the permits) shall be conducted to document whether the success criteria (that are determined as part of the mitigation plan) are achieved, and to identify any remedial actions that must be taken if the identified success criteria are not met. Annual monitoring reports (described below) shall be submitted to CDFG, the USACE, the BCDL, the City/Agency, and the SFRWQCB. Each report shall summarize data collected during the monitoring period, describe how the habitats are progressing in terms of the success criteria, and discuss any remedial actions performed. Additional reporting requirements imposed by permit conditions shall be incorporated into the Wetland and Jurisdictional Waters Mitigation Monitoring Plan and implemented.</p> <p>Success criteria for specified years of monitoring for vegetated mitigation wetlands are as follows (though these may be subject to change pending development of specific Mitigation and Monitoring Plans and consultation during the permit process):</p> <ul style="list-style-type: none"> <li>■ Year 1 after restored areas reach elevations suitable for colonization by wetland plants: 10 percent combined area and basal cover (rhizomatous turf) of all vegetation in the preserve wetland; at least two hydrophytic plants co-dominant with whatever other vegetative cover exists.</li> <li>■ Year 3 after restored areas reach colonization elevation: 50 percent combined area and basal cover (rhizomatous turf) of all vegetation; prevalence of hydrophytic species in terms of both cover and dominant species composition of the vegetation; native vascular species shall comprise 95 percent of the vegetation in the preserve wetland.</li> <li>■ Year 5 after restored areas reach colonization elevation: 70 percent combined area and basal cover (rhizomatous turf) of all vegetation; more than 50 percent dominance in terms of both cover and species composition of facultative (FAC), facultative wetland (FACW), and obligate (OBL) species; native vascular species shall comprise 95 percent of the vegetation in the preserve wetlands.</li> </ul>	

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<p>Other success criteria shall be developed for open water/mud flat habitats (which would not be expected to support vegetation) or for wetland complexes specifically designed to contain extensive areas of channels, pannes, or flats that would not be vegetated. In addition, the final Project design shall avoid substantial adverse effects to the pre-Project hydrology, water quality, or water quantity in any wetland that is to be retained on site. This shall be accomplished by avoiding or repairing any disturbance to the hydrologic conditions supporting these wetlands, as verified through an on-site Wetland Protection Plan that shall be prepared by a restoration ecologist or wetland biologist that is retained by the Project Applicant, and submitted to regulatory agencies for approval, along with a copy to the City/Agency. If such indirect effects cannot be avoided, compensatory mitigation shall be provided for the indirectly affected wetlands at a minimum 1:1 ratio, as described above. Mitigation for indirectly impacted wetlands shall be described in the Wetland and Jurisdictional Waters Mitigation and Monitoring Plan.</p> <p>Project features resulting in impacts to open water areas as a result of the marina, bridge, and breakwater construction shall be designed to be the minimum size required to meet their designated need. The opening in the breakwater shall be large enough and positioned such that it would allow for a complete daily exchange of water within the marina that would otherwise result from normal tidal flow, as determined by a coastal engineer and an aquatic biologist. This opening shall be designed to minimize disruption to the local hydrology generated by the breakwater and allow for normal tidal flow to ensure the daily exchange of nutrients.</p> <p><b>MM BI-4a.2 <u>Wetlands and Jurisdictional/Regulated Waters Impact Minimization for Construction-Related Impacts.</u></b> The Project Applicant shall ensure that the contractor minimizes indirect construction-related impacts on wetlands and jurisdictional/regulated waters throughout the Study Area by implementing the following Best Management Practices (BMPs):</p> <ul style="list-style-type: none"> <li>■ Prior to any construction activities on the site, a protective fence shall be installed a minimum of one foot (or greater, if feasible) from the edge of all wetland habitat to be avoided in the immediate vicinity of the proposed construction areas. Prior to initiation of construction activities, a qualified biologist shall inspect the protective fencing to ensure that all wetland features have been appropriately protected. No encroachment into fenced areas shall be permitted during construction and the fence shall remain in place until all construction activities within 50 feet of the protected feature have been completed.</li> <li>■ Construction inspectors shall routinely inspect protected areas to ensure that protective measures remain in place and effective until all construction activities near the protected resource have been completed. The fencing shall be removed immediately following construction activities.</li> <li>■ To maintain hydrologic connections, the Project design shall include culverts for all seasonal and perennial drainages that are waters of the United States and/or Waters of the State.</li> <li>■ Sediment mitigation measures shall be in place prior to the onset of Project construction and shall be monitored and maintained until construction activities have been completed. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be disposed of at a regional landfill or at another approved and/or properly permitted location. Stockpiles that are to remain on the site throughout the wet season shall be protected to prevent erosion.</li> </ul>	

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<ul style="list-style-type: none"> <li>■ Where determined necessary by regulatory agencies, geotextile cushions and other appropriate materials (i.e., timber pads, prefabricated equipment pads, geotextile fabric) shall be used in saturated conditions to minimize damage to the substrate and vegetation.</li> <li>■ Exposed slopes and banks shall be stabilized immediately following completion of construction activities to reduce the effects of erosion on the drainage system.</li> <li>■ In highly erodible areas, such as Yosemite Slough, banks shall be stabilized using a non-vegetative material that shall bind the soil initially and break down within a few years. If, during review of the grading permit for this area, the City/Agency determines that more aggressive erosion control treatments are needed, the contractor shall be directed to use geotextile mats, excelsior blankets, or other soil stabilization products.</li> <li>■ The contractors shall develop a Storm Water Pollution Prevention Plan (SWPPP) prior to construction. As discussed in the Regulatory Framework of the Hydrology and Water Quality section of this EIR, the SWPPP will comply with applicable local, state, and federal requirements. Erosion control BMPs may include, but are not limited to, the application of straw mulch; seeding with fast growing grasses; construction of berms, silt fences, hay bale dikes, stormwater detention basins, and other energy dissipaters. BMPs shall be selected and implemented to ensure that contaminants are prevented from entering the San Francisco Bay during construction and operation of the facilities shall protect water quality and the marine species in accordance with all regulatory standards and requirements.</li> <li>■ Testing and disposal of any dredged sediment shall be conducted as required by the USACE and the Long-Term Management Strategy (LTMS)<sup>2</sup></li> <li>■ All temporarily impacted wetlands and other jurisdictional waters, whether in tidal or non-tidal areas, shall be restored to pre-construction contours following construction. Such impact areas include areas that are dewatered (e.g., using coffer dams) and/or used for construction access. Temporarily impacted wetlands that were vegetated prior to construction shall be revegetated in accordance with a Wetlands and Jurisdictional Water Mitigation and Monitoring Plan as described above.</li> <li>■ For impacts to tidal habitats:                         <ul style="list-style-type: none"> <li>&gt; Conduct all work in dewatered work areas</li> <li>&gt; Install sediment curtains around the worksite to minimize sediment transport</li> <li>&gt; Work only during periods of slack, tide (minimal current) and low wind to minimize transport of sediment laden water</li> </ul> </li> </ul>	

<sup>2</sup> US Army Corps of Engineers, US Environmental Protection Agency, San Francisco Bay Conservation and Implementation Commission, and San Francisco Bay Regional Water Quality Control Board. Long-term Management Strategy for the Placement of Dredge Material in the San Francisco Bay, Management Plan 2001.

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p><b>Impact BI-4b</b> Construction at HPS Phase II would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the <i>Clean Water Act</i> (including, but not limited to, marsh, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.</p>	PS	MM BI-4a.1 and MM BI-4a.2 would apply to this impact.	LTS/M
<p><b>Impact BI-4c</b> Construction of the Yosemite Slough bridge would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the <i>Clean Water Act</i> (including, but not limited to, marsh, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.</p>	PS	<p><b>MM BI-4c</b> <u>Mitigation for Shading Impacts to Jurisdictional/Regulated Waters.</u> Mud flats and aquatic habitats impacted by permanent shading from the Yosemite Slough bridge shall be mitigated by the creation or restoration, either on site, off site, and/or via purchase of mitigation bank credits, at a 0.5:1 (mitigation:impacted) ratio. Aside from the mitigation ratio, such mitigation shall be provided as described for mitigation measure MM BI-4a.1.</p> <p>MM BI-4a.1 and MM BI-4a.2 would also apply to this impact.</p>	LTS/M
<p><b>Impact BI-5a</b> Construction at Candlestick Point would not have a substantial adverse effect on eelgrass beds, a sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFG or USFWS.</p>	NI	No mitigation is required.	NI
<p><b>Impact BI-5b</b> Construction at HPS Phase II and construction of the Yosemite Slough bridge would not have a substantial adverse effect on eelgrass beds, a sensitive natural community identified in local or regional</p>	PS	<p><b>MM BI-5b.1</b> <u>Avoidance of Impacts to Eelgrass.</u> As the design of shoreline treatments progresses, and a specific Shoreline Treatment Plan is determined, the Plan shall minimize any in-water construction required for installation of any treatment measures near either of the two eelgrass locations noted above.</p> <p><b>MM BI-5b.2</b> <u>Eelgrass Survey.</u> Prior to the initiation of construction of the Yosemite Slough bridge or construction of shoreline treatments, an update to the existing eelgrass mapping shall be conducted to determine the precise locations of the eelgrass beds. This survey shall occur when a final Shoreline Treatment Plan has been prepared. The survey shall be conducted by a biologist(s) familiar with eelgrass identification and ecology and approved by NMFS to conduct such a survey. The area to be surveyed shall encompass the mapped eelgrass beds, plus a</p>	LTS/M

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<p>plans, policies, and regulations or by the CDFG or USFWS.</p>		<p>buffer of 750 feet. Survey methods shall employ either SCUBA or sufficient grab samples to ensure that the bottom was adequately inventoried. The survey shall occur between August and October and collect data on eelgrass distribution, density, and depth of occurrence for the survey areas. The edges of the eelgrass beds shall be mapped. At the conclusion of the survey a report shall be prepared documenting the survey methods, results, and eelgrass distribution within the survey area. This report shall be submitted to NMFS for approval. The survey data shall feed back into the shoreline treatment design process so that Project engineers can redesign the treatments to avoid or minimize any direct impacts to eelgrass beds.</p> <p>If the shoreline treatments can be adjusted so that no direct impacts to eelgrass beds would occur, no further mitigation under this measure would be required for shoreline treatment construction. Management of water quality concerns is addressed through mitigation measure MM BI-5b.4 and shall be required to minimize sediment accumulation on the eelgrass. If direct impacts to eelgrass beds cannot be avoided, either by Hunters Point shoreline treatments or Yosemite Slough bridge construction, mitigation measure MM BI-5b.3 shall be implemented.</p> <p><b>MM BI-5b.3 Compensatory Eelgrass Mitigation.</b> If direct impacts to eelgrass beds cannot be avoided, compensatory mitigation shall be provided in conformance with the Southern California Eelgrass Mitigation Policy. Mitigation shall entail the replacement of impacted eelgrass at a 3:1 (mitigation:impact) ratio on an acreage basis, based on the eelgrass mapping described in mitigation measure MM BI-5b.2 and detailed designs of the feature(s) that would impact eelgrass beds. Such mitigation could occur either off site or on site.<sup>3</sup> Off-site mitigation could be achieved through distribution of a sufficient amount of funding to allow restoration or enhancement of eelgrass beds at another location in the Bay. If this option is selected, all funds shall be distributed to the appropriate state or federal agency or restoration-focused non-governmental agency (i.e., CDFG restoration fund, California Coastal Conservancy, Save the Bay, etc). The Project Applicant shall provide written evidence to the City/Agency that either a) compensation has been established through the purchase of a sufficient number of mitigation credits to satisfy the mitigation acreage requirements of the Project activity, or b) funds sufficient for the restoration of the mitigation acreage requirements of the Project activity have been paid. These funds shall be applied only to eelgrass restoration within the Bay.</p> <p>If on-site mitigation is selected as the appropriate option, the Project Applicant shall retain a qualified biologist familiar with eelgrass ecology (as approved by the City/Agency) to prepare and implement a detailed Eelgrass Mitigation Plan. Unless otherwise directed by NMFS, the Eelgrass Mitigation Plan shall follow the basic outline and contain all the components required of the Southern California Eelgrass Mitigation Policy (as revised in 2005),<sup>4</sup> including: identification of the mitigation need, site, transplant methodology, mitigation extent (typically 3:1</p>	

<sup>3</sup> NMFS, Southwest Regional Office, Southern California Eelgrass Mitigation Policy, as revised August 30, 2005. Website: [http://swr.nmfs.noaa.gov/hcd/policies/EELPOLrev11\\_final.pdf](http://swr.nmfs.noaa.gov/hcd/policies/EELPOLrev11_final.pdf). Accessed July 20, 2009.

<sup>4</sup> NMFS, Southwest Regional Office, Southern California Eelgrass Mitigation Policy, as revised August 30, 2005. Website: [http://swr.nmfs.noaa.gov/hcd/policies/EELPOLrev11\\_final.pdf](http://swr.nmfs.noaa.gov/hcd/policies/EELPOLrev11_final.pdf). Accessed July 20, 2009.

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<p>on an acreage basis<sup>5</sup>), monitoring protocols (including frequency, staffing, reviewing agencies, duration, etc), and success criteria. A draft Eelgrass Mitigation Plan shall be submitted to NMFS, for its review and approval prior to implementation, with a copy to the City/Agency. Once the plan has been approved, it shall be implemented in the following appropriate season for transplanted. Restored eelgrass beds shall be monitored for success over a 5-year period.</p> <p><b>MM BI-5b.4 Eelgrass Water Quality BMPs.</b> To prevent sediment that could be suspended during construction from settling out onto eelgrass, for any shoreline treatments within 750 feet of identified eelgrass beds, the Project Applicant shall require the selected contractor to implement appropriate BMPs that could include any or all of the following options, or others deemed appropriate by NMFS:</p> <ol style="list-style-type: none"> <li>1. Conduct all work in dewatered work areas</li> <li>2. Conduct all in-water work during periods of eelgrass dormancy (November 1-March 31)</li> <li>3. Install sediment curtains around the worksite to minimize sediment transport</li> <li>4. Work only during periods of slack tide (minimal current) and low wind to minimize transport of sediment laden water</li> </ol>	
<p><b>Impact BI-6a</b> Construction at Candlestick Point would not have a substantial adverse effect, either directly or through habitat modifications, on any bird species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS.</p>	PS	<p><b>MM BI-6a.1 Impact Avoidance and Pre-Construction Surveys for Nesting Special-Status and Legally Protected Avian Species.</b> The following measures shall be implemented by the Project Developer to avoid impacts to nesting birds.</p> <ol style="list-style-type: none"> <li>1. Not more than 15 days prior to construction activities that occur between February 1 and August 31, surveys for nesting birds shall be conducted by a qualified biologist (one familiar with the breeding biology and nesting habits of birds that may breed in the Project vicinity) that is selected by the Project Developer, and approved by the City/Agency. Surveys shall cover the entire area to be affected by construction and the area within a 250-foot buffer of construction or ground-disturbing activities. The results of the surveys, including survey dates, times, methods, species observed, and a map of any discovered nests, shall be submitted to the City/Agency. If no active avian nests (i.e. nests with eggs or young) are identified on or within 250 feet of the limits of the disturbance area, no further mitigation is necessary. Phased construction work shall require additional surveys if vegetation or building removal has not occurred within 15 days of the initial survey or is planned for an area that was not previously surveyed. Alternatively, to avoid impacts, the Project Developer shall begin construction after the previous breeding season for local raptors and other special-status species has ended (after August 31) and before the next breeding season begins (before February 1).</li> <li>2. If active nests (with eggs or young) of special-status or protected avian species are found within 250 feet of the proposed disturbance area, a minimum 250-foot no-disturbance buffer zone surrounding active raptor</li> </ol>	LTS/M

<sup>5</sup> US Army Corps of Engineers, US Environmental Protection Agency, San Francisco Bay Conservation and Implementation Commission, and San Francisco Bay Regional Water Quality Control Board. Long-term Management Strategy for the Placement of Dredge Material in the San Francisco Bay, Management Plan 2001; Appendix F – ESA and EFH Consultation.

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<p>                     nests and a minimum 100-foot buffer zone surrounding nests of other special-status or protected avian species shall be established until the young have fledged. Project activities shall not occur within the buffer as long as the nest is active. The size of the buffer area may be reduced if a qualified biologist familiar with the species' nesting biology (as approved by the City/Agency) and CDFG determine it would not be likely to have adverse effects on the particular species. Alternatively, certain activities may occur within the aforementioned buffers, with CDFG concurrence, if a qualified biologist monitors the activity of nesting birds for signs of agitation while those activities are being performed. If the birds show signs of agitation suggesting that they could abandon the nest, activities would cease within the buffer area. No action other than avoidance shall be taken without CDFG consultation.                 </p> <p>                     3. Completion of the nesting cycle (to determine when construction near the nest can commence) shall be determined by a qualified biologist experienced in identification and biology of the specific special-status or protected species.                 </p> <p> <b>MM BI-6a.2 Burrowing Owl Protocol Surveys and Mitigation.</b> Because burrowing owls may take refuge in burrows any time of year, species-specific measures are necessary to avoid take of this species. The following measures shall be undertaken by the Project Developer to protect burrowing owls.                 </p> <p>                     Prior to construction activities, focused pre-construction surveys shall be conducted for burrowing owls where suitable habitat is present within the construction areas. Surveys shall be conducted by a qualified biologist (i.e., one who is familiar with burrowing owl ecology and experienced in performing surveys for them, approved by the City/Agency) no more than 30 days prior to commencement of construction activities. These surveys shall be conducted in accordance with the CDFG burrowing owl survey protocol contained within California Burrowing Owl Consortium's April 1995 Burrowing Owl Survey Protocol and Mitigation Guidelines, or any more current equivalent should new guidelines be released before construction.                 </p> <ol style="list-style-type: none"> <li>1. If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to the City/Agency and CDFG, and no further mitigation is necessary.</li> <li>2. If unoccupied burrows are found during the non-breeding season, prior to construction activities, the Project Developer shall collapse the unoccupied burrows, or otherwise obstruct their entrances to prevent owls from entering and nesting in the burrows. This measure would prevent inadvertent impacts during construction activities.</li> <li>3. If occupied burrows are found, a letter report documenting survey methods and findings (including a map showing the locations of the occupied burrows) shall be submitted to the City/Agency and CDFG. Impacts to the burrows shall be avoided by providing a construction-free buffer of 250 feet during the nesting season (February 1 through August 31). A buffer of 165 feet from the active burrows should be provided during the non-breeding season (September 1 through January 31) if feasible, though a reduced buffer is acceptable during the non-breeding season as long as construction avoids direct impacts to the burrow(s) used by the owls. The size of the buffer area may be reduced if the CDFG determines it would not be likely to have adverse effects on the owls. No Project activity shall commence within the buffer area until a qualified</li> </ol>	

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p><b>Impact BI-6b</b> Construction at HPS Phase II would not have a substantial adverse effect, either directly or through habitat modifications, on any bird species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS.</p>	<p><b>PS</b></p>	<p>biologist (as approved by the City/Agency) confirms that the burrow is no longer occupied. If the burrow is occupied by a nesting pair, as recommended by the California Burrowing Owl Consortium's April 1995 Burrowing Owl Survey Protocol and Mitigation Guidelines, a minimum of 6.5 acres of foraging habitat contiguous (immediately adjacent) to the burrow shall be maintained until the nesting season is over. If the foraging habitat contiguous to the occupied burrow is currently less than 6.5 acres, the entire foraging habitat shall be maintained until the nesting season is over.</p> <p>4. If impacts to occupied burrows are unavoidable, passive relocation techniques approved by CDFG shall be used to evict owls from burrows within the construction area prior to construction activities. However, no occupied burrows shall be disturbed during the nesting season unless a qualified biologist (as approved by the City/Agency) verifies through non-invasive methods that juveniles from the occupied burrows are foraging independently and are capable of independent survival, or verifies the owls have not yet laid eggs. If any breeding owls must be relocated (i.e., after the nesting season has ended), mitigation of impacts to lost foraging and nesting habitat for relocated pairs shall follow guidelines provided in the California Burrowing Owl Consortium's April 1995 Burrowing Owl Survey Protocol and Mitigation Guidelines, which depending upon conditions detailed in the guidance (such as mitigation habitat quality), range from 7.5 to 19.5 acres per pair. This mitigation may take the form of the purchase of credits in a burrowing owl mitigation bank or the preservation and management of the required habitat acreage on site (e.g., in the Grasslands Ecology Park) or off site. If mitigation is provided via on-site or off-site habitat preservation and management, a Burrowing Owl Habitat Management Plan shall be prepared by a qualified biologist and submitted to the CDFG for review and approval, along with a copy to the City/Agency. This plan shall detail the location of the mitigation site, the means of preservation of the site (i.e., via a conservation easement), any enhancement and management measures necessary to ensure that habitat for burrowing owls is maintained in the long term, a monitoring program, and the size of an endowment established for the long-term maintenance of the site.</p>	<p><b>LTS/M</b></p>
		<p><b>MM BI-6b American Peregrine Falcon Nest Protection Measures.</b> To protect the nest of peregrine falcons during construction, the following measures shall be implemented by the Project Developer prior to construction or other disturbance within 500 feet of the Re-gunning crane nest.</p> <ol style="list-style-type: none"> <li>1. Not more than 30 days prior to construction activities that occur between February 1 and August 15, surveys for nesting peregrine falcons shall be conducted on the Re-gunning crane, and within a 500-foot buffer surrounding the potential nesting location. Surveys shall be performed by a qualified biologist (i.e., one familiar with falcon biology and nesting) that is selected by the Project Developer, and approved by the City/Agency. The results of the surveys shall be submitted to the City/Agency and the CDFG. If no active peregrine falcon nests, eggs, or breeding activity, are identified on or within 500 feet of the limits of the disturbance area, no further mitigation is necessary. Alternatively, to avoid impacts, the Project Developer can begin construction after the previous breeding season has ended (after August 31) and before the next breeding season begins (before February 1).</li> <li>2. If active peregrine nests or breeding activity are observed within the survey area, a minimum 250-foot no disturbance buffer zone surrounding the nesting location shall be established until the young have fledged.</li> </ol>	

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<p>Within this buffer, no Project construction activities shall occur while the nest is active. The size of the buffer area may be reduced if a qualified biologist and CDFG determine it would not be likely to have adverse effects on the falcons. No action other than avoidance shall be taken without CDFG consultation.</p> <p>3. No new Project construction activity shall commence within the buffer area until young have fledged and the nest is no longer active, or until nesting has been terminated for reasons unrelated to Project activities. Completion of the nesting cycle shall be determined by a qualified biologist who is experienced in peregrine falcon breeding biology (as determined and approved by the City/Agency).</p> <p><b>MM BI-6a.1</b> and <b>MM BI-6a.2</b> would also apply to this impact.</p>	
<b>Impact BI-7a</b> Construction at Candlestick Point would not have a substantial adverse effect on the quantity and quality of suitable foraging habitat for raptors.	LTS	No mitigation is required. Implementation of <b>MM BI-7b</b> would be beneficial to grassland-associated raptors.	LTS
<b>Impact BI-7b</b> Implementation of the Project at HPS Phase II would not have a substantial adverse effect on the quantity and quality of suitable foraging habitat for raptors.	PS	<p><b>MM BI-7b</b> <u>Enhancement of Raptor Foraging Habitat</u>. The Draft Parks, Open Space, and Habitat Concept Plan shall implement, at a minimum, the following measures in open space areas outside the CPSRA, and if allowed, within the CPSRA area:</p> <ul style="list-style-type: none"> <li>■ <b>Restoration and Management of Grasslands:</b> To maintain grassland-associated wildlife species on the site, grasslands extensive enough to support such species shall be maintained and enhanced through the restoration of native grasses. Such grassland habitat shall not be well manicured or regularly mown. No trees shall be planted within such areas, and shrub cover would be limited to a few small, scattered patches of low-statured coastal scrub plants. At a minimum, replacement of non-native grassland impacted at HPS Phase II with native-dominated grassland shall occur at a ratio of 1:1 (1 acre of native-dominated grassland restored: 1 acre of non-native grassland impacted).</li> <li>■ <b>Increase in Tree/Shrub Cover:</b> Trees and shrubs (particularly natives) shall be planted and maintained outside the designated grassland restoration area to provide foraging habitat for raptors and other migratory birds, and cover for mammals, reptiles, and smaller birds that may serve as raptor prey. While native vegetation shall be favored, site-appropriate non-native trees and shrubs that provide food or structural resources that are particularly valuable to native wildlife shall also be considered. Approximately 10,000 net new trees shall be planted at the Project site and in the community, in addition to trees that will be replaced as required by the Urban Forestry Ordinance or <b>MM BI-14a</b>.</li> </ul> <p>The elements identified above shall be reviewed and approved by a qualified biologist (one familiar with the ecology of the Project site), and the Draft Parks, Open Space, and Habitat Concept Plan shall be implemented during construction of the Project. This plan shall be approved by the City/Agency prior to construction, and its preparation and implementation shall be the financial responsibility of the Project Applicant.</p>	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact BI-8a</b> Construction at Candlestick Point would not have a substantial adverse effect, either directly or through habitat modifications, on the western red bat, a species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS.	LTS	No mitigation is required. <b>MM BI-7b</b> and <b>MM BI-14a</b> would result in a beneficial effect on habitat for the western red bat.	LTS
<b>Impact BI-8b</b> Construction at HPS Phase II would not have a substantial adverse effect, either directly or through habitat modifications, on the western red bat, a species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS.	LTS	No mitigation is required. Implementation of <b>MM BI-7b</b> and <b>MM BI-14a</b> would be beneficial to the habitat for the western red bat.	LTS
<b>Impact BI-9a</b> Pile driving associated with construction at Candlestick Point would not have a substantial adverse effect either directly or through habitat modifications, on marine mammals or fish identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS.	NI	No mitigation is required.	NI

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<p>● <b>Impact BI-9b</b> Pile driving associated with construction of the marina and the Yosemite Slough bridge would not have a substantial adverse effect at HPS Phase II, either directly or through habitat modifications, on marine mammals or fish identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS.</p>	<p>PS</p>	<p><b>MM BI-9b</b> <u>Pile Driving Design and Minimization Measures</u>. To minimize impacts on fish and marine mammals, the Project Applicant shall be implemented the following measure to reduce the amount of pressure waves generated by pile driving. The first set of measures shall be implemented during Project design. The second set of measures shall be implemented during construction.</p> <p>Design Measures:</p> <ol style="list-style-type: none"> <li>1. Engineer structures to use fewer or smaller piles, where feasible, and preferably, solid piles.</li> <li>2. Design structures that can be installed in a short period of time (i.e., during periods of slack tide when fish movements are lower).</li> <li>3. Do not use unsheathed creosote-soaked wood pilings.</li> </ol> <p>The City/Agency, with consultation from a qualified biologist who is familiar with marine biology, as approved by the City/Agency, shall review the final Project design to ensure that these design requirements have been incorporated into the Project.</p> <p>Construction Measures:</p> <ol style="list-style-type: none"> <li>1. Drive piles with a vibratory device instead of an impact hammer if feasible.</li> <li>2. Restrict pile driving of steel piles to the June 1 to November 30 work window, or as otherwise recommended by NMFS (driving of concrete piles would not be subject to this condition).</li> <li>3. Avoid installation of any piles during the Pacific herring spawning season of December through February. Consult with the CDFG regarding actual spawning times if pile installation occurs between October and April.</li> <li>4. If steel piles must be driven with an impact hammer, an air curtain shall be installed to disrupt sound wave propagation, or the area around the piles being driven shall be dewatered using a cofferdam. The goal of either measure is to disrupt the sound wave as it moves from water into air.</li> <li>5. If an air curtain is used, a qualified biologist shall monitor pile driving to ensure that the air curtain is functioning properly and Project-generated sound waves do not exceed the threshold of 180-decibels generating 1 micropascal (as established by NMFS guidelines). This shall require monitoring of in-water sound waves during pile driving.</li> <li>6. Unless the area around the piles is dewatered during pile driving, a qualified biologist shall be present during pile driving of steel piles to monitor the work area for marine mammals. Driving of steel piles shall cease if a marine mammal approaches within 250 feet of the work area or until the animal leaves the work area of its own accord.</li> </ol>	<p>LTS/M</p>

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact BI-10a</b> Construction of the Candlestick Point would require the removal of hard substrates (riprap) used by native oysters, but would not have a substantial adverse effect, either directly or through habitat modifications, on this species.	LTS	No mitigation is required.	LTS
<b>Impact BI-10b</b> Construction at HPS Phase II would require removal of hard substrates (docks, riprap, seawalls, pilings, etc) used by native oysters, but would not have a substantial adverse effect, either directly or through habitat modifications, on this species.	LTS	No mitigation is required.	LTS
<b>Impact BI-10c</b> Construction of the Yosemite Slough bridge may require removal of hard substrates (docks, riprap, seawalls, pilings, etc) used by native oysters, but would not have a substantial adverse effect, either directly or through habitat modifications, on this species.	LTS	No mitigation is required.	LTS
<b>Impact BI-11a</b> Construction at Candlestick Point would not have a substantial adverse effect on designated critical habitat for green sturgeon and Central California Coast steelhead, and would not result in impacts to individuals of these species as well as Chinook salmon and longfin smelt through disturbance and loss of aquatic and mudflat	PS	MM BI 4a.1 and MM BI 4a.2 would apply to this impact.	LTS/M

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<p>habitat as a result of construction of shoreline revetments.</p> <p><b>Impact BI-11b</b> Construction at HPS Phase II would not have a substantial adverse effect on designated critical habitat for green sturgeon and Central California Coast steelhead, and would not result in impacts to individuals of these species as well as Chinook salmon and longfin smelt through temporary and permanent disturbance of aquatic and mudflat habitat during construction of shoreline revetments.</p>	<p>PS</p>	<p>MM BI 4a.1 and MM BI 4a.2 would apply to this impact.</p>	<p>LTS/M</p>
<p>● <b>Impact BI-11c</b> Construction of the Yosemite Slough bridge would not have a substantial adverse effect on designated critical habitat for green sturgeon and Central California Coast steelhead and would not result in impacts to individuals of these species, Chinook salmon, or longfin smelt through disturbance or loss of aquatic and mudflat habitat as a result of construction of shoreline revetments.</p>	<p>PS</p>	<p>MM BI 4a.1 and MM BI 4a.2 would apply to this impact.</p>	<p>LTS/M</p>

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<p><b>Impact BI-12a</b> Construction at Candlestick Point would not have a substantial adverse effect on designated essential fish habitat through (EFH) or result in a substantial change in total available essential fish habitat through placement of riprap and other fill or through temporary water-quality impacts during construction. EFH is a sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFG or USFWS.</p>	PS	<p><b>MM BI-12a.1 <u>Seasonal Restrictions on In-Water Work.</u></b> In-water work when juvenile salmonids are moving through the estuary on the way to the ocean or when groundfish and prey species could be directly impacted shall be avoided. Because steelhead are potentially present, the allowed dredge window for this area of the San Francisco Bay is June 1 through November 30. All in-water construction shall occur during this window. If completion of in-water work within this period is not feasible due to scheduling issues, new timing guidelines that shall be established and submitted to NMFS and CDFG for review and approval.</p> <p><b>MM BI-12a.2 <u>Worker Training.</u></b> Personnel involved in in-water construction and deconstruction activities shall be trained by a qualified biologist (experienced in construction monitoring, as approved by the City/Agency) in the importance of the marine environment to special-status fish, birds, and marine mammals and the environmental protection measures put in place to prevent impacts to these species, their habitats, and Essential Fish Habitat. The training shall include, at a minimum, the following:</p> <ul style="list-style-type: none"> <li>■ A review of the special-status fish, birds, and marine mammals and sensitive habitats that could be found in work areas</li> <li>■ Measures to avoid and minimize adverse effects to special-status fish, birds, marine mammals, their habitats, and Essential Fish Habitat</li> <li>■ A review of all conditions and requirements of environmental permits, reports, and plans (i.e., USACE permits)</li> </ul> <p><b>MM BI-4a.1 and MM BI-4a.2</b> would also apply to this impact.</p>	LTS/M
<p><b>Impact BI-12b</b> Construction at HPS Phase II would not have a substantial adverse effect on designated essential fish habitat through (EFH) through placement of riprap and other fill, or through temporary water-quality impacts during construction. EFH is a sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFG or USFWS.</p>	PS	<p><b>MM BI-12b.1 <u>Essential Fish Habitat Avoidance and Minimization Measures.</u></b> The following mitigation measures have been adapted from Amendment 11 of the West Coast Groundfish Plan<sup>6</sup> and Appendix A of the Pacific Coast Salmon Plan.<sup>7</sup> Incorporation of the following, or equivalent mitigation as otherwise required by the USACE or NMFS, would reduce the impacts to Essential Fish Habitat (EFH) to a level considered less than significant. Unless modified by the federal permitting agencies (NMFS or USACE), these measures shall be implemented during construction by the Project Applicant. Any reporting required shall be specified in the USACE permits and reports shall be submitted to the USACE and NMFS.</p> <ul style="list-style-type: none"> <li>■ If dredging is required, permits will be obtained through the Dredged Material Management Office (DMMO) process, and the following mitigation from the Long-Term Management Strategy (LTMS) shall be implemented: <ul style="list-style-type: none"> <li>&gt; Dredging shall avoid areas with submerged aquatic vegetation (eelgrass beds or other EFH areas of particular concern) especially where the action could affect groundfish, prey of outmigrating juvenile salmon or groundfish, larval marine species, or habitat for native oysters</li> </ul> </li> </ul>	LTS/M

<sup>6</sup> PFMC 1998. Essential Fish Habitat – West Coast Groundfish, Amendment 11.

<sup>7</sup> PFMC 1999. Appendix A: Identification and description of Essential Fish Habitat, Adverse Impacts, and Recommended Conservation Measures for Salmon. *Id.* Pacific Coast Salmon Plan (1997) as amended through Amendment 14. Website: <http://www.pcouncil.org/salmon/salfmp/a14.html>.

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
		<ul style="list-style-type: none"> <li>&gt; Sediments shall be tested for contaminants as per EPA and USACE requirements. Contaminated sediments shall be disposed of in accordance with EPA and USACE guidelines</li> <li>&gt; Slopes of the dredged area shall be gradual enough so that sloughing is unlikely to occur. Verification of these conditions shall be achieved through follow-up bathymetric surveys</li> <li>&gt; To minimize turbidity and potential resuspension of contaminated sediments, dredging shall use suction equipment, or similar equipment, when feasible. Where an equipment type may generate significant turbidity (i.e., clamshell), dredging shall be conducted using adequate engineering and best management practices to control turbidity. These include, but are not limited to, sediment curtains and tidal work windows.</li> <li>■ All construction equipment used in conjunction with in-water work (pipelines, barges, cranes, etc.) shall avoid wetlands, marshes, and areas of subaquatic vegetation (including eelgrass beds)</li> <li>■ Upland disposal options shall be considered for all spoils generated by on-site construction, especially if high levels of contaminants are present</li> <li>■ Maximize the use of clean dredged material for beneficial use opportunities, such as salt marsh restoration</li> <li>■ Use Best Management Practices (BMPs) for controlling pollution from marina operations, boatyards, and fueling facilities that meet, as applicable, the BMPs listed in the National Management Measures to Control Nonpoint Source Pollution from Marinas and Recreational Boating<sup>8</sup></li> </ul> <p><b>MM BI-12b.2 Deconstruction/Construction Debris Recovery.</b> A Seafloor Debris Minimization and Removal Plan shall be prepared by the Project Applicant and approved by the City/Agency, prior to initiation of in-water deconstruction (dismantling) or construction activities. The Plan shall be implemented during in-water deconstruction or construction activities, and such activities shall be monitored by a qualified biologist who is experienced in construction monitoring (as approved by the City/Agency). The Seafloor Debris Minimization and Removal Plan shall include, at a minimum:</p> <ul style="list-style-type: none"> <li>■ Debris field boundaries associated with deconstruction activities</li> <li>■ Identification of measures taken to minimize the potential for debris to fall into aquatic habitats (i.e., the use of netting below in-water construction or deconstruction areas)</li> <li>■ Deconstruction equipment, tools, pipes, pilings, and other materials or debris that are inadvertently dropped into the Bay, along with their descriptions and locations</li> <li>■ Circumstances requiring immediate cessation of deconstruction activities and immediate initiation of search and recovery efforts, including procedures for implementing those recovery efforts</li> <li>■ How lost debris that is to be removed post-deconstruction is to be identified, who will be conducting search and recovery operations, and the survey methods to be employed to locate lost equipment and materials</li> <li>■ Criteria that will be used to:</li> </ul>	

<sup>8</sup> National Management Measures to Control Nonpoint Source Pollution from Marinas and Recreational Boating. EPA 841-B-01-005, November 2001.

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<p><b>Impact BI-12c</b> Construction of the Yosemite Slough bridge would not have a substantial adverse effect on designated essential fish habitat through (EFH) through placement of riprap and other fill, or through temporary water-quality impacts during construction. EFH is a sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFG or USFWS.</p>	<p><b>PS</b></p>	<ul style="list-style-type: none"> <li>&gt; Determine whether recovery efforts are appropriate for the object being recovered and do not result in potential environmental impairment greater than if the debris was allowed to remain in place</li> <li>&gt; When sufficient effort has been expended to recover a lost object(s) with no success and continued efforts to recover the seafloor debris have diminishing potential for success and/or result in environmental impairment greater than leaving the debris in place</li> </ul> <ul style="list-style-type: none"> <li>■ Person(s) responsible for implementing the Plan and making the determination on the type of recovery required</li> <li>■ How debris is to be disposed of or recycled</li> <li>■ Metrics for determining when recovery efforts will be considered complete</li> </ul> <p>Following completion of all post deconstruction recovery efforts for seafloor debris, a report shall be prepared by the Project Applicant and submitted to the City/Agency detailing, at a minimum, (1) recovery activities during deconstruction and post-deconstruction, (2) listings of all lost and recovered debris, (3) final disposition of recovered debris, and (4) discussion of what debris could not be recovered and why.</p> <p><b>MMBI-4a.1, MM BI-4a.2, MM BI-5b.1, MM BI-5b.2, MM BI-5b.3, MM BI-5b.4, MM BI-12a.1, and MM BI-12a.2</b> would also apply to this impact.</p> <p><b>MM BI-4a.1, MM BI-4a.2, MM BI-12a.1, MM BI-12a.2, MM BI-12b.1, and MM BI-12b.2</b> would apply to this impact.</p>	<p><b>LTS/M</b></p>

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact BI-13a</b> Construction at Candlestick Point would not interfere substantially with the movement of native resident or migratory wildlife species or with established native resident or migratory wildlife corridor, or impede the use of native wildlife nursery sites.	LTS	No mitigation is required.	LTS
<b>Impact BI-13b</b> Construction at HPS Phase II and construction of the Yosemite Slough bridge would not interfere substantially with the movement of native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, but it could impede the use of native wildlife nursery sites.	PS	<b>MM BI-5b.1</b> through <b>MM BI-5b.4</b> would apply to this impact.	LTS/M
<b>Impact BI-14a</b> Construction at Candlestick Point would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	PS	<b>MM BI-14a</b> <u>Preservation and Replacement of Significant Trees, and Preservation and Planting of Street Trees.</u> Construction activities outside of the Department of Public Works (DPW) jurisdiction could result in the disturbance or removal of a large number of trees. To minimize this impact, the following measures shall be implemented by the Project Applicant in these areas: <ol style="list-style-type: none"> <li>1. Avoidance of the removal of trees that meet the size specifications of significant trees in the Public Works Code Article 16 shall occur to the maximum extent feasible, and any such trees that are removed shall be replaced at a minimum of 1:1 (1 impacted:1 replaced). The species used for replacement shall be consistent with DPW recommendations.</li> <li>2. Street trees shall be planted in all new development areas. The species, size, and locations shall be consistent with the requirements specified in Planning Code Section 143, including, but not limited to, the following: <ol style="list-style-type: none"> <li>a) The street trees installed shall be a minimum of one 24-inch box tree for each 20 feet of frontage of the property along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located either within a setback area on the lot or within the public right-of-way along such lot.</li> <li>b) The species of trees selected shall be suitable for the site, and, in the case of trees installed in the public right-of-way, the species and locations shall be subject to the approval by the DPW. Procedures</li> </ol> </li> </ol>	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		and other requirements for the installation, maintenance, and protection of trees in the public right-of-way shall be as set forth in Public Works Code Article 16.	
		3. If a significant tree or street tree will not be removed, but construction activities will occur within the dripline of such trees, a Tree Protection Plan shall be prepared by an International Society of Arboriculture (ISA) certified arborist, in accordance with the Urban Forestry Ordinance. This plan shall be submitted to the Planning Department for review and approval prior to issuance of a demolition or building permit. The Tree Protection Plan shall include measures to protect all parts of a tree from disturbance during construction, and may include the following: <ul style="list-style-type: none"> <li>a) A site plan with tree species, trunk location, trunk diameter at breast height, and the canopy dripline area within development</li> <li>b) The use of protective fencing to establish an area to be left undisturbed during construction</li> <li>c) Protection specifications, including construction specifications such as boring instead of trenching for utility lines, or tree specifications such as drainage, fertilization, or irrigation measures</li> <li>d) Pruning specifications, if needed, to preserve the health of the tree and allow construction to proceed</li> </ul> Implementation of <b>MM BI-7b</b> would be beneficial to protected trees.	
<b>Impact BI-14b</b> Construction at HPS Phase II and Yosemite Slough bridge would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	<b>PS</b>	<b>MM BI-14a</b> would apply to this impact. Implementation of <b>MM BI-7b</b> would be beneficial to protected trees.	<b>LTS/M</b>
<b>Impact BI-15a</b> Construction within the shoreline or Bay at Candlestick Point would not result in the disturbance of contaminated soil or the re-suspension of contaminated sediments.	<b>NI</b>	No mitigation is required.	<b>NI</b>
<b>Impact BI-15b</b> Construction within the shoreline or Bay at HPS Phase II would not result in the disturbance of contaminated soil or the re-suspension of contaminated sediments.	<b>PS</b>	<b>MM HZ-10b</b> , <b>MM HY-1a.1</b> , and <b>MM HY-1a.2</b> would apply to this impact.	<b>LTS/M</b>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<p><b>Impact BI-16a</b> Implementation of the Project at Candlestick Point would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS or interfere substantially with the movement of any native resident or migratory fish, or impede the use of native wildlife nursery sites.</p>	LTS	No mitigation is required. Implementation of <b>MM BI-7b</b> would be beneficial to terrestrial biological resources.	LTS
<p><b>Impact BI-16b</b> Implementation of the Project at HPS Phase II, including operation of the proposed marina, would not have a substantial adverse effect, either directly or through habitat modifications, on aquatic species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS or interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.</p>	LTS	No mitigation is required. Implementation of <b>MM BI-7b</b> would be beneficial to terrestrial biological resources.	LTS

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact BI-17a</b> Implementation of the Project at Candlestick Point would not have a substantial adverse effect, either directly or through habitat modifications, on nesting American peregrine falcons, identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS.	<b>NI</b>	No mitigation is required.	<b>NI</b>
<b>Impact BI-17b</b> Implementation of the Project at HPS Phase II would not have a substantial adverse effect, either directly or through habitat modifications, on nesting American peregrine falcons, identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS.	<b>NI</b>	No mitigation is required.	<b>NI</b>
<b>Impact BI-18a</b> Implementation of the Project at Candlestick Point would not have a substantial adverse effect, either directly or through habitat modifications, on aquatic species identified as a candidate, sensitive, or special-status in local or regional plans, policies, or regulations, or by the CDFG or USFWS, or have a substantial adverse effect on designated EFH, a sensitive natural community identified in local or regional plans, policies, and regulations or by the NMFS.	<b>NI</b>	No mitigation is required.	<b>NI</b>

**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p><b>Impact BI-18b</b> Implementation of the marina in HPS Phase II would require routine maintenance dredging of the marina, which could remove habitat or generate substantial increases in turbidity within the marina, but would not have a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status in local or regional plans, policies, or regulations, or by the CDFG or USFWS, or have a substantial adverse effect on designated EFH, a sensitive natural community identified in local or regional plans, policies, and regulations or by the NMFS.</p>	<p>PS</p>	<p><b>MM BI-18b.1</b> <u>Maintenance Dredging and Turbidity Minimization Measures for the Operation of the Marina.</u> Maintenance dredging for the marina could remove or generate sediment plumes that could impact special-status species, their habitats, and Essential Fish Habitat (EFH). To minimize this effect, the following measures shall be implemented by the Project Applicant:</p> <ol style="list-style-type: none"> <li>1. Conduct a detailed survey for native oysters in all suitable substrates within the marina, which includes the area between the land and breakwaters, after construction of the new breakwaters. This survey shall be conducted by a qualified oyster biologist at low tides that expose the maximum amount of substrate possible. Surveys can be conducted at any time of year, but late summer and early fall are optimal because newly settled oysters are detectable. This survey shall occur before any construction within the proposed marina location takes place to establish a baseline condition. If few or no oysters are observed on hard substrates that would remain in place after dredging, no further mitigation is required.</li> <li>2. If oysters are found at densities at or above 90 oysters per square meter<sup>9</sup> on suitable oyster-settlement substrates that would be removed or in areas where dredging sediment could settle out onto the oysters, a detailed sediment plume modeling study of the proposed marina operation shall be conducted to determine if the operations and maintenance of the marina would generate a substantial plume of sediment. This model shall include the local bathymetry and sediment information, tidal data, and detailed marina information (number and types of boats, etc). The model shall be prepared by a qualified harbor engineer (as approved by the City/Agency) with direct experience in this type of work within San Francisco Bay, prior to issuance of any permits for the construction of features directly associated with the marina. A report documenting modeling methods, input data, assumptions, results, and implications for increased rates of sedimentation shall be prepared and provided to NMFS during the USACE-directed Section 7 and EFH consultation for the marina. If the model demonstrates minimal sediment resuspension that would settle out before reaching sensitive habitats, no further mitigation is required.</li> <li>3. If the sediment plume reaches sensitive shoreline habitats (substrates that support native oysters), compensatory mitigation shall be provided by the Project Applicant at a ratio recommended by NMFS for the type of habitat adversely affected. The Project Applicant shall retain a qualified oyster biologist (as approved by the City/Agency) to develop an Oyster Restoration Plan that shall be reviewed and approved by the City/Agency. This Plan shall include site selection, substrate installation, and monitoring procedures, and include the following components (unless otherwise modified by NMFS): <ul style="list-style-type: none"> <li>■ A suitable site for installation of replacement substrate would be one with adequate daily tidal flow, a location that would not be affected by maintenance dredging or other routine marina maintenance activities, and one that is lacking in appropriate settlement substrate. A location outside of the new breakwaters or in association with any eelgrass mitigation sites would be appropriate.</li> </ul> </li> </ol>	<p>LTS/M</p>

<sup>9</sup> MACTEC Engineering and Consulting, Inc. 2008. *Oyster Point Marina Olympia Oyster Surveys Pre- and Post-Dredging February 2008, Oyster Point Marina, South San Francisco, California*. Prepared for PBS&J; Obernolte. 2009. Personal communication between MACTEC and PBS&J.

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		<ul style="list-style-type: none"> <li>■ Although oysters would settle on a variety of materials, the most appropriate for restoration purposes is oyster shell. This is typically installed by placing the shell into mesh bags that can then be placed in piles on the seafloor of the mitigation site. Enough shell shall be installed under the guidance of a qualified oyster biologist to make up for the loss attributable to the Project. Mitigation shall occur after construction of all in-water elements of the Project within HPS Phase II.</li> <li>■ The restoration site shall be monitored on a regular basis by a qualified oyster biologist for a minimum of two years, or until success criteria are achieved if they are not achieved within two years. Monitoring shall involve routine checks (bi-monthly during the winter and monthly during the spring and summer) to evaluate settlement, growth, and survival on the mitigation site. Success shall be determined to have been achieved when settlement and survival rates for oysters are not statistically significantly different between the mitigation site and either populations being impacted (if data are available) or nearby established populations (i.e., Oyster Point Marina).</li> </ul> <p><b>MM BI-18b.2</b> <u>Implement BMPs to Reduce Impacts of Dredging To Water Quality</u>. BMPs established in Appendix I of the Long-Term Management Strategy (LTMS) for management of disposal of dredge material in San Francisco Bay are designed specifically to minimize spread of contaminants Long-Term Management Strategy (LTMS) outside of dredge areas. All of these elements of the LTMS shall be applied to any proposed dredging or construction activities associated with the Project unless otherwise modified by the USACE, BCDC, or SFRWQCB in permit conditions associated with the proposed dredging activities associated with this Project (same as MM BI-19b.2).</p>	
<b>Impact BI-19a</b> Implementation of the Project at Candlestick Point would not result in impacts to aquatic organisms through the re-suspension of contaminated sediments.	<b>NI</b>	No mitigation is required.	<b>NI</b>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p><b>Impact BI-19b</b> Implementation of the marina in HPS Phase II would not have a substantial adverse effect, either directly or through habitat modifications, on sensitive aquatic species, identified as candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS, or have a substantial adverse effect on designated EFH, a sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFG or USFWS, or have a substantial effect on predators that prey on contaminated species or feed on contaminated substrates as a result of routine maintenance dredging or could generate routine increases in turbidity within the marina that would result in the re-suspension of contaminated sediments.</p>	<p>PS</p>	<p><b>MM BI-19b.1</b> <u>Work Windows to Reduce Maintenance Dredging Impacts to Fish during Operation of the Marina.</u> According to the Long-Term Management Strategy (LTMS), dredging Projects that occur during the designated work windows do not need to consult with NMFS under the federal <i>Endangered Species Act</i> (FESA).<sup>10</sup> The window in which dredging is allowed for the protection of steelhead in the central Bay is June 1 to November 30. The spawning season for the Pacific herring is March 1 to November 30.<sup>11</sup> Therefore, the window that shall be applied to minimize impacts to sensitive fish species (during which dredging activities cannot occur) is March 1 to November 30.</p> <p><b>MM BI-19b.2</b> <u>Implement BMPs to Reduce Impacts of Dredging To Water Quality.</u> BMPs established in Appendix I of the Long-Term Management Strategy (LTMS) are designed specifically to minimize spread of contaminants outside of dredge areas. All of these elements of the LTMS shall be applied to any proposed dredging or construction activities associated with the Project unless otherwise modified by the USACE, BCDC, or the San Francisco Bay Regional Water Quality Control Board in permit conditions associated with the proposed dredging activities associated with this Project (same as MM BI-18b.2).</p>	<p>LTS/M</p>

<sup>10</sup> US Army Corps of Engineers, US Environmental Protection Agency, San Francisco Bay Conservation and Implementation Commission, and San Francisco Bay Regional Water Quality Control Board. Long-term Management Strategy for the Placement of Dredge Material in the San Francisco Bay, Management Plan 2001.

<sup>11</sup> US Army Corps of Engineers, US Environmental Protection Agency, San Francisco Bay Conservation and Implementation Commission, and San Francisco Bay Regional Water Quality Control Board. Long-term Management Strategy for the Placement of Dredge Material in the San Francisco Bay, Management Plan 2001; Appendix F.

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures			
Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p><b>Impact BI-20a</b> Implementation of the Project at Candlestick Point would not interfere substantially with the movement of resident or migratory bird species by increasing collision hazards and the amount of artificial lighting.</p>	<p>PS</p>	<p><b>MM BI-20a.1</b> <u>Lighting Measures to Reduce Impacts to Birds</u>. During design of any building greater than 100 feet tall, the Project Applicant and architect shall consult with a qualified biologist experienced with bird strikes and building/lighting design issues (as approved by the City/Agency) to identify lighting-related measures to minimize the effects of the building's lighting on birds. Such measures, which may include the following and/or other measures, will be incorporated into the building's design and operation.</p> <ul style="list-style-type: none"> <li>■ Use strobe or flashing lights in place of continuously burning lights for obstruction lighting. Use flashing white lights rather than continuous light, red light, or rotating beams.</li> <li>■ Install shields onto light sources not necessary for air traffic to direct light towards the ground.</li> <li>■ Extinguish all exterior lighting (i.e., rooftop floods, perimeter spots) not required for public safety.</li> <li>■ When interior or exterior lights must be left on at night, the developer and/or operator of the buildings shall examine and adopt alternatives to bright, all-night, floor-wide lighting, which may include: <ul style="list-style-type: none"> <li>&gt; Installing motion-sensitive lighting.</li> <li>&gt; Using desk lamps and task lighting.</li> <li>&gt; Reprogramming timers.</li> <li>&gt; Use of lower-intensity lighting.</li> </ul> </li> <li>■ Windows or window treatments that reduce transmission of light out of the building will be implemented to the extent feasible.</li> <li>■ Educational materials will be provided to building occupants encouraging them to minimize light transmission from windows, especially during peak spring and fall migratory periods, by turning off unnecessary lighting and/or closing drapes and blinds at night.</li> <li>■ A report of the lighting alternatives considered and adopted shall be provided to the City/Agency for review and approval prior to construction. The City/Agency shall ensure that lighting-related measures to reduce the risk of bird collisions have been incorporated into the design of such buildings to the extent practicable.</li> </ul> <p><b>MM BI-20a.2</b> <u>Building Design Measures to Minimize Bird Strike Risk</u>. During design of any building greater than 100 feet tall, the Project Applicant and architect will consult with a qualified biologist experienced with bird strikes and building/lighting design issues (as approved by the City/Agency) to identify measures related to the external appearance of the building to minimize the risk of bird strikes. Such measures, which may include the following and/or other measures, will be incorporated into the building's design.</p> <ul style="list-style-type: none"> <li>■ Use non-reflective tinted glass.</li> <li>■ Use window films to make windows visible to birds from the outside.</li> <li>■ Use external surfaces/designs that "break up" reflective surfaces.</li> <li>■ Place bird attractants, such as bird feeders and baths, at least 3 feet and preferably 30 feet or more from windows in order to reduce collision mortality.</li> </ul>	<p>LTS/M</p>

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
		A report of the design measures considered and adopted shall be provided to the City/Agency for review and approval prior to construction. The City/Agency shall ensure that building design-related measures to reduce the risk of bird collisions have been incorporated to the extent practicable.	
<b>Impact BI-20b</b> Implementation of the Project at HPS Phase II would not interfere substantially with the movement of resident or migratory bird species by increasing collision hazards and the amount of artificial lighting.	<b>PS</b>	<b>MM BI-20a.1</b> and <b>MM BI-20a.2</b> would apply to this impact.	<b>LTS/M</b>
<b>Impact BI-21a</b> Implementation of the Project at Candlestick Point would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	<b>PS</b>	<b>MM BI-14a</b> would apply to this impact.	<b>LTS/M</b>
<b>Impact BI-21b</b> Implementation of the Project at HPS Phase II would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	<b>PS</b>	<b>MM BI-14a</b> would apply to this impact.	<b>LTS/M</b>
<b>Impact BI-22</b> Implementation of the Project would not have a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, by the CDFG, USFWS, or NMFS.	<b>PS</b>	<b>MM BI-4a.1, MM BI-4a.2, MM BI-5b.1 through MM BI-5b.4, MM BI-6a.1, MM BI-6a.2, MM BI-6b, MM BI-7b, MM BI-9b, MM BI-18b.1, and MM BI-18b.2</b> would apply to this impact.	<b>LTS/M</b>

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact BI-23</b> Implementation of the Project would not have a substantial adverse effect on sensitive natural communities identified in local or regional plans, policies, or regulations by the CDFG, USFWS, or NMFS.	PS	MM BI-5b.1 through MI-BI-5b.4, MM BI-12a.1, MM BI-12a.2, MM BI-12b.1, MM BI-12b.2, MM BI-18b.1, MM BI-18b.2, MM BI-19b.1, and MM BI-19b.2 would apply to this impact.	LTS/M
<b>Impact BI-24</b> Implementation of the Project would not have a substantial adverse effect on federally protected wetlands and other waters as defined by Section 404 of the <i>Clean Water Act</i> (including, but not limited to, marsh, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	PS	MM BI-4a.1 and MM BI-4a.2 would apply to this impact.	LTS/M
<b>Impact BI-25</b> Implementation of the Project would not interfere substantially with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery site.	PS	MM BI-5b.1 through MM BI-5b.4, MM BI-20a.1, and MM BI-20a.2 would apply to this impact.	LTS/M
<b>Impact BI-26</b> Implementation of the Project would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	PS	MM BI-14a would apply to this impact. Implementation of MM BI-7b would be beneficial to protected trees.	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>SECTION III.O (PUBLIC SERVICES)</b>			
<b>Impact PS-1</b> Construction activities associated with the Project would not result in a need for new or physically altered facilities in order to maintain acceptable service ratios, response times, or other performance objectives for police protection.	<b>PS</b>	<b>MM PS-1</b> <u>Site Security Measures During Construction</u> . During site preparation and in advance of construction of individual buildings, fencing, screening, and security lighting shall be provided by the Project Applicant. During non-construction hours the site must be secured and locked, and ample security lighting shall be provided. <b>MM TR-1</b> would also apply to this impact.	<b>LTS/M</b>
<b>Impact PS-2</b> Implementation of the Project would not result in a need for new or physically altered facilities beyond those included as part of this Project in order to maintain acceptable service ratios, response times, or other performance objectives for police protection.	<b>Varies</b>	Refer to Section III.D (Transportation and Circulation), Section III.H (Air Quality), Section III.I (Noise), Section III.J (Cultural Resources) Section III.K (Hazards and Hazardous Materials), and Section III.M (Hydrology and Water Quality) for the specific significance conclusions and mitigation measures for construction-related effects.	<b>Varies</b>
<b>Impact PS-3</b> Construction activities associated with the Project would not result in a need for new or physically altered facilities in order to maintain acceptable response times for fire protection and emergency medical services.	<b>PS</b>	<b>MM TR-1</b> would apply to this impact.	<b>LTS/M</b>
<b>Impact PS-4</b> Implementation of the Project would not result in a need for new or physically altered facilities beyond those included as part of this Project in order to maintain acceptable response times for fire protection and emergency medical services.	<b>Varies</b>	Refer to Section III.D (Transportation and Circulation), Section III.H (Air Quality), Section III.I (Noise), Section III.J (Cultural Resources) Section III.K (Hazards and Hazardous Materials), and Section III.M (Hydrology and Water Quality) for the specific significance conclusions and mitigation measures for construction-related effects.	<b>Varies</b>

Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact PS-5</b> Construction activities associated with the Project would not affect the provision of school services by decreasing access to school services.	<b>NI</b>	No mitigation is required.	<b>NI</b>
<b>Impact PS-6</b> New students associated with implementation of the Project would not require new or expanded school facilities, the construction of which could result in substantial adverse impacts.	<b>LTS</b>	No mitigation is required.	<b>LTS</b>
<b>Impact PS-7</b> Construction activities associated with the Project would not affect provision of school services by decreasing access to library services.	<b>NI</b>	No mitigation is required.	<b>NI</b>
<b>Impact PS-8</b> Implementation of the Project would not result in an increase in demand for library services that is not met by existing library facilities in the vicinity that have been expanded or updated.	<b>LTS</b>	No mitigation is required.	<b>LTS</b>

**SECTION III.P (RECREATION)**

<b>Impact RE-1</b> Construction of the parks, recreational uses, and open space proposed by the Project would not result in substantial adverse physical environmental impacts beyond those analyzed and disclosed in this EIR.	<b>Varies</b>	Refer to Section III.D (Transportation and Circulation), Section III.H (Air Quality), Section III.I (Noise), Section III.J (Cultural Resources and Paleontological Resources) Section III.K (Hazards and Hazardous Materials), and Section III.M (Hydrology and Water Quality) for the specific significance conclusions and mitigation measures for construction-related effects.	<b>Varies</b>
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**Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures**

<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
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<p><b>Impact RE-2</b> Implementation of the Project would not increase the use of existing parks and recreational facilities that would cause the substantial physical deterioration of the facilities to occur or to be accelerated, nor would it result in the need for, new or physically altered park or recreational facilities.</p>	<p>PS</p>	<p><b>MM RE-2</b> <u>Phasing of parkland with respect to residential and/or employment generating uses.</u> Development of the Project and associated parkland shall generally proceed in four phases, as illustrated by Figure II-16 (Proposed Site Preparation Schedule) of Chapter II (Project Description) of this EIR. To ensure that within each phase parks and population increase substantially concurrently, development shall be scheduled such that adequate parkland is constructed and operational when residential and employment-generating uses are occupied. The following standards shall be met:</p> <ul style="list-style-type: none"> <li>■ No project development shall be granted a temporary certificate of occupancy if the City determines that the new population associated with that development would result in a parkland-to-population ratio within the Project site lower than 5.5 acres per 1,000 residents/population, as calculated by the Agency.</li> <li>■ For the purposes of this mitigation measure, in order for a park to be considered in the parkland-to-population ratio, the Agency must determine that within 12 months of the issuance of the temporary certificate of occupancy, it will be fully constructed and operational, and, if applicable, operation and maintenance funding will be provided to the Agency.</li> </ul>	<p>LTS/M</p>
<p>● <b>Impact RE-3</b> Implementation of the Project would decrease the size of CPSRA but would not, overall, have an adverse effect on the recreational opportunities offered by that park, nor would it substantially adversely affect windsurfing opportunities at the Project site.</p>	<p>LTS</p>	<p>No mitigation is required.</p>	<p>LTS</p>

**SECTION III.Q (UTILITIES)**

<p><b>Impact UT-1</b> Implementation of the Project would not require water supplies in excess of existing entitlements or result in the need for new or expanded entitlements.</p>	<p>LTS</p>	<p>No mitigation is required.</p>	<p>LTS</p>
<p>● <b>Impact UT-2</b> Implementation of the Project would not require or result in the construction of new or expanded water treatment facilities. The Project would require the expansion of an auxiliary water conveyance system to provide adequate water supply for firefighting to the Project site.</p>	<p>PS</p>	<p><b>MM UT-2</b> <u>Auxiliary Water Supply System.</u> Prior to issuance of occupancy permits, as part of the Infrastructure Plan to be approved, the Project Applicant shall construct an Auxiliary Water Supply System (AWSS) loop within Candlestick Point to connect to the City's planned extension of the off-site system off-site on Gilman Street from Ingalls Street to Candlestick Point. The Project Applicant shall construct an additional AWSS loop on HPS Phase II to connect to the existing system at Earl Street and Innes Avenue and at Palou and Griffith Avenues, with looped service along Spear Avenue/Crisp Road.</p>	<p>LTS/M</p>

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact UT-3</b> Implementation of the Project would not require expansion of existing off-site wastewater conveyance or treatment facilities.	PS	<b>MM UT-3a</b> would apply to this impact.	LTS/M
<b>Impact UT-3a</b> Implementation of the Project at Candlestick Point would not require expansion of existing off-site wastewater conveyance facilities.	PS	<b>MM UT-3a</b> <u>Wet-Weather Wastewater Handling</u> . Prior to approval of the Project's wastewater infrastructure construction documents for any new development, the Project Applicant shall demonstrate to the San Francisco Public Utilities Commission (SFPUC), in writing, that there will be no net increase in wastewater discharges during wet-weather conditions from within the Project Area boundary to the Bayside System compared to pre-Project discharges. This may be accomplished through a variety of means, including, but not limited to: <ul style="list-style-type: none"> <li>■ Temporary on-site retention or detention of flows to the system</li> <li>■ Separation of all or a portion of the stormwater and wastewater system at Candlestick Point</li> </ul>	LTS/M
<b>Impact UT-3b</b> Implementation of the Project at HPS Phase II would not require expansion of existing off-site wastewater conveyance facilities.	PS	<b>MM UT-3a</b> would apply to this impact.	LTS/M
<b>Impact UT-4</b> Implementation of the Project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.	LTS	No mitigation is required.	LTS
<b>Impact UT-5</b> Construction activities associated with the Project, including demolition of existing facilities, would not generate construction-related solid waste that would exceed the capacity of landfills serving the City and County of San Francisco.	PS	<b>MM UT-5a</b> would apply to this impact.	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact UT-5a</b> Construction at Candlestick Point, including demolition of existing facilities, would not generate construction-related solid waste that would exceed the capacity of landfills serving the City and County of San Francisco.	PS	<b>MM UT-5a</b> <u>Construction Waste Diversion Plan</u> . The Project Applicant shall submit a Construction Waste Diversion Plan to the Director of the San Francisco Department of the Environment demonstrating a plan to divert at least 75 percent of or more of the total construction and demolition debris produced as the result of the Project (such as wood, metal, concrete, asphalt, and sheetrock) from landfill interment, which is required by the City's Green Building Ordinance. The Plan shall be submitted and approved by the Director of the San Francisco Department of the Environment before the issuance of building permits. This Plan shall include (1) identification of how much material resulting from demolition of existing facilities could be reused on site (e.g., existing asphalt and concrete could be removed, crushed, reconditioned, and reused as base material for new roadways and parking lots); (2) the extent to which materials could be sorted on site (e.g., through piecemeal demolition of selected facilities to extract recyclable materials), (3) the amount of material that would be transported to an off-site location for separation; and (4) the amount of materials that cannot be reused or recycled and would be interred at a landfill, such as the Altamont Landfill in Livermore.	LTS/M
<b>Impact UT-5b</b> Construction at HPS Phase II, including demolition of existing facilities, would not generate construction-related solid waste that would exceed the capacity of landfills serving the City and County of San Francisco.	PS	<b>MM UT-5a</b> would apply to this impact.	LTS/M
<b>Impact UT-6</b> Construction activities associated with the Project would not require the disposal of hazardous wastes such as lead-based paint, asbestos, and contaminated soils that would exceed the capacity of transport, storage, and disposal facilities permitted to treat such waste.	LTS	No mitigation is required.	LTS
<b>Impact UT-6a</b> Construction at Candlestick Point would not require the disposal of hazardous wastes such as lead-based paint, asbestos, and contaminated soils that would exceed the capacity of transport, storage, and disposal facilities permitted to treat such waste.	LTS	No mitigation is required.	LTS

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact UT-6b</b> Construction at HPS Phase II would not require the disposal of hazardous wastes such as lead-based paint, asbestos, and contaminated soils that would exceed the capacity of transport, storage, and disposal facilities permitted to treat such waste.	LTS	No mitigation is required.	LTS
<b>Impact UT-7</b> Implementation of the Project would not generate solid waste that would exceed the capacity of landfills serving the City and County of San Francisco.	PS	<b>MM UT-7a</b> and <b>MM UT-7a-1</b> would apply to this impact.	LTS/M
<b>Impact UT-7a</b> Implementation of the Project at Candlestick Point would not generate solid waste that would exceed the capacity of landfills serving the City and County of San Francisco.	PS	<b>MM UT-7a</b> <u>Site Waste Management Plan</u> . The Project Applicant shall prepare a Site Waste Management Plan (SWMP) in cooperation with the Agency to describe the methods by which the Project shall minimize waste generation not otherwise covered by existing City regulatory policies, with the goal of achieving a diversion rate of at least 72 percent, consistent with the City's existing diversion rate in 2008. The SWMP shall be submitted to the Department of Environment (DOE) for approval prior to the issuance of the first development permit for the Project.	LTS/M
<b>Impact UT-7b</b> Implementation of the Project at HPS Phase II would not generate solid waste that would exceed the capacity of landfills serving the City and County of San Francisco.	PS	<b>MM UT-7a</b> would apply to this impact.	LTS/M
<b>Impact UT-8</b> Implementation of the Project would not generate hazardous waste that would exceed the permitted capacity of transport, storage, and disposal facilities authorized to treat such waste.	LTS	No mitigation is required.	LTS

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact UT-8a</b> Implementation of the Project at Candlestick Point would not generate hazardous waste that would exceed the permitted capacity of transport, storage, and disposal facilities authorized to treat such waste.	LTS	No mitigation is required.	LTS
<b>Impact UT-8b</b> Implementation of the Project at HPS Phase II would not generate hazardous waste that would exceed the permitted capacity of transport, storage, and disposal facilities authorized to treat such waste.	LTS	No mitigation is required.	LTS
<b>Impact UT-9</b> Implementation of the Project would comply with federal, state, and local statutes and regulations related to solid waste.	PS	<b>MM UT-5a, MM UT-7a.1, and MM UT-7a.2</b> would apply to this impact.	LTS/M
<b>Impact UT-10</b> Implementation of the Project would not require extension of dry utility infrastructure that would exceed the capacity of the services providing such utilities.	LTS	No mitigation is required.	LTS
<b>SECTION III.R (ENERGY)</b>			
<b>Impact ME-1</b> Construction activities associated with the Project would not result in the use of large amounts of energy, or use energy in a wasteful manner.	LTS	No mitigation is required.	LTS
<b>Impact ME-2</b> Buildings constructed by the Project would not use large amounts of electricity in a wasteful manner.	PS	<b>MM GC-2, MM GC -3, and MM GC-4</b> would apply to this impact.	LTS/M

<b>Table ES-2 Summary of Environmental Effects and Project Requirements/Mitigation Measures</b>			
<i>Impact(s)</i>	<i>Level of Significance Prior to Mitigation</i>	<i>Mitigation Measure(s) and/or Project Requirements</i>	<i>Level of Significance After Mitigation</i>
<b>Impact ME-3</b> Buildings constructed by the Project would not use large amounts of natural gas in a wasteful manner.	PS	<b>MM GC-2</b> and <b>MM GC-3</b> would apply to this impact.	LTS/M
<b>Impact ME-4</b> Vehicle trips associated with the Project would not use large amounts of energy in a wasteful manner.	PS	<b>MM TR-1</b> through <b>MM TR-5</b> would apply to this impact.	LTS/M

**SECTION III.S (GREENHOUSE GAS EMISSIONS)**

<b>Impact GC-1</b> The Project would not result in a substantial contribution to global climate change by increasing GHG emissions in a manner that conflicts with the state goal of reducing GHG emissions in California to 1990 levels by 2020 (e.g., a substantial contribution to global climate change) or conflicts with San Francisco’s Climate Action Plan by impeding implementation of the local GHG reduction goals established by the San Francisco 2008 Greenhouse Gas Reduction Ordinance.	PS	<b>MM GC-1</b> Plant up to 10,000 net new trees at the Project site and in the community.	LTS/M
		<b>MM GC-2</b> Exceed the 2008 Standards for Title 24 Part 6 energy efficiency standards for homes and businesses would by at least 15 percent.	
		<b>MM GC-3</b> Install ENERGY STAR appliances, where appliances are offered by homebuilders.	
		<b>MM GC-4</b> Use light emitting diode (LED) based energy efficient street lighting.	

NI = No Impact  
LTS = Less than Significant  
LTS/M = Less than Significant with Mitigation  
PS = Potentially Significant  
S = Significant  
SU = Significant and Unavoidable  
SU/M = Significant and Unavoidable with Mitigation

**Table ES-2a Mitigation Measure Applicability Matrix**

Mitigation Measure	Project	Variant 1	Variant 2	Variant 2A	Variant 3	Variant 4	Variant 5	Alternative 2	Alternative 3	Alternative 4	Subalternative 4A	Alternative 5
MM TR-1	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-2	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-4	•	•	•	•	•	•	•	•	n/a	•	•	•
MM TR-6	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-7	•	•	•	•	•	•	•	•	•	n/a	n/a	•
MM TR-8	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-16	•	•	•	•	•	•	•	•	n/a	•	•	•
MM TR-17	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-21.1	•	•	•	•	•	•	•	•	n/a	•	•	•
MM TR-21.2	•	•	•	•	•	•	•	•	n/a	•	•	•
MM TR-22.1	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-22.2	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-23.1	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-23.2	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-24.1	•	•	•	•	•	•	•	•	n/a	n/a	n/a	•
MM TR-24.2	•	•	•	•	•	•	•	•	n/a	n/a	n/a	•
MM TR-25	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-26.1	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-26.2	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-27.1	•	•	•	•	•	•	•	•	n/a	n/a	n/a	•
MM TR-27.2	•	•	•	•	•	•	•	•	n/a	n/a	n/a	•
MM TR-32	•	•	•	•	•	•	•	•	•	•	•	•
MM TR-38	n/a	n/a	n/a	n/a	•	•	•	•	n/a	n/a	•	n/a
MM TR-39	n/a	n/a	n/a	n/a	•	•	•	•	n/a	n/a	•	n/a
MM TR-46	n/a	n/a	n/a	n/a	•	•	•	•	n/a	n/a	•	n/a

Table ES-2a Mitigation Measure Applicability Matrix												
Mitigation Measure	Project	Variant 1	Variant 2	Variant 2A	Variant 3	Variant 4	Variant 5	Alternative 2	Alternative 3	Alternative 4	Subalternative 4A	Alternative 5
MM TR-47	n/a	n/a	n/a	n/a	•	•	•	•	n/a	n/a	•	n/a
MM TR-51	•	•	•	•	•	•	•	•	•	•	•	•
MM AE-2	•	•	•	•	•	•	•	•	•	•	•	•
MM AE-7a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM AE-7a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM AE-7a.3	•	•	•	•	•	•	•	•	•	•	•	•
MM AE-7a.4	•	•	•	•	•	•	•	•	•	•	•	•
MM AE-7b.1	•	n/a	n/a	n/a	•	•	•	•	n/a	n/a	•	n/a
MM AE-7b.2	•	n/a	n/a	n/a	•	•	•	•	n/a	n/a	•	n/a
MM W-1a	•	•	•	•	•	•	•	•	•	•	•	•
MM AQ-2.1	•	•	•	•	•	•	•	•	•	•	•	•
MM AQ-2.2	•	•	•	•	•	•	•	•	•	•	•	•
MM AQ-6.1	•	•	•	•	•	•	•	•	•	•	•	•
MM AQ-6.2	•	•	•	•	•	•	•	•	•	•	•	•
MM NO-1a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM NO-1a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM NO-2a	•	•	•	•	•	•	•	•	•	•	•	•
MM NO-7.1	•	n/a	n/a	n/a	•	•	•	•	n/a	n/a	•	n/a
MM CP-1b.1	•	•	•	•	•	•	•	•	•	n/a	n/a	•
MM CP-1b.2	•	•	•	•	•	•	•	•	•	n/a	n/a	•
MM CP-2a	•	•	•	•	•	•	•	•	•	•	•	•
MM CP-3a	•	•	•	•	•	•	•	•	•	•	•	•
MM HZ-1a	•	•	•	•	•	•	•	•	•	•	•	•
MM HZ-1b	•	•	•	•	•	•	•	•	•	•	•	•
MM HZ-2a.1	•	•	•	•	•	•	•	•	•	•	•	•

Table ES-2a Mitigation Measure Applicability Matrix												
Mitigation Measure	Project	Variant 1	Variant 2	Variant 2A	Variant 3	Variant 4	Variant 5	Alternative 2	Alternative 3	Alternative 4	Subalternative 4A	Alternative 5
MM HZ-2a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM HZ-5a	•	•	•	•	•	•	•	•	•	•	•	•
MM HZ-9	•	•	•	•	•	•	•	n/a	•	n/a	•	n/a
MM HZ-10b	•	•	•	•	•	•	•	•	•	•	•	•
MM HZ-12	•	•	•	•	•	•	•	•	•	•	•	•
MM HZ-15	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-2a	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-3	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-4a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-4a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-4a.3	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-5a	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-6a	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-10a	•	•	•	•	•	•	•	•	•	•	•	•
MM GE-11a	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-1a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-1a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-6a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-6a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-6b.1	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-6b.2	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-6b.3	•	•	•	•	•	•	•	•	•	n/a	•	•
MM HY-12a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-12a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM HY-14	•	•	•	•	•	•	•	•	•	•	•	•

Table ES-2a Mitigation Measure Applicability Matrix												
Mitigation Measure	Project	Variant 1	Variant 2	Variant 2A	Variant 3	Variant 4	Variant 5	Alternative 2	Alternative 3	Alternative 4	Subalternative 4A	Alternative 5
MM BI-4a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-4a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-4c	•	•	•	•	•	•	•	n/a	•	n/a	•	n/a
MM BI-5b.1	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-5b.2	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-5b.3	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-5b.4	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-6a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-6a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-6b	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-7b	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-9b	•	•	•	•	•	•	•	•	•	n/a	•	•
MM BI-12a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-12a.2	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-12b.1	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-12b.2	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-14a	•	•	•	•	•	•	•	•	•	•	•	•
MM BI-18b.1	•	•	•	•	•	•	•	•	•	n/a	•	•
MM BI-18b.2	•	•	•	•	•	•	•	•	•	n/a	•	•
MM BI-19b.1	•	•	•	•	•	•	•	•	•	n/a	•	•
MM BI-19b.2	•	•	•	•	•	•	•	•	•	n/a	•	•
MM BI-20a.1	•	•	•	•	•	•	•	•	•	•	•	•
MM PS-1	•	•	•	•	•	•	•	•	•	•	•	•
MM RE-2	•	•	•	•	•	•	•	•	•	•	•	•
MM UT-2	•	•	•	•	•	•	•	•	•	•	•	•

Table ES-2a Mitigation Measure Applicability Matrix												
Mitigation Measure	Project	Variant 1	Variant 2	Variant 2A	Variant 3	Variant 4	Variant 5	Alternative 2	Alternative 3	Alternative 4	Subalternative 4A	Alternative 5
MM UT-3a	•	•	•	•	•	•	•	•	•	•	•	•
MM UT-5a	•	•	•	•	•	•	•	•	•	•	•	•
MM UT-7a	•	•	•	•	•	•	•	•	•	•	•	•
MM GC-1	•	•	•	•	•	•	•	•	•	•	•	•
MM GC-2	•	•	•	•	•	•	•	•	•	•	•	•
MM GC-3	•	•	•	•	•	•	•	•	•	•	•	•
MM GC-4	•	•	•	•	•	•	•	•	•	•	•	•

SOURCE: PBS&J, 2010.

“•” indicates that the mitigation measure is applicable; “n/a” indicates that the mitigation measure is not applicable.

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Final Environmental Impact Report  
**CANDLESTICK POINT–HUNTERS POINT SHIPYARD PHASE II  
DEVELOPMENT PLAN PROJECT**

**Volume II: Final EIR (Chapter I to Section III.M)**

**SAN FRANCISCO REDEVELOPMENT AGENCY  
File No. ER06.05.07**

**CITY AND COUNTY OF SAN FRANCISCO PLANNING DEPARTMENT  
File No. 2007.0946E**

**State Clearinghouse No. 2007082168**

**San Francisco Redevelopment Agency  
One South Van Ness Avenue, Fifth Floor, San Francisco, California 94103, and**

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1650 Mission Street, Suite 400, San Francisco, California 94103**

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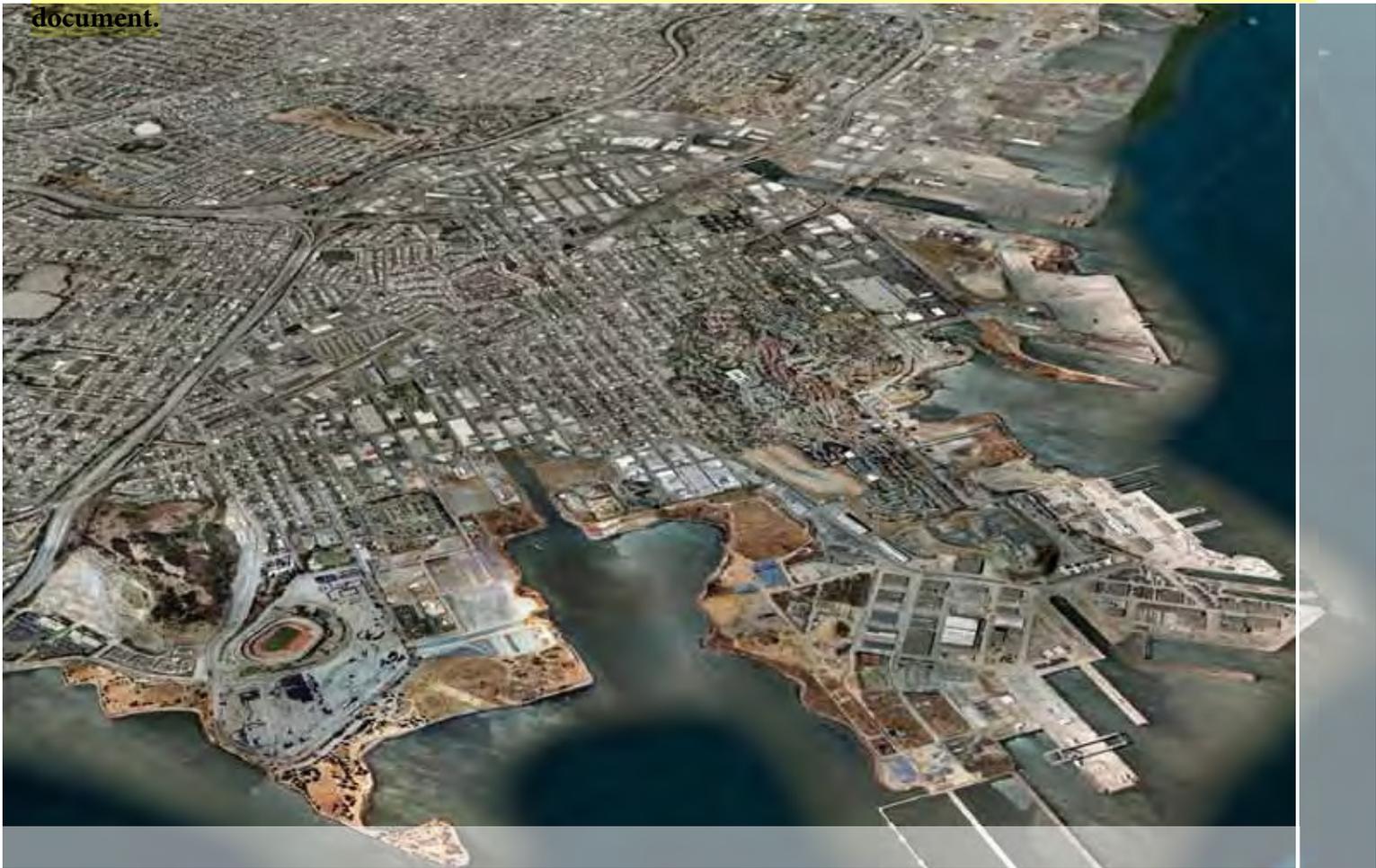
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San Francisco Planning Commission Public Hearing Date: December 17, 2009  
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Final EIR Certification Hearing Date: June 3, 2010

**August 2017**

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Final Environmental Impact Report

## CANDLESTICK POINT–HUNTERS POINT SHIPYARD PHASE II DEVELOPMENT PLAN PROJECT

Volume IV: Final EIR Comments & Responses (Section A through Letter 49)

**SAN FRANCISCO REDEVELOPMENT AGENCY**  
File No. ER06.05.07

**CITY AND COUNTY OF SAN FRANCISCO PLANNING DEPARTMENT**  
File No. 2007.0946E

**State Clearinghouse No. 2007082168**

**San Francisco Redevelopment Agency**  
One South Van Ness Avenue, Fifth Floor, San Francisco, California 94103, and

**City and County of San Francisco Planning Department**  
1650 Mission Street, Suite 400, San Francisco, California 94103

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**Volume V: Final EIR Comments & Responses (Letter 50 through Letter 86)**

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**August 2017**



# SAN FRANCISCO PLANNING DEPARTMENT

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## Addendum to Environmental Impact Report

*Addendum Date:* December 11, 2013  
*Case No.:* 2007.0946E  
*Project Title:* Candlestick Point-Hunters Point Shipyard Phase II  
*EIR:* 2007.0946E, certified June 3, 2010  
*Project Sponsor:* CP Development Co., LP  
*Lead Agency:* San Francisco Planning Department/Office of Community Investment and Infrastructure  
*Staff Contact:* Chris Kern – (415) 575-9037  
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## REMARKS

### *Background*

On June 3, 2010, the San Francisco Planning Commission and the Redevelopment Agency Commission certified the Final Environmental Impact Report (FEIR) for the Candlestick Point – Hunters Point Shipyard Phase II Project (Project), San Francisco Planning Department file number 2007.0946E and San Francisco Redevelopment Agency file number ER06.05.07. On July 14, 2010, the San Francisco Board of Supervisors affirmed the Planning Commission's certification of the Final EIR (Motion No. M10-110) and adopted findings of fact, evaluation of mitigation measures and alternatives, and a statement of overriding considerations (File No. 100572) and adopted a Mitigation Monitoring and Reporting Program (MMRP) in fulfillment of the requirements of the California Environmental Quality Act (CEQA). The Project is the integrated redevelopment of 702 acres in the Candlestick Point area and the Hunters Point Shipyard Phase II area with a major mixed-use project including open space, housing, commercial (office, regional retail, and neighborhood retail) uses, research and development, artist space, a marina, new infrastructure, community uses, entertainment venues, and a new football stadium.

Between June 3, 2010 through August 3, 2010, the Planning Commission, Redevelopment Agency, Board of Supervisors, and other City Boards and Commissions adopted various resolutions, motions and ordinances relating the Project approval and implementation, including but not limited to: (1) General Plan amendments; (2) Planning Code amendments; (3) Zoning Map amendments; (4) Bayview Hunters Point Redevelopment Plan amendments; (5) Hunters Point Shipyard Redevelopment Plan amendments; (6) Interagency Cooperation Agreements; (7) Design for Development documents; (8) Health Code, Public Works Code, Building Code, and Subdivision Code amendments; (9) Disposition and Development Agreement, which included (among other documents) as attachments a Project Phasing Schedule, a Transportation Plan, and an Infrastructure Plan; (10) Real Property Transfer

Agreement; (11) Public Trust Exchange Agreement; (12) Park Reconfiguration Agreement; and (13) Tax Increment Allocation Pledge Agreement.

Subsequent to the certification of the FEIR and the approvals listed above and as part of the first major phase and sub-phase applications, the project sponsor has proposed changes to the Project Phasing Schedule and corresponding changes to the schedules for implementation of related transportation system improvements in the Transportation Plan, including the Transit Operating Plan, and Infrastructure Plan and other public benefits.

### *Project Summary*

The Project covers approximately 702 acres along the southeastern waterfront of San Francisco consisting of 281 acres at Candlestick Point (Candlestick) and 421 acres at Hunters Point Shipyard (HPS Phase II). The FEIR evaluated and the City approved the Project as described in Chapter II and several variants. At the time of Project approval, it was not known whether the 49ers football team would move to Santa Clara or require a new stadium to be built as part of the Project. Consequently, the Board of Supervisors approved several development options including the Project with the stadium and two non-stadium variants. Specifically, the Board approved: (1) the Project with a stadium as described in Chapter II of the FEIR with the Candlestick Tower Variant 3D, Utility Variant 4, and Shared Stadium Variant 5; (2) the Project without the stadium plus the R&D Variant 1, the Candlestick Tower Variant 3D, and the Utility Variant 4; (3) the Project without the stadium plus the Housing/R&D Variant 2a, the Candlestick Tower Variant 3D, and the Utility Variant 4; and (4) Sub-alternative 4A, which provides for the preservation of four historic structures located in the Hunters Point Shipyard and which could be implemented with either the stadium Project or non-stadium Variants.<sup>1</sup>

Following the Project approval in 2010, the 49ers decided to move to, and are constructing a stadium in, the City of Santa Clara. Consequently, the project sponsor has decided to proceed with the Project without the stadium plus the Housing/R&D Variant 2a, and the Candlestick Tower Variant 3D. For purposes of this Addendum, the Project is defined as the non-stadium Project with the Housing/R&D Variant 2a, including the Candlestick Tower Variant 3D.

No decision has been made with respect to implementing the Utility Variant 4; therefore, this variant is not included in the current Major Phase 1 and sub-phase applications and will not be discussed in this Addendum. Implementation of the Housing/R&D Variant 2a at this time includes Sub-alternative 4A, but as Major Phase 1 does not include development affecting the four historic structures under Sub-alternative 4A, this sub-alternative will not be discussed in this Addendum.

This Addendum evaluates proposed changes to the Project Phasing Schedule; related adjustments to the timing of construction of parks, open space and other public benefit

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<sup>1</sup> Board of Supervisors CEQA Findings pp.2-4, July 14, 2010. This document is on file and available for review as part of Case File No. 2007.0946E

improvements; related changes to the implementation of transportation system improvements, including the provision of some interim transit service that would serve the Project until permanent transit service is warranted when the project is further built-out; reconfiguration of Arelious Walker Drive to provide a more walkable roadway; improvements in the bicycle network; and other minor modifications to roadway configurations as described below. No changes to the kinds, locations, densities or intensities of development at build out of the Project are proposed under this Addendum. In addition, this Addendum addresses minor revisions proposed to Mitigation Measures TR-16 Widen Harney Way and UT-2 Auxiliary Water Supply System as described below. The proposed changes to the Project described in this Addendum are subject to approval by the City and County of San Francisco's Commission on Community Investment and Infrastructure through its actions on the Major Phase 1 Plan Submission and the Streetscape Plan pursuant to Disposition and Development Agreement with CP Development Co., LP for the Candlestick Point and Phase 2 Hunters Point Shipyard Project Area.

## PROPOSED PROJECT MODIFICATIONS

### *Project Phasing Schedule*

The project sponsor is proposing changes to the Project Phasing Schedule because: (1) the HPS Parcel B site will not be available for development until later than previously anticipated due to delays in the transfer of this site from the Navy to the developer; and (2) the Candlestick Park stadium site will be available for development sooner than previously anticipated due to the 49ers football team's move to a new stadium in Santa Clara in 2014.

In response to these changes, the project sponsor proposes the following changes to the Project Phasing Schedule:

- Demolition of Candlestick Park stadium and construction of the Candlestick Point Regional Retail Center in Major Phase 1 instead of Major Phase 3 as shown in the 2010 Project Phasing Schedule.
- Development of all of the research and development blocks on Parcel C in HPS Phase II in Major Phase 3 instead of splitting this development between Major Phase 2 and 3 as shown in the 2010 Project Phasing Schedule.
- Development of all improvements in the HPS Phase II South area in Major Phase 4 instead of splitting this development among Major Phases 2, 3, and 4 as shown in the 2010 Project Phasing Schedule.

Under the modified Phasing Schedule, construction activities at Candlestick Point would occur from 2014 through 2035 rather than 2012 through 2031 as described in the FEIR (see **Table 2** below). Off-site roadway, utility, and shoreline improvements would be constructed beginning in 2014 rather than 2013 (see **Table 4** below). The number of construction workers on the site on any given day would vary from a low of 28 during the final stages of vertical development to a maximum of 297 workers during the peak years of development rather than the range of 70 to 328 as anticipated in the FEIR (see **Appendix A**, p. 42 – Construction Activities by Phase). The

number of truck trips on any given day would vary from a low of 8 truck trips to a maximum of 148 during site preparation at Alice Griffith (8 to 96 in the FEIR). The number of on-site equipment would be about 148 pieces during the height of construction activity (68 in the FEIR).

Under the modified Phasing Schedule, construction activities in HPS Phase II would occur from 2014 through 2034 rather than 2011 through 2031 as described in the FEIR (see **Table 3** below). Off-site roadway, utility, and shoreline improvements would be constructed beginning in 2014 rather than 2013 (see **Table 5** below). The number of construction workers on the site on any given day would vary from a low of 25 workers during the final stage of vertical development to a maximum of 483 workers during the peak years of development rather than 15 to 455 as described in the FEIR (see **Appendix A**, p. 42 – Construction Activities by Phase). The number of truck trips on any given day would vary from a low of 4 trucks trips to a maximum of 508 truck trips, primarily during the peak year of grading and infrastructure development (4 to 288 in the FEIR). The number of on-site equipment would be about 262 pieces during the height of construction activity (65 in the FEIR).

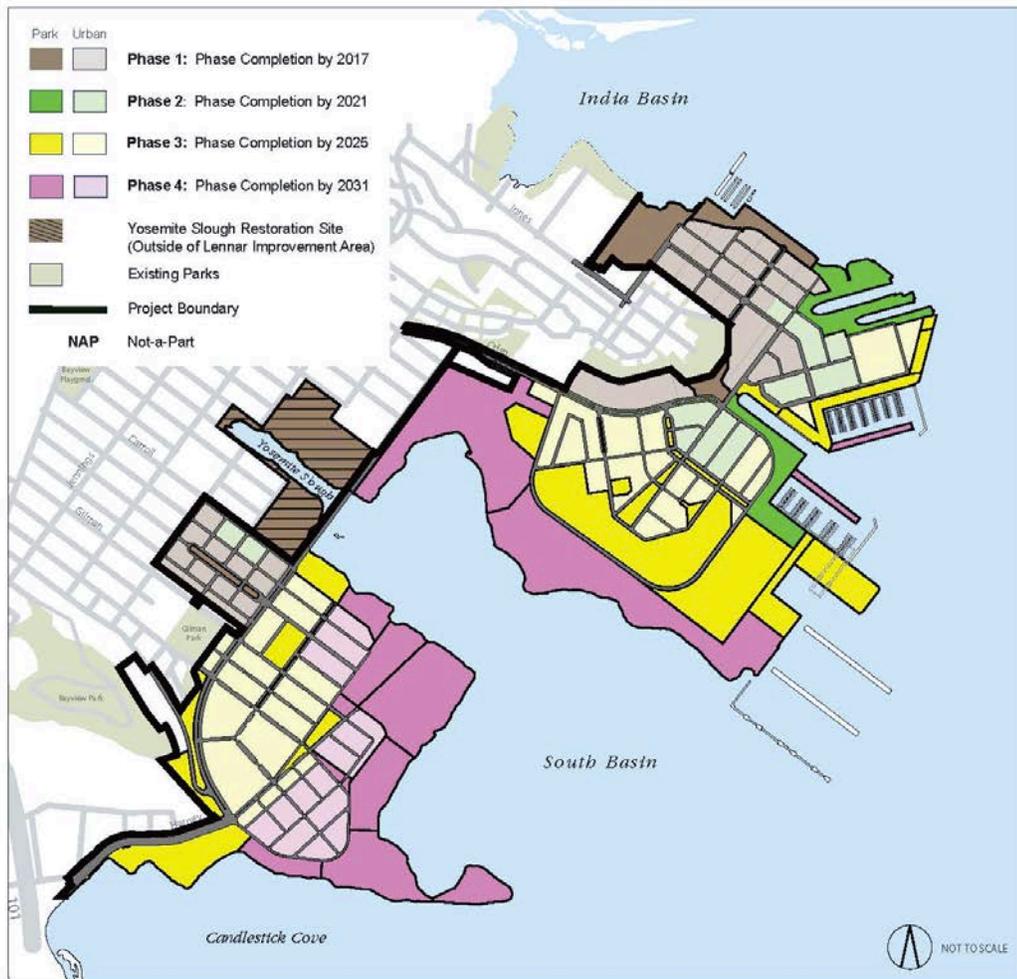
**Tables 1-5** and **Figures 1 and 2** compare the 2010 Project Phasing Schedule with the proposed 2013 Project Phasing Schedule.

In addition to the changes to the Project Phasing Schedule described above, the project proponent proposes corresponding changes to the schedule for implementation of the project-related public benefit improvements. As with the proposed changes to the Project Phasing Schedule, all of the public benefits identified in the FEIR for the non-stadium Project with the Housing/R&D Variant 2a would be constructed, but the timing of implementation of these improvements would change to reflect the changes in the phasing of the overall development. **Tables 4 and 5** and **Figures 1 and 2** below show the proposed changes in the timing of implementation of the project-related public benefits under the revised Project Phasing Schedule.

#### *Auxiliary Water Supply System*

Mitigation Measure UT-2 Auxiliary Water Supply System (MM UT-2) requires construction of new Auxiliary Water Supply System (AWSS) loops within Candlestick Point and HPS Phase II to connect with the City's AWSS fire-fighting water system. However, instead of the AWSS loops specified in MM UT-2, the project sponsor is proposing an alternative design for the project AWSS system. The proposed changes to the AWSS design would include a different piping layout than previously contemplated and the addition of two Portable Water Supply Systems (PWSS) instead of loop systems. The PWSS is a portable fire hydrant system that provides the SFFD with the ability to extend the AWSS as needed. The PWSS also provides the SFFD with the flexibility to use these portable systems throughout the City. The proposed AWSS in the Candlestick Point development would include the purchase of two PWSS setups for the SFPD. The SFFD has determined that the addition of the two PWSS would allow the

proposed pipe network to be reconfigured and reduced and still provide the equivalent coverage required under MM UT-2.<sup>2</sup> In addition, the SFFD would have the additional flexibility to use the portable system in other areas of the City.



**FIGURE 1 – NON-STADIUM VARIANT 2A 2010 PHASING SCHEDULE<sup>a</sup>**

<sup>a</sup> Note: The phase completion years shown in Figure IV-10a Housing/R&D Variant (Variant 2A) Building and Park Construction Schedule [New] on page C&R 752 of the FEIR are incorrect due to a typographical error. The phase completion years in Figure 1 above are corrected to match the FEIR project description for Variant 2A.

<sup>2</sup> Chief Ken Lombardi, San Francisco Fire Department, Candlestick Park – Hunters Point Shipyard Phase 2 Revised AWSS Layout, November 26, 2013. This document is on file and available for review as part of Case File No. 2007.0946E.

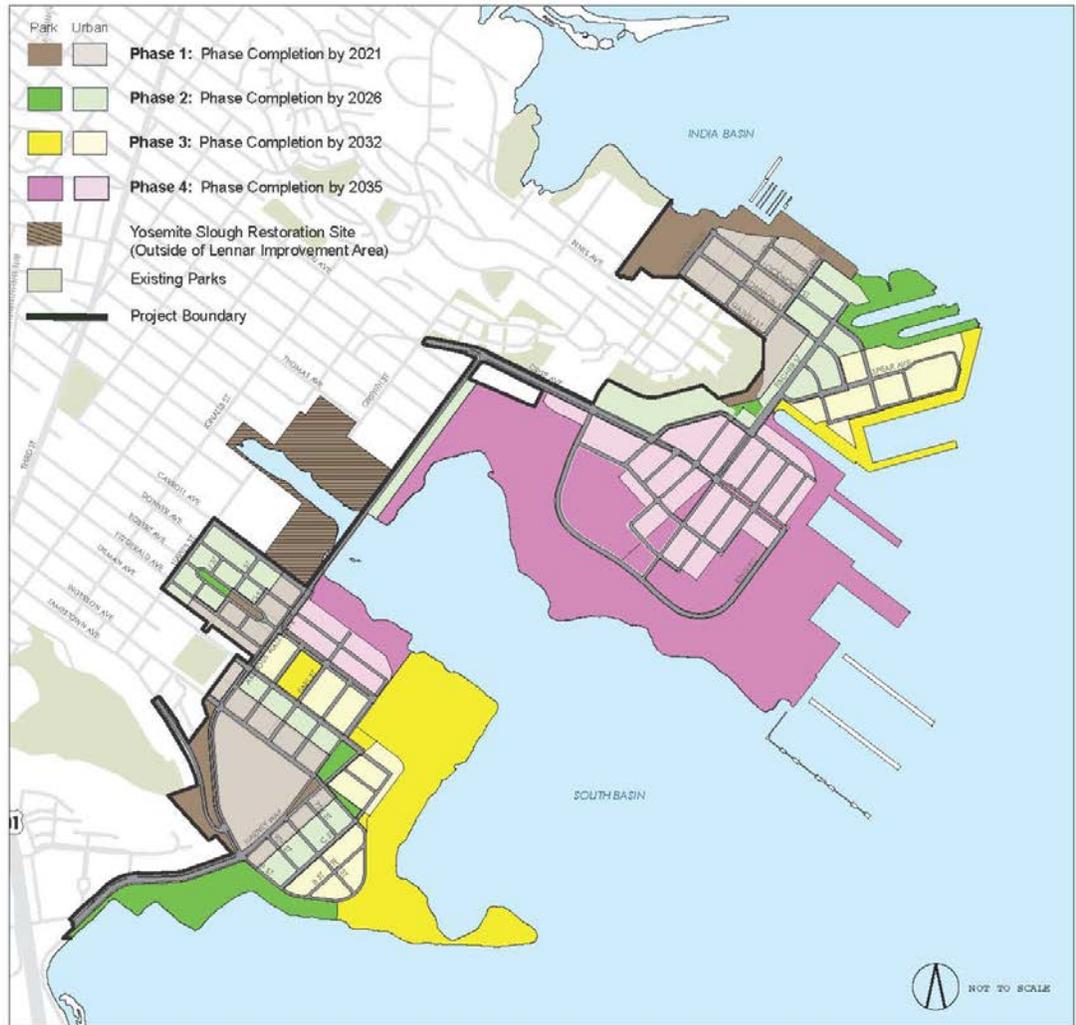


FIGURE 2 – NON-STADIUM VARIANT 2A 2013 PHASING SCHEDULE

TABLE 1 – SUMMARY OF PROPOSED PROJECT PHASING SCHEDULE MODIFICATIONS										
	Major Phase 1		Major Phase 2		Major Phase 3		Major Phase 4		Totals	
	2010 Phasing 2011-2017	2013 Phasing 2014-2021	2010 Phasing 2016-2021	2013 Phasing 2018-2026	2010 Phasing 2020-2025	2013 Phasing 2024-2032	2010 Phasing 2024-2031	2013 Phasing 2026-2035	2010 Phasing 2011-2035	2013 Phasing 2014-2035
Housing (units)	3,158	2,874	1,248	3,166	3,149	2,165	2,945	2,295	10,500	10,500
Office (sf)	0	150,000	0	0	150,000	0	0	0	150,000	150,000
Research & Development (sf)	593,000	0	1,355,122	627,000	1,051,878	1,823,000	0	550,000	3,000,000	3,000,000
Arena (seats)	0	10,000	0	0	10,000	0	0	0	10,000	10,000
Arena (sf)	0	75,000	0	0	75,000	0	0	0	75,000	75,000
Hotel (rooms)	0	220	0	0	220	0	0	0	220	220
Hotel (sf)	0	150,000	0	0	150,000	0	0	0	150,000	150,000
Neighborhood Retail (sf)	73,000	145,000	52,000	76,000	70,000	9,000	55,000	20,000	250,000	250,000
Regional Retail (sf)	0	635,000	0	0	635,000	0	0	0	635,000	635,000
Artist's Studio / Art Centre (sf)	255,000	255,000	0	0	0	0	0	0	255,000	255,000
Community Facilities (sf)	10,253	50,000	0	0	89,747	0	0	50,000	100,000	100,000

TABLE 2 – PROPOSED PROJECT PHASING SCHEDULE MODIFICATIONS CANDLESTICK POINT										
	Major Phase 1		Major Phase 2		Major Phase 3		Major Phase 4		Totals	
	2010 Phasing 2013-2017	2013 Phasing 2014-2019	2010 Phasing 2016-2021	2013 Phasing 2018-2026	2010 Phasing 2020-2025	2013 Phasing 2025-2032	2010 Phasing 2024-2031	2013 Phasing 2031-2035	2010 Phasing 2013-2035	2013 Phasing 2014-2035
Housing (units)	998	1,529	128	1,936	2,154	2,055	2,945	705	6,225	6,225
Office (sf)	0	150,000	0	0	150,000	0	0	0	150,000	150,000
Research & Development (sf)	0	0	0	0	0	0	0	0	0	0
Arena (seats)	0	10,000	0	0	10,000	0	0	0	10,000	10,000
Arena (sf)	0	75,000	0	0	75,000	0	0	0	75,000	75,000
Hotel (rooms)	0	220	0	0	220	0	0	0	220	220
Hotel (sf)	0	150,000	0	0	150,000	0	0	0	150,000	150,000
Neighborhood Retail (sf)	0	125,000	0	0	70,000	0	55,000	0	125,000	125,000
Regional Retail (sf)	0	635,000	0	0	635,000	0	0	0	635,000	635,000
Artist's Studio / Art Centre (sf)	0	0	0	0	0	0	0	0	0	0
Community Facilities (sf)	0	50,000	0	0	50,000	0	0	0	50,000	50,000

TABLE 3 – PROPOSED PROJECT PHASING SCHEDULE MODIFICATIONS HUNTERS POINT SHIPYARD PHASE II										
	Major Phase 1		Major Phase 2		Major Phase 3		Major Phase 4		Totals	
	2010 Phasing 2011-2017	2013 Phasing 2014-2021	2010 Phasing 2016-2021	2013 Phasing 2018-2025	2010 Phasing 2020-2025	2013 Phasing 2024-2031	2010 Phasing 2024-2031	2013 Phasing 2026-2034	2010 Phasing 2011-2031	2013 Phasing 2014-2034
Housing (units)	2,160	1,345	1,120	1,230	995	110	0	1,590	4,275	4,275
Office (sf)	0	0	0	0	0	0	0	0	0	0
Research & Development (sf)	593,000	0	1,355,122	627,000	1,051,878	1,823,000	0	550,000	3,000,000	3,000,000
Arena (seats)	0	0	0	0	0	0	0	0	0	0
Arena (sf)	0	0	0	0	0	0	0	0	0	0
Hotel (rooms)	0	0	0	0	0	0	0	0	0	0
Hotel (sf)	0	0	0	0	0	0	0	0	0	0
Neighborhood Retail (sf)	73,000	20,000	52,000	76,000	0	9,000	0	20,000	125,000	125,000
Regional Retail (sf)	0	0	0	0	0	0	0	0	0	0
Artist's Studio / Art Centre (sf)	255,000	255,000	0	0	0	0	0	0	255,000	255,000
Community Facilities (sf)	10,253	0	0	0	39,747	0	0	50,000	50,000	50,000

TABLE 4 - CANDLESTICK POINT PUBLIC BENEFITS							
Major Phase 1 CP		Major Phase 2 CP		Major Phase 3 CP		Major Phase 4 CP	
2010 Phasing	2013 Phasing	2010 Phasing	2013 Phasing	2010 Phasing	2013 Phasing	2010 Phasing	2013 Phasing
Alice Griffith Neighborhood Park 1	Bayview Hillside Open Space		Earl Boulevard Park 1 and 2	Candlestick Point Neighborhood Park	Boulevard Park North	Earl Boulevard Park 3	Earl Boulevard Park 3
Alice Griffith Neighborhood Park 2	Jamestown Walker Slope		Wedge Park 2	Boulevard Park North	CP Neighborhood Park	Boulevard Park South	Grasslands North
Gilman Ave	Harney Way		Alice Griffith Neighborhood Park 2	Grasslands North	Boulevard Park South	Grasslands South	Grasslands South
Ingerson Ave	Wedge Park 1		Ingerson Ave	Yosemite Slough Bridge (incl approach)	Wedge Park 3	Grassland Ecology Park North	
Jamestown Ave	Gilman Ave		Jamestown Ave	Last Port	Bayview Gardens	Grassland Ecology Park South	
	Alice Griffith Neighborhood Park 1		Last Port	Earl Boulevard Park 1	The Last Rubble	The Neck	
			The Neck	Wedge Park	The Heart of the Park	Mini-Wedge Park	
			Mini-Wedge Park 1	Earl Boulevard Park 2	The Point	The Last Rubble	
				Bayview Gardens	Wind Meadow	Wind Meadow	
				Bayview Hillside Open Space	Mini-Wedge 2	The Heart of the Park	
				Jamestown Walker Slope		The Point	
				Harney Way			

TABLE 5 - HUNTERS POINT SHIPYARD PUBLIC BENEFITS

Major Phase 1 HPS		Major Phase 2 HPS		Major Phase 3 HPS		Major Phase 4 HPS	
2010 Phasing	2013 Phasing	2010 Phasing	2013 Phasing	2010 Phasing	2013 Phasing	2010 Phasing	2013 Phasing
Building 101 Infrastructure	Building 101 Infrastructure	Heritage Park 1	Yosemite Slough Bridge	Waterfront Promenade South 1a	Waterfront Promenade South 1b	Waterfront Promenade North Pier	Shipyard South Park 1
Artist Replacement Space	Artist Replacement Space	Heritage Park 2	Heritage Park 1	Waterfront Promenade South 1b	Waterfront Promenade South 1a	Waterfront Promenade South Pier	Waterfront Promenade South 2a
Northside Park 1	Innes Avenue	Waterfront Promenade South 2a	Heritage Park 2	Shipyard South Park	Waterfront Promenade North Pier		Waterfront Promenade South 2b
Northside Park 2	Horne Blvd Park 2	Waterfront Promenade South 2b	Shipyard Hillside Open Space	Shipyard Wedge Park			Waterfront Promenade South Pier
Waterfront Promenade North 1	Northside Park 1	Ingalls/Thomas/Carroll/Griffith	Palou Ave	Shipyard Neighborhood Park			Shipyard South Park 2
Horne Boulevard Park 1	Northside Park 2		Ingalls/Thomas/Carroll/Griffith	Community Sports Fields Complex / Maintenance Yard			Shipyard South Boulevard Park
Waterfront Promenade North 2	Horne Blvd Park 2			Shipyard Mini Park			Shipyard Wedge Park 1
Horne Boulevard Park 2	Waterfront Promenade North 1			Multi-Use Fields			Grassland Ecology Park South
Innes Avenue	Waterfront Promenade North 2			Waterfront Recreation and Education Park			Community Sports Fields Complex B
Palou Ave	Horne Boulevard Park 1			Regunning Crane Pier			Multi-Use Fields
Shipyard Hillside Open Space				Shipyard South Boulevard Park			Waterfront Recreation and Education Park
							Regunning Crane Pier
							Shipyard Wedge Park 2 & 3
							Community Sports Fields Complex A
							Maintenance Yard
							Grassland Ecology Park North

As such, MM UT-2 is proposed to be revised as follows.

**MM UT-2** Auxiliary Water Supply System. Prior to issuance of occupancy permits, as part of the Infrastructure Plan to be approved, the Project Applicant shall construct an Auxiliary Water Supply System (AWSS) ~~loop~~ within Candlestick Point to connect to the City's planned extension of the offsite system off-site on Gilman Street from Ingalls Street to Candlestick Point. The Project Applicant shall construct an additional AWSS ~~loop~~ on HPS Phase II to connect to the existing system at Earl Street and Innes Avenue and at Palou and Griffith Avenues, with ~~looped~~ service along Spear Avenue/Crisp Road.

## TRANSPORTATION SYSTEM

### *General Refinements*

The project proponent proposes refinements to roadway cross-section dimensions and alignments from those shown in the previously approved Transportation Plan. Refinements to roadway cross sections are proposed to continue to encourage slow-speed auto traffic, but to better accommodate transit, bicyclists, and on-street parking based on recent San Francisco Municipal Transportation Agency (SFMTA) design guidance for travel lane widths. Specifically, proposed changes fall into one of several categories. The categories of modifications, and their potential for creating new impacts, are discussed below:

- **Establish consistent design principles.** The proposed revisions reflect recent direction from SFMTA regarding cross-section dimensions for various street components, such as width of parking lanes, width of travel lanes, and width of bicycle lanes. While some refinements are proposed to specific lane dimensions, all auto and transit travel lanes would continue to be within a range of 10-12 feet, consistent with the range of widths analyzed in the FEIR. Parking lanes would be 8 feet wide, increasing to 9 feet when adjacent to Class II bicycle lanes, which is also within the range of between 7-9 feet for on-street parking described in the FEIR. Class II bicycle lanes would be 6 feet wide, except when adjacent to (9-foot wide) on-street parking, in which case they would be 5 feet wide. Bicycle lanes between 5-6 feet wide are consistent with the range of bicycle lanes described in the FEIR. Sidewalk widths would range primarily from 12-15 feet, throughout the Project, consistent with the range of sidewalk widths described in the FEIR.
- **Establish a more consistent BRT alignment.** The proposed modifications also reflect direction from SFMTA regarding converting the proposed Bus Rapid Transit (BRT) lanes from a two-way, side-running alignment to a center-running alignment, where possible, to be consistent with other priority transit corridors in San Francisco. Generally, this would affect the Hunters Point Shipyard site more than the Candlestick Point site. However, within Candlestick Point, adjacent to the wedge park, the BRT and auto lanes would be re-oriented so that both auto lanes are on the east side of the wedge park and both BRT lanes are on the west side of the wedge park, essentially offering similar benefits as center-running BRT, since the BRT lanes would essentially be

operating in an exclusive roadway. Overall, SFMTA has determined that center-running BRT tends to be quicker and more reliable because left-turns at intersections, which conflict with the center-running BRT, can more easily be controlled by special signal phasing than right turns, which conflict with the side-running proposal. As a result, the changes should, if anything, result in a faster and more reliable BRT route.

- **Reorientation of some streets in Candlestick Point.** The original transportation network analyzed in the FEIR had one east-west residential street in Candlestick Point parallel to and between Ingerson Avenue and Gilman Avenue and one street parallel to and between Egbert Street and Gilman Avenue. The original plan had north-south mid-block breaks (also referred to as alleys) on either side of Earl Street (parallel to Earl Street). However, with the proposed changes to the BRT-only roadway on the west side of the wedge park, the east-west streets would dead-end at the wedge park, potentially forcing autos to turn into the BRT lanes. To respond, the functionality of these streets would be switched, essentially converting these two east-west residential streets into mid-block breaks and the two north-south mid-block breaks described above into residential streets. Overall, this swap would result in approximately the same level of auto capacity in the area and is anticipated to result in only minor, localized changes to auto circulation.
- **Revised bicycle network.** The project modifications include a new cycle track facility that closes a gap in the bicycle network near the project's retail center. The cycle track would extend west of the project site, along Harney Way toward US 101<sup>3</sup> replacing the originally-proposed Class II bicycle lanes on both sides of the street. Illustrations of the revised configuration of the first phase of Harney Way are provided in **Appendix A – Transportation Impact Analysis**. In other locations Class II bicycle lanes are proposed to be converted to Class III routes. See the bicycle impacts section below for further discussion of the proposed changes to the bicycle network.
- **Yosemite Slough Bridge.** The bridge width is proposed to be four feet wider than the previously-approved non-stadium alternative, but substantially narrower than the approved stadium alternative, and therefore, within the range of bridge widths considered in the FEIR. The additional four feet would accommodate bicycle and pedestrian circulation on both sides of the bridge and would accommodate maintenance vehicles on both sides of the bridge. Overall, the additional width would provide more space for bicycles and pedestrians, and better allow for maintenance to occur with minimal disruption to BRT service.

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<sup>3</sup> The EIR anticipated that Harney Way would be constructed in two phases. The first phase would construct two auto travel lanes in each direction (with two BRT lanes, on-street bicycle lanes, and a center turn lane). The changes proposed for the initial configuration of Harney Way would not affect auto capacity, but rather use land reserved for potential future expansion to extend the two-way Class I cycle track from the project site west toward the Bay Trail.

- **Reorientation of Street Grid in Hunters Point South.** Streets in the Hunters Point South neighborhood would be re-oriented to allow for the BRT route to penetrate the center of the neighborhood at the intersection of Crisp Avenue / Fischer Street. This modification is anticipated to further promote the use of transit from the Hunters Point South neighborhood. Overall, the size and density of the street grid in Hunters Point South is similar to what was described in the FEIR for Variant 2A, and therefore, transportation capacity is expected to be similar.

### *Arelious Walker Drive*

Although most of the proposed roadway cross-section refinements consist of relatively minor modifications to the roadway network to improve bus circulation, bicycle networks, and pedestrian amenities as described above, one refinement is proposed – to Arelious Walker Drive – that does affect vehicular capacity at build out.

Currently, Arelious Walker Drive is a short roadway between Gilman Avenue and Carroll Avenue that provides access to parking areas for Candlestick Park stadium. As previously proposed in the CP/HPS Phase II redevelopment plan and analyzed in the FEIR, Arelious Walker Drive would be extended south to Harney Way and north to Carroll Avenue after the demolition of Candlestick Park. It would serve as one of the primary auto arterial streets both into and through the Candlestick Point site. As described in the FEIR, Arelious Walker Drive would have two travel lanes, a bicycle lane and on-street parking on the east side (northbound) of the street and three travel lanes, a bicycle lane and on-street parking on the west side (southbound) of the street. The sidewalk on the east side was previously proposed to be 22 feet wide to allow for the addition of a third northbound lane in the future, should traffic conditions warrant. The intersections of Arelious Walker Drive/Gilman Avenue and Arelious Walker Drive/Harney Way would both be signalized as part of the project.

One of the proposed modifications to the Project is to narrow the ultimate cross section of Arelious Walker Drive to include only two travel lanes in each direction separated by a median and to eliminate the previously proposed on-street parking and Class II bicycle lanes. The bicycle lanes would be replaced by a two-way cycle track running through the heart of the project along Harney Way (see bicycle impacts section for more discussion). Two-way BRT lanes would be provided between Egbert Street and Carroll Avenue.

### *Timing of Traffic Improvements*

#### *Candlestick Point*

As noted above, development at Candlestick Point is anticipated to occur earlier than originally anticipated. As a result, and to respond to some of the changes in the order of development, revisions to the implementation phasing from the Infrastructure Plan are proposed to better respond to land use phasing. **Table 6** presents the implementation timing for the original project and the proposed modified timing, based on development sub-phases.

**TABLE 6 - PROJECT STREET SEGMENT IMPROVEMENTS – CANDLESTICK POINT**

Intersection	Improvement	Original Non-Stadium Option <sup>d</sup>		Modified Project	
		Traffic Volume Trigger? <sup>e</sup>	Trigger	Traffic Volume Trigger? <sup>e</sup>	Trigger <sup>e</sup>
Arelious Walker Drive, Shafter Avenue to Carroll Avenue	Construct Yosemite Slough Bridge <sup>a</sup>	No	Implementation of BRT	No	Implementation of BRT
Arelious Walker Drive, Carroll Avenue to Gilman Avenue	Interim Two-Lane Condition (See <b>Appendix A</b> )	N/A		No	CP-01 (Adjacency)
	Ultimate Condition (See description above)	No	Implementation of BRT	Yes	CP-06 (Approximately 3,500 PM Peak Hour Vehicle Trips) or Implementation of BRT
Arelious Walker Drive, Gilman Avenue to Harney Way	Construct two travel lanes in each direction with center median/turn lane	No	Implementation of BRT	No	CP-02 (Adjacency)
Harney Way Widening, Arelious Walker Drive to Thomas Mellon Drive	Near Term (See <b>Appendix A</b> )	Yes	3,537 PM Peak Hour Vehicle Trips or Implementation of BRT <sup>c</sup>	No	CP-02 (Adjacency)
	Long-Term (See <b>Appendix A</b> )	TBD <sup>b</sup>	Per Mitigation Measure MM TR-16	TBD <sup>b</sup>	Per Mitigation Measure MM TR-16
Jamestown Avenue, Arelious Walker Drive to Third Street	Resurface and Restripe	No	Demolition of Candlestick Park	No	CP-09
Ingerson Avenue, Arelious Walker Drive to Third Street	Resurface and Restripe	No	Demolition of Candlestick Park	No	CP-09
Gilman Avenue, Arelious Walker Drive to Third Street	Reconstruct or Resurface and Restripe	No	TBD	No	CP-02
Carroll Avenue, Arelious Walker Drive to Ingalls Street	See Appendix A Figures 2.1.2A – 2.1.2G	Yes	3,131 PM Peak Hour Vehicle Trips (CP & HP) <sup>c</sup>	Yes	CP-04 (Approximately 3,200 PM Peak Hour Vehicle Trips, CP & HP) <sup>c</sup>
Ingalls Street, Carroll Avenue to Thomas Avenue	See Appendix A Figures 2.1.2A – 2.1.2G	Yes	3,131 PM Peak Hour Vehicle Trips (CP & HP) <sup>c</sup>	Yes	HP-06 (Reconstruction of Crisp Avenue) <sup>f</sup>

- 
- a. The cross-section for Yosemite Slough Bridge has been modified from what is shown in the FEIR for the Non-Stadium alternative. However, at 49-feet in width, the structure would be smaller than the bridge approved in the Stadium scenario.
  - b. The isolated intersection analysis conducted for this study shows that the two intersections along Harney Way would operate acceptably with the near-term configuration even with full build out of the project. However, because Harney Way is part of a complex series of roadway improvements and due to the inherent uncertainty in traffic forecasts, a study will be conducted prior to construction of each development phase to determine whether conditions are better or worse than projected. The results of that study will indicate whether additional development can be accommodated under the near-term configuration while maintaining acceptable LOS or whether widening is required.
  - c. Based on trip rates by land use used in the FEIR for Variant 2A – Housing Variant.
  - d. As summarized in the project’s Infrastructure Plan.
  - e. Where multiple triggers are provided, the trigger shall be whichever event occurs first. When a sub-phase is listed as the trigger, the improvement shall be fully constructed and operational prior to occupancy of the sub-phase.
  - f. Although improvements to Ingalls Street were proposed as part of the Candlestick Point development, they, along with improvements to Thomas Avenue and Griffith Street will not be necessary until development levels at Hunters Point Shipyard necessitate the provision of a southern access roadway via Crisp Avenue. Until this time, there will not be a complete route to connect Candlestick Point and the Hunters Point Shipyard and these roadway improvements offer no meaningful benefit.

Within Major Phase 1 at Candlestick Point, the development would occur in five sub-phases, CP-01 through CP-05. CP-01 includes construction of 325 residential dwelling units at the Alice Griffith site, which would generate approximately 100 PM peak hour auto trips, based on the methodology described in the FEIR. As part of this sub-phase, a portion of Arelious Walker would be constructed, between Gilman Avenue and Carroll Avenue. Ultimately, as noted above, Arelious Walker Drive would be constructed to provide two travel lanes in each direction, separated by a median. However, as part of CP-01, only the two lanes west of the median would be constructed. During this initial period, this segment of Arelious Walker would provide one travel lane in each direction. Then, during later phases of development, as noted below, the remaining half of Arelious Walker Drive would be constructed such that two auto lanes would be provided in each direction. The construction of this interim portion of Arelious Walker Drive would be consistent with and would support the final configuration of Arelious Walker Drive. The interim configuration of Arelious Walker Drive is shown in **Appendix A**.

Sub-Phase CP-02 would develop the 635,000-square-foot regional retail center, 150,000 square feet of office space, 220-room hotel, 280 additional residential units, and possibly a 75,000-square-foot arena/performance venue. To support this large amount of new development, the key transportation infrastructure connecting Candlestick Point to external routes would be constructed, including Harney Way between the retail center and Thomas Mellon Drive and Arelious Walker Drive, between Harney Way and Gilman Avenue. This portion of Arelious Walker Drive would be constructed to its ultimate width of four lanes, and would connect to the interim two-lane portion to the north of Gilman. Harney Way would be constructed to its initial configuration with four lanes, as described in the FEIR. Additionally, Gilman Avenue, between Arelious Walker and Third Street would be reconfigured to provide two travel lanes, on-street parking, and 12-foot sidewalks on both sides of the street.

Note that Mitigation Measure MM TR-16 in the FEIR requires Harney Way to be reconstructed prior to the issuance of a grading permit for the first Major Phase of development. Since the first sub-phase in Major Phase 1 in Candlestick Point, CP-01 would not connect to Harney Way and improvements to Harney Way would not affect auto capacity associated with CP-01, reconstruction of Harney Way is not necessary for the first sub-phase of development. Consequently, the project sponsor proposes to revise Mitigation Measure MM TR-16 to provide that Harney Way would be widened prior to the issuance of occupancy permits for the second sub-phase of Major Phase 1, CP-02. Accordingly, Mitigation Measure MM TR-16 is proposed to be modified as follows:

**MM TR-16 Widen Harney Way as shown in Figure 5 in the Transportation Study.** Prior to issuance of the ~~grading-occupancy~~ permit for ~~Development Phase 1 of the Project, Candlestick Point Sub-Phase CP-02,~~ the Project Applicant shall widen Harney Way as shown in Figure 5 in the Transportation Study, with the modification to include a two-way cycle track, on the southern portion of the project right of way. Prior to the issuance of grading permits for Candlestick Point Major Phases 2, 3 and 4, the Project Applicant shall fund a study to evaluate traffic conditions on Harney Way and determine whether additional traffic associated with the next phase of development would result in the need to modify Harney Way to its ultimate configuration, as shown in Figure 6 in the Transportation Study, unless this ultimate configuration has already been built. This study shall be conducted in collaboration with the SFMTA, which would be responsible for making final determinations regarding the ultimate configuration. The ultimate configuration would be linked to intersection performance, and it would be required when study results indicate intersection LOS at one or more of the three signalized intersection on Harney Way at mid-LOS D (i.e., at an average delay per vehicle of more than 45 seconds per vehicle). If the study and SFMTA conclude that reconfiguration would be necessary to accommodate traffic demands associated with the next phase of development, the Project Applicant shall be responsible to fund and complete construction of the improvements prior to occupancy of the next phase.

Other than ensuring that other existing east-west streets connect to Arelious Walker Drive, none of the project-proposed improvements to Carroll Avenue, Ingerson Avenue, or Jamestown Avenue would be constructed as part of Sub-Phase CP-02. Carroll Avenue is at the northernmost portion of the Candlestick Point site, and therefore, not likely to be a desirable route to the Candlestick Point retail center, which sits at the southern end of the site. Further, improvements proposed for Ingerson Avenue and Jamestown Avenue are generally streetscape improvements designed to improve the attractiveness of the streets and not to increase auto capacity; therefore, for purposes of discussing traffic impacts, the timing of improvements to these streets is not critical and most of the auto capacity connecting the Candlestick Point site to the external roadway network would be constructed as part of Sub-Phase CP-02 with the described improvements to Harney Way and interim improvements to Arelious Walker Drive.

At this point, prior to occupancy of Sub-Phase CP-02, with the exception of the interim portion of Arelious Walker Drive between Gilman Avenue and Carroll Avenue, all of the major auto

traffic infrastructure in Candlestick Point required to connect project-related traffic to the external roadway network would be constructed, as would most of the off-site capacity enhancements, including Harney Way and Gilman Avenue.

Sub-Phase CP-03 involves construction of the blocks directly opposite the retail center across Ingerson Avenue. No additional transportation improvements are proposed as part of CP-03.

Prior to opening of CP-04, the first three sub-phases would generate about 3,200 vehicle trips, which is approximately the trigger point identified in the project's Infrastructure Plan that would require improvements to the auto route around the Yosemite Slough, that includes Carroll Avenue, Ingalls Street, Thomas Avenue, and Griffith Avenue. The analysis conducted for the Infrastructure Plan was based on the original phasing, which as noted earlier, would develop in the Hunters Point Shipyard site faster than proposed under the 2010 Project Phasing Schedule. As a result, the automobile route around Yosemite Slough was identified as appropriate infrastructure to provide access to Candlestick Point and US 101 from the development at Hunters Point Shipyard. The trigger in the Infrastructure Plan was identified as the appropriate time when the improvements would be necessary.

However, based on the proposed changes to the Project Phasing Schedule, the previously-identified trigger point for the auto route around Yosemite Slough would be met with very little development in the Hunters Point Shipyard and substantially more development in Candlestick Point than previously anticipated. As a result, there is likely to be little auto demand for travel between the Hunters Point site and US 101 or between the Candlestick Point and Hunters Point Shipyard sites, making the auto route around Yosemite Slough less critical at such an early stage. Regardless, improvements to Carroll Avenue between Arelious Walker Drive and Ingalls Street are still proposed to be completed as part of CP-04, generally consistent with the Infrastructure Plan triggers, because development at Candlestick Point would still increase demand for east-west travel to the greater Bayview neighborhood. However, improvements to Ingalls Street, Thomas Street, and Griffith Avenue which primarily serve to connect the Hunters Point Shipyard development with the Bayview neighborhood, Candlestick Point, and US 101, would be constructed at a later point, when development levels in the Hunters Point Shipyard development warrant (refer to next section, which discusses timing of improvements for Hunters Point Shipyard for more detail).

Finally, although improvements associated with Carroll Avenue would be constructed prior to occupancy of Sub-Phase CP-04 under the previously-approved Project Infrastructure Plan, if subsequent technical analysis demonstrates that improvements to Carroll Avenue are not required until later in the development phasing because of the location and types of development proposed, at the mutual agreement of the Planning Department and the Project Sponsor, the timing of these improvements may be further modified.

The remaining auto capacity enhancements on Arelious Walker Drive, between Gilman Avenue and Carroll Avenue would be constructed prior to occupancy of the first sub-phase in Major Phase 2 (CP-06). At the end of Major Phase 1 in Candlestick Point, which represents the condition at which the most traffic would be using the interim portion of Arelious Walker

Drive, the intersection of Arelious Walker Drive and Gilman Avenue would operate within acceptable level of service, as shown in **Table 7** below.

**TABLE 7 – INTERIM INTERSECTION OPERATIONS FOR ARELIIOUS WALKER DRIVE**

Intersection	Arelious Walker/Gilman	
	Delay <sup>2</sup>	LOS <sup>2</sup>
Interim Condition at completion of Major Phase 1	44	D

- a. Intersection level of service (LOS) based on weighted average control delay per vehicle, according to the *2000 Highway Capacity Manual*.

As a result, the roadways that facilitate travel between the project site and the external roadway network would generally provide their full capacity prior to any new trips being generated from Major Phase 2 at Candlestick Point. Subsequent Major Phases would only add internal circulation roadways adjacent to new development parcels to connect to the major roadways built as part of Major Phase 1. As a result, auto capacity in the Candlestick Point area would be greater than or similar to what was described in the FEIR throughout Project build out.

***Hunters Point Shipyard***

Under the proposed changes to the Project Phasing Schedule, development at Hunters Point Shipyard would occur later than previously anticipated. As a result, revisions to the Infrastructure Plan improvement phasing requirements are proposed to align with the changes proposed to the phasing of development. As shown in **Table 8**, similar to the proposed changes at Candlestick Point, all roadway improvements would be implemented at the same triggers or sooner (relative to development levels) as described in the FEIR.

At build out, the primary access routes to the Hunters Point Shipyard site would include the four-lane Innes Avenue and the two-lane Palou Avenue. As shown in **Table 8** above, the primary northern access route to the Shipyard site, Donohue Street and Innes Avenue, would be constructed and connected to the Hunters Point Shipyard North area as part of Major Phase 1. These improvements would be constructed as part of Sub-Phase CP-01, prior to any new trips generated by development in the Hunters Point Shipyard site. This access route accounts for approximately two-thirds of the total auto capacity of the Hunters Point Shipyard site and would be adequate to serve the development proposed as part of Major Phase 1 in Hunters Point Shipyard, due to its relatively large portion of the total planned auto capacity and its proximity to the development proposed as part of Major Phase 1 in Hunters Point Shipyard.

Internal streets proposed as part of Major Phase 1 in Hunters Point Shipyard would connect to Donohue Street and Innes Avenue.

**TABLE 8 – STREET SEGMENT IMPROVEMENTS FOR HUNTERS POINT SHIPYARD**

Intersection	Improvement	Original Non-Stadium Option <sup>c</sup>		Modified Project	
		Traffic Volume Trigger? <sup>b</sup>	Trigger	Traffic Volume Trigger? <sup>b</sup>	Trigger <sup>d</sup>
Palou Avenue, Griffith Avenue to Third Street	Resurface and Restripe, Streetscape Amenities	Yes	TBD - Based on Transit Phasing	No	HP-06 or Based on Transit Phasing
Thomas Avenue, Ingalls Street to Griffith Street	Resurface and Restripe, Streetscape Amenities	Yes	3,131 PM Peak Hour Vehicle Trips (CP & HP) <sup>a</sup>	Yes	HP-06 (Reconstruction of Crisp Avenue)
Griffith Street, Thomas Street to Palou Street	Resurface and Restripe, Streetscape Amenities	Yes	Reconstruction of Crisp Avenue	Yes	HP-06 (Reconstruction of Crisp Avenue)
Innes Avenue, Donahue Street to Earl Street	Resurface and Restripe, Streetscape Amenities	Yes	1,000 PM Peak Hour Vehicle Trips	No	HP-01
Crisp Avenue, Palou Avenue to Fischer Street (Diagonal Route)	Resurface, Restripe, Realign	No	Adjacency	No	HP-06 (Adjacency) or Based on Transit Phasing
Innes Avenue/Hunters Point Boulevard/Evans Street, Earl Street to Jennings Street	Resurface and Restripe, Streetscape Amenities	Yes	1,000 PM Peak Hour Vehicle Trips	No	HP-01

a. Combined total from CP and HP

b. Based on trip rates by land use used in the FEIR for Variant 2A – Housing Variant.

c. As summarized in the project’s Infrastructure Plan.

d. Where multiple triggers are provided, the trigger shall be whichever event occurs first. When a sub-phase is listed as the trigger, the improvement shall be fully constructed and operational prior to occupancy of the sub-phase.

**Table 8** also illustrates that the second major auto access route, Crisp Road and Palou Avenue, would be constructed as part of Sub-Phase HP-06, in Major Phase 2 in Hunters Point Shipyard. This sub-phase would be the first development site to be constructed within the southern half of the Hunters Point Shipyard site. Thus, all of the planned auto ingress/egress capacity for the Hunters Point Shipyard site would be constructed and fully operational before any trips associated with Major Phase 3 in Hunters Point Shipyard would be generated and when only approximately 40 percent of the total auto trips associated with the full site build out would be generated. Subsequent phases would build out the internal roadway network adjacent to individual development parcels, all of which would connect to the major access routes. Therefore, similar to Candlestick Point, the major pieces of auto infrastructure would be constructed as part of Major Phases 1 and 2 in Hunters Point Shipyard, and auto capacity would be greater than or similar to what was described in the FEIR during all phases of development.

### *Transit*

At build out, the modified project's transit network would be nearly identical to what was described in the FEIR, although two minor changes are proposed. Specifically, the modified project proposes minor changes to the routes for the 29 Sunset in Candlestick Point and to all routes in the Hunters Point Shipyard associated with a one-block shift of the planned Hunters Point Shipyard Transit Center.

**Figure 3** below illustrates the proposed change to the 29 Sunset routing within Candlestick Point. The Project as described in the FEIR called for the 29 Sunset to circulate within the Candlestick Point retail center. Under the proposed project modifications, the 29 Sunset would continue to serve the front of the retail center along Ingerson Avenue, but instead of circulating within the retail center, the route would circulate around the development blocks to the north, so that the 29 Sunset would provide more direct service to the high-density residential buildings proposed near the intersection of Gilman Avenue and Harney Way. This minor routing change is anticipated to increase the Project's transit mode share by bringing transit service closer to more residential units while continuing to provide direct "front-door" service to the retail center.

**Figure 4** below illustrates the proposed changes to routes serving the Hunters Point Shipyard. The changes involve moving the Hunters Point Transit Center one block to the north. The 28L BRT route and the 24 Divisadero would travel an additional block along Spear Street to reach the center. Routes approaching the Transit Center from Innes Avenue would travel along Lockwood Street to reach the Transit Center instead of Robinson Street, as originally proposed. Land uses along Lockwood Street and Robinson Street are relatively similar, so no change to transit mode share is expected as a result of this change. In Hunters Point South, transit (the 28L BRT and the 24 Divisadero) would travel along Crisp Avenue into the approximate center of Hunters Point South, instead of around the northern perimeter. By providing service into the center of the Hunters Point South, transit would be more accessible to surrounding development, and transit mode share is expected to increase slightly.

Similar to the Project's roadway infrastructure, the Project's transit network would be implemented at various levels throughout the development in accordance with the Transit Operating Plan. The Project Sponsor proposes to revise the Transit Operating Plan to match the changes to the Project Phasing Schedule to ensure that the appropriate transit service is provided throughout the development. Mitigation Measure MM TR-17 specifies that the Transit Operating Plan may be modified from what was described in the FEIR if modifications result in:

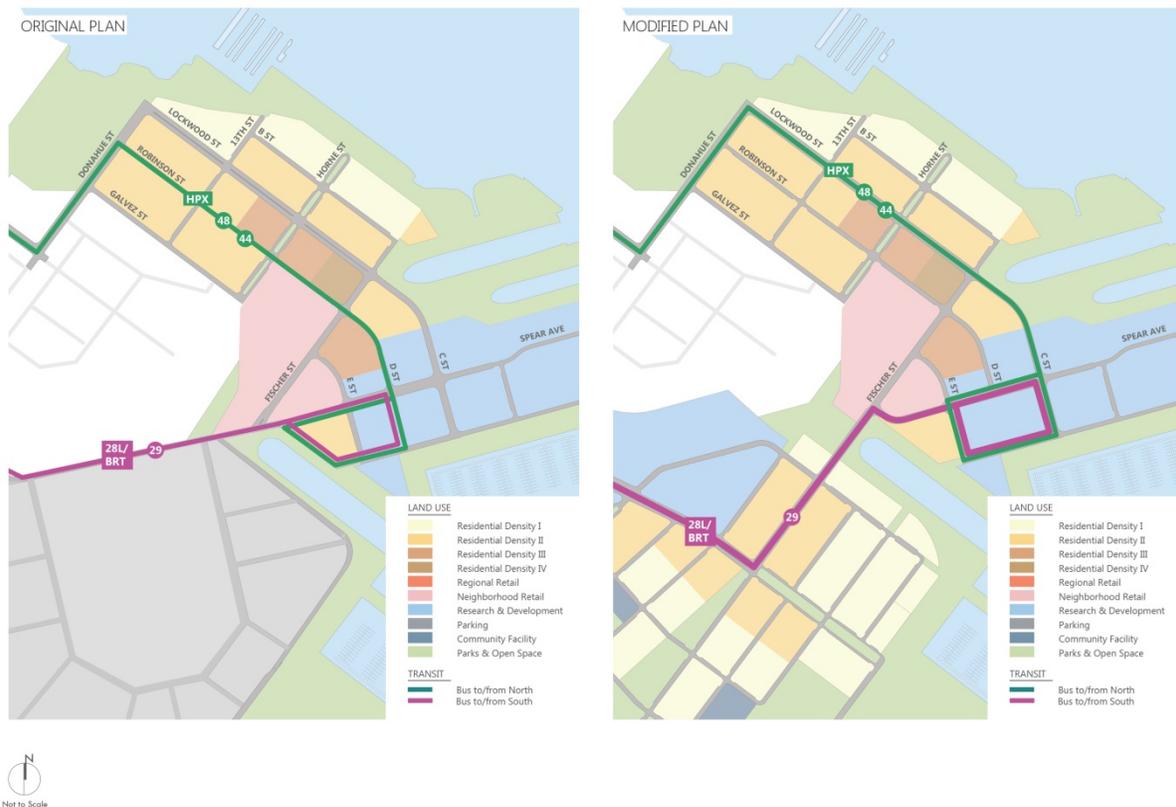
- Similar or higher transit mode share to what was projected in the FEIR
- Adequate capacity to serve projected transit ridership
- Similar or less severe traffic impacts to those identified in the FEIR



CANDLESTICK POINT TRANSIT DETAIL

Figure 3

The original and revised transit phasing are shown in **Table 9** below. **Appendix A** includes a detailed comparison of the approximate number of transit trips (and approximate level of development) that would be in place at the time each level of transit service would be implemented under the original plan and the modified plan. Generally, changes to the transit phasing would delay the provision of transit service to the Hunters Point Shipyard site in response to the corresponding delay in development of this site. In response to the acceleration of planned development in Candlestick Point, transit service at Candlestick Point would be accelerated. The proposed revisions to the Transit Operating Plan have been developed in collaboration with SFMTA service planning staff to ensure that transit service during each phase of the development would remain comparable to that provided under the previously-approved plan.



HUNTERS POINT TRANSIT DETAIL

Figure 4

To serve the retail center, the 29 Sunset would be extended to the retail center and its frequency would be increased from 10 minutes to its ultimate frequency of 5 minutes. However, because of the substantial amount of development proposed in early phases of the modified project compared to the original project, and the different types of land uses to be constructed initially (i.e., a heavier focus on retail in the early phases than originally anticipated), SFMTA has indicated that operating the other routes ultimately planned to serve Candlestick Point, including the CPX Candlestick Point Express and the 28L BRT route, is not possible in the near term. The CPX Candlestick Point Express is not likely to be particularly effective for non-residential uses, which account for the majority of travel-demand generating uses in the early phases of development in Candlestick Point. Similarly, the 28L BRT would not be desirable in early years because the infrastructure connecting it to Geneva Avenue to the west would not be in place.

Instead of the 28L BRT and the CPX, SFMTA has indicated that it would instead extend the 56 Rutland route as an interim measure until the 28L BRT and/or the CPX are implemented. In addition, the 56 Rutland would increase its frequency from every 20 minutes as proposed under the Transit Effectiveness Project (TEP) to every 15 minutes. While the 56 Rutland is a relatively minor route in relation to the overall system, it provides service to regional transit facilities,

including the T Third Street light rail, the Bayshore Caltrain station, and the 9 San Bruno bus lines, which serve Downtown San Francisco, and is therefore an appropriate substitution for part of the CPX and 28L BRT service. Once the CPX and/or the 28L BRT are implemented, the 56 Rutland may be returned to its TEP-proposed route and frequency.

**TABLE 9 – TRANSIT PHASING**

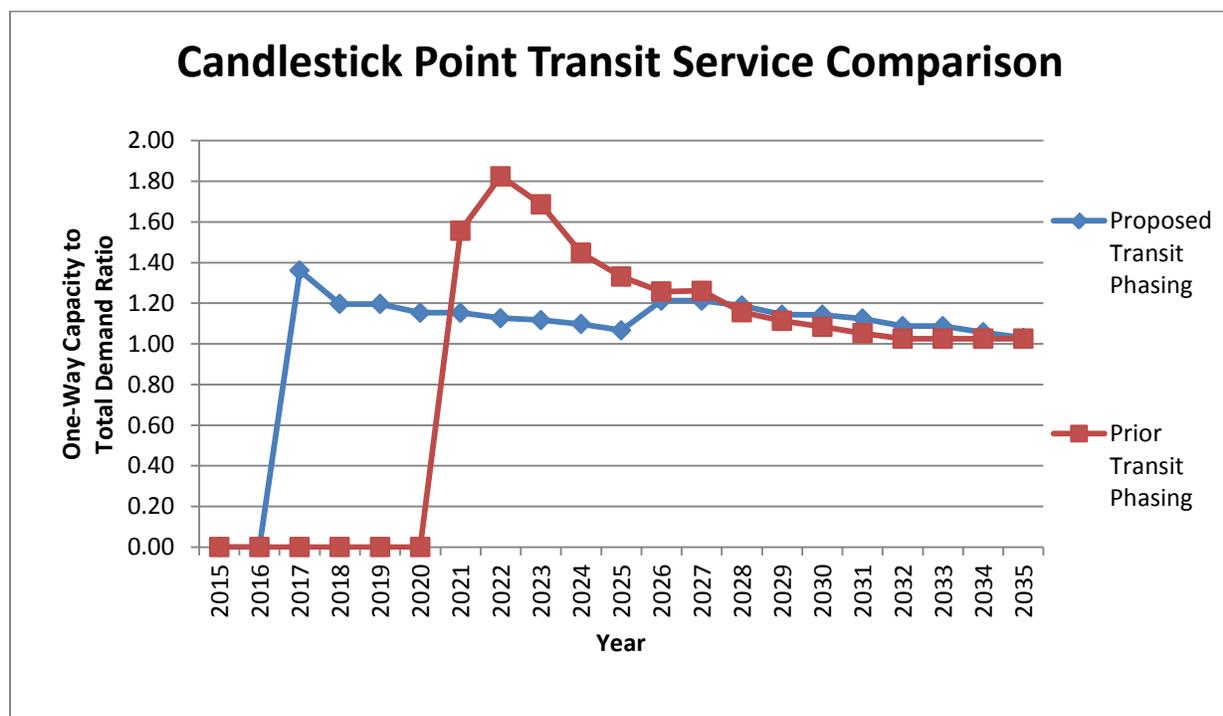
Route	Frequency	Original Transit Operating Plan		Proposed Revisions	
		Major Phase <sup>a</sup>	Approx. Year	Major Phase <sup>a</sup> / Sub-Phase	Approx. Year
<b>Hunters Point Shipyard</b>					
Hunters Point Express (HPX)	20	1	2017	2 / HP-04	2023
	12	1	2019	2 / HP-05	2024
23 Monterey	15	1	2017	2 / HP-04	2023
24 Divisadero	10	2	2023	3 / HP-09	2029
	7.5	2	2025	3 / HP-12	2030
48 Quintara	15	1	2015	1 / HP-01	2019
	10	1	2019	2 / HP-05	2024
44 O'Shaughnessy	7.5	1	2017	2 / HP-04	2023
	6.5	1	2019	2 / HP-05	2024
<b>Candlestick Point</b>					
56 Rutland <sup>b</sup>	15	N/A	N/A	1 / CP-02	2017
Private Shopping Center Shuttle <sup>b</sup>	7.5	N/A	N/A	1 / CP-02	2017
Candlestick Point Express (CPX)	20	2	2021	N/A	N/A
	15	2	2022	2 / CP-06	2020
	10	3	2027	3 / CP-14	2030
29 Sunset	10	2	2021	N/A	N/A
	5	2	2022	1 / CP-02	2017
<b>Routes Serving Both Sites</b>					
28L/BRT (Includes Construction of Yosemite Slough Bridge)	8	2	2021	2 / CP-07 and HP-04 <sup>c</sup>	2023
	5	2	2022	3 / CP-12 and HP-07 <sup>d</sup>	2028
T Third	6	2	2020	No Change - Not triggered by project development	
	5	3	2025		

- a. The original Transit Operating Plan contemplated only three Major Phases of development. The revised phasing breaks the development into four Major Phases each for Candlestick Point and Hunters Point Shipyard.
- b. Temporary until initiation of CPX and/or BRT
- c. Respective sub-phases in CP and HP that reach 20% build out of Major Phase 2
- d. Respective sub-phases in CP and HP that initiate Major Phase 3

In addition, the Project Sponsor would include a complimentary shuttle, available for shopping center patrons and employees, to provide service between the project site and the Balboa Park BART station, replicating service that would ultimately be offered by the 28L BRT route. Service would be offered at a 7.5-minute frequency with approximately 30-passenger vehicles. This would be an interim service until the 28L BRT route, the CPX, or other comparable transit service is implemented. Although the shuttle service would initially be oriented to the Balboa Park BART Station, the site's Transit Demand Management (TDM) coordinator would retain the

ability to reroute the shuttle to other regional transit hubs to better match patron and employee demand, with the mutual agreement of the Planning Department.

**Figures 5 and 6** summarize the level of transit supply proposed to be implemented over time relative to the expected transit ridership demand, based on the development phasing schedule and the transit implementation triggers described above, for Candlestick Point and Hunters Point Shipyard, respectively. The figures compare this information for the original project (the red line) and the modified project (the blue line). It is important to note that the graphs compare the one-way transit capacity in terms of seats per hour with the two-way transit demand, thus is a basic measure of the overall level of transit service relative to demand. Note also that the information provided for the original project is based on the Stadium Alternative, because year-by-year development phasing was not developed for other Alternatives and Variants. As a result, at build out, the modified transit service appears to provide slightly less transit service than the original project, when actually, the difference is simply the difference between the Stadium Alternative and Non-Stadium Variant 2a – Housing. **Appendix A** provides a year-by-year summary of anticipated development, auto trip generation, and transit trip generation for the Candlestick Point and Hunters Point Shipyard sites, which, along with anticipated transit phasing described in **Table 5**, formed the basis for **Figures 5 and 6**.



**FIGURE 5 – COMPARISON OF TRANSIT SERVICE RELATIVE TO DEMAND DURING PROJECT BUILD OUT AT CANDLESTICK POINT**

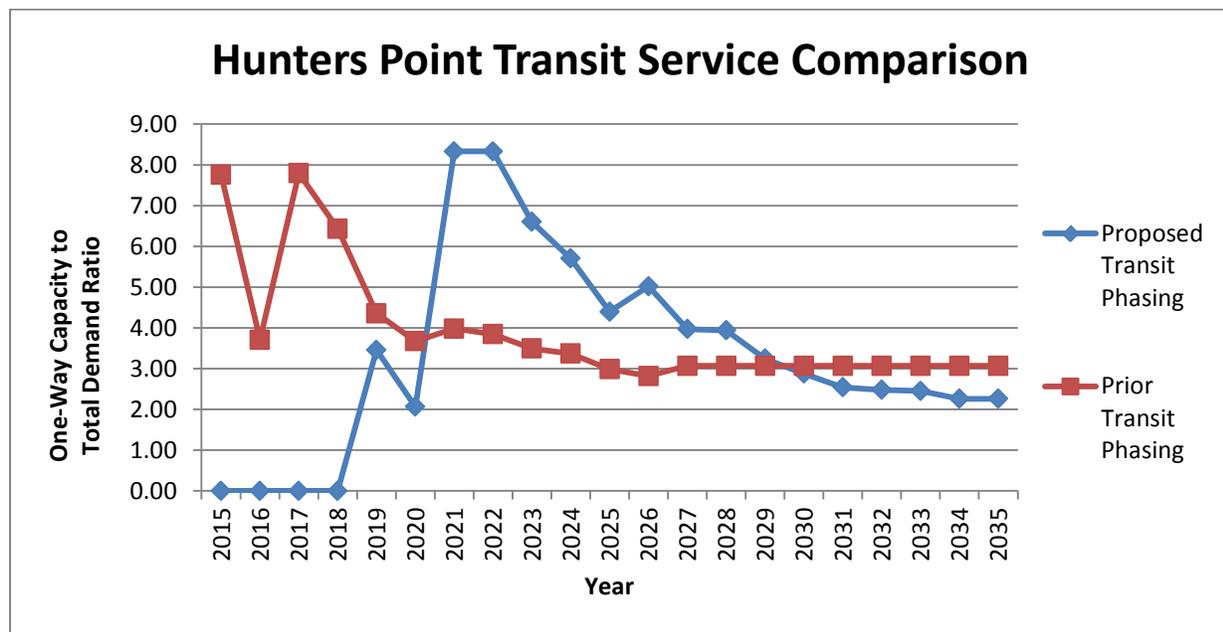


FIGURE 6 – COMPARISON OF TRANSIT SERVICE RELATIVE TO DEMAND DURING PROJECT BUILD OUT AT HUNTERS POINT SHIPYARD

The above figures illustrate that with the proposed changes in development and transit phasing, the level of transit service proposed throughout the development process relative to the types of development anticipated would remain at a similar level as previously contemplated throughout development and at Project build out.

Figure 5 illustrates that with the revised development schedule and revised transit phasing, the level of transit service relative to demand would remain similar to or greater than the identified in the FEIR at build out. Thus, transit would remain an attractive option for travelers in the area.

Figure 6 illustrates that once substantial development begins to occur in Hunters Point, the level of transit service relative to demand would exceed what was anticipated in the FEIR, based on the original development and transit implementation phasing until approximately year 2030. After that, the modified project appears to provide less transit service relative to demand than the original project is because the “original” project shown is the stadium alternative and the modified alternative is the Non-Stadium Alternative Variant 2A, which provides the same level of transit service with slightly higher demand than the Stadium Alternative. As a result, transit service would remain an equally attractive option in Hunters Point under the modified project development and transit phasing as was evaluated in the FEIR.

Therefore, transit capacity would be adequate to serve the expected demand, and the mode split (i.e., the percentage of trips made by transit) would remain similar.

### *Bicycles*

As shown in **Figures 7 and 8**, the modified Project includes refinements to the proposed bicycle network. The changes include replacing the Class II facilities on Arelious Walker Drive with a new, separated, two-way Class I bicycle facility that travels through the heart of the project, and more directly connects the CP and HP project sites. The original bicycle network included Class II facilities on Arelious Walker Drive that connected from the Yosemite Slough Bridge to Harney Way, essentially the only route connecting one end of the Candlestick Point site to the other. The original project also included Class II facilities on Harney Way adjacent to the retail center and the wedge park north of Ingerson Avenue. But, between Ingerson Avenue and Arelious Walker Drive, only Class III facilities were provided, which meant that no dedicated facilities would be provided through the retail core of the project.

The proposed refinements to the bicycle network would replace the Class II facilities on Arelious Walker with a new Class I two-way cycle track that travels through the wedge park and the retail center of the Candlestick Point site. The cycle track would be fully separated from auto traffic, travel along a route with fewer intersection conflicts, and would provide a flatter topographic route. As a result, the proposed cycle track is expected to be more desirable to both commuters and recreational cyclists. The cycle track would continue north through the Hunters Point Shipyard site to the Hunters Point transit center and south along Harney Way toward US 101, where ultimately it could be connected to the Bay Trail and/or other regional facilities. When fully-constructed, the new cycle track facility would provide a dedicated, two-way, Class I facility connecting the Hunters Point Shipyard and Candlestick Point sites to each other and to regional bicycle and transit facilities. Arelious Walker Drive would retain a Class III designation.

In addition, Class II bicycle lanes would be removed from Earl Street to narrow the street and to maximize the space available for public parks on the west side of the street. The narrower street would shorten crossing distances for pedestrians and as a result, improve pedestrian safety and further encourage walking as a primary mode of transportation (reducing demand for transit and auto travel). Earl Street would retain a Class III designation. Given the low speeds anticipated for this street enabled by the narrowing of the street, provision of corner and mid-block bulbouts, and enhanced “sharrow” pavement markings, bicycles would be more comfortably able to share the travel lane with autos.<sup>4</sup>

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<sup>4</sup> The revised bicycle network also corrects an error on the proposed bicycle network figure from the Transportation Study and the EIR. Both documents depicted a proposed Class II bicycle facility on Gilman Avenue, between Arelious Walker and Third Street, although the project actually proposed a Class III facility. The project’s Transportation Plan bicycle network figure (which is shown in Figure 7) correctly depicted this corridor as a Class III route, and the FEIR noted that the Draft EIR had incorrectly represented this corridor on the figure. Thus, this is not a project change, but rather a correction of a graphical error.



Class III bicycle route designations are proposed to be removed from several streets within the Candlestick Point South neighborhood and from Donner Avenue in the Candlestick Point North neighborhood. Regardless of the bicycle designation, these streets are designed to minimum widths allowed by various City departments in order to encourage traffic to drive slowly. Further, the density of the street grid and dispersion of auto parking throughout the area means that traffic volumes would be dispersed through the network and therefore, relatively low on any individual street. In these cases, the designation of Class III routes was deemed unnecessary because all of the streets in this part of the project would function well for bicyclists to share travel lanes with traffic. Thus, while a comparison of the graphics may suggest substantial changes to the bicycle network, particularly in the CP South neighborhood due to the removal of a number of Class III routes, the only physical difference on these streets associated with a removal of the Class III designation is that “sharrow” pavement markings and bicycle route signage would not be provided; the change in designation would not affect the physical amount of space allocated for bicycles, nor would it substantially affect the interactions between bicycles and autos.

Proposed changes to the bicycle network in Hunters Point Shipyard include extension of a one-block Class II facility on Horne Street from its originally proposed northern terminus at Robinson to the end of Horne Street, where it will intersect with the Bay Trail. Additionally, Class II bicycle lanes have been added throughout the refined Hunters Point Shipyard South neighborhood.

Finally, on-street parking along Innes Avenue in the India Basin neighborhood would be retained, and the proposed Class II bicycle lanes on Innes Avenue would be eliminated. Instead the existing Class III bicycle route and parking would be retained. As part of a separate project, the City is investigating opportunities to provide a parallel Class I facility on Hudson Street; however, this is not required as mitigation for project impacts and is being pursued separately.

### *Pedestrians*

The modified Project generally maintains the project’s goals of prioritizing the pedestrian realm through provision of generous sidewalks with streetscape amenities and safety measures, such as bulbouts at key locations. As noted earlier, sidewalks would generally remain between 12 and 15 feet wide, within the range of sidewalks considered in the FEIR. One sidewalk, the west side of Arelious Walker, between Ingerson Avenue and Harney Way, on the opposite side of the street from the retail center, would be reduced to 7 feet; however, this change is expected to be adequate because there are no land uses on the west side of this street, and the design meets minimum ADA requirements. This dimension is analogous to the original project’s proposed sidewalk width of 8 feet on the south side of Innes Avenue, near Donohue Street, which is also adjacent to a large hill with no fronting land uses.

### *Parking*

The modified Project may result in slightly fewer parking spaces on-street than the maximum envelope anticipated in the FEIR. However, the resultant parking supply would continue to be

within the range contemplated in the FEIR, specifically between 2,043 spaces (assuming all of these would be on-street and zero off-street would be provided) and approximately 19,000 on- and off-street spaces).

### ***Loading***

No changes are proposed to the Project with respect to loading. Buildings, and their loading access, would still be built to the requirements described in the FEIR.

### ***Emergency Access***

No changes are proposed that would affect emergency access. As described in the traffic impacts section, roadways would be built with the major spines and connections to the adjacent neighborhood in early phases, with connection roadways adjacent to development parcels constructed as new development parcels are built.

## **ANALYSIS OF ENVIRONMENTAL EFFECTS**

Section 31.19(c)(1) of the San Francisco Administrative Code states that a modified project must be reevaluated and that, "If, on the basis of such reevaluation, the Environmental Review Officer determines, based on the requirements of CEQA, that no additional environmental review is necessary, this determination and the reasons therefore shall be noted in writing in the case record, and no further evaluation shall be required by this Chapter."

California Environmental Quality Act (CEQA) Guidelines Section 15164 provides for the use of an addendum to document the basis for a lead agency's decision not to require a subsequent EIR for a project that is already adequately covered in a previously certified EIR. The lead agency's decision to use an addendum must be supported by substantial evidence that the conditions that would trigger the preparation of a Subsequent EIR, as provided in CEQA Guidelines Section 15162, are not present.

This Addendum describes the potential environmental effects of the modified project compared to the impacts identified in the FEIR, and explains how the proposed modifications would not result in any new significant environmental impacts or a substantial increase in the severity of previously identified environmental impacts and would not require the adoption of any new or considerably different mitigation measures or alternatives.

### ***Land Use and Plans***

The FEIR determined that the Project would not result in any significant land use and plans impacts with respect to: (1) construction impacts; (2) LU-1, the physical division of an established community; (3) LU-2, conflict with plans, policies, or regulations; (4) LU-3, existing land use character; or (4) cumulative impacts.

Given that the proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes, would not result in any land use changes, would not change the density or intensity of the Project uses, and would not change

the Project location, the proposed Project modifications would not change or alter any of the FEIR's findings with respect to land use and plans impacts. All impacts would remain less than significant and no mitigation measures would be required.

### *Population, Housing and Employment*

The FEIR determined that the Project would result in the following less than significant impacts: (1) PH-1, less than significant impacts as the Project would not induce substantial direct population growth during construction; (2) PH-2, less than significant impacts as the Project would not result in indirect population growth during operation, (3) PH-2a, less than significant impacts regarding indirect population growth during operation of Candlestick Point; (4) PH-2b, less than significant impacts regarding indirect population growth during operation of HPS Phase II; (5) PH-3, no impacts regarding the displacement of existing housing units or residents, necessitating the construction of new units elsewhere; (6) PH-3a, no impacts regarding displacement of existing housing units and residents at Candlestick Point, necessitating the construction of new units elsewhere; (7) PH-3b, no impacts regarding displacement of existing housing units and residents at HPS Phase II, necessitating the construction of new units elsewhere; (8) less than significant cumulative population, housing and employment impacts.

The proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes, would not result in any changes to the location of the Project, the extent of construction or operational activities, the nature of the Project land uses, the density or intensity of development, or population and employment projections. As with the project considered in the FEIR, construction of the modified Project would result in temporary construction job growth. While the timing of construction activities would be different under the proposed changes to the Project Phasing Schedule, the average and maximum numbers of workers on site would not change relative to the numbers of construction workers evaluated in the FEIR. As discussed in the FEIR, it is anticipated that construction employees not already living in the Bayview Hunters Point neighborhood would commute from elsewhere in the Bay Area rather than relocate to the Bayview Hunters Point neighborhood for a temporary construction assignment, and construction hiring policies for the Project would continue to maximize local hiring. Thus, development of the Project under the 2013 Phasing Schedule would not generate a substantial, unplanned population increase, and impacts associated with temporary construction employment on population and housing would continue to be less than significant.

Therefore, there are no changed circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effect of the development under the modified Project on population, housing or employment. Therefore, given that the Project modifications would not result in any changes in population, housing and employment demand, increase in construction activities, or physical changes in the Project location or build out that would implicate the significance criteria for population, employment and housing, the Project modifications would not change or alter any of the FEIR's findings with respect to

population, housing and employment impacts. All impacts would remain less than significant or no impact and no new mitigation measures would be required. Additionally, the FEIR population, housing and employment cumulative impact conclusions would not be altered.

### *Transportation and Circulation*

The FEIR determined that the Project would result in the following less than significant impacts:

**Impact TR-9**, Effects on LOS and traffic volume at these intersections: Bayshore Boulevard and the intersections of Hester/US-101 Southbound off-ramp, Tunnel Avenue, Arleta Street, Leland Avenue, Silver Avenue, and Old County Road; San Bruno/Silliman Street/US-101 Southbound off-ramp; Sierra Point/Lagoon Way.

**Impact TR-19**, Effects on transit demand at Downtown Screenlines.

**Impact TR-20**, Effects on transit demand at Regional Screenlines.

**Impact TR-29**, Effects on transit demand on the 14X-Mission Express transit route when on I-280.

**Impact TR-31**, Safety effects on conditions for bicyclists and effects on bicycle accessibility or the ability to accommodate bicycle demand associated with Project uses.

**Impact TR-33**, Effects on pedestrian facilities.

**Impact TR-34**, Safety effects for pedestrians and effects on public sidewalk crowding or pedestrian accessibility.

**Impact TR-35**, Effects on parking needs and ability to accommodate parking with alternative solutions.

**Impact TR-36**, Effects to on-street parking

**Impact TR-37**, Effects on loading spaces.

**Impact TR-40**, Effects on bicycle access on game days.

**Impact TR-41**, Safety effects for pedestrians and effects on public sidewalk crowding or pedestrian accessibility on game days.

**Impact TR-42**, Effects on pedestrian access to State Park facilities on game days.

**Impact TR-43**, Effects on parking needs on game days.

**Impact TR-44**, Effects on loading capacity on game days.

**Impact TR-45**, Effects on emergency access on game days.

**Impact TR-48**, Effects on bicycle circulation during secondary events.

**Impact TR-49**, Effects on pedestrian accessibility during secondary events.

**Impact TR-50**, Effects on parking supply for secondary events.

**Impact TR-53**, Effects on bicycle circulation during arena events.

**Impact TR-54**, Safety effects for pedestrians and effects on public sidewalk crowding or pedestrian accessibility during arena events.

**Impact TR-55**, Effects on arena parking needs.

**Impact TR-56**, Effects on air traffic.

**Impact TR-57**, Impacts from design features.

**Impact TR-58**, Effects on emergency access to the Project area.

The FEIR determined that the Project would result in the following less than significant impacts with implementation of mitigation measures:

**Impact TR-16**: Traffic Impacts on Harney Way.

**Impact TR-17**: Transit Capacity Impacts.

**Impact TR-18**: Transit Impacts at Study Area Cordons.

**Traffic Impact on Intersections under R&D and Housing/R&D Variants.** The R&D and Housing/R&D Variants would worsen traffic conditions at the intersection of Crisp and Palou. The R&D Variant would cause acceptable traffic conditions to become unacceptable at the intersection of Innes and Earl.

The FEIR determined that the Project would result in the following significant impacts that cannot be avoided or reduced to a less than significant level:

**Impact TR-1**: Effect of Project Construction on Vehicle Traffic and Roadway Construction on Transportation System.

**Impact TR-2**: Effect of Project on Traffic Volumes

**Impact TR-3**: Effect of Project Traffic at Certain Area Intersections.

**Impact TR-4**: Effect of Project Traffic at Tunnel/Blanken.

**Impact TR-5:** Project Contribution to Traffic at Degraded Intersections.

**Impact TR-6:** Project Traffic at Freeway Ramps.

**Impact TR-7:** Project Traffic at Amador/Cargo/Illinois.

**Impact TR-8:** Project Traffic at Bayshore/Geneva.

**Impact TR-10:** Project Traffic Effects.

**Impact TR-11:** Project Traffic at Freeway Segments.

**Impact TR-12:** Project Traffic Impact at Freeway Ramps.

**Impact TR-13:** Project Traffic Contribution to Cumulative Impacts at Freeway Ramps.

**Impact TR-14:** Project Traffic Impact to Diverge Queue Storage at Harney/US 101 Northbound Off-ramp.

**Impact TR-15:** Project Traffic Contribution to Diverge Queue Storage Impacts.

**Impact TR-21:** Project Traffic Impacts to 9-San Bruno Transit Line.

**Impact TR-22:** Project Traffic Impacts to 23-Monterey, 24-Divisadero, 44-O'Shaughnessy Transit Lines.

**Impact TR-23:** Project Traffic Impacts to 29-Sunset Transit Line.

**Impact TR-24:** Project Traffic Impacts to 48-Quintara-24<sup>th</sup> Street Transit Line.

**Impact TR-25:** Project Traffic Impacts to 54-Felton Transit Line.

**Impact TR-26:** Project Traffic Impacts to T-Third Transit Line.

**Impact TR-27:** Project Traffic Impacts to 28L-19<sup>th</sup> Avenue/Geneva Limited Transit Line.

**Impact TR-28:** Project Traffic Impacts to 9X, 9AX, 9BX-Bayshore Expresses and 14X-Mission Express Transit Lines

**Impact TR-30:** Project Traffic Impacts to SamTrans Bus Lines.

**Impact TR-32:** Project Traffic Impacts to Bicycle Routes.

**Impact TR-38:** Stadium 49ers Game Site Access and Traffic Impacts.

**Impact TR-39:** Stadium 49er Game Transit Impacts.

**Impact TR-46:** Stadium Secondary Event Site Access and Traffic Impacts.

**Impact TR-47:** Stadium Secondary Event Transit Impacts.

**Impact TR-51:** Project Site Access and Traffic Impacts from Arena Uses.

**Impact TR-52:** Transit Impacts from Arena Uses.

As noted above, the proposed Class II bicycle lanes on Innes Avenue would have resulted in removal of on-street parking along Innes Avenue in the India Basin neighborhood. Under the proposed project modifications, the existing Class III bicycle route and parking would be retained. This change would not result in a new significant impact as Class III bicycle routes are standard treatments provided throughout San Francisco as part of the City's bicycle network.

Overall, the project refinements would continue to improve the overall bicycle network in the study area and facilities would be adequate to meet bicycle needs and Impacts TR-31 and TR-32 would remain unchanged. Mitigation Measure MM TR-32 would also still apply, and as part of the requirements of MM TR-32, SFMTA has already initiated conversations with the Project Sponsor regarding a study to consider relocating the existing bicycle route on Palou Avenue to Quesada Avenue, immediately to the south, and part of the City's Green Connections project. As noted in the EIR, this study must be complete prior to issuance of the grading permit for Major Phase 1 at Hunters Point Shipyard.

The proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes, would not result in any changes to transportation travel demand characteristics or substantial changes to construction effects or transportation capacity, either during project construction or at project build out. Construction activities would occur in a slightly different sequence than previously anticipated, but overall activity levels would remain the same as identified in the FEIR (Impact TR-1). The modified Project phasing would provide adequate internal auto capacity throughout the development of the project, and the Project would result in the same auto trip generation and similar roadway capacity as identified in the FEIR at build out (Impacts TR-2 through TR-16). The modified Project transit phasing would continue to offer similar levels of transit service relative to development throughout the project construction period, and would offer the same transit service at project build out as was analyzed in the FEIR (Impacts TR-17 through TR-30). The modified Project's bicycle network would provide a similarly-robust bicycle network compared to what was identified in the FEIR, and would continue to improve and promote bicycling throughout the area (Impacts TR-31 and TR-32). The modified Project would provide similar pedestrian amenities compared to what was analyzed in the FEIR (Impacts TR-33 and TR-34). The project's maximum parking supply would be approximately 600 fewer parking spaces than the maximum identified in the FEIR, but would continue to provide a supply within the range identified in the FEIR (Impacts TR-35 and TR-36). The modified Project would not affect loading (Impact TR-37). Because the modified Project would not include a new football stadium,

Impacts TR-38 through TR-50 would not occur. The modified Project would not affect conditions for the new arena (Impacts TR-51 through TR-55), air traffic (Impact TR-56), hazards due to design features (Impact TR-57), or emergency access (Impact TR-58).

Based on the foregoing and as further presented in **Appendix A**, there are no changed circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effects of the development under the revised Phasing Schedule on the capacity, safety, or quality of the transportation network. Therefore, given that the proposed Project modifications would not result in any increase in construction activities or physical changes in the Project build-out that would implicate the transportation significance criteria, the Project modifications would not change or alter any of the FEIR's findings with respect to transportation impacts. All impacts would remain less than significant, less than significant with mitigation, significant and unavoidable, or significant and unavoidable with mitigation, and no new mitigation measures would be required. Additionally, the FEIR transportation cumulative impact conclusions would not be altered.

### *Aesthetics*

The FEIR determined that the Project would not result in any significant impacts with respect to: (1) AE-1, construction impacts on a scenic vista or scenic resource; (2) AE-2, construction impacts on visual character or quality with implementation of mitigation; (3) AE-3, construction impacts on light or glare that could obstruct day or night views; (4) AE-4, Project impacts on scenic vistas; (5) AE-5, Project impacts on scenic resources; (6) AE-6, Project impacts on visual character; (7) AE-7, Project impacts on light and glare with implementation of mitigation; or (8) cumulative impacts.

The proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes, would not result in any changes in the location, height or bulk of development identified in the FEIR or create any new sources of light and glare other than those considered in the FEIR. There are no changed circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effects of the development under the revised Phasing Schedule on the visual character and quality of the surrounding area or on scenic vistas. Therefore, given that the proposed Project modifications would not result in any increase in construction activities or physical changes in the Project build-out that would implicate the aesthetic significance criteria, the proposed Project modifications would not change or alter any of the FEIR's findings with respect to aesthetic impacts. All impacts would remain less than significant or less than significant with mitigation and no new mitigation measures would be required.

### *Shadows*

The FEIR determined that the Project would result in the following less than significant impacts: (1) SH-1a, less than significant impacts as implementation of the Project at Candlestick Point would not result in new structures with the potential to cast shadows on existing or proposed parks and open space in a manner that would have an adverse effect on the use of the open

space; (2) SH-1b, less than significant impacts as implementation of the Project at HPS Phase II would not result in new structures with the potential to cast shadows on existing or proposed parks and open space in a manner that would have an adverse effect on the use of the open space; (3) SH-1, less than significant impacts as implementation of the Project would not result in new structures with the potential to cast shadows on existing or proposed parks and open space in a manner that would have an adverse effect on the use of the open space; (4) less than significant cumulative shadow impacts.

The proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes, would not result in any changes to the location of the Project, including parks and towers, the extent of construction or operational activities, the nature of the Project land uses, or the density or intensity of development. Development would continue to occur on the same areas of the site analyzed for development in the FEIR. The Project includes the tower configuration in Tower Variant 3D with no changes and the shadow effects of that variant was thoroughly analyzed in the FEIR and remains valid. Consequently, there would be no changes to the Project's effects related to shadows. There are no changed circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effect of the development under the modified Project on shadow. Therefore, given that the Project modifications would not result in any increase in construction activities or physical changes in the Project location or build out that would implicate the shadow significance criteria, the Project modifications would not change or alter any of the FEIR's findings with respect to shadow impacts. All impacts would remain less than significant with mitigation and no new mitigation measures would be required. Additionally, the FEIR shadow cumulative impact conclusions would not be altered.

### *Wind*

The FEIR determined that the Project would result in the following less than significant impacts: (1) W-1a, less than significant impacts, with implementation of mitigation measure W-1a, as implementation of the Project at Candlestick Point, with mitigation, would not include tall structures that would result in ground-level-equivalent wind speed exceeding 26 mph for a single hour of the year in pedestrian corridors and public spaces; (2) W-1b, less than significant impacts, with implementation of mitigation measures, as implementation of the Project at HPS Phase II would not include tall structures that would result in ground-level-equivalent wind speed exceeding 26 mph for a single hour of the year in pedestrian corridors and public spaces; (3) W-1, less than significant impacts, with implementation of mitigation measures, as implementation of the Project would not include tall structures that would result in ground-level-equivalent wind speed exceeding 26 mph for a single hour of the year in pedestrian corridors and public spaces; (4) less than significant cumulative wind impacts.

The proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes, would not result in any changes to the location of the

Project, the extent of construction or operational activities, the nature of the Project land uses, or the density or intensity of development. Development would continue to occur on the same areas of the site analyzed for development in the FEIR and design guidelines and mitigation measure W-1a to address wind impacts, adopted as part of the Project approvals, would be unchanged by the Project modifications. Consequently, there would be no changes to the Project's effects related to wind. There are no changed circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effect of the development under the modified Project on wind. Therefore, given that the Project modifications would not result in any increase in construction activities or physical changes in the Project location or build out that would implicate the wind significance criteria, the Project modifications would not change or alter any of the FEIR's findings with respect to wind impacts. All impacts would remain less than significant with mitigation and no new mitigation measures would be required. Additionally, the FEIR wind cumulative impact conclusions would not be altered.

### *Air Quality*

The FEIR determined that the Project would result in the following less than significant with implementation of mitigation measures, and significant and unavoidable impacts: (1) AQ-1, less than significant impacts, with implementation of mitigation measures, from construction emission of criteria pollutants; (2) AQ-2, less than significant impacts, with implementation of mitigation measures, from construction emissions of diesel particulate matter; (3) AQ-3, less than significant impacts, with implementation of mitigation measures, from construction emissions of toxic air contaminants; (4) AQ-4, significant and unavoidable impacts from mass emissions of criteria pollutants during project operations; (5) AQ-5, less than significant impact from carbon monoxide emissions due to motor vehicle trips during project operation; (6) AQ-6, less than significant impacts with implementation of mitigation measures from emissions of toxic air contaminants due to operation of research and development uses; (7) AQ-7, less than significant impact from vehicle emissions of PM<sub>2.5</sub> during project operation; (8) AQ-8, less than significant impacts from odors during project operations; (9) AQ-9 less than significant related to conformity with regional air quality plan objectives; and (10) less than significant cumulative impacts, except for the project's contribution to significant cumulative impacts from emissions of toxic air contaminants and PM<sub>2.5</sub>.

The Project Phasing Schedule, corresponding changes to the timing of construction of public benefits, and implementation of transportation system improvements could have an effect on construction-related air quality impacts. **Appendix B – Screening Air Quality Analysis and Health Risk Assessment for the Refinements to the Candlestick Point-Hunter Point Shipyard Phase II Development Plan** analyzes the air quality effect of changes to the Project Phasing Schedule and corresponding changes to the timing of construction of public benefits and demonstrates that these Project modifications would not result in any new construction-related air quality impacts. As the proposed Project Modifications would not result in any change in the location of the Project, the overall extent of construction or operational activities, the nature of the Project land uses, the density or intensity of the development or Project population and

employment projections, the Project modifications would not affect any other air quality-related impact analyses. Further, there are no changed circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effects of the development under the modified Project on air quality. Therefore, given the analysis in **Appendix B** concerning changes in construction timing shows no new impacts would occur, and the fact that the Project would not result in any overall increase in construction activities or changes in the Project location or build out that would implicate the significance criteria for air quality, the proposed Project modifications would not change or alter any of the FEIR's findings with respect to air quality impacts. All Project impacts would remain less than significant or less than significant with mitigation and no new mitigation measures would be required. Additionally, the FEIR air quality cumulative impact conclusions would not be altered.

### *Noise and Vibration*

For purposes of the impact statements summarized below related to noise during Project construction, the FEIR assumes that construction would be carried out in conformance with the requirements of Sections 2907 and 2908 of the Municipal Code. The FEIR determined that the Project would result in the following impacts: (1) NO-1a, less than significant impacts, with implementation of mitigation measures, as a result of construction at Candlestick Point on increased noise levels for both off-site and on-site sensitive receptors; however, the Project's construction noise impacts would occur primarily in noise-sensitive areas adjacent or near to active construction sites (which would vary in location and duration over the entire period the proposed Project would be under construction) and would not occur during recognized sleep hours; (2) NO-1b, less than significant impacts, with implementation of mitigation measures, as a result of construction at HPS Phase II on increased noise levels for both off-site and on-site sensitive receptors; however, the Project's construction noise impacts would be temporary and would also not occur during recognized sleep hours; (3) NO-1, less than significant impacts, with implementation of mitigation measures, as a result of construction activities associated with the Project on increased noise levels for both off-site and on-site sensitive receptors; however, the Project's construction noise impacts would occur primarily in noise-sensitive areas adjacent or near to active construction sites (which would vary in location and duration over the entire period the proposed Project would be under construction) and would also not occur during recognized sleep hours; (4) NO-2a, significant and unavoidable impacts, with implementation of mitigation measures, as a result of construction at Candlestick Point by creating excessive groundborne vibration levels in existing residential neighborhoods adjacent to the Project site and at proposed on-site residential uses should the latter be occupied before Project construction activity on adjacent parcels. Although the Project's construction vibration impacts would be temporary, would not occur during recognized sleep hours, and would be consistent with the requirements for construction activities that exist in Sections 2907 and 2908 of the Municipal Code, vibration levels would still be significant; (5) NO-2b, significant and unavoidable impacts, with implementation of mitigation measures, from rock removal activities in the Alice Griffith and Jamestown districts resulting in vibration levels that exceed the FTA threshold of 80 VdB or could cause damage to structures from vibration caused by the

fracturing of bedrock for excavation; (6) NO-2c, significant and unavoidable impacts, with implementation of mitigation measures, from construction at HPS Phase II that would create excessive groundborne vibration levels in existing residential neighborhoods adjacent to the Project site and at proposed on-site residential uses should the latter be occupied before Project construction activity on adjacent parcels is complete. Although the Project's construction vibration impacts would be temporary, would not occur during recognized sleep hours, and would be consistent with the requirements for construction activities that exist in Sections 2907 and 2908 of the Municipal Code, vibration levels would be significant; (7) NO-2, significant and unavoidable impacts, with implementation of mitigation measures, from construction activities associated with the Project that would create excessive groundborne vibration levels in existing residential neighborhoods adjacent to the Project site and at proposed on-site residential uses should the latter be occupied before Project construction activity on adjacent parcels is complete. Although the Project's construction vibration impacts would be temporary, would not occur during recognized sleep hours, and would be consistent with the requirements for construction activities that exist in Sections 2907 and 2908 of the Municipal Code, vibration levels would still be significant; (8) NO-3, significant and unavoidable impacts, with implementation of mitigation measures, from construction activities associated with the Project that would result in a substantial temporary or periodic increase in ambient noise levels; (9) NO-4, less than significant impacts with implementation of the Project, including the use of mechanical equipment or the delivery of goods, on exposure to noise-sensitive land uses on or off site to noise levels that exceed the standards established by the City; (10) NO-5, less than significant impacts from the Project regarding the generation or exposure of persons on or off site to excessive groundborne vibration; (11) NO-6, significant and unavoidable impacts with operation of the Project as it would generate increased local traffic volumes that could cause a substantial permanent increase in ambient noise levels in existing residential areas along the major Project site access routes; (12) NO-7, significant and unavoidable impacts, with implementation of mitigation measures, on noise during football games and concerts at the proposed stadium resulting in temporary increases in ambient noise levels that could adversely affect surrounding residents for the duration of a game or concert; (13) NO-8, less than significant impacts from Project exposure of residents and visitors to excessive noise levels from flights from San Francisco International Airport such that the noise would be disruptive or cause annoyance; (14) less than significant cumulative noise and vibration impacts.

The proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes, would not result in any changes to the location of the Project, the extent of construction or operational activities, the nature of the Project land uses, or the density or intensity of development. Development would continue to occur on the same areas of the site analyzed for development in the FEIR. Under the 2013 Project Phasing Schedule, the level of construction activity at Candlestick Point during Major Phase 1 would be comparable to the level of construction activity for Major Phase 3 under the 2010 Phasing Schedule described in the FEIR. Likewise, under the proposed 2013 Phasing Schedule, the level

of construction activity at Candlestick Point during Major Phase 3 would be similar to that previously anticipated to occur during Major Phase 1 under the 2010 Phasing Schedule. Consequently, while the timing of when construction noise impacts would occur at different locations would differ somewhat from what was described in the FEIR, there would be no changes to the Project's overall effects related to noise and vibration. The FEIR assumed that sensitive residential receptors both inside and outside of the Project area would be exposed to construction-related noise and vibration impacts and operational traffic noise impacts. The Project approvals included adoption of all identified feasible mitigation measures to reduce these noise- and vibration-related impacts. The Project schedule revisions would result in similar sensitive residential receptor exposure to construction and operational noise and vibration impacts and do not alter these assumptions or conclusions. There are no changed circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effect of the development under the modified Project on noise and vibration. Therefore, given that the Project modifications would not result in any increase in construction activities or physical changes in the Project location or build out that would implicate the noise and vibration significance criteria, the Project modifications would not change or alter any of the FEIR's findings with respect to noise and vibration impacts. All impacts would remain less than significant, less than significant with mitigation, or significant and unavoidable with mitigation, and no new mitigation measures would be required. Additionally, the FEIR noise and vibration cumulative impact conclusions would not be altered.

#### *Cultural and Paleontological Resources*

The FEIR determined that the Project would result in the following less than significant and significant impacts: (1) CP-1a, less than significant impacts on the significance of an historical resource during construction at Candlestick Point; (2) CP-1b, significant and unavoidable impacts, with implementation of mitigation measures, due to a substantial adverse change in the significance of an historical resource at HPS Phase II; (3) CP-1, significant and unavoidable impacts, with implementation of mitigation measures, due to a substantial adverse change in the significance of a historical resource at the combined Candlestick Point and HPS Phase II (Project); (4) CP-2a, less than significant impacts, with implementation of mitigation measures, on the significance of archaeological resources, including prehistoric Native American, Chinese fishing camp, and maritime-related archaeological remains Construction at Candlestick Point with implementation of the Project; (5) CP-2b, less than significant impacts, with implementation of mitigation measures, on the significance of archaeological resources, including prehistoric Native American resources, Chinese fishing camps, and maritime related resources with construction at HPS Phase II; (6) CP-2, less than significant impacts, with implementation of mitigation measures, on the significance of archaeological resources, including prehistoric Native American resources, Chinese fishing camps, and maritime related resources with construction at Candlestick Point and HPS Phase II combined (7) CP-3a, less than significant impacts, with implementation of mitigation measures, on the significance of a paleontological resources during construction at Candlestick Point; (8) CP-3b, less than significant impacts, with implementation of mitigation measures, on the significance of a

paleontological resources during construction at HPS Phase II; (9) CP-3c, less than significant impacts, with implementation of mitigation measures, on the significance of a paleontological resource during construction of the Yosemite Slough bridge, shoreline improvements, and the marina improvements activities, including in-water activities; (10) CP-3d, less than significant impacts, with implementation of mitigation measures, on the significance of a paleontological resource during pile driving associated with construction of the Yosemite Slough bridge, shoreline improvements, and the marina improvements (11) CP-3, less than significant impacts, with implementation of mitigation measures, on the significance of a paleontological resource during construction activities associated with the Candlestick Point and HPS Phase II Project; (4) less than significant cumulative archaeological and paleontological impacts and significant and unavoidable cumulative historical resource impacts.

The proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes, would not result in any changes to the location of the Project, the extent of construction or operational activities, the nature of the Project land uses, the density or intensity of development, or population and employment projections.

Consequently, there would be no changes to the Project's effects related to cultural and paleontological resources. There are no changed circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effect of the development under the modified Project on cultural and paleontological resources. Therefore, given that the Project modifications would not result in any changes in cultural and paleontological resources impact conclusions, increase in construction activities, or physical changes in the Project location or build out that would implicate the significance criteria for cultural and paleontological resources, the Project modifications would not change or alter any of the FEIR's findings with respect to cultural and paleontological resources impacts. All impacts would remain less than significant or significant and unavoidable with mitigation and no new mitigation measures would be required. Additionally, the FEIR cultural and paleontological resources cumulative impact conclusions would not be altered.

#### ***Hazards and Hazardous Materials***

The FEIR determined that the Project would result in the following less than significant and significant impacts: (1) HZ-1, less than significant impacts, with implementation of mitigation measures, from exposure to known contaminants during construction activities; (2) HZ-2, less than significant impacts, with implementation of mitigation measures, from exposure to previously unidentified contaminants during construction; (3) HZ-3, less than significant impacts, with implementation of mitigation measures, from off-site transport and disposal of contaminated soil and groundwater during construction; (4) HZ-4, less than significant impacts from installation of underground utilities; (5) HZ-5, less than significant impacts, with implementation of mitigation measures, from installation of foundation support piles; (6) HZ-6, less than significant impacts, with implementation of mitigation measures, from soil handling, stockpiling, and transport within the project site boundaries during construction; (7) HZ-7, less than significant impacts, with implementation of mitigation measures, from contaminated

surface runoff from construction sites; (8) HZ-8, less than significant impacts, with implementation of mitigation measures, from exposure to hazardous material releases that have not been fully remediated (9) HZ-9, less than significant impacts, with implementation of mitigation measures, from exposure to hazardous materials in conjunction with limited remediation activities during construction of the Yosemite Slough Bridge; (10) HZ-10, less than significant impacts, with implementation of mitigation measures, from exposure to hazardous materials during construction of shoreline improvements; (11) HZ-11, less than significant impacts, with implementation of mitigation measures, from exposure to hazardous materials while constructing infrastructure on Navy-owned property; (12) HZ-12, less than significant impacts, with implementation of mitigation measures, from remediation activities conducted in conjunction with development activities at HPS Phase II early transfer parcels; (13) HZ-13, less than significant impacts from exposures to hazardous materials contamination during construction of off-site roadway improvements; (14) HZ-14, less than significant impacts, with implementation of mitigation measures, from exposure of ecological receptors to hazardous materials from construction activities; (15) HZ-15, less than significant impacts, with implementation of mitigation measures, from exposure to naturally occurring asbestos from construction activities; (16) HZ-16, less than significant impacts from exposure to hazardous materials in buildings and structures; (17) HZ-17, less than significant impacts, with implementation of mitigation measures, from exposure of workers to hazardous materials during construction; (18) HZ-18, less than significant impacts, with implementation of mitigation measures, from construction activities with potential to generate hazardous air emissions within one-quarter mile of a school; (19) HZ-19, less than significant impacts, with implementation of mitigation measures, from release of contaminants from historic uses or fill; (20) HZ-20, less than significant impacts from routine use, storage, transport, or disposal of hazardous materials during Project construction; (21) HZ-21, less than significant impacts, with implementation of mitigation measures, from routine maintenance of properties; (22) HZ-22, less than significant impacts from routine use, storage, transport, or disposal of hazardous materials during Project operation; (23) HZ-23, less than significant impacts from exposure to hazardous materials caused by upset or accident conditions; (24) HZ-24, less than significant impacts, with implementation of mitigation measures, from hazardous air emissions associated with R&D uses within one-quarter mile of a school; (25) HZ-25, no impacts from safety hazards from conflicts with airport land use plans; (26) HZ-26, no impact from safety hazards from proximity to private air strips; (27) HZ-27, less than significant impact from fire hazards or conflicts with emergency response and evacuation plans; and (28) less than significant cumulative impacts from hazards and hazardous materials.

The proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes, would not result in any changes to the location of the Project, the extent of construction or operational activities, the nature of the Project land uses, the density or intensity of development. Consequently, there would be no changes to the Project's effects related to hazards and hazardous materials. There are no changed

circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effects of the development under the modified project related to impacts associated with hazards or hazardous materials. Therefore, given that the Project would not result in any increase in construction activities or changes in the Project location or build out that would implicate the significance criteria for hazards and hazardous materials, the proposed Project modifications would not change or alter any of the FEIR's findings with respect to hazards and hazardous materials impacts. All Project impacts would remain less than significant or less than significant with mitigation and no new mitigation measures would be required. Additionally, the FEIR hazards or hazardous materials cumulative impact conclusions would not be altered.

### *Geology and Soils*

The FEIR determined that the Project would result in the following less than significant impacts: (1) GE-1, 1a, 1b, less than significant impacts, with implementation of mitigation measures from construction on soil erosion; (2) GE-2, 2a, 2b, less than significant impacts, with implementation of mitigation measures, from construction on settlement from dewatering activities; (3) GE-3, less than significant impacts, with implementation of mitigation measures, from construction on destabilization of bedrock from rock removal activities; (4) GE-4, 4a, 4b, less than significant impacts, with implementation of mitigation measures, from project operations on exposing people and structures to seismically induced ground shaking; (5) GE-5, 5a, 5b, less than significant impacts, with implementation of mitigation measures, from project operations on exposing people and structures to seismically induced ground failure; (6) GE-6, 6a, 6b, less than significant impacts, with implementation of mitigation measures, from project operations on exposing people and structures to seismically induced landslides; (7) GE-7, 7a, 7b, less than significant impacts, with implementation of mitigation measures, from project operations on exposing people and structures to shoreline instability; (8) GE-8, 8a, 8b, less than significant impacts, with implementation of mitigation measures, from project operations on exposing people and structures to landslides; (9) GE-9, 9a, 9b, less than significant impacts, with implementation of mitigation measures, from project operations on exposing people and structures to damage from settlement; (10) GE-10, 10a, 10b, less than significant impacts, with implementation of mitigation measures, from project operations on exposing people and structures to expansive soils; (11) GE-11, 11a, 11b, less than significant impacts, with implementation of mitigation measures, from project operations on exposing people and structures to corrosive soils; (12) GE-12, no impact from surface fault rupture; (13) GE-13, no impact from the use of soils incapable of supporting septic tanks or alternative wastewater systems; (14) GE-14, no impact from the destruction of unique geologic features; (15) less than significant impacts, with implementation of mitigation measures, to cumulative geology and soils impacts.

The proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes, would not result in any changes to the location of the Project, the extent of construction or operational activities, the nature of the Project land uses, or

the density or intensity of development. Development would continue to occur on the same areas of the site analyzed for development in the FEIR. There are no changed circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effect of the development under the modified Project on geology and soils. Therefore, given that the proposed Project modifications would not result in any increase in construction activities or physical changes in the Project location or build out that would implicate the significance criteria for geology and soils, the proposed Project modifications would not change or alter any of the FEIR's findings with respect to geology and soils impacts. All impacts would remain less than significant or less than significant with mitigation and no new mitigation measures would be required. Additionally, the FEIR geology and soils cumulative impact conclusions would not be altered.

### *Hydrology and Water Quality*

The FEIR determined that the Project would result in the following less than significant impacts: (1) HY-1, 1a, 1b, 1c, less than significant impacts, with implementation of mitigation measures, from construction regarding compliance with water quality standards and waste discharge requirements; (2) HY-2, less than significant impacts from construction on groundwater supplies and groundwater recharge; (3) HY-3, less than significant impacts from construction on erosion and siltation; (4) HY-4, less than significant impacts, with implementation of mitigation measures, from construction on flooding; (5) HY-5, less than significant impacts, with implementation of mitigation measures, from construction on storm sewer system capacity; (6) HY-6, 6a, 6b, 6c, less than significant impacts, with implementation of mitigation measures, at Candlestick and HPS Phase II, and less than significant impacts of the Yosemite Slough Bridge, from project operations regarding compliance with water quality standards and waste discharge requirements; (7) HY-7, less than significant impacts, with implementation of mitigation measures, from project operations on water quality; (8) HY-8, no impact from project operations on groundwater supplies and groundwater recharge; (9) HY-9, less than significant impacts, with implementation of mitigation, from project operations on erosion or siltation effects; (10) HY-10, less than significant impacts, with implementation of mitigation, from project operations on flooding from surface runoff; (11) HY-11, less than significant impacts, with implementation of mitigation, from project operations on storm sewer system capacity; (12) HY-12, 12a, 12b, less than significant impacts, with implementation of mitigation, related to placing housing in a flood hazard area; (13) HY-13, 13a, 13b, 13c, less than significant impacts at Candlestick and the Yosemite Slough Bridge and less than significant impacts, with implementation of mitigation, at HPS Phase II related to placing structures within a flood hazard zone; (14) HY-14, less than significant impacts, with implementation of mitigation, regarding other flood risks; (15) HY-15, less than significant impacts related to seiche, tsunami, and mudflows; (16) less than significant cumulative hydrology and water quality impacts.

The proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes would not result in any changes to the location of the Project, the extent of construction or operational activities, the nature of the Project land uses, or

the density or intensity of development. Development would continue to occur on the same areas of the site analyzed for development in the FEIR. There are no changed circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effect of the development under the modified Project on hydrology and water quality. Therefore, given that the proposed Project modifications would not result in any increase in construction activities or physical changes in the Project location or build out that would implicate the significance criteria for hydrology and water quality, the proposed Project modifications would not change or alter any of the FEIR's findings with respect to hydrology and water quality impacts. All impacts would remain less than significant or less than significant with mitigation and no new mitigation measures would be required. Additionally, the FEIR hydrology and water quality cumulative impact conclusions would not be altered.

### *Biological Resources*

The FEIR determined that the Project would result in the following less than significant impacts: (1) BI-1, no construction impact on regional conservation plans; (2) BI-2, less than significant impacts from construction on common species and habitat; (3) BI-3a and 3b, no construction impact on sensitive plants; (4) BI-4a, 4b, 4c, less than significant impacts, with implementation of mitigation measures, from construction on waters of the United States and navigable waters; (5) BI-5a, 5b, no construction impacts at Candlestick and less than significant impacts, with implementation of mitigation measures, at HPS Phase II from construction on eelgrass beds; (6) BI-6a, 6b, less than significant impacts, with implementation of mitigation measures, from construction on sensitive bird species; (7) BI-7a, 7b, less than significant impacts at Candlestick and less than significant impacts, with implementation of mitigation measures, at HPS Phase II from construction on foraging habitat for raptors; (8) BI-8a, 8b, less than significant impacts from construction on the western red bat; (9) BI-9a, 9b, no impact at Candlestick and less than significant impacts, with implementation of mitigation measures, at HPS Phase II from construction on marine mammals and fish; (10) BI-10a, 10b, 10c, less than significant impacts from construction on mollusks; (11) BI-11a, 11b, 11c, less than significant impacts, with implementation of mitigation measures, from construction on special-status fish species; (12) BI-12a, 12b, 12c, less than significant impacts, with implementation of mitigation measures, from construction on essential fish habitat; (13) BI-13a, 13b, less than significant impacts at Candlestick and less than significant impact, with implementation of mitigation measures, at HPS Phase II from construction on wildlife movement; (14) BI-14a, 14b, less than significant impacts, with implementation of mitigation measures, from construction on local plans and policies; (15) BI-15a, 15b, no impact at Candlestick and less than significant impacts, with implementation of mitigation measures, at HPS Phase II from construction on contaminated soils or sediments; (16) BI-16a, 16b, less than significant impacts from project operations on sensitive birds and animals; (17) BI-17a, 17b, no impact from project operations on nesting American peregrine falcons; (18) BI-18a, 18b, no impact at Candlestick and less than significant impacts, with implementation of mitigation measures, at HPS Phase II, from project operations on sensitive aquatic species, mollusks, and designated essential fish habitat; (19) BI-19a, 19b, no impact at Candlestick and less than significant impacts, with implementation of mitigation

measures, at HPS Phase II, from project operations on contaminated sediments; (20) BI-20a, 20b, less than significant impacts, with implementation of mitigation measures, from project operations on the movement of bird species; (21) BI-21a, 21b, less than significant, with implementation of mitigation measures, from project operations on local plans and policies; (22) BI-22, less than significant impacts, with implementation of mitigation measures, from project operations on special-status and/or legally protected species; (23) BI-23, less than significant impacts, with implementation of mitigation measures, from project operations on sensitive habitats; (24) BI-24, less than significant impacts, with implementation of mitigation measures, from project operations on wetlands and jurisdictional waters; (25) BI-25, less than significant impacts, with implementation of mitigation measures, from project operations on fish or wildlife movement; (26) BI-26, less than significant impacts, with implementation of mitigation measures, from project operations on local plans and policies; (27) less than significant impacts, with implementation of mitigation measures, to cumulative biological resource impacts.

The proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes, would not result in any changes to the location of the Project, the extent of construction or operational activities, the nature of the Project land uses, or the density or intensity of development. Development would continue to occur on the same areas of the site analyzed for development in the FEIR. There are no changed circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effect of the development under the modified Project on the biological resources. Therefore, given that the proposed Project modifications would not result in any increase in construction activities or physical changes in the Project location or build out that would implicate the biological resource significance criteria, the proposed Project modifications would not change or alter any of the FEIR's findings with respect to biological resource impacts. All impacts would remain less than significant or less than significant with mitigation and no new mitigation measures would be required. Additionally, the FEIR biological resource cumulative impact conclusions would not be altered.

### *Public Services*

The FEIR determined that the Project would result in the following less than significant and significant impacts: (1) PS-1, less than significant impacts, with implementation of mitigation measures, from construction on police protection; (2) PS-2, less than significant impacts, with implementation of mitigation measures, from project operations on police protection; (3) PS-3, less than significant impacts, with implementation of mitigation measures, from construction on fire protection and emergency medical services; (4) PS-4, less than significant impacts from project operations on fire protection and emergency medical services; (5) PS-5, no impact from construction on schools; (6) PS-6, less than significant impacts from project operations on schools; (7) PS-7, no impact from construction on library services; (8) PS-8, less than significant impacts from project operations on library services; (9) less than significant cumulative impacts, except for the project's contribution to significant cumulative impacts on police services.

The proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes, would not result in any changes to the location of the Project, the extent of construction or operational activities, the nature of the Project land uses, the density or intensity of development, or Project population and employment projections. Consequently, there would be no increase in the demand for public services. There are no changed circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effects of the development under the modified Project on the public services. Therefore, given that the Project would not result in any increase in construction activities or changes in the Project location or build out that would implicate the significance criteria for public services, the proposed Project modifications would not change or alter any of the FEIR's findings with respect to public service impacts. All Project impacts would remain less than significant or less than significant with mitigation and no new mitigation measures would be required. Additionally, the FEIR public service cumulative impact conclusions would not be altered.

### *Recreation*

The FEIR determined that the Project would result in the following less than significant impacts: (1) RE-1, less than significant impacts as Construction of the parks, recreational uses, and open space proposed by the Project would not result in substantial adverse physical environmental impacts beyond those analyzed and disclosed in the EIR; (2) RE-2, less than significant impacts, with implementation of mitigation measures, as implementation of the Project would not increase the use of existing parks and recreational facilities that would cause the substantial physical deterioration of the facilities to occur or to be accelerated, nor would it result in the need for, new or physically altered park or recreational facilities; (3) RE-3, less than significant impacts, as implementation of the Project would decrease the size of Candlestick Point State Recreation Area (CPSRA) but would not, overall, adversely affect the recreational opportunities offered by that park, nor would it substantially adversely affect windsurfing opportunities at the Project site; (4) less than significant cumulative recreation impacts.

The proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes, would not result in any changes to the location of the Project, the extent of construction or operational activities, the nature of the Project land uses, or the density or intensity of development. Development would continue to occur on the same areas of the site analyzed for development in the FEIR. Under the proposed 2013 Project Phasing Schedule, the timing of construction of park and recreation improvements would be altered to match the changes in the timing of development. However, as shown in **Figures 1 and 2** and **Tables 3 and 4**, under the proposed 2013 Project Phasing Schedule, the project would continue to provide a wide variety of new park and open space facilities in phase with build out of the development to meet the project demand for recreational facilities. **Table 10** below compares the ratio of expected park acreage to population with the proposed Project modifications to the 2010 Phasing.

TABLE 10 – COMPARISON OF RESIDENTIAL UNITS AND PARK ACREAGE								
	Residential Units		Population		Total Parkland (ac)		Parkland-to-Population Ratio (acres per 1,000 Residents)	
	2010 Phasing <sup>a</sup>	2013 Phasing	2010 Phasing	2013 Phasing	2010 Phasing	2013 Phasing	2010 Phasing	2013 Phasing
Existing	256	256	1,113	1,113	120.2	120.2	108	108
Phase 1	3,158	2,874	7,358	6,696	136.0	138.4	18.5	20.7
Phase 2	4,406	6,040	10,266	14,073	162.5	159.4	15.8	11.3
Phase 3	7,555	8,205	17,603	19,118	246.7	168.2	14.0	8.8
Phase 4	10,500	10,500	24,465	24,465	326.6	327.7	13.3	13.4

<sup>a</sup>. The numbers of residential units proposed under each major phase of the Project shown in Table IV-26a on page C&R-2268 of the FEIR vary slightly from the numbers of units proposed in the FEIR project description for Variant 2A. As such, the numbers for residential units and corresponding population and parkland-to-population ratios shown for the 2010 Phasing Schedule above are revised to match the FEIR project description. These minor corrections do not result in any changes to the conclusions reached in the FEIR concerning the effects of the Project on recreation because the ratio of parkland to population would remain above 5.5 acres per 1,000 residents for all phases of the project.

As shown in the table above, under the proposed 2013 Phasing Schedule, the Project would continue to exceed the standard of 5.5 acres of parkland per 1,000 residents that was used as a benchmark in the FEIR recreation analysis. Therefore, the Project modifications will comply within Mitigation Measure RE-2, which calls for adequate parkland to be constructed along with residential units. Consequently, there would be no changes to the Project’s effects related to recreation. There are no changed circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effect of the development under the modified Project on recreation. Therefore, given that the Project modifications would not result in any increase in construction activities or major physical changes in the Project location or build out that would implicate the recreation significance criteria, the Project modifications would not change or alter any of the FEIR’s findings with respect to recreation impacts. All impacts would remain less than significant or less than significant with mitigation and no new mitigation measures would be required. Additionally, the FEIR recreation cumulative impact conclusions would not be altered.

**Utilities**

The FEIR determined that the Project would result in the following less than significant impacts: (1) UT-1, less than significant impacts regarding the need for new or expanded water entitlements and resources; (2) UT-2, less than significant impacts, with implementation of mitigation measures, regarding the need for construction of new or expanded water treatment or conveyance facilities; (3) UT-3, 3a, 3b, less than significant impacts, with implementation of mitigation measures, regarding the need for expansion of off-site wastewater conveyance facilities; (4) UT-4, less than significant impacts regarding the potential to exceed wastewater treatment requirements of the Regional Water Quality Control Board; (5) UT-5, 5a, 5b, less than

significant impacts, with implementation of mitigation measures, regarding construction-related solid waste generation; (6) UT-6, 6a, 6b, less than significant impacts regarding disposal of construction-related hazardous waste; (7) UT-7, 7a, 7b, less than significant impacts, with implementation of mitigation measures, regarding operational solid waste generation; (8) UT-8, 8a, 8b, less than significant impacts regarding disposal of operational generated hazardous waste; (9) UT-9, less than significant impacts, with implementation of mitigation measures, regarding compliance with solid waste regulations; (10) UT-10, less than significant impacts regarding dry utility infrastructure and service capacity; (11) less than significant cumulative utility impacts.

The proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes, would not result in any changes to the location of the Project, the extent of construction or operational activities, the nature of the Project land uses, the density or intensity of development, or population and employment projections. Consequently, there would be no increase in the demand for utility services. The SFFD has determined that the proposed changes to the design of the AWSS described above would provide an equivalent level of protection as the AWSS loops specified in MM UT-2. Thus, the proposed modifications to the design of the AWSS would fulfill the requirements of MM UT-2 for provision of an AWSS with connections to off-site systems.

There are no changed circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effect of the development under the modified Project on utilities. Therefore, given that the proposed Project modifications would not result in any increase in demand for utilities, increase in construction activities, or physical changes in the Project location or build out that would implicate the significance criteria for utilities, the proposed Project modifications would not change or alter any of the FEIR's findings with respect to utility impacts. All impacts would remain less than significant or less than significant with mitigation and no new mitigation measures would be required. Additionally, the FEIR utility cumulative impact conclusions would not be altered.

### *Energy*

The FEIR determined that the Project would result in the following less than significant and significant impacts: (1) ME-1, less than significant impact from energy use during construction; (2) ME-2, less than significant impacts, with implementation of mitigation measures, from the use of large amount of electricity in a wasteful manner for the operation of buildings constructed under the Project; (3) ME-3, less than significant impacts, with implementation of mitigation measures, from the use of large amount of natural gas in a wasteful manner for the operation of buildings constructed under the Project; (4) ME-4 less than significant impacts, with implementation of mitigation measures, from the use of large amount of energy in a wasteful manner for vehicle trips associated with the Project; and (5) less than significant cumulative impacts related to energy use during project construction and operation.

The proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes, would not result in any changes to the location of the Project, the extent of construction or operational activities, the nature of the Project land uses, the density or intensity of development, or Project population and employment projections. Consequently, there would be no increase in energy use. There are no changed circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effects of the development under the modified Project related to energy use. Therefore, given that the Project would not result in any increase in construction activities or changes in the Project location or build out that would implicate the significance criteria for energy use, the proposed Project modifications would not change or alter any of the FEIR's findings with respect to energy impacts. All Project impacts would remain less than significant or less than significant with mitigation and no new mitigation measures would be required. Additionally, the FEIR energy cumulative impact conclusions would not be altered.

### *Greenhouse Gas Emissions*

The FEIR determined that the Project would result in the following less than significant impact: (1) GC-1, less than significant impact, as the Project would not result in a substantial contribution to global climate change by increasing GHG emissions in a manner that conflicts with the state goal of reducing GHG emissions in California to 1990 levels by 2020 (e.g., a substantial contribution to global climate change) or conflict with the San Francisco's Climate Action Plan by impeding implementation of the local GHG reduction goals established by the San Francisco 2008 Greenhouse Gas Reduction Ordinance; (2) less than significant cumulative greenhouse gas emissions impacts.

The proposed changes to the Project Phasing Schedule, corresponding changes to the timing of construction of public benefits and implementation of transportation system improvements, and minor transportation system changes, would not result in any changes to the location of the Project, the extent of construction or operational activities, the nature of the Project land uses, or the density or intensity of development. Development would continue to occur on the same areas of the site analyzed for development in the FEIR. Consequently, there would be no changes to the Project's effects related to greenhouse gas emissions. There are no changed circumstances or new information that would result in any different conclusions than those reached in the FEIR concerning the effect of the development under the modified Project on greenhouse gas emissions. Therefore, given that the Project modifications would not result in any increase in construction activities or physical changes in the Project location or build out that would implicate the greenhouse gas emissions significance criteria, the Project modifications would not change or alter any of the FEIR's findings with respect to greenhouse gas emissions impacts. The impact would remain less than significant, and no new mitigation measures would be required. Additionally, the FEIR greenhouse gas emissions cumulative impact conclusions would not be altered.

### *Mitigation Measures*

The proposed project modifications would affect implementation of Mitigation Measures TR-16, TR-17, and UT-2. For reference, these proposed changes are summarized below. See the Transportation and Utilities sections above for further discussion of these proposed changes.

#### Mitigation Measure MM TR-16 Widen Harney Way as shown in Figure 5 of the Transportation Study

The text of MM TR-16 is proposed to be revised as follows:

**MM TR-16** Widen Harney Way as shown in Figure 5 in the Transportation Study. Prior to issuance of the ~~grading-occupancy~~ permit for ~~Development Phase 1 of the Project, Candlestick Point Sub-Phase CP-02,~~ the Project Applicant shall widen Harney Way as shown in Figure 5 in the Transportation Study, with the modification to include a two-way cycle track, on the southern portion of the project right of way. Prior to the issuance of grading permits for Candlestick Point Major Phases 2, 3 and 4, the Project Applicant shall fund a study to evaluate traffic conditions on Harney Way and determine whether additional traffic associated with the next phase of development would result in the need to modify Harney Way to its ultimate configuration, as shown in Figure 6 in the Transportation Study, unless this ultimate configuration has already been built. This study shall be conducted in collaboration with the SFMTA, which would be responsible for making final determinations regarding the ultimate configuration. The ultimate configuration would be linked to intersection performance, and it would be required when study results indicate intersection LOS at one or more of the three signalized intersection on Harney Way at mid-LOS D (i.e., at an average delay per vehicle of more than 45 seconds per vehicle). If the study and SFMTA conclude that reconfiguration would be necessary to accommodate traffic demands associated with the next phase of development, the Project Applicant shall be responsible to fund and complete construction of the improvements prior to occupancy of the next phase.

#### Mitigation Measure MM TR-17 Implement the Project's Transit Operating Plan.

The text of MM TR-17 is not proposed to be revised. As provided under MM TR-17, SFMTA has agreed to modifications to the previously-approved Transit Operating Plan as detailed above and further described in **Appendix A** to adjust the phasing of transit improvements in response to the proposed changes to the Project Phasing Schedule.

#### Mitigation Measure MM UT-2 Auxiliary Water Supply System.

The text of MM UT-2 is proposed to be revised as follows:

**MM UT-2** Auxiliary Water Supply System. Prior to issuance of occupancy permits, as part of the Infrastructure Plan to be approved, the Project Applicant shall construct an Auxiliary Water Supply System (AWSS) ~~loop~~ within Candlestick Point to connect to the City's planned extension of the offsite system off-site on Gilman Street from Ingalls Street to Candlestick Point. The Project Applicant shall construct an additional AWSS

loop on HPS Phase II to connect to the existing system at Earl Street and Innes Avenue and at Palou and Griffith Avenues, with looped service along Spear Avenue/Crisp Road.

## CONCLUSION

Based on the foregoing, it is concluded that the analyses conducted and the conclusions reached in the Final EIR certified on June 3, 2010 remain valid. The proposed revisions to the project will not cause new significant impacts not identified in the EIR, and no new mitigation measures will be necessary to reduce significant impacts. Other than as described in this Addendum, no project changes have occurred, and no changes have occurred with respect to circumstances surrounding the proposed project that will cause significant environmental impacts to which the project will contribute considerably, and no new information has become available that shows that the project will cause significant environmental impacts. Therefore, no supplemental environmental review is required beyond this addendum.

Date of Determination:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

December 11, 2013



Sarah B. Jones  
Environmental Review Officer

cc:

Bulletin Board / Master Decision File  
Distribution List



# SAN FRANCISCO PLANNING DEPARTMENT

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## Addendum 2 to Environmental Impact Report

*Addendum Date:* May 2, 2014  
*Case No.:* 2007.0946E  
*Project Title:* Candlestick Point-Hunters Point Shipyard Phase II  
*EIR:* 2007.0946E, certified June 3, 2010  
*Project Sponsor:* CP Development Co., LP  
*Lead Agency:* San Francisco Planning Department/Office of Community Investment & Infrastructure  
*Staff Contact:* Joy Navarrete – (415) 575-9040  
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### REMARKS

#### *Background*

On June 3, 2010, the San Francisco Planning Commission and the Redevelopment Agency Commission certified the Final Environmental Impact Report (FEIR) for the Candlestick Point – Hunters Point Shipyard Phase II Project (Project), San Francisco Planning Department file number 2007.0946E and San Francisco Redevelopment Agency file number ER06.05.07.

On July 14, 2010, the San Francisco Board of Supervisors affirmed the Planning Commission's certification of the Final EIR (Motion No. M10-110) and adopted findings of fact, evaluation of mitigation measures and alternatives, and a statement of overriding considerations (File No. 100572) and adopted a Mitigation Monitoring and Reporting Program (MMRP) in fulfillment of the requirements of the California Environmental Quality Act (CEQA). The Project is the integrated redevelopment of 702 acres in the Candlestick Point area and the Hunters Point Shipyard Phase II area with a major mixed-use project including open space, housing, commercial (office, regional retail, and neighborhood retail) uses, research and development, artist space, a marina, new infrastructure, community uses, entertainment venues, and a new football stadium.

Between June 3, 2010 through August 3, 2010, the Planning Commission, Redevelopment Agency, Board of Supervisors, and other City Boards and Commissions adopted various resolutions, motions and ordinances relating the Project approval and implementation, including but not limited to: (1) General Plan amendments; (2) Planning Code amendments; (3) Zoning Map amendments; (4) Bayview Hunters Point Redevelopment Plan amendments; (5) Hunters Point Shipyard Redevelopment Plan amendments; (6) Interagency Cooperation Agreements; (7) Design for Development (D4D) documents; (8) Health Code, Public Works Code, Building Code, and Subdivision Code amendments; (9) Disposition and Development Agreement, which included (among other documents) as attachments a Project Phasing Schedule, a Transportation Plan, and an Infrastructure Plan; (10) Real Property Transfer Agreement; (11) Public Trust Exchange Agreement; (12) Park Reconfiguration Agreement; and (13) Tax Increment Allocation Pledge Agreement.



Supervisors approved several development options, including the Project with the stadium and two non-stadium variants. Specifically, the Board approved: (1) the Project with a stadium as described in Chapter II of the Final EIR with the Candlestick Tower Variant 3D, Utility Variant 4, and Shared Stadium Variant 5; (2) the Project without the stadium plus the R&D Variant 1, the Candlestick Tower Variant 3D, and the Utility Variant 4; (3) the Project without the stadium plus the Housing/R&D Variant 2a, the Candlestick Tower Variant 3D, and the Utility Variant 4; and (4) Sub-alternative 4A, which provides for the preservation of four historic structures located in the Hunters Point Shipyard and which could be implemented with either the stadium Project or non-stadium Variants. (See, Board of Supervisors CEQA Findings pp. 2-4)

The Major Phase 1 and Sub-Phase applications approved on January 7, 2014 implement the non-stadium Project with the Housing/R&D Variant 2a, including the Candlestick Tower Variant D. At the time of that approval, no decision had been made with respect to implementing the Utility Variant 4 and it was not discussed in Addendum 1.

As described above, the Final EIR analyzed and the Board of Supervisors approved Variant 4: Utilities Variant, which included the Automate Trash Collection System. The Variant would provide an automated trash collection system, which would transport trash from individual buildings and collection points and transfer it, via underground pneumatic tubes, to a centralized collection facility, from which solid waste, recyclable materials, and compostable materials would be removed via trucks. This automated system would replace the trash and recycling bins at individual buildings with two centralized facilities, one in Candlestick Point and another at Hunters Point.

### ***Proposed Revisions to Project***

Subsequent to the Final EIR, the project sponsor has provided additional design and operational detail for the proposed Automated Waste Collection System (AWCS) and a second location for a central collection facility has been added in the Hunters Point Shipyard area. This Addendum 2 will evaluate the proposed implementation of the Automated Waste Collection System (AWCS) in Candlestick Point and Hunter's Point Shipyard included as one of the three utility infrastructure options analyzed in Utility Variant 4 in the context of the analysis included in Section IV.E of the FEIR and Appendix T3. The system will be designed, permitted, constructed, maintained and operated by TransVac in partnership with Recology. All of these changes are discussed below.

The TransVac AWCS is a solid waste collection system that uses underground pipes and pressurized air to transport streams of municipal solid waste (including recycling and compostable material) from multiple indoor and outdoor waste inlets to enclosed centralized waste collection facilities. The AWCS greatly reduces the need for door-to-door waste collection. As shown in the figure below, the AWCS consists of three separate parts: inlet points, pipe network, and a central collection facility.<sup>1</sup>

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<sup>1</sup> There will be a total of three (3) Central Collection Facilities in the AWCS. One will be located in the Candlestick Point portion of the Project Site, and two (2) will be located in the Hunters Shipyard area of Project Site. See text and graphics at p. 4, supra.

Once the waste is deposited into the system through the inlets, it drops into a sealed chamber located below the inlets which holds the material in place until an electronically controlled valve opens and drops the material into the horizontal underground transport pipe network. After the waste drops into the pipe, the valve closes and powerful electric fans create air pressure which propels the waste at high speed through a sealed network of underground pipes to enclosed compactors and waste containers at a centralized collection facility. Once the waste is placed in an inlet it will neither be seen nor handled again until it is unloaded from collection trucks that will pick up the waste at each collection facility and take the waste to Recology's solid waste and recycling facilities at Tunnel and Beatty Roads and Pier 96. The holding chambers will be emptied at least once every 8 hours.

The first of the three central collection facilities to be built will be sited on top of the parking garage at the Candlestick Point Retail Center (CP Center). It will be located at street level and accessed by a separate entrance from the garage. This collection facility will be approximately 6,300 square feet. The building will range in height from 16 feet to 36 feet and would comply with the height, setback and bulk requirements in the Design for Development Program under the 65-foot height limit in Candlestick Point. The other two central collection facilities will be located at Hunters Point Shipyard along Crisp Road, and on Spear Avenue near B Street. Both locations are in areas designated for Research and Development activities. Collection facilities at both locations would range from 16 feet to 36 feet, and would similarly comply with the Design for Development requirements under their respective height limits of 65 and 85 feet.

The main network of underground pipe is comprised of 20-inch inside diameter heavy gauge steel pipe that is welded, poly-wrapped and buried within the street rights-of way pursuant to a Major Encroachment Permit approved by the Board of Supervisors. The thicknesses of the pipe will vary from 3/8-inch to 1-inch based on pipe layout geometry of branches and bends.

#### Permits

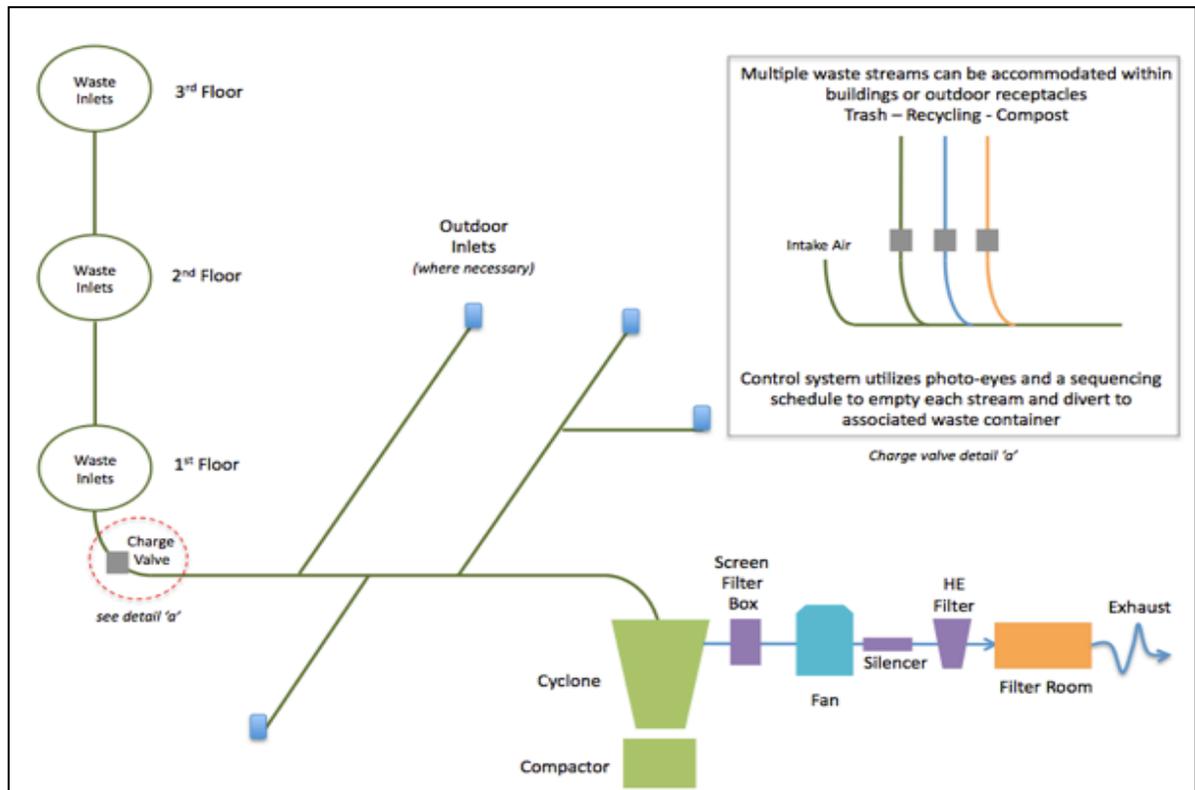
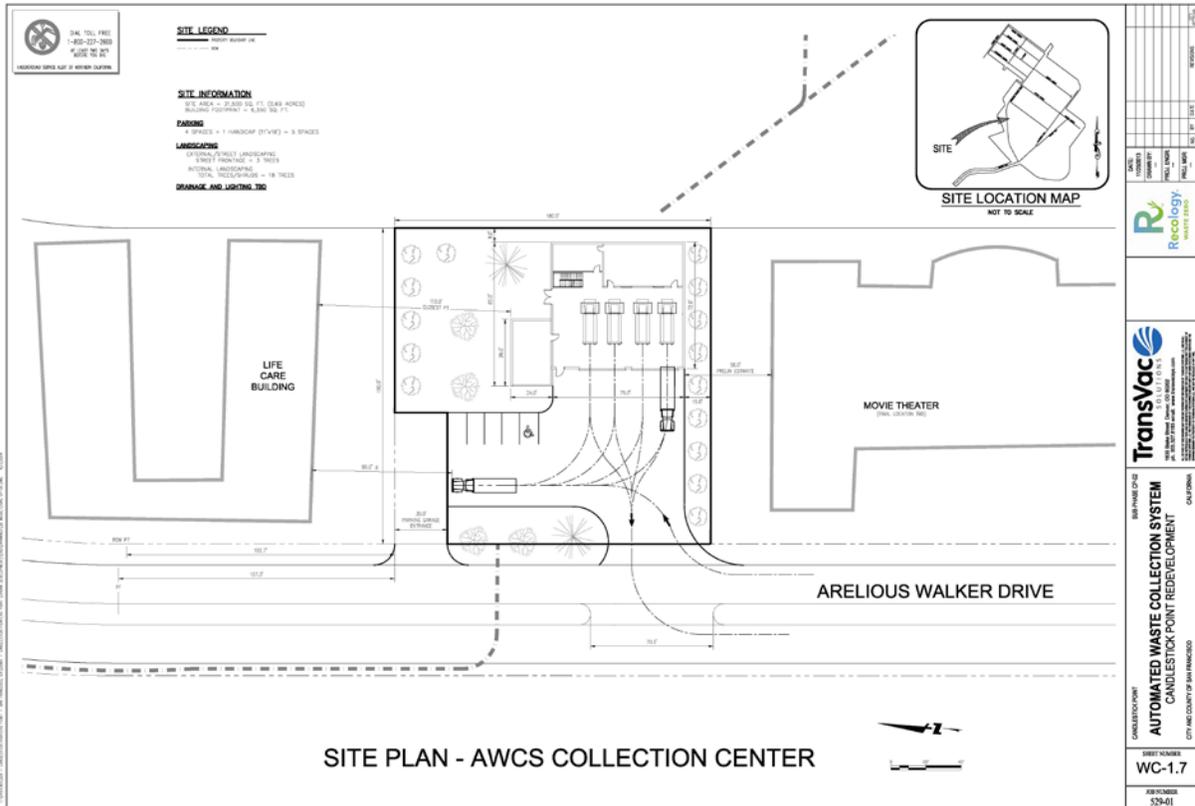
Recology will notify the SFDPH in its role as LEA under CalRecycle prior to commencing AWCS operations.

#### *AWCS Approvals*

Board of Supervisors - Major Encroachment Permit  
Department of Public Works - Subdivision Map and Excavation Permits  
Department of Building Inspection - Building Permits  
Planning Department – General Plan Referral

Other possible permits or regulatory requirements to be evaluated by the applicable agencies include the need for an air quality permit from BAAQMD, and the applicability of CalRecycle's Solid Waste Regulatory Tier program to the AWCS.





BASIC SCHEMATIC OF AWCS

## *Analysis of Potential Environmental Effects*

### **Land Use and Plans**

The FEIR determined that the Utilities Variant, including the installation of an AWCS, would result in less than significant land use and plans impacts and no mitigation measures were required. The additional design and operational detail provided in the application for the proposed AWCS, including the additional central collection facility in Hunters Point, would not result in any land use changes or the introduction of a new land use. The Hunters Point central collection facilities would be located in areas designated for Research and Development uses, where the collection facilities are permitted uses. The Candlestick Point central collection facility would be located in the regional shopping center garage, as proposed in the FEIR, where it is a permitted use. As explained in the project description, at this location, the facility will be on the roof of an underground garage, accessed at street level, with its own entrance. At all locations, the collection facilities will comply with applicable height, setback, bulk and other land use controls applicable to the sites. The proposed AWCS would not result in changes to the Project land use patterns, would not increase the Project density or intensity, and would not raise any new land use issues under the FEIR significance criteria. Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to land use and plans impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the FEIR's land use and plans impact findings.

### **Population, Housing and Employment**

The FEIR determined that the Utilities Variant, including the installation of an AWCS, would result in less than significant population, housing and employment impacts and no mitigation measures were required. The additional design and operational detail provided in the application for the proposed AWCS, including the additional central collection facility in Hunters Point, would not change the FEIR findings, because the AWSC would not affect population projections or housing conditions. The additional central collection facility may slightly increase construction employment, but given the small size of the facility any such increase would be insubstantial in the context of the construction employment assumed for the Project. Additionally, the FEIR assumed development would occur on the sites proposed for the central collection facilities. Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to population, housing and employment impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the FEIR's population, housing and employment impact findings.

### **Transportation and Circulation**

The traffic generation forecasts prepared in the FEIR included trips generated by various services associated with new development, including trash services, based on typical conditions when trash is collected throughout the site at individual buildings. Therefore, consolidation of the trash collection operations at three centralized locations may slightly increase the number of truck trips to those locations, but would also slightly reduce the traffic levels throughout the rest of the project because trucks would

no longer have to circulate through the site to individual buildings. The change in traffic volumes at any given location would likely be no more than one or two truck trips per hour, which would be negligible.

The roadways within the project site, specifically Harney Way and Arelious Walker Drive, within Candlestick Point, and Cargo Way, Jennings Street, Evans Avenue, Innes Avenue, Donahue Street, Lockwood Avenue, Fischer Street and Speer Street in the Hunters Point Shipyard area, have been designed to accommodate 40-foot trucks similar to those operated as part of the proposed automated waste collection system. Therefore, trucks should be able to safely maneuver within the project area.

The location of the collection facility driveways would conform to the design criteria described in the D4D documents for the CP-HPS Project and would therefore conform with reasonable design standards. Therefore, the design of the roadway network and the location of the driveways would be consistent and compatible with the proposed circulation of trucks to and from the collection sites.

Thus, the effects of locating the AWCS central collection facilities at the proposed locations would not change any of the traffic or circulation impact conclusions in the FEIR or require any new mitigation measures. See **Appendix A**. Construction of the AWCS facilities would be subject to compliance with the construction traffic management program required by MM TR-1. Additionally, there are no changed circumstances or new information that would change the FEIR's traffic and circulation impact findings.

### **Aesthetics**

The FEIR determined that the Utilities Variant, including the installation of an AWCS, would result in less than significant aesthetic impacts and mitigation measures were required for construction and light and glare impacts. The additional design and operational detail provided in the application for the proposed AWCS, including the additional central collection facility in Hunters Point, would not change the FEIR findings because: (1) the AWCS central collection facilities are located on sites where development was anticipated and analyzed in the FEIR and they would comply with all applicable land use controls; (2) a significant portion of the AWCS would be located underground; (3) the central collection facilities in Hunters Point would be sited on the development lot so that the structures may be partially or fully screened from the street by other buildings; (4) the building will be designed in accordance with the D4D; (5) the AWCS would eliminate the need for unsightly trash dumpsters, which would otherwise be located throughout the Project development areas; and (6) the applicable mitigation measures would be implemented. Applicable mitigation measures include MM AE-2 for construction visual impacts, MM AE-7a.1 -7a.3 for lighting requirements, and MM AE-7a.4 for glare impacts. Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to aesthetic impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the FEIR's aesthetic impact findings.

### **Shadow**

The FEIR determined that the Utilities Variant, including the installation of an AWCS, would result in less than significant shadow impacts and no mitigation measures were required. The additional design and operational detail provided in the application for the proposed AWCS, including the additional

central collection facility in Hunters Point, would not change the FEIR findings because: (1) much of the system (transport piping) would be located underground; (2) the structures for the central collection facilities would be approximately 16-36 feet in height in areas zoned for heights between 65-85 feet and consequently would not cast any significant shadows beyond those analyzed in the FEIR; and (3) the central collection facilities would be constructed in areas where development was anticipated and analyzed. As explained in the project description, at the Candlestick Point location, the facility will be on the roof of an underground garage, accessed at street level, with its own entrance. At all locations, the collection facilities will comply with applicable height, setback, bulk and other land use controls applicable to the sites. Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to shadow impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the FEIR's shadow impact findings.

### **Wind**

The FEIR determined that the Utilities Variant, including the installation of an AWCS, would result in less than significant wind impacts and mitigation measures for buildings over 100 feet in height were required. The additional design and operational detail provided in the application for the proposed AWCS, including the additional central collection facility in Hunters Point, would not change the FEIR findings because: (1) much of the system (transport piping) would be located underground; (2) the central collection facilities would be constructed in areas where development was anticipated and analyzed; and (3) the structures for the central collection facilities would be approximately 16-36 feet in height in areas zoned for heights between 65-85 feet and consequently would not create the potential for significant wind impacts beyond those analyzed in the FEIR. As explained in the project description, at the Candlestick Point location, the facility will be on the roof of an underground garage, accessed at street level, with its own entrance. At all locations, the collection facilities will comply with applicable height, setback, bulk and other land use controls applicable to the sites. Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to wind impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the FEIR's wind impact findings.

### **Air Quality**

#### ***Construction Emissions***

The FEIR evaluated three construction related air quality impacts: *Impact AQ-1: Criteria Pollutants (Construction)*, *Impact AQ-2: DPM from Construction Activities*, and *Impact AQ-3: TACs from Construction Activities*. The construction activity data that was used to estimate emissions included construction in the areas where the facilities will be located. The construction HRA in the FEIR also included construction activities and construction emission sources in these locations. Thus, the construction impacts of the ACWS were included in the FEIR analysis. Consequently, the findings of the FEIR for *Impact AQ-1: Criteria Pollutants (Construction)*, *AQ-2: DPM from Construction Activities*, and *Impact AQ-3: TACs from Construction Activities* would not change based on the additional detail now available for the AWCS. Construction of the AWCS would comply with MM AQ 2.1 for construction emissions.

### *Operational Emissions*

The FEIR evaluated operational emissions in *Impact AQ-4: Criteria Pollutants (Operational)* and *Impact AQ-5: Carbon Monoxide*. The FEIR included an analysis of criteria air pollutants (CAP) emissions from 78,109 daily external motor vehicle trips and area sources such as natural gas combustion, maintenance equipment, and consumer product use. Implementation of the AWCS would result in CAP emissions from truck travel and PM emissions from the exhaust of the AWCS Facilities.

In the FEIR, the emissions from the 78,109 trips were estimated using URBEMIS, which assumes a standard mix of vehicle types for the city/county. This mix would include both heavy trucks and passenger cars. The mix of vehicles for the city/county includes vehicles used for all types of trips, including waste pick up.

With implementation of the AWCS, the total quantity of vehicle miles traveled by garbage trucks throughout the Project would be significantly reduced. Each facility would have approximately 14 one way daily truck trips (7 trucks to and from each central collection facility), resulting in 21 daily round truck trips which go directly to and from each central collection facility rather than from building to building throughout the Project. Thus, emissions from the truck trips associated with the AWCS were fully accounted for in the FEIR and actual truck trip emissions with implementation of the AWCS would be lower than estimated in the FEIR due to the AWCS reduced truck miles traveled.

Emissions from the exhaust of the AWCS central collection facilities are expected to be minimal due to the design of the multi-stage dry filtering system. In an effort to further minimize emissions from the facilities, the air filtration system will be designed to meet the Bay Area Air Quality Management District's (BAAQMD) Best Available Control Technology (BACT) for solid material storage – Enclosed.<sup>2</sup> While BAAQMD has not determined the applicability of its BACT regulations to this facility, Environ has determined that this category is the most similar representative category as reported in the BAAQMD BACT handbook. See **Appendix B**. The BACT limit is 0.01 grains per dry standard cubic foot (gr/dscf). Given this emission rate and the exhaust rate of the system, emissions for solid material storage would be 27.2 pounds per day (lb/day) or 4.96 tons PM<sub>10</sub> per year for one facility, as shown in Table 2. A source test may show that actual emissions from the AWCS may be much lower. Once the AWCS is operational, Recology will conduct initial testing of exhaust air for PM<sub>10</sub> emissions to ensure the emissions do not exceed the estimated rate of 27.2 lbs/day in Table 2. Recology will also develop an Operation Plan for the AWCS which will include a periodic monitoring schedule for testing air emissions from the AWCS. Recology will notify SFDPH in its oversight role as LEA under CalRecycle prior to commencing AWCS operations. Testing results will be submitted to the LEA within 30 days of receipt of final testing results.

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<sup>2</sup> BAAQMD.BACT Guideline. Section 11, Miscellaneous Sources, Solid Material Storage – Enclosed. Doc. #1571.1 (10/18/91). Available at: <http://hank.baaqmd.gov/pmt/bactworkbook/default.htm>.

**Table 2**  
**Estimated PM<sub>10</sub> Emissions from Discharge of one Facility**

Emissions		Flow Rate		Emissions	
gr/dscf		scf/min		lb/day	
0.01		13,200		27.2	
				tons/year	
				4.96	

The FEIR determined that Impact AQ-4 was significant and unavoidable. The FEIR estimated PM<sub>10</sub> emissions from the 2010 Project to be 1490 lb/day. Assuming the emissions in Table 2 from the discharge at each of the three collection facilities, calculated PM<sub>10</sub> emissions for the Project would increase approximately 6% overall. However, the reduced truck travel distances associated with the AWCS would also decrease PM<sub>10</sub> emissions, such that a net increase of PM<sub>10</sub> emissions, assuming the Table 2 levels, would be less than 6% of that total. Such a change in the project emissions would not change the conclusions of *Impact AQ-4: Criteria Pollutants (Operational)*. Further, the conclusions related to *Impact AQ-5: Carbon Monoxide (less than significant)* would not change based on the additional detail now available for the AWCS. The AWCS is an all-electric system and thus no carbon monoxide emissions are generated and the AWCS reduces truck travel.

**Health Impact of Operation of the Facilities**

The FEIR evaluated the concentrations of TACs from operation of Research and Development uses in *Impact AQ-6: Toxic Air Contaminants*. The AWCS will not accept any hazardous waste or other sources of TACs. While TACs may be associated with waste, the waste will be stored at the collection facilities for a less than a day and hence would not be expected to break down and emit TACs. Furthermore, any decay of materials will occur within the enclosed containers ensuring that TACs will not be emitted into the environment at any appreciable quantities. Thus, the AWCS would not change the findings of *Impact AQ-6: Toxic Air Contaminants (less than significant with mitigation)*.

*Impact AQ-7: Traffic PM<sub>2.5</sub>* evaluated the impact of vehicular traffic on PM<sub>2.5</sub> concentrations. The operation of the AWCS would result in PM<sub>2.5</sub> emissions from trucks transporting the waste offsite. Seven trucks per day are expected to come to each of the three collection centers to collect the waste and transport it to the Recology Transfer Station at Tunnel Road or the recycling facility at Pier 96. The FEIR evaluated the PM<sub>2.5</sub> concentration attributable to emissions from vehicles on surface streets in the Candlestick Point and Hunters Point Shipyard area as a result of the Candlestick Point-Hunters Point Shipyard Phase II Development in accordance with San Francisco’s Article 38. Several roads were analyzed, including Third Street, Harney Way, and Evans Avenue. Article 38 focuses on PM<sub>2.5</sub> concentration as opposed to other chemicals of concern. While PM<sub>2.5</sub> is not the only pollutant of concern, the FEIR states that “the threshold concentration of PM<sub>2.5</sub> is meant to serve as a health-protective ‘proxy’ or surrogate for pollutant exposure from vehicles.”

Different types and sizes of vehicles emit air pollutants in different amounts. When determining the emissions from this traffic, a mix of vehicles was assumed. This “fleet mix” was determined using ratios of vehicle miles travelled by vehicle class reported in California Air Resources Board’s Emission Factor Model (EMFAC), and thus it includes a certain percentage of trucks. Based on the traffic volume from the transportation analysis and percent of trucks from EMFAC, the Article 38 analysis assumed over 500

trucks per day on the roads analyzed, depending on the road. The estimate of truck traffic in EMFAC is based on projections of all types of truck traffic, which includes truck travel associated with a traditional waste collection system. Thus, by using EMFAC's fleet mix, the previous analysis would have included truck travel associated with a traditional waste collection system. The AWCS would decrease the truck travel on the main roads due to the larger capacity of the trucks associated with the AWCS and would virtually eliminate travel of waste collection trucks on small residential roads. Thus, the impacts of the seven trucks (14 one-way trips) associated with each of the central collection facilities were included in the Article 38 analysis and the additional detail now available for the AWCS would not change the conclusions of *Impact AQ-7: Traffic PM<sub>2.5</sub> (less than significant)*.

### **Odors**

Odors have not been an issue at any other AWCS site due to the odor-reducing design of the AWCS. The design of the AWCS has four characteristics which substantially minimize the potential for waste-related odor:

- 1.) Waste deposited in the inlets is transported to sealed waste containers in a matter of hours, minimizing waste storage time in buildings where odors could collect;
- 2.) Waste inlet storage chutes and chambers are under slight negative pressure so odors cannot escape through inlets into buildings;
- 3.) Most waste deposited in the inlets will be contained within plastic or compostable bags throughout the entire AWCS process; and
- 4.) The volume of air passing through the transport system substantially reduces potential odor sources.

Air inlets are not anticipated to be a source of odor. As further described in the Odor Management Plan, waste does not come into contact with the ambient environment which reduces the potential for odors to escape from the system. Even when the system is idle, there is negative pressure in the system, which further limits the potential for odors to be released. See **Appendix B**

Recology and TransVac have prepared an Odor Management Plan ("Odor Plan") that addresses TransVac management practices such as maintenance requirements and "best practices" for operational personnel related to odor issues. (See attached Odor Plan.)

*Impact AQ-8: Odors* states that "there may be some potential for small-scale, localized odor issues to emerge around project sources such as solid waste collection, food preparation, etc." The FEIR found the effects "would be resolved by interventions after receipt of any complaints" and would be less-than-significant.

Recent BAAQMD guidance recommends reviewing odor complaints for similar facilities in the area to determine odor impacts of the proposed facility.<sup>3</sup> While there are no similar AWCS facilities nearby, TransVac has built and operated other similar facilities, most near hospitals. TransVac representatives report that TransVac has received no odor complaints from these facilities. Furthermore, to observe the

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<sup>3</sup> BAAQMD. 2012 CEQA Air Quality Guidelines. Available at:  
[http://www.baaqmd.gov/-/media/Files/Planning%20and%20Research/CEQA/BAAQMD%20CEQA%20Guidelines\\_Final\\_May%202012.ashx?la=en](http://www.baaqmd.gov/-/media/Files/Planning%20and%20Research/CEQA/BAAQMD%20CEQA%20Guidelines_Final_May%202012.ashx?la=en)

odor conditions at a similar TransVac facility, ENVIRON visited the facility at the Swedish Hospital near Seattle, Washington. The site visit occurred during normal operating hours and conditions and when waste was emptying into the compactor. ENVIRON staff did not experience any odors at the site.

Furthermore, the features of the AWCS substantially minimize odor compared with a conventional waste collection system. With the AWCS, waste is deposited through inlets, drops into a hold chamber, and is held in place until a valve opens and allows the material to drop into the horizontal underground transport pipe network. The valve closes immediately after waste drops into the pipe network. This network is sealed throughout the system, and any potential odor is contained within the piping network. As noted above, waste held in the chamber will be emptied at least every 8 hours. Should the holding chambers fill up prior to the next scheduled time, a photo detector will automatically trigger the emptying of the chamber. In conventional waste collection systems, waste may be stored in trash containers inside buildings, outside residential units, or at curbside for up to 7 days prior to collection, resulting in odor where people live and work. The longer waste is allowed to mold the greater the potential for odors. The AWCS would reduce the time waste is stored in building holding chambers to 8 hours or less. Furthermore, the AWCS is always under negative pressure so there is no buildup of odors.

The AWCS concentrates waste collection and the potential for odors to the three AWCS central collection facilities, but the potential for odors at the facilities might be less than the odors collected at any individual site in a conventional waste collection system. The lids to containers in a conventional waste collection system may be left open or ajar, allowing odors to be released which is especially problematic during warm weather. The AWCS eliminates these sources of odors by eliminating individual cans and keeping waste enclosed. Even at the central collection facilities, the waste would be enclosed. Waste transported through the sealed pipe network travels to a cyclone separator and a waste compactor, which compresses the waste into sealed metal transport containers. When an AWCS waste container is full it is disconnected from the compactor and transported by truck to a waste disposal or recycling facility. The waste would be stored at the site for less than a day, compared with waste left for up to 7 days at residences and commercial properties in a conventional system.

Odor has not been an issue at the existing known AWCS facilities, presumably due to features incorporated into the design. The only odiferous air that vents to the atmosphere is the discharge of the network of pipes. Before this air is discharged to the environment, the air is separated from waste with the cyclonic separator, and flows through a filter room. Due to the sheer volume of air needed to pull the waste through the system to the central collection facilities, odors are expected to be diluted before even receiving treatment. Air inlets will be located in the piping system in the streets and will occur throughout the community. These tend to be located upstream of waste inlets. Odors are not expected to be released from these inlets because the system is kept at negative pressure. In the event of a power outage, air could be present in the vents, but such a situation would be temporary and rare. Further, the system could be evacuated to remove waste if necessary and eliminate any collection of odors.

Nonetheless, to reduce the potential for complaints and small-scale, localized odor issues, Recology and TransVac have prepared and would comply with an Odor Management Plan. This plan uses CalRecycle's

Sample Odor Impact Minimization Plan<sup>4,5</sup> as a guide for addressing odors. The Odor Plan, which is included as Attachment A of this document, outlines an odor monitor protocol, odor complaint response protocol, and describes the odor management measures.

Due to the design of the facilities, AWCS would not change the conclusion of *Impact 8: Odors (less than significant)*. Further, Recology would manage the AWCS to minimize odors and address odor complaints if any, in compliance with the Odor Management Plan. Finally, the LEA for solid waste facilities has the authority to ensure that odor complaints, if any, are adequately addressed by Recology.

### **Regional Air Plans**

*Impact AQ-9: Consistency with Regional Air Plans* compares the Project with the *Bay Area 2005 Ozone Strategy* and the *2009 Clean Air Plan*. The review of both plans focused on transportation and the need for smart growth. The AWCS is consistent with reduced transportation and smart growth strategies because the system takes heavy duty waste collection trucks off of neighborhood roads and reduces the total amount of truck miles driven. Thus, the AWCS would not conflict with the findings of *Impact AQ-9: Consistency with Regional Air Plans (less than significant)*.

Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to air quality impacts and would not require any new mitigation measures. Construction of the AWCS would be subject to MM AQ-2.1 requiring the use of emission control devices on construction equipment. Additionally, there are no changed circumstances or new information that would change the FEIR's air quality impact findings.

### **Noise and Vibration**

At the bottom of the chute in buildings there will be some noise from air intakes, but substantially less than is typical in a traditional gravity chute system used throughout San Francisco. The noise will be less because the air inlets typically will be located in garages and discrete areas, and are in use only when the particular type of waste is being emptied into the horizontal piping network. Each inlet typically will be emptied 2 or 3 times a day. The emptying into the system's pipe network process will likely generate noise in the 55-70 dB range level.

Noise levels within the central collection facility may reach levels between 60 and 80 dB. Sound isolation wrap on the pipes within each central collection facility will be installed to reduce the noise levels to approximately 60 dB. Inside the equipment room which houses the fans and some of the filtering equipment, noise levels can typically reach 110 dB. This room will not be occupied during operation. The fans will be acoustically wrapped, will be located in a sound insulated room, and will be mounted on an isolation base along with spring isolators that are attached to the floor. The mass of the base in conjunction with the spring isolators attenuates vibrations that may be transmitted to the floor. Vibration sensors are part of the fan and will shut down the fan if the fans become unbalanced.

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<sup>4</sup> CalRecycle. Sample Odor Impact Minimization Plan. Available at:

<http://www.calrecycle.ca.gov/swfacilities/compostables/Odor/OIMP/Sample.doc>.

<sup>5</sup> While this document was used as a guide for the attached odor management plan, many of its provisions are intended for a traditional waste collection or transfer facility and thus are not applicable to the AWCS.

Noise at the exhaust louvers during operation cycles will not exceed 65 dB measured at 15 feet. This is achieved by utilizing acoustic silencers in the pipe before the filter room and large acoustical louvers of 8 feet by 8 feet. The size of the exhaust louvers reduces air speed to around 5 mph, which significantly reduces any noticeable noise.

### ***Construction***

The 2010 EIR identified three construction related noise and vibration impacts:

- NO-1(a-c): Construction activities associated with the Project would generate increased noise levels for both off-site and on-site sensitive receptors; however, the Project's construction noise impacts would occur primarily in noise-sensitive areas adjacent or near to active construction sites (which would vary in location and duration over the entire period the proposed Project would be under construction); they would also not occur during recognized sleep hours, and would be consistent with the requirements for construction noise that exist in Sections 2907 and 2908 of the Municipal Code. (Less than Significant with Mitigation)
- Impact NO-2(a-c): Construction activities associated with the Project would create excessive groundborne vibration levels in existing residential neighborhoods adjacent to the Project site and at proposed on-site residential uses should the latter be occupied before Project construction activity on adjacent parcels is complete. Although the Project's construction vibration impacts would be temporary, would not occur during recognized sleep hours, and would be consistent with the requirements for construction activities that exist in Sections 2907 & 2908 of the Municipal Code, vibration levels would still be significant. (Significant and Unavoidable with Mitigation)
- Impact NO-3: Construction activities associated with the Project would result in a substantial temporary or periodic increase in ambient noise levels. (Significant and Unavoidable with Mitigation)

The construction noise and vibration impact assessment described in the 2010 EIR included construction activities in the areas where the AWCS are proposed to be located. Thus, the construction impacts of the AWCS were included in the 2010 EIR analysis. Consequently, the findings of the 2010 EIR for *Impact NO-1*, *Impact NO-2*, and *Impact NO-3* would not change based on the additional detail now available for the AWCS.

### ***Operation***

The 2010 EIR identified the following five noise and vibration impacts related to long-term operation of the Project:

- Impact NO-4: Implementation of the Project, including the use of mechanical equipment or the delivery of goods, would not expose noise-sensitive land uses on or off site to noise levels that exceed the standards established by the City. (Less than Significant)
- Impact NO-5: Implementation of the Project would not generate or expose persons on or off site to excessive groundborne vibration. (Less than Significant)
- Impact NO-6: Operation of the Project would generate increased local traffic volumes that could cause a substantial permanent increase in ambient noise levels in existing residential areas along the major Project site access routes. (Significant and

Unavoidable)

- Impact NO-7: Noise during football games and concerts at the proposed stadium would result in temporary increases in ambient noise levels that could adversely affect surrounding residents for the duration of a game or concert. (Significant and Unavoidable with Mitigation)
- Impact NO-8: Implementation of the Project would not expose residents and visitors to excessive noise levels from flights from San Francisco International Airport such that the noise would be disruptive or cause annoyance. (Less than Significant)

Regarding *Impact NO-6*, the original Project analyses estimated over 500 trucks per day generated by the Project and is assumed to have included truck travel in a traditional waste collection system. The AWCS would not increase the truck travel on the main roads and would decrease travel on small residential roads. Thus, the impact of seven daily trucks (14 one-way trips) associated with each of the collection facilities were included in the EIR noise impact analysis, and the additional detail now available for the AWCS facilities would not change the conclusions of *Impact NO-6* regarding traffic noise levels.

Regarding *Impact NO-7*, the current Project does not include the stadium, and any noise impacts associated with the stadium are no longer relevant.

Regarding *Impact NO-8*, the original Project analysis assessed the potential for exposure of residents and visitors to excessive noise levels from flights to or from San Francisco International Airport. The inclusion of the AWCS facilities would replace the more traditional trash collection system for the developed area of the project site and would not change or influence the provision of residential or visitor uses in the project. Consequently, the AWCS facilities would not alter the conclusions identified in *Impact NO-8*.

Inclusion of the AWCS facilities could potentially alter the conclusions of *Impact NO-4* and *Impact NO-5*. Therefore, this supplemental assessment focuses on noise and vibration from operation of the AWCS potentially affecting nearby sensitive receptors. Below we describe the methods used in this supplemental noise and vibration impact assessment to determine whether the proposed AWCS facilities would result in any new significant noise or vibration impacts beyond those identified in the EIR or substantially increase the severity of a previously identified significant impact.

#### *AWCS Noise Levels*

To characterize the noise and vibration of the proposed AWCS equipment and processes, ENVIRON visited an AWCS collection facility at Swedish Medical Center in Issaquah, Washington. The Swedish Medical Center system is similar to, though smaller than, the AWCS facilities proposed for the Project.

*Fan Room* - The fan room of the Swedish Medical Center AWCS contains two 100 horsepower (hp) fans and a compressor. When the fans and compressor were operating at full power, the measured sound level inside the fan room was 88 dBA. Because the proposed AWCS facilities at the Project are expected to contain four 250 hp fans and two compressors, the sound level inside the proposed fan rooms could be as high as 7 dBA louder than measured at the Swedish Medical Center facility, resulting in an

estimated sound level of 95 dBA inside the fan rooms.

The following design features are expected to reduce the sound levels of the fans and compressors at locations outside of the AWCS central collection facilities:

- The fan rooms would be contained within the larger AWCS buildings.
- The walls of the fan rooms would be constructed of filled concrete block.
- The fans would be wrapped with acoustical blankets.
- The fans would be connected to the ducting with resilient collars.
- Fan exhaust would travel through a silencer, several filters, and an acoustic louver prior to exiting outside.

*Exhaust Louver* – Each AWCS facility would include an exhaust louver on the outside wall of the facility. The measured sound level of the exterior exhaust louver during full operation of the fans at the Swedish Medical Center was 51 dBA at 25 feet (adjusted from 60 dBA at a distance of 8.5 feet).

*Waste Collection Area* - The collection areas of the proposed AWCS central collection facilities would include four compactors/cyclones and ducting through which the collected material would travel. During the visit to Swedish Medical Center, ENVIRON measured a sound level of approximately 75 dBA at 25 feet due to trash flowing through ducting. However, this activity occurs only sporadically (assumed to be 5 minutes or less per hour), and the hourly Leq was estimated to be approximately 64 dBA at 25 feet. <sup>6</sup>

The sound level of the compactors was provided to ENVIRON by TransVac and is estimated to be approximately 57 dBA at 25 feet. For this assessment, the compactors were assumed to operate continuously, although they are not compacting trash the majority of the time.

The collection areas would be enclosed within the AWCS buildings but would include two sliding doors to allow truck access to the waste containers. The doors would remain closed until trucks arrive to remove full waste containers or to deliver empty containers.

### *Noise Model*

ENVIRON conducted noise modeling of the AWCS facilities using Datakustik's CadnaA noise model, version 4.3.143, based on ISO 9613-2 calculation methods. CadnaA is similar to the model used in the EIR (SoundPLAN) and considers frequency-specific sound level data, topography, intervening buildings, barriers, atmospheric conditions, and other factors. The model allows the user to input frequency-specific sound level data based on measurements or manufacturer specifications. See **Appendix C**.

Using source data captured at the Swedish Medical Center AWCS and/or provided by TransVac, ENVIRON modeled the sound levels of the three proposed AWCS facilities Candlestick Point and Hunter's Point. Noise model receptors were selected based on proximity of sensitive uses to the proposed AWCS facilities. Modeled levels were predicted at the nearest existing off-site residential receivers,

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<sup>6</sup> The Leq is the constant sound level that would contain the same acoustic energy as the varying sound level during the same time period (i.e., the average noise exposure level for the given time period).

nearest proposed on-site residential receivers, and if applicable, nearest non-residential noise-sensitive receivers.

### *Noise Standards*

As for the noise assessment conducted for the EIR, ENVIRON compared the modeled sound levels to the noise standards established by the City of San Francisco (section 2909 of the San Francisco Noise Ordinance). For dwellings, the City applies a noise limit of 45 dBA between 10 PM and 7 AM (55 dBA between 7 AM and 10 PM) at locations inside a sleeping or living room. For this assessment, we assumed the windows would be open for ventilation and applied the noise limit at the exterior wall of the nearest dwellings. We also assumed the facilities could operate day or night, and applied the more restrictive nighttime noise limit of 45 dBA at the nearest dwellings. The City noise limits are applied to specific facility-related noise, not to the overall noise levels (i.e., not to the existing ambient levels plus the Project noise).

The City Noise Ordinance also restricts increases over ambient noise levels to 5 dBA when emanating from a residential use or 8 dBA when emanating from a commercial/industrial land use. Because this is a commercial use, the increase would be restricted to 8 dBA at neighboring properties. Existing ambient sound levels were based on the measured off-site ambient levels identified in the EIR. The ambient noise level can be established through measurement, but in no case shall be considered to be less than 45 dBA in exterior locations.

### *Model Results and Conclusions*

Using the equipment sound level assumptions identified above, ENVIRON modeled the sound levels of the AWCS facilities at the Candlestick Point, Hunter's Point South, and Hunter's Point North facilities. Results of the AWCS noise modeling assessment are summarized in Table 3.

As shown in Table 3, the modeled sound levels of the AWCS facilities at the nearest existing or proposed residential dwellings to each proposed facility are 43 dBA or less. This would comply with the City's interior nighttime noise limit of 45 dBA applied to specific Project-related noise. Additionally, note that predicted sound levels are at the outside plane of a window, and not inside a living space. It is expected that, even with windows open, interior levels would be slightly lower than outside the building envelope.

In addition, the estimated increases over ambient levels at the nearest sensitive receivers to each site are 2 dBA or less, which would comply with the City's restriction on increases to 8 dBA or less due to commercial/industrial uses.

Based on the above, noise levels are expected to comply with the San Francisco Municipal Code, and thus the impact would be less than significant. These findings are consistent with the findings outlined in *Impact NO-4*.

**Table 3**  
**Noise Modeling Results, AWCS at Candlestick Point and Hunter's Point (dBA)**

AWCS Location	Receiver Type	Ambient Levels (dBA, L90) a	Modeled Levels (Leq, dBA)b			Notes
			AWCS	Overall	Increase	
Candlestick Point	Nearest Proposed On-Site Residence	46	38	47	1	Approximately 110 feet north of the AWCS facility
	Nearest Existing Off-Site Residence	46	21	46	0	Approximately 500 feet northwest of the AWCS facility
	Nearest Proposed Commercial	46	43	48	2	Movie Theater, approximately 50 feet south of the AWCS facility
Hunter's Point South	Nearest Off-Site Residence (under	45	29	45	0	Approximately 200 feet northwest of the AWCS
Hunter's Point North	Nearest Proposed On-Site Residence	45	32	45	0	Approximately 110 feet northwest of the AWCS

Note: Apparent mathematical errors in the displayed increase are due to rounding to the whole number, not due to calculation errors.

<sup>a</sup>. The ambient level at the locations near the Candlestick Point development was considered to be the lowest of the measured ambient levels (identified as 46-50 dBA) at location N6 in EIR Table III.1-4. The ambient level near the Hunter's Point developments was considered to be 45 dBA, since most of the measured levels identified for location N3 in EIR Table III.1-4 were less than 45 dBA.

<sup>b</sup> Because the analysis assumed most of the equipment would operate continuously at full capacity, the modeled hourly Leq levels can be considered similar to the L90 levels (i.e., the level exceeded 90% of the time). The only exception is the sound from trash traveling through the ducts in the collection facility. The L90 level would not include this activity since it would occur less than 90% of an hour (i.e., less than 6 minutes per hour), but the modeled hourly Leqs include some of this sound energy. Therefore, the results can be considered conservative.

**Waste Collection Noise Levels**

As part of this review, ENVIRON also considered potential noises associated with the collection of the waste containers at the AWCS facilities. To characterize these sources, ENVIRON observed and measured a container pickup and drop-off at two different sites. Both the pickup and drop-off included brief, loud noises from the arrival and departure of a diesel truck, brake releases, the truck engine revving to lift the bed of the truck and pull up or lower the container, minor clanks and bangs, and the truck engine idling while the driver prepared the container for pickup or release.

<sup>2</sup> The L90 is the level exceeded 90% of the time, or 54 minutes of any hour. A container pickup/drop-off would occur for less than 15 minutes of any hour.

Because the waste collection truck is not a fixed source, it would not be subject to the interior noise limits for residences as identified in section 2909 of the San Francisco Noise Ordinance (i.e., 55 dBA during the day and 45 dBA at night inside sleeping or living rooms). However, it would be subject to section 2904, which regulates waste disposal services and requires the mechanical processing system on waste collection trucks to not exceed 75 dBA when measured at a distance of 50 feet from the equipment, and requires collectors to otherwise incorporate sound-deadening devices in their operations as are reasonably feasible in the judgment of the Director of Public Health. Furthermore, because the collection noise would occur only for short periods during the seven container pickups/drop-offs daily, it would not affect the ambient levels (as characterized by the L90 in the EIR).<sup>7</sup> Therefore, although the waste collection activities would produce brief, loud noises, these types and levels of noise would fall within the range of ordinary urban noise and would not result in significant noise impacts. These findings are consistent with the findings outlined in *Impact NO-4* as regard waste collection activities.

### ***AWCS Vibration Levels***

During ENVIRON's visit to the Swedish Medical Facility AWCS, there were no noticeable vibrations inside the fan room from the fans or any other equipment. The fans were mounted on an isolation base along with shock isolators that were attached to the floor. The mass of the base in conjunction with the shock isolators attenuated vibrations that may have been transmitted to the floor. These same design features will be used at the Candlestick Point and Hunter's Point AWCS facilities. Therefore, operation of the AWCS facilities would not generate or expose persons on or off site to excessive groundborne vibration and any impact would be less than significant. This finding is consistent with the finding outlined in *Impact NO-5*.

Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to noise and vibration impacts and would not require any new mitigation measures. Construction of the AWCS would be subject to MM NO-1a.1 requiring the use of noise reducing practices during construction. Additionally, there are no changed circumstances or new information that would change the FEIR's noise and vibration impact findings.

### **Cultural Resources and Paleontological Resources**

The FEIR determined that the Utilities Variant, including the installation of an AWCS, would result in both less than significant and significant unavoidable cultural and paleontological resource impacts and mitigation measures were required. The additional design and operational detail provided in the application for the proposed AWCS, including the additional central collection facility in Hunters Point, would not change the FEIR findings because: (1) the new facilities would be constructed in areas where development was anticipated and analyzed in the FEIR; and (2) applicable Project mitigation measures would be required for the potential construction related impacts associated with the excavation required for the AWCS. Depending on the location and depth of excavation, potentially applicable mitigation measures include MM CP-2a for impacts to archeological resources and MM CP-3a for impacts to

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<sup>7</sup> The L90 is the level exceeded 90% of the time, or 54 minutes of any hour. A container pickup/drop-off would occur for less than 15 minutes of any hour.

paleontological resources. Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to cultural and paleontological resource impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the FEIR's cultural and paleontological resources impact findings.

### **Hazards and Hazardous Materials**

The FEIR determined that the Utilities Variant, including the installation of an AWCS, would result in less than significant hazards and hazardous materials impacts and mitigation measures were required. The additional design and operational detail provided in the application for the proposed AWCS, including the additional central collection facility in Hunters Point, would not change the FEIR findings because: (1) the central collection facilities and underground piping system would be constructed in areas where development was anticipated and analyzed in the FEIR; (2) the AWCS would not accept any hazardous waste or other sources of toxic contaminants; (3) implementation of applicable mitigation measures would be required for the potential impacts associated with the construction of the AWCS; and (4) construction of the AWCS would be required to comply with all applicable regulatory requirements for hazards and hazardous materials. Potentially applicable mitigation measures include MM HZ-1a for site mitigation plans, MM HZ-2a.1 for unknown contaminants, MM HZ-2a.2 for site specific health and safety plans, and MM HZ-15 for dust plans. Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to hazards and hazardous material impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the FEIR's hazards and hazardous material impact findings.

### **Geology and Soils**

The FEIR determined that the Utilities Variant, including the installation of an AWCS, would result in less than significant geology and soils impacts and mitigation measures were required. The additional design and operational detail provided in the application for the proposed AWCS, including the additional central collection facility in Hunters Point, would not change the FEIR findings because: (1) the central collection facilities and underground piping system would be constructed in areas where development was anticipated and analyzed in the FEIR; (2) implementation of applicable mitigation measures would be required for the potential impacts associated with the construction of the AWCS; and (3) construction of the AWCS would be required to comply with all applicable regulatory requirements for geological and soils conditions. Potentially applicable mitigation measures include MM GE-2a for dewatering during construction, MM GE-4a.1, MM GE-4a.3, MM GE-6a, MM GE-10a, and MM GE-11a for site specific geotechnical investigations. Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to geology and soils impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the FEIR's geology and soils impact findings.

### **Hydrology and Water Quality**

The FEIR determined that the Utilities Variant, including the installation of an AWCS, would result in less than significant hydrology and water quality impacts and mitigation measures were required. The

additional design and operational detail provided in the application for the proposed AWCS, including the additional central collection facility in Hunters Point, would not change the FEIR findings because: (1) the central collection facilities and underground piping system would be constructed in areas where development was anticipated and analyzed in the FEIR; (2) implementation of applicable mitigation measures would be required for the potential impacts associated with the construction and operation of the AWCS; and (3) construction and operation of the AWCS would be required to comply with all applicable regulatory requirements related to hydrology and water quality. Potentially applicable mitigation measures include MM HY-1a.1 and HY-1a.2 requiring stormwater pollution prevention plans, MM HY-1a.3 requiring a groundwater dewatering plan, MM HY6a.1 requiring compliance with the Municipal Stormwater General Permit and other regulatory requirements, MM HY-6b.1 limiting stormwater infiltration, and MM HY-12a.1 regarding finished grade elevations. Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to hydrology and water quality impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the FEIR's hydrology and water quality impact findings.

### **Biological Resources**

The FEIR determined that the Utilities Variant, including the installation of an AWCS, would result in less than significant biological resource impacts and mitigation measures were required. The additional design and operational detail provided in the application for the proposed AWCS, including the additional central collection facility in Hunters Point, would not change the FEIR findings because: (1) the new facilities and underground piping system would be constructed in areas where development was anticipated and analyzed in the FEIR; (2) the collection facilities would be located on disturbed, urban sites with no sensitive biological resources; (3) the installation of the piping in the utility trenches would occur on disturbed, urban areas with no sensitive biological resources; and (4) implementation of applicable mitigation measures would be required for the potential impacts associated with the construction the AWCS. Potentially applicable mitigation measures include MM BI-6a.1 and MM BI-6a.2 calling for protection of bird nests during construction and MM BI-14a calling for the preservation and replacement of significant trees. Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to biological resource impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the FEIR's biological resource impact findings.

### **Public Services**

The FEIR determined that the Utilities Variant, including the installation of an AWCS, would result in less than significant public service impacts and mitigation measures were required. The additional design and operational detail provided in the application for the proposed AWCS, including the additional central collection facility in Hunters Point, would not change the FEIR findings because: (1) the AWCS would be located in areas anticipated for development and AWCS was itself included in the analysis in the FEIR; (2) the AWCS would not increase population or employment projections or increase the density or intensity of development and thus would not increase any demand for public services; (3) the elimination of the many trash containers that otherwise would be located throughout the Project site

likely would reduce the opportunity for vandalism that may require police or fire services; and (4) implementation of applicable mitigation measures would be required for the potential impacts associated with the construction the AWCS. Potentially applicable mitigation measures include MM PS-1 requiring security measures during construction. Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to public service impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the FEIR's public service impact findings.

### Recreation

The FEIR determined that the installation of infrastructure systems proposed in the Utilities Variant, including the installation of an AWCS, designed to better serve the proposed development would not generate additional residents or substantial additional employees in the area. Consequently, the Utilities Variant would not generate additional demand for recreational opportunities and the impact on recreation would be less than significant. The additional design and operational detail provided in the application for the proposed AWCS, including the additional central collection facility in Hunters Point, would not change the FEIR finding. Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to recreation impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the FEIR's recreation impact findings.

### Utilities

The FEIR determined that the installation of infrastructure systems proposed in the Utilities Variant, including the installation of an AWCS, would not generate additional residents or substantial additional employees in the area. Consequently, the Utilities Variant would not generate additional demand for utility services and the impacts would be less than significant. A potentially applicable mitigation measure is MM UT-5a for construction waste diversion. The additional design and operational detail provided in the application for the proposed AWCS would not change the FEIR finding. The additional central collection facility proposed for Hunters Point would be located on a site where development was assumed in the FEIR and would not change the FEIR utility service impact findings. Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to utility service impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the FEIR's utility service impact findings.

### Energy

The FEIR determined that the Utilities Variant, including the installation of an AWCS, would result in less than significant energy impacts and mitigation measures (identified in the Greenhouse Gas Emissions analysis) were required. The additional design and operational detail provided in the application for the proposed AWCS, including the additional central collection facility in Hunters Point, would not change the FEIR finding because: (1) the AWCS would be located in areas anticipated for development and AWCS was itself included in the analysis in the FEIR; (2) the additional collection facility in HPS would be located on a site planned for development; (3) the system would not increase the population or

employment projections; and (4) the substantial reduction in the number of garbage trucks required to serve the Project would reduce energy demands. Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to energy impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the FEIR's energy impact findings.

**Greenhouse Gas Emissions**

The FEIR determined that the Utilities Variant, including the installation of an AWCS, would result in less than significant greenhouse gas emissions impacts. The additional design and operational detail provided in the application for the proposed AWCS, including the additional central collection facility in Hunters Point, would not change the FEIR finding because: (1) the AWCS would be located in areas anticipated for development and AWCS was itself included in the analysis in the FEIR; (2) the additional collection facility in HPS would be located on a site planned for development; (3) the substantial reduction in the number of garbage trucks required to serve the Project would reduce greenhouse gas emissions. MM GC-2 requiring businesses to exceed the 2008 Title 24 energy efficiency requirements would apply to the AWCS. Thus, the proposed AWCS would not change or alter any of the FEIR's findings with respect to greenhouse gas emission impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the FEIR's energy impact findings.

***Conclusion***

Based on the foregoing, it is concluded that the analyses conducted and the conclusions reached in the FEIR certified on June 3, 2010 remain valid. The implementation of the AWCS will not cause any new significant impacts not identified in the EIR, and no new mitigation measures will be necessary to reduce significant impacts. Other than as described in this Addendum, no Project changes have occurred, and no changes have occurred with respect to circumstances surrounding the project that will cause significant environmental impacts to which the project will contribute considerably, and no new information has become available that shows the project will cease significant environmental impacts. Therefore no supplemental environmental review is required beyond this addendum.

Date of Determination:

May 2, 2014

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

  
SARAH B. JONES  
Environmental Review Officer

cc: Therese Brekke, Lennar Urban  
Immanuel Bereket, OCII

Bulletin Board / Master Decision File  
Distribution List



# SAN FRANCISCO PLANNING DEPARTMENT

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## Addendum 3 to Environmental Impact Report

*Date:* September 19, 2014  
*Case No.:* **2007.946E**  
*Project Title:* **Candlestick Point-Hunters Point Shipyard Phase II**  
*EIR:* 2007.946E, certified June 3, 2010  
*Project Sponsor:* Lennar Urban  
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## REMARKS

### 1. Background

On June 3, 2010, the San Francisco Planning Commission and the Redevelopment Agency Commission certified the Final Environmental Impact Report (Final EIR) for the Candlestick Point – Hunters Point Shipyard Phase II Project (Project), San Francisco Planning Department File Number 2007.0946E and San Francisco Redevelopment Agency File Number ER06.05.07. On July 14, 2010, the San Francisco Board of Supervisors affirmed the Planning Commission’s certification of the Final EIR (Motion No. M10-110) and adopted findings of fact, evaluation of mitigation measures and alternatives, and a statement of overriding considerations (File No. 100572) and adopted a Mitigation Monitoring and Reporting Program (MMRP) in fulfillment of the requirements of the California Environmental Quality Act (CEQA). The Project is the integrated redevelopment of 702 acres in the Candlestick Point area and the Hunters Point Shipyard Phase II area with a major mixed-use project, including open space, housing, commercial (office, regional retail, and neighborhood retail) uses, research and development, artist space, a marina, new infrastructure, community uses, entertainment venues, and a new football stadium.

Between June 3, 2010 through August 3, 2010, the Planning Commission, Redevelopment Agency, Board of Supervisors, and other City Boards and Commissions adopted various resolutions, motions and ordinances related to the Project approval and implementation, including but not limited to: (1) General Plan amendments; (2) Planning Code amendments; (3) Zoning Map amendments; (4) Bayview Hunters Point Redevelopment Plan amendments; (5) Hunters Point Shipyard Redevelopment Plan amendments; (6) Interagency Cooperation Agreements; (7) Design for Development documents; (8) Health Code, Public Works Code, Building Code, and Subdivision Code amendments; (9) Disposition and Development Agreement, which included (among other documents) as attachments a Project Phasing

Schedule, a Transportation Plan, and an Infrastructure Plan; (10) Real Property Transfer Agreement; (11) Public Trust Exchange Agreement; (12) Park Reconfiguration Agreement; and (13) Tax Increment Allocation Pledge Agreement.

Subsequent to the certification of the Final EIR and the approvals listed above and as part of the first major phase and sub-phase applications, the project sponsor proposed changes to the Project Phasing Schedule and corresponding changes to the schedules for implementation of related transportation system improvements in the Transportation Plan, including the Transit Operating Plan, and Infrastructure Plan and other public benefits. Addendum No. 1 to the Final EIR, published on December 11, 2013, was prepared to evaluate these changes. A second addendum, Addendum No. 2, was published on May 2, 2014, that evaluated the potential environmental effects from implementation of the Automatic Waste Collection System described in the Final EIR as part of Utility Variant 4. The current addendum, Addendum No. 3 to the Final EIR, evaluates the potential environmental impacts associated with another proposed change to the Project which is a proposal put forth by the project sponsor to demolish the upper level of the Candlestick Park stadium by means of explosives demolition (commonly known as implosion<sup>1</sup>) as opposed to conventional/mechanical demolition.

## **2. Project Summary**

The Project covers approximately 702 acres along the southeastern waterfront of San Francisco consisting of 281 acres at Candlestick Point (Candlestick) and 421 acres at Hunters Point Shipyard (HPS Phase II). The Final EIR evaluated the Project described in Chapter II and several variants. At the time of Project approval in 2010, it was not known whether the 49ers football team would move to Santa Clara or require a new stadium to be built as part of the Project. Consequently, the Board of Supervisors approved several development options, including the Project with the stadium and two non-stadium variants. Specifically, the Board approved these options: (1) the Project with a stadium as described in Chapter II of the Final EIR with the Candlestick Tower Variant 3D, Utility Variant 4, and Shared Stadium Variant 5; (2) the Project without the stadium and with the R&D Variant 1, the Candlestick Tower Variant 3D, and the Utility Variant 4; (3) the Project without the stadium and with the Housing/R&D Variant 2a, the Candlestick Tower Variant 3D, and the Utility Variant 4; and (4) as part of all of the other options, Sub-alternative 4A, which provides for the preservation of four historic structures located in the Hunters Point Shipyard. (See Board of Supervisors CEQA Findings pp. 2-4)

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<sup>1</sup> Implosion is a misnomer as buildings do not explode or implode in explosives demolition. However, the term is commonly used to describe the explosives demolition of structures and is used in this addendum for the proposed explosives demolition of Candlestick Park Stadium.

Following the Project approval in 2010, the 49ers decided to move to the City of Santa Clara. Consequently, the project sponsor decided to proceed with the Project without the stadium and with the Housing/R&D Variant 2a, the Candlestick Tower Variant 3D, the Utility Variant 4, and Sub-alternative 4A.

All variants in the Final EIR included the demolition of Candlestick Park Stadium as part of the Project as the site of the stadium was planned for the development of the Candlestick Point Center district, which would include regional retail, office, hotel, entertainment, and residential uses. In its analysis of the environmental impacts of the Project and all variants, the Final EIR analyzed and disclosed the environmental impacts from the conventional demolition of Candlestick Park Stadium by means of mechanical demolition. It did not include an analysis of environmental impacts associated with an explosives demolition method or implosion for the structure. The Project Sponsor, Lennar Urban, proposes now to use a combination of mechanical demolition and implosion for the Candlestick Park Stadium. This Addendum analyzes whether including implosion of the upper levels of the stadium in the demolition plan for the Candlestick Park Stadium would result in new significant environmental impacts, increase the severity of previously identified impacts from conventional demolition techniques, or require new or revised mitigation measures or alternatives.

Lennar Urban would need to obtain a demolition permit from the San Francisco Department of Building Inspection (DBI) for the proposed implosion, notify the Bay Area Air Quality Management District (BAAQMD) of the proposed demolition in compliance with BAAQMD Regulation 11, Rule 2, obtain a San Francisco Fire Department explosives permit, and coordinate the planned demolition with other City departments such as the San Francisco Municipal Transportation Agency, Department of Public Works, San Francisco Police Department, and San Francisco Recreation and Parks Department.

### **3. Candlestick Park Stadium**

Candlestick Park Stadium is owned by the City and County of San Francisco. The City leased the Stadium to the San Francisco 49ers, with the lease ending late July 2014. The 70,207-seat stadium and parking lot areas immediately surrounding the stadium are under the jurisdiction of the San Francisco Recreation and Park Department.

The stadium is set on an irregularly shaped parcel bound by Giants Drive and Gilman Avenue to the north, Hunters Point Expressway to the east, and Jamestown Avenue to the south and Jamestown Avenue/Giants Drive to the west. The large parcel, composed of artificial fill, is located adjacent to a large hill at the west, and bordered by Candlestick Point State Recreation Area to the east and south. The stadium is surrounded by a large, paved parking lot on the north, east, and south sides, with a chain link

fence along the parking lot periphery. Landscaping around the stadium itself is minimal and consists primarily of clusters of trees around both the north and south (main) gates (CIRCA 2010).

The stadium is a reinforced concrete and steel open-air sports and entertainment stadium that was originally constructed in 1960 in four sections. Over the years, eight additional sections were added. The stadium is an enclosed, asymmetrical plan building with a maximum height of 114 feet above grade in one portion of the stadium and a height of 70 feet in another portion of the structure. Seating is provided on two main levels. The upper deck seating is continuous around the perimeter of the stadium, and the lower deck has a section of retractable seating. The upper deck is partially sheltered by a curved roof canopy supported by curved concrete ribs. An exterior concourse encircles the stadium at the upper level. Six gates provide entrances into the stadium. An extensive system of exterior ramps, stairs, and escalators provide access to the main entrances. The stadium has six escalators, three passenger elevators, and one freight elevator. There are four locker rooms, two first aid stations and 44 concession stands. Banks of lights on tall poles, standing just outside the stadium and extending above the stadium's roof, illuminate the playing field for night games (CIRCA 2010).

#### **4. Discussion of Demolition in the Final EIR**

The Final EIR (pages II-50 and -51) provides the following description regarding the demolition of existing structures on the project site, including the Candlestick Park stadium.

##### **II.F.1 Abatement and Demolition**

Demolition of existing structures within the Project site would occur from 2011 to 2024 on Candlestick Point and from 2010 through 2016 on HPS Phase II. As the majority of development would occur on HPS Phase II during the first phase by 2017, most demolition would initially occur in that area of the Project site. In Candlestick Point, demolition of Alice Griffith housing would also occur in the first phase. The estimated quantity of demolition debris is presented in **Table 1** (Estimated Demolition Debris).

Demolition activities would result in construction debris generated by the removal of structures, roads, and infrastructure. In total, approximately 971,787 tons of construction debris would be generated, including 424,681 tons from Candlestick Point and 547,104 tons from HPS Phase II. Most of the construction debris (45 percent) would consist of concrete, with the remaining debris consisting of wood (17 percent), steel (18 percent), and other miscellaneous debris (20 percent). It is assumed that the concrete debris would be recycled on site as pipe bedding or road base; the

wood debris would be chipped and sent to the local landfill for disposal; and the steel would be recycled off site for other uses.

### Candlestick Point

Demolition activities at Candlestick Point would include demolition of the existing Candlestick Park Stadium, associated parking lots, existing infrastructure, and structures on adjacent properties to be acquired, as well as demolition of the Alice Griffith public housing. Minor utilities would be abandoned in place or removed if they would interfere with installation of new infrastructure. Those include existing small-diameter combined sewer, the CPSRA sewer force main, storm drainage facilities, and low-pressure water main. Lennar Urban would be responsible for all demolition at Candlestick Point.

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**Table 1**  
**Estimated Candlestick Point**  
**Demolition Debris (Tons)**

Demolition	Concrete	Wood	Steel	Miscellaneous Debris	Total
Buildings	212,361	26,611	104,250	55,150	298,372
Roads	2,021	0	33	24,255	26,309
Total	214,382	26,611	104,283	79,405	424,681

*Source: City and County of San Francisco Planning Department 2010.*

*Note: The estimated demolition debris includes debris generated from the demolition of all structures within the plan area and not just the stadium.*

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## 5. Proposed Revisions to the Project

As noted above, the Final EIR included the demolition of Candlestick Park Stadium in the Project description and all variants evaluated in the Final EIR and the Final EIR considered the impacts of demolition using conventional demolition techniques. The proposed revision to the Project involves the use of explosives demolition to demolish the high-rise portion of the stadium. Lennar Urban is considering using this method because it is difficult to demolish the upper level of the Stadium using mechanical means due to the height of the structure. Explosives demolition may have certain other advantages over mechanical demolition in that it compresses the demolition schedule and reduces the duration of time nearby receptors would be exposed to nuisances such as dust and noise associated with mechanical demolition.

The basic concept of explosives demolition is that by removing key structural supporting elements of a building at certain points, the sections of the building above those points will fall down on the part of the building below those points. Explosives eliminate the support structure and gravity then brings the building down. Implosion is not like typical blasting. Instead it is the engineered progressive failure of a structure induced by the systematic elimination of structural supports through the use of small amounts of strategically placed explosives (CDI 2014).

The implosion process would begin with an evaluation and analysis of the stadium so that an explosives demolition plan specific to the stadium can be developed. Aspects of the demolition process would be the same as used in mechanical demolition, such as security precautions, materials recovery, hazardous materials assessment and abatement, and the mechanical demolition of the low-rise portion of the stadium. As in conventional demolition, materials that can be recovered or salvaged, and materials to be removed ahead of the implosion would be identified. Due to the age of the structure, it is likely to contain asbestos and lead-based paint, and will require abatement in accordance with regulatory requirements (discussed in the Final EIR on p. III-K-41). Therefore, a hazardous materials assessment would be completed and an abatement plan would be developed to remove hazardous materials present within the structure prior to any demolition. Following the completion of these planning studies, the abatement of hazardous materials would be completed and the materials to be salvaged would be removed. Once that is done, preparatory mechanical demolition would be completed, followed by explosives preparation and implosion, and cleanup after implosion. Throughout the process, security would be in place on and around the site. In addition, an outreach program to the people living in the surrounding area would be implemented, and the project sponsor would coordinate the implosion activities with the appropriate public agencies. Each of these phases/steps is described briefly below.

- **Stadium Evaluation and Development of Implosion Plan:** The implosion plan for the stadium would take into account structural plans of the stadium, geotechnical information for the stadium site and historic data from felling of similar quantities of debris from structures onto similar types of geotechnical conditions. Key structural elements would be identified on the drawings and a collapse sequence would be engineered. From this collapse sequence, the plan would identify the specific location, delay timing and quantities of explosives to be used. (CDI 2008)
- **Hazardous Materials Assessment and Abatement:** Hazardous materials assessment of the stadium has already been completed. The stadium was inspected, sampled and tested for asbestos, lead coatings, PCB-containing materials, fluorescent tubes, and any other hazardous materials that might have been used at the site (VBA 2014). Based on inspection and laboratory testing results, a complete

hazardous materials abatement and remediation program was developed and executed. Onsite third-party certified inspectors oversaw the work (VBA 2014).

- **Soft Demolition:** Clean soft demolition is the systematic and programmed removal of nonstructural components such as furnishings, equipment, finishes, mechanical and plumbing systems, and all other building components that can be reused or recycled.
- **Preparatory Mechanical Demolition:** The mechanical demolition would: (1) provide access to clean reinforced concrete columns where drilling would be performed for the loading of explosives, (2) remove or reduce the amount of materials on site that could generate dust, and (3) weaken the structure in preparation of felling the high-rise portion.
- **Explosives Preparation:** The explosives would be delivered to the site by the local explosive material provider in a licensed explosives delivery vehicle with appropriate coordination with the regulatory agencies, including the City Fire and Police Departments, and 24-hour security measures. They would be placed by licensed and permitted professionals in accordance with the manufacturer's recommendation and in accordance with guidelines established by the Institute of Makers of Explosives, in specific locations to facilitate sequential failure of the structure during the collapse.
- **Implosion:** While explosives are on site, the area will be secured by the Demolition Contractor, and patrolled during non-working hours by dedicated security. Several hours prior to the implosion, a pre-determined Explosion Zone around the demolition site will be cordoned off from the general public in coordination with the City, Demolition Contractor, Implosion Contractor, and local authorities. A final countdown will commence 15 minutes before the explosives demolition. The Implosion Contractor will maintain communications at the command post with key authorities during this time and will detonate the explosive charges from the firing position only after an "all clear" message is received. Individuals outside the safety perimeter without radio contact will be alerted of the impending implosion event by the use of auditory sirens/signals. Typically an implosion takes a few seconds and produces a cloud of dust in the immediate vicinity of the imploded structure's footprint. The implosion would be scheduled in the morning hours to avoid windy conditions.
- **Post Implosion Cleanup:** The Implosion Contractor will inspect the debris pile, the adjacent properties/rights-of-way and issue the "All Clear" and the Demolition Contractor will begin dust cleanup operations in coordination with the City. Similar to the debris generated by mechanical demolition, the debris generated by the implosion will be stored and processed on the stadium site.

It is anticipated that the implosion of the stadium would be conducted in winter 2015 mostly likely in the morning when wind conditions at Candlestick Point are the least windy and on a Saturday or Sunday when any road closures or other arrangements needed for the event would be the least disruptive of traffic and normal activities. Given the location of the stadium at Candlestick Point, road closures would be limited to the roads leading to the site, including Harney Way, Jamestown Avenue, Ingerson Avenue, and Gilman Avenue.

## 6. Analysis of Potential Environmental Effects

The proposed implosion would not affect the long-term occupancy and operations at the Project site. Therefore, it would not alter any of the operational impacts of the Project identified in the Final EIR and would not alter any of the planned construction of new structures and infrastructure. For these reasons, the analysis in the Final EIR of the following subject areas would be unaffected by the proposed explosives demolition of the stadium:

- **Land Use and Plans:** use of explosive demolition in place of mechanical demolition of the stadium would result in no change in land use and plans impacts. (See Final EIR, page III.B-34)
- **Population, Housing, and Employment:** use of explosives demolition in place of mechanical demolition of the stadium would result in no increase in the number of construction employees who might relocate to the project area beyond what was previously analyzed for mechanical demolition. (See Final EIR Impact PH-1, page III.C-14)
- **Shadow:** use of explosives demolition in place of mechanical demolition of the stadium would result in no shadow impacts. (See Final EIR, page III.F-9)
- **Wind:** use of explosives demolition in place of mechanical demolition of the stadium would result in no wind impacts; potential construction impacts due to wind were analyzed in other sections of the EIR: Section III.H (Air Quality) analyzes fugitive dust air emissions, and Section III.M (Hydrology and Water Quality) analyzes erosion from Project construction that could cause fugitive dust emissions. (See Final EIR, page III.G-6)
- **Cultural Resources and Paleontological Resources:** use of explosive demolition in place of mechanical demolition of the stadium would not affect historic resources as there are no historic structures nearby that could be affected and the proposed implosion would not involve any ground disturbing activities, resulting in no change in archaeological resources and paleontological resources impacts. (See Final EIR, page III.J-33)

- **Geology and Soils:** use of explosive demolition in place of mechanical demolition of the stadium would not involve any ground disturbing activities that could result in soil erosion. Therefore there would be no change in geology and soil impacts. (See Final EIR, page III.L-32)
- **Public Services:** use of explosive demolition in place of mechanical demolition of the stadium would not require additional public services or facilities, resulting in no change in public services impacts. (See Final EIR, page III.O-8)
- **Utilities:** use of explosive demolition in place of mechanical demolition of the stadium would not require construction of new or expanded utilities, resulting in no change in utilities impacts. (See Final EIR, page III.Q-16)
- **Energy:** use of explosive demolition in place of mechanical demolition of the stadium would be temporary, resulting in no change in energy impacts. (See Final EIR, page III.R-16)
- **Greenhouse Gas (GHG) Emissions:** the proposed implosion would shorten the duration of demolition activities on the site. Consequently, GHG emissions from construction vehicles and equipment would be reduced. Therefore, overall the total amount of GHG emissions associated with the Project's demolition activities would decrease. The use of explosive demolition in place of mechanical demolition of the stadium would not result in a change in greenhouse gas emissions impacts. (See Final EIR, page III.S-36)

The analysis below focuses on whether implosion of the upper level of the stadium instead of the use of mechanical demolition would change the Final EIR analysis and findings for the Project's construction-related impacts.

## 6.1 Transportation and Circulation

The potential for the proposed implosion to affect the Final EIR conclusions regarding the Project's construction-phase traffic and circulation impact (*Impact TR-1: Construction Vehicle Traffic and Roadway Construction*) is discussed below.

**Impact TR-1:** The Final EIR (page III.D-67) estimated and analyzed potential traffic impacts from construction truck trips, including truck trips associated with the removal and off-haul of the demolition debris. The total amount of construction debris generated at the site would not change with the proposed implosion. Therefore, there would be no increase in the number of truck trips associated with debris disposal. Furthermore, given the nature of activities associated with the implosion, the proposed implosion would not generate more construction worker or supply delivery vehicle trips than an all

mechanical demolition plan as analyzed in the Final EIR. Therefore, the previously evaluated impact would remain unchanged.

Traffic patterns would be slightly altered on the day of the implosion in that some of the streets leading to the stadium would need to be closed to traffic. As stated in **Section 5**, a pre-determined area around the demolition site would be cordoned off from the general public in coordination with the City Fire and Police Departments and the San Francisco Municipal Transportation Agency (SFMTA), Demolition Contractor, Implosion Contractor, and local authorities. This Exclusion Zone will be defined in a Final Traffic Control and Safety Perimeter Implementation Plan, which will be submitted to the City for review and approval as part of the required compliance with Final EIR MM TR-1. Roadways leading to or adjacent to the stadium would be cordoned off during the implosion event, including Harney Way, Jamestown Avenue, Ingerson Avenue, and Gilman Avenue. The implosion would take place in the morning on a Saturday or Sunday when road closures would have the least impact on vehicular traffic. Additionally, the road closures would be for a short duration (generally less than 1 hour) and detours would be provided. Any change in traffic volumes from detours would likely be no more than a few additional vehicles, given the low traffic volumes on the roads that would be closed on a weekend morning. There could be an increase in traffic volumes on roads leading to the site from people interested in watching the implosion. However, all traffic on roads leading to the stadium would be controlled and directed by the San Francisco Police Department (or SFMTA Parking and Traffic) and any congestion would be temporary and short-lived. Traffic associated with the implosion and demolition contractors would be subject to compliance with the construction traffic management program required by Final EIR MM TR-1. The Final EIR anticipated that Project construction activities, including demolition activities, could result in travel lane closures and temporary re-routing of transit routes. Thus, the short duration of road closures for the implosion has been covered by the analysis of Impact TR-1 and would be mitigated by Final EIR MM TR-1. Consequently, the findings of the Final EIR under *Impact TR-1* would not change as a result of the proposed implosion of the stadium.

In summary, the proposed implosion would not result in new significant traffic impacts, change or alter any of the traffic or circulation impact conclusions in the Final EIR, or require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the Final EIR's findings related to traffic impacts.

## **6.2 Aesthetics**

The potential for the proposed implosion to affect the Final EIR conclusions regarding the Project's construction-phase impacts on aesthetics and visual resources (*Impact AE-1: Effect on a Scenic Vista or*

*Scenic Resources; Impact AE-2: Degradation of Visual Character or Quality, and Impact AE-3: Effect of Light or Glare on Day or Night Views*) is discussed below.

**Impact AE-1:** The Final EIR (page III.E-50) determined that construction activities associated with the Project, including the demolition of the stadium, would result in a less than significant impact on scenic vistas and scenic resources and no mitigation measures were required. The change from mechanical demolition of the high-rise section of the stadium to implosion would not affect any scenic vistas or resources. Therefore, the previously evaluated impact would remain unchanged.

**Impact AE-2:** The Final EIR (page III.E-51) determined that construction activities associated with the Project, including the demolition of the stadium, would result in a potentially significant impact on visual character and quality of the Project site, however with mitigation, the impact would be reduced to a less than significant level. The change from mechanical demolition of the high-rise section of the stadium to implosion would not have any different effect on the visual character of the site. In fact, the implosion may be beneficial in that it would compress the construction schedule and reduce the duration that the site would appear as a construction site. Therefore, the previously evaluated impact would remain unchanged. In any event, Final EIR MM-AE-2 would apply to the demolition activities, which requires screening of construction equipment, a plan for construction staging, access and parking, and implementation of measures to keep mud and dust off vehicles leaving the site, and sweeping of surrounding streets to keep them free of dirt and debris.

**Impact AE-3:** The Final EIR (page III.E-51) determined that construction activities associated with the Project, including the demolition of the stadium, would result in a less than significant impact related to light and glare. There may be additional night lighting due to the increased security leading up to the implosion but not significantly more than what was analyzed under the Project. Furthermore, due to the compression of the construction schedule facilitated by the implosion, the duration of time that there would be night lighting on the stadium site would be reduced. Therefore, the previously evaluated impact would remain unchanged.

In summary, the proposed implosion would not result in new significant aesthetic impacts, change or alter any of the Final EIR's findings with respect to aesthetic impacts, or require new mitigation measures. Additionally, there are no changed circumstances or new information that would change the Final EIR's findings related to aesthetic impacts.

### 6.3 Air Quality

The proposed implosion would be a short duration, temporary activity during the construction phase of the Project. As described in **Section 5**, the proposed implosion involves the use of explosives to demolish the high-rise portion of the stadium, in addition to conventional mechanical demolition for the rest of the stadium; the Final EIR assumed the latter method only in its analysis of construction-related impacts of the Project.

The potential for the proposed implosion to affect the Final EIR conclusions regarding the Project's construction-phase impacts (*Impact AQ-1: Criteria Pollutants (Construction)*, *Impact AQ-2: DPM from Construction Activities*, and *Impact AQ-3: TACs from Construction Activities*) is discussed below.

**Impact AQ-1:** Impact AQ-1 in the Final EIR is focused on emissions of criteria pollutants during Project construction (page III.H-23). The construction activity data that was used to evaluate the impacts from the Project's construction emissions included the mechanical demolition of the stadium. The Final EIR noted that the BAAQMD identifies particulate matter (PM<sub>10</sub>), or fugitive dust, as the pollutant of greatest concern with respect to construction-related emissions. It bases its determination of the significance of a Project's impacts on the dust control measures that will be implemented. The BAAQMD recommends certain control measures and San Francisco Health Code Article 22B, Construction Dust Control, requires the preparation of a site-specific dust control plan (with mandatory control measures similar to the BAAQMD's) for construction projects within 1,000 feet of sensitive receptors (residence, school, childcare center, hospital or other health-care facility or group-living quarters). The Final EIR identified Impact AQ-1 as significant but mitigable with the implementation of Final EIR MM HZ-15. This measure requires the submission of an Asbestos Dust Mitigation Plan (ADMP) to BAAQMD for areas over 1 acre that potentially contain naturally occurring asbestos and SFDPH approval of a Dust Control Plan (DCP) for any construction over 0.5 acre in size at Candlestick Point (the applicability of this mitigation measure to the proposed implosion is discussed below).

Overall, implosion would produce the same amount of dust as mechanical demolition but over a shorter period of time. About 30 percent of dust is created during the implosion and the rest afterward during downsizing and process of material. Although a cloud of visible dust would be produced at the time of the implosion, it would persist only for a brief period. The recent implosion of Warren Hall on the CSU East Bay Hayward campus and the videos of implosions of other large structures in the U.S. and the rest of the world demonstrate that the visible dust during implosion would persist for only a few minutes.

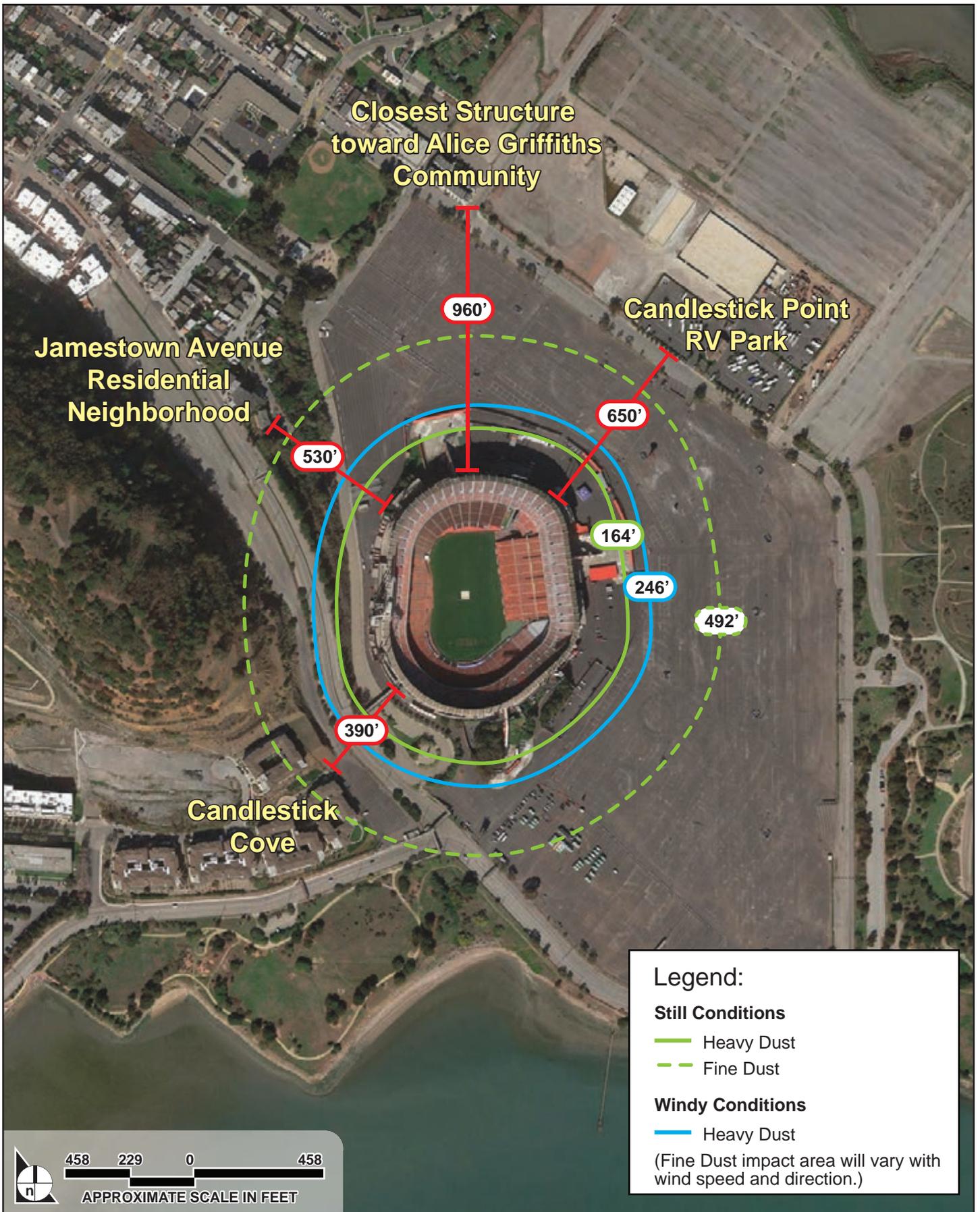


FIGURE 1

Sensitive Receptors and Implosion Related Dust

While implosion would result in dust for a shorter period of time, dust would be dispersed over a wider area as shown in **Figure 1**. Demolition that occurs in still air, for a structure the size and open configuration of the stadium, the majority of the large particulate dust would precipitate within 50 meters (164 feet) of the outside perimeter of the stadium. Due to the distance between this area and the nearest off-site structures, no off-site receptors would be affected by large particulate dust under the anticipated implosion schedule and circumstances currently envisioned. Given the high humidity in the Bay area, in still air, fine dust could travel as much as 150 meters (492 feet). As shown in **Figure 1**, this area of effect is largely limited to the stadium site and other than a small portion of Candlestick Cove development, there are no receptors within this area of effect. If weather conditions at the time of the implosion include wind, the large particle dust are expected to precipitate within approximately 75 meters (246 feet) downwind of the structure (see **Figure 1**) and fine dust would remain suspended in the air for several minutes more. Depending on wind velocity, the wind would disperse the remaining fine dust out over a larger area. The distance the fine dust would travel would be a direct function of wind speed at the time of the implosion. Given the prevailing winds at Candlestick Point which are from the west, the dust cloud would travel over the stadium parking lot and then out to the bay, where it would disperse. To address the contingency that winds could shift and some of the finer particles could be dispersed in a landward direction, as part of the DCP, all nearby sensitive receptors would be informed of the implosion and asked to take necessary precautions (e.g., remain indoors, close windows).

Furthermore, the Project Sponsor is required to implement Final EIR MM HZ-15, which requires the implementation of a SFDPH-approved DCP (ADMP requirement is not applicable to the implosion and will apply only during subsequent ground disturbing activities on the stadium site). The DCP for the Project has been prepared and contains specific mitigation measures to the extent deemed necessary by the SFDPH to achieve the goal of no visible dust at the property boundary during all conventional construction activities. These MM HZ-15 measures were formulated primarily to mitigate impacts related to naturally occurring asbestos dust during grading, excavation, soil-disturbing activities.

Additional dust control measures specific to the proposed implosion have been developed by the Project Sponsor in order to achieve the goal and intent of Article 22B, which is to reduce the quantity of dust generated during site preparation, construction and demolition in order to protect the health of the general public, protect the health of on-site workers, minimize public nuisance complaints, and avoid orders to stop work by the Department of Building Inspection. The SFDPH and BAAQMD were consulted in the preparation of the additional dust control measures, and both agencies reviewed the measures included in the *Supplemental Dust Mitigation Requirements During an Implosion (Appendix A)*, and determined that these supplemental requirements included all expected dust control measures for an implosion at the project location. These additional dust control measures specific to the proposed

implosion are designed to both minimize dust emissions and exposure to dust from an implosion. They differ from the measures in MM HZ-15 in that they are specific to reducing impacts on the implosion, as opposed to impacts from soil-disturbing activities. The additional dust control measures are included below and incorporated into Revised MM HZ-15, attached as Appendix E.

**Revised MM HZ 15 Asbestos Dust Mitigation Plans and Dust Control Plans.**

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**In the case of implosion, the DCP additionally shall include provisions to achieve the Article 22B goal of minimization of visible dust exposure:**

- **Remove dust-generating material prior to implosion, including, without limitation, performing an interior strip out to remove such items as copper, non-structural steel aluminum, dry wall, carpet, window glazing, timber, furniture, fixtures, and equipment. Remove brick and concrete block.**
- **Implement a community outreach program to identify potentially affected sensitive receptors and equipment and to work with receptors and businesses to minimize dust exposure during implosion event, by assisting receptors to stay indoors or to evacuate from the affected area.**
- **Coordinate with facility managers in the affected area to control dust entry into buildings during event.**
- **Implement prompt dust cleanup measures after event; station clean-up crews, including street sweepers, window washers, water trucks and similar equipment and personnel in the area prior to event to facilitate immediate cleanup.**
- **Undertake implosion only during advantageous weather conditions with minimal wind speed and minimal wind movement toward sensitive receptors**
- **Prior to implosion, encase site with a chain link fence and fabric to minimize large particles from leaving the site**
- **Protect stormwater inlets from dust**

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With implementation of revised MM HZ-15, implosion of the stadium, like deconstruction of the stadium using conventional demolition methods, would result in a significant but mitigable impact from exposure to construction-related dust. Revised MM HZ-15 incorporates additional dust control measures that have been reviewed by BAAQMD and DPH staff to specifically control dust exposure during an implosion event. The measures will both minimize dust and minimize exposure to dust. Therefore, the demolition by implosion would result in no new significant impacts. The previously evaluated impact would remain unchanged.

**Impact AQ-2:** The construction human health risk assessment (HRA) prepared for the Final EIR and updated in 2013 (as part of Addendum No. 1) analyzed potential human health impacts from exposure to diesel particulate matter (DPM) emissions during Project construction. The 2009 HRA and the 2013 update included all construction emission sources, including the mechanical demolition of the stadium. The analysis concluded that the impact would be less than significant with mitigation (page III.H-24 of the Final EIR and pages 36 and 37 of Addendum No. 1).

The proposed implosion of the high-rise portion would not result in any greater emissions of DPM than previously evaluated under Impact AQ-2 because overall, the same amount of building material would be demolished under both methods of demolition. In fact, implosion would reduce the number of hours that construction equipment would operate at the stadium site and would thereby reduce the total combustion emissions generated by construction equipment at the site, including the total amount of DPM produced during the demolition of the stadium. Therefore, Impact AQ-2 would be reduced and would remain less than significant with mitigation.

As noted above, the proposed implosion would produce a large cloud of dust in the immediate vicinity of the imploded structure's footprint that would persist for a short duration. Although fugitive dust is not considered a toxic air contaminant (TAC), exposure to high concentrations of dust can result in health effects. The control measures, described above, would be included in the DCP for the implosion pursuant to Final EIR revised MM HZ-15 to ensure that the dust cloud does not expose any sensitive or non-sensitive populations to high concentrations of dust. The demolition permit and DCP would limit implosion activities to the morning hours in low wind conditions. Therefore, the implosion would be scheduled in the morning hours to avoid windy conditions.

The dust dispersion patterns on a still air day and a windy day are discussed above under **Impact AQ-1**. Elevated dust levels temporarily produced by the implosion would be controlled through implementation of the DCP so that receptors would not be exposed to high concentrations of dust that could result in adverse health effects. The *Supplemental Dust Mitigation Requirements During an Implosion* include a variety of specific dust control measures to be implemented in association with the implosion. These measures include removal of dust generating material prior to the implosion, implementation of the Public Outreach Program (**Appendix B**) to coordinate with sensitive receptors, and dust control and clean-up measures such as protection of stormwater inlets, street sweeping, and monitoring of weather to limit dust radius. While even a short-term exposure would be avoided by the implementation of the DCP, a short term exposure, should it occur, would be unlikely to result in serious acute (short-term) health effects or long-term adverse health effects. There is no current methodology or scientific basis for assessing long-term health effects from an exposure to particulate matter lasting a few minutes. For

comparison, long-term impacts from particulate matter, if any, are analyzed assuming a 70 year exposure. Furthermore, the dust cloud would not contain any toxic materials that could have lasting effects (testing of the structural elements of the stadium has shown that the columns are made up of only concrete and do not contain any asbestos). Additionally, the abatement of hazardous materials, including asbestos-containing building materials, would be completed before the implosion of the stadium. Consequently, no new significant impact associated with exposure to high dust concentrations would occur and no new mitigation is required.

**Impact AQ-3:** The construction HRA prepared for the Final EIR and updated in 2013 analyzed impacts associated with exposure to TACs present in site soils. The results of the analysis are presented in Impact AQ-3 in the Final EIR (page III.H-27). As Impact AQ-3 is related to exposure to TACs present in soils, and the proposed implosion does not involve any disturbance of site soils, this previously evaluated impact would remain unchanged.

In summary, the proposed implosion would not result in a new significant air quality impact, change or alter any of the Final EIR's findings with respect to the construction-phase air quality impacts, or require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the Final EIR's findings with respect to air quality impacts.

## 6.4 Noise and Vibration

The Final EIR evaluated three construction-phase noise and vibration impacts: *Impact NO-1: Exposure of Persons to Excessive Noise Levels (Construction)*, *Impact NO-2: Exposure of Persons to Excessive Vibration Levels (Construction)*, and *Impact NO-3: Increases in Ambient Noise Levels (Construction)*. The potential for the proposed implosion to affect the Final EIR conclusions regarding these three impacts is discussed below. In addition, the proposed implosion is evaluated to determine whether it could result in a new significant construction-phase impact that was previously not identified.

**Impact NO-1:** The Final EIR (page III.I-24) analyzed construction noise impacts from demolition and construction activities in the Candlestick Point area, including the mechanical demolition of the stadium and concluded that although noise impact thresholds would be exceeded, the noise impact would be reduced to a less than significant level with the mitigation measures set forth in the Final EIR. Noise levels that would result from an implosion of the stadium were not analyzed in the Final EIR. As stated in **Section 5** above, the implosion is a short-lived event that would be over within 20 or 30 seconds, and would replace the prolonged demolition activity that would be involved in the mechanical demolition of the high-rise portion of the stadium. Therefore, although noise levels at the site would be elevated for

about 20 to 30 seconds, overall the proposed implosion would reduce the exposure of nearby residents to prolonged demolition noise.

*Construction Impacts at Off-Site Noise-Sensitive Receptors*

Estimates of the noise levels that would be experienced at nearby off-site sensitive receptor locations for a short duration of 20 to 30 seconds are shown below in **Table 2**. These are presented in dBL, which is the sound pressure measured linear 20 Hz to 20 kHz with no weighting applied, and in dBA which are A-weighted levels. The duration of these peak noise levels would be in pulses less than 0.5 seconds in duration, which would place these estimates below OSHA standards for protection for workers against injury from impact noise. During the detonation of the “confined implosion charges” and fall of the structure, noise levels would likely be lower (CDI 2014).

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**Table 2**  
**Estimated Noise Levels at Key Locations**

<b>Sensitive Receptor</b>	<b>Noise Level (dB(L))</b>	<b>Noise Level (dBA)</b>
Candlestick Cove	140.7	122.7
Jamestown Avenue Residential Neighborhood	139.7	121.7
Alice Griffith Community	135.1	118.1
Candlestick Point RV Park	136.6	118.6

*Source: CDI 2014 located in Appendix C*

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As stated in the Final EIR, the Project would cause a significant noise impact during construction if it would generate construction noise between the hours of 8:00 P.M. and 7:00 A.M. that exceeds the ambient noise level by 5 dBA at the nearest property line (unless a special permit has been granted by the Director of Public Works or the Director of Building Inspection); or produce noise by any construction equipment (except impact tools) that would exceed 80 dBA at 100 feet. The Final EIR further explains that the San Francisco Police Code Sections 2907 & 2908 require that (1) noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools, such as jackhammers, must have both the intake and exhaust muffled to the satisfaction of the Director of Department of Public Works (DPW); and (3) if the noise from construction would exceed the ambient noise levels at the property line of the site by 5 dBA, the work must not be conducted between 8:00 P.M. and 7:00 A.M., unless the Director of DPW authorizes a special permit for conducting the work during that period.

The proposed implosion would not conflict with the first threshold above because the event would not occur between the hours of 8:00 P.M. and 7:00 A.M. The short-lived noise levels produced by the implosion would exceed the second threshold but would not conflict with the Police Code provisions because the threshold applies to individual pieces of construction equipment (except impact tools) and not an implosion. Furthermore, the City allows for construction noise levels to exceed the standards established if the work is not conducted between the hours of 8:00 P.M. and 7:00 A.M. and the project includes other construction noise attenuating features. Final EIR MM NO-1a.1 requires the Project Sponsor to incorporate noise reducing practices into the construction plans. The proposed implosion noise reducing practices would be described in the plan submitted to the City pursuant to Final EIR MM NO-1a.1, and would include limiting the amount of explosives to the minimum needed to bring the high-rise sections down, using additional layers of non-electric blasting caps above and beyond the primary explosives delay timing for the purpose of reducing noise levels arising out of the implosion, and by removing the lower portions of the structure by mechanical methods. Further, as the implosion and other construction activities associated with the Project would occur under the hours allowed under Sections 2907 and 2908, this impact would be less than significant and no new mitigation is required.

Damage to property from overpressure created by the use of explosives was not specifically addressed in the Final EIR. Peak overpressure levels that would result from the implosion are presented in **Table 2**. Window panes, which are the most fragile elements of a building, can withstand peak overpressure levels up to 151 dB(L) (0.1 psi) without breakage (CDI 2014). As the results in the table show, the proposed implosion would generate overpressure levels that are well below this level, and therefore no property damage would occur.

#### *Construction Impacts on Future On-Site Noise-Sensitive Receptors*

The Final EIR (page III.I-28) analyzed construction noise impacts from demolition and construction activities on residential uses that would be developed as part of the Project in Candlestick Point. Residential uses that would be developed as part of the Project in Candlestick Point would be occupied starting in 2017. These residential uses would be located in the Alice Griffith district. Subsequent residential uses in Candlestick Point are scheduled for occupancy in 2021, 2025, and 2029 in the CP North, CP South, CP Center, and Jamestown districts. The commercial, neighborhood and regional retail, hotel and performance venue associated with Candlestick Point would be completed by 2021.

The Project would include redevelopment of Alice Griffith Public Housing to provide one-for-one replacement units. Eligible Alice Griffith Public Housing residents would have the opportunity to move to the new units directly from their existing Alice Griffith Public Housing units without having to relocate to any other area. Therefore, while construction would occur at one parcel, residents would

continue to reside at the remaining parcels. As such, the Final EIR identified these residents as on-site receptors during Project construction within the Alice Griffith district.

However, based on the construction schedule and proximity of the Alice Griffith site to the stadium, the Alice Griffith development is not considered as an on-site noise sensitive receptor for the purposes of construction activities associated with the implosion of the stadium. Instead, it is considered a nearby off-site noise-sensitive receptor as discussed above. Therefore, the stadium implosion would not impact on-site noise sensitive uses.

**Impact NO-2:** The Final EIR (page III.I-33) analyzed the potential effects of high levels of groundborne vibrations produced by construction activities, in terms of their potential to cause human annoyance or result in damage to foundations and exteriors of fragile structures close enough to the construction activity. The analysis included an evaluation of vibrations produced by controlled rock fragmentation technologies such as pulse plasma rock fragmentation (PPRF) and controlled blasting (CB). The Final EIR analysis noted that of all construction activities, impact pile driving would produce the highest levels of vibrations (112 VdB at 25 feet, as shown in Final EIR Table III.1-13). However, due to distance between the vibration source and receptor, the vibration levels experienced at the nearby off-site receptors, including the Alice Griffith district, would not exceed the applicable threshold. The analysis also focused on vibration impacts from loaded truck movement and concluded that vibration levels of 86 VdB would be experienced at the off-site receptors from the movement of Project-related loaded trucks on area roadways and would result in a significant and unavoidable groundborne vibration impact, by causing human annoyance in residential neighborhoods adjacent to the Candlestick Point Project site.

Implosion of the stadium would result in groundborne vibrations that would be the result of the debris hitting the ground. Estimated vibration levels that would be experienced at the nearby sensitive receptor locations due to the proposed implosion are presented in **Table 3** below.

**Table 3**  
**Estimated Groundborne Vibrations at Key Locations**

Sensitive Receptor	Distance to Receptor (feet)	Peak Particle Velocity (in/sec)	Frequency (Hz)	VdB
Candlestick Cove	390	0.21	15 to 20	111.5
Jamestown Avenue Residential Neighborhood	530	0.16	12 to 17	109.1
Alice Griffith Community	960	0.09	10 to 15	104.1
Candlestick Point RV Park	650	0.13	8 to 12	107.3

Source: CDI 2014 located in *Appendix C*

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*Construction Impacts as to Vibration at Off-Site Vibration-Sensitive Receptors*

The Final EIR used vibration impact thresholds for residential and other vibration-sensitive land uses provided by the FTA. As shown in Final EIR Table III.I-10, in the case of infrequent events (such as an implosion), vibrations in excess of 65 VdB would result in an impact on buildings where vibration would interfere with interior operations and vibrations in excess of 80 VdB would result in an impact on nearby residents.

There are no institutions such as hospitals and laboratories near the stadium site that contain or operate sensitive equipment. Therefore even though the short-lived vibrations due to the proposed implosion would exceed the threshold of 65 VdB, the vibrations would not interfere with interior operations.

With respect to residential receptors near the stadium site, as shown in **Table 3** above, the vibration levels generated by the proposed implosion would range from 104 to 111 VdB at the nearby sensitive receptors. These levels would be greater than the vibration levels that were estimated to result at these receptors from pile driving on the project site, and would exceed the threshold for impacts on residential receptors. However, the vibrations would be a one-time event and short lived (20 to 30 seconds at the most) and the implosion would be conducted at a time between 7:00 A.M. and 8:00 P.M., when vibrations would not disturb sleep. The Project would also implement Final EIR MM NO-1a.1 which requires incorporation of measures in construction documents to minimize noise and coordination with nearby receptors to respond to complaints. While the goal of MM NO-1a.1 is to move the noise and vibration causing equipment away from the sensitive receptors, with implosion, the revised MM NO-1a.1 would include a measure that would facilitate temporarily moving receptors away from the implosion. The Project Sponsor has proposed to develop a public outreach program as part of the proposed implosion plan that would inform nearby residents, businesses and institutions of the event ahead of time and any residents who require protection against the temporary vibrations would be assisted in relocating outside the area of effect for the duration of the event. See Appendix B, Public Outreach Program. An additional noise and vibration control measure specific to the proposed implosion has been incorporated into Final EIR MM NO-1a.1 to assure that noise and vibration impacts on receptors are minimized during the implosion event. This additional noise and vibration control measure is included below and the associated revised MM NO-1a.1 is attached as Appendix E.

...

- **Notify building owners and occupants that may be affected by vibration during an implosion event and assist any residents who require protection against temporary vibration in relocating outside the area during the event.**

...

Thus, the vibration impact from the implosion would not be substantially more severe than the significant, unavoidable impact identified in the Final EIR.

#### *Property Damage*

To evaluate the potential for property damage from groundborne vibrations produced during an implosion, the most conservative threshold is identified as 3.0 in/sec for buildings constructed of masonry (CDI 2014). As shown in **Table 3** above, the estimated vibration levels and frequencies are well below this threshold level. Therefore the impact from vibrations generated by the implosion on nearby structures would be less than significant. In addition, utilities in the project area would not be damaged because they are typically damaged by ground shear, not ground vibration. An implosion does not generate any ground shear forces.

#### *Construction Impacts as to Vibration at Future On-Site Vibration-Sensitive Receptors*

As discussed above, based on the construction schedule and proximity of the Alice Griffith site to the stadium, the Alice Griffith development is not considered a future on-site noise sensitive receptor for the purposes of construction activities associated with the implosion of the stadium. Therefore, the stadium implosion would not impact on-site vibration sensitive uses.

As discussed in the Final EIR, similar to construction noise levels, the conditions under which vibration levels would be considered excessive during construction activities, such as excavation or pile driving, would only occur for the duration of the specified activity and would only impact receptors located within 100 feet or closer of the vibration producing activity. Once the vibration producing activities were completed, the affected receptors would no longer be impacted. Additionally, construction activities would only occur during the hours of 7:00 A.M. to 8:00 P.M. as required by Sections 2907 and 2908 of the Noise Ordinance. Implementation of MM NO-1a.1, MM NO-1a.2, and MM NO-2a would reduce vibration impacts, but not to a less-than-significant level; therefore, this impact would remain significant and unavoidable.

**Impact NO-3:** The Final EIR (page III.I-39) evaluated the potential for the Project's construction activities to result in a substantial temporary increase in noise levels and determined that noise levels would be increased substantially by certain construction activities, especially pile driving which can produce noise levels of 101 dBA at 50 feet from source, and that even with mitigation, Impact NO-3 would remain significant and unavoidable. As **Table 2** above shows, the implosion related noise levels would range from about 118 to 123 dBA at the nearby receptors and would be higher than the noise levels previously analyzed for construction activities such as pile driving. However, as described above, the proposed

implosion would be a one-time event that would result in elevated noise levels, lasting between 20 and 30 seconds. Therefore, due to the limited duration of noise exposure, the implosion would not result in a substantially more severe impact than the significant, unavoidable impact identified in the Final EIR.

In summary, the proposed implosion would not result in a new or substantially more severe significant noise and vibration impact, change or alter any of the Final EIR's findings with respect to the construction-phase noise and vibration impacts, or require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the Final EIR's findings with respect to noise and vibration impacts.

## 6.5 Hazards and Hazardous Materials

The potential for the proposed implosion to affect the Final EIR conclusions regarding the Project's construction-phase impacts related to hazards and hazardous materials (*Impact HZ-1: Exposure to Known Contaminants; Impact HZ-2: Exposure to Previously Unidentified Contaminants during Construction; Impact HZ-3: Off-Site Transport and Disposal of Contaminated Soil and Groundwater; Impact HZ-7: Contaminated Surface Runoff from Construction Sites; Impact HZ-15: Exposure to Naturally Occurring Asbestos; Impact HZ-16: Exposure to Hazardous Materials in Building and Structures; Impact HZ-18: Construction Activities with Potential to Generate Hazardous Air Emissions within One-Quarter Mile of a School, and Impact HZ-20: Routine Use, Storage, Transportation, and Disposal of Hazardous Materials*) is discussed below.

**Impact HZ-1:** The Final EIR (page III.K-53) evaluated the Project site and concluded that due to the fill materials on the site, construction at Candlestick Point could expose construction workers, the public, or the environment to previously unknown contamination, but that the potentially significant impact would be reduced to a less than significant level with mitigation. The proposed implosion would not involve any ground disturbing activities and therefore would not alter or contribute to this impact.

**Impact HZ-2:** The Final EIR (page III.K-580) evaluated the potential for Project construction, including the demolition of the stadium, to encounter previously unknown underground storage tanks, and the analysis concluded that the potentially significant impact would be reduced to a less than significant level with mitigation. The proposed implosion would not involve any ground disturbing activities and therefore would not alter or contribute to this impact.

**Impact HZ-3:** The Final EIR (page III.K-60) evaluated the potential for the off-haul of hazardous materials from Project construction to affect the construction workers, the public, or the environment, and the analysis concluded that the impact would be less than significant with mitigation. Demolition of the stadium was anticipated in the Final EIR and the proposed implosion would not increase the off-haul of

hazardous materials from the Project site, and would therefore not alter or increase the severity of this effect or require new mitigation measures.

**Impact HZ-7:** The Final EIR (page III.K-70) evaluated the potential for construction activities at Candlestick Point to expose construction workers, the public, or the environment to unacceptable levels of hazardous materials in stormwater runoff, and the analysis concluded that with mitigation, which includes the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP), the impact would be less than significant. As stated in **Section 5**, prior to the implosion all hazardous materials present in the stadium will be abated. Following the implosion, all debris will be collected and processed, and dust that would precipitate around the implosion site would be cleaned up using sweeping and vacuuming techniques outlined in the Asbestos Dust Mitigation and Fugitive Dust Control Plan (Final EIR MM HY-15) and SWPPP (Final EIR MM HY-1a.1) that would be reviewed and approved by the City prior to the implosion. To the extent water is used in the clean-up of some portion of the site, the runoff will be controlled (as required by Final EIR MM HY-1a.1) so as not to discharge directly to any receiving waters. The proposed implosion will be one element of the project construction activities and would be subject to the controls included in the Project SWPPP (Final EIR MM-HY-1a.1). Therefore, the proposed implosion will not alter or increase the severity of the impact or require new mitigation measures.

**Impact HZ-15:** The Final EIR (page III.K-97) analyzed the potential for Project construction and grading activities to disturb soil or rock that contain naturally occurring asbestos in a manner that would present a human health hazard and the analysis concluded that the impact would be less than significant with mitigation. Final EIR MM HZ-15 requires the preparation and implementation of Asbestos Dust Mitigation Plans (ADMP) and Dust Control Plans (DCP). There would likely be asbestos and lead-based paint within the stadium which could become airborne during the implosion. As stated in **Section 5**, a hazardous materials assessment would be completed and an abatement plan developed to remove hazardous materials present within the structure prior to any demolition. (Testing of the structural elements of the stadium has been completed and the results show that the columns do not contain any asbestos and trace amounts of asbestos [less than 0.1% and well below Cal OSHA, BAAQMD and NESHAP standards] are present in only some limited portions of the structure). The abatement of hazardous materials would be completed before the implosion. Therefore, any hazard from asbestos or lead-based paint becoming airborne during the implosion would be avoided. Therefore, the proposed implosion will not alter or increase the severity of the impact or require new mitigation measures.

**Impact HZ-16:** The Final EIR (page III.K-101) analyzed the potential for construction at Candlestick Point to result in a health hazard to construction workers, the public, or the environment as a result of the

demolition or renovation of existing structures that could include asbestos containing materials, lead-based paint, PCBs, or fluorescent lights containing mercury. Implementation of applicable regulations and standards would ensure that potential health and environmental hazards associated with asbestos, lead, or PCBs in buildings and structures to be demolished would be minimized to the extent required by law, and the impact would be less than significant. As noted above, the proposed implosion would be preceded by the abatement of hazardous materials present in the stadium in compliance with the law. Therefore the proposed implosion would not alter or increase the severity of the impact or require new mitigation measures.

**Impact HZ-18:** The Final EIR (page III.K-105) analyzed the potential for construction activities at Candlestick Point to disturb soil that contains naturally occurring asbestos, demolition of buildings that contain hazardous substances, or disturbance of contaminated soils or groundwater within one-quarter mile of an existing school and the analysis concluded that the impact would be less than significant with mitigation. Additionally Bret Harte Elementary School is greater than a quarter mile away from the Project site. As noted above, the proposed implosion would not involve any ground disturbing activities and would be preceded by the abatement of hazardous materials present in the stadium in compliance with the law. In addition, the implosion would be conducted on a weekend when the nearby schools would not be in session, and as discussed above in **Section 6.3, Air Quality**, the area of potential dust impacts would be limited to the immediate vicinity of the site. Therefore, the proposed implosion will not alter or increase the severity of the impact or require new mitigation measures.

**Impact HZ-20:** The Final EIR (page III.K-101) analyzed the potential for Project construction to result in impacts to construction workers, visitors, or the environment from the routine use, storage, transportation, and disposal of hazardous materials and the analysis concluded that the impact would be less than significant. All hazardous materials used in the demolition of the stadium are previously addressed in the Final EIR analysis. The use of explosives for rock blasting is also previously addressed in the Final EIR analysis. The use, storage, and transportation of explosives that would be used in the proposed implosion would be conducted in compliance with all federal, state and local laws and regulations. The explosives would be delivered to the site by the local explosive material provider in a licensed explosives delivery vehicle with appropriate coordination with the regulatory agencies, including the City Fire and Police Departments, and 24-hour security measures. Compliance with all applicable requirements would limit the chance for accidental release of hazardous materials. Therefore the proposed implosion would not alter or increase the severity of the impact or require new mitigation measures.

In summary, the proposed implosion would not change or alter any of the Final EIR's findings with respect to hazards and hazardous material impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the Final EIR's hazards and hazardous material impact findings.

## 6.6 Hydrology and Water Quality

The potential for the proposed implosion to affect the Final EIR conclusions regarding the Project's construction-phase impacts related to hydrology and water quality (*Impact HY-1: Water Quality Standards and Waste Discharge Requirements*) is discussed below.

**Impact HY-1:** The Final EIR (page III.M-57) determined that Project construction activities at Candlestick Point could result in an exceedance of water quality standards or contribute to or cause a violation of waste discharge requirements. However the impact would be less than significant with mitigation which includes the preparation and implementation of a SWPPP as required by Final EIR MM HY-1a. As stated in **Section 5**, prior to the implosion all hazardous materials present in the stadium will be abated. Following the implosion, all debris will be collected and processed, and dust that would precipitate around the implosion site will be cleaned up using sweeping and vacuuming techniques and water will not be used as required by the SWPPP prepared pursuant to Final EIR MM HY-1a.1. To the extent water is used in some portion of the site, the runoff will be controlled, as required by the SWPPP (Final EIR MM HY-1a.1), so as not to discharge directly to any receiving waters. The proposed implosion will be one element of the project construction activities and would be subject to the controls included in the Project SWPPP. Therefore, the proposed implosion will not alter or increase the severity of the impact or require new mitigation measures.

In summary, the proposed implosion would not change or alter any of the Final EIR's findings with respect to hydrology and water quality impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the Final EIR's hydrology and water quality impact findings.

## 6.7 Biological Resources

The potential for the proposed implosion to affect the Final EIR conclusions regarding the Project's construction-phase impacts on biological resources (*Impact BI-6: Birds* and *Impact BI-12: Essential Fish Habitat*) is discussed below. In addition, the proposed implosion is evaluated to determine whether it could result in a new significant construction-phase impact that was previously not identified. Other construction-phase impacts analyzed in the Final EIR are not relevant because the proposed implosion

would not remove any trees or interfere with movement of native resident or migratory wildlife species. Additionally, the implosion would not disturb potentially contaminated soil within the shoreline or the Bay.

**Impact BI-6:** The Final EIR (page III.N-72) evaluated the potential for construction at Candlestick Point to result in a substantial adverse effect, either directly or through habitat modifications, on any bird species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. The analysis concluded that a potentially significant impact could occur to nesting birds from construction-related disturbances. However, with mitigation the impact would be reduced to a less than significant level. The proposed implosion would occur during the nonbreeding season for birds that nest in the vicinity and therefore would not result in an impact on nesting birds. Therefore, the proposed implosion will not alter or increase the severity of the impact or require new mitigation measures.

**Impact BI-12:** The Final EIR (page III.N-88) included an evaluation of the potential for Project construction activities to affect Essential Fish Habitat (EFH). The Bay adjacent to the Project site has been designated EFH in the Pacific Coast Salmon Plan, Coast Pelagics Fishery Management Plan, and Pacific Groundfish Fishery Management Plan. The Final EIR analysis concluded that impacts to EFH from in-water improvements proposed as part of the Project would be reduced to a less than significant level with mitigation. The proposed implosion does not involve any activities in the bay. Furthermore, as shown in **Figure 1**, the area of direct effect of the implosion (the area within which most of the dust generated by the implosion is expected to precipitate) does not extend to the open waters of the bay. As shown in the figure, the large-particle dust would precipitate within 50 meters (m) or about 164 feet of the stadium under calm conditions and up to 75 m (246 feet) away under windy conditions; finer dust could travel up to 150 m (492 feet) without wind. As noted earlier, the demolition permit and *Fugitive Dust Control Plan* would limit implosion activities to the morning hours in low wind conditions. The nearest sensitive biological resources/habitats that could potentially be affected by dust are the wetlands and aquatic habitats (and the species using them) surrounding Candlestick Point. The closest such habitats are located 250 m (820 feet) to the south of the stadium; South Basin is located 600 m (1,968 feet) away, Yosemite Slough is 850 m (2,788 feet) away, and the nearest marsh restoration area in Yosemite Slough is located more than 900 m (2,953 feet) away. As a result, no substantial amounts of dust from the implosion will reach sensitive biological resources (H.T. Harvey & Associates 2014). The evaluation by HT Harvey is presented in **Appendix D**.

The vibrations and noise levels associated with implosion would be well below the levels at which injury or mortality of fish in water surrounding Candlestick Point might occur. The National Marine Fisheries

Service considers peak noise levels of 206 decibels (dB) to be the threshold for adverse effects on fish. The maximum noise level from the implosion would be 150.7 dB at a location 119 m from the stadium. Noise levels would attenuate even further at greater distances where aquatic habitats and fish are located (H.T. Harvey & Associates 2014).

In summary, the proposed implosion would not change or alter any of the Final EIR's findings with respect to biological resource impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the Final EIR's biological resource impact findings.

## **6.8 Recreation**

The potential for the proposed implosion to result in an impact on recreational resources is evaluated below.

During the implosion the nearby roadways would be closed to limit public access to the area for safety reasons. The road closures would limit access to Candlestick Point State Recreation Area during the implosion event and portions of the bay near the site would also be cordoned off to recreational boats and aircrafts. As required by the demolition permit, the implosion would take place on a Saturday or Sunday morning and the closures would remain in effect for not more than a few hours (generally less than 1 hour) during preparation and cleanup for the implosion. Consequently, the recreation area would be unavailable for a short period of time. Due to the short duration of the closure, the implosion event would not substantially increase demand for other nearby recreational facilities.

In summary, the proposed implosion would not change or alter any of the Final EIR's findings with respect to recreation impacts and would not require any new mitigation measures. Additionally, there are no changed circumstances or new information that would change the Final EIR's findings with respect to recreation impacts.

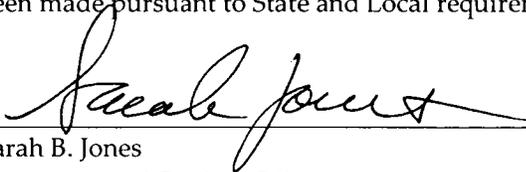
## 7. Conclusion

Based on the foregoing, it is concluded that the analyses conducted and the conclusions reached in the Final EIR certified in November 2009 remain valid. Other than as described in this Addendum, no Project changes have occurred and the proposed implosion described in the Addendum will not cause any new significant impacts not identified in the Final EIR or an increase in the severity of previously identified significant effects. Further, no substantial changes have occurred with respect to circumstances surrounding the Project that will cause significant environmental impacts or a substantial increase in the severity of previously identified significant effects. Finally, no new information has become available that shows (1) the Project will cause significant environmental impacts not discussed in the previous EIR, (2) significant effects will be substantially more severe, or (3) new or different feasible mitigation measures or alternatives from those adopted will substantially reduce one or more significant effects of the project. Therefore no supplemental environmental review beyond this addendum is required.

Date of Determination:

September 19, 2014

I do hereby certify that the above determination has been made pursuant to State and Local requirements.



Sarah B. Jones  
Environmental Review Officer

cc: Therese Brekke, Lennar Urban  
Immanuel Bereket, OCII

Bulletin Board / Master Decision File  
Distribution List

## 8. References

- CIRCA: Historic Property Development. 2010. *Historic Resource Evaluation for Candlestick Park Sports Stadium, San Francisco, CA*. April 2.
- City and County of San Francisco Planning Department. 2010. *Candlestick Point – Hunters Point Shipyard Phase II Project FEIR*. June 3.
- Controlled Demolition Incorporated (CDI). 2014. *Sequence of Operations & Comparison of Methodologies*. May 16.
- H.T. Harvey & Associates. 2014. *Candlestick Park Demolition – Assessment of Potential Biological Resources Impacts from Implosion*. June 10.

**APPENDIX A**

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**Supplemental Dust Mitigation Requirements During an Implosion**

**SECTION 01500—SUPPLEMENTAL “D-1”  
SUPPLEMENTAL DUST MITIGATION REQUIREMENTS DURING AN IMPLOSION**

For an Implosion Option, the additional measures required to be included in the Contractor’s Site Specific Dust Control Plan shall include:

- A. Removal of dust generating material prior to implosion. After the hazardous material is abated from the building, the demolition contractor shall perform an interior strip out of the entire stadium removing such items as copper, non-structural steel aluminum, dry wall, carpet, window glazing, timber, furniture, fixtures, equipment, and other similar items. The Contractor shall remove brick and/or concrete block in the building in efforts to minimize the amount of dust generated during an implosion.
- B. Dust Control through Community Outreach. The demolition Contractor shall implement a Community Outreach program. This program will identify sensitive receptors in the surrounding area, such as business with sensitive equipment, and areas with people sensitive to dust. The Contractor will coordinate directly with these surrounding uses and identify their specific needs. Potential options for sensitive receptors include (a) evacuation during the implosion or (b) if certain people are not able to evacuate, make provisions to ensure that they stay inside during the event so as not be exposed to the dust.
- C. Coordinate with management of surrounding facilities in the receptor area to turn off any HVAC or air circulation equipment for a short duration prior to, during, and after the implosion until the dust has settled. If it is not possible to turn off the equipment, arrange to protect the intake vents of specific buildings with filters and or plastic, so that no dust enters the buildings.
- D. Proper SWPPP controls shall be established in areas where dust control is expected. This will include inlet protection at areas where post demolition street sweeping is expected so that large amounts of dust do not enter the Storm Drain or Combined Sewer System.
- E. Dust clean-up crews including mobile street sweepers, window washers, water trucks etc. shall be strategically stationed prior to implosion at potentially impacted areas. Immediately after the implosion, these crews will begin their work cleaning the surrounding area.
- F. The Contractor shall establish constraints to ensure that the implosion will occur when advantageous weather conditions (i.e., wind direction and speed) will minimize dust impacts on surrounding receptors.
- G. To the extent feasible, plan the building implosion sequence to generate dust in a certain direction away from sensitive receptors.
- H. The blast elements shall be encased with chain link fence and fabric so as to minimize any projection of large particles from the actual blast locations.

**APPENDIX B**

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**Public Outreach Program**

## **Appendix B Public Outreach Program**

A Public Outreach Program would be developed and tailored to suit the needs of the target groups potentially affected by the implosion. The first task with the Outreach Program would be to identify both the primary target group and any subgroups which may exist in the adjacent community. The primary target group would comprise those properties/entities which would be directly impacted by the implosion event. Subgroups within the primary target group would consist of one or more of the following: mass transportation authorities (i.e. bus, subway or rail systems), utilities, individual residential units, or residential complexes. These target groups would be informed of the implosion event and meetings would be held to discuss any issues or specific information pertinent to the event. The Candlestick Park site is oriented such that very few Primary and Secondary Target Groups are expected, as the prevailing winds are generally away from any residential areas.

Additionally, agencies that would be affected by the implosion would be involved in the Outreach Program.

Once the project safety perimeter and exclusion zones have been determined, (a safety perimeter being that area which will be cordoned off from the public by Police on the day of the implosion), all properties within this safety perimeter are automatically considered members of the primary target group.

Outside of that area and upon review of historic prevailing wind data as collected by the National Weather Service or others, other properties outside of the safety perimeter may also be targeted. Those eligible properties outside of the safety perimeter will typically be downwind, taller and dust sensitive.

Outreach communication targets that are deemed to have organizational, scheduling, public notification requirements, or managerial communication responsibilities will be contacted 3-4 weeks in advance. Typical entities in this first subgroup will include, but not necessarily be limited to, office buildings, large mercantile establishments, apartment/condominium complexes, utilities, mass transportation authorities, churches and hospitals. The second subgroup consists of smaller, individualized groups. This second subgroup will be composed primarily of individual residential units, small businesses and small mercantile establishments. Communication with this subgroup would ordinarily begin approximately 10 days prior to the demolition.

### **OUTREACH PROGRAM GOALS**

**APPENDIX C**

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**Preliminary Implosion Plan**



**CONTROLLED DEMOLITION INCORPORATED**

**SEQUENCE OF OPERATIONS &  
COMPARISON OF METHODOLOGIES**



**FOR THE DEMOLITION OF:**

**CANDLESTICK PARK**

**LOCATION:**

**490 JAMESTOWN AVENUE  
SAN FRANCISCO, CALIFORNIA 94124**

**PREPARED FOR:**

**VAN BRUNT ASSOCIATES, INC.**

**1401 NORTH BROADWAY, SUITE 225**

**WALNUT CREEK, CALIFORNIA 94596**

**ATTN: MIKE VAN BRUNT**

**MIKE@VANBRUNTASSOCIATES.COM**

**PREPARED BY:**



**CONTROLLED DEMOLITION, INC.**

**2737 MERRYMAN'S MILL ROAD**

**PHOENIX, MARYLAND 21131 USA**

**410.667.6610 / 410.667.6624 FAX**

**CDI@CONTROLLED-DEMOLITION.COM**

**WWW.CONTROLLED-DEMOLITION.COM**

**PREPARED:**

**MAY 16, 2014**

### I. BACKGROUND

Candlestick Park (the stadium) and adjacent properties are being developed under a partnership between Lennar and the City of San Francisco. To date, the planning, scheduling, budgeting and approvals for demolition of the stadium have been performed assuming City of San Francisco Planning Council approval for conventional demolition operations have been given.

In order to explore the “best method” for demolishing the stadium, Lennar put out a Request for Proposal (RFP) for consultants to investigate environmental remediation and demolition methodology alternatives to those previously assumed. VBA, Inc., (VBA) along with their teaming partners, Silverado Contractors, Inc. (Silverado) and Controlled Demolition, Inc. (CDI) were selected for this consulting role.

At the request of Lennar and in coordination with VBA and Silverado, Mark Loizeaux, President of CDI, traveled to San Francisco on Monday, May 5, 2014, to meet with representatives of Lennar and its City of San Francisco partners relative to the comparison of the safety, environmental impact and community relations aspects of an implosion approach as compared to the conventional demolition methods previously approved.

Mr. Loizeaux walked/reviewed the stadium with representatives from Lennar and Silverado. CDI has also had the opportunity to review structural drawings of the various stages of construction of the stadium, soil borings, local regulations and political considerations brought forward by Lennar, the City of San Francisco and the VBA team.

This report is offered in response to a request made by Lennar on the afternoon of May 5, 2014.

### II. SEQUENCE OF OPERATIONS REGARDLESS OF CONVENTIONAL OR EXPLOSIVES DEMOLITION METHODOLOGIES

- A. Continuation of permitting and regulatory compliance requirements for performance of the work.
- B. Vacation of the premises by the San Francisco 49ers’ organization and others.
- C. Completion of environmental investigation of materials on site to ensure compliance with applicable regulations, regardless of the demolition methodology used.
- D. Selected salvage will be removed by the Property Owner.
- E. Selected memorabilia will be removed by the Property Owner.

**Note:** Environmental investigation, Owner salvage and removal of memorabilia may begin prior to vacation of the premises.

- F. Award of a contract (or contracts) for environmental remediation and demolition operations in accordance with the regulatory and performance requirements finalized under Items A thru C, above.
- G. The successful contractor(s) would, as agreed in their contract scope of work and in coordination with Lennar and other parties involved with the project:
  - 1. Facilitate or assist with removal of salvage/memorabilia.
  - 2. Coordinate with or perform environmental remediation, as needed, in consideration of environmental investigations performed and regulatory requirements related to performance of same.

3. Coordinate with or perform the termination of utilities to the structure and within that demolition area where such utilities might be impacted by demolition operations.
4. Perform the soft-strip of deleterious materials from the structure to allow recycling of clean concrete debris, as well as the gut-out of materials that might cause avoidable dust during demolition operations, regardless of methodology ultimately used for the main stadium.

### III. CONVENTIONAL DEMOLITION OPERATIONS

#### Soft-Strip

Skid steer loaders with demolition attachments, combined with hand labor would be used to perform the soft-strip of deleterious materials from the structure, as well as the gut-out of materials that might cause avoidable dust during conventional demolition operations.

#### Low-Rise

Cranes with wrecking balls or excavators with specialty demolition attachments would be used by experienced operators to first remove the exterior low-rise ramps and other construction outside of the stadium proper. Simultaneously, or in sequence, similar equipment would be used to remove low-rise seating inside the stadium. All of these operations can be performed in a fashion which would permit the use of proven, efficacious dust palliation methods to control visible dust emissions, ensuring minimal environmental impact on the community at large and, particularly, with regard to the Alice Griffiths Community which CDI was advised contains a significant number of medically challenged residents. Depending on the amount of heavy equipment the selected demolition contractor brought to the project, the duration of this first phase would be approximately six (6) weeks.

#### High-Rise

High-reach hydraulic excavators or cranes with wrecking balls could be effectively used to demolish the high-rise portion of the stadium structure down to grade. Given the robust winds at and around the stadium, it is unlikely that there are any dust palliation methods which would be effective if a crane and wrecking ball were used to demolish the high-rise structure. While water can be piped to the top of high-reach excavators that could be used to mechanically “munch” down the upper stands and cantilever roof, dust palliation in this regard is generally ineffective where high winds are present and where the pulverized concrete debris has to fall great distances to grade.

#### Foundations

The same heavy equipment used to demolish and remove the low-rise structures and seating would be used to remove the foundations. Given a possible overlap sequencing of high-rise demolition and foundation removal, the overrun of foundation removal beyond high-rise demolition would be approximately eight (8) weeks.

The overall duration for the conventional demolition of the low-rise and high-rise stadium down to grade is expected to be approximately twenty-two (22) weeks. Removal of selected foundations which conflict with future development would likely take an additional eight (8) weeks above and beyond completion of superstructure demolition/debris removal.

#### A. Dust

The mechanical demolition of the high-rise portion of the structure (up to 120' above grade), using the above methods, would result in unavoidable dust emissions that cannot reasonably be controlled by methods

ordinarily employed in the demolition industry. The relatively long duration of such mechanical operations and dust emissions would, by definition, expose the community to low levels of dust for a long period of time. The low visibility of this level of dust often leads to inattention by residents in the community, ultimately resulting in far higher levels of dust exposure from demolition operations than can be predicted during the design stage for such projects.

B. Vibration

Vibration from conventional demolition operations should have no impact on adjacent communities.

C. Noise

Noise created by large, hydraulic excavators with specialty demolition attachments can become objectionable to residents of adjacent communities depending on wind speed and direction. Such winds and topographical features can focus noise from long term conventional operations. While the decibel levels generated by conventional demolition should not be an issue given the distances from the demolition site to the adjacent residential areas, the duration of those operations becomes a factor when dealing with sensitive adjacent communities.

D. General Risk

Given the amount of room available around the stadium, conventional demolition operations should propose “no physical risk” to pedestrian/vehicular traffic or third party properties.

Although the duration of mechanical demolition of major sports facilities such as this exposes workers to additional risk by virtue of the duration alone, there are highly qualified, Bay Area-based demolition contractors who have the experience, the trained professional personnel and the specialty equipment necessary to carry out the conventional demolition of the stadium safely. For this reason, the only points of comparison needed between conventional demolition and implosion of the above-grade high-rise structure is related to environmental exposure of residents in adjacent communities to dust and noise, the actual cost of conventional demolition as compared to the cost of implosion, and the value of time which might be saved by implosion over conventional demolition.

#### IV. EXPLOSIVES DEMOLITION OPERATIONS

Soft-Strip

The same methods would be used for the same duration by the demolition contractor in the strip-out of the structure to pre-remove deleterious and dust-creating materials from the main high-rise structure.

Low-Rise Demolition

The same conventional demolition equipment and methods would be used for the same duration to pre-remove low-rise structures around the outside of the stadium and low-rise seating inside the stadium bowl.

The advantages of explosives demolition begin with the fact that preparation for “implosion” can start and be as much as 85% completed before a mechanical demolition operation on the high-rise structure could even begin. Implosion preparations on the stadium would be limited to the drilling of holes in supporting concrete elements and removal of non-load bearing walls and modification of other walls (following approval of such operations by the contractor’s structural engineer). The pre-drilling of major sports venues such as this have consistently proven to be a safe and effective operation without resulting in any significant weakening of the structure leading up to its implosion - even under the seismic loads which the stadium might be subjected to in the Bay Area.

Other than drilling of small diameter holes in supporting elements and the engineered removal of certain walls to provide access for implosion preparation, the only remaining implosion-related activity on site would be the placement of protective cover, as needed, around elements to be blasted during the implosion (to mitigate the possibility of fly of debris outside of the demolition zone as a result of implosion operations).

The total time to prepare the stadium for implosion would be approximately one (1) month. That work can begin during environmental remediation and be completed while the demolition contractor is removing low-rise structures outside and low-rise seating inside of the high-rise structure. The implosion of the high-rise structure could take place within a week of the completion of low-rise demolition operations.

The overall duration of Candlestick Park demolition, with implosion of the high-rise section, would be a full two (2) months or more faster than the purely conventional demolition of the complex.

The byproducts of explosives demolition are as follows:

A. Dust

Conventional demolition operations on a concrete structure such as this pulverize the structural elements, in place, allowing the debris to fall to grade. Given the high winds at the project site, the heights involved and in consideration of the free fall of pulverized debris from the high-rise structure, it is unlikely that a truly efficacious dust palliation method can be designed, much less applied during the months of conventional demolition operations needed to bring the high-rise structure to grade.

Conversely, explosives demolition does not pulverize construction materials. Rather, it undermines the high-rise structure allowing it to travel to grade, generally in an unbroken fashion. It is the post-implosion secondary downsizing of the resultant debris at grade that will generate more than 70% of the overall dust that would be created by conventional operations. Once the structure has been lowered to grade via implosion operations, there are a myriad of highly effective dust palliation methods which a demolition contractor can employ to ensure that there are no visible emissions or dust impact on the sensitive communities adjacent to the stadium.

One advantage of implosion is that it occurs at a known time on a known date. An experienced Community Outreach Team comprised of Lennar, Lennar's demolition consultant, the main demolition contractor and the implosion contractor can develop a program to completely address the potential impact of the implosion on the community. From a dust standpoint, this means that primary and secondary outreach targets will be identified as to their dust sensitivity. They can be educated accordingly and precautionary measures can be put in place so that when the implosion occurs, the impact of any dust reaching those community areas is either mitigated or eliminated through planning and execution by that experienced team.

Put simply, an implosion approach creates the same amount of dust that a conventional demolition operation would create. 30% or less of that total amount of dust is created during the implosion and the community is prepared for same. Likewise, the contractor is prepared to clean up the dust quickly and then control the remaining 70% of the dust created in the downsizing/processing of material on site under effective dust palliation control measures.

B. Vibration

Vibration is a natural byproduct of any material falling to grade. While the relatively slow process of conventional demolition of the high-rise structure would drop the same quantity of material as implosion, the slowness of conventional operations would generate no significant vibration.

Conversely, implosion brings the entire high-rise structure to grade in a single, continuous event over 20 seconds or so. It is the obligation of the implosion contractor to design an implosion sequence in consideration of the configuration and weight of the structure being felled, the soil/water table conditions underlying the site, the distance to adjacent improvements/community facilities to remain and the sensitivity of those adjacent improvements/community facilities to vibration displacement and even vibration frequency which would be created by the implosion plan.

CDI has reviewed the structural plans of the stadium and the geotechnical report describing the nature and vibration conductive propensities of sub-grade conditions underlying the stadium and adjacent communities. In consideration of those factors, we designed a Preliminary Implosion Plan to control the duration and sequence of fall of the quantity/weight of debris present in the high-rise structure to be imploded. We then used historic data from felling of similar quantities of debris from structures onto similar types of geotechnical conditions. We then adjusted the timing of the Implosion Plan (to control the amount of debris falling over time) to keep vibration displacement and frequency to a level which cannot possibly damage adjacent improvements/community facilities adjacent to the Candlestick stadium location.

On attached CDI Drawing No. 97537-01, CDI has indicated the four (4) adjacent community locations which Lennar advised would be “sensitive” from a political standpoint.

Using CDI’s historic data on the felling of similar structures on similar geotechnical strata, we have estimated vibration measured at each of those locations during CDI’s execution of its proposed Preliminary Implosion Plan to be as follows:

$$PPV = 40.6(\text{Dist.})^{(-0.885)}$$

- ◆ Point 1 – 390 ft: 0.21 in/sec, peak particle velocity (PPV) at a frequency of 15 to 20 Hz.
- ◆ Point 2 – 530 ft: 0.16 in/sec, peak particle velocity (PPV) at a frequency of 12 to 17 Hz.
- ◆ Point 3 – 960 ft: 0.09 in/sec, peak particle velocity (PPV) at a frequency of 10 to 15 Hz.
- ◆ Point 4 – 650 ft: 0.13 in/sec, peak particle velocity (PPV) at a frequency of 8 to 12 Hz.

### Ground Vibration Standards

Decades of vibration research by the US Bureau of Mines and other agencies has led to the established criteria relating to the likelihood of damage to structures from vibration intensities and frequencies. The intensity is typically measured as peak particle velocity (PPV, or the rate-of-motions of an oscillating particle within a mass - usually the ground.)

Most vibration standards are designed to correlate damage with impulsive, man-made vibration focused on residential structures. “Residential” means 1-story to 2-story, freestanding structures that constitute what we generally assume to be a single-family dwelling. For residential construction, this research has resulted in the recommendation that vibration outside the resonant frequencies of the subject structures not exceed 2.0 in/sec PPV. This standard is designed to preclude “threshold damage” to residential structures. Threshold damage is defined as “loosening of paint; small plaster cracks and joints between construction elements; lengthening of old cracks.” Local regulations often reduce allowable PPV levels as low as 1.0 in/sec to provide a 100% Factor of Safety (FoS) to preclude the possibility of damage to adjacent properties.

The damage threshold for engineered concrete and steel framed structures, load bearing masonry walls, heavy commercial buildings, or higher levels of damage to residential structures, is published as being 3.0 in/sec for masonry and 10.0 in/sec for reinforced mass concrete and higher for steel structures. A study by Chae (1978), recommends a safe threshold criterion of 4.0 in/sec for commercial structures of substantial construction. Studies by Oriard (1980) and others suggest that reinforced concrete framed commercial and industrial construction can withstand vibration in excess of 10.0 in/sec without sustaining damage. Utilities

and pipelines (Siskind and Stagg, 1994) and other engineered structures that are designed to withstand live loads from pressurization, seismic activity, tsunamis, or high winds (hurricanes) would have an even higher damage threshold.

Based on CDI's estimates, the likely vibration recorded at the four (4) points of interest shown on the attached drawing would be a fraction of that needed to damage the most sensitive of older, distressed residential structures, much less more modern structures of greater integrity.

With regard to buried utilities adjacent to the fall area of debris, these are constrained lines which are generally not sensitive to damage from vibration caused by construction-type activities. This is the case at the Candlestick Park location even in consideration of the "young bay mud" and "old bay mud" which has been identified beneath a portion of the stadium and adjacent to the stadium site. The explosives felling of the stadium using the preliminary method developed by CDI would have no impact, whatsoever, on buried utilities of any nature.

### C. Noise

Noise pollution is of critical concern when working around residential communities. Estimating noise at the Candlestick Stadium site is a somewhat challenging task, given the variable winds which prevail in the area.

That being said, CDI reviewed the quantities and types of explosives that would be used under its Preliminary Implosion Plan and determined, through the use of our seven (7) decades of historic data, that the still air decibel levels monitored at each of the four (4) locations shown on the attached drawing during the implosion would be as follows:

$$PO = 4.42(SD)^{-0.713}$$

- ◆ Point 1 –140.7 dB(L)
- ◆ Point 2 –139.7 dB(L)
- ◆ Point 3 –135.1 dB(L)
- ◆ Point 4 –136.6 dB(L)

The duration of these peak dB(L) levels would be in pulses less than 0.5 seconds in duration during the initiation of "unconfined detonating cord" used to initiate the confined demolition charges within concrete support columns under the structure. These noise levels are below OSHA standards for protection of workers against injury from impact noise, and do not vary significantly from noise levels experienced by the general public during a holiday fireworks presentation or a summer thunderstorm, overhead.

During the detonation of the "confined implosion charges" buried in the boreholes drilled into concrete columns and fall of the structure, dB(L) levels should be even lower.

### Peak Overpressure Risk to Adjacent Improvements

Studies have shown that in the worst case of a window pane under stress, windows can withstand peak overpressure (PO) levels up to 151 dB (L) (0.1 psi) and that properly installed windows can withstand PO levels up to 170 dB (L) (1.0 psi). Window breakage would be the first type of adjacent improvement damage to result from PO. The United States Bureau of Mines (USBM) (1980) recommends a peak overpressure limit of 133 dB(L) (0.013 psi) to minimize complaints from quarry blasting; however, explosive demolition operations are typically exempt from the limit due to the singular nature of the event and the overly restrictive nature of this limit for demolition work. The peak overpressure levels estimated by CDI, based on our historic data against our Preliminary Implosion Plan, could not possibly damage even sensitive adjacent properties much less create any risk to community residents.

**NOTE:** Under CDI's Preliminary Implosion Plan, we have intentionally avoided work on the 9" and 12" diameter cast C1018-20 steel columns which are used to support the upper deck around much of the perimeter of the Stadium. While CDI's initial calculations indicate that we could use linear shaped charges to modify these columns (after engineered modification per CDI's design), we want to avoid the use of unconfined linear shaped charge explosives on this project due to the high frequency/high displacement peak overpressure generated by the use of such charges. We are comfortable with our preliminary implosion design...without having to explosively address these steel columns.

D. General Risk

During the preparation of the high-rise section of the stadium for implosion, risk to workers is no more than that which construction workers are exposed to on a day-to-day basis. They are lower than the risks to which demolition workers are generally exposed to, given that implosion preparations are performed on clean level working surfaces without concern for working around structures that are in various stages of demolition.

By way of example, CDI's Workers Compensation Experience Modification Rate (EMR) is 0.71, demonstrating the safety of CDI's operations on a day-to-day basis.

Given that an exclusion zone will be cleared around the stadium during the implosion itself, there is absolutely no risk to the general public, whatsoever, during the implosion of the structure.

V. **CONCLUSION**

The high-rise portion of Candlestick Park is a perfect candidate for implosion operations, as compared to conventional demolition, as respects safety of workers and the nature/duration of various types of exposure to the adjacent communities and their residents. Those facts, combined with what will likely be an equivalent or lesser cost using explosives to put the high-rise portion of the structure at grade and the savings of time in clearing the site, permitting new development to proceed at a faster pace, makes it difficult to justify a non-implosion approach to the high-rise portion of this particular structure.

**APPENDIX D**

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**Assessment of Potential Biological Resources Impacts from Implosion**



## Memorandum

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10 June 2014

Project #2943-03

**To: Therese Brekke, Lennar Urban**  
**From: Steve Rottenborn**  
**Subject: Candlestick Park Demolition – Assessment of Potential Biological Resources Impacts from Implosion**

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Per your request, I have reviewed information concerning the proposed demolition of Candlestick Park via implosion to determine whether this method of demolition, rather than mechanical demolition, would pose any impacts to biological resources that were not addressed in the 2010 Environmental Impact Report for the Candlestick Point – Hunters Point Shipyard Phase 2 project. It is my understanding that demolition would occur around January 2015, during the nonbreeding season for birds that nest in the vicinity. My assessment is based on the 28 May 2014 *Candlestick Park Stadium Explosives Demolition Draft Project Description* and the 16 May 2014 *Preliminary Implosion Plan*, as well as my understanding of the biological resources present in the vicinity of the stadium.

I have determined that no impacts to biological resources potentially resulting from demolition via implosion would occur that are substantially greater than those that might occur from mechanical demolition.

According to the materials I reviewed, large-particle dust would precipitate within 50 meters (m) of the stadium under calm conditions and up to 75 m away under windy conditions; finer dust could travel up to 150 m without wind. Demolition is proposed to be performed in the morning, in non-windy conditions. The nearest sensitive biological resources/habitats that could potentially be affected by dust are the wetlands and aquatic habitats (and the species using them) surrounding Candlestick Point. The closest such habitats are located 250 m to the south of the stadium; South Basin is located 600 m away, Yosemite Slough is 850 m away, and the nearest marsh restoration area in Yosemite Slough is located more than 900 m away. As a result, no substantial amounts of dust from the implosion will reach sensitive biological resources. In addition, implosion would allow for dust from mechanical removal of the demolished stadium (following implosion) to be controlled, whereas mechanical removal of the upper levels of the stadium in the absence of implosion would not allow for dust alleviation. Implosion would also allow for the conditions under which demolition occurs to be controlled (e.g., to ensure that there are no strong winds).

Because implosion would occur in January, no nesting birds would be impacted by the noise associated with implosion. Birds foraging in the vicinity of the stadium would be temporarily disturbed, but they are expected to quickly resume their normal behaviors following implosion.

The vibrations and noise levels associated with implosion would be well below the levels at which injury or mortality of fish in water surrounding Candlestick Point might occur. The National Marine Fisheries Service considers peak noise levels of 206 decibels (dB) to be the threshold for adverse effects on fish. The maximum noise level indicated in the materials describing the proposed implosion are 150.7 dB at a location 119 m from the stadium. Noise levels would attenuate even further at greater distances where aquatic habitats and fish are located.

Surrounding the demolition/implosion site there are real and perceived concerns/needs. The goals of the Outreach Program are:

- i. To disseminate the appropriate amount of information about the project at the appropriate time. An early and very General Statement of interest in the concerns of the Community members is issued to let the respective members of the outreach targets know that they are going to be contacted, listened to and supported.
- ii. To subsequently provide information to members of each group relative to their specific structures and operations in response to their general concerns, the target group member can deal with real/target-specific concerns/needs.
- iii. To listen or provide a channel of communication for the members of each target group in order to learn how to minimize or eliminate problems/conflicts or deal with perceived concerns/needs.

#### **COMMUNICATION STRATEGIES AND TECHNIQUES**

Communication is accomplished by one of the following two (2) methods:

- i. Distribution of leaflets and providing contact information should additional questions arise.
- ii. Distribution of leaflets with follow-up contact/site visit and providing contact information should additional questions arise. Individual meetings with specific targets are preferred to group meetings to avoid a "herd mentality" with regard to questions or concerns.

#### **COMMUNICATION CONTENT**

The information provided to the majority of the members of the primary target group will answer the following four (4) questions:

- i. When will implosion activities affect them?
- ii. What implosion activities affect them?
- iii. What do they need to do to prepare for the implosion?
- iv. What will the demolition team members do to support their needs?

## Appendix E

### 2007.0946E Candlestick Point-Hunters Point Shipyard Phase II Development Plan EIR

#### Revised Mitigation Measures for Implosion

Additions to Mitigation Measure text is in **bold and underline**.

#### **MM HZ 15 Asbestos Dust Mitigation Plans and Dust Control Plans.**

Prior to obtaining a grading, excavation, site, building or other permit from the City that includes soil disturbance activities, the Project Applicant shall obtain approval of an Asbestos Dust Mitigation Plan (ADMP) from BAAQMD for areas over 1 acre that potentially contain naturally occurring asbestos and approval of a Dust Control Plan (DCP) from SFDPH for all areas at HPS Phase II and for areas over 0.5 acre at Candlestick Point. Compliance with the ADMP and DCP shall be required as a condition of the permit.

The ADMP shall be submitted to and approved by the BAAQMD prior to the beginning of construction, and the Project Applicant must ensure the implementation of all specified dust control measures throughout the construction Project. The ADMP shall require compliance with the following specific control measures to the extent deemed necessary by the BAAQMD to meet its standard:

- For construction activities disturbing less than one acre of rock containing naturally occurring asbestos, the following specific dust control measures must be implemented in accordance with the asbestos ATCM before construction begins and each measure must be maintained throughout the duration of the construction Project:
  - Limit construction vehicle speed at the work site to 15 miles per hour
  - Sufficiently wet all ground surfaces prior to disturbance to prevent visible dust emissions from crossing the property line
  - Keep all graded and excavated areas around soil improvement operations, visibly dry unpaved roads, parking and staging areas wetted at least three times per shift daily with reclaimed water during construction to prevent visible dust emissions from crossing the property line. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour
  - Adequately wet all storage piles, treat with chemical dust suppressants, or cover piles when material is not being added to or removed from the pile
  - Wash down all equipment before moving from the property onto a paved public road
  - Clean all visible track out from the paved public road by street sweeping or a HEPA filter equipped vacuum device within 24 hours
- For construction activities disturbing greater than one acre of rock containing naturally occurring asbestos, construction contractors are required to prepare an ADMP specifying measures that will be taken to ensure that no visible dust crosses the property boundary during

construction. The plan must specify the following measures, to the extent deemed necessary by the BAAQMD to meet its standard:

- Prevent and control visible track out from the property onto adjacent paved roads. Sweep with reclaimed water at the end of each day if visible soil material is carried out from property
- Ensure adequate wetting or covering of active storage piles
- Hydroseed or apply non-toxic soil stabilizers to disturbed surface areas and storage piles greater than ten cubic yards or 500 square feet of excavated materials, backfill material, import material, gravel, sand, road base, and soil that will remain inactive for seven days or more.
- Control traffic on on-site unpaved roads, parking lots, and staging areas—including a maximum vehicle speed of 15 miles per hour or less
- Control earth moving activities
- Provide as much water as necessary to control dust (without creating run-off) in any area of land clearing, earth movement, excavation, drillings, and other dust-generating activity
- Control dust emissions from off-site transport of naturally occurring asbestos containing materials
- Stabilize disturbed areas following construction

If required by the BAAQMD, air monitoring shall be implemented to monitor for off-site migration of asbestos dust during construction activities, and appropriate protocols shall be established and implemented for notification of nearby schools, property owners and residents when monitoring results indicate asbestos levels that have exceeded the standards set forth in the plan.

The DCP shall be submitted to and approved by the SFDPH prior to the beginning of construction, and the site operator must ensure the implementation of all specified dust control measures throughout the construction Project. The DCP shall require compliance with the following specific mitigation measures to the extent deemed necessary by the SFDPH to achieve no visible dust at the property boundary

- Submission of a map to the Director of Health showing all sensitive receptors within 1,000 feet of the site.
- Keep all graded and excavated areas, areas around soil improvement operations, visibly dry unpaved roads, parking and staging areas wetted at least three times per shift daily with reclaimed water during construction to prevent visible dust emissions from crossing the property line. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour
- Analysis of wind direction and placement of upwind and downwind particulate dust monitors.
- Record keeping for particulate monitoring results.
- Requirements for shutdown conditions based on wind, dust migration, or if dust is contained within the property boundary but not controlled after a specified number of minutes.
- Establishing a hotline for surrounding community members who may be potentially affected by Project-related dust. Contact person shall respond and take corrective action within 48 hours. Post publicly visible signs around the site with the hotline number as well as the phone number of the BAAQMD and make sure the numbers are given to adjacent residents, schools, and businesses.

- Limiting the area subject to construction activities at any one time.
- Installing dust curtains and windbreaks on windward and downwind sides of the property lines, as necessary. Windbreaks on windward side should have no more than 50% air porosity.
- Limiting the amount of soil in trucks hauling soil around the job site to the size of the truck bed and securing with a tarpaulin or ensuring the soil contains adequate moisture to minimize or prevent dust generation during transportation.
- Enforcing a 15 mph speed limit for vehicles entering and exiting construction areas.
- Sweeping affected streets with water sweepers at the end of the day.
- Hiring an independent third party to conduct inspections for visible dust and keeping records of those inspections.
- Minimizing the amount of excavated material or waste materials stored at the site.
- Prevent visible track out from the property onto adjacent paved roads. Sweep with reclaimed water at the end of each day if visible soil material is carried out from property

**In the case of implosion, the DCP additionally shall include provisions to achieve the Article 22B goal of minimization of visible dust exposure:**

- **Remove dust-generating material prior to implosion, including, without limitation, performing an interior strip out to remove such items as copper, non-structural steel aluminum, dry wall, carpet, window glazing, timber, furniture, fixtures, and equipment. Remove brick and concrete block.**
- **Implement a community outreach program to identify potentially affected sensitive receptors and equipment and to work with receptors and businesses to minimize dust exposure during implosion event, by assisting receptors to stay indoors or to evacuate from the affected area.**
- **Coordinate with facility managers in the affected area to control dust entry into buildings during event.**
- **Implement prompt dust cleanup measures after event; station clean-up crews, including street sweepers, window washers, water trucks and similar equipment and personnel in the area prior to event to facilitate immediate cleanup.**
- **Undertake implosion only during advantageous weather conditions with minimal wind speed and minimal wind movement toward sensitive receptors**
- **Prior to implosion, encase site with a chain link fence and fabric to minimize large particles from leaving the site**
- **Protect stormwater inlets from dust**

For all areas, this measure shall be implemented through Article 22B (areas over one half acre) or for HPS Phase II through a requirement in the potential additions to Article 31 imposing requirements to parcels other than Parcel A or through an equivalent process established by the City or Agency.

**MM NO 1a.1 Construction Document Mitigation to Reduce Noise and Vibration Levels during Construction.**

The Project Applicant shall incorporate the following practices into the construction documents to be implemented by the Project contractor:

- Provide enclosures and mufflers for stationary equipment, shrouding or shielding for impact tools, and barriers around particularly noisy operations on the site
- Use construction equipment with lower noise emission ratings whenever possible, particularly air compressors
- Provide sound-control devices on equipment no less effective than those provided by the manufacturer
- Locate stationary equipment, material stockpiles, and vehicle staging areas as far as practicable from sensitive receptors
- Prohibit unnecessary idling of internal combustion engines
- Require applicable construction-related vehicles and equipment to use designated truck routes to access the Project site
- Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, noise barriers or noise blankets. The placement of such attenuation measures will be reviewed and approved by the Director of Public Works prior to issuance of development permits for construction activities.
- **Notify building owners and occupants that may be affected by vibration during an implosion event and assist any residents who require protection against temporary vibration in relocating outside the area during the event.**
- Designate a Noise Disturbance Coordinator who shall be responsible for responding to complaints about noise during construction. The telephone number of the Noise Disturbance Coordinator shall be conspicuously posted at the construction site and shall be provided to the City. Copies of the construction schedule shall also be posted at nearby noise-sensitive areas.



450-0162016-002

## Addendum 4 to Environmental Impact Report

*Addendum Date:* February 22, 2016  
*Case No.:* 2007.0946E  
*Project Title:* Candlestick Point-Hunters Point Shipyard Phase II  
*EIR:* 2007.0946E, certified June 3, 2010  
*Project Sponsor:* CP Development Co., LP  
*Lead Agency:* Office of Community Investment & Infrastructure  
*OCII Staff Contact:* Lila Hussain – (415) 749-2431  
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### REMARKS

The Addendum includes the following attached Exhibits, which provide technical analyses, graphics, and other information supporting the analysis in this Addendum:

- Exhibit A: Tier 1 Project Revisions
- Exhibit B: Tier 2 and 3 Project Revisions
- Exhibit C: Tower Location Analysis
- Exhibit D: Candlestick Center Mixed Use Height Visuals
- Exhibit E: Candlestick Center Hotel Height Visuals
- Exhibit F: Fehr & Peers Office to Retail Conversion Letter (12/14/15)
- Exhibit G: Fehr & Peers Candlestick Point Parking Letter (1/11/16)
- Exhibit H: OCII Commission Resolution No. 1-2014 (1/7/14)
- Exhibit I: Fehr & Peers Harney Way Letter (12/9/15)
- Exhibit J: Fehr & Peers Gilman Avenue Letter (8/13/15)
- Exhibit K: Candlestick Point Tower Analysis from CPSRA
- Exhibit L: Excerpts from CPSRA General Plan and California State Park and Recreation Commission Approval Resolution 1-2013
- Exhibit M: Fehr & Peers Arena Conversion Letter (12/21/15)
- Exhibit N: Candlestick Point Tower Visual Analysis
- Exhibit O: IBI Shadow Analysis and Memo
- Exhibit P: Ramboll Environ Air Quality and Climate Change Letter (1/22/16)
- Exhibit Q: CP Development Company Excavation Quantities at Candlestick Point Memo (1/26/16)
- Exhibit R: Fehr & Peers Loading Letter (2/18/16)

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## Addendum 5 to the CP-HPS2 2010 FEIR

<i>Addendum Date: Case</i>	<b>April 9, 2018</b>
<i>No.:</i>	2007.0946E
<i>Project Title:</i>	Candlestick Point–Hunters Point Shipyard Phase II
<i>EIR:</i>	2007.0946E, certified June 3, 2010
<i>Project Sponsor: Lead</i>	CP Development Co., LLC
<i>Agency: OCII Staff</i>	Office of Community Investment & Infrastructure José
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office of  
COMMUNITY INVESTMENT  
and INFRASTRUCTURE

## Addendum 6 to the CP-HPS2 2010 FEIR

*Addendum Date:* October 1, 2019  
*Case No.:* 2007.0946E  
*Project Title:* Candlestick Point–Hunters Point Shipyard Phase II  
Development Plan Project  
*EIR:* Certified June 3, 2010  
*Project Sponsor:* CP Development Co., LLC  
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## Addendum 7 to the CP-HPS2 2010 FEIR

*Addendum Date:* August 23, 2024  
*Case No.:* 2007.0946E  
*Project Title:* Candlestick Point–Hunters Point Shipyard Phase II Development Plan Project  
*EIR:* Certified June 3, 2010  
*Project Sponsor:* CP Development Co., LLC  
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COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 22-2024

*Adopted September 3, 2024*

**ADOPTING FINDINGS, INCLUDING AMENDING ADOPTED MITIGATION MEASURES,  
PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT RELATED TO THE  
APPROVAL OF THE 2024 MODIFIED PROJECT VARIANT FOR THE CANDLESTICK POINT  
AND PHASE 2 OF THE HUNTERS POINT SHIPYARD DEVELOPMENT PROJECT;  
HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA AND BAYVIEW  
HUNTERS POINT REDEVELOPMENT PROJECT AREA**

WHEREAS, In furtherance of the objectives of the California Community Redevelopment Law (Health and Safety Code, section 33000 et seq. the “**CRL**”), the Redevelopment Agency of the City and County of San Francisco (the “**Former Agency**”) undertook programs for the reconstruction and construction of blighted areas in the City and County of San Francisco (“**City**”), including the Bayview Hunters Point Redevelopment Project Area (“**BVHP Project Area**”) and the Hunters Point Shipyard Redevelopment Project Area (“**HPS Project Area**”); and,

WHEREAS, The Board of Supervisors of the City and County of San Francisco (“**Board of Supervisors**”) adopted the Hunters Point Shipyard Redevelopment Plan (“**HPS Plan**”) on July 14, 1997 by Ordinance No. 285-97 and amended the HPS Plan on August 3, 2010 by Ordinance No. 211-10, on June 22, 2017 by Ordinance No. 122-17, and on July 16, 2018 by Ordinance No. 0166-18; and,

WHEREAS, On May 23, 2006, the Board of Supervisors amended the Bayview Hunters Point Redevelopment Plan (“**BVHP Plan**”) by Ordinance No. 113-06, and amended the BVHP Plan on August 3, 2010 by Ordinance No. 210-10, on June 22, 2017 by Ordinance No. 123-17, and on July 16, 2018 by Ordinance No. 0167-18; and,

WHEREAS, On June 3, 2010, the Former Agency Commission by Resolution No. 58-2010 and the San Francisco City Planning Commission by Motion No. 18096, acting as co-lead agencies, prepared and certified the Final Environmental Impact Report (“**FEIR**”) for the Candlestick Point Hunters Point Shipyard Phase 2 Project (“**Project**” or “**CP/HPS2 Project**”) in compliance with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (“**CEQA**”) and the CEQA Guidelines 14 California Code of Regulations Sections 15000 *et seq.*; and,

WHEREAS, On the same date, the co-lead agencies adopted findings pursuant to CEQA (“**CEQA Findings**”) including without limitation findings regarding the alternatives, mitigation measures and significant environmental effects analyzed in the FEIR, a statement of overriding considerations and a mitigation monitoring and reporting program (“**MMRP**”), for the Project by Agency Commission Resolution No. 59-2010 and Planning Commission Motion No. 18097 and took various approval actions related to the Project. On July 14, 2010, the Board of Supervisors affirmed the certification of the FEIR by Resolution No. 347-010 and adopted CEQA Findings. The CEQA Findings are incorporated into this Resolution by this reference; and,

- WHEREAS, Pursuant to California Health and Safety Code §§ 34170 *et seq.* (the “**Dissolution Law**”), the Former Agency was dissolved as of February 1, 2012; and,
- WHEREAS, The Successor Agency to the Redevelopment Agency of the City and County of San Francisco (commonly known as the Office of Community Investment and Infrastructure, herein “**Successor Agency**” or “**OCII**”) is completing the enforceable obligations of the Former Agency with regard to the BVHP and HPS Project Areas, including implementation of the CP/HPS2 Project, under the authority of the CRL as amended by the Dissolution Law, and under San Francisco Ordinance No. 215-12 (Oct. 4, 2012) (establishing the Successor Agency Commission (“**Commission**”) and delegating to it state authority under the Dissolution Law); and,
- WHEREAS, Subsequent to the certification of the FEIR, the Commission, by Resolution No. 01-2014 on January 7, 2014, Resolution No. 13-2016 on March 15, 2016, Resolution No. 11-2018 on April 17, 2018, and Resolution No. 25-2019 on October 15, 2019, approved certain changes to the Project supported by Addendum No. 1, Addendum No. 4, Addendum No. 5, and Addendum No. 6, respectively. Successor Agency staff prepared each addendum in consultation with the San Francisco Planning Department and each addendum became part of the FEIR upon approval of Resolution No. 01-2014, Resolution No. 13-2016, Resolution No. 11-2018, and Resolution No. 25-2019, respectively; and,
- WHEREAS, Addendum No. 1 addressed changes to the schedules for implementation of transportation system improvements in the Transportation Plan, including the Transit Operating Plan, the Infrastructure Plan and other public benefits; and minor proposed revisions in two adopted mitigation measures, TR-16 Widen Harney Way, and UT-2 Auxiliary Water Supply System; and,
- WHEREAS, Addendum No. 4 addressed modifications to the approved Candlestick Point Design for Development, Schedule of Performance, the Candlestick Point Infrastructure Plan, the Candlestick Point Hunters Point Shipyard Phase II Transportation Plan, and proposed revisions to two adopted mitigation measures, TR-16 Widen Harney Way, and TR-23.1 Maintain the Proposed Headways of the 29-Sunset. (Addenda Nos. 2 and 3 analyzed proposed changes to the Project that are no longer being pursued); and,
- WHEREAS, Addendum No. 5 addressed a revised development program for Phase 2 of the HPS Plan Area, including amendments to the HPS Plan and BVHP Plan, a revised Hunters Point Shipyard Phase 2 Design for Development; a Third Amendment to the Disposition and Development Agreement (Candlestick Point and Phase 2 of the Hunters Point Shipyard) (the “**CP/HPS2 DDA**”), and conforming amendments to several of the plans included as attachments to the CP/HPS2 DDA; a Seventh Amendment to the Disposition and Development Agreement (Hunters Point Shipyard Phase 1), and proposed modification to Mitigation Measure TR-23.1, Maintain Proposed Headways of 4 the 29 Sunset, to ensure that transit travel times would be consistent with the FEIR, as well as revisions conforming or updating 16 previously adopted mitigation measures, including MM TR-16 (Widen Harney Way), MM UT-2 (Auxiliary Water Supply System), MM TR-17 (Transit Operating Plan), MM TR-VAR1 (Striping and turn lanes at Crisp and Palou Streets; Griffith

Street Parking), MMNO-2a (Pre-construction Assessment to Minimize Pile Driving Impacts), MM CP-2a (Archaeological Resources at Candlestick Point), MM GE-5a (Geotechnical Investigation for Liquefaction, Lateral Spreading and/or Settlement), MM HY-6a.1 (Regulatory Stormwater Requirements), MM HY-12a.1 (Finished Grade Elevations Above Base Flood Elevation), MM HY-12a.2 (Shoreline Improvements for Future Sea-Level Rise), MM HY-14 (Shoreline Improvements to Reduce Flood Risk), MM BI-19b.1 (Maintenance Dredging Work Windows during Operation of the Marina), MM BI-20a.1 (Lighting for Bird-Safe Buildings), MM BI-20a.2 (Bird-Safe Building Design), MM RE-2 (Phasing of Parkland Construction), MM UT-2 (Auxiliary Water Supply System), and MM GC-2 (Greenhouse Gas Emissions); and,

WHEREAS, Addendum No. 6 addressed modifications to the Candlestick Point Design for Development; an amendment to the approved Major Phase Application for Candlestick Point Major Phase 1 (as Major Phase 1 was delineated in the Major Phase Application) including the transfer of R&D/office uses from HPS2 to Candlestick Center and the internal conversion of certain non-residential uses in Candlestick Center; conforming revisions to the Candlestick Point Infrastructure Plan and CP/HPS2 Transportation Plan, and revisions to the Phasing Plan and Schedule of Performance for Candlestick Point; and modifications to five adopted mitigation measures, MM TR-16 (Widen Harney Way), MM CP-2a (Archaeological Resources at Candlestick Point), MM CP-3a (Paleontological Resources Monitoring and Mitigation Program), MM GE-5a Geotechnical Investigation for Liquefaction, Lateral Spreading and/or Settlement), and MM GC-2 (Greenhouse Gas Emissions); and,

WHEREAS, The Successor Agency now proposes to take several actions facilitating modifications to the CP/HPS2 Project, collectively the “**2024 Actions**,” comprised of amendments (“**Plan Amendments**”) to the HPS Plan and BVHP Plan, a revised Candlestick Point Phase 2 Design for Development; a First Amendment to the Tax Allocation Pledge Agreement. a Fourth Amendment to the Disposition and Development Agreement (Candlestick Point and Phase 2 of the Hunters Point Shipyard) (including all related binding plans and agreements attached to or referenced in the text thereof, the “**CP/HPS2 DDA**”) and conforming amendments to several of the plans included in the CP/HPS2 DDA, including the Development Plan, the Phasing Plan and Schedule of Performance, the Design Review and Document Approval Procedure (“**DRDAP**”), the Below-Market Rate Housing Plan, the Financing Plan, and the Transportation Plan (collectively, the “**Amended Plans**”); and,

WHEREAS, OCII, in consultation with the Planning Department, has prepared Addendum No. 7 to the FEIR, dated August 23, 2024. Addendum No. 7 evaluates the potential environmental effects of the 2024 Actions (referred to in Addendum No. 7 as the 2024 Modified Project Variant); and,

WHEREAS, Addendum No. 7 also recommends modifications to six adopted mitigation measures and the addition of one clarifying implementation measure for the reasons set out in Addendum No. 7 and as explained in Exhibit 1 to this Resolution; and,

WHEREAS, Addendum No. 7, prepared in compliance with CEQA, reflects the independent judgment and analysis of the Successor Agency and concludes that the 2024 Actions are within the scope of the Project analyzed in the FEIR and will not result in any new significant impacts or a substantial increase in the severity of previously identified significant effects that alter the conclusions reached in the FEIR, for the reasons stated in the Addendum No. 7; and,

WHEREAS, In making the necessary findings for the proposed 2024 Actions, OCII considered Addendum 7 and the FEIR, and prepared necessary documents in support of Addendum No. 7, which documents it has made available for review by the Commission and the public, and these files are part of the record before the Commission. Copies of the FEIR, Addendum No. 7, and the supporting documentation to Addendum No. 7, are on file with the Commission Secretary and incorporated in this Resolution by this reference; and,

WHEREAS, Based on the analysis in Addendum No. 7, OCII concludes that the analyses conducted and the conclusions reached in the FEIR on June 3, 2010, remain valid and the proposed 2024 Actions, including the proposed amendments to the mitigation measures as specified above, will not cause new significant impacts not identified in the FEIR, or substantially increase the severity of previously identified significant impacts, and no new mitigation measures will be necessary to reduce significant impacts. Further, as described in Addendum No. 7, no Project changes have occurred, and no changes have occurred with respect to circumstances surrounding the proposed Project that will require major revisions of the FEIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects, and no new information has become available that shows that the Project will cause new or more severe significant environmental impacts. Therefore, no subsequent or supplemental environmental review is required under CEQA beyond Addendum No. 7 to approve the 2024 Actions; and,

RESOLVED, That the Commission has reviewed and considered the FEIR, the CEQA Findings that were previously adopted by the Agency Commission, including the statement of overriding considerations and mitigation monitoring and reporting program, Addendum No. 7, the findings as set forth in Addendum No. 7, the findings related to amendments to adopted mitigation measures set out in Exhibit 1 to this Resolution, and the supporting documentation in OCII's files related to Addendum No. 7. The Commission adopts the CEQA Findings as its own, the Addendum No. 7 findings, the findings in Exhibit 1 to this Resolution, and adopts the amendments to the six mitigation measures as proposed by Addendum No. 7 and identified in Exhibit 1; and be it further

RESOLVED, That Commission finds and determines that the Project as modified by the 2024 Actions is within the scope of the Project analyzed in the FEIR and require no further environmental review beyond the FEIR pursuant to CEQA and the CEQA Guidelines Section 15180, 15162, and 15163 for the following reasons:

- (1) implementation of the 2024 Actions does not require major revisions in the FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,
- (2) no substantial changes have occurred with respect to the circumstances under which the actions analyzed in the FEIR will be undertaken that would require major revisions to the FEIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified in the FEIR; and,
- (3) no new information of substantial importance to the actions analyzed in the FEIR has become available which would indicate that (A) the Project as modified by the 2024 Actions will have significant effects not discussed in the FEIR; (B) significant environmental effects will be substantially more severe; (C) mitigation measures or alternatives found not feasible, which would reduce one or more significant effects, have become feasible; or (D) mitigation measures or alternatives, which are considerably different from those in the FEIR, will substantially reduce one or more significant effects on the environment.

I hereby certify that the foregoing resolution was adopted by the Successor Agency Commission at its meeting of September 3, 2024.

  
\_\_\_\_\_  
Commission Secretary

EXHIBIT 1: 2024 Modified Project Variant CEQA Findings

**EXHIBIT 1**  
**COMMISSION RESOLUTION NO. 22-2024**  
**2024 MODIFIED PROJECT VARIANT CEQA FINDINGS**

**FINDINGS RELATED TO PROPOSED CHANGES TO CP-HPS2 MITIGATION  
MEASURES; IMPLEMENTATION MEASURE**

September 3, 2024

**MM AQ-2.1: Clean Off-Road Construction Equipment.**

**Reason for Changes in Mitigation Measure:** Existing MM AQ-2.1 and MM AQ-2.2 required construction equipment to use USEPA Tier 2 Equipment with California ARB Level 3 VDECS for particulate matter control, immediately for construction at Alice Griffith parcels (MM AQ-2.2) and with a phase-in provision elsewhere (MM AQ-2.1). Because the phase-in period has passed, eliminating the distinction between Alice Griffith and other Project areas, and because recommendations for construction equipment emissions reduction have become more stringent since 2010, all mitigation requirements would be included in a revised MM AQ-2.1, which would apply throughout the Project, and MM AQ-2.2 would be deleted.

~~**Mitigation Measure MM AQ-2.1: Implement Emission Control Device Installation on Construction.** To reduce DPM emissions during Project construction, the Project Applicant shall require construction equipment used for the Project to utilize emission control technology such that 50% of the fleet will meet USEPA Tier 2 standards outfitted with California ARB Level 3 VDECS (Verified Diesel Emission Control Strategies) for particulate matter control (or equivalent) during the first two years of construction activities, increasing to 75% of the fleet in the third year and 100% of the fleet starting in the fourth year and for the duration of the Project.~~

~~**Clean Off-Road Construction Equipment.** The Project Sponsor shall comply with the following:~~

- ~~1. Engine Requirements. All off-road equipment greater than 25 horsepower and operating for more than 20 total hours over the duration of construction shall meet the following requirements:~~
  - ~~a. All portable engines, such as generators, shall be electric. If grid electricity is not available, propane or natural gas generators shall be used if feasible.~~
  - ~~b. Electric engines shall be used for all equipment that is readily available as plug-in or battery-electric equipment, to the maximum extent feasible during each construction phase and activity. Portable equipment shall be powered by grid electricity if available. Electric equipment may include, but is not limited to, concrete/industrial saws, sweepers/scrubbers, aerial lifts, welders, air compressors, fixed cranes, forklifts, and cement and mortar mixers, pressure washers, and pumps.~~

- c. Engines that cannot be electrically powered must meet or exceed either U.S. Environmental Protection Agency or California Air Resources Board (air board) Tier 4 Final off-road emission standards, except as provided for below. Exceptions to the requirement for engines that meet Tier 4 Final emission standards shall include only selected pieces of specialty equipment specified below, for which such engines may not be available at the start of a construction phase requiring that equipment. Exceptions may be granted for certain pieces of equipment; examples include bore/drill rigs required for grading/shoring/excavation and for cranes required for building construction. To qualify for an exception, the Project Applicant shall provide the Environmental Review Officer (ERO) with evidence supporting its conclusion that equipment meeting Tier 4 standards is not commercially available and shall use the next cleanest piece of off-road equipment.
- d. Engines shall be fueled with alternative fuels, including natural gas, propane, hydrogen fuel cell, and electricity, as commercially available and to the maximum extent feasible during each construction phase and activity.
- e. Any other best technology available in the future may be included in the construction emissions minimization plan as substitutions for the above items a–d, provided that the Project Applicant submits documentation to the planning department demonstrating that (1) the technology would result in comparable emissions reductions and (2) it would not increase other pollutant emissions or exacerbate other impacts, such as noise. This may include new alternative fuels or engine technology for off-road equipment (such as electric or hydrogen fuel cell equipment) that is not available as of 2024.
- f. The Project Applicant shall require the idling time for off-road equipment be limited to no more than 2 minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road equipment. Documentation shall be provided to equipment operators in multiple languages (e.g., English, Spanish, Chinese) to remind operators of the 2-minute idling limit. If the majority of the Project Applicant’s construction staff speak a language other than these, then the documentation shall be provided in that language as well.
- g. The Project Applicant shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.

## 2. Waivers.

- a. The ERO may waive the electric engine requirement of above items 1.a and 1.b if electric power is limited or infeasible at the project site. If the ERO grants the waiver, the contractor must submit documentation that the equipment used for onsite power generation meets the requirements of items 1.c and 1.d.
- b. The ERO may waive the equipment requirements of item 1.c if: (1) the contractor does not have the required type of equipment within its current available inventory and has ordered such equipment at least 60 days in

advance and has made a good faith effort to lease or rent such equipment but it is not available; (2) a particular piece of Tier 4 final off-road equipment is technically or financially infeasible; (3) the equipment would not produce desired emissions reduction due to expected operating modes; or (4) there is a compelling emergency need to use off-road equipment that is not Tier 4 Final compliant. If the ERO grants the waiver, the contractor must use the next cleanest piece of off-road equipment that is commercially available, or another alternative that results in comparable reductions of ROG and DPM emissions.

- c. The ERO may waive the alternative fuel requirements of item 1.d if alternative fuels are not commercially available or the use of alternative fuels would negatively affect construction performance, void equipment warranties, or result in additional DPM emissions compared to traditional fuels. For purposes of this mitigation measure, “not commercially available” is defined as either: (1) not being used for other large-scale construction projects in the Bay Area occurring at the same time; (2) not obtainable without significant delays to critical-path timing of construction; or (3) not available within the larger Bay Area region.

The Project Applicant must provide sufficient documentation to the ERO when seeking any waiver described above.

3. Construction Emissions Minimization Plan. Before starting onsite construction activities, the Project Applicant shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the contractor will meet the requirements of item 1.
- a. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include but is not limited to equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, expected fuel type (e.g., diesel, gasoline, electric, propane, natural gas), and hours of operation.
- b. The Project Applicant shall make the Plan available to the public for review onsite during working hours. The contractor shall post a notice summarizing the Plan. The notice shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Project Applicant shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.
4. Reporting. After start of construction activities, the Project Applicant shall submit reports every year to the ERO documenting compliance with the Plan. After completion of construction activities, the Project Applicant shall submit to the ERO a final report summarizing construction activities, including the start and

end dates and duration of each construction phase, and the specific information required in the Plan.

The annual reports shall also include documentation supporting the use of waivers if the engine requirements of items 1.a, 1.b, 1.c, and/or 1.d cannot be met.

Within six months of the completion of construction activities, the Project Applicant shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in item 3.a.

5. Certification Statement and Onsite Requirements. Prior to commencing construction activities, the Project Applicant shall certify that all applicable requirements of the Plan have been incorporated into contract specifications.

### **MM AQ-2.2: Implement Accelerated Emission Control Device Installation on Construction Equipment Used for Alice Griffith Parcels.**

**Reason for Changes in Mitigation Measure:** See explanation for changes in MM AQ-2.1 above.

~~MM AQ-2.2 Implement Accelerated Emission Control Device Installation on Construction Equipment Used for Alice Griffith Parcels. In addition to mitigation measure MM AQ-2.1, in order to minimize the potential impacts to residents living in Alice Griffith from the construction activities in that area, the Project Applicant will require that all construction equipment used in the Alice Griffith parcels (CP01 through CP06) utilize equipment which meets the USEPA Tier 2 standards outfitted with California ARB Level 3 VDECS (Verified Diesel Emission Control Strategies) for particulate matter control (or equivalent) throughout the entire duration of construction activities on those parcels.~~

### **MM AQ-6.1**

**Reason for Addition to Mitigation Measure:** The 2010 EIR's analysis of health impacts of potential TAC emissions from R&D operations included only HPS and distinguished between parcels smaller or larger than one acre. The analysis in Addendum 7 of the same impacts at CP applies current methodology and does not distinguish between parcels smaller or larger than one acre. Accordingly, MM AQ-6.1 would be revised to clarify that it applies only at HPS.

**MM AQ-6.1** If a facility in HPS with sources of TAC emission wishes to locate on a plot size smaller than 1 acre, an analysis will be required to show the facility, in conjunction with all other TAC emitting facilities in the R&D areas, will not cause these thresholds of a residential cancer risk of 10 in one million and a chronic noncancer HI of 1.0 to be exceeded at the nearest residential locations.

## MM AQ 6.2

**Reason for Additions to Mitigation Measure:** See explanation for addition to MM AQ-6.1 above.

**MM AQ-6.2** Each facility in HPS with sources of TAC emissions shall limit its emissions such that residential cancer risk and chronic non-cancer hazard index evaluated at the facility boundary do not exceed 10 in one million or 1.0, respectively. If these thresholds are exceeded at the boundary, an analysis will be required to show the facility, in conjunction with all other TAC emitting facilities in the R&D areas, will not cause these thresholds to be exceeded at the nearest residential locations.

### Addition of AQ-6.3a and 6.3b

**Reason for Supplementation of Mitigation Measure:** The 2024 Modified Project Variant would allow R&D facilities within the proposed CP Innovation District. New analysis of potential health impacts due to any TAC emissions from such facilities was performed for Addendum 7, enabling formulation of more detailed CP-specific mitigation measures.

**MM AQ-6.3a** Each R&D facility with sources of TAC emissions (TAC-emitting R&D facility) that is proposed in the CP Innovation District, which is the area bounded by Ingerson Avenue, Harney Way and Jamestown Avenue, shall be required to show that the facility, in conjunction with all other existing or approved TAC-emitting R&D facilities in the Innovation District, will not cause the thresholds of a residential cancer risk of 10 in one million or a chronic noncancer HI of 1.0 to be exceeded at planned CP residential locations outside the CP Innovation District or any previously approved residential use within the CP Innovation District.

If the analysis based on emissions from TAC-emitting R&D facilities shows health impacts in excess of the significance threshold to residents, health impacts shall be reduced until the TAC-emitting facilities would not cause these thresholds of a residential cancer risk of 10 in one million and a chronic noncancer HI of 1.0 to be exceeded at residential locations. Activities to reduce estimated impacts from a proposed TAC-emitting R&D facility may include, but are not limited to, reducing TAC emissions by reducing solvent use or hours of operation, siting exhaust locations further away from existing or planned residences, implementing additional filtration of TAC emissions, and/or relocating the TAC-emitting facility.

**MM AQ-6.3b** If a residential use is proposed within the CP Innovation District after one or more TAC-emitting R&D facility has been approved, the residential proposal shall be required to show that the TAC-emitting R&D facilities will not cause the thresholds of a residential cancer risk of 10 in one million or a chronic noncancer HI of 1.0 to be exceeded at the proposed residential use.

Activities to reduce estimated impacts when a residential use is proposed may include, but are not limited to, restrictions on emissions from future TAC-emitting R&D facility operations or locations, or relocation of the proposed residential land use.

**MM TR-16 Widen Harney Way as shown in Figures 7A and 7B in the Analysis of Transportation Effects included as Appendix C of Addendum 6.**

**Reason for Changes in Mitigation Measure:** MM TR-16 has been changed to reflect the elimination of Sub-Phase boundaries and the Sub-Phase process. The reference to former Sub-Phase CP-02 in MM TR-16 is replaced with Candlestick Center, which encompasses the area formerly referred to as Sub-Phase CP-02.

**MM TR-16 Widen Harney Way as shown in Figures 7A and 7B in the Analysis of Transportation Effects included as Appendix C of Addendum 6.** The Project Applicant shall widen Harney Way as shown in Figures 7A and 7B in the Transportation Study with the modification to include a two-way cycle track, on the southern portion of the project right-of-way. The portion between Arelious Walker Drive and Executive Park East (Phase 1 A) shall be widened to include a two-way cycle track and two-way BRT lanes, prior to issuance of an occupancy permit for Candlestick ~~Center Sub-phase CP-02~~. The remaining portion, between Thomas Mellon Drive and Executive Park East (Phase 1 B), shall be widened prior to implementation of the planned BRT route which coincides with construction of CP 07, as outlined in the transit improvement implementation schedule identified in Addendum 1, based on the alignment recommendations from an ongoing feasibility study conducted by the San Francisco County Transportation Authority.

Prior to the issuance of grading permits for Candlestick Point Major Phases 2 and 3, the Project Applicant shall fund a study to evaluate traffic conditions on Harney Way and determine whether additional traffic associated with the next phase of development would result in the need to modify Harney Way to its ultimate configuration, as shown in Figures 7A and 7B in the Transportation Study, unless this ultimate configuration has already been built. This study shall be conducted in collaboration with the SFMTA, which would be responsible for making final determinations regarding the ultimate configuration. The ultimate configuration would be linked to intersection performance, and it would be required when study results indicate intersection LOS at one or more of the three signalized intersection on Harney Way at mid-LOS D (i.e., at an average delay per vehicle of more than 45 seconds per vehicle). If the study and SFMTA conclude that reconfiguration would be necessary to accommodate traffic demands associated with the next phase of development, the Project Applicant shall be responsible to fund and complete construction of the improvements prior to occupancy of the next phase.

**MM RE-2 Phasing of parkland with respect to residential and/or employment-generating uses.**

**Reason for Changes in Mitigation Measure:** MM RE-2 has been changed to reflect the elimination of Sub-Phase boundaries and the Sub-Phase process. The reference to sub-phases has been removed from MM RE-2.

**MM RE-2 Phasing of parkland with respect to residential and/or employment-generating uses.** Development of the Project and associated parkland shall ensure that within each phase ~~or sub-phase~~, parks and population increase substantially concurrently and development shall be scheduled such that adequate parkland is constructed and operational when residential and employment-generating uses are occupied. The following standards shall be met:

No project development shall be granted a temporary certificate of occupancy if the City determines that the new population associated with that development would result in a parkland-to-population ratio within the Project site lower than 5.5 acres per 1,000 residents/population, as calculated by the Agency.

For the purposes of this mitigation measure, in order for a park to be considered in the parkland-to-population ratio, the Agency must determine that within 12 months of the issuance of the temporary certificate of occupancy, it will be fully constructed and operational, and, if applicable, operation and maintenance funding will be provided to the Agency.

**Clarifying Implementation Measure:** In addition to the mitigation measure amendments described above, Addendum 7 includes the following to document how Noise Ordinance section 2909, governing noise from fixed-location noise sources, is implemented:

#### **Noise Ordinance Section 2909 Implementation Measure**

At schematic design, the Lead Agency shall require, as a condition of approval, that compliance with Noise Ordinance section 2909 is demonstrated for each building.

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 24-2024

*Adopted September 3, 2024*

**ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE REPORT TO THE BOARD OF SUPERVISORS ON THE AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA; AND AUTHORIZING TRANSMITTAL OF THE REPORT TO THE BOARD OF SUPERVISORS; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA**

- WHEREAS, In furtherance of the objectives of the California Community Redevelopment Law (Health and Safety Code, section 33000 et seq. the “**CRL**”), the Redevelopment Agency of the City and County of San Francisco (the “**Former Agency**”) undertook programs for the reconstruction and construction of blighted areas in the City and County of San Francisco (“**City**”), including the Bayview Hunters Point Redevelopment Project Area (“**BVHP Project Area**”) and the Hunters Point Shipyard Redevelopment Project Area (“**HPS Project Area**”); and,
- WHEREAS, The Board of Supervisors of the City and County of San Francisco (“**Board of Supervisors**”) adopted the Hunters Point Shipyard Redevelopment Plan (“**HPS Plan**”) on July 14, 1997 by Ordinance No. 285-97 and amended the HPS Plan on August 3, 2010 by Ordinance No. 211-10, on June 22, 2017 by Ordinance No. 122-17, and on July 16, 2018 by Ordinance No. 0166-18; and,
- WHEREAS, On May 23, 2006, the Board of Supervisors amended the Bayview Hunters Point Redevelopment Plan (“**BVHP Plan**”) by Ordinance No. 113-06, on August 3, 2010 by Ordinance No. 210-10, on June 22, 2017 by Ordinance No. 123-17, and on July 16, 2018 by Ordinance No. 0167-18; and,
- WHEREAS, On June 3, 2010, the Redevelopment Agency Commission of the City and County of San Francisco took several actions approving (or recommending for approval of) a program of development for approximately 700 acres of land within the BVHP Plan and HPS Plan areas (“**CP/HPS2 Project**”) including a Disposition and Development Agreement (Candlestick Point and Phase 2 of the Hunters Point Shipyard) by and between the Former Agency and CP Development Co., LLC (“**Developer**”); and,
- WHEREAS, Pursuant to California Health and Safety Code §§ 34170 et seq. (the “**Dissolution Law**”), the Former Agency was dissolved as of February 1, 2012; and,
- WHEREAS, The Successor Agency to the Redevelopment Agency of the City and County of San Francisco (commonly known as the Office of Community Investment and Infrastructure, herein “**Successor Agency**” or “**OCII**”) is completing the enforceable obligations of the Former Agency with regard to the HPS Plan and BVHP Plan areas, including implementation of the CP/HPS2 Project, under the

authority of the CRL as amended by the Dissolution Law, and under San Francisco Ordinance No. 215-12 (Oct. 4, 2012) (establishing the Successor Agency Commission (“**Commission**”) and delegating to it state authority under the Dissolution Law); and,

WHEREAS, On September 13, 2023, the Governor signed into law Senate Bill 143 (2023) (“SB 143”) which amended Health & Safety Code section 34177.7 to add subdivision (j) which states that “the limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the redevelopment plans, the time to repay indebtedness, the time for applying tax increment, the number of tax dollars, or any other matters set forth in Section 33333.2 and Section 33492.13 shall not apply” to the Project. SB 143 provides that the applicable time limits for establishing loans, advances, and indebtedness, the effectiveness of the redevelopment plans, the time to repay indebtedness and receive property taxes will be established in the Project agreements. SB 143 further clarified that Redevelopment Dissolution Law does not “limit the receipt and use of property tax revenues generated from the HPS Redevelopment Plan project area or Zone 1 of the BVHP Redevelopment Plan project area” in connection with the Project; and,

WHEREAS, The Successor Agency proposes to adopt amendments to the HPS Plan and the BHVP Plan (“**Plan Amendments**”); and,

WHEREAS, The HPS Plan establishes the land use controls for the HPS Project Area, which consists of two sub-areas, HPS Phase 1 and HPS Phase 2. Proposed amendments to the HPS Plan primarily concern Phase 2 of the HPS Project Area. Proposed amendments to the HPS Plan land use controls consist of the following general changes: (a) allowing the transfer of up to 2,050,000 square feet of research and development and office space from HPS Phase 2 to those portions of BVHP Zone 1 where that use is allowed, subject to Commission approval and any necessary environmental review, with a corresponding reduction in those uses at Phase 2 of the HPS Project Area; and (b) allowing the transfer of residential units from HPS Phase 2 to BVHP Zone 1, subject to Commission approval and any necessary environmental review; and,

WHEREAS, Proposed amendments to the HPS Plan further implement SB 143 and establish the applicable limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the HPS Plan, and the time to repay indebtedness and receive property taxes, in connection with Phase 2 of the HPS Plan as follows: (a) the time limit for establishing loans, advances, and indebtedness in connection with Phase 2 shall be 30 years from the date of conveyance to the master developer all Phase 2 parcel(s) required for the completion of development of the first Major Phase (as defined in that certain Disposition and Development Agreement for the CP-HPS2 Project) located within Phase 2 (defined as the “Initial HPS Transfer Date”) plus an additional 15 years which represents the “Anticipated Navy Delay” as further described below; (b) the time limit for the effectiveness of the HPS Plan for Phase 2 shall be 30 years from the Initial HPS Transfer Date plus an additional 15 years which represents the Anticipated Navy Delay; (c) the time limit to repay

indebtedness and receive property taxes for Phase 2 shall be 45 years from the Initial HPS Transfer Date plus an additional 15 years which represents the Anticipated Navy Delay; and,

WHEREAS, The Navy has recently informed OCII that completion of remediation and conveyance of all portions of the Shipyard Site, excluding Parcel F, to Developer will occur between 2036-2038, including time needed for a Finding of Suitability for Transfer and associated conveyance documentation. Documentation from the Navy relaying these schedule delays are described in correspondence provided to OCII by the Navy, and which are on file with the Commission Secretary. This estimated delay (defined as the Anticipated Navy Delay in the HPS Plan) warrants the additional 15-year extension of the redevelopment timelines referenced above for purposes of redevelopment activities on the Shipyard Site and related tax increment financing; and,

WHEREAS, The Plan Amendment further proposes adjusting the limit on the amount of bonded indebtedness that can be outstanding at one time by combining the existing \$800 million applicable to Candlestick Point and the existing \$900 million limit applicable to the Shipyard Site into a single limit in the amount of \$5.9 billion applicable to both BVHP Zone 1 and Phase 2 of the HPS Project Area. The limits on bonded indebtedness, which have not been adjusted since the approval of the Project in 2010, is necessary to address increases in project costs and inflation that have occurred since 2010 and future increases in project costs and inflation as redevelopment activities within Zone 1 of Project Area B and Phase 2 of the HPS Project Area progress; and,

WHEREAS, The Plan Amendments remain consistent with the development envisioned by the Conceptual Framework (Board of Supervisors Resolution No. 264-07 (May 15, 2007); Agency Commission Resolution No. 40-2007 (May 1, 2007), Proposition G, the Jobs Parks and Housing Initiative (June 2008), and Proposition O, the Hunters Point Shipyard/Candlestick Point Jobs Stimulus Proposition (November 2016); and,

WHEREAS, Pursuant to Section 33457.1 of the CRL, the Successor Agency has prepared a Report to the Board of Supervisors on Amendments to the Hunters Point Shipyard Redevelopment Plan (the “**HPS Report**”) that includes the information required by Section 33352 to the extent warranted by the proposed amendment; and,

WHEREAS, On September 3, 2024, the Commission adopted Resolution No. 22-2024, by which the Commission determined that the Final EIR (therein defined), together with further analysis provided in Addendum No. 1, Addendum No. 4 and Addendum No. 5, and Addendum No. 6, and Addendum No. 7 remain adequate, accurate, and objective and in compliance with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (“**CEQA**”) and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et seq.); and,

WHEREAS, The environmental effects of the Redevelopment Plan Amendment have been analyzed in the environmental documents, which are described in Agency Resolution No. 22-2024. Copies of the environmental documents are on file with the Agency; now, therefore, be it:

RESOLVED, That the Commission hereby finds that the Plan Amendments are included in the actions identified in Resolution No. 22-2024 for purposes of compliance with CEQA; and be it further

RESOLVED, That in Resolution No. 22-2024, adopted on September 3, 2024, the Commission adopted findings that various actions, including the Plan Amendments, were in compliance with CEQA. Said findings are on file with the Commission Secretary and are incorporated herein by reference. Said findings are in furtherance of the actions contemplated in this Resolution and are made part of this Resolution by reference herein; and be it

RESOLVED, That the Commission hereby approves the Report to the Board of Supervisors on Amendments to the HPS Plan, which Report is attached to this Resolution as Exhibit A; and, be it further

RESOLVED, That the Executive Director is hereby authorized to transmit said Report to the Board of Supervisors for its background and information in considering the Plan Amendments.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of September 3, 2024.

  
Commission Secretary

EXHIBIT A: Report to the Board of Supervisors on the Amendments to the Hunters Point Shipyard Redevelopment Plan

**REPORT TO THE BOARD OF SUPERVISORS  
ON THE AMENDMENT TO THE  
HUNTERS POINT SHIPYARD REDEVELOPMENT PLAN**

**Prepared by:**

**The Office of Community Investment and Infrastructure,  
as the Successor Agency to the San Francisco Redevelopment Agency**

**[\_\_\_\_], 2024**

**REPORT TO THE BOARD OF SUPERVISORS  
ON THE AMENDMENT TO THE  
HUNTERS POINT SHIPYARD REDEVELOPMENT PLAN**

**I. INTRODUCTION**

The Successor Agency to the Redevelopment Agency of the City and County of San Francisco, commonly known as the Office of Community Investment and Infrastructure (“Successor Agency” or “OCII”), has prepared this report (“Report”) to the Board of Supervisors of the City and County of San Francisco (“Board of Supervisors”) on an amendment (“Plan Amendment”) to the Hunters Point Shipyard Redevelopment Plan (“HPS Plan”), in accordance with the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) (“CRL”). On September 3, 2024, the Successor Agency Commission, commonly known as the Commission on Community Investment and Infrastructure, (“Commission”) will consider approval of the Plan Amendment and authorization to transmit this report to the Board of Supervisors.

The HPS Plan establishes land use controls for development in the Hunters Point Shipyard Project Area (“HPS Project Area”). The Plan Amendments, which are further described in Section III, are intended to advance the development and revitalization of Phase 2 of the HPS Project Area (also referred to as “Shipyard Site”), which includes the development of the Candlestick Point-Hunters Point Shipyard Phase 2 project (“CP-HPS2 Project” or “Project”), which was approved in 2010. The CP-HPS2 Project will provide up to 10,672 new homes, approximately 32% of which will be affordable, millions of square feet of commercial uses, over 300 acres of parks and open space, and significant jobs and community benefits.

OCII is simultaneously amending the HPS Plan and the Bayview Hunters Point Redevelopment Plan (“BVHP Plan”) to facilitate the development of the CP-HPS2 Project and to ensure the financial and economic feasibility of the CP-HPS2 Project.

As originally conceived, the CP-HPS2 Project was intended to be developed in a cohesive manner where phases of development within portions of Candlestick Point and Phase 2 of the HPS Project Area (also referred to as “Shipyard Site”) would occur simultaneously. While the CP-HPS2 Project has progressed since 2010, there have been challenges that have impeded the timely implementation of the CP-HPS2 Project. Since 2010, the clean-up of the Shipyard Site has faced unprecedented and extraordinary delays due to the fraud committed by the United States Navy’s contractor and the ongoing additional investigation, testing, and remedial activities resulting from such fraud, substantially delaying the overall development of the CP-HPS2 Project. In addition, the initial development program contemplated for the CP-HPS2 Project contemplated a new stadium at the Shipyard Site for the San Francisco 49ers (“49ers”). However, in 2011, the 49ers announced that they would build a new football stadium in the City of Santa Clara, vacating the former stadium located on the Candlestick Site in 2014. The newly vacant 49ers stadium therefore needed to be demolished, which was completed by the end of 2015. Furthermore, in 2012, the State of California dissolved the former Redevelopment Agency of the City and County of San Francisco (“SFRA”). These unique challenges impeded the timely implementation of the Project, and as a result of these delays, Candlestick Point and the Shipyard Site can no longer be developed in concert as originally conceived.

As further detailed in this Report, the purpose of the Plan Amendment is to advance the development of the CP-HPS2 Project and to ensure the financial and economic feasibility of the CP-HPS2 Project by: 1) authorizing the transfer of up to 2,050,000 square feet of commercial uses from Phase 2 of the HPS Project Area to commercially-zoned areas of Zone 1 of the BVHP Project Area with a corresponding reduction in those uses at Phase 2 of the HPS Project Area; 2) clarifying that certain commercial uses currently authorized within the HPS Project Area are also allowed within Zone 1 of Project Area B; 3) implement SB 143 (defined in Section III.D) by extending the limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the BVHP Plan, and the time to repay indebtedness and receive property taxes, in connection with Zone 1 of Project Area B; 4) authorizing property tax increment revenues from Phase 2 of the HPS Project Area and Zone 1 of the BVHP Project Area to be combined to fund costs under the Project agreements; and 5) adjusting the limit on the amount of bonded indebtedness that can be outstanding at one time by establishing a single limit on the amount of bonded indebtedness applicable to both Zone 1 of the BVHP Plan and Phase 2 of the HPS Project Area.

## **II. OVERVIEW OF THE REPORT ON THE PLAN AMENDMENT**

This Report is prepared pursuant to CRL Sections 33457.1 and 33352, which delineate the information that the Successor Agency must provide to the Board of Supervisors for its consideration of an amendment to a redevelopment plan. The Report is an integral step in the process to consider the proposed Plan Amendment and is a public document designed to provide comprehensive information the Board of Supervisors must consider when determining whether or not to adopt the Plan Amendment.

The contents of this Report provide the information required for redevelopment plan amendment “to the extent warranted” by the proposed amendment pursuant to Health & Safety Code Section 33457.1. The contents of this Report, as described below, are consistent with the CRL, and include the following:

- Description of the Plan Amendment;
- Reason for the Plan Amendment (subsection (a) of Section 33352 of the CRL);
- Description of how the Plan Amendment will improve or alleviate blighting conditions (subsection (b) of Section 33352 of the CRL);
- Proposed method of financing the redevelopment of the Project Area as applicable to the Plan Amendment (subsection (e) of Section 33352 of the CRL);
- Discussion of the Planning Commission’s forthcoming report and recommendation regarding conformity of the Plan Amendment to the General Plan, as required (subsection (h) of Section 33352 of the CRL and Section 4.105 of the San Francisco Charter);
- Consultation with the community;

- Report on the environmental review required by Section 21151 of the Public Resources Code as applicable to the Plan Amendment (subsection (k) of Section 33352 of the CRL); and
- The neighborhood impact report (subsection (m) of Section 33352 of the CRL).

### **III. DESCRIPTION OF THE PLAN AMENDMENT**

#### **A. Background**

On July 14, 1997, the Board of Supervisors adopted the Hunters Point Shipyard Redevelopment Plan (“HPS Plan”) by Ordinance No. 285-97 and amended the HPS Plan on August 3, 2010, by Ordinance No. 211-10 and on June 22, 2017, by Ordinance No. 122-17. The HPS Plan calls for redevelopment of United States Navy lands constituting the former Hunters Point Naval Shipyard, proceeding on a multi-phased timeframe determined by the Navy’s environmental remediation and ultimate transfer of remediated land to the Redevelopment Agency of the City and County of San Francisco.

In 2010, the Former Redevelopment Agency of the City and County of San Francisco (“Former Agency”) and the City and County of San Francisco (“City”) undertook a series of actions to approve the development of Phase 2 as part of a 702-acre development project—the “CP-HPS2 Project”—that includes both HPS Phase 2 and Candlestick Point. Within Phase 2 of the HPS Project Area, the CP-HPS2 Project proposed two development alternatives, primarily distinguished by the presence or absence of a football stadium. Subsequent to the 2010 actions, the San Francisco 49ers football team elected to construct a new football stadium outside of San Francisco, and as a result, the Successor Agency and CP Development Co. LLC, the master developer of the CP-HPS2 Project (“Developer”), have focused on implementation of the non-stadium development alternative.

#### **B. CP-HPS2 Project**

The SFRA and the Developer entered into the Disposition and Development Agreement for the Candlestick Point-Hunters Point Shipyard Phase 2 Project, as amended by the First Amendment to DDA, dated as of December 19, 2012, as amended by the Second Amendment to DDA, dated as of December 1, 2014, and as amended by the Third Amendment to DDA, dated as of August 10, 2018 (collectively, including all attached and incorporated exhibits and as amended from time to time, the “DDA”). Following the Project’s approval in 2010, the State of California enacted legislation in 2011 that dissolved redevelopment agencies in the State, including the SFRA.

Redevelopment Dissolution Law became effective on February 1, 2012. The Oversight Board and California Department of Finance have recognized and approved the DDA and the Original Pledge Agreement as enforceable obligations that survived redevelopment dissolution, and approved recognized obligation payment schedules that include various obligations and commitments relating to these enforceable obligations.

The Project's initial development program included a new stadium at the Shipyard Site for the San Francisco 49ers. In 2014, the 49ers moved to a new stadium in the City of Santa Clara and the Developer proceeded with the Project under the Project's non-stadium alternative. In 2015, the Developer completed the demolition of the former 49ers' stadium, and the City transferred the land to the Developer. From 2014 to 2016, the Developer performed groundwork and utility work around Candlestick Center (neighborhood located within the southwest quadrant of Candlestick Site) to facilitate additional development within the area.

The Developer has funded over \$116 million of community benefits and investment associated with the development program, which includes contributions to the Southeast Health Center, scholarship funds, and infrastructure and housing investments for the new Alice Griffith development. In 2019, the Developer delivered infrastructure related to the development of 337 units as part of the Alice Griffith Replacement Project, including 226 Alice Griffith Replacement Units and 111 Agency Affordable Units.

Commencing in May 2018, the Excusable Delay provisions of the DDA became applicable to all dates in the Schedule of Performance for the Shipyard Site because of ongoing Navy parcel transfer delays that were not in the control of the Developer. As a result, all dates in the Schedule of Performance for the Shipyard Site are no longer applicable given the severity of the ongoing delays.

### **C. Prior Plan Amendments**

Following the approval of the CP-HPS2 Project in 2010, the Board of Supervisors approved amendments to the HPS Plan on June 22, 2017, by Ordinance No. 122-17.

On July 16, 2018, the Board of Supervisors approved amendments to the HPS Plan by Ordinance No. 0166-18.

These amendments in 2017 and 2018 amended the land use regulations of the HPS Plan to facilitate the development of the CP-HPS2 Project in a manner that best responds to market demands, maximizes economic development and employment generation within Candlestick Point and the surrounding community, consistent with the objectives of the BVHP Plan and HPS Plan.

### **D. Senate Bill 143**

On September 13, 2023, the Governor signed Senate Bill 143 (2023) (codified at Section 34177.7(j) of the California Health and Safety Code) ("SB 143") into law. SB 143 amends Health & Safety Code section 34177.7 to add subdivision (j), which states that "the limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the redevelopment plans, the time to repay indebtedness, the time for applying tax increment, the number of tax dollars, or any other matters set forth in Section 33333.2 and Section 33492.13 shall not apply" to the CP-HPS2 Project. SB 143 provides that the applicable time limits referenced in the preceding sentence will be established in the CP-HPS2 Project agreements, including the DDA. SB 143 further clarified that Redevelopment Dissolution Law does not "limit the receipt and use of property tax revenues generated from the HPS Redevelopment Plan

project area or Zone 1 of the BVHP Redevelopment Plan project area” in connection with the CP-HPS2 Project.

### **E. 2024 Plan Amendment**

The primary purpose of the Plan Amendment is to facilitate the successful implementation of the CP-HPS2 Project and realize the CP-HPS2 Project’s vision of bringing significant housing, jobs, and community benefits to Candlestick Point and the Shipyard Site. As with the adoption of the 2010 Plan Amendment, the fundamental purpose of the Plan Amendment is to provide the Successor Agency with the necessary financial and legal resources and tools to complete the needed program of redevelopment in Phase 2 of the HPS Project Area in order to:

- Eliminate the significant blight identified in Project Area B;
- Facilitate the economic development of Project Area B including the provision of additional job opportunities for local residents;
- Provide additional quality affordable housing for residents of the Bayview and the entire community;
- Implement the objectives of voter-approved Proposition G.

Specifically, the Plan Amendment would, if adopted:

#### Land Use and Development Program Modifications

- Allow the transfer of up to 2,050,000 square feet of research and development and office space from Phase 2 of the HPS Project Area to commercially-zoned areas of Zone 1 of the BVHP Project Area, subject to Commission approval and any necessary environmental review. There would be a corresponding reduction in those uses at Phase 2 of the HPS Project Area.
- Allow the transfer of residential units from Phase 2 of the HPS Project Area to Zone 1 of Project Area B, subject to Commission approval and any necessary environmental review.

#### Redevelopment Plan Time Limits

Implement SB 143 by establishing the applicable limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the HPS Plan, and the time to repay indebtedness and receive property taxes, in connection with Phase 2 of the HPS Project Area as follows:

- **Time Limit to Incur Debt.** Establish that the time limit for establishing loans, advances, and indebtedness in connection with Phase 2 of the HPS Project Area shall be a) 30 years from the date of conveyance to the Developer all Phase 2 parcel(s) required for the completion of development of the first Major Phase (as defined in that certain Disposition and Development Agreement for the CP-HPS2 Project) located within Phase 2 (“Initial HPS Transfer Date”), b) plus an additional fifteen (15) years, which represents the “Anticipated Navy Delay”. The

“Anticipated Navy Delay” is the estimated delay, based on documentation from the Navy, that completion of remediation and conveyance of all portions of Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area, excluding Parcel F, to the master developer of the CP HPS2 project will occur in 2036-2038, including time needed for issuance of a Finding of Suitability for Transfer and associated conveyance documentation. This Anticipated Navy Delay warrants an additional 15-year extension of the redevelopment timelines for purposes of those redevelopment activities on Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area and related tax increment financing.

- **Effectiveness of the Plan.** Establish that the time limit for the effectiveness of the HPS Plan for Phase 2 of the HPS Project Area shall be a) 30 years from the Initial HPS Transfer Date, b) plus an additional fifteen (15) years which represents the Anticipated Navy Delay.
- **Repayment of Debt/Receive Property Taxes.** Establish that the time limit to repay indebtedness and receive property taxes for Phase 2 of the HPS Project Area shall be a) 45 years from the Initial HPS Transfer Date, b) plus fifteen (15) years which represents the Anticipated Navy Delay.

Increase in Indebtedness Limit

- Consistent with SB 143’s authorization for tax increment revenues to flow between Phase 2 of the HPS Project Area and Zone 1 of Project Area B, the Plan Amendments also adjust the limit on the amount of bonded indebtedness that can be outstanding at one time by establishing a single limit on the amount of bonded indebtedness applicable to both Zone 1 of the BVHP Plan and Phase 2 of the HPS Project Area. The Plan Amendment establishes that the aggregate total amount of bonded indebtedness of OCII to be repaid from the allocation of taxes to OCII for both Zone 1 of Project Area B and Phase 2 of the HPS Project Area that can be outstanding at one time may not exceed \$5.9 billion.

Table 1 summarizes the current and proposed time and fiscal limits.

**Table 1  
Summary of Existing and Proposed Time and Fiscal Limits  
Hunters Point Shipyard Redevelopment Project Area**

	<b>Current</b>	<b>Proposed</b>
<b>Time Limits (Phase 2 of HPS Project Area)</b>		
Incurring Debt	20 years after first \$100,000 in increment received (2033)	30 years from the date of conveyance to the Developer of all Phase 2 parcel(s) required for the completion of development of the first Major Phase located within Phase 2 (“Initial HPS Transfer Date”) plus 15 years which represents the Anticipated Navy Delay

Plan Effectiveness	30 years from the date the SF Controller certifies as the final day of the first fiscal year in which \$100,000 or more of tax increment from the Project Area are paid to the Agency  (2043)	30 years from Initial HPS Transfer Date plus 15 years which represents the Anticipated Navy Delay
Repay Indebtedness and Receive Property Taxes	45 years after first \$100,000 increment received  (2058)	45 years from the Initial HPS Transfer Date plus 15 years which represents the Anticipated Navy Delay
<b>Fiscal Limit</b>		
Limit on Bonded Indebtedness	\$900 million	\$5.9 billion (combined limit on bonded indebtedness for Zone 1 of Project Area B and Phase 2 of HPS Project Area)

The proposed amendments to the time limits described above and the limit on the amount of bonded indebtedness will also be set forth in applicable Project agreements, including the DDA, which the Oversight Board of the City and County of San Francisco and Department of Finance will have the opportunity to review and approve on [\_\_\_\_], 2024 and which the Department of Finance reviewed and approved on [ ], 2024.

**IV. DESCRIPTION OF AGENCY’S REDEVELOPMENT PROGRAM**

The proposed Plan Amendment is intended to support the Agency’s Redevelopment Program (Agency’s Affordable Housing Program and Non-Housing Redevelopment Program) within Phase 2 of the HPS Project Area and to enable the Agency to continue meeting its redevelopment mission in the City. The presence of blighting conditions in the Project Area warrants continued redevelopment activities and the Agency’s Redevelopment Program is organized broadly into two categories that reflect the division of tax increment revenues into funds that can be used specifically for the Agency’s affordable housing efforts and all other development and redevelopment activities. The CP-HPS2 Project, which includes redevelopment activities in Zone 1 of BVHP Project Area B and Phase 2 of the HPS Project Area will alleviate blight in the Project Area and stimulate additional economic development, community enhancements, and affordable housing opportunities in the Bayview.

**V. REASONS FOR PLAN AMENDMENTS**

*Every redevelopment plan submitted by the agency to the legislative body shall be accompanied by a report containing all of the following:*

(a) *The reasons for the selection of the project area, a description of the specific projects then proposed by the agency, a description of how these projects will improve or alleviate the conditions described in subdivision (b).*

**A. Introduction**

CRL Sections 33352(a) and 33457.1 require that to the extent necessary, the Report include the reasons for selecting a redevelopment project area. As Phase 2 of the HPS Project Area was previously selected and established, and the Plan Amendment does not propose the addition of any new territory, the summary of the reasons the Project Area was selected and established are set forth in the Report to the Board of Supervisors for the 2010 Plan Amendment and remain unchanged in connection with the Plan Amendments.

**B. Reasons for 2024 Plan Amendments**

The Plan Amendments provide the mechanisms to facilitate and finance the development of the CP-HPS2 Project in Candlestick Point. Many of the blighting conditions identified in Project Area B in the Report to the Board of Supervisors for the 2010 Plan Amendment remain. Without the Plan Amendments, which are further described below, the redevelopment activities proposed for Candlestick Point in connection with the CP-HPS2 Project would not be feasible.

**1. Amendment to Redevelopment Plan Time Limits**

**a. Without the Plan Amendments the Existing Statutory Time Limits Will Expire Starting in 2033**

The HPS Plan currently establishes the following time limits: 1) a 30-year time limit on the effectiveness of the HPS Plan; 2) a 20-year time limit on establishing loans, advances and indebtedness; and 3) a 45-year time limit to repay indebtedness. The DDA and Tax Allocation Agreement, both enforceable obligations, specifically refer to and implement certain of these time limits. As shown in Table 1 above, certain of these time limits are quickly approaching, with the earliest time limit – the time limit for establishing loans, advances, and indebtedness – set to expire in 2033.

Since 2010, the clean-up of the Hunters Point Shipyard site has faced unprecedented delays due to the ongoing investigation, re-testing, and litigation related to the fraudulent work by the Navy’s contractor. When the Project was approved in 2010, the Navy was anticipated to complete the environmental remediation in 2015. Since that time, the Navy’s completion of the environmental remediation of the Shipyard property has been further delayed. The Navy has recently informed the Successor Agency that completion of remediation and conveyance of all portions of the Shipyard Site, excluding Parcel F, will occur between 2036-2038, including time needed for a Finding of Suitability for Transfer and associated conveyance documentation. Documentation from the Navy relaying these schedule delays are described in correspondence provided to OCII by the Navy. These Navy delays have impeded the timely implementation of the CP-HPS2 Project, adversely impacting the Developer’s redevelopment activities on both Candlestick Point and the Shipyard Site and substantially delaying the overall CP-HPS2 Project. Given the significant delays facing the CP-HPS2 Project, imposing the statutory time limits described above means that the amount of tax increment financing that the Successor Agency

can receive will be severely impacted, and would imperil the viability and financial feasibility of the CP-HPS2 Project. Specifically, given the extraordinary delays facing the CP-HPS2 Project caused by the fraud committed by the Navy’s contractor, the Developer and Successor Agency would not be able to complete all project activities within Phase 2 of the HPS Project Area by 2043. In addition, the expiration of the 20-year time limit on establishing loans, advances and indebtedness in 2033 would prevent the Successor Agency from entering into new bonded indebtedness that would be necessary to carry out its redevelopment activities within Phase 2 of the HPS Project Area.

Without extending the time limit on establishing loans, advances, and indebtedness for the Successor Agency to access tax increment financing and associated bonding capacity, the cost of the CP-HPS2 Project’s infrastructure, park and open space development, and community benefits will far exceed projected revenues. The extension of the time limits as proposed by the Plan Amendments are therefore critical to ensuring there are adequate funding sources to finance the construction of public infrastructure, parks and open space, and other community benefits contemplated by the CP-HPS2 Project.

**b. Plan Amendments Implement SB 143**

Recognizing the significant adverse impact of the expiration of the above-referenced time limits, the State Legislature adopted, and the Governor signed into law, SB 143, which amended Health & Safety Code section 34177.7 to add subdivision (j), which states that “the limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the redevelopment plans, the time to repay indebtedness, the time for applying tax increment, the number of tax dollars, or any other matters set forth in Section 33333.2 and Section 33492.13 shall not apply” to the CP-HPS2 Project. Accordingly, the 30-year time limit on the effectiveness of the HPS Plan; the 20-year time limit on establishing loans, advances and indebtedness; and the 45-year time limit to repay indebtedness and receive property taxes, do not apply to Phase 2 of the HPS Project Area.

Consistent with SB 143, the Plan Amendments include the following amended time limits which are set forth in the CP-HPS2 Project agreements:

	<b>Current</b>	<b>Proposed</b>
<b>Time Limits (Phase 2 of HPS Project Area)</b>		
Incurring Debt	20 years after first \$100,000 in increment received (2033)	30 years from the date of conveyance to the Developer of all Phase 2 parcel(s) required for the completion of development of the first Major Phase located within Phase 2 (“Initial HPS Transfer Date”) plus 15 years which represents the Anticipated Navy Delay
Plan Effectiveness	30 years from the date the SF Controller certifies as the final day of the first	30 years from Initial HPS Transfer Date plus 15 years

	fiscal year in which \$100,000 or more of tax increment from the Project Area are paid to the Agency  (2043)	which represents the Anticipated Navy Delay
Repay Indebtedness and Receive Property Taxes	45 years after first \$100,000 increment received  (2058)	45 years from the Initial HPS Transfer Date plus 15 years which represents the Anticipated Navy Delay

**c. Plan Amendments Advance CP-HPS2 Financing Plan Funding Goals**

The Plan Amendments advance the Funding Goals identified in the Financing Plan for the CP-HPS2 Project. In particular, the Plan Amendments further the Financing Plan’s Funding Goals of maximizing funding sources available to finance Qualified Project Costs, community benefits, and affordable housing.

The Financing Plan, which was approved in 2010 for the CP-HPS2 Project, identified Funding Goals for the CP-HPS2 Project which included promoting “financial self-sufficiency in the development of the Project by encouraging substantial private capital investment, contributing public land in the Project Site to facilitate the provision of public benefits of the Project, and using Funding Sources to finance Qualified Project Costs[.]” The Funding Sources identified in the Financing Plan include tax increment financing. The CP-HPS2 Project is financially infeasible without public financing through tax increment financing. The extension of the time limits proposed by the Plan Amendments for incurring debt and repaying indebtedness and receiving property taxes is necessary to ensure there is sufficient time to access tax increment financing in order to finance Qualified Project Costs and other costs necessary to complete the enforceable obligations of the CP-HPS2 project, including Agency Affordable Housing Costs and Agency Costs (as defined in the DDA) of the CP-HPS2 Project. In addition, the extension of the time limit for the effectiveness of the HPS Plan is needed to ensure that the Successor Agency retains land use authority within Phase 2 of the HPS Project Area during the buildout of the CP-HPS2 Project.

As set forth in Table 1 above, solely for the purpose of using property tax revenues generated from Zone 1 of the Project Area to fund Qualified Project Costs and other costs necessary to complete the enforceable obligations of the CP-HPS2 project, including Agency Affordable Housing Costs and Agency Costs in Phase 2 of the HPS Project Area, the time limits include an additional 15 years for Anticipated Navy Delay. The additional 15-years provided for the Anticipated Navy Delay is consistent with the Project’s Funding Goals for the following reasons:

- 30-year bonds are the most effective and cost-efficient financing tools – and are most consistent with the Project’s adopted “Funding Goals” as reflected in the Financing Plan.

- For 30-year bonds secured by Candlestick Point tax increment financing to remain available to finance 2054 development activities at the Shipyard Site, it is necessary for repayment of Shipyard indebtedness through Candlestick Point tax increment financing to be authorized through 2084, or 60 years (45 plus 15) from the 2024 Plan Amendment Date.
- Reliance on 15-year bonds instead of 30-year bonds, which would be required absent the additional 15 years for Anticipated Navy Delay, would result in a nearly 45% reduction in bonded amounts, as shown below:

	Full	Reduced	Change
Bond Term	30 Yrs	15 Yrs	-15 Yrs
Rate	5.50%	5.50%	0%
Payment	\$1	\$1	\$0
Bond PV	\$14.53	\$10.04	-44.8%

- Shorter 15-year bond terms, as would be required absent the additional 15 years for Anticipated Navy Delay, do not merely affect the Developer’s delivery of Project infrastructure, parks, and community benefits, it would also negatively impact the Agency’s ability to maximize leverage of its 20% affordable housing set-aside.
- Making 30-year bond instruments unavailable to the final stages of development would be inconsistent with the Funding Goals adopted by the Agency when the Project was originally approved. Those Funding Goals include:
  - To “maximize Funding Source available to finance Qualified Project Costs by among other things, to the extent reasonably feasible and consistent with this Financing Plan, using tax-exempt debt...” (Section 1.1(a)(iii);
  - To “promote financial self-sufficiency in the development of the Project by encouraging substantial private capital investment . . . ”
- Ensuring availability of 30-year bonds in the final stages of development encourages private investment by demonstrating a robust set of public financing tools.

**d. Navy Delays Require Extended Timelines**

The extraordinary Navy delays at the Shipyard Site and the substantial cost increases during the period of delay have resulted in significantly increased CP-HPS2 Project costs overall, which has deepened the need for cross-funding and lengthier timelines for recovery of Qualified Project Costs.

While the redevelopment timelines would be extended, the Project’s Fiscal Impact Analysis demonstrates that Candlestick Point, upon its build-out, will generate a net surplus in revenues from other taxes (sales tax, etc.) of \$23.3M per year, which will flow to the City’s General Fund.

**e. Plan Amendments Bridge the Gap Between Revenues and Costs**

While it may be possible legally to further increase Community Facilities District (“CFD”) rates on existing and future CP-HPS2 residents (up to the very maximum allowed under the City’s code), such increases would not be competitive with other comparable projects and would therefore make development parcels in the CP-HPS2 Project unmarketable. Increased CFD rates also would overburden Bayview residents and would still be far inadequate to make up for the currently projected shortfall between Project revenues and costs.

Tax increment financing has always been essential to the financial viability of the CP-HPS2 Project. The time extensions described above – which ensure availability of tax increment financing to pay for affordable housing, community benefits, and Qualified Project Costs – are therefore essential for the Project to achieve goals and objectives of both the HPS Plan and the City’s 2022 Housing Element. In addition, extended timelines protecting tax increment financing availability will accelerate development of the Shipyard Site, which will result in earlier and greater tax revenues to the taxing entities as well as earlier funding for affordable housing.

**2. Amendment to Limit on Bonded Indebtedness**

The Plan Amendment will adjust the limit on the amount of bonded indebtedness that can be outstanding at one time by establishing a single limit on the amount of bonded indebtedness applicable to both Zone 1 of Project Area B and Phase 2 of the HPS Project Area. The adjusted single limit on bonded indebtedness proposed by the Plan Amendment is \$5.9 billion. Of this combined single limit on bonded indebtedness, it is estimated that approximately \$3.3 billion in bonded indebtedness may be required for Zone 1 of Project Area B and up to \$2.6 billion in bonded indebtedness may be required for Phase 2 of the HPS Project Area. These estimates are informational and shall not operate as limits upon bonded indebtedness within Zone 1 of Project Area B and Phase 2 of the HPS Project Area, respectively.

In 2010, the aggregate total limit on bonded indebtedness between Candlestick Point and the Shipyard Site was \$1.7 billion, with the limit set at \$800 million at Candlestick Point and \$900 million at the Shipyard Site. The limits on bonded indebtedness have not been adjusted since the Project’s approval in 2010. Therefore, while the costs related to the construction of residential and commercial property have increased significantly since the Project’s approval in 2010, the limit on bonded indebtedness has not been adjusted to reflect the significant increases in project costs and inflation over the past fourteen years.

The proposed Plan Amendment to establish a single limit on bonded indebtedness is necessary to address increases in project costs and inflation since 2010, and to reflect projected future increases in project costs and inflation as redevelopment activities within Zone 1 of Project Area

B and Phase 2 of the HPS Project Area progress over the life of the Redevelopment Plan as reflected in the proposed Plan Amendments.

Establishing a single limit on bonded indebtedness is also consistent with SB 143's authorization for tax increment revenues to flow between Phase 2 of the HPS Project Area and Zone 1 of Project Area B. Further, as detailed in this Report, the remaining adverse conditions in Phase 2 of the HPS Project Area are substantial and prevalent and continue to represent a significant burden on the community that cannot be eliminated under the current \$900 million limit. To maintain the Successor Agency's ability to alleviate blight and promote economic growth in Hunters Point Shipyard, including facilitating the development of the CP-HPS2 Project, an increase in the limit on bonded indebtedness for both Project Areas in the amount of \$5.9 billion is needed.

The method for calculating the adjusted limit of bonded indebtedness is further described in Section VII and summarized in Exhibit B and Exhibit C.

### **3. Land Use and Development Program Amendments**

The Plan Amendments would authorize the transfer of up to 2,050,000 square feet of commercial uses from Phase 2 of the HPS Project Area to Candlestick Point, subject to Commission approval and any necessary environmental review. In addition, the Plan Amendments would allow the transfer of residential units from Phase 2 of the HPS Project Area to Zone 1 of Project Area B, subject to Commission approval and any necessary environmental review.

These Plan Amendments support redevelopment of the Shipyard Site in a manner that responds to changes in market conditions to provide for economically feasible development. The Plan Amendment will maximize the potential for long-term economically successful development within the Shipyard Site.

The following objectives and goals, as described in Section II of the HPS Plan would be further advanced by the adoption of the Plan Amendment:

- Foster employment, business, and entrepreneurial opportunities in the rehabilitation, construction, operations and maintenance of facilities in the Project Area.
- Stimulate and attract private investments, thereby improving the City's economic health, tax base, and employment opportunities.
- Provide for the development of economically vibrant and environmentally sound districts for mixed use; cultural, educational and arts activities; research, industrial and training activities; and housing.
- Provide public parks, open space, and other community facilities.
- Provide for infrastructure improvements, including: streets and transportation facilities, open space and recreation areas; and utilities for water, sewer, gas and electricity.

- Provide sufficient flexibility in the development of real property within the Project Area to respond readily and appropriately to market conditions.

**VI. DESCRIPTION OF HOW THE PLAN AMENDMENT WILL IMPROVE OR ALLEVIATE BLIGHT**

*Every redevelopment plan submitted by the agency to the legislative body shall be accompanied by a report containing all of the following:*

*(b) A description of the physical and economic conditions specified in Section 33031 that exist in the area that cause the project area to be blighted. The description shall include a list of the physical and economic conditions described in Section 33031 that exist within the project area and a map showing where in the project the conditions exist. The description shall contain specific, quantifiable evidence that documents both of the following:*

*(1) The physical and economic conditions specified in Section 33031.*

*(2) That the described physical and economic conditions are so prevalent and substantial that, collectively, they seriously harm the entire project area.*

The physical and economic conditions of blight existing at the time of adoption of the 2010 HPS Plan Amendment remain substantially the same. The HPS Project Area is characterized by adverse physical conditions including buildings in which it is unsafe or unhealthy for persons to live or work, and the existence of factors that prevent or substantially hinder the economically viable reuse of buildings and areas. Adverse economic conditions include depreciated and stagnant property values, properties containing hazardous wastes, abnormally high business vacancies, abandoned buildings, and excessive vacant lots within an area formerly used as a military base.

The Plan Amendment will continue to improve or alleviate the adverse conditions in the HPS Project Area through the development of under-utilized land, economic development activities, community enhancement efforts, affordable housing activities, and the delivery of public parks and open space. As detailed in this Report, the Plan Amendments will further improve or alleviate the adverse conditions in Phase 2 of the HPS Project Area by establishing CP-HPS2 Project-specific time limits for establishing loans, advances, and indebtedness, the effectiveness of the HPS Plan, and the time to repay indebtedness and receive property taxes, in connection with Phase 2 of the HPS Project Area. As discussed in Section V, the extension of these time limits is required in light of the extraordinary Navy delays which have impacted the timely implementation of the Project, and to protect the financial feasibility of the CP-HPS2 Project which rely on tax increment financing to fund Qualified Project Costs.

*(d) An explanation of why the elimination of blight and the redevelopment of the project area cannot reasonably be expected to be accomplished by private enterprise acting alone or by the legislative body's use of financing alternatives other than tax increment financing.*

The elimination of blight cannot be borne solely by the private sector and private funds. The private sector's ability to alleviate blight is limited by the same factors that were identified in the Report to the Board of Supervisors for the 2010 Plan Amendment.

As set forth in the Financing Plan for the CP-HPS2 Project, the financial feasibility of the CP-HPS2 Project requires various public Funding Sources. Section VII describes the need for the increased bonded indebtedness cap proposed in the Plan Amendment in order to fund the redevelopment of Phase 2 of the HPS Project Area to alleviate the remaining adverse physical and economic conditions in the Project Area.

## **VII. PROPOSED METHOD OF FINANCING AND FEASIBILITY OF PLAN AMENDMENT**

*(e) The proposed method of financing the redevelopment of the project area in sufficient detail so that the legislative body may determine the economic feasibility of the plan.*

This Section explains why tax increment financing is the primary source of funding and why the Plan Amendment to increase the limit on bonded indebtedness is necessary to accomplish and complete the goals set forth in the HPS Plan and to alleviate the remaining blight in the Project Area. As summarized in Section V, blighting conditions in the Project Area continue to be substantial and require tax increment in order to be alleviated.

### **1. Potential Funding Sources**

The proposed Plan Amendment authorizes the Agency to finance its Redevelopment Program using all available funding sources, including local, state and federal sources, and the Agency will make every effort to obtain alternative funding sources as a means to accelerate its Redevelopment Program. However, tax increment financing is the most reliable source of long-term funding available to the Agency.

This section describes funding sources that will likely be available to assist in financing the Agency's Redevelopment Program, which primarily includes the CP-HPS2 Project in Zone 1 of BVHP Project Area B. Some sources described below may generate more funds than estimated, while other sources may generate less. On balance, the estimates of alternative revenues provide an initial assessment of funding availability to determine the need for tax increment revenue to fill the funding gap in the Agency's Redevelopment Program costs.

Tax increment, CFDs, and developer participation are the sources of funding that are most likely to be available to provide funding for the Agency's Redevelopment Program, while private capital will provide funding for upfront costs and initial expenses in order to get the program started. Secondary funding sources are less likely to be available. Complementary sources would not provide direct funding for the Agency's Redevelopment Program. However, they could be used for economic development, business support and expansion, neighborhood improvements, and community enhancement, which would enhance the effectiveness of the Agency's Redevelopment Program.

#### **a. Primary Funding Sources**

The primary sources of funding that are expected to generate substantial revenues to finance the Agency's Redevelopment Program are tax increment, CFDs, and developer participation and will provide the backbone of funding for the CP-HPS2 Project.

### Tax Increment Financing

Tax increment revenue generated by the increase in property values within Phase 2 of the HPS Project Area will continue to be one of three primary sources of funding to support the completion of the CP-HPS2 Project. Section VII.3 details the Agency's projection of tax increment resources that will be available to finance its redevelopment activities in Zone 1 of Project Area B and Phase 2 of the HPS Project Area.

### Mello Roos Act

A common method for imposing special taxes in California is through a special tax levied pursuant to the Mello-Roos Community Facilities Act of 1982 (the Mello-Roos Act), which authorizes certain public entities to form a Community Facilities District (CFD). The Mello-Roos Act authorizes the formation of a special tax district to finance capital improvement projects and pay for certain services. Revenues generated through the formation of a CFD are expected to provide significant funding for the redevelopment of Candlestick Point and will be key to the timely implementation of infrastructure improvements necessary for further development.

### Developer Participation

Developer participation has been used to help fund redevelopment activities in many communities. The DDA for the CP-HPS2 Project includes a Financing Plan that describes the Developer Return in connection with the CP-HPS2 Project.

## **b. Secondary Funding Sources**

While less significant or less likely to be available than primary funding sources, secondary sources, such as federal, state, and other local funds have helped, and are anticipated to help the Agency in meeting its redevelopment goals and objectives. The level of funding provided by these funding sources will not be sufficient to fully fund the cost of redevelopment activities. Furthermore, many grant programs offer one-time funding allocations and are not a reliable source of funding for future years.

## **2. Tax Increment Projections and Plan Amendments**

The HPS Plan currently imposes specific time and fiscal limits that will affect the amount of tax increment revenue the Agency can receive, as follows:

- **Time Limit to Incur Debt.** The Agency's ability to enter into new bonded indebtedness is limited to 20 years after the first \$100,000 in increment is received.
- **Time Limit to Carry Out Projects.** The Agency must complete all project activities within 30 years after the first \$100,000 in increment is received.

- **Time Limit to Receive Tax Increment and Repay Debt.** The Agency can collect tax increment for 45 years after the first \$100,000 in increment is received.
- **Limit on Amount of Outstanding Bonded Indebtedness.** The Redevelopment Plan currently includes a limit of \$900 million on the total amount of outstanding bonded indebtedness secured by tax increment revenue.

Table 1 presents the current limits and the proposed changes to the redevelopment plan time limits and bond limit. As authorized by SB 143, the Plan Amendment will extend the time limits to incur debt, plan effectiveness, and repay debt and receive tax increment for Phase 2 of the HPS Project Area. The Plan Amendments further propose extending the limit on the amount of bonded indebtedness. These Plan Amendments are necessary in order to provide the financing necessary to implement the CP-HPS2 Project and to provide for additional time for the Agency to complete all project activities within Phase 2 of the HPS Project Area.

Exhibit B provides a more detailed summary of the tax increment projections over the tax increment collection period under the proposed Plan Amendment.<sup>1</sup> The tax increment projections are intended only as estimates for financial feasibility purposes. Actual tax increment revenues may be higher or lower. The development projections shown in Exhibit B are not intended to predict future development, but rather to provide a reasonable estimate of potential tax increment growth on an average annualized basis. The tax increment projections are based on the best available information and analysis techniques, and actual tax increment generated in each year will likely vary.

### 3. Increase in Limit on Amount of Outstanding Bonded Indebtedness

The Plan Amendment proposes to merge the existing limits on bonded indebtedness for Zone 1 of Project Area B and Phase 2 of the HPS Project Area into a single limit on bonded indebtedness in the amount of \$5.9 billion.

This section generally describes the methodology used to determine the proposed combined bonded indebtedness cap of \$5.9 billion. Exhibit C includes details of the methodology and calculation described in this Section with a direct comparison to the analogous 2010 calculation by the Successor Agency.

To determine the new proposed combined bonded indebtedness cap for Hunters Point Shipyard, the Developer used the same methodology relied on by the Successor Agency in 2010. The 2010 methodology used three calculations to inform the estimated bonded indebtedness limit for Hunters Point Shipyard: 1) bonding capacity (Method 1) which yielded a bonded debt need of \$767.3 million; 2) present value of tax increment (Method 2) which yielded a bonded debt need of \$737.5 million; and 3) tax increment in nominal dollars (Method 3) which yielded a bonded debt need of \$1.2 billion. Based on the range established by these three calculations (\$737.5

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<sup>1</sup> The tax increment projections identified in Exhibit B are estimates that are provided solely for the purpose of this Report. The Shipyard Site is currently under Excusable Delay and all amounts shown for the Shipyard Site on the Summary Proforma are based on the Summary Proforma provided in 2018 and such amounts will need to be updated once Excusable Delay no longer exists at the Shipyard Site.

million to \$1.2 billion), the Agency determined that a bonded indebtedness limit of \$900 million was needed to fund the HPS Redevelopment Plan programs and projects.

Using the same three methodologies that the Agency relied on in 2010, the Developer proposes a combined bonded indebtedness cap of \$5.9 billion, which was calculated as follows:

- Under the bonding capacity method (Method 1), the estimated combined total debt for Candlestick Point, as updated with 2024 inputs, is approximately \$2.9 billion. Under the present value of tax increment method (Method 2), the estimated combined total debt need is approximately \$2.5 billion. Under the tax increment in nominal dollars method (Method 3), the estimated combined total debt need is \$4.5 billion. In 2010, the Agency’s consultant averaged the estimates from Methods 1 and 3 to determine the appropriate point within the range. Applying this same methodology to the updated 2024 estimates results in a combined bonded indebtedness cap of \$3.3 billion for Candlestick Point.
- For the Shipyard Site, under the bonding capacity method (Method 1), the estimated combined total debt, as updated with 2024 inputs, is approximately \$2.3 billion. Under the present value of tax increment method (Method 2), the estimated combined total debt need is approximately \$2.4 billion. Under the tax increment in nominal dollars method (Method 3), the estimated combined total debt need is \$3.2 billion. In 2010, the Agency’s consultant averaged the estimates from Methods 1 and 3 to determine the appropriate point within the range. Applying this same methodology to the updated 2024 estimates results in a combined bonded indebtedness cap of \$2.6 billion for the Shipyard Site. This results in the overall combined total of \$5.9 billion (\$3.3B for CP and \$2.6B for HPS = \$5.9B combined).
- The method for calculating the adjusted limit of bonded indebtedness of \$5.9 billion is described in Exhibits B and C and assumes an annual interest rate of five percent (5%) and application of a fifty percent (50%) contingency factor. The industry standard for tax-exempt municipal bonds is to pay an annual interest rate of 5% of the bond principal amount. Investors’ willingness to pay more than 100 cents for each dollar of bond principal depends on whether alternative investments are yielding lower than a 5% interest rate. Based on historical borrowing rate indices and OCII’s prior borrowing rates relative to those indices, OCII’s future bond borrowing rate is expected to be close to 5%. Therefore, using a 5% rate to compute the bonded indebtedness limit principal amount generates an appropriate estimate of the funds OCII would be able to raise from bond investors for this project area. The adjusted limit on bonded indebtedness reflects projected property tax increment plus a contingency factor of 50% to account for variables such as higher assessed values of taxable property, more frequent reassessments due to resales, and the time it takes to buildout the CP-HPS2 Project.

## **VIII. METHOD OF PLAN FOR RELOCATION**

*(f) A method or plan for the relocation of families and persons to be temporarily or permanently displaced from housing facilities in the project area, which method or plan shall include the provision required by Section 33411.1 that no persons or families of low and moderate income shall be displaced unless and until there is a suitable housing unit available and ready for*

occupancy by the displaced person or family at rents comparable to those at the time of their displacement.

The Plan Amendment does not displace any residents in Phase 2 of the HPS Project Area.

## **IX. REPORT OF THE PLANNING COMMISSION**

*(h) The report and recommendations of the planning commission.*

Upon approval of the Plan Amendment, the Commission will refer it to the Planning Commission for its report and recommendation, and findings of conformity with the General Plan.

The Planning Commission’s prior General Plan Consistency Findings, made by Resolution No. 18101 (June 3, 2010), found the Project, on balance, in compliance with the General Plan and Planning Code Section 101.1.

On [DATE], 2024, the Planning Commission determined that the Plan Amendment would not change these findings and therefore, are in conformity with the General Plan, as amended, and consistent with Planning Code Section 101.1.

The Planning Commission’s findings made on [DATE], 2024, and Planning Commission Resolution No. 18101 are attached as Exhibit \_\_\_\_.

## **X. CONSULTATION WITH THE COMMUNITY**

The Successor Agency has provided extensive opportunities in-person and virtual/hybrid for the public to participate and comment during the Plan Amendment process. The meetings included Subcommittee and full board meetings of the Hunters Point Shipyard Citizens Advisory Committee (“HPSCAC”) and community-wide and neighborhood meetings. The following outlines the various community events in connection with the Plan Amendment:

<b>Community Meetings</b>	<b>Date</b>
HPSCAC Subcommittees (Business & Employment, Housing and Planning) Meeting	May 16, 2024
Community Outreach Workshop	May 22, 2024
Community Outreach Workshop	June 1, 2024
Bayview Hill Neighborhood Association	June 3, 2024
HPSCAC Full Subcommittee (Approval)	June 17, 2024
San Francisco Housing Action Coalition	June 20, 2024

Community Outreach Workshop (in-person and virtual using Slido)	June 26, 2024
Alice Griffith residents and service providers – Community Outreach Workshop, True Hope Church	July 11, 2024
Bay Area Council	August 8, 2024
Alice Griffith residents, Candlestick Update Presentation: Alice Griffith Tenants Association meeting	August 12, 2024
Community Benefits Implementation Committee (members invited include Faith in Action, AD10 and Labor Council) - Candlestick Update Presentation	August 20 and 22, 2024
Meeting with Shirley Moore and other Bayview Hill Neighbors at the home of Brenda Ramirez (response to questions in person during meeting and in writing after meeting)	July 2, 2024
Upcoming meetings as of the date of this Report:	
Local contractors	August 27, 2024
Council of Community Housing Organizations	August 28, 2024
Taste of Bayview – Renaissance Entrepreneurship Center event	August 29, 2024
Youth outreach	November 2025 and ongoing

**XI. ENVIRONMENTAL REVIEW**

*(k) The report required by Section 21151 of the Public Resources Code*

On June 3, 2010, the Commission of the former Redevelopment Agency of the City and County of San Francisco (“Redevelopment Commission”) by Resolution No. 58-2010 and the Planning Commission by Motion No. 18096, acting as co-lead agencies, certified the Final Environmental Impact Report (“FEIR”) under the California Environmental Quality Act (“CEQA”) for the CP-

HPS2 Project. On July 14, 2010, the Board of Supervisors affirmed the Planning Commission's certification of the FEIR by Resolution No. 347-10 and that various actions related to the Project complied with CEQA. Subsequent to the certification of the FEIR, OCII and the Planning Department prepared Addenda 1 through 6 to the FEIR analyzing certain Project modifications.

On September 3, 2024, OCII, as Lead Agency, approved Addendum 7 to the FEIR, which evaluated the updated land use program of the Plan Amendment and determined that the analyses conducted and the conclusions reached in the FEIR remain valid and no supplemental environmental review is required beyond Addendum 7. With assistance from the Planning Department, OCII has reviewed Addendum 7, the FEIR and the Plan Amendment and determined that development facilitated by the Plan Amendment will not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts that would alter the conclusions reached in the FEIR. Accordingly, no additional environmental review pursuant to State CEQA Guidelines Sections 15180, 15162, and 15163.

## **XII. NEIGHBORHOOD IMPACT REPORT**

*(m) If the project area contains low- or moderate-income housing, a neighborhood impact report which describes in detail the impact of the project upon the residents of the project area and the surrounding areas, in terms of relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population and quality of education, property assessments and taxes, and other matters affecting the physical and social quality of the neighborhood.*

The Plan Amendment does not impact or alter the existing affordable housing obligations articulated in the HPS Plan. Under the CRL, at least 15 percent of all new and substantially rehabilitated dwelling units developed within Phase 2 of the HPS Project Area by private or public entities other than OCII must be available at affordable housing cost to, and occupied by persons and families of extremely low, very low, low, or moderate income. Under the CP-HPS2 Project, approximately 32% of the housing developed by parties other than OCII will be available at affordable housing cost to, and occupied by persons and families of extremely low, very low, low, or moderate income.

The Plan Amendment will not cause the destruction or removal of housing units from the low and moderate-income housing market and no persons will be displaced, temporarily or permanently, from dwelling units as a result of the Plan Amendment.

The means of financing the low- and moderate-income housing units in Hunters Point Shipyard are tax increment financing, revenue from the sales of public properties within the Project (if any), and development fees. The Plan Amendment does not change OCII's tax increment financing committed to affordable housing.

The process and requirements for the development of housing within the HPS Project Area is designed to provide new housing opportunities for households of diverse income, ages, lifestyles and family size. OCII will continue to promote the development of a wide variety of affordable housing including mixed-use development, development of new rental and ownership units and development and rehabilitation of existing rental and ownership units, infill development, and

the possibility of senior housing. The housing opportunities within the HPS Project Area address the demand for housing suitable for families, seniors, young adults, and others with special needs. The amount and timing of this development is dependent on the amount and pace of the overall development in the HPS Project Area.

### **XIII. CONSULTATION WITH TAXING ENTITIES**

Under Assembly Bill No. IX 26 (Chapter 5, Statutes of 2011-12, First Extraordinary Session) (“AB 26”) and the California Supreme Court’s decision in California Redevelopment Association v. Matosantos, No. S194861, all redevelopment agencies in the State of California, including the Redevelopment Agency, were dissolved by operation of law as of February 1, 2012, and their non-affordable housing assets and obligations were transferred to certain designated successor agencies, which AB 26 charged with satisfying enforceable obligations of the former redevelopment agencies.

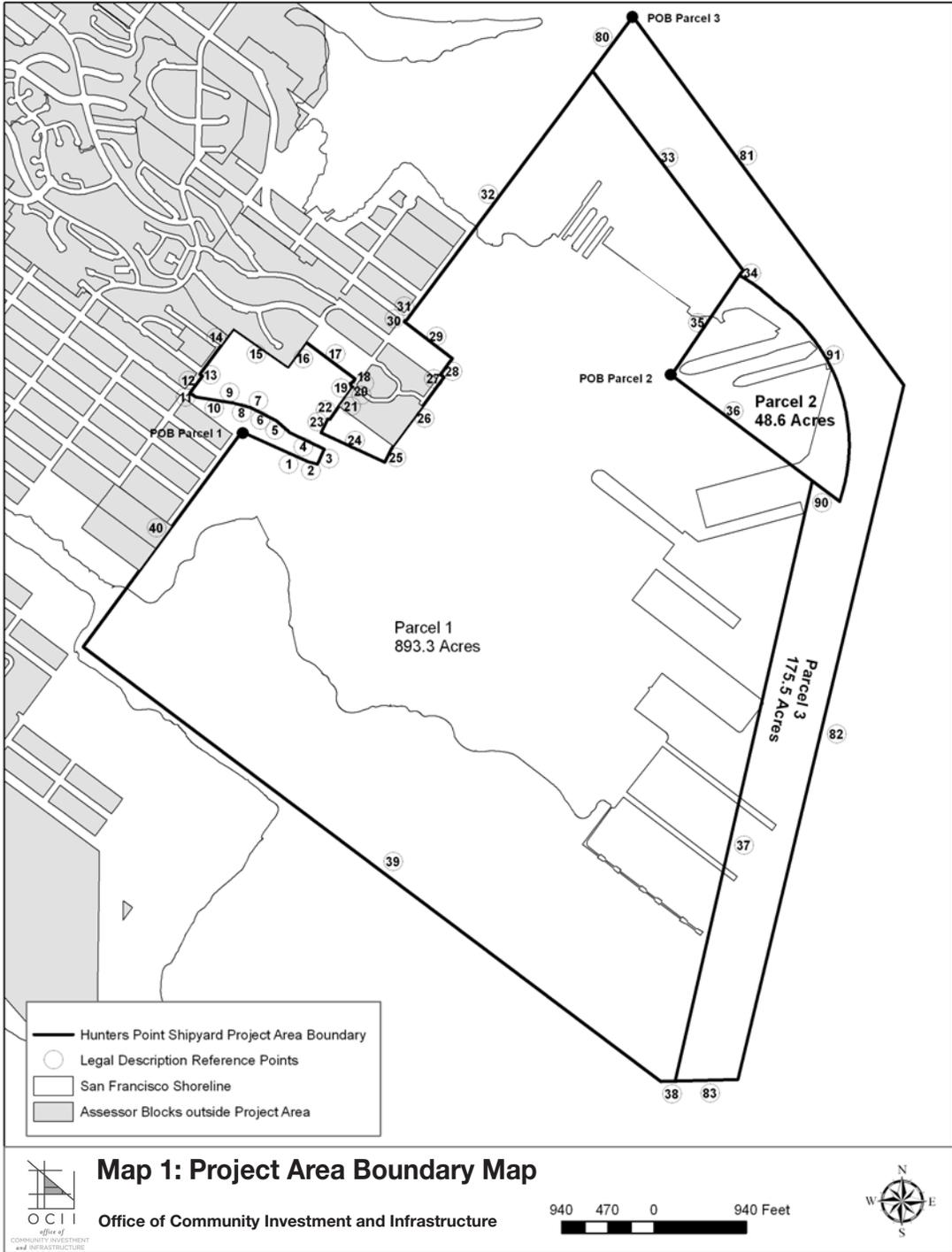
In June 2012, the California Legislature adopted legislation amending AB 26 as a trailer bill to the State’s budget bill for the 2012-2013 fiscal year, known as Assembly Bill No. 1484 (Chapter 26, Statutes of 2011-12, Regular Session) (“AB 1484”), and the Governor signed that bill on June 27, 2012. While AB 26 defined the successor agency to be the sponsoring community, AB 1484 provided that (1) the successor agency is a separate public entity from the public agency that provides for its governance and the two entities shall not merge, (2) the successor agency has its own name and the capacity to sue and be sued, (3) the successor agency succeeds to the organizational status of the former redevelopment agency but without any legal authority to participate in redevelopment activities except to complete the work related to an approved enforceable obligation.

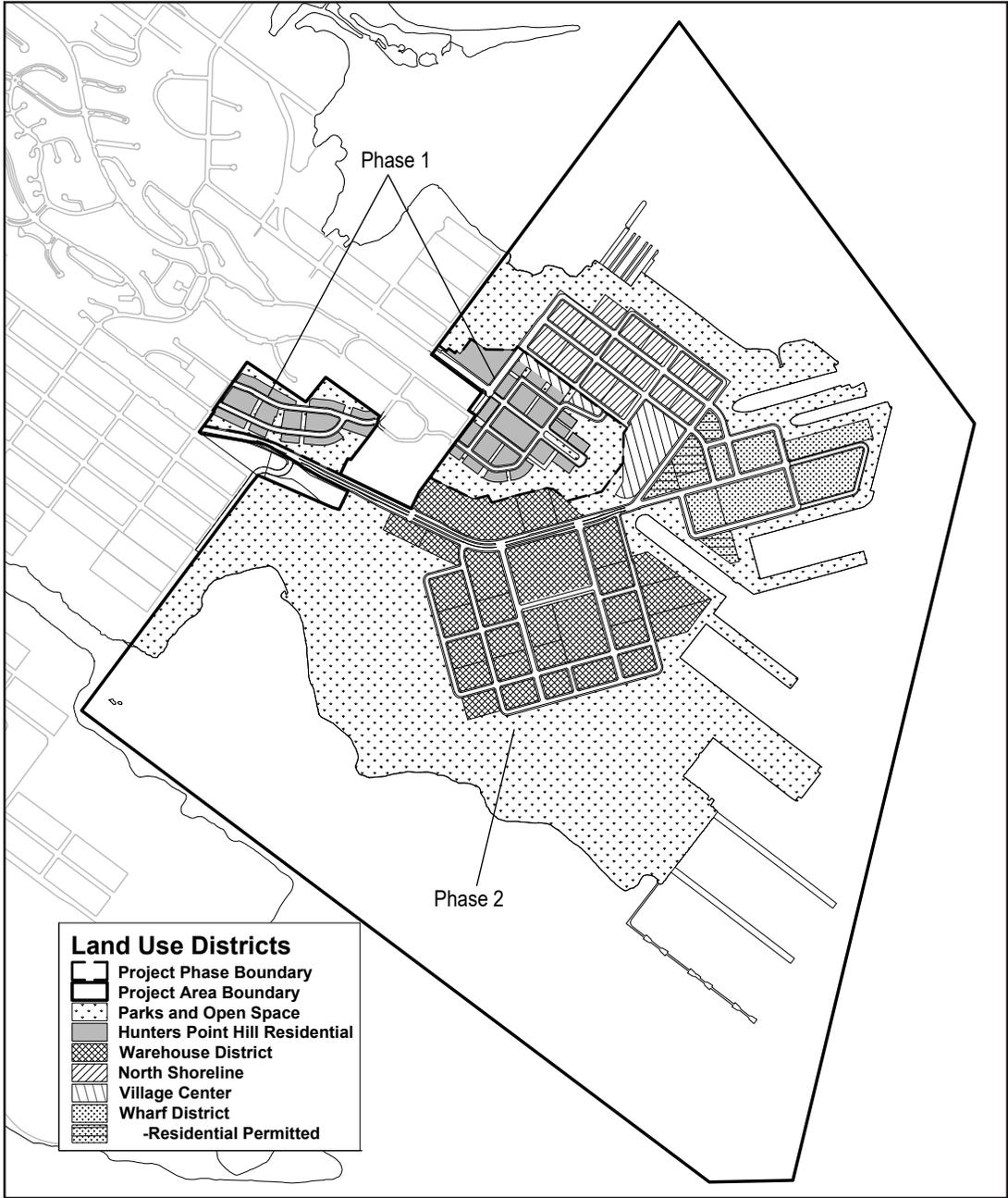
On October 2, 2012, the City’s Board of Supervisors adopted Ordinance 215-12 (File No. 120898) acknowledging that the Agency is a separate legal entity, creating the Commission as a policy body of the Agency and delegating to the Commission the authority to implement certain projects, including the CP-HPS2 Project.

Following the public hearing before the Commission on September 3, 2024, the Oversight Board will consider the 4<sup>th</sup> Amendment to the DDA and First Amendment to the Tax Allocation Agreement which set forth the applicable limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the BVHP Plan, and the time to repay indebtedness and receive property taxes, in connection with the CP-HPS2 Project. These Project agreements were then forwarded to the Department of Finance which will review and consider the 4<sup>th</sup> Amendment to the DDA and First Amendment to the Tax Allocation Agreement.

**Exhibit A**

**Maps**





**Map 2: Land Use Districts Map**

Office of Community Investment and Infrastructure

1,000 500 0 1,000 Feet

**Exhibit B**

**Tax Increment Projections**

**Tax Increment Projections  
Hunters Point Shipyard Phase II  
(In Nominal/Future Dollars)**

Plan Year	Fiscal Year	Beginning of the Year Assessed Value			New Development Value (4)	Incremental Tax Revenues				Agency Obligations				
		Secured Assessed Value (1)	Other Assessed Value (2)	Total Beginning of Year Assessed Value (3)		Beginning of Year Incremental AV over Base (5)	Basic Incremental Revenue (6)	Supplemental Revenue from New Development (7)	Gross Incremental Tax Revenues (8)	County Admin (9)	20% Housing Set Aside (10)	Pass Through Payments (11)	Housing Redevelopment Program (12)	Non-Housing Redevelopment Program (13)
	Prior Years													
7	2024 - 2025	0	0	0	0	0	0	0	0	0	0	0	0	0
8	2025 - 2026	0	0	0	0	0	0	0	0	0	0	0	0	0
9	2026 - 2027	0	0	0	0	0	0	0	0	0	0	0	0	0
10	2027 - 2028	0	0	0	0	0	0	0	0	0	0	0	0	0
11	2028 - 2029	0	0	0	0	0	0	0	0	0	0	0	0	0
12	2029 - 2030	0	0	0	0	0	0	0	0	0	0	0	0	0
13	2030 - 2031	0	0	0	0	0	0	0	0	0	0	0	0	0
14	2031 - 2032	0	0	0	0	0	0	0	0	0	0	0	0	0
15	2032 - 2033	0	0	0	0	0	0	0	0	0	0	0	0	0
16	2033 - 2034	0	0	0	0	0	0	0	0	0	0	0	0	0
17	2034 - 2035	0	0	0	0	0	0	0	0	0	0	0	0	0
18	2035 - 2036	0	0	0	147,143,994	0	0	1,471,440	1,471,440	0	294,288	381,827	294,288	795,325
19	2036 - 2037	150,511,709	0	150,511,709	0	150,511,709	1,505,117	1,505,117	1,505,117	0	301,023	390,566	301,023	813,528
20	2037 - 2038	153,956,502	0	153,956,502	182,763,019	153,956,502	1,539,565	1,827,630	3,367,195	0	673,439	873,760	673,439	1,819,997
21	2038 - 2039	344,426,091	0	344,426,091	1,019,186,235	344,426,091	3,444,261	10,191,862	13,636,123	0	2,727,225	3,538,462	2,727,225	7,370,436
22	2039 - 2040	1,394,821,607	0	1,394,821,607	54,308,046	1,394,821,607	13,948,216	543,080	14,491,297	0	2,898,259	3,760,373	2,898,259	7,832,664
23	2040 - 2041	1,482,296,186	0	1,482,296,186	1,359,194,744	1,482,296,186	14,822,962	13,591,947	28,414,909	0	5,682,982	7,373,436	5,682,982	15,358,491
24	2041 - 2042	2,906,524,727	0	2,906,524,727	562,748,402	2,906,524,727	29,065,247	5,627,484	34,692,731	0	6,938,546	9,002,480	6,938,546	18,751,705
25	2042 - 2043	3,548,675,109	0	3,548,675,109	368,745,940	3,548,675,109	35,486,751	3,687,459	39,174,210	0	7,834,842	10,165,387	7,834,842	21,173,981
26	2043 - 2044	4,007,079,885	0	4,007,079,885	1,642,182,627	4,007,079,885	40,070,799	16,421,826	56,492,625	0	11,298,525	14,659,374	11,298,525	32,152,475
27	2044 - 2045	5,778,558,364	0	5,778,558,364	170,005,649	5,778,558,364	57,785,584	1,700,056	59,485,640	0	11,897,128	15,436,037	11,897,128	32,152,475
28	2045 - 2046	6,084,710,043	0	6,084,710,043	2,444,591,920	6,084,710,043	60,847,100	24,445,919	85,293,020	0	17,058,604	22,132,840	17,058,604	46,101,575
29	2046 - 2047	8,724,513,881	0	8,724,513,881	775,786,499	8,724,513,881	87,245,139	7,757,865	95,003,004	0	19,000,601	24,652,502	19,000,601	51,349,901
30	2047 - 2048	9,717,735,743	0	9,717,735,743	979,526,104	9,717,735,743	97,177,357	9,795,261	106,972,618	0	21,394,524	27,758,519	21,394,524	57,819,576
31	2048 - 2049	10,942,092,317	0	10,942,092,317	64,786,096	10,942,092,317	109,420,923	647,681	110,068,604	0	22,013,721	28,684,692	22,013,721	59,370,191
32	2049 - 2050	11,258,776,731	0	11,258,776,731	1,975,390,860	11,258,776,731	112,587,767	19,753,909	132,341,676	0	26,468,335	35,347,749	26,468,335	70,525,592
33	2050 - 2051	13,537,060,753	0	13,537,060,753	75,984,499	13,537,060,753	135,370,608	759,845	136,130,453	0	27,226,091	36,481,173	27,226,091	72,423,189
34	2051 - 2052	13,924,609,868	0	13,924,609,868	78,264,034	13,924,609,868	139,246,099	782,640	140,028,739	0	28,005,748	37,647,357	28,005,748	74,675,634
35	2052 - 2053	14,323,360,607	0	14,323,360,607	58,700,964	14,323,360,607	143,233,606	587,010	143,820,616	0	28,764,123	38,781,709	28,764,123	76,274,784
36	2053 - 2054	14,711,226,824	0	14,711,226,824	38,836,106	14,711,226,824	147,112,268	388,361	147,500,629	0	29,500,126	39,882,596	29,500,126	78,117,908
37	2054 - 2055	15,087,650,706	0	15,087,650,706	40,001,189	15,087,650,706	150,876,507	400,012	151,276,519	0	30,255,304	41,012,165	30,255,304	80,009,051
38	2055 - 2056	15,473,881,630	0	15,473,881,630	0	15,473,881,630	154,738,816	0	154,738,816	0	30,947,763	42,047,921	30,947,763	81,743,132
39	2056 - 2057	15,828,035,597	0	15,828,035,597	0	15,828,035,597	158,280,356	0	158,280,356	0	31,656,071	43,107,384	31,656,071	83,516,901
40	2057 - 2058	16,190,295,160	0	16,190,295,160	0	16,190,295,160	161,902,952	0	161,902,952	0	32,380,590	44,191,094	32,380,590	85,331,267
41	2058 - 2059	16,560,845,833	0	16,560,845,833	0	16,560,845,833	165,608,458	0	165,608,458	0	33,121,692	45,299,608	33,121,692	87,187,159
42	2059 - 2060	16,939,877,377	0	16,939,877,377	0	16,939,877,377	169,398,774	0	169,398,774	0	33,879,755	46,433,492	33,879,755	89,085,527
43	2060 - 2061	17,327,583,896	0	17,327,583,896	0	17,327,583,896	173,275,839	0	173,275,839	0	34,655,168	47,593,328	34,655,168	91,027,344
44	2061 - 2062	17,724,163,934	0	17,724,163,934	0	17,724,163,934	177,241,639	0	177,241,639	0	35,448,328	48,779,709	35,448,328	93,013,603
45	2062 - 2063	18,129,820,583	0	18,129,820,583	0	18,129,820,583	181,298,206	0	181,298,206	0	36,259,641	49,993,243	36,259,641	95,045,322
46	2063 - 2064	18,544,761,581	0	18,544,761,581	0	18,544,761,581	185,447,616	0	185,447,616	0	37,089,523	51,234,552	37,089,523	97,123,541
47	2064 - 2065	18,969,199,420	0	18,969,199,420	0	18,969,199,420	189,691,994	0	189,691,994	0	37,938,399	52,504,270	37,938,399	99,249,325
48	2065 - 2066	19,403,351,457	0	19,403,351,457	0	19,403,351,457	194,033,515	0	194,033,515	0	38,806,703	53,803,049	38,806,703	101,423,763
49	2066 - 2067	19,847,440,022	0	19,847,440,022	0	19,847,440,022	198,474,400	0	198,474,400	0	39,694,880	55,131,553	39,694,880	103,647,967
50	2067 - 2068	20,301,692,535	0	20,301,692,535	0	20,301,692,535	203,016,925	0	203,016,925	0	40,603,385	56,490,464	40,603,385	105,923,077
51	2068 - 2069	20,766,341,620	0	20,766,341,620	0	20,766,341,620	207,663,416	0	207,663,416	0	41,532,683	57,880,475	41,532,683	108,250,258
52	2069 - 2070	21,241,625,227	0	21,241,625,227	0	21,241,625,227	212,416,252	0	212,416,252	0	42,483,250	59,302,301	42,483,250	110,630,701
53	2070 - 2071	21,727,786,748	0	21,727,786,748	0	21,727,786,748	217,277,867	0	217,277,867	0	43,455,573	60,756,668	43,455,573	113,065,626
54	2071 - 2072	22,225,075,150	0	22,225,075,150	0	22,225,075,150	222,250,752	0	222,250,752	0	44,450,150	62,244,321	44,450,150	115,556,280
55	2072 - 2073	22,733,745,096	0	22,733,745,096	0	22,733,745,096	227,337,451	0	227,337,451	0	45,467,490	63,766,022	45,467,490	118,103,938
56	2073 - 2074	23,254,057,077	0	23,254,057,077	0	23,254,057,077	232,540,571	0	232,540,571	0	46,508,114	65,322,551	46,508,114	120,709,905
57	2074 - 2075	23,786,277,548	0	23,786,277,548	0	23,786,277,548	237,862,775	0	237,862,775	0	47,572,555	66,914,705	47,572,555	123,375,515
58	2075 - 2076	24,330,679,060	0	24,330,679,060	0	24,330,679,060	243,306,791	0	243,306,791	0	48,661,358	68,543,299	48,661,358	126,102,134
59	2076 - 2077	24,887,540,403	0	24,887,540,403	0	24,887,540,403	248,875,404	0	248,875,404	0	49,775,081	70,209,166	49,775,081	128,891,157
60	2077 - 2078	25,457,146,748	0	25,457,146,748	0	25,457,146,748	254,571,467	0	254,571,467	0	50,914,293	71,913,161	50,914,293	131,744,013
61	2078 - 2079	26,039,789,793	0	26,039,789,793	0	26,039,789,793	260,397,898	0	260,397,898	0	52,079,580	73,656,155	52,079,580	134,662,163
62	2079 - 2080	26,635,767,911	0	26,635,767,911	0	26,635,767,911	266,357,679	0	266,357,679	0	53,271,536	75,439,042	53,271,536	137,647,102
63	2080 - 2081	27,245,386,305	0	27,245,386,305	0	27,245,386,305	272,453,863	0	272,453,863	0	54,490,773	77,262,733	54,490,773	140,700,357
64	2081 - 2082	27,868,957,163	0	27,868,957,163	0	27,868,957,163	278,689,572	0	278,689,572	0	55,737,914	79,128,164	55,737,914	143,823,493
65	2082 - 2083	28,506,799,818	0	28,506,799,818	0	28,506,799,818	285,067,998	0	285,067,998	0	57,013,600	81,036,290	57,013,600	147,018,108
<b>Total</b>					12,038,128,924		7,360,265,123	120,381,289	7,480,646,413	0	1,496,129,283	2,067,947,720	1,496,129,283	3,916,569,410
<b>Present Value (a)</b>							1,048,320,182	43,811,248	1,092,131,430	0	218,426,286	297,450,661	218,426,286	576,254,483

Notes for each column included on next page.

(a) Discounted to constant FY 2037-2038 dollars at 5.0%.

Source: Land use plan provided by EPS, November 2023. Pass-Through years provided by OCIL, August 2023.

**Notes on Hunters Point Shipyard Phase II Tax Increment Projections**

- (1) Includes prior year's new development value plus prior years beginning of year assessed value escalated at 2% annually due to inflation and an additional 0.29% starting FY 2024-25 to reflect reassessments due to property turnover and establishment of master planned community.
- (2) Provided for consistency, amounts were zero in 2010 Plan Amendment
- (3) Sum of columns (1) and (2).
- (4) Based on new development value additions from Proposed Scenario, reviewed by OCII's consultants.
- (5) Total beginning of the year assessed value (column 3) less base year assessed value.
- (6) Equals 1 % of beginning of year incremental AV over base value (column 5).
- (7) Equals 1 % of the new development supplemental roll value assessed during the year (column 4).
- (8) Sum of columns (6) and (7). Also equals Gross Tax Increment to Agency.
- (9) Assumed to equal 0% of gross tax increment as the County does not currently charge a fee.
- (10) CRL mandated housing set aside.
- (11) AB 1290 statutory pass through payments timelines provided by OCII. Assumes City takes Tier 1 pass through. Assumes City's Tier 2 and 3 pass throughs are retained by the Agency.
- (12) Total tax increment available for housing-related redevelopment activities.
- (13) Total tax increment available for non-housing related redevelopment activities.

**Exhibit C**

**Limit on Bonded Indebtedness**

	CP	HPS2	Total
<b>A. Summary/Reconciliation</b>			
Method 1 at 50% Cont	\$2,934,900,000	\$2,308,950,000	\$5,243,850,000
Method 2 at 50% Cont	\$2,506,817,382	\$2,407,057,435	\$4,913,874,817
Method 3 at 50% Cont	\$4,537,800,000	\$3,187,200,000	\$7,725,000,000

**B. Average of 3 Methods (rounded)**

Contingency	50%	\$3,300,000,000	\$2,600,000,000	\$5,900,000,000
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	CP	HPS2	Total
<b>Method 1 - Present Value of Average Bonding Capacity</b>			
Average Annual Future Gross TI (net of pass-throughs)	\$159,103,033	\$125,168,285	\$284,271,318
DSCR	1.25	1.25	
Payment	\$127,282,426	\$100,134,628	\$193,974,628
Periods	30	30	
Int Rate	5.0%	5.0%	
PV of Average TI	\$1,956,600,000	\$1,539,300,000	
Estimated Principal of Outstanding Bonded Indebtedness	\$0	\$0	
Subtotal	\$1,956,600,000	\$1,539,300,000	
Contingency	1.50	1.50	
Total Future Bond Principal Amount at 50% Cont	\$2,934,900,000	\$2,308,950,000	\$5,243,850,000

**Method 2 - Present Value of Projected Tax Increment**

	FY 2024-25	FY 2037-38	
Discounted to			
Discount Rate	5.0%	5.0%	
NPV of Projected Tax Increment	\$1,671,211,588	\$1,604,704,957	
Outstanding Bond	\$0	\$0	
Subtotal	\$1,671,211,588	\$1,604,704,957	\$3,275,916,545
Contingency Factor	1.50	1.50	
Total Future Bond Principal Amount at 50% Cont	\$2,506,817,382	\$2,407,057,435	\$4,913,874,817

**Method 3 - Tax Increment in Nominal Dollars**

Future Tax Increment (net of pass-throughs)	\$9,075,549,565	\$6,374,317,787	\$15,449,867,352
Tax increment Collected through FY 2008/09	\$0	\$0	
Subtotal	\$9,075,549,565	\$6,374,317,787	\$15,449,867,352
Divide by Three	3.00	3.00	
Subtotal	\$3,025,200,000	\$2,124,800,000	\$5,150,000,000
Contingency Factor	1.50	1.50	
Total Future Bond Principal Amount at 50% Cont	\$4,537,800,000	\$3,187,200,000	\$7,725,000,000

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 26-2024

*Adopted September 3, 2024*

**ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA, REFERRING THE PLAN AMENDMENTS TO THE PLANNING COMMISSION FOR ITS REPORT ON CONFORMITY WITH THE GENERAL PLAN, AND RECOMMENDING THE PLAN AMENDMENTS TO THE BOARD OF SUPERVISORS FOR ADOPTION; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA**

WHEREAS, In furtherance of the objectives of the California Community Redevelopment Law (Health and Safety Code, Section 33000 et seq. the “**CRL**”), the Redevelopment Agency of the City and County of San Francisco (the “**Former Agency**”) undertook programs for the reconstruction and construction of blighted areas in the City and County of San Francisco (“**City**”), including the Bayview Hunters Point Redevelopment Project Area (“**BVHP Project Area**”) and the Hunters Point Shipyard Redevelopment Project Area (“**HPS Project Area**”); and,

WHEREAS, The Board of Supervisors of the City and County of San Francisco (“**Board of Supervisors**”) adopted the Hunters Point Shipyard Redevelopment Plan (“**HPS Plan**”) on July 14, 1997 by Ordinance No. 285-97 and amended the HPS Plan on August 3, 2010 by Ordinance No. 211-10, on June 22, 2017 by Ordinance No. 122-17, and on July 16, 2018 by Ordinance No. 0166-18; and,

WHEREAS, On May 23, 2006, the Board of Supervisors amended the Bayview Hunters Point Redevelopment Plan (“**BVHP Plan**”) by Ordinance No. 113-06, on August 3, 2010 by Ordinance No. 210-10, on June 22, 2017 by Ordinance No. 123-17, and on July 16, 2018 by Ordinance No. 0167-18; and,

WHEREAS, On June 3, 2010, the Former Agency took several actions approving (or recommending approval of) a program of development for approximately 700 acres of land within the BVHP Plan and HPS Plan areas (“**CP/HPS2 Project**”) including a Disposition and Development Agreement (Candlestick Point and Phase 2 of the Hunters Point Shipyard) by and between the Former Agency and CP Development Co., LLC (“**Developer**”); and,

WHEREAS, Pursuant to California Health and Safety Code §§ 34170 *et seq.* (the “**Dissolution Law**”), the Former Agency was dissolved as of February 1, 2012; and,

WHEREAS, The Successor Agency to the Redevelopment Agency of the City and County of San Francisco (commonly known as the Office of Community Investment and Infrastructure, herein “**Successor Agency**” or “**OCII**”) is completing the enforceable obligations of the Former Agency with regard to the HPS Plan and BVHP Plan areas, including implementation of the CP/HPS2 Project, under the authority of the CRL as amended by the Dissolution Law, and under San Francisco Ordinance No. 215-12 (Oct. 4, 2012) (establishing the Successor Agency Commission (“**Commission**”) and delegating to it state authority under the Dissolution Law); and,

WHEREAS, On September 13, 2023, the Governor signed into law Senate Bill 143 (2023) (“SB 143”) which amended Health & Safety Code Section 34177.7 to add subdivision (j) which states that “the limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the redevelopment plans, the time to repay indebtedness, the time for applying tax increment, the number of tax dollars, or any other matters set forth in Section 33333.2 and Section 33492.13 shall not apply” to the Project. SB 143 provides that the applicable time limits for establishing loans, advances, and indebtedness, the effectiveness of the redevelopment plans, the time to repay indebtedness and receive property taxes will be established in the Project agreements. SB 143 further clarified that Redevelopment Dissolution Law does not “limit the receipt and use of property tax revenues generated from the HPS Redevelopment Plan project area or Zone 1 of the BVHP Redevelopment Plan project area” in connection with the Project; and,

WHEREAS, The Successor Agency proposes to adopt amendments to the HPS Plan and the BHVP Plan (“**Plan Amendments**”) to facilitate modifications to the CP/HPS2 Project, which modifications are proposed to be approved by the Commission together with its adoption of the Plan Amendments; and,

WHEREAS, The HPS Plan establishes the land use controls for the HPS Project Area, which consists of two sub-areas, HPS Phase 1 and HPS Phase 2. Proposed amendments to the HPS Plan primarily concern Phase 2 of the HPS Project Area. Proposed amendments to the HPS Plan land use controls consist of the following general changes: (a) allowing the transfer of up to 2,050,000 square feet of research and development and office space from HPS Phase 2 to those portions of BVHP Zone 1 where that use is allowed, subject to Commission approval and any necessary environmental review, with a corresponding reduction in those uses at Phase 2 of the HPS Project Area; and (b) allowing the transfer of residential units from HPS Phase 2 to BVHP Zone 1, subject to Commission approval and any necessary environmental review; and,

WHEREAS, Proposed amendments to the HPS Plan further implement SB 143 and establish the applicable limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the HPS Plan, and the time to repay indebtedness and receive property taxes, in connection with Phase 2 of the HPS Plan as follows: (a) the time limit for establishing loans, advances, and indebtedness in connection with Phase 2 shall be 30 years from the date of conveyance to the Developer all Phase 2 parcel(s) required for the completion of development of the first Major Phase (as defined in that certain Disposition and Development Agreement for the CP-HPS2 Project) located within Phase 2 (defined as the “Initial HPS Transfer Date”) plus an additional 15 years which represents the “Anticipated Navy Delay” as further described below; (b) the time limit for the effectiveness of the HPS Plan for Phase 2 shall be 30 years from the Initial HPS Transfer Date plus an additional 15 years which represents the Anticipated Navy Delay; (c) the time limit to repay indebtedness and receive property taxes for Phase 2 shall be 45 years from the Initial HPS Transfer Date plus an additional 15 years which represents the Anticipated Navy Delay; and,

- WHEREAS, The Navy has recently informed OCII that completion of remediation and conveyance of all portions of the Shipyard Site, excluding Parcel F, to Developer will occur between 2036-2038, including time needed for a Finding of Suitability for Transfer and associated conveyance documentation. Documentation from the Navy relaying these schedule delays are described in correspondence provided to OCII by the Navy, and which are on file with the Commission Secretary. This estimated delay (defined as the Anticipated Navy Delay in the HPS Plan) warrants the additional 15-year periods referenced in clauses (a) – (c) of the preceding paragraph for purposes of redevelopment activities on the Shipyard Site and related tax increment financing; and,
- WHEREAS, The Plan Amendment further proposes adjusting the limit on the amount of bonded indebtedness that can be outstanding at one time by combining the existing \$800 million applicable to Candlestick Point and the existing \$900 million limit applicable to the Shipyard Site into a single limit in the amount of \$5.9 billion applicable to both BVHP Zone 1 and Phase 2 of the HPS Project Area. The limits on bonded indebtedness, which have not been adjusted since the approval of the Project in 2010, is necessary to address increases in project costs and inflation that have occurred since 2010 and future increases in project costs and inflation as redevelopment activities within Zone 1 of Project Area B and Phase 2 of the HPS Project Area progress; and,
- WHEREAS, The proposed amendments to the Redevelopment Plans remain consistent with the development envisioned by the Conceptual Framework (Board of Supervisors Resolution No. 264-07 (May 15, 2007); Agency Commission Resolution No. 40-2007 (May 1, 2007), Proposition G, the Jobs Parks and Housing Initiative (June 2008)), and Proposition O, the Hunters Point Shipyard/Candlestick Point Jobs Stimulus Proposition (November 2016); and,
- WHEREAS, Sections 33450-33458 of the CRL sets forth the process for amending a redevelopment plan. This process includes a publicly noticed hearing of the redevelopment agency; environmental review to the extent required, and adoption of the amendment by the redevelopment agency after the public hearing; preparation of the report to the legislative body, referral of the amendment to any applicable planning entity for a determination of General Plan conformity, if warranted; a publicly noticed hearing of the legislative body, and legislative body consideration after its hearing. Section 33457.1 of the CRL further requires the preparation of a report to the legislative body regarding the plan amendment in order to provide relevant background information in support of the need, purpose and impacts of the plan amendment; and,
- WHEREAS, Pursuant to Section 33457.1 of the CRL, OCII staff has prepared a Report to the Board of Supervisors on the Amendments to the Hunters Point Shipyard Redevelopment Plan that includes the information required by Section 33352 to the extent warranted by the proposed amendment; and,
- WHEREAS, The Commission held a public hearing on September 3, 2024 on adoption of the Plan Amendments, notice of which was duly and regularly published in a newspaper of general circulation in the City once a week for four successive weeks beginning 21 days prior to the date of the hearing, and a copy of that notice and affidavit of publication are on file with the Commission Secretary; and,

- WHEREAS, Copies of the notice of public hearing were mailed by first-class mail to the last known address of each assessee of land in the HPS Project Area and the BVHP Project Area as shown on the last equalized assessment role of the City; and,
- WHEREAS, Copies of the notice of public hearing were mailed by first-class mail to all residential and business occupants in the HPS Project Area and the BVHP Project Area; and,
- WHEREAS, Copies of the notice of public hearing were mailed, by certified mail, return receipt requested, to the governing body of each taxing agency which receives taxes from property in the HPS Project Area and the BVHP Project Area; and,
- WHEREAS, The Commission has provided an opportunity for all persons to be heard and has considered all evidence and testimony presented for or against any and all aspects of the conforming Plan Amendments; and,
- WHEREAS, The Plan Amendments were presented to the Mayor's Hunters Point Shipyard Citizens Advisory Committee Business & Employment, Housing and Planning subcommittee on May 16, 2024, and to its full Committee on June 17, 2024, and received its recommendation for approval; and,
- WHEREAS, OCII staff has reviewed the Plan Amendments, and find them acceptable and recommends approval thereof; and,
- WHEREAS, OCII has provided for appropriate public hearings, and referred them to the City's Planning Commission for determination that the Plan Amendments are consistent with the General Plan and with the Eight Priority Policies of City Planning Code Section 101.1; and,
- WHEREAS, On September 3, 2024, the Commission adopted Resolution No. 22-2024, by which the Commission determined that the Final EIR (therein defined), together with further analysis provided in Addendum No. 1, Addendum No. 4, Addendum No. 5, Addendum No. 6, and Addendum No. 7 remain adequate, accurate, and objective and in compliance with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) ("CEQA") and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et seq.); and,
- WHEREAS, The environmental effects of the Redevelopment Plan Amendment have been analyzed in the environmental documents, which are described in Resolution No. 22-2024. Copies of the environmental documents are on file with the Agency; now, therefore, be it:
- RESOLVED, That the Commission hereby finds that the Plan Amendments are included in the actions identified in Resolution No. 22-2024 for purposes of compliance with CEQA; and be it further
- RESOLVED, That in Resolution No. 22-2024, adopted on September 3, 2024, the Commission adopted findings that various actions, including the Plan Amendments, were in compliance with CEQA. Said findings are on file with the Commission Secretary and are incorporated herein by reference. Said findings are in furtherance of the actions contemplated in this Resolution and are made part of this Resolution by reference herein; and be it

RESOLVED, That the Commission approves the Plan Amendments attached hereto as Exhibit A and recommends forwarding the Plan Amendments to the San Francisco Board of Supervisors for its approval; and be it

RESOLVED, That the Commission authorizes the OCII Executive Director to take all actions as may be necessary or appropriate, to the extent permitted under applicable law and the Redevelopment Plans, to effectuate OCII's performance thereunder.

I hereby certify that the foregoing resolution was adopted by the Successor Agency Commission at its meeting of September 3, 2024.

  
\_\_\_\_\_  
Commission Secretary

EXHIBIT A: Amendments to the Redevelopment Plan for the Hunters Point Shipyard.

## HPS Redevelopment Plan Amendment – Description of Changes

The HPS Plan establishes land use controls for development on the Shipyard Site (referred to as Phase 2 of the HPS Project Area in the HPS Plan).

Land Use and Development Program Modifications. The proposed amendments to the HPS Plan: would

- Allow the transfer of up to 2,050,000 square feet of research and development and office space from Phase 2 of the HPS Project Area to commercially-zoned areas of Zone 1 of the BVHP Project Area, subject to Commission approval and any necessary environmental review. There would be a corresponding reduction in those uses at Phase 2 of the HPS Project Area.
- Allow the transfer of residential units from Phase 2 of the HPS Project Area to Zone 1 of Project Area B, subject to Commission approval and any necessary environmental review.
- Clarify that certain commercial and retail uses are permitted within Phase 2 of the HPS Project Area.

Redevelopment Plan Time Limits. The proposed amendments to the HPS Plan would implement SB 143 by establishing the following time limits in connection with Phase 2 of the HPS Project Area:

- **Time Limit to Incur Debt.** Establish that the time limit for establishing loans, advances, and indebtedness in connection with Phase 2 of the HPS Project Area shall be a) 30 years from the date of conveyance to the Developer of all Phase 2 parcel(s) required for the completion of development of the first Major Phase located within Phase 2 (“Initial HPS Transfer Date”), b) plus 15 years which represents the “Anticipated Navy Delay” (as defined in the HPS Plan).
- **Effectiveness of the Plan.** Establish that the time limit for the effectiveness of the HPS Plan for Phase 2 of the HPS Project Area shall be a) 30 years from the Initial HPS Transfer Date, b) plus 15 years which represents the Anticipated Navy Delay.
- **Repayment of Debt/Receive Property Taxes.** Establish that the time limit to repay indebtedness and receive property taxes for Phase 2 of the HPS Project Area shall be a) 45 years from the Initial HPS Transfer Date, b) plus 15 years which represents the Anticipated Navy Delay.

Increase in Indebtedness Limit. Consistent with SB 143’s authorization for tax increment revenues to flow between Phase 2 of the HPS Project Area and Zone 1 of Project Area B, the Plan Amendments also adjust the limit on the amount of bonded indebtedness that can be outstanding at one time by establishing a single limit on the amount of bonded indebtedness applicable to both Zone 1 of the BVHP Plan and Phase 2 of the HPS Project Area. The proposed amendment to the HPS Plan establishes that the aggregate total amount of bonded indebtedness

of OCII to be repaid from the allocation of taxes to OCII for both Zone 1 of Project Area B and Phase 2 of the HPS Project Area that can be outstanding at one time may not exceed \$5.9 billion.

## **SUMMARY OF PLAN AMENDMENTS**

The following summarizes the proposed amendments to the HPS Plan:

**Overview.** Addition of language describing the dissolution of redevelopment agencies and the recent passage of Senate Bill 143 which established that the limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the redevelopment plan, the time to repay indebtedness, the time for applying tax increment, number of tax dollars, or any other matters set forth in Health & Safety Code sections 33333.2 and 33492.13 do not apply to the Project.

**Section II.D.3 Limitation on Number of Dwelling Units.** Authorize transfer of Dwelling Units from Phase 2 of the Project Area to Zone 1 of the BVHP Project Area, subject to Commission approval and any necessary environmental review.

**Section II.D.4 Limitation on Type, Size, and Height of Buildings.** Adjustments to development program square footage to reflect updated development program. Language authorizing transfer of up to 2,050,000 square feet of R&D/office from Phase 2 of the Hunters Point Shipyard Project Area to Candlestick Point, subject to Commission approval and any necessary environmental review. Authorize any unused R&D/office square footage transferred from the Shipyard Site to Candlestick Point, following Commission approval, to be transferred back to the Shipyard Site subject to Commission approval of applicable Major Phase Application.

**Section IV.A Methods for Project Financing.** Language implementing SB 143 authorizing tax increment revenues to flow between Zone 1 of Project Area B and Phase 2 of the Hunters Point Shipyard Project Area.

### **Section IV.B Tax Allocation.**

- Language establishing that the aggregate total amount of bonded indebtedness for both Zone 1 of Project Area B and Phase 2 of the HPS Project Area is \$5.9 billion.
- Establish that the time limit for establishing loans, advances, and indebtedness in connection with Phase 2 of the HPS Project Area shall be a) 30 years from Initial HPS Transfer Date, b) plus 15 years which represents the Anticipated Navy Delay.
- Establish that the time limit to repay indebtedness and receive property taxes for Phase 2 of the HPS Project Area shall be a) 45 years from the Initial HPS Transfer Date, b) plus 15 years which represents the Anticipated Navy Delay.

**Section VII. Duration of Plan.** Establish that the time limit for the effectiveness of the HPS Plan for Phase 2 of the HPS Project Area shall be a) 30 years from the Initial HPS Transfer Date, b) plus 15 years which represents the Anticipated Navy Delay.

Exhibit A

**HUNTERS POINT SHIPYARD  
REDEVELOPMENT PLAN**

**JULY 14, 1997**  
**Amended August 3, 2010**  
**Amended June 22, 2017**  
**Amended July 16, 2018**



**Amended [DATE], 2024**



**SUCCESSOR AGENCY TO THE SAN FRANCISCO  
REDEVELOPMENT AGENCY**

**July 16, 2018[DATE], 2024**

**REDEVELOPMENT PLAN  
for the**

**HUNTERS POINT SHIPYARD  
PROJECT AREA**

# HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT

## REDEVELOPMENT PLAN

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**Exhibits:**

**Map 1: Boundary Map**

**Map 2: Land Use Districts Map**

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**Map 4: Street Plan**

**Attachments:**

**Attachment A: Legal Description of the Project Area**

**Attachment B: Authorized Public Improvements**

**Attachment C: Planning Code Section 314**

**Attachment D: Planning Code Section 295**

**Attachment E: Planning Commission Resolution 18102**

**Attachment F: Proposition O (2016)**

# HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT

## REDEVELOPMENT PLAN

This Redevelopment Plan (this “**Plan**”) for the Hunters Point Shipyard Redevelopment Project Area (the “**Project Area**”) consists of the following text, maps and attachments: (a) the maps are: Map 1: Boundary Map; Map 2: Land Use Districts Map; Map 2a: Private Infrastructure; Map 3: Existing Buildings; and Map 4: Street Plan; and (b) the attachments are: Attachment A: Legal Description of the Project Area; Attachment B: List of Public Improvements; Attachment C: Planning Code Section 314; Attachment D: Planning Code Section 295; Attachment E: Planning Commission Resolution 18102 (subject to Section II.D.5 below), and Attachment F: Proposition O.

This Plan was adopted on July 14, 1997 (Ordinance No. 285-97) and amended on August 3, 2010 (Ordinance No. 211-10), on June 22, 2017 (Ordinance No. 122-17), ~~and~~ on July 16, 2018 (Ordinance No. 0166-18-), ~~and on [DATE], 2024 (Ordinance No. \_\_\_\_\_).~~ This Plan was prepared in accordance with the California Community Redevelopment Law (as amended from time to time, the “**CRL**”) and pursuant to Chapter 4.5 therein, which governs the redevelopment of closed military bases. During the preparation of this Plan, the Redevelopment Agency of the City and County of San Francisco (the “**Agency**”) consulted with the Mayor’s Hunters Point Shipyard Citizens Advisory Committee (the “**CAC**”), the San Francisco Planning Commission, and with other departments and offices of the City and County of San Francisco (the “**City**”). This Plan conforms with the General Plan of the City insofar as the General Plan applies to the Project. Any development within the jurisdiction of the Bay Conservation and Development Commission shall conform to the San Francisco Bay Plan.

The proposed redevelopment of the Project Area as described in this Plan is consistent with the San Francisco General Plan, the Bayview Hunters Point Area Plan, and the Hunters Point Shipyard Sub-Area Plan as of the 20~~18~~<sup>24</sup> Plan Amendment Date, and is in conformity with the eight Priority Policies of Section 101.1 of the San Francisco Planning Code (the “**Planning Code**”).

This Plan sets forth the objectives and the basic land use controls within which specific redevelopment activities in the Project Area will be pursued. It is consistent with provisions of the CRL in effect at the date of adoption of this Plan and as of the 20~~18~~<sup>24</sup> Plan Amendment Date.

On February 1, 2012, the State of California dissolved all redevelopment agencies, including the Agency, and established successor agencies to assume certain rights and obligations of the former redevelopment agencies, Cal. Health & Safety Code § 34170 et seq. (the “Redevelopment Dissolution Law”). As a result, the Agency ceased to exist and the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (commonly known as the Office of Community Investment and Infrastructure or “OCII”), was established by operation of law and assumed certain obligations of the Agency, primarily those “enforceable obligations” that were entered into prior to the suspension of redevelopment agencies’ activities and were approved by the State of California, through its Department of Finance. On December 14, 2012, the Department of Finance finally and conclusively determined that the following

agreements associated with the Project Area are enforceable obligations that survived redevelopment dissolution: the Disposition and Development Agreement for Hunters Point Shipyard Phase 1, the Disposition and Development Agreement for Candlestick Point-Hunters Point Shipyard Phase 2 (“CP-HPS2 DDA”), the Tax Increment Pledge Agreement for CP-HPS2, including those portions funding affordable housing in CP-HPS2. Accordingly, the Successor Agency continues to have authority to implement the above-referenced enforceable obligations in the Project Area.

In 2023, amendments to State law established that the limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the Redevelopment Plan, the time to repay indebtedness, the time for applying tax increment, number of tax dollars, or any other matters set forth in Health & Safety Code sections 33333.2 and 33492.13 shall not apply to the CP-HPS2 project, which is located within Zone 1 of Project Area B of the Bayview Hunters Point Redevelopment Project Area and Phase 2 of this Project Area. Stats. 2023, chapter 196, section 14 (Sep. 13, 2023) (codified at Health & Safety Code section 34177.7(i)). Consistent with Section 34177.7(j), the 2024 amendments to this Redevelopment Plan incorporate the new limitations referenced in the preceding sentence, which were approved by the Oversight Board of the City and County of San Francisco and the California Department of Finance in the amended CP-HPS 2 project agreements.

## **I. DESCRIPTION OF PROJECT**

### **A. Project Boundaries**

The boundaries of the Project Area are indicated on Map 1: Boundary Map and the legal description of the Project Area is provided in Attachment A: Legal Description of the Project Area. The Project Area consists of Real Property within the City and County of San Francisco, State of California.

### **B. The Citizens Advisory Committee Planning Guidelines - A Statement of General Principles**

The planning process for the reuse of the Project Area is complex, involving the Mayor’s Hunters Point Shipyard Citizens Advisory Committee and a host of citizen groups and government agencies. The planning process establishes the roles of these various entities, as well as the timeframe during which certain actions must occur. The process began in earnest in 1993 when the CAC convened to formulate goals and preferred uses for the Shipyard site. The CAC adopted a set of planning guidelines to frame their ideas for the development and reintegration of the Shipyard into the social, economic and physical fabric of Bayview Hunters Point and the City of San Francisco at an intensive conference and public workshop that they sponsored in February 1994. The CAC guidelines represent a strong group consensus and the CAC feels that they should set the tone for the renewal of the Project Area. These planning guidelines are outlined below:

## **1. Create Jobs for Economic Vitality**

Encourage land uses that will foster employment, business and entrepreneurial opportunities, cultural and other public benefits for residents of San Francisco. South Bayshore residents and businesses should be given priority. Legislative and administrative regulation mandating preference to South Bayshore residents and businesses in the course of the environmental remediation, redevelopment and reuse of the property should be used to facilitate this objective. Existing training and educational programs will be supported and new programs created as needed.

## **2. Support Existing Businesses and Artists' Community**

New uses should be compatible with existing South Bayshore businesses, Shipyard businesses and artists, and other sectors of San Francisco's economy. Maintain the large community of artists and artisans on the Shipyard, providing for their need for flexible low-cost space, while accommodating the full diversity of arts and culture in the South Bayshore community. Expand the scope of activities to accommodate the full range of arts and culture.

## **3. Create Appropriate Mix of New Businesses**

Encourage diversity with a mix of large, medium and small businesses to generate revenues for the City's general fund and stimulate the economy of the South Bayshore community. Diversify San Francisco's economic base by restoring its industrial sector with uses based on futuristic technologies tied to regional, national and international markets and economics. Target industries and businesses with a likelihood for long-term growth, such as multimedia, biotech and video-film.

## **4. Balance Development and Environmental Conservation**

Balance development with reclamation of the natural ecology of the southeast waterfront with targeted uses that are environmentally appropriate for the San Francisco Bay. Use the toxic cleanup process to develop training, employment and business opportunities consistent with Guideline #1.

## **5. Facilitate Appropriate Immediate Access**

Incorporate an action program to enable immediate access to existing Shipyard facilities, giving preference to South Bayshore businesses and organizations. Transitional uses in the Shipyard should be consistent with, and not deter, long-term development of the Shipyard in accordance with these Master Plan Guidelines.

## **6. Integrate Land Uses**

Integrate new uses at the Shipyard into current plans for the Bayview area. Plan for the integration of passive and active open space, affordable housing, transportation and traffic circulation, while minimizing land use conflicts between housing and industry.

## **7. Acknowledge History**

Include uses that acknowledge the history of the original Native American inhabitants of the Hunters Point area and historic relationship of Bayview Hunters Point's African-American community to the Shipyard.

## **C. Existing Conditions**

The Project Area is characterized by conditions of blight. Physical conditions include buildings in which it is unsafe or unhealthy for persons to live or work, and the existence of factors that prevent or substantially hinder the economically viable reuse of buildings and areas. Economic conditions include depreciated or stagnant property values, properties containing hazardous wastes, abnormally high business vacancies, abandoned buildings, and excessive vacant lots within an area formerly used as a military base.

## **D. Summary of Proposed Actions**

The Agency, in accordance with and pursuant to applicable Federal and State laws as well as those local laws that are applicable pursuant to this Plan, will remedy, or cause to be remedied, the conditions causing blight presently existing in the Project Area by some or all of the following measures:

1. Rehabilitation, alteration, modernization, general improvement or any combination thereof (hereinafter called "**rehabilitation**") of certain existing structures.
2. Acquisition of real property by purchase, gift, devise, exchange, condemnation, lease, or any other lawful means.
3. Relocation of certain commercial and industrial occupants presently located in structures that may be subject to acquisition or rehabilitation.
4. Demolition, removal, or clearance of certain existing buildings structures, and improvements.
5. Installation, construction, or reconstruction of streets, utilities, and other public improvements or facilities.
6. Disposition of all land acquired by the Agency for reuse in accordance with this Plan, the Hunters Point Shipyard Phase 1 Design for Development, the Hunters Point Shipyard Phase 2 Design for Development, and such additional conditions as may be established by the Agency in any manner authorized by law in order to carry out the purposes of redevelopment.

7. Formulation and administration of rules governing reasonable preference to owners or tenants of business, or other types of real property who are displaced from the Project Area to reenter the Project Area.

## II. PROJECT PLAN

### A. Objectives

The objectives of the actions proposed by this Plan are to:

1. Foster employment, business, and entrepreneurial opportunities in the rehabilitation, construction, operations, and maintenance of facilities in the Project Area.
2. Stimulate and attract private investments, thereby improving the City's economic health, tax base, and employment opportunities.
3. Provide for the development of economically vibrant and environmentally sound districts for mixed use; cultural, educational and arts activities; research, industrial and training activities; and housing.
4. Provide for the development of mixed-income housing:
  - With regard to this objective, the project-wide aggregate income-mix goal includes that at least 15% of the housing be affordable to persons and families of low or moderate income.
  - The term “persons and families of low or moderate income” has the same meaning as defined in Section 50093 of the California Health and Safety Code.
5. Provide public parks, open space, and other community facilities.
6. Administer lands granted to the Agency by the State of California consistent with the Public Trust and reconfigure those lands in a manner that enhances their value for Public Trust purposes, in accordance with Chapter 203 of the Statutes of 2009 (as amended from time to time, the “**Granting Act**”).
7. Retain, improve, and re-use historic structures, where feasible, as part of a program to feature the history of people, buildings, and uses at the Shipyard.
8. Provide for infrastructure improvements, including: streets and transportation facilities; open space and recreation areas; and utilities for water, sewer, gas, and electricity.
9. Remove conditions of blight in the form of buildings, site improvements, and infrastructure systems that are substandard and serve as impediments to land development.

10. Encourage use of the most cost-effective, energy efficient, and environmentally sustainable development techniques feasible.
11. Retain those existing viable industries and businesses currently located in the Project Area.
12. Position the Project Area at the vanguard of technology development and production as well as associated labor markets. Accommodate new, emerging, and unforeseen uses not specifically identified herein.
13. Provide sufficient flexibility in the development of real property within the Project Area to respond readily and appropriately to market conditions and innovations.
14. Provide opportunities and support for privately owned “eco-district” utility infrastructure that helps achieve community and ecological priorities within the Project Area.

## **B. Land Uses**

Map 1: Boundary Map, Map 2: Land Use Districts Map, Map 2a: Private Infrastructure; Map 3: Existing Buildings, and Map 4: Street Plan illustrates the location of the Project Area boundaries, existing buildings, major streets in the Project Area and land uses permitted in the Project Area.

### **1. Land Use Districts**

The Project Area consists of several mixed-use districts (each referred to as a “**District**” or “**Land Use District**”) as shown on Map 2: Land Use Districts Map. The map shows the general boundaries of the Districts; precise boundaries of the Districts are to be interpreted in light of the objectives of this Plan at the time specific parcels are subdivided in accordance with City and State subdivision laws.

Allowable land uses within each District will be all those that are consistent with the character of the District as described in this Plan. The specific uses identified below and on Map 2 for each District illustrate the appropriate scope and nature of permitted uses.

**Principal Uses.** Within each District, “**Principal Uses**” shall be allowed as of right.

**Secondary Uses.** Within each District, “**Secondary Uses**” shall be allowed through the determination of the Agency Commission or its designee, provided that such use: (a) generally conforms with the redevelopment objectives of this Plan, the objectives of the District as set forth in this Plan and applicable Hunters Point Shipyard Design for Development (Phase 1 or Phase 2); (b) is compatible with the District’s Principal Uses, nearby public facilities, and broader community; (c) is consistent with the Mitigation Measures and appropriately mitigates any adverse impacts; and (d) does not at the proposed size and location materially impede the planned uses and development of the District or Project Area. The Agency Commission or its

designee may place conditions on the Secondary Use as necessary to make the findings in clauses (a) through (d) above.

***Non-Designated Uses.*** Uses that are proposed but are not specifically defined herein (~~“are “Non-Designated Uses””~~) may be classified by the Executive Director as Principal Uses, Secondary Uses, Temporary Uses, Interim Uses, or Prohibited Uses. The Executive Director or his or her designee may allow a Non-Designated Use as a Principal Use subject to approval by the Agency Commission, provided the Executive Director or his or her designee finds that such Non-Designated Use: (a) is consistent with the other Principal Uses allowed in the applicable District; (b) is consistent with the objectives for the applicable District; (c) generally conforms with the applicable Hunters Point Shipyard Design for Development (Phase 1 or Phase 2); and (d) is consistent with the Mitigation Measures and appropriately mitigates any adverse impacts.

For Temporary or Interim Uses, the Executive Director shall in addition make the findings required for such uses as set forth in Sections C.1 and C.2 below.

In the event the Executive Director determines that a Non-Designated Use should be evaluated as a potential Secondary Use rather than a Principal Use, the Executive Director shall require that the proposed use be considered by the Agency Commission pursuant to the Secondary Use process set forth above.

***Prohibited Uses.*** Within most Districts, certain land uses are expressly prohibited in order to maintain the intended character of the District, avoid conflicts of land uses, or maintain public welfare in response to specific conditions of the District (“**Prohibited Uses**”). The following uses will be Prohibited Uses in all Districts within the Project Area: Mortuary; and Adult Entertainment uses.

***Provisions Applicable Generally.***

Certain lands within the Project Area are or may be subject to the Public Trust. The Public Trust doctrine limits the uses that are permitted on Public Trust lands. A Principal Use or Secondary Use shall be permitted on Public Trust land only to the extent the use is permitted under the Public Trust and is consistent with the Agency’s management of those lands on behalf of the State for Public Trust purposes. Thus, even though a particular use or uses may be shown as a permitted Principal Use or Secondary Use within the Project Area, that use or uses may nevertheless not be permitted on lands subject to the Public Trust within the Project Area.

In all cases below, the height, bulk, setback, parking and open space requirements will be established in the Hunters Point Shipyard Phase 1 Design for Development and Hunters Point Shipyard Phase 2 Design for Development, provided that development thereunder shall not exceed the limits established in Section II.D.4.

Parking is a permitted Accessory Use to every Principal Use and Secondary Use permitted in each Land Use District. The design and location of parking is controlled by the applicable Design for Development.

Infrastructure elements that are required to provide access, utilities, and public services to the development described in this Section II.B, as described in or consistent with the Infrastructure Plan for the Hunters Point Shipyard Phase 2-Candlestick Point Project, are permitted provided they are consistent with the Mitigation Measures and subject to the Candlestick Point/Hunters Point Shipyard Phase 2 EIR (including any subsequent analysis).

Additional “eco-district” and other privately owned utility infrastructure is encouraged in the Project Area, provided such infrastructure does not conflict with elements identified in the Infrastructure Plan, and is consistent with the Mitigation Measures and the Candlestick Point/Hunters Point Shipyard Phase 2 EIR (including any subsequent analysis), each as determined by the Executive Director. Such infrastructure (including components thereof) is encouraged, but not required, to be located within future public or private rights of way, and such infrastructure (including components thereof) is permitted as follows under this Plan (but remain subject to review under other applicable Plan Documents and City review). Privately owned utility infrastructure includes individual stand-alone structures as well as Accessory infrastructure components listed below. Individual structures are permitted as specifically identified in Sections II.B.2-B.7, below, or otherwise as Secondary Uses throughout Phase 2 of the Project area.

Accessory infrastructure components (those constructed together with otherwise permitted Uses) are permitted under this Plan (but remain subject to review for consistency with other applicable Plan Documents, including the applicable Design for Development). Such Accessory infrastructure components include:

- District Heating and Cooling Facility, including central energy plant (CEPs), water return and supply distribution system components, and water-to-air and water-to-water heat exchanger including components thereof (but excluding Geothermal Borefields, which are individual structures permitted as discussed above)
- Battery Storage System (including distribution system components thereof)
- Rooftop solar photovoltaic (PV) system (including components thereof)
- Recycled water collection, treatment and distribution system components
- Telecommunications/Fiber System and components
- Automated trash collection system and components
- Stormwater collection and treatment system (including Stormwater BMPs and other components thereof)
- Other Accessory infrastructure facilities and components that, as determined by the Executive Director, do not conflict with the objectives of the Plan, the Plan Documents or other applicable laws and regulations.

## **2. Hunters Point Hill Residential District**

*Objectives for this District:* This District will accommodate residential uses with lower densities than the surrounding portion of the Project Area, given its hilltop and hillside position. Complementary neighborhood-serving commercial uses will be allowed, but are expected to be less prevalent than in the flatter North Shoreline District, which sits below

this District. This District will include Hillpoint Park, a regional Park that will be impressed with the Public Trust and will include recreational and sports uses, special view areas with framed views of the Shipyard and the Bay beyond, public art, terraced sitting areas that take advantage of hilltop and hillside topography and stunning views of the Bay, and public access for visitors, residents, and employees in surrounding Districts.

(a) *Principal Uses*: The following Uses are Principal Uses in this Land Use District:

Residential Uses:

- Dwelling Units
- Live/Work Units
- Supportive Housing
- Home Office

Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services
- Commercial Wireless Transmitting Facilities

Parks and Recreation Uses:

- Parks
- Open Space
- Public Recreation

(b) *Prohibited Uses*: Cannabis-Related Uses and all other uses that are incompatible with the Principal Uses shall be Prohibited Uses in this Land Use District.

### **3. North Shoreline District**

*Objectives for this District*: This District will accommodate a waterfront-oriented residential neighborhood with higher densities and a greater range of housing types than those on the adjacent hillside. The principal land use is Dwelling Units ranging from townhomes to multi-family high-rise residential apartment or condominium towers. Related uses also include local-serving businesses, family child care services, small professional offices, and recreation facilities. Parks in this District may include a range of uses such as basketball, volleyball, tennis courts, children’s playgrounds, restrooms, and concessionaires. They may also include picnic/barbecue areas, pathways, and shade shelters. The Parks in this District may also include open air marketplace uses.

(a) *Principal Uses*: The following Uses are Principal Uses in this Land Use District:

Residential Uses:

- Dwelling Units
- Live/Work Units
- Group Housing
- Supportive Housing

- Home Office

Institutional Uses:

- Residential Care Facility
- Child-Care Facility
- Elementary School
- Post-Secondary Institution
- Religious Institution

Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services (up to 10,000 sq. ft. per tenant)
- Restaurants
- Bars
- Dry Cleaning Facility
- Health clubs, fitness, gymnasium, or exercise facilities
- Commercial Wireless Transmitting Facilities

Civic, Arts & Entertainment Uses:

- Community Use
- Recreational Facility
- Arts Education
- Art Production

Parks and Recreation Uses:

- Parks
- Public Recreation
- Open Space
- Open air marketplaces

(b) *Secondary Uses*: The following Uses are permitted in this Land Use District if the criteria for Secondary Uses set forth in Section II.B.1 are met:

Institutional Uses:

- Secondary School
- Vocational/Job Training Facility

Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services (over 10,000 sq. ft. per tenant)
- Nighttime Entertainment
- Maker Space

Office Uses

Civic, Arts & Entertainment Uses:

- Performance Arts
- Amusement Enterprise

(c) *Prohibited Uses*: The following Uses are Prohibited Uses in this Land Use District:

- Drive-through facilities
- Automotive Repair and service stations
- Cannabis-Related Uses

#### 4. **Village Center District**

*Objectives for this District*: This District will accommodate a mixed-use community with a range of housing types, retail uses, and cultural and educational facilities designed to comprise a village that will serve the community in the surrounding Districts.

Neighborhood-serving retail uses are proposed to be located on the ground floors along major commercial streets of the area with residential uses or office uses on the upper floors. This District will provide space dedicated for artists and arts-related uses as well as community-serving retail, business, service, and office uses. The arts-related, recreational, and grocery store uses in this District are intended to attract visitors from areas beyond the Project Area.

(a) *Principal Uses*: The following Uses are Principal Uses in this Land Use District:

Residential Uses:

- Dwelling Units
- Live/Work Units
- Group Housing
- Supportive Housing
- Home Office

Institutional Uses:

- Residential Care Facility
- Child-Care Facility
- Elementary School
- Secondary School
- Post-Secondary Institutions
- Religious Institution
- Vocational/Job Training Facility

Retail Sales & Services Uses:

- Neighborhood Retail Sales and Services

- Restaurants
- Bars
- Health clubs, fitness, gymnasium, or exercise facilities
- Nighttime Entertainment
- Grocery Store (up to 60,000 sq. ft.)
- Dry Cleaning Facility
- Commercial Wireless Transmitting Facilities
- Maker Space

Office Uses:

- Office
- Conference facilities/meeting rooms

Hotel Uses

Civic, Arts & Entertainment Uses:

- Community Use
- Recreational Facility
- Performance Arts
- Arts Education
- Art Production
- Amusement Enterprise

Parks and Recreation Uses:

- Parks
- Public Recreation
- Open air marketplace
- Open Space

(b) Secondary Uses: The following Uses are permitted in this Land Use District if the criteria for Secondary Uses set forth in this Section II.B.1 are met:

Retail Sales & Services Uses:

- Grocery Store (between 60,000 and 80,000 sq. ft.)
- Animal Services
- Medical Services

Office and Industrial Uses:

- Light Industrial (not including uses that include chemical processing of materials or heavy machinery use)
- Industrial kitchen
- Internet Service Exchange

(c) Prohibited Uses: The following Uses are Prohibited Uses in this Land Use District:

- Drive-through facilities
- Automotive Repair and service stations

## 5. **Wharf District**

*Objectives for this District:* This District will provide a diverse array of commercial and institutional operations for new research and development firms in a dynamic urban campus. This District will allow an integration of various uses suitable for evolving market conditions and for an innovative business or institutional environment ranging from office to laboratory activities including light industrial and manufacturing operations. It will also support Neighborhood Retail Sales and Services and Community Uses to complement the research and development uses.

For Laboratory, Life Science, Light Industrial, and Green Technology Uses within this District, any Use containing a facility that emits regulated toxic air contaminants must show that the facility does not exceed the risk thresholds identified in the Mitigation Measures.

(a) *Principal Uses:* The following Uses are Principal Uses in this Land Use District:

### Research & Development, Office & Industrial Uses:

- Office
- Light Industrial
- Life Science
- Laboratory
- Green Technology
- Transportation and transit service facilities

### Multi-media and Digital Arts Uses:

- Motion picture production
- Animation studios
- Printing and publishing
- Education and classroom facilities
- Galleries and exhibit space
- Recording studios
- Artist and artisan studios

### Hotel Uses

### Institutional Uses:

- Religious Institution
- Vocational/Job Training Facility
- Child-Care Facility (subject to Section II.B.8)

### Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services (up to 12,000 sq. ft. per tenant)
- Regional Retail Sales and Services
- Non-Retail Sales and Services
- Animal Services
- Restaurants
- Bars
- Health clubs, fitness, gymnasium, or exercise facilities
- Nighttime Entertainment
- Dry Cleaning Facility
- Commercial Wireless Transmitting Facilities
- Grocery Store
- Maker Space

Residential Uses:

Residential Uses in this District shall be allowed only in the blocks of the District that are adjacent to either Fisher Avenue or Drydock 4 (These blocks are indicated on Map 2). The following Residential Uses are Principal Uses in this Land Use District:

- Dwelling Units
- Live/Work Units
- Group Housing
- Supportive Housing
- Home Office

Civic, Arts & Entertainment Uses:

- Community Use
- Recreational Facility
- Arts Education
- Art Production

Parks and Recreation Uses:

- Parks
- Public Recreation
- Open Space
- Marina-related facilities

Within the Wharf District, any Laboratory, Life Science, Light Industrial, and/or Green Technology Use containing a facility that emits regulated toxic air contaminants must show that the facility does not exceed the risk thresholds identified in the Mitigation Measures. In addition, no Laboratory, Life Science, Light Industrial and/or Green Technology Uses containing a facility that emits regulated toxic air contaminants shall be permitted within three hundred fifty (350) feet of any Child-

Care Facility, Elementary or Secondary School, or Residential Use in the Wharf District.

(b) *Secondary Uses*: The following Uses are permitted in this Land Use District if the criteria for Secondary Uses set forth in Section II.B.1 are met:

Institutional Uses:

- Post-Secondary Institutions

Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services (over 12,000 sq. ft. per tenant)
- Automotive Repair and Service station

Office and Industrial Uses:

- Enclosed processing of raw materials for production
- Small boat repair facilities and workshop areas
- Automotive storage
- Commercial Storage
- Internet Service Exchange

(c) *Prohibited Uses*: The following Uses are Prohibited Uses in this Land Use District:

- Dwelling Units (except in the area described above and shown on Map 2)
- Elementary School
- Secondary School
- Drive-through facilities

## 6. **Warehouse District**

*Objectives for this District.* This District will include research and development, office, and light industrial uses similar in scale and character to those in the adjacent Wharf District. This District would include a mix of uses including neighborhood-serving retail, business, research and development and office uses comparable in scale and intensity to, and complementary of, those in the adjacent Wharf District, and potentially, Child-Care, Elementary and Secondary Schools and residential units (subject to Section II.B.8).

(a) *Principal Uses*: The following Uses are Principal Uses in this Land Use District:

**Research & Development**, Office & Industrial Uses:

- Office
- Light Industrial
- Life Science
- Laboratory
- Green Technology
- Non-Retail Sales and Services

## Hotel Uses

### Multi-media and Digital Arts Uses:

- Motion picture production
- Animation studios
- Printing and publishing
- Education and classroom facilities
- Galleries and exhibit space
- Recording studios
- Artist and artisan studios

### Institutional Uses:

- Religious Institution
- Vocational/Job Training Facility

### Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services
- Regional Retail Sales and Services
- Animal Services
- Restaurants
- Bars
- Health clubs, fitness, gymnasium, or exercise facilities
- Nighttime Entertainment
- Dry Cleaning Facility
- Commercial Wireless Transmitting Facilities
- Grocery Store
- Maker Space

### Civic, Arts and Entertainment Uses:

- Community Use
- Recreational Facility
- Arts Education
- Art Production
- Amusement Enterprise
- Performance Arts

### Infrastructure/Utility Uses

- Recycled Water Treatment Facility\*
- Geothermal Borefields for vertical-bore geothermal heating exchange system\*

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\* As located consistent with Private Infrastructure Map 2a (except that Geothermal Borefields may not be located beneath property to be provided to the Agency for use as affordable housing without approval by the Agency Commission in its sole discretion).

- Internet Service Exchange

The following Uses would be Principal Uses in this Land Use District, subject to a finding adopted by the Agency Commission that these uses are not subject to any applicable Environmental Restriction described in Section II.B.8.

Residential Uses:

- Dwelling Units
- Live/Work Units
- Group Housing
- Supportive Housing
- Home Office

Institutional Uses

- Child-Care Facility
- Elementary School
- Secondary School
- Post-Secondary Institutions

Parks and Recreation Uses:

- Parks
- Public Recreation
- Open Space
- Marina-related facilities

Within the Warehouse District, any Laboratory, Life Science, Light Industrial, and/or Green Technology Use containing a facility that emits regulated toxic air contaminants must show that the facility does not exceed the risk thresholds identified in the Mitigation Measures. In addition, no Laboratory, Life Science, Light Industrial and/or Green Technology Uses containing a facility that emits regulated toxic air contaminants shall be permitted within three hundred fifty (350) feet of any Child-Care Facility, Elementary or Secondary School, or Residential Use in the Warehouse District.

(b) Secondary Uses:

The following Uses are permitted in this Land Use District if the criteria for Secondary Uses set forth in Section II.B.1 are met:

- Commercial Storage
- Drive-through facilities
- Automotive Repair and service station

(c) Prohibited Uses: The following Uses are Prohibited Uses in this Land Use District:

- Large scale chemical handling and stationary emission sources within two hundred (200) feet of existing or planned residential uses or primary school facilities.

## 7. **Parks and Open Space District**

*Objectives for this District.* This District will provide public recreation access to the San Francisco Bay waterfront along the eastern and southern waterfront of the Shipyard, consistent with the Public Trust, including regional serving open spaces, viewing area of the water and historic Shipyard facilities, the San Francisco Bay Trail, and restorative habitat areas. Recreational sports facilities will be limited to areas not subject to the Public Trust. Only Principal Uses will be permitted in this District.

(a) *Principal Uses:* The following Uses are Principal Uses in this Land Use District:

- Parks
- Open Space
- Public Recreation
- Open-air marketplace
- Recreational Facility
- Museum and environmental education centers
- Commercial recreational uses serving visitors to the waterfront
- Small boat marina, watercraft launches and ancillary boating facilities
- Retail uses in existing, rehabilitated historic buildings
- Community Use
- Performance Arts
- Geothermal Borefields for vertical-bore geothermal heating exchange system (located consistent with Private Infrastructure Map 2a)

In areas not subject to the Public Trust, the full range of Uses allowed in Parks, open air marketplaces, and similar active recreational Uses shall be allowed in addition to the Permitted Uses listed above.

## 8. **Environmental Restrictions**

As of the 2018 Plan Amendment Date, the Navy has issued Final Records of Decisions for Parcels B, C, D-1, E, E-2, UC-1, UC-2, UC-3 & G selecting environmental remedies that will impose land use and activity restrictions on these parcels in the Project Area and is expected to issue additional Records of Decisions selecting environmental remedies that will impose land use and activity restrictions applicable to other locations. Such land use and activity restrictions are referred to in this Plan as “**Environmental Restrictions**”. Notwithstanding any other provision of this Plan, the Uses allowed by this Plan are subject to any applicable Environmental Restrictions contained in quitclaim deeds from the United States Navy or in other enforceable restrictions imposed on the property through the

environmental cleanup process under the Federal Facilities Agreement executed by the United States Navy, United States Environmental Protection Agency, California Department of Toxic Substances Control, and San Francisco Bay Area Regional Water Quality Control Board (the “**Regulating Agencies**”) unless and until such Environmental Restrictions are waived or removed by the appropriate Regulating Agencies.

### C. **Temporary and Interim Uses**

Pending the ultimate development of land consistent with the land use program, certain interim and temporary uses are authorized as follows:

#### 1. **Temporary Uses**

“**Temporary Uses**” are short-term, transitory uses that may be proposed either prior to or following development of land within a Land Use District consistent with this Plan. The Executive Director or his or her designee may allow Temporary Uses for such period of time as he or she determines to be reasonable provided the Executive Director or his or her designee finds that such Temporary Use is consistent with the objectives of the this Plan and the applicable Hunters Point Shipyard Design for Development (Phase 1 or Phase 2). Permissible Temporary Uses include:

- Booth for charitable, patriotic or welfare purposes
- Exhibition, celebration, festival, circus or neighborhood carnival
- Open air sales of agriculturally-produced seasonal decorations, including Christmas trees and Halloween pumpkins
- Convention staging
- Parking (either primary or accessory to other uses)
- Truck parking and loading accessory to the uses listed above
- Other Temporary Uses that do not conflict with the objectives of the Plan, the Plan Documents, and the Public Trust, where applicable.

#### 2. **Interim Uses**

“**Interim Uses**” are uses proposed during the time prior to or concurrent with development of land within a Land Use District consistent with this Plan. Interim Uses may be authorized in all areas not subject to the Public Trust for an initial time period to be determined by the Executive Director, upon a determination by the Executive Director that the authorized uses will not impede the orderly development of the Project Area as contemplated in this Plan. Where approved, Interim Uses will be permitted for a defined period of time not to exceed five (5) years. Permissible Interim Uses include:

- Rental or sales office incidental to a new development, provided that it is located in the development or a temporary structure
- Structures and uses incidental to environmental cleanup and staging

- Temporary structures and uses incidental to the demolition or construction of a structure, building, infrastructure, group of buildings, or open space, including construction staging of materials and equipment
- Commercial Storage
- Parking (either primary or accessory to other uses)
- Truck parking and loading accessory to the uses above
- Other Interim Uses that do not impede the orderly development of the Project Area as contemplated in this Plan, as determined by the Executive Director

Interim Uses of areas subject to the Public Trust shall be authorized only if the authorized uses are determined to be consistent with, necessary and convenient for, or incidental or ancillary to, the purposes of the Public Trust, or if the following criteria are met:

- There are no immediate trust-related needs for the property,
- The proposed lease for the use prohibits construction of new structure or improvements that, as a practical matter, could prevent or inhibit the property from being converted to a permissible trust use if necessary,
- The proposed lease for the use provides that the Agency has the right to terminate the lease in favor of trust uses as trust needs arise, and
- The proposed use of the leased property would not interfere with commerce, navigation, fisheries, or any other existing trust use or purpose.

Extensions of the above approval periods may be authorized by the Executive Director in increments of up to five (5) year periods, subject to the same determinations as required for the initial period.

#### **D. Standards for Development**

This Plan and the other Plan Documents, including the Hunters Point Shipyard Phase 1 Design for Development and Hunters Point Shipyard Phase 2 Design for Development, establish the standards for development in the Project Area and supersede the San Francisco Planning Code in its entirety, except as otherwise expressly provided herein. The only sections of the Planning Code that shall apply, pursuant to the provisions of this Plan, are: (a) Sections 101.1, 295, and 314, as such sections are in effect as of the 2010 Plan Amendment Date; (b) as to Phase 1 of the Project Area only, Sections 320-325 as such sections are in effect as of the 2010 Plan Amendment Date; (c) as to Phase 2 of the Project Area only, Section 324.1 as that section is in effect as of the 2017 Plan Amendment Date; and (d) as to Phase 2 of the Project, Section 202.2 as provided in Section II.D.1(c) below. Both the Agency Commission and the Planning Commission must approve any amendment to the Hunters Point Phase 1 Design for Development or the Hunters Point Phase 2 Design for Development.

##### **1. Applicability of City Regulations; City’s Duty to Protect Public Health and Safety**

- (a) *General.* Regardless of any future action by the City or the Agency, whether by ordinance, resolution, initiative or otherwise, the rules, regulations, and official policies

applicable to and governing the overall design, construction, fees, use or other aspect of development of the Project Area will be (i) this Plan and the other Plan Documents, (ii) to the extent not inconsistent therewith or not superseded by this Plan, the Existing City Regulations (including all provisions of the Building Construction Codes, which are not inconsistent with or superseded by this Plan), (iii) New City Regulations to the extent permitted in this Plan; (iv) new or changed Development Fees and Exactions to the extent permitted under Section II.D.6 of this Plan; (v) any disposition and development agreement or owner participation agreement related to development in the Project Area; and (vi) the Mitigation Measures (collectively, the “**Applicable City Regulations**”).

(b) *Protection of Public Health and Safety; Federal or State Law.* Notwithstanding any other provision of this Plan to the contrary, the Agency and any City Agency having jurisdiction shall exercise its sole discretion under this Plan and the applicable Plan Documents in a manner that is consistent with the public health and safety and shall at all times retain their respective authority to take any action that is necessary to protect the physical health and safety of the public (the “**Public Health and Safety Exception**”) or to comply with changes in Federal or State law, including applicable Federal and State regulations (the “**Federal or State Law Exception**”), including the authority to condition or deny a permit approval agreement or other entitlement or to adopt a New City Regulation, but subject, in all events, to any rights to terminate between an owner or developer and the Agency as set forth in either the Plan Documents or any disposition and development agreement or owner participation agreement related to development within the Project Area. Except for emergency measures, any City Agency or the Agency, as the case may be, will meet and confer with the owner of the affected Real Property and/or any affected party under any disposition and development agreement or owner participation agreement related to development within the Project Area in advance of the adoption of any New City Regulations or New Construction Requirements to the extent feasible.

(c) *Permitted New City Regulations.* The City Agencies and the Agency reserve the right to impose any New City Regulations (except for the Planning Code sections superseded by this Plan) provided that (i) they are imposed on a Citywide Basis and (ii) they do not conflict with the development permitted or contemplated within the Project Area by this Plan, the Plan Documents or any disposition and development agreement or owner participation agreement related to development within the Project Area or any portion of such development (unless such conflict is waived by the owners and developers of affected property). As used in this paragraph (c), a New City Regulation “conflicts with the development permitted or contemplated” if it would change the aforementioned development regulations to:

- (1) limit or reduce the density or intensity of development, or otherwise require any reduction in the square footage or number of proposed buildings (including number of Dwelling Units) or other improvements;
- (2) limit or reduce the height or bulk of development within the Project Area, or any part thereof, or of individual proposed buildings or other improvements;

- (3) materially change, restrict, or condition any land uses, including permitted or conditional uses, of development within the Project Area;
- (4) materially limit or control the rate, timing, phasing, or sequencing of approval, development, or construction (including demolition);
- (5) require the issuance of additional land use-related permits or approvals by the City or the Agency;
- (6) materially limit or control the availability of public utilities, services or facilities or any privileges or rights to public utilities, services or facilities for the Project Area, including but not limited to water rights, water connections, sewage capacity rights and sewer connections;
- (7) control or limit commercial or residential rents or purchase prices (excluding property owned or controlled by the Agency or the City during the period of Agency or City ownership and only to the extent such controls or limits would not survive transfer to a successive owner);
- (8) materially limit the processing or procuring of applications and approvals for any subsequent City or Agency approvals;
- (9) subject to Section II.D.6, impose any new Development Fees and Exactions or expand or increase Development Fees and Exactions;
- (10) subject to Section II.D.1(d) (New Construction Requirements), materially increase the cost of construction or maintenance of all or any development contemplated or permitted in the Project Area or of compliance with any provision of this Plan, the Plan Documents, any disposition and development agreement or owner participation agreement related to development within the Project Area or Existing City Regulations;
- (11) materially decrease the value of any land in the Project Area;
- (12) materially reduce, limit the availability of or delay the amount or timing of tax increment or Mello-Roos Community Facilities District funding; or
- (13) limit the Agency's ability to timely satisfy its obligations under any disposition and development agreement or owner participation agreement related to development within the Project Area or the City's ability to timely satisfy its obligations under any cooperation agreement or tax allocation agreement related to development within the Project Area.

Nothing in this Plan or other applicable Plan Documents shall be deemed to limit any City Agency's or the Agency's ability to comply with the California Environmental Quality Act ("CEQA") or the CRL.

Nothing in this section shall limit the authority of the Agency or any City Agency to exercise its discretion under the Public Health and Safety Exception, or to make changes under the Federal or State Law Exception, as described in Section II.D.1.b (Protection of Public Health and Safety).

The City Municipal Code (excluding the Planning Code with the exception of conditions for cannabis-related uses specified in Section 202.2 thereof (as may be amended or superseded)) and related regulations (as such Code Sections and regulations may be amended from time to time consistent with this Plan) establishing a permitting program for Cannabis-Related Uses are Permitted New City Regulations applicable to and enforceable against Cannabis-Related Uses within the Project Area.

The City's Municipal Code and related regulations establishing a permitting program for Short-Term Rentals (as such Code Sections and regulations may be amended from time to time consistent with this Plan) are Permitted New City Regulations applicable to and enforceable against Short-Term Rentals within the Project Area.

(d) *New Construction Requirements.* In addition to the Public Health and Safety Exception and the Federal or State Law Exception, the City may change construction requirements for Infrastructure and other Improvements (“**New Construction Requirements**”) if the changes: (i) would not materially increase costs or accelerate the payment of costs of developing the Project Area consistent with this Plan; (ii) are imposed by the Board of Supervisors on a Citywide Basis; and (iii) would not: (a) materially adversely affect Net Available Increment; (b) delay development; (c) materially limit or restrict the availability of Infrastructure; or (d) impose limits or controls on the timing, phasing, or sequencing of development permitted under this Plan. In addition, from and after the 10<sup>th</sup> anniversary of the issuance of the first Building Permit for a project in Phase 2 of the Project Area (as shown on Map 2), the City may impose New Construction Requirements in response to technological advances in construction if the New Construction Requirements: (1) would materially decrease the City's operation and maintenance costs and would not materially interfere with the uses, heights, density, and intensity of development described in the Plan Documents; (2) will apply on a Citywide Basis for similar land uses; (3) do not conflict with the Mitigation Measures (provided, this requirement may be satisfied with an exemption for specific Mitigation Measures as needed); and (4) do not increase by more than twenty percent (20%) the unit cost of any single component that is the subject of the New Construction Requirement.

## 2. Limitation on the Number of Buildings

The number of buildings in the Project Area may not exceed 1,125.

## 3. Limitation on the Number of Dwelling Units

The maximum number of Dwelling Units in the Project Area is approximately 5,875. [The 2024 amendments to the Redevelopment authorize the Commission to approve, without amendment to](#)

this Redevelopment Plan but subject to any necessary environmental review, the transfer of Dwelling Units from Phase 2 of the Project Area to Zone 1 of Bayview Hunters Point Redevelopment Plan Project Area B, provided that the total Dwelling Units constructed within both the Project Area and Zone 1 of the Bayview Hunters Point Redevelopment Plan Area may not exceed 12,100 Dwelling Units without Commission approval (including attendant environmental review).

#### **4. Limitation on Type, Size and Height of Buildings**

The size and type of buildings constructed in the Project Area may be as permitted in the Plan, Plan Documents, and Applicable City Regulations, which is approximately 5,501,0003,332,500 square feet of non-residential development, including approximately 255,000 square feet of artists space, 50,000 square feet of community use space,<sup>†</sup> 401,000 square feet of retail space (including up to 100,000 square feet of Regional Retail)<sup>‡</sup>, 120,000 square feet of hotel and hotel related use space, 410,000 square feet of institutional use space, and 4,265,0002,096,500 square feet of research and development and office space.

The Commission may approve, without amendment to this Plan but subject to any necessary environmental review, adjustment of the foregoing square footages over time (except for artists or community use space), including conversion to other non-residential uses allowed by this Plan, provided the total square footage of non-residential uses within Phase 2 of the Project Area does not materially exceed 5,501,0003,332,500 square feet.

In addition, to the extent the Bayview Hunters Point Redevelopment Plan allows for a transfer of non-residential-use square footage from the Hunters Point Shipyard Project Area to commercially-zoned areas of the Bayview Hunters Point Project Area or from the Bayview Hunters Point Project Area to commercially-zoned areas of the Hunters Point Shipyard Project Area, the foregoing limitations shall be reducedadjusted commensurately upon such transfer.

Accessory parking facilities for these uses, and infrastructure components Accessory to the foregoing, are not included as part of or subject to these square footage limitations.

The maximum building heights within the Project Area will be prescribed in the Hunters Point Shipyard Phase 1 Design for Development and the Hunters Point Shipyard Phase 2 Design for Development. No building may exceed 370 feet in height. Other size limitations for buildings are set in the Hunters Point Shipyard Phase 1 Design for Development and the Hunters Point Shipyard Phase 2 Design for Development by development controls including block patterns, bulk controls, prescribed setbacks, and open space requirements. Height and other size limitations shall maintain and protect view corridors from Hillpoint Park so that visitors can enjoy substantial vistas of San Francisco Bay, consistent with the requirements of the Granting Act for exchanging the park and adjacent hillside open space into the Public Trust.

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<sup>†</sup> In addition to 52,000 square feet of Community Uses already identified within Phase 1 of the Plan Area.

<sup>‡</sup> In addition to 9,000 square feet of Neighborhood Retail Uses already identified within Phase 1 of the Plan Area.

## 5. Office Development Limitations

On November 8, 2016, voters enacted Proposition O (Planning Code Section 324.1), which exempts Phase 2 of the Project Area from the office development limits set forth in Planning Code Sections 320-325. Planning Code Sections 320 – 325 (Proposition M) shall apply to office development in Phase 1 of the Project Area, and Planning Code Section 324.1 shall apply to office development in Phase 2 of the Project Area. Accordingly, the cap on the annual amount of office development permitted in the City shall apply to Phase 1 but not Phase 2 of the Project Area.

By Resolution No. 18102, the Planning Commission adopted findings pursuant to Planning Code Section 321(b)(1) that the up to 5,000,000 square feet of office development contemplated in this Plan in particular promotes the public welfare, convenience and necessity, and in so doing considered the criteria of Planning Code Section 321(b)(3)(A)-(G). Proposition O states in part that “No project authorization or allocation shall be required for any Development on the Subject Property [Candlestick Point and Hunter’s Shipyard Phase 2]. However, Development on the Subject Property that would require a project authorization or allocation but for this Section 324.1 shall be treated for all purposes as if it had been granted approval of a project authorization or allocation.” Proposition O (2016) supersedes, as to Phase 2 of the Project Area, any part of Resolution No. 18102 (Attachment E) that would require an office authorization or allocation, compliance with Planning Code sections 320-325, or Planning Commission review or approval of office developments.

## 6. Development Fees and Exactions

The following provisions will apply to all property in the Project Area except parcels used for the development of affordable housing by Agency-sponsored entities. Development Fees and Exactions shall apply to the Project in the manner described below. Except as provided in this section and except as required by the Mitigation Measures, the School Facilities Impact Fee, the Child-Care Requirements, and the Art Requirement shall be the only Development Fees and Exactions that apply to the Project Area for the duration of this Plan. Water Capacity Charges and Wastewater Capacity Charges are Administrative Fees and not Development Fees and Exactions, and shall apply in the Project Area.

The School Facilities Impact Fee shall apply for the duration of this Plan, shall be administered as required by State law, and shall be increased for the duration of this Plan in accordance with State law but only to the extent permitted by State law.

The Art Requirement shall apply for the duration of this Plan and requires that any new office building in excess of 25,000 square feet constructed within the Project Area include one-half of one percent (0.5%) of the hard costs of initial construction (excluding costs of infrastructure and tenant improvements) (the “**Art Fee Amount**”) for the installation and maintenance of works of art in the public realm within the Project Area or within Zone 1 of Project Area B of the Bayview Hunters Point Redevelopment Project Area. In the event that public spaces are not available at the time the Art Requirement is due, then the Art Fee Amount shall be paid to a fund

administered by the Agency to be used for public art within the Project Area or within Zone 1 of Project Area B of the Bayview Hunters Point Redevelopment Project Area. The public realm within which art may be installed so as to comply with the Art Requirement includes: any areas on the site of the building and clearly visible from the public sidewalk or open space feature, on the site of any open space feature, or in any adjacent public property. The type and location of artwork proposed shall be reviewed by the Executive Director for consistency with the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development and other Plan Documents.

The Child-Care Requirements shall apply for the duration of this Plan only to all commercial development over 50,000 square feet per Planning Code Section 314, as it existed on the 2010 Plan Amendment Date (attached and incorporated hereto as Attachment C). The Child-Care Requirements will be administered by the Agency to provide for these public benefits within the Project Area or within Zone 1 of Project Area B of the Bayview Hunters Point Redevelopment Project Area.

The Child-Care Requirements provide for compliance either by constructing Child-Care Facilities or, alternatively, payment of an in-lieu fee. For the duration of this Plan, development within the Project Area shall not be subject to any change to the provisions of the Child-Care Requirements that permit compliance through the construction of Child-Care Facilities. In addition, no new in lieu fee or increase in the existing in lieu fee related to the Child-Care Requirement shall apply to the Project Area for twelve (12) years following the date the first Building Permit is issued for a project in Phase 2 of the Project Area (as shown in Map 2) and, thereafter, will only be applicable if the new or increased in lieu fee relating to Child-Care Requirements is: (i) not increased at a rate greater than the annual increase in the Consumer Price Index commencing at the end of the 12-year period during which the fee has been frozen as described above; (ii) generally applicable on a Citywide Basis to similar land uses; and (iii) not redundant of a fee, dedication, program, requirement, or facility described in the Plan Documents or in any applicable disposition and development agreement related to development within the Project Area.

Notwithstanding the foregoing, new or increased Development Fees and Exactions may be imposed to the extent required under the Public Health and Safety Exception and the Federal or State Law Exception.

## **7. Shadow on Recreation and Park Property**

Section 295 of the Planning Code (Proposition K) shall apply to development in the Project Area in the form in which Section 295 was in effect as of the 2010 Plan Amendment Date (and as attached hereto as Attachment D). Section 295 (Proposition K) shall not continue to apply to development in the Project Area in the event it is repealed by legislation or voter initiative.

### **E. Retention-Rehabilitation**

Existing buildings in the Project Area, as of the 2010 Plan Amendment Date, are identified by the Navy's building numbers, on Map 3: Existing Buildings.

1. Historic buildings and other facilities proposed for retention, rehabilitation or adaptive reuse include:

Buildings 101,140, 204, 205, 207, and 208; and

Dry Docks 2, 3, and 4.

2. Four additional buildings identified as historic; Buildings 211, 224, 231 and 253 will be further evaluated for retention, preservation and reuse.

#### **F. Density Bonus**

Under State law, the Agency may grant, as a form of local public subsidy, residential density bonuses. These bonuses, if granted, shall insure that additional low- or moderate-income Dwelling Units will actually be produced within the Project Area. In Hunters Point Shipyard Phase 1 (consisting of the Hunters Point Hill Residential District), the Agency will grant such bonuses only after a developer has demonstrated to the Agency's satisfaction that the developer has utilized its best effort to provide such low- or moderate-income Dwelling Units. Hunters Point Shipyard Phase 2 consists of all Land Use Districts other than the Hunters Point Hill Residential District. A density bonus is not proposed to increase the total maximum number of residential units in Phase 2 above those levels described in Section II.D.3.

#### **G. Streets Plan**

The Street Plan for the Hunters Point Shipyard Project Area is identified on Map 4: Street Plan, which indicates generally the public rights-of-way. The categories of streets include the following:

1. Primary Arterial
2. Retail Street
3. Boulevard Park Street
4. Local Street

The Project Area's street pattern contributes to the establishment of its fundamental land use patterns, and in doing so, becomes an integral element of the overall urban design for the Project. It is, however, recognized that there is a need for some degree of adaptability and flexibility in locating and configuring some of the Project's local streets and alleys at the time of actual physical development. Accordingly, the alignment and classification of these streets are subject to adjustment by the Agency and the City at the time of detailed engineering studies.

Certain streets in the Project Area will be impressed with the Public Trust. These streets will provide key vehicular, bicycle and pedestrian access ways to the waterfront, providing a connection between the various parts of the waterfront, and between the waterfront and other Public Trust lands within the Project Area.

In order to accommodate vehicle traffic and transit serving the various uses planned for the Project Area, this Plan also provides for street, lighting, utility, and related improvements to Innes Avenue and Hunters Point Boulevard, outside the northwestern boundary of the Project Area.

### **III. PROJECT PROPOSALS**

#### **A. Rehabilitation and New Development**

All new development and all rehabilitation of existing structures must conform to this Plan, and to all applicable Federal and State laws and to those local laws that are applicable pursuant to this Plan.

1. Utilities: Stormwater detention, stormwater treatment, and similar facilities may include above-ground features such as bioswales and channels. New permanent utility lines must be placed underground. Above ground pump stations control rooms and sub-stations are permitted however their visual impact must be minimized per requirements either the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, as appropriate. Temporary utility poles and wires may be installed during the project build out.
2. Signage: With the exception of temporary marketing and sales signs pertaining to developments within the Project Area (which will be permitted), permanent or temporary billboards (excluding kiosks, streetscape commercial signage, and street furniture-related commercial signage), are prohibited within all Land Use Districts (including any park or street area). Permanent signage for residential, commercial and open space development is subject to the development controls and guidelines of either the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, as appropriate. The Agency Commission shall review for consistency with the objectives of this Plan any proposed signage not permitted by the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, as appropriate and any signage master plan.
3. Development Project: Plans for rehabilitation and new development shall be submitted to the Agency for architectural review and approval, consistent with the Agency's Design Review and Document Approval Process (DRDAP) for the Project Area or as attached to any disposition and development agreement related to development within the Project Area.
4. Agency Sponsored Improvements: To the extent now or hereafter permitted by law, the Agency may pay for, develop, or construct any building, facility, element of infrastructure, structure or other improvement either within or outside the Project Area, for itself or for any public body or entity, provided that such building, facility, element of infrastructure, structure or other improvement would be of benefit to the Project Area and conform to the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, as appropriate.

**B. Owner and Tenant Preference**

Persons who are either owners or tenants of businesses, or other types of real property within the Project Area being displaced by rehabilitation, Agency property acquisition, or other Agency action occasioned by the implementation of this Plan will be afforded certain preferences. The Agency shall extend preferences to such persons in order that they may re-enter the redeveloped Project Area. The Agency will adopt a business relocation program to implement these preferences. Participants in this program necessarily will be subject to and limited by the requirements of this Plan.

**C. Acquisition of Real Property**

Any real property located within the Project Area may be acquired by the Agency by purchase, gift, devise, exchange, lease, or any other lawful method. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is also authorized to acquire any other interest in real property less than full fee title.

**D. Acquisition of Personal Property**

Where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means except eminent domain.

**E. Property Management**

During such time as any property in the Project Area is owned or leased by the Agency, such property will be under the management and control of the Agency and may be leased or subleased.

**F. Payment of Taxes**

The Agency may in any year during which it owns property in the Project Area pay directly to the City or any district, including a school district or other public corporation for whose benefit a tax would have been levied upon such property had it not been exempt, an amount of money in lieu of taxes.

A proportionate share of any amount of money paid by the Agency to the City will be disbursed by the City to any school district with territory located within the Project Area in the City. **“Proportionate share”** means the ratio of the school district tax rate that is included in the total tax rate of the City to the total tax rate of the City.

The Agency may also pay to any taxing agency with territory located within a project area other than the community that has adopted the Project, any amount of money that in the Agency’s determination is appropriate to alleviate any financial burden or detriment caused to any taxing agency by this Plan.

## **G. Relocation**

The Agency will provide relocation assistance and benefits as required under applicable Federal and State law. A review of the current Project Area indicates that there are no persons currently residing therein. Accordingly, relocation activities would relate solely to businesses.

To the extent required under applicable State or Federal law, the Agency shall: (1) assist or cause to be assisted all eligible persons displaced by redevelopment activities undertaken or assisted by the Agency in finding new locations in accordance with applicable law, and where possible, shall relocate businesses to a location of similar size within the Project Area; and (2) make or cause to be made relocation payments to eligible persons displaced by redevelopment activities undertaken or assisted by the Agency as may be required by applicable State or Federal law. The Agency may make such other payments as it determines to be appropriate and for which funds are available.

Pursuant to Section 33339.5 of the California Health and Safety Code, the Agency shall extend reasonable preferences to persons who are engaged in business within the Project Area to reenter in business within the redeveloped Project Area, if they otherwise meet the requirements of this Plan. In order to extend reasonable preferences to businesses to reenter into business within the redeveloped Project Area, the Agency has promulgated, by Agency Resolution No. 93097, rules for the Business Occupant Re-Entry Program within the redeveloped Project Area.

## **H. Demolition and Clearance**

The Agency is authorized to demolish and clear buildings, structures, and other improvements from real property owned by the Agency in the Project Area as necessary to carry out the purposes of this Plan.

## **I. Public Improvements and Public Facilities**

The Agency is authorized to install and construct or to cause to be installed and constructed the public improvements, public facilities, and public utilities, on any parcel within or outside the Project Area, appropriate or necessary to carry out this Plan. Such public improvements and public facilities are described in Attachment B, Authorized Public Improvements.

## **J. Preparation of Building Sites**

The Agency is authorized to prepare or cause to be prepared as building sites any real property in the Project Area owned or leased by the Agency.

## **K. Disposition of Real Property**

For the purpose of this Plan, the Agency is authorized to sell, lease, sublease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest of real property, except to the extent prohibited by the Granting Act.

Any real or personal property acquired by the Agency in the Project Area will be sold or leased for development in accordance with this Plan and for consideration. However, the Agency may convey real property to the City or to any other public body with or without consideration.

Property containing buildings or structures rehabilitated by the Agency will be offered for resale within one year after completion of rehabilitation or an annual report concerning such property will be published by the Agency as required by law.

The Agency will reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to insure that development is carried out pursuant to this Plan.

All purchasers or lessees of property will be obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time that the Agency fixes as reasonable, and to comply with other conditions that the Agency deems necessary to carry out the purposes of this Plan.

#### **L. Disposition and Development Documents**

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or otherwise conveyed by the Agency will be made subject to the provisions of this Plan by lease, deed, contract, agreement, declaration of restrictions, or other means. Where appropriate, as determined by the Agency, such documents or portions thereof will be recorded in the Office of the Recorder of the County of San Francisco.

The leases, deeds, contracts, agreements, and declarations of restrictions may contain restrictions, covenants running with the land, rights of reverter, powers of termination, conditions subsequent, equitable servitudes, or any other provision necessary to carry out this Plan.

All property in the Project Area sold, leased or conveyed by the Agency will be made subject by appropriate documents to the restriction that there will be no discrimination or segregation on any basis listed in subdivision (a) or (d) of Section 12955 of the California Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the California Government Code, or on the basis of race, color, creed, religion, national origin or ancestry, sexual orientation, gender, identity, marital or domestic partner status, age, or disability, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area. In addition, such property will be made subject to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such nondiscrimination and non-segregation clauses as are required by law and this Plan.

**M. Disposition of Personal Property**

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property that has been acquired by the Agency.

**N. Replacement Housing**

Whenever Dwelling Units housing persons and families of low or moderate income are destroyed or removed from the low- and moderate-income housing market as part of this redevelopment project, the Agency shall, within four (4) years of such destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, for rental or sale to persons and families of low or moderate income an equal number of replacement Dwelling Units at affordable rents within the Project Area or within the territorial jurisdiction of the Agency.

**O. Redeveloper's Obligations**

In order to provide adequate safeguards that the process of redevelopment will be carried out pursuant to this Plan, agreements for the disposition of land by the Agency shall include provisions recognizing and requiring that:

1. The purchase of land is for redevelopment and not for speculation and reserving to the Agency such powers and controls as may be necessary to prevent transfer, retention or use of the property for speculative purposes.
2. The land shall be built upon and/or improved in conformity with the development standards of this Plan and any applicable Agency regulations, the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, and the Declaration of Restrictions.
3. All developers and owner participants shall submit phasing plans, schematic architectural plans, site and landscape plans and final plans including landscaping and sign plans, and specifications of the improvements proposed to be constructed on the land for architectural review and approval by the Agency in order to ensure that development and construction will be carried out in a manner that will effectuate the purposes of this Plan. To the extent required in disposition and development agreements or agreements with owner participants, as a part of such plans and specifications, developers and, if required by the Agency, owner participants shall submit time schedules for the commencement and completion of such improvements. All such plans and schedules shall be submitted to the extent required by, and within the time specified in, the respective agreements with such developers and owner participants.
4. By and for the contracting parties, their heirs, executors, administrators, and assigns, there may be no discrimination against or segregation of any person or group of

persons on any basis listed in subdivision (a) or (d) of Section 12955 of the California Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the California Government Code, or on the basis of race, color, religion, national origin, gender, sexual orientation, gender identity, marital or domestic partner status, age, disability, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the premises therein described, nor may the contracting parties, or any person claiming under or through them establish or permit such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy of tenants, lessees, subleases, or vendees in the premises described. All deeds, leases or contracts for the sale, lease, sublease, or other transfer of any land shall contain the nondiscrimination and non-segregation clauses specified in the CRL (Section 33436 of the California Health and Safety Code) and this Plan.

#### **IV. METHODS FOR PROJECT FINANCING**

##### **A. General**

Upon adoption of this Plan by the Board of Supervisors, the Agency is authorized to finance projects consistent with this Plan with assistance from the United States Government,

including the Department of Housing and Urban Development (HUD), the Department of Defense (Office of Economic Adjustment) as well as from other Federal programs, from the State, from the City, from Agency bonds, and from other available sources.

The Agency is hereby authorized to issue bonds, obtain advances, borrow funds and create indebtedness in carrying out this Plan. The principal and interest of such advances, funds, and indebtedness may be repaid from any funds that may appropriately be available to the Agency.

Any other loans, grants, or financial assistance from the United States, or any other public or private sources will also be utilized, if available.

As permitted under Section 34177.7(j)(2) of California Health and Safety Code and amendments to the CP-HPS2 project agreements, the 2024 amendments to the Redevelopment Plan authorize the application of the allocated property tax revenues generated from Zone 1 of BVHP Redevelopment Plan Project Area B and Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area to both such project areas for the purpose of implementing the Candlestick-Point Hunters Point Shipyard Phase 2 project regardless of location of the projects financed within Zone 1 of BVHP Redevelopment Plan Project Area B and Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area.

##### **B. Tax Allocation**

Taxes, if any, levied upon the taxable property in the Project Area each year by or for the benefit of the State, the City, any district, or other public corporation, after the Effective Date, shall be divided as follows, in accordance with the CRL (Section 33670 of the Health and Safety Code):

(a) That portion of the taxes that would be produced by the rate upon which the taxes levied each year by or for each of the Taxing Agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective Taxing Agencies as taxes by or for said Taxing Agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies that did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the county last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and

(b) That portion of the levied taxes each year in excess of that amount shall be allocated to and when collected shall be paid into a special fund of the redevelopment agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the redevelopment agency to finance or refinance, in whole or in part, the redevelopment project. Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in that project as shown by the last equalized assessment roll referred to in paragraph (a) hereof, all of the taxes levied and collected upon the taxable property in the redevelopment project shall be paid to the respective Taxing Agencies. When the loans, advances, and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in the redevelopment project shall be paid to the respective Taxing Agencies as taxes on all other property are paid.”

Not less than twenty percent (20%) of all taxes that are allocated to the Agency pursuant to Health and Safety Code Section 33670 and Section IV.B.(b) of this Plan shall be used by the Agency for the purposes of increasing, improving and preserving the community’s supply of low- and moderate-income housing available at affordable housing cost, as defined by Section 50052.5 of the California Health and Safety Code, to persons and families of low or moderate income, as defined in Section 50093, to lower income households, as defined in Section 50079.5, and to very low income households, as defined in Section 50105.

In the proceedings for the advance of moneys, making loans or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the Agency to finance or refinance, in whole or in part, the Hunters Point Shipyard Redevelopment Project, the portion of taxes set forth in the CRL and the California Constitution (as the same may exist on the date of the making of said advances or loans or the incurring of indebtedness) as available to the Agency for such purposes may be irrevocably pledged for the payment of the principal of and interest on such loans, advances, or indebtedness.

~~It is anticipated that the amount of taxes to be produced by the method described in Subsections (a) and (b) above may be sufficient to support a bond(s) issue in the range of \$900 million. In~~

~~addition, it may become necessary and appropriate to issue bonds to be partially repaid from taxes allocated pursuant to Subsections (a) and (b) above. Therefore, the amount of bonded indebtedness that can be outstanding at any one time from the issuance of bonds to be repaid in whole or in part from the allocation of taxes pursuant to Section 33670 of the California Health and Safety Code will be limited to \$900 million. In order to adequately fund the repayment of such bonds (including principal, interest, and issuance cost), the number of dollars of taxes that may be divided and allocated to the Agency pursuant to Section 33670 of the California Health and Safety Code will be limited to \$4.2 billion.~~

For Zone 1 of BVHP Redevelopment Plan Project Area B and Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area, the aggregate total amount of bonded indebtedness of the Agency to be repaid from the allocation of taxes to the Agency for both Zone 1 of the BVHP Redevelopment Plan Project Area B and Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area pursuant to CRL Section 33670, which can be outstanding at one time, may not exceed \$5.9 billion

No loans, advances, or indebtedness to finance Phase 1 of the redevelopment projectProject Area in whole or in part and to be repaid from the allocation of taxes pursuant to Section 33670 of the California Health and Safety Code may be established or incurred by the Agency twenty (20) years after the Agency begins collecting substantial tax increment funds in the Project Area, meaning a total allocation of tax increment funds exceeding \$100,000.

The Agency may not establish loans, advances, or indebtedness to finance in whole or in part its activities in Phase 2 of the Project Area beyond thirty (30) years from the date of the conveyance, to the Shipyard Phase 2 master developer, of all Phase 2 parcel(s) required for the completion of development of the first Major Phase (as defined in that certain CP-HPS2 DDA) located within Phase 2 (“Initial HPS Transfer Date”) ), plus an additional fifteen (15) years, which represents the “Anticipated Navy Delay”. The “Anticipated Navy Delay” is the estimated delay, based on documentation from the Navy, that completion of remediation and conveyance of all portions of Phase 2 of the Project Area, excluding Parcel F, to the master developer of the CP HPS2 project will occur in 2036-2038, including time needed for issuance of a Finding of Suitability for Transfer and associated conveyance documentation. This Anticipated Navy Delay warrants an additional extension of the redevelopment timelines to be established pursuant to Section 34177.7(j) to include fifteen (15) additional years for purposes of those redevelopment activities on Phase 2 of the Project Area and related tax increment financing.

The Agency may not pay indebtedness or receive property taxes pursuant to Section 33670 of the California Health and Safety Code from Phase 1 of the Project Area forty five (45) years after the Agency begins collecting substantial tax increment funds in the Project Area; meaning a total allocation of tax increment funds exceeding one hundred thousand dollars (\$100,000).

The Agency may not pay indebtedness or receive property taxes pursuant to Section 33670 of the California Health and Safety Code from Phase 2 of the Project Area forty--five (45) years after ~~the Agency begins collecting substantial tax increment funds in the Project Area; meaning a total allocation of tax increment funds exceeding one hundred thousand dollars (\$100,000).~~Initial HPS

Transfer Date plus an additional fifteen (15) years, which amount represents the Anticipated Navy Delay.

Bond issues, the principal and interest of which the Agency proposes to pay with tax allocations under Health and Safety Code 33670, are subject to Board of Supervisors approvals, as are all bond issues of the Agency; where the Agency proposes to utilize tax allocations for other than repaying principal and interest on bond issues or other existing indebtedness, the Agency shall prepare, for the approval of the Board of Supervisors, an annual Project Work Program, which program shall outline in detail the activities to be undertaken by the Agency, the loans and/or advances to be received and/or the indebtedness to be incurred.

## **V. ACTIONS BY THE CITY**

The City, by the adoption of this Plan, agrees to aid and cooperate with the Agency in carrying out this Plan and shall take any further action necessary to ensure the continued fulfillment of the various objectives and purposes of this Plan and to prevent the recurrence or spread in the Project Area of conditions causing blight. Such actions include the following:

- A. Prior to termination of this Plan, revision of zoning within the Project Area (to be effective as of this Plan expiration date) to conform to the land uses authorized by this Plan and the development standards and design guidelines set forth in the Hunters Point Shipyard Design for Development documents, as they have been amended from time to time as of the expiration date of this Plan.
- B. Institution and completion of proceedings necessary for changes and improvements in publicly-owned utilities within or affecting the Project Area.
- C. Performance of the above and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule that will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
- D. Referral will be made to the Agency prior to approval by the City of each building permit application in the Project Area. No building permit will be issued unless it conforms to this Plan.
- E. The City is authorized, but not obligated to provide funds to ensure the completion of the Project as a whole in accordance with this Plan.
- F. The City shall review, consider, and approve, without unnecessary delay, tentative subdivision maps and parcel maps as necessary to develop the Project Area, provided maps and public infrastructure agreements are found to be consistent with the objectives of this Plan, approved environmental mitigations, and the development standards and design guidelines set forth in the Hunters Point Shipyard Phase 1

Design for Development and Hunters Point Shipyard Phase 2 Design for Development.

- G. The undertaking and completing of any other proceedings necessary to carry out the Project.

In order to facilitate the implementation of this Plan, the City and the Agency have entered into Interagency Cooperation Agreements (each, an “ICA”). Each ICA is intended to provide the framework for cooperation among various City Agencies and the Agency in accordance with this Plan, the other applicable Plan Documents and disposition and development agreements entered into in accordance with this Plan with respect to the review and approval of development authorizations in the Project Area and, where appropriate, to facilitate cooperation of the City Agencies in issuance of those permits, approvals, agreements and entitlements at each applicable stage of development. The City shall perform all of its obligations under each ICA.

## **VI. PROCEDURE FOR AMENDMENT**

This Plan may be amended by means of the procedure established in Section 33450-33458 of the California Health and Safety Code, or by any other procedure hereafter established by law.

## **VII. PROCEDURE FOR VARIANCE**

The owner or developer of any property in the Project Area may make a written request for a variance that states fully the grounds of the application and the facts pertaining thereto. Upon receipt of a complete application, the Agency may conduct its own further investigation and the Agency Commission may, in its sole discretion at a duly noticed public hearing, grant a variance from the development controls in this Plan and either the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, as appropriate, under the following circumstances:

- Due to unique physical constraints or other extraordinary circumstances applicable to the property, the enforcement of development regulations without a variance would otherwise result in practical difficulties for development and create undue hardship for the property owner or developer or constitute an unreasonable limitation beyond the intent of this Plan; and
- The granting of a variance would be in harmony with the goals of this Plan, and will not be materially detrimental to the public welfare or materially injurious to neighboring property or improvements in the vicinity.

In granting a variance, the Agency will specify the character and extent thereof, and also prescribe conditions necessary to secure the goals of this Plan and the Design for Development.

The Agency’s determination to grant or deny a variance will be final and will not be appealable to the Planning Department. In no instance will any variance be granted that will substantially change the allowable land uses of this Plan. Procedures for the evaluation of Secondary Uses are described above in Section II.B.1.

In addition, for certain development controls specified in the Phase 2 Design for Development, the Executive Director may approve deviations (minor modifications no greater than ten percent of the numerical development control), in accordance with the standards and processes set forth therein.

## **VIII. DURATION OF PLAN**

### Phase 1 of Project Area

This Plan as it relates to Phase 1 of the Project Area will be effective until thirty (30) years from the date the Controller of the City and County of San Francisco certifies, pursuant to Section 33492.9, as the final day of the first fiscal year in which one hundred thousand dollars (\$100,000) or more of tax increment from the Project Area are paid to the Agency pursuant to Section 33675(d); provided, however, that the nondiscrimination and non-segregation provisions will continue in perpetuity. Any Declaration of Restrictions formulated pursuant to this Plan may contain provisions for the extension of such Declaration of Restrictions for successive periods. The Agency may receive property taxes pursuant to Section 33670 of the California Health and Safety Code for up to forty five (45) years after the Agency begins collecting substantial tax increment funds; meaning a total allocation of tax increment funds exceeding one hundred thousand dollars (\$100,000).

### Phase 2 of Project Area

This Plan as it relates to Phase 2 of the Project Area will be effective for thirty (30) years from the Initial HPS Phase Transfer Date plus an additional fifteen (15) years, which amount represents the Anticipated Navy Delay.

## **IX. ENFORCEMENT OF PLAN**

The provisions of this Plan and other documents formulated pursuant thereto may be enforced by the Agency in any manner authorized by law.

## **X. SEVERABILITY**

If any provision, section, subsection, subdivision, sentence, clause or phrase of this Plan is for any reason held to be invalid or unconstitutional, such decision will not affect the validity of the remaining portion or portions of this Plan.

## **XI. DEFINITIONS**

Following are definitions for certain words and terms used in this Plan. All words used in the present tense include the future. All words in the plural number include the singular number and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word “shall” is mandatory and not directory; and the term

“may not” is prohibitory and not permissive. The words “including”, “such as” or words of similar import when following any general term may not be construed to limit the general term to the specific terms that follow, whether or not language of non-limitation is used; rather, these terms will be deemed to refer to all other terms that could reasonably fall within the broadest possible scope of the term.

**2010 Plan Amendment Date** means the date on which Ordinance No. 211-10 adopting amendments to this Plan, approved on August 3, 2010, became effective.

**2017 Plan Amendment Date** means the date on which Ordinance No. 122-17 adopting amendments to this Plan, approved on June 22, 2017, became effective.

**2018 Plan Amendment Date** means the date on which Ordinance No. 0166-18 adopting amendments to this Plan, approved on July 16, 2018, became effective.

**2024 Plan Amendment Date** means the date on which Ordinance No. \_\_\_\_\_ adopting amendments to this Plan, approved on [DATE], became effective.

**Accessory Use** means uses that are related to and subservient to another use, and serve that use only (with the exception of Parking, which may serve several lawfully permitted uses). For purposes of private infrastructure, accessory means utility systems and/or a component thereof, located within, on or beneath a lawful permitted Use on the same Assessor’s lot.

**Administrative Fee** means any fee charged by any City Agency or the Agency in effect on a Citywide Basis, including fees associated with Article 31, at the time of submission for the processing of any application for building or other permits, subdivision maps, or other City or Agency regulatory actions or approvals for any development in the Project Area.

**Adult Entertainment** means a use that includes any of the following: adult bookstore, adult theater, and encounter studio, as defined by Section 1072.1 of the San Francisco Police Code.

**Agency Commission** means the Commission for the Redevelopment Agency of the City and County of San Francisco.

**Amusement Enterprise** means enterprises such as billiard halls, bowling alleys, skating rinks, and similar uses when conducted within a completely enclosed building.

**Animal Services** means an animal care use that provides medical care and/or boarding services for animals.

**Arts Education** means schools of any of the following for professionals, credentialed individuals, or amateurs: dance, music, dramatic art, film, video, graphic art, painting, drawing, sculpture, small-scale glass works, ceramics, textiles, woodworking, photography, custom-made jewelry or apparel, and other visual, performance, industrial and product-design and sound arts and craft.

**Art Production** means commercial arts and art-related business service uses including, but not limited to, recording and editing services, small-scale film and video developing and printing; titling; video and film libraries; special effects production; fashion and photo stylists; production, sale and rental of theatrical wardrobes; and studio property production and rental companies. Arts spaces may include studios, workshops, galleries, museums, archives and small theaters, and other similar spaces customarily used principally for production and post-production of graphic art, painting, drawing, sculpture, small-scale glass works, ceramics, textiles, woodworking, photography, custom-made jewelry or apparel and other visual, performance and sound arts and craft.

**Automotive Repair** means a retail automotive service use that provides any of the following automotive repair services, whether outdoors or in an enclosed building: minor auto repair, engine repair, rebuilding, or installation of power train components, reconditioning of badly worn or damaged motor vehicles, collision service, or full body paint spraying.

**Bar** means a principal retail use not located in a Restaurant that provides on-site alcoholic beverage sales for drinking on the premises, including bars serving beer, wine and/or liquor to the customer where no person under twenty one (21) years of age is admitted (with Alcoholic Beverage Control [ABC] license 42, 48, or 61) and drinking establishments serving liquor (with ABC license 47 or 49) in conjunction with other uses that admit minors, such as theaters, and other entertainment. Restaurants with ABC licenses are not considered bars under this definition.

**Battery Storage System** means a component of the utility electricity system which stores energy.

**Board of Supervisors** means the Board of Supervisors of the City and County of San Francisco, California.

**Building Construction Codes** means the City's (or if applicable, the Port's) Building Code, Electrical Code, Mechanical Code and Plumbing Code and any construction requirements in the Housing Code and the Fire Code.

**Business Occupant Re-Entry Policy** means a document approved by the Agency Commission in relation to this Plan that establishes, to the extent required by State or Federal law, how the extension of reasonable preferences to business occupants will be implemented within the Project Area.

**Cannabis-Related Use** means any Use that is required to obtain a permit, and has obtained such permit, from the San Francisco Office of Cannabis (or its successor). For the avoidance of doubt, a Cannabis-Related Use is any category of Use otherwise permitted herein that cultivates, manufactures, distributes, tests, sells, delivers or in any other way uses cannabis or cannabis-derived materials, including for legal adult use or medical use.

**Child-Care Facility** means a use that provides less than 24-hour care for children by licensed personnel and that meets all the requirements of the State and other authorities for such a facility.

**Child-Care Requirements** means the requirements set forth in City Planning Code Section 314, as it exists on the 2010 Plan Amendment Date.

**City Agency** means, individually or collectively as the context requires, all departments, agencies, boards, commissions and bureaus of the City with subdivision or other permit, entitlement or approval authority or jurisdiction over any portion of the Project Area, including but not limited to the Port Authority, Department of Public Works, the Public Utilities Commission, the Planning Commission, the Municipal Transportation Agency, the Building Inspection Commission, the Public Health Commission, the Fire Commission and the Police Commission, or any successor public agency designated by or under law.

**City Regulations** means ordinances, resolutions, initiatives, rules, regulations, and other official City and Agency policies applicable to and governing the overall design, construction, fees, use or other aspects of development within the Project Area. City Regulations includes City municipal codes, the General Plan, Building Construction Codes, Subdivision Code, and all ordinances, rules, regulations and official policies adopted to implement those City Regulations, except to the extent such regulations are Administrative Fees.

**Citywide Basis** means all privately-owned property within (a) the City's jurisdictional limits or (b) any designated use classification or use district of the City so long as (1) any such use classification or use district includes a substantial amount of affected private property other than affected private property within the Project Area, (2) the use classification or use district includes all private property that receives the general or special benefits of, or causes the burdens that occasion the need for, the New City Regulation, Development Fees and Exactions, or New Construction Requirements, and (3) the cost of compliance with the New City Regulation, Development Fees and Exactions, or New Construction Requirements applicable to the same type of use in the Project Area (or portion thereof) does not exceed the proportional benefits to, or the proportional burdens caused by private development of that type of use in the Project Area (or portion thereof).

**Commercial Storage** means a commercial use that stores, within an enclosed building, household goods, contractors' equipment, building materials or goods or materials used by other businesses at other locations and that may include self-storage facilities for members of the public. Commercial storage does not include the storage of waste, salvaged materials, automobiles, inflammable or highly combustible materials, and wholesale goods or commodities.

**Commercial Wireless Transmitting Facility** means equipment for the transmission, reception, or relay of radio, television, or other electronic signals, and may include towers, antennae, and related equipment.

**Community Use** means a publicly or privately owned use that provides public services to the community, whether conducted within a building or on an open lot. This use may include, by way of example and not limitation, museums, post offices, public libraries, police or fire stations, transit and transportation facilities, utility installations, building-integrated sustainable energy

generation facilities, neighborhood-serving community recycling centers, and wireless transmission facilities.

**Consumer Price Index** means the All Items Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-San Jose Metropolitan Statistical Area published by the Bureau of Labor Statistics of the United States Department of Labor.

**Declaration of Restrictions** means a recorded declaration that provides notice that properties in the Project Area are subject to restrictions, reservations and covenants for the benefit of the Project Area and this Plan.

**Development Fees and Exactions** means a monetary or other exaction including in-kind contributions, other than a tax or special assessment or Administrative Fee, that is charged by the Agency or any City Agency in connection with any permit, approval, agreement or entitlement or any requirement for the provision of land for construction of public facilities or Infrastructure or any requirement to provide or contribute to any public amenity or services. Development Fees and Exactions does not include Building Construction Codes in effect from time to time and generally applicable on a Citywide Basis to similar land uses.

**District Heating and Cooling Facility** means a plant (including geothermal powered) with hot water (or steam) and chilled water distributed from the district plant to individual buildings via a pipe distribution network.

**Dry-Cleaning Facility** means dry-cleaning establishment, including pressing and other miscellaneous processing of clothes.

**Dwelling Units** means a residential use that consists of a suite of one or more rooms and includes sleeping, bathing, cooking, and eating facilities.

**Effective Date** means the date the ordinance passed by the Board of Supervisors approving this Plan (Ordinance No. 211-10) became effective.

**Elementary School** means an institution that provides K-8 education and that may be either public or private.

**Executive Director** means the Executive Director of the Agency.

**Existing City Regulations** means City Regulations as they are in effect on the 2010 Plan Amendment Date.

**General Plan** means the General Plan for the City and County of San Francisco.

**Green Technology** means a use or several uses that involves the research, development, and fabrication of innovative methods, materials, and technology to improve environmental quality, increase energy and/or resource efficiency, reduce greenhouse gas emissions, reduce waste and pollution, and increase resource sustainability. Green Technology uses may utilize office,

laboratory, light manufacturing, or other types of use. Green technology can include office, laboratory, and light-manufacturing uses.

**Grocery Store** means a retail use of medium or large scale providing sales of food, produce, prepared food, beverages, toiletries, pharmaceutical products and services, and household items to the general public. This includes neighborhood-serving stores, supermarkets, festival market places, or other large format tenants providing primarily food sales up.

**Group Housing** means a residential use that provides lodging or both meals and lodging without individual cooking facilities. Group Housing may include housing specifically designed for and occupied by seniors, students or disabled residents.

**Home Office** means the accessory use of a dwelling for office purposes, provided that the principal user of such office resides in that dwelling.

**Hotel** means a use that provides overnight accommodations including guest rooms or suites and ancillary services to serve hotel guests. Hotels shall be designed to include all lobbies, offices and internal circulation to guest rooms and suites within and integral to the same enclosed building or buildings as the guest rooms or suites.

**Hunters Point Shipyard Phase 1 Design for Development** means the Design for Development document that sets development standards and design guidelines for Phase 1 of the Project, which consists of the Hunters Point Hill Residential District, as amended from time to time in accordance with its provisions.

**Hunters Point Shipyard Phase 2 Design for Development** means the Design for Development document that sets development standards and design guidelines for Phase 2 of the Project, which consists of all of the Project Area except for the Hunters Point Hill Residential District, as amended from time to time in accordance with its provisions.

**Implementation Plan** means a plan adopted periodically by the Agency Commission relating to the implementation of goals and objectives within this Plan, in accordance with the requirements of the CRL.

**Internet Service Exchange** means a use that provides a location for: switching equipment (whether wireline or wireless) that joins or connects customers, or subscribers to enable them to transmit data, voice, or video signals; one or more computer systems and related equipment used to build, maintain or process data, voice or video signals or provide other data processing services; or a group of network servers.

**Institutional Use** means Residential Care Facility, Child-Care Facility, Elementary School, Religious Institution, Secondary School, Post-Secondary Institution, or Vocational/Job Training Facility.

**Laboratory** means a use that provides for space within any structure intended or primarily suitable for scientific research. This includes industrial, chemical, and digital work stations for

the purpose of design, developing, and testing product development. The space requirements of uses within this category include specialized facilities or built accommodations that distinguish the space from office uses and light industrial uses.

**Life Science** means a use that involves the integration of natural and engineering sciences and advanced biological techniques using organisms, cells, and parts thereof for products and services. Life Science uses may utilize office, laboratory, light manufacturing, or other types of uses.

**Light Industrial** means a non-retail use that provides for the fabrication or production of goods, by hand or machinery, for distribution to retailers or wholesalers for resale off the premises, primarily involving the assembly, packaging, repairing, or processing of previously prepared materials.

**Live/Work Units** means a structure or portion of a structure combining a residential living space for a household or group of persons with an integrated work space principally used by one or more of the residents of that unit. Work spaces uses in a Live/Work Unit must comply with the other non-residential uses allowed within the respective land use District.

**Maker Space** means uses for contemporary forms of small-scale manufacturing, repair, and post-manufacturing activities. Maker space should typically include a retail component, and may include several other uses within a single space, including but not limited to, Light Industrial (for example, craft, industrial arts and design, robotics, woodworking, jewelry manufacture, clothing and apparel manufacture, and food and beverage production), office and research and development (e.g., digital technologies and electronics, 3D printing, graphic design), and Neighborhood Retail Sales and Services associated with the foregoing (e.g., food and beverage tasting and sale, arts and crafts sales, jewelry sales), among many others. For the purposes of size limitations established in Section II.D.4, Maker Space is considered Neighborhood Retail Sales and Service or research and development and office space.

**Mitigation Measures** means those mitigation measures from the Candlestick Point/Hunters Point Shipyard Phase 2 Project EIR imposed as conditions of approval of the amendments to this Plan as set forth in Resolution No. 347-2010, as amended or modified from time to time consistent with CEQA.

**Neighborhood Retail Sales and Services** means a commercial use that provides goods and/or services directly to the customer, whose primary clientele is customers who live or work nearby and who can access the establishment directly from the street on a walk-in basis. This use may provide goods and/or services to the business community, provided that it also serves the general public. This use would include those that sell, for example, groceries, personal toiletries, magazines, smaller scale comparison shopping; personal services such as laundromats, health clubs, formula retail outlets, hair or nail salons; medical services including, but not limited to, urgent care facilities and standalone emergency rooms, but excluding hospitals; and uses designed to attract customers from the surrounding neighborhood. Retail uses can also include outdoor activity areas, open air sales areas, and walk-up facilities (such as ATMs or window

service) related to the retail sale or service use and need not be granted separate approvals for such features. Retail uses can also include interactive spaces (e.g., uses that promote pedestrian activity on the ground level of buildings), including but not limited to, markets, cafes, restaurants, fitness centers, bike shops/bike repair, childcare, creative maker spaces, co-working spaces, health and wellness spaces, learning spaces, and neighborhood spaces (e.g., neighborhood-serving amenities or accessible resources for the community).

**New City Regulations** means both City Regulations adopted after the 2010 Plan Amendment Date or a change in Existing City Regulations, including any amendment to this Plan or the Plan Documents, effective after the 2010 Plan Amendment Date.

**Nighttime Entertainment** means entertainment activities such as dance halls, discotheques, nightclubs, and similar evening-oriented entertainment activities generally involving amplified music, either live or recorded, as well as restaurants and bars, and other venues or spaces used for different uses during the day that present such activities. It excludes Adult Entertainment.

**Non-Retail Sales and Services** means a commercial or office use that provides goods and/or services primarily to other businesses rather than to the general public and that may include by way of example and not limitation, wholesale sales, sale, rental, installation, servicing and/or repair of business goods and equipment.

**Office** means a use within a structure or portion thereof intended or primarily suitable for occupancy by persons or entities that perform, provide for their own benefit, or provide to others at that location services including, but not limited to, the following: professional; medical; banking; insurance; management; consulting; technical; sales; artificial intelligence; technology, and design; and the non-accessory office functions of manufacturing and warehousing businesses; multimedia and digital arts, software development, hardware development, web design, electronic commerce, and information technology; administrative services; and professional services. This use does not include retail uses; repair; any business characterized by the physical transfer of tangible goods to customers on the premises; or wholesale shipping, receiving and storage.

**OPA Rules** means rules established by the Agency Commission for property owner participation in redevelopment activities consistent with the provisions of this Plan within the Project Area and consistent with the CRL.

**Open Space** means space that is retained primarily in an unimproved, natural state. Open Space may be used for passive recreational activities, such as hiking and picnicking, and may include facilities related to such passive recreational uses.

**Owner Participation Agreement or OPA** means a binding agreement between a property owner and the Agency by which the participant agrees to rehabilitate, develop, use and maintain the property in conformance with this Plan.

**Parking** means the storage of vehicles Accessory to a principal or secondary residential or commercial use. Such storage can be in the form of independently accessible parking spaces, non-independently accessible parking spaces including those accessed on parking lifts or through the use of valet. Parking spaces need not be on the same lot or block to the use it serves.

**Parks** means publicly owned, or privately owned and publicly accessible, open space improved with either active recreational amenities such as playing fields, sporting courts, and small performance spaces and/or passive recreational amenities such as trails, picnic areas, and fields.

**Performance Arts** means a use that includes performance, exhibition, rehearsal, production, or post-production of any of the following: dance, music, dramatic art, film, video, and other visual, performance and sound arts and craft.

**Plan Documents** means the Business Occupant Re-Entry Policy, Implementation Plan, Hunters Point Shipyard Phase 1 Design for Development, Hunters Point Shipyard Phase 2 Design for Development, Relocation Plan and OPA Rules.

**Planning Commission** means the Planning Commission of the City and County of San Francisco, California.

**Planning Department** means the Planning Department of the City and County of San Francisco.

**Post-Secondary Institutions** means a use that is certified by the Western Association of Schools and Colleges that provides post-secondary educational services such as a school, college or university.

**Priority Policies** means the eight priority policies stated in Section 101.1, Master Plan Consistency and Implementation, of the City’s Planning Code.

**Public Recreation** means privately owned recreational areas that are open to the general public. This use may include may include hiking trails, playgrounds, public parks, sports fields, community gardens, golf courses, marinas, and tennis courts as well as accessory uses such as maintenance facilities, parking, and concession areas.

**Public Trust** means collectively the common law public trust for commerce, navigation and fisheries and the statutory trust imposed by the Granting Act.

**Real Property** means land, including land under water and waterfront property; buildings, structures, fixtures, and improvements on the land; any property appurtenant to or used in connection with the land; every estate, interest, privilege, easement, franchise, and right in land, including rights-of-way, terms for years, and liens, charges, or encumbrances by way of judgment, mortgage, or otherwise and the indebtedness secured by such liens.

**Recreational Facility** means a use that provides social, fraternal, counseling, athletic or other recreational gathering services to the community.

**Recycled Water Treatment Facility** is a centralized facility for treating wastewater to be used for non-potable uses in the Project Area and that abides by odor control measures established in the Phase 2 Design for Development. Passive square footage (i.e., non-administrative office space) within such facility shall not be not included as part of or subject to square footage limitations in Section II.D.4.

**Regional Retail Sales and Services** means a commercial use that provides goods and/or services directly to the customer, whose primary clientele is customers who live throughout the surrounding region and may include both small and large format tenants up to 120,000 square feet. This use would include those who sell apparel, electronics, furniture, durable goods, specialty items, formula retail outlets, and other more expensive, and less frequently purchased items; beyond the surrounding neighborhood. Regional Retail sales and services can include counter and other walk-up facilities as well as adjacent outdoor activity areas accessory to such uses. Includes movie theaters and related or similar uses. Regional retail uses can also include interactive spaces (e.g., uses that promote pedestrian activity on the ground level of buildings), including but not limited to, markets, cafes, restaurants, fitness centers, bike shops/bike repair, childcare, creative maker spaces, co-working spaces, health and wellness spaces, learning spaces, and neighborhood spaces (e.g., neighborhood-serving amenities or accessible resources for the community).

**Religious Institution** means a use that provides religious services to the community such as a church, temple or synagogue.

**Relocation Plan** means a document approved by the Agency Commission that establishes how the Agency and/or developers shall assist persons, business concerns and others displaced from the Project Area by redevelopment activities of or assisted by the Agency in finding new locations in accordance with applicable State and Federal law.

Research and Development means a use compatible with adjacent uses that includes the study, testing, engineering, design, analysis, or experimental development of products, processes, or services related to current, emerging, or new technologies, including but not limited to artificial intelligence, clean energy, communications, 3-D production and printing. Research and development may include, but is not limited to, light manufacturing, fabricating, processing, assembling or storage of products or materials, or similarly related activities that includes, but is not limited to, Laboratory, Life Science, Light Industrial, Green Technology, and Office uses.

**Residential Care Facility** means medical use that provides lodging, board, and care for one day or more to persons in need of specialized aid by personnel licensed by the State but does not provide outpatient services.

**Residential Use** means a use that includes for sale and rental housing units, including Dwelling Units, Live/Work Units, and Group Housing

**Restaurant** means a full service or self-service retail facility primarily for eating use that provides ready-to-eat food to customers for consumption on or off the premises, which may or

may not provide seating, and that may include service of liquor under ABC licenses [those explicitly for any alcoholic service in association with a restaurant]. Food may be cooked or otherwise prepared on the premises.

**School Facilities Impact Fee** means the sum payable to the San Francisco Unified School District pursuant to Government Code Section 65995.

**Short-Term Rental** has the meaning established in Article 41A of the Administrative Code (as it may be amended from time to time), and, subject to compliance with regulations of the City’s Office of Short-Term Rentals (or its successor), is allowed within Residential Uses unless otherwise prohibited by applicable private covenants or similar restrictions.

**Secondary School** means a use that provides grade 9-12 education and may be either public or private.

**State** means the State of California.

**Stormwater Best Management Practice (BMP)** means constructed facilities or measures to help protect receiving water quality and control stormwater quantity, also referred to as stormwater controls.

**Supportive Housing** means affordable housing developments with integrated services that are not required as a condition of occupancy and that serve high needs populations including but not limited to low income senior citizens, youth transitioning out of foster care, adults with developmental disabilities, individuals and families who are homeless or at risk of homelessness, and persons with AIDS.

**Taxing Agencies** means all public entities that have the authority to tax property within the Project Area, including the State, the City, BART, San Francisco Unified School District, City College of San Francisco, Bay Area Air Quality Management District and any district or other public corporation.

**Telecommunication/Fiber System** means equipment for the transmission, reception or relay of analogue, digital and optical fiber signals.

**Use** means the purpose for which land or a structure, or both, are designed, constructed, arranged or intended, or for which they are occupied or maintained, let or leased.

**Vocational/Job Training Facility** means a use that provides job training, and may also provide vocational counseling and job referrals and or office or light industrial activities for education purposes.

## **REDEVELOPMENT PLAN MAPS**

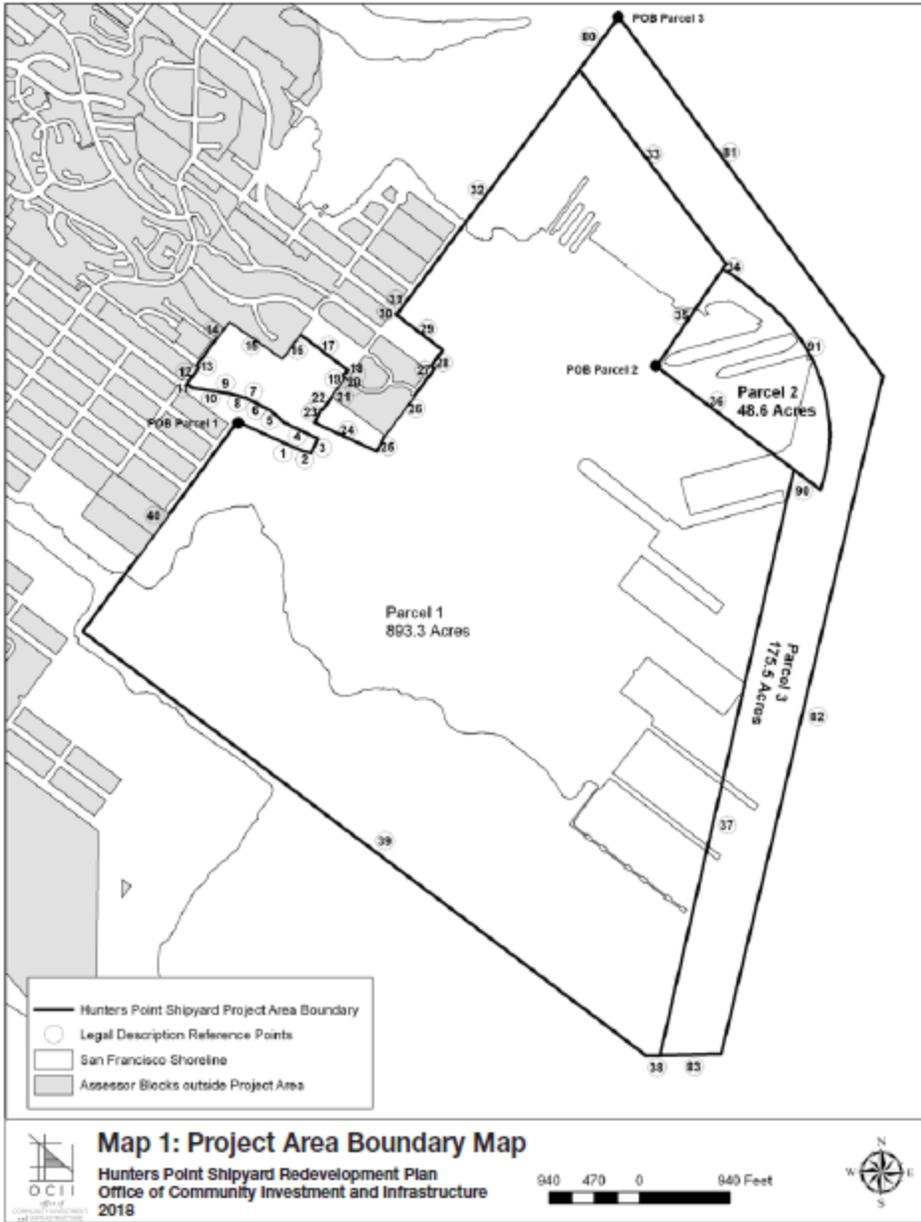
**Map 1: Boundary Map**

**Map 2: Land Use Districts Map**

**Map 2A: Private Infrastructure Map**

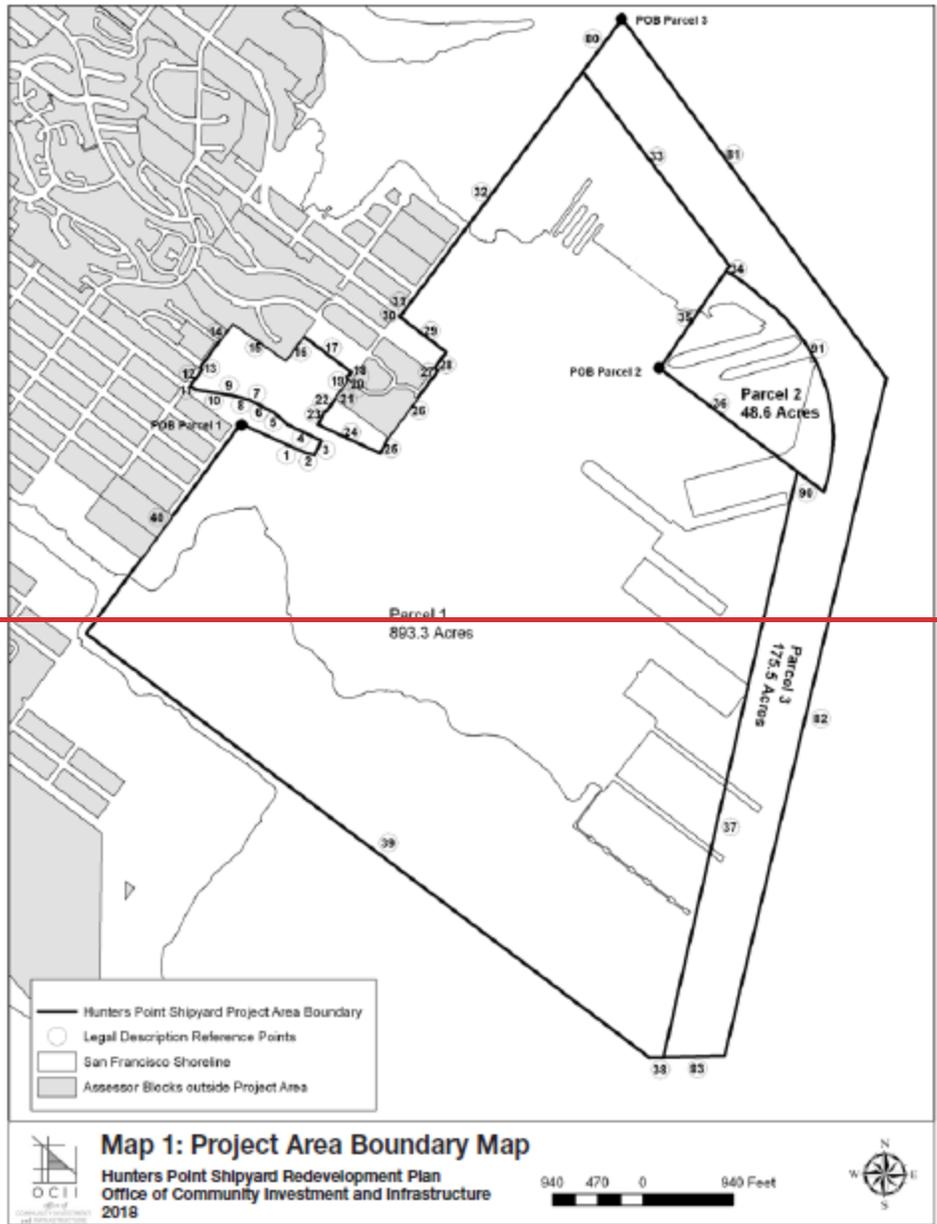
**Map 3: Existing Buildings**

**Map 4: Street Plans**



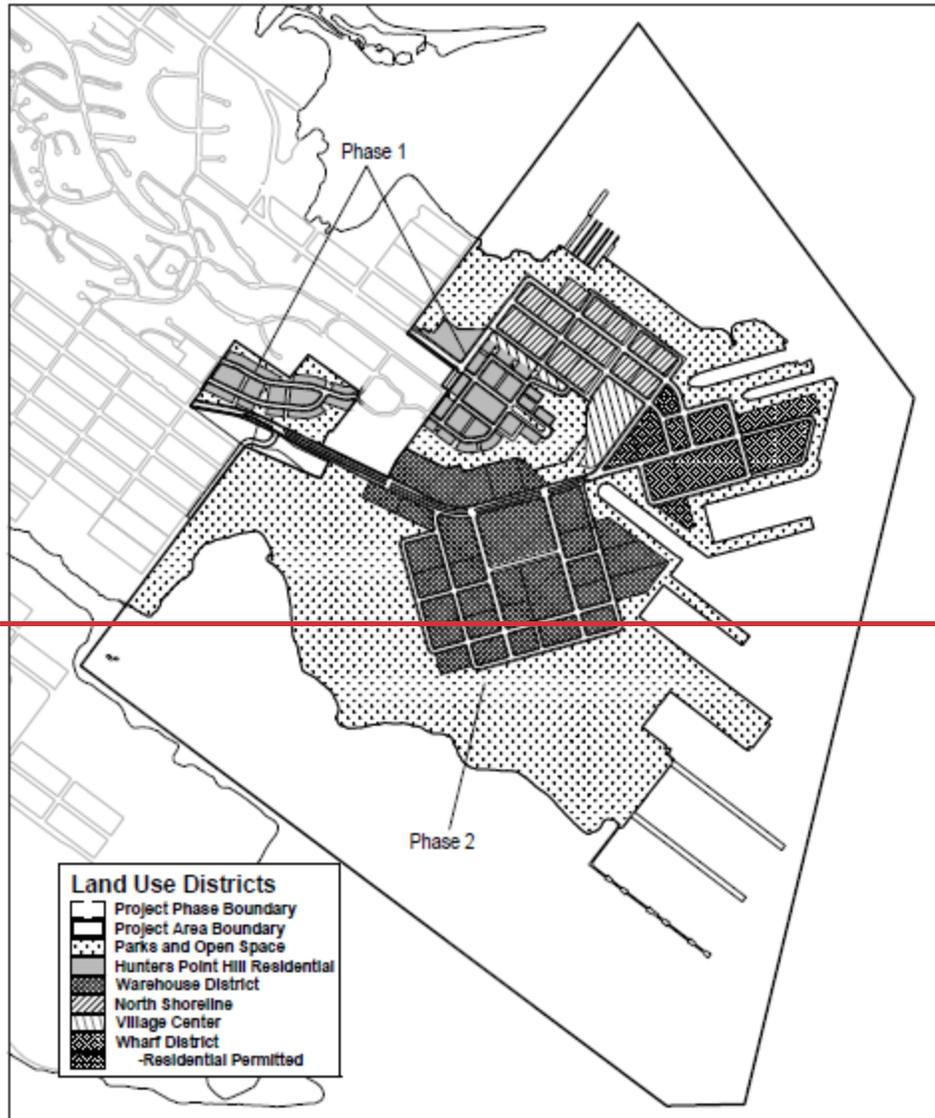
Hunters Point Shipyard Redevelopment Plan  
 July 16, 2018

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Hunters Point Shipyard Redevelopment Plan  
 July 16, 2018

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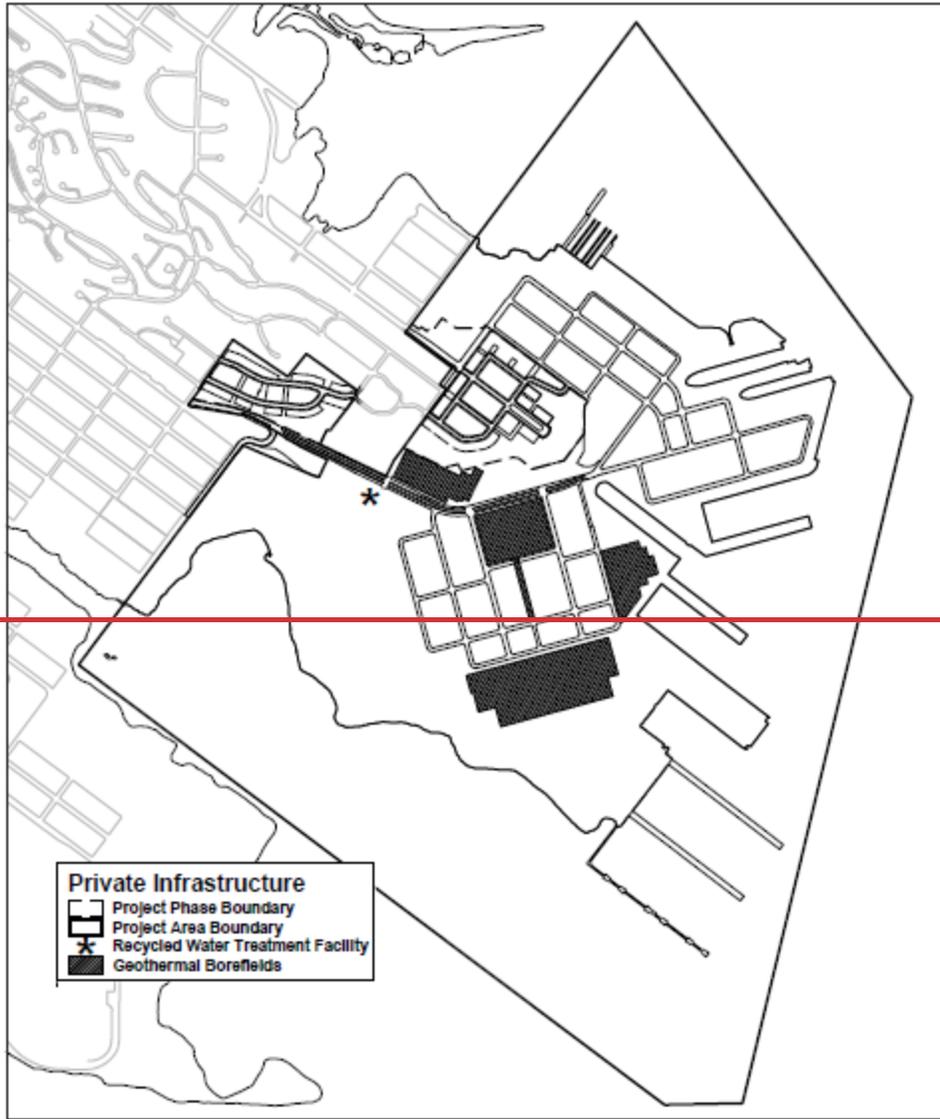


**Map 2: Land Use Districts Map**  
 Hunters Point Shipyard Redevelopment Plan  
 Office of Community Investment and Infrastructure  
 2018

1,000 500 0 1,000 Feet

Hunters Point Shipyard Redevelopment Plan  
 July 16, 2018

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**Private Infrastructure**

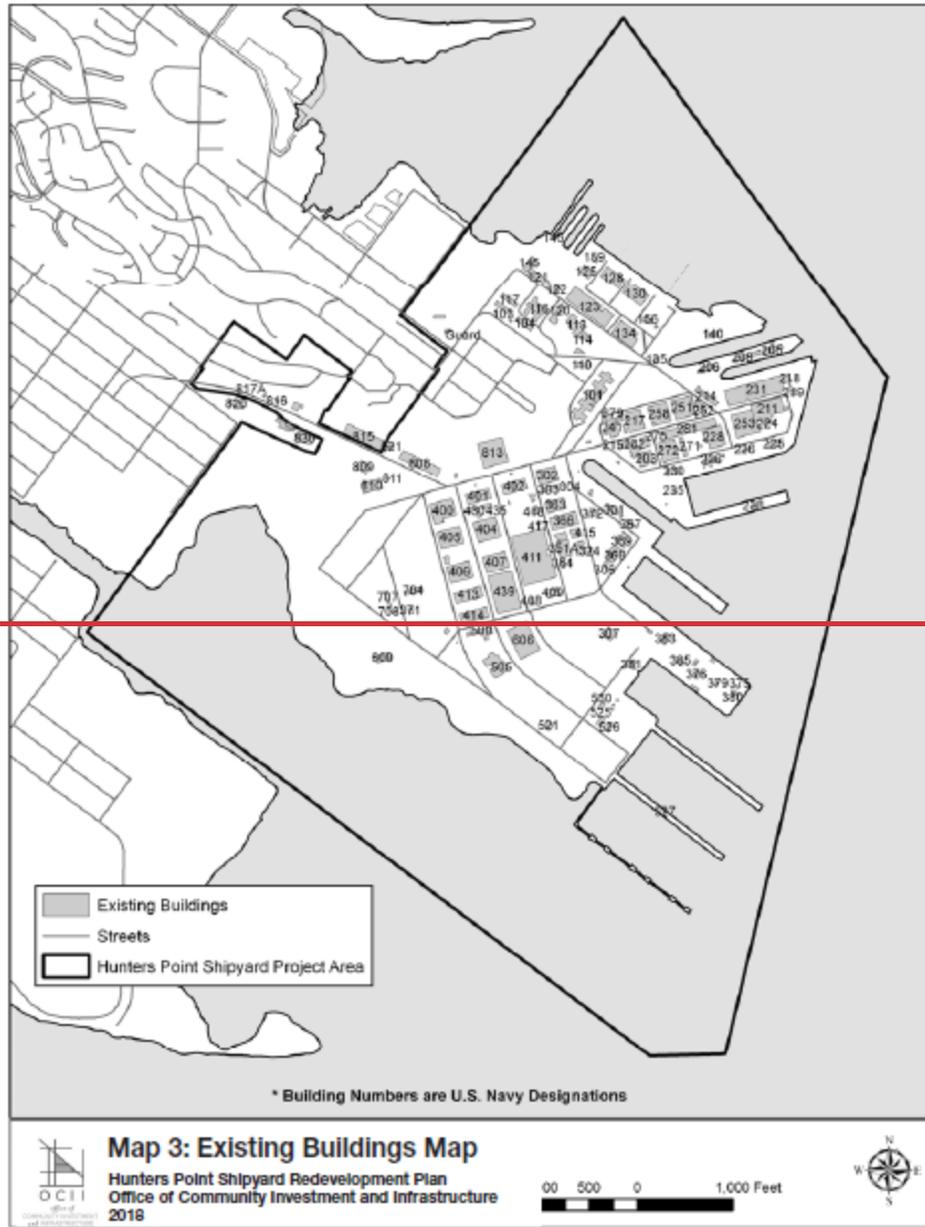
- Project Phase Boundary
- Project Area Boundary
- Recycled Water Treatment Facility
- Geothermal Borefields

**Map 2A: Private Infrastructure**  
Hunters Point Shipyard Redevelopment Plan  
Office of Community Investment and Infrastructure  
2018

1,000 500 0 1,000 Feet

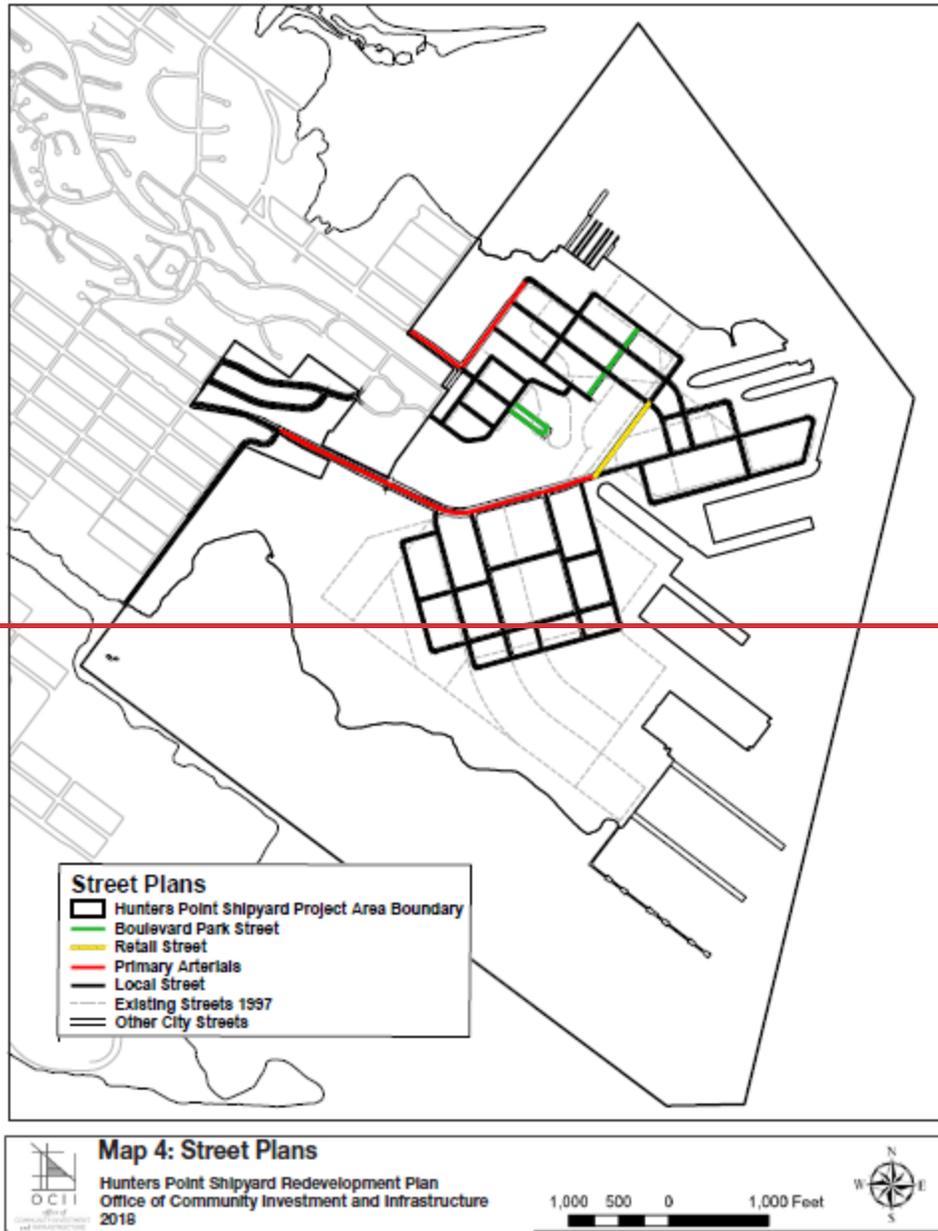
Hunters Point Shipyard Redevelopment Plan  
July 16, 2018

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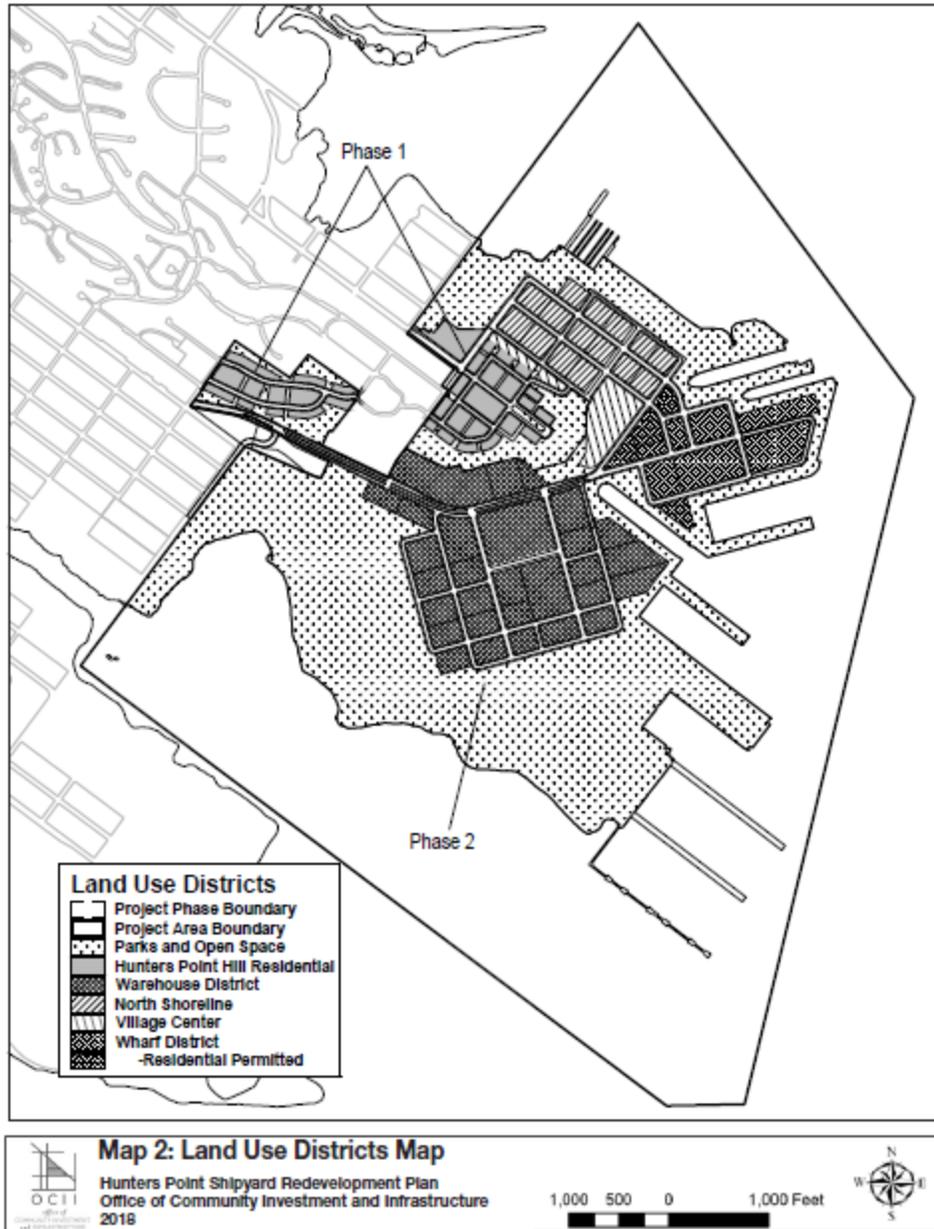
Hunters Point Shipyard Redevelopment Plan  
 July 16, 2018

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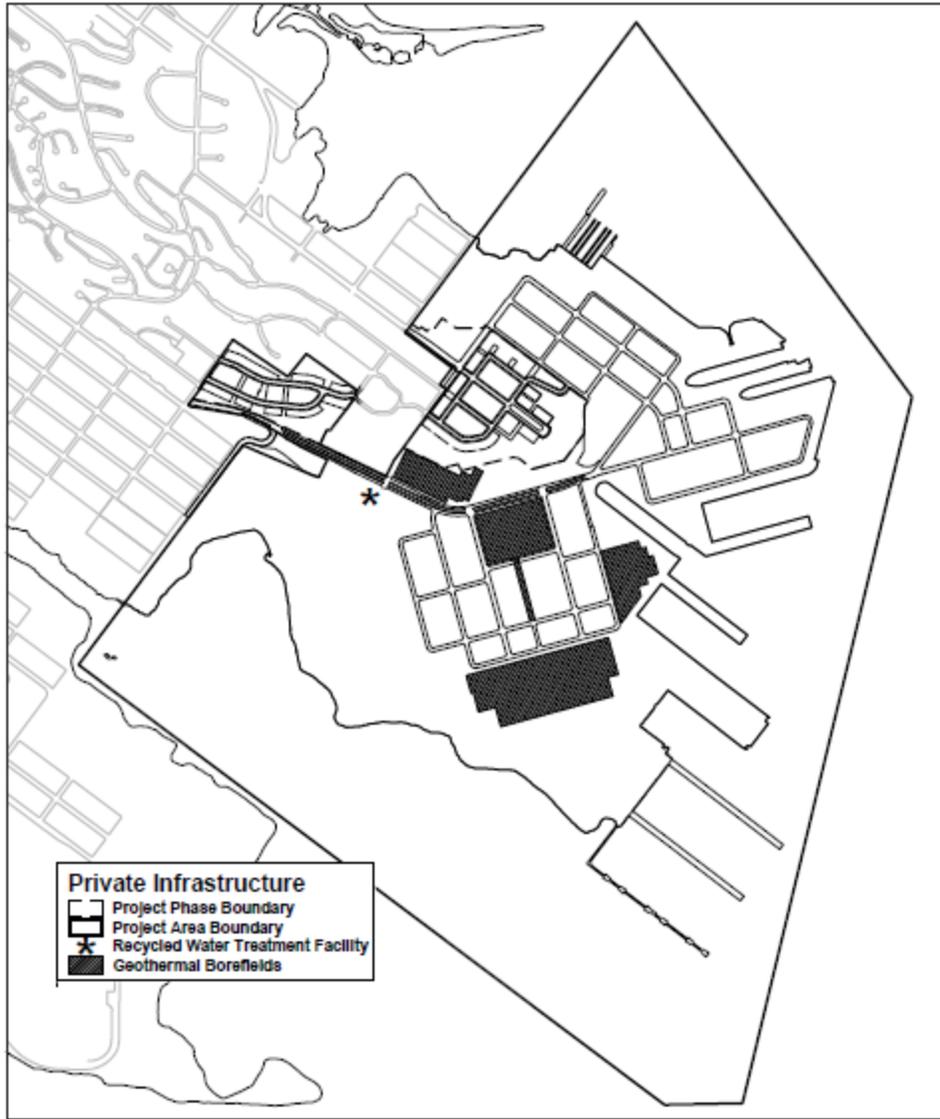
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**Private Infrastructure**  
 Project Phase Boundary  
 Project Area Boundary  
 Recycled Water Treatment Facility  
 Geothermal Borefields

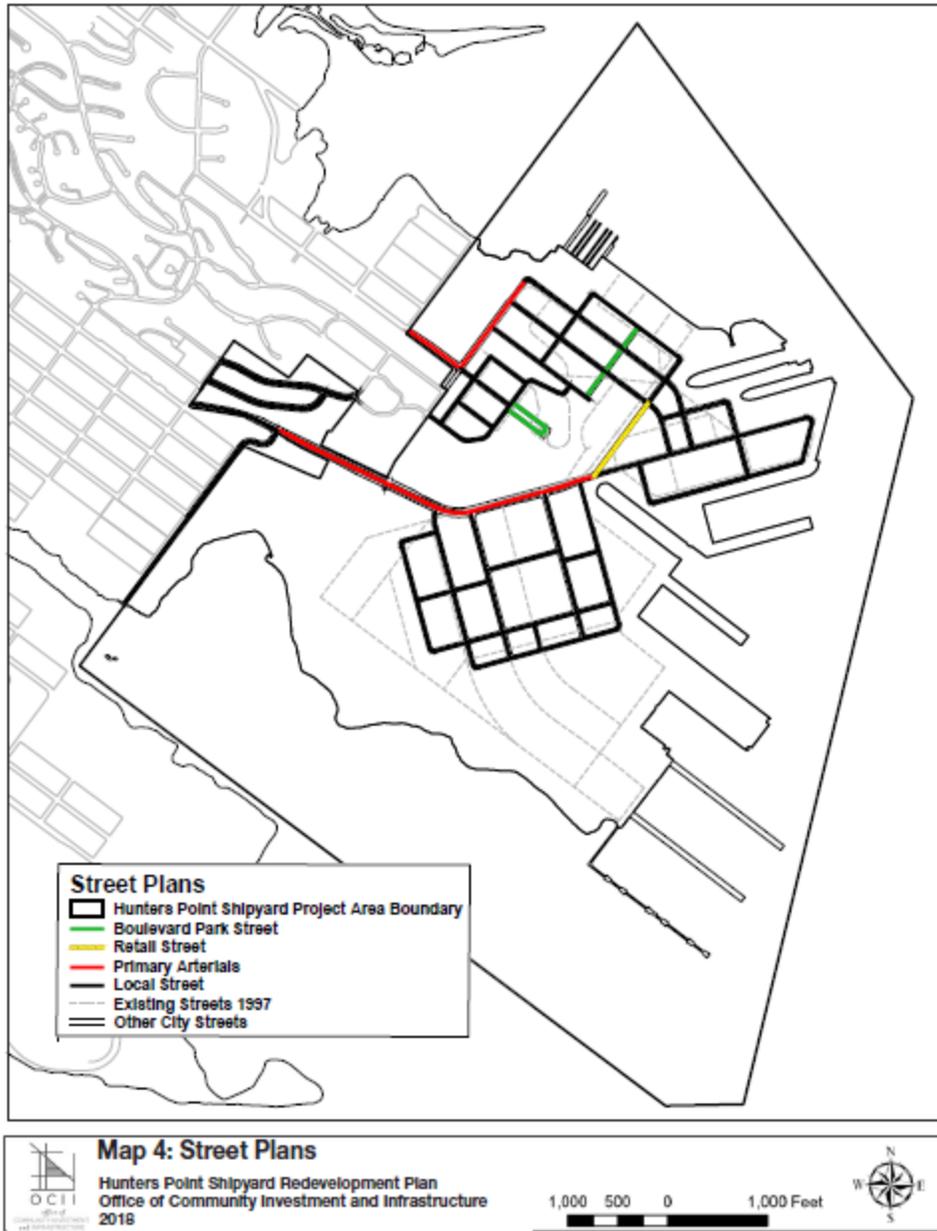
**Map 2A: Private Infrastructure**  
 Hunters Point Shipyard Redevelopment Plan  
 Office of Community Investment and Infrastructure  
 2018

1,000 500 0 1,000 Feet



Hunters Point Shipyard Redevelopment Plan  
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Hunters Point Shipyard Redevelopment Plan  
 July 16, 2018

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## Attachment A: Legal Description of the Project Area

The area consists of real property within the City and County of San Francisco, State of California, more particularly described as follows:

### PARCEL ONE

Beginning at the point of intersection of the southeasterly line of Fitch Street and the northeasterly line of Palou Avenue as said streets are shown upon the “Map of the property of the South San Francisco Homestead and Railroad Association”, filed April 15, 1867, in Book 2, “A” and “B” of Maps, Page 39, in the County Recorder’s Office of the City and County of San Francisco, said point having California Coordinate values: N.452,070.23 E.1,457,299.61 (Zone III); and and running thence from said Point of Beginning easterly, northerly and westerly along the following series of courses and distances:

- #1 S.66°24’34”E. 774.37 feet;
- #2 S.74°08’24”E. 68.77 feet;
- #3 N.25°47’36”E. 177.17 feet;
- #4 N.65°00’41”W. 377.67 feet;
- #5 N.51°35’29”W. 202.50 feet;
- #6 N.65°31’39”W. 227.49 feet;
- #7 N.67°43’50”W. 60.90 feet;
- #8 N.69°21’07”W. 156.62 feet;
- #9 N.74°41’13”W. 78.46 feet;
- #10 N.79°19’57”W. 383.85 feet to the above referenced northeasterly line of Palou Avenue; thence along said northeasterly line
- #11 N.53°17’47”W. 25.88 feet to the southeasterly line of Griffith Street; thence along said southeasterly line
- #12 N.36°42’13”E. 200.00 feet to the southwesterly line of Oakdale Avenue; thence along said southwesterly line
- #13 N.53°17’47”W. 32.00 feet to the centerline of Griffith Street; thence along said centerline
- #14 N.36°42’13”E. 600.00 feet to the centerline of McKinnon Avenue; thence along said centerline
- #15 S.53°17’47”E. 664.00 feet to the centerline of Fitch Street; thence along said centerline
- #16 N.36°42’13”E. 319.20 feet to the northeasterly line of LaSalle Avenue; thence along said northeasterly line
- #17 S.53°17’47”E. 632.06 feet to a point in the northwesterly
- #18 line of Earl Street; thence southwesterly 69.24 feet along the arc of a curve to the right whose radial bearing is N.53°17’47”W. having a radius of 105.00 feet, through a central angle of 37°47’02””; thence southeasterly along the radial bearing produced
- #19 S.15°30’45”E. 50.00 feet to a point on a curve to the right

- #20 having a radial bearing S.15°30'45"E. and having a radius of 20.00 feet, through a central angle of 48°28'07" and an arc distance of 16.92 feet, said point also being located on the centerline of Earl Street, thence along said centerline
- #21 S.36°42'13"W. 398.94 feet; thence southerly, easterly and northerly the following series of courses and distances:
- #22 N.64°12'01"W. 22.16 feet;
- #23 S.24°37'25"W. 158.00 feet;
- #24 S.64°12'01"E. 727.00 feet;
- #25 N.25°47'59"E. 174.85 feet;
- #26 N.36°42'13"E. 890.12 feet;
- #27 N.53°17'47"W. 48.00 feet;
- #28 N.36°42'13"E. 206.90 feet to the southwesterly line of Innes Avenue, thence along said southwesterly line
- #29 N.53°17'47"W. 640.93 feet to the centerline of Earl Street; thence along said centerline
- #30 N.36°42'13"E 40.00 feet to the centerline of Innes Avenue; thence along said centerline
- #31 S.53°17'47"E. 32.00 feet to the southeasterly line of Earl Street; thence along said southeasterly line
- #32 N.36°42'13"E. 3,151.02 feet to the 1948 Bulkhead Line as shown on the map entitled "Real Estate Summary Map Navfac Drwg No. 1045757" on WestDiv, San Bruno, California; thence southeasterly along said 1948 Bulkhead Line
- #33 S.35°56'38"E. 2,533.02 feet; thence leaving said Bulkhead line
- #34 S.30°50'40"W. 50.69 feet to the most northerly point on the parcel of land described in the deed recorded in Volume 3677, Official Records of the City and County of San Francisco, at Page 349, thence southwesterly and southeasterly around said parcel of land
- #35 S.36°42'09"W. 1,179.13 feet;
- #36 S.53°17'47"E. 1,826.56 feet to the aforementioned 1948 Bulkhead Line; thence southwesterly along said 1948 Bulkhead Line
- #37 S.12°07'46"W. 6,384.03 feet to a point on the County line dividing the County of San Mateo and the County of San Francisco; thence northwesterly along said County line
- #38 N.88°54'38"W. 127.35 feet to the northeasterly line of Bancroft Avenue extended; thence along said northeasterly line extended
- #39 N.53°17'47"W 7,483.89 feet to the southeasterly line of Fitch Street; thence along said southeasterly line
- #40 N.36°42'13"E. 2,800.00 feet to the Point of Beginning of this description.

Containing 893.3 acres of land more or less.

PARCEL TWO

(The original 48-acre more or less shipyard in the northeast corner of the Naval Base)

Beginning at a point on the northeasterly line of Evans Avenue extended, distant thereon 450 feet southeasterly from the southeasterly line of Boalt Street extended, as said streets are shown on the “map of the property of the South San Francisco Homestead and Railroad Association”, filed April 15, 1867, in Book 2, “A” and “B” of maps, page 39, in the County Recorder’s Office of the City and County of San Francisco; and running thence northeasterly on a line drawn parallel with said southeasterly line of Boalt Street

#35 N.36°42’09”E. 1,179.13 feet to a point on a curve to the right  
#91 with a radius of 1,800 feet, whose center is a point on the northeasterly line of Galvez Avenue, distant thereon 250 feet southeasterly from the southeasterly line of Alvord Street extended, and the radial bearing to said centerpoint being S.21°45’52”W.; thence southeasterly, southerly, and southwesterly along said curve to the right with a radius of 1,800 feet through a central angle of 86°48’43”, a distance of 2,727.28 feet to a point on the northeasterly line of Evans Avenue extended, said point having a radial bearing S.71°25’25”E. to the centerpoint of said curve; thence northwesterly along said line of Evans Avenue and the extension thereof the following two courses:

- #90 N.53°17’47”W. 348.11 feet;
- #36 N.53°17’47”W. 1,826.56 feet to the Point of Beginning

Containing 48.6 acres of land more or less.

PARCEL THREE

(The strip of underwater land lying between the Pierhead and Bulkhead lines)

Beginning at the point of intersection of the direct extension northeasterly of the southeasterly line of Earl Street as shown on the map referenced in Parcel Two above, with the United States Pierhead Line as shown on the map entitled “Hunters Point Naval Shipyard, General Development Map. Key Map No. 1174922” on file at the Department of the Navy, Western Division, in San Bruno, California; thence southeasterly and southwesterly along said Pierhead Line the following courses and distances:

- #81 S.35°56’38”E. 4,619.53 feet more or less;
- #82 S.13°41’06”W. 7,542.33 feet more or less to the point of intersection with the line dividing the City and County of San Francisco and San Mateo County, thence northwesterly along said boundary line
- #83 N.88°54’38”W. 543.06 feet more or less to the easterly line of Parcel One above described; thence northeasterly, easterly and northwesterly along the easterly and northeasterly lines of Parcels One and Two above described to the

southeasterly line of Earl Street extended, thence northeasterly along the direct extension of the southeasterly line of Earl Street  
#80 N.36°42'13"E. 838.14 feet more or less to the Point of Beginning.

Containing 175.5 acres of land more or less.

Notes:

1. Numbers (#'s) indicate course numbers as referenced on the Hunters Point Shipyard Redevelopment Project Area Boundary Map.
2. Bearings shown above are referenced to the California Coordinate System Zone III.

## Attachment B: Authorized Public Improvements

- Public open spaces including parks, plazas, habitat restoration, sports facilities and playgrounds
- Facilities in parks such as tables, waste receptacles, signage, landscaping, market stalls and maintenance facilities
- Public roadways and other walkways, roadways, lanes, and connectors
- Medians, curbs, bulb-outs and gutters
- Sidewalks, street trees, landscaping, and street furnishings
- Street, sidewalk, street lights, and park lighting
- Traffic signals, control centers, street signage, and pavement striping
- Parking meters
- Potable water distribution and fire suppression facilities
- Reclaimed water facilities and irrigation distribution
- Sanitary sewer facilities and pump stations
- Storm drains, storm water sewer, treatment and conveyance facilities
- Natural gas, electric, telephone and telecommunication facilities
- Utilities and utility relocation
- MUNI light rail/bus/transit facilities, cantenary wires, communication facilities, transit stops and markings, poles, eyebolts and substations as needed and related improvements
- Arts facilities and community centers
- Bridges, trails, and staircases
- Seawall upgrades, small boat harbor, piers, railings, and other shoreline improvements
- Retaining walls, remediation caps, and permanent grading
- Public art installations and interpretive signage
- Education and job training centers
- Libraries
- Improvements to existing roadways, streetscapes and utilities
- Improvements to historic buildings
- Police and fire stations
- School facilities
- Erosion control features
- Street, lighting, utility, and related improvements to Innes Avenue and Hunters Point Boulevard outside the Project Area
- Any public improvements to be accepted by the City or the Agency (including, without limitation, distribution pipes for recycled water facility) in connection with any private sustainability infrastructure such as recycled water facilities, solar energy facilities, geothermal heating and cooling systems, and decentralized stormwater facilities.
- Additional temporary, interim and/or permanent facilities and improvements to the foregoing

## **Attachment C: Planning Code Section 314**

### **SEC. 314. - CHILD-CARE REQUIREMENTS FOR OFFICE AND HOTEL DEVELOPMENT PROJECTS.**

When the words “this Section” appear in Sections 314.1 through 314.8, they shall be construed to mean “Sections 314.1 through 314.8.”

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86)

#### **SEC. 314.1. - DEFINITIONS.**

The following definitions shall govern interpretation of this Section:

- (a) “Child-care facility” shall mean a child day-care facility as defined in California Health and Safety Code Section 1596.750.
- (b) “Child care provider” shall mean a provider as defined in California Health and Safety Code Section 1596.791.
- (c) “Commission” shall mean the City Planning Commission.
- (d) “DBI” shall mean the Department of Building Inspection.
- (e) “Department” shall mean the Department of City Planning.
- (f) “First certificate of occupancy” shall mean either a temporary certificate of occupancy or a Certificate of Final Completion and Occupancy, as defined in San Francisco Building Code Section 109, whichever is issued first.
- (g) “Hotel” shall mean a building containing six or more guest rooms as defined in San Francisco Housing Code Section 401 intended or designed to be used, or which are used, rented, or hired out to be occupied, or which are occupied for sleeping purposes and dwelling purposes by guests, whether rent is paid in money, goods, or services, including motels as defined in San Francisco Housing Code Section 401.
- (h) “Hotel use” shall mean space within a structure or portion thereof intended or primarily suitable for the operation of a hotel, including all office and other uses accessory to the renting of guest rooms, but excluding retail uses and office uses not accessory to the hotel use.
- (i) “Household of low income” shall mean a household composed of one or more persons with a combined annual net income for all adult members which does not exceed the qualifying limit for a lower-income family of a size equivalent to the number of persons residing in such household, as set forth for the County of San Francisco in California Administrative Code Section 6932.

(j) “Household of moderate income” shall mean a household composed of one or more persons with a combined annual net income for all adult members which does not exceed the qualifying limit for a median-income family of a size equivalent to the number of persons residing in such household, as set forth for the County of San Francisco in California Administrative Code Section 6932.

(k) “Licensed child-care facility” shall mean a child-care facility which has been issued a valid license by the California Department of Social Services pursuant to California Health and Safety Code Sections 1596.80—1596.875, 1596.95—1597.09, or 1597.30— 1597.61.

(l) “Net addition of gross square feet of hotel space” shall mean gross floor area as defined in Planning Code Section 102.9 to be occupied by, or primarily serving, hotel use, less the gross floor area in any structure demolished or rehabilitated as part of the proposed hotel development project space used primarily and continuously for office or hotel use and not accessory to any use other than office or hotel use for five years prior to Planning Commission approval of the hotel development project subject to this Section, or for the life of the structure demolished or rehabilitated, whichever is shorter.

(m) “Net addition of gross square feet of office space” shall mean gross floor area as defined in Planning Code Section 102.9 to be occupied by, or primarily serving, office use, less the gross floor area in any structure demolished or rehabilitated as part of the proposed office development project space used primarily and continuously for office or hotel use and not accessory to any use other than office or hotel use for five years prior to Planning Commission approval of the office development project subject to this Section, or for the life of the structure demolished or rehabilitated, whichever is shorter.

(n) “Nonprofit child-care provider” shall mean a child-care provider that is an organization organized and operated for nonprofit purposes within the provisions of California Revenue and Taxation Code Sections 23701—23710, inclusive, as demonstrated by a written determination from the California Franchise Tax Board exempting the organization from taxes under Revenue and Taxation Code Section 23701.

(o) “Nonprofit organization” shall mean an organization organized and operated for nonprofit purposes within the provisions of California Revenue and Taxation Code Sections 23701—23710, inclusive, as demonstrated by a written determination from the California Franchise Tax Board exempting the organization from taxes under Revenue and Taxation Code Section 23701.

(p) “Office development project” shall mean any new construction, addition, extension, conversion or enlargement, or combination thereof, of an existing structure which includes any gross square feet of office space.

(q) “Office use” shall mean space within a structure or portion thereof intended or primarily suitable for occupancy by persons or entities which perform, provide for their own benefit, or provide to others at that location services including, but not limited to, the following: Professional, banking, insurance, management, consulting, technical, sales and design, or

the office functions of manufacturing and warehousing businesses, but excluding retail uses; repair; any business characterized by the physical transfer of tangible goods to customers on the premises; wholesale shipping, receiving and storage; design showcases or any other space intended and primarily suitable for display of goods; and child-care facilities. This definition shall include all uses encompassed within the meaning of Planning Code Section 219.

(r) “Retail use” shall mean space within any structure or portion thereof intended or primarily suitable for occupancy by persons or entities which supply commodities to customers on the premises including, but not limited to, stores, shops, restaurants, bars, eating and drinking businesses, and the uses defined in Planning Code Sections 218 and 220 through 225, and also including all space accessory to such retail use.

(s) “Sponsor” shall mean an applicant seeking approval for construction of an office or hotel development project subject to this Section and such applicant’s successors and assigns.

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86; Ord. 22-00, File No. 991877, App. 2/18/2000; Ord. 76-03, File No. 020592, App. 5/2/2003)

## **SEC. 314.2. - FINDINGS.**

The Board hereby finds and declares as follows:

Large-scale office and hotel developments in the City and County of San Francisco (hereinafter “City”) have attracted and continue to attract additional employees to the City, and there is a causal connection between such developments and the need for additional child-care facilities in the City, particularly child-care facilities affordable to households of low and moderate income.

Office and hotel uses in the City are benefitted by the availability of child care for persons employed in such offices and hotels close to their place of employment. However, the supply of child care in the City has not kept pace with the demand for child care created by these new employees. Due to this shortage of child care, employers will have difficulty in securing a labor force, and employees unable to find accessible and affordable quality child care will be forced either to work where such services are available outside of San Francisco, or leave the work force entirely, in some cases seeking public assistance to support their children. In either case, there will be a detrimental effect on San Francisco’s economy and its quality of life.

Projections from the EIR for the Downtown Plan indicate that between 1984 and 2000 there will be a significant increase of nearly 100,000 jobs in the C-3 District under the Downtown Plan. Most of that employment growth will occur in office and hotel work, which consist of a predominantly female work force.

According to the survey conducted of C-3 District workers in 1981, 65 percent of the work force was between the ages of 25—44. These are the prime childbearing years for women, and the prime fathering years for men. The survey also indicated that only 12 percent of the C-3 District jobs were part-time, leaving up to 88 percent of the positions occupied by full-time workers. All

of these factors point to the inevitable increase in the number of working parents in the C-3 District and the concomitant increase in need for accessible, quality child-care.

Presently, there exists a scarcity of child care in the C-3 District and citywide for all income groups, but the scarcity is more acutely felt by households of low and moderate income. Hearings held on April 25, 1985 before the Human Services Committee of the San Francisco Board of Supervisors documented the scarcity of child care available in the C-3 District, the impediments to child-care program startup and expansion, the increase in the numbers of children needing care, and the acute shortage of supply throughout the Bay Area. The Board of Supervisors also takes legislative notice of the existing and projected shortage of child-care services in the City as documented by the Child-Care Information Kit prepared by the California Child-Care Resources and Referral Network located in San Francisco.

The scarcity of child care in the City is due in great part to large office and hotel development, both within the C-3 District and elsewhere in the City, which has attracted and will continue to attract additional employees and residents to the City. Some of the employees attracted to large office and hotel developments are competing with present residents for the few openings in child-care programs available in the City. Competition for child care generates the greatest pressure on households of low and moderate income. At the same time that large office and hotel development is generating an increased demand for child care, it is improbable that factors inhibiting increased supply of child care will be mitigated by the marketplace; hence, the supply of child care will become increasingly scarce.

The Master Plan encourages “continued growth of prime downtown office activities so long as undesirable consequences of such growth can be avoided” and requires that there be the provision of “adequate amenities for those who live, work and use downtown.” In light of these provisions, the City should impose requirements on developers of office and hotel projects designed to mitigate the adverse effects of the expanded employment facilitated by such projects. To that end, the City Planning Commission is authorized to promote affirmatively the policies of the San Francisco Master Plan through the imposition of special child-care development or assessment requirements. It is desirable to impose the costs of the increased burden of providing child care necessitated by such office and hotel development projects directly upon the sponsors of new development generating the need. This is to be done through a requirement that the sponsor construct child-care facilities or pay a fee into a fund used to foster the expansion of and to ease access to affordable child care as a condition of the privilege of development.

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86)

### **SEC. 314.3. - APPLICATION.**

(a) This Section shall apply to office and hotel development projects proposing the net addition of 50,000 or more gross square feet of office or hotel space.

(b) This Section shall not apply to:

(1) Any development project other than an office or hotel development project, including that portion of an office or hotel development project consisting of a retail use;

- (2) That portion of an office or hotel development project located on property owned by the United States or any of its agencies;
- (3) That portion of an office or hotel development project located on property owned by the State of California or any of its agencies, with the exception of such property not used exclusively for a governmental purpose;
- (4) That portion of an office or hotel development project located on property under the jurisdiction of the Port of San Francisco or the San Francisco Redevelopment Agency where the application of this Section is prohibited by State or local law; and
- (5) Any office or hotel development project approved by the Planning Commission prior to the effective date of this Section.

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86)

### **SEC. 314.4. - IMPOSITION OF CHILD CARE REQUIREMENT.**

(a) (1) The Department or the Commission shall impose conditions on the approval of building or site permit applications for office or hotel development projects covered by this Section in order to mitigate the impact on the availability of child-care facilities which will be caused by the employees attracted to the proposed development project. The conditions shall require that the sponsor construct or provide a child-care facility on or near the site of the development project, either singly or in conjunction with the sponsors of other office or hotel development projects, or arrange with a nonprofit organization to provide a child-care facility at a location within the City, or pay an in-lieu fee to the City Treasurer which shall thereafter be used exclusively to foster the expansion of and ease access to child-care facilities affordable to households of low or moderate income.

(2) Prior to either the Department's or the Commission's approval of a building or site permit for a development project subject to this Section, the Department shall issue a notice complying with Planning Code Section 306.3 setting forth its initial determination of the net addition of gross square feet of office or hotel space subject to this Section.

(3) Any person may appeal the initial determination by delivering an appeal in writing to the Department within 15 days of such notice. If the initial determination is not appealed within the time allotted, the initial determination shall become a final determination. If the initial determination is appealed, the Commission shall schedule a public hearing prior to the approval of the development project by the Commission or the Department to determine the net addition of gross square feet of office or hotel space subject to this Section. The public hearing may be scheduled separately or simultaneously with a hearing under City Planning Code Sections 139, 306.2, 309(h), 313.4, 315.3 or a Discretionary Review hearing under San Francisco Business and Tax Regulations Code Section 26. The Commission shall make a final determination of the net addition of gross square feet at the hearing.

(4) The final determination of the net addition of gross square feet of office or hotel space subject to this Section shall be set forth in the conditions of approval relating to the child-care requirement in any building or site permit application approved by the Department or the Commission. The Department shall notify the Treasurer of the final determination of the net addition of gross square feet of office or hotel space subject to this ordinance within 30 days of the date of the final determination. The Department shall notify the Treasurer and DBI that the development project is subject to this Section prior to the time the Department or the Commission approves the permit application.

(b) (1) The sponsor of a development project subject to this (1) Section may elect to provide a child-care facility on the premises of the development project for the life of the project to meet the requirements of this Section. The sponsor shall, prior to the issuance of the first certificate of occupancy by DBI for the development project, provide proof to the Treasurer and the Department that:

- (A) A space on the premises of the development project has been provided to a nonprofit child-care provider without charge for rent, utilities, property taxes, building services, repairs, or any other charges of any nature, as evidenced by a

lease and an operating agreement between the sponsor and the provider with minimum terms of three years;

(B) The child-care facility is a licensed child-care facility;

(C) The child-care facility has a minimum gross floor area of 3,000 square feet or an area determined according to the following formula, whichever is greater:

<i>Net add. gross sq. ft. off. or hotel space</i>	<i>X .01 =</i>	<i>sq. ft. of child-care facility</i>
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In the event that the net addition of gross square feet of office or hotel of the development project is less than 300,000 square feet, the child-care facility may have a minimum gross floor area of 2,000 square feet or the area determined according to the above formula, whichever is greater; and

(D) A notice of special restriction has been recorded stating that the development project is subject to this Section and is in compliance herewith by providing a child-care facility on the premises.

(2) The sponsor of a development project subject to this Section in conjunction with the sponsors of one or more other development projects subject to this Section located within 1/2 mile of one another may elect to provide a single child-care facility on the premises of one of their development projects for the life of the project to meet the requirements of this Section. The sponsors shall, prior to the issuance of the first certificate of occupancy by DBI for any one of the development projects complying with this part, provide proof to the Treasurer and the Planning Department that:

(A) A space on the premises of one of their development projects has been provided to a nonprofit child-care provider without charge for rent, utilities, property taxes, building services, repairs, or any other charges of any nature, as evidenced by a lease and an operating agreement between the sponsor in whose project the facility will be located and the provider with minimum terms of three years;

(B) The child-care facility is a licensed child-care facility;

(C) The child-care facility has a minimum gross floor area of 3,000 square feet or an area determined according to the following formula, whichever is greater:

<i>Combined net add. gross sq. ft. office or hotel space of all participating dev. projects</i>	<i>X .01 =</i>	<i>sq. ft. of child-care facility</i>
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In the event that the net addition of gross square feet of office or hotel space of all participating projects is less than 300,000 square feet, the child-care facility may have a minimum gross floor area of 2,000 square feet or the area determined according to the above formula, whichever is greater; and

(D) A written agreement binding each of the participating project sponsors guaranteeing that the child-care facility will be provided for the life of the development project in which it is located, or for as long as there is a demonstrated demand, as determined under Subsection (h) of this Section 314.4, has been executed and recorded in the chain of title of each participating building.

(3) The sponsor of a development project subject to this Section, either singly or in conjunction with the sponsors of one or more other development projects subject to this Section located within 1/2 mile of one another, may elect to provide a single child-care facility to be located within one mile of the development project(s) to meet the requirements of this Section. Subject to the discretion of the Department, the child-care facility shall be located so that it is reasonably accessible to public transportation or transportation provided by the sponsor(s). The sponsor(s) shall, prior to the issuance of the first certificate of occupancy by DBI for any development project complying with this part, provide proof to the Treasurer and the Planning Department that:

(A) A space has been provided to a nonprofit child-care provider without charge for rent, utilities, property taxes, building services, repairs, or any other charges of any nature, as evidenced by a lease or sublease and an operating agreement between the sponsor(s) and the provider with minimum terms of three years;

(B) The child-care facility is a licensed child-care facility;

(C) The child-care facility has a minimum gross floor area of 3,000 square feet or an area determined according to the following formula, whichever is greater:

<i>Combined net add. gross sq. ft. office or hotel space of all participating dev. projects</i>	<i>x .01 =</i>	<i>sq. ft. of child-care facility</i>
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In the event that the net addition of gross square feet of office or hotel space of all participating projects is less than 300,000 square feet, the child-care facility may have a minimum gross floor area of 2,000 square feet or the area determined according to the above formula, whichever is greater; and

(D) A written agreement binding each of the participating project sponsors, with a term of 20 years from the date of issuance of the first certificate of occupancy for any development project complying with this part, guaranteeing that a child-care facility will be leased or subleased to one or more nonprofit child-care providers for as long as there is a demonstrated demand under Subsection (h) of this Section 314.4 has been executed and recorded in the chain of title of each participating building.

(4) The sponsor of a development project subject to this Section may elect to pay a fee in lieu of providing a child-care facility. The fee shall be computed as follows:

<i>Net add. gross sq. ft. office or hotel space</i>	<i>X \$1.00 = Total Fee</i>
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Upon payment of the fee in full to the Treasurer and upon request of the sponsor, the Treasurer shall issue a certification that the fee has been paid. The sponsor shall present such certification

to the Department prior to the issuance by DBI of the first certificate of occupancy for the development project.

(5) The sponsor of a development project subject to this Section may elect to satisfy its child-care requirement by combining payment of an in-lieu fee to the Child Care Capital Fund with construction of a child-care facility on the premises or providing child-care facilities near the premises, either singly or in conjunction with other sponsors. The child-care facility to be constructed on-site or provided near-site under this election shall be subject to all of the requirements of whichever of Parts (b)(1), (2) and (3) of this Section 314.4 is applicable, and shall have a minimum floor area of 3,000 gross square feet. If the net addition of gross square feet of office or hotel space of all participating projects is less than 300,000 square feet, the minimum gross floor area of the facility shall be 2,000 square feet. The in-lieu fee to be paid under this election shall be subject to all of the requirements of Part (b)(4) of this Section 314.4 and shall be determined by the Commission according to the following formula:

<i>Net. add. gross sq. ft. space - subject project</i>	[	<i>Net. add. gross sq. ft. space subject project</i>	X	<i>Sq. ft. child-care facility</i>	X100	X\$1.00	]	=	<i>Total Fee for Subject Project</i>
		<i>Net. add. gross sq. ft. space all participating projects</i>							

(6) The sponsor of a development project subject to this Section may elect to satisfy its child-care requirement by entering into an arrangement pursuant to which a nonprofit organization will provide a child-care facility at a site within the City. The sponsor shall, prior to the issuance of the first certificate of occupancy by the Director of the Department of Building Inspection for the development project, provide proof to the Director of Planning that:

(A) A space for a child-care facility has been provided by the nonprofit organization, either for its own use if the organization will provide child-care services, or to a nonprofit child-care provider without charge for rent, utilities, property taxes, building services, repairs, or any other charges of any nature, as evidenced by a lease or sublease and an operating agreement between the nonprofit organization and the provider with minimum terms of three years;

(B) The child-care facility is a licensed child-care facility;

(C) The child-care facility has a minimum gross floor area of 3,000 square feet or an area determined according to the following formula, whichever is greater:

<i>Net add. gross sq. ft. office or hotel space</i>	X .01 =	<i>Sq. ft. of child-care facility</i>
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In the event that the net addition of gross square feet of office or hotel space is less than 300,000 square feet, the child-care facility may have a minimum gross floor of 2,000 square feet or the area determined according to the above formula, whichever is greater;

(D) The nonprofit organization has executed and recorded a binding written agreement, with a term of 20 years from the date of issuance of the first certificate of occupancy for the development project, pursuant to which the nonprofit organization guarantees that it will operate a child-care facility or it will lease or

sublease a child-care facility to one or more nonprofit child-care providers for as long as there is a demonstrated need under Subsection (h) of this Section 314.4, and that it will comply with all of the requirements imposed on the nonprofit organization under this Paragraph (b)(6) and imposed on a sponsor under Subsections (g), (h) and (i) of Section 314.4.

(E) To support the provision of a child-care facility in accordance with the foregoing requirements, the sponsor has paid to the nonprofit organization a sum which equals or exceeds the amount of the in-lieu fee which would have been applicable to the project under Section 314.4(b)(4).

(F) The Department of Children, Youth and Their Families has determined that the proposed child-care facility will help meet the needs identified in the San Francisco Child Care Needs Assessment and will be consistent with the City Wide Child Care Plan; provided, however, that this Paragraph (F) shall not apply to any office or hotel development project approved by the Planning Commission prior to December 31, 1999.

Upon compliance with the requirements of this Part, the nonprofit organization shall enjoy all of the rights and be subject to all of the obligations of the sponsor, and the sponsor shall have no further rights or obligations under this Section.

(c) The Director of the Department of Building Inspections shall provide notice in writing to the Director of Planning at least five business days prior to issuing the first certificate of occupancy for any development project subject to this Section. If the Director of Planning notifies the Director of the Department of Building Inspections within such time that the sponsor has not complied with the provisions of this Section, the Director of the Department of Building Inspections shall deny any and all certificates of occupancy. If the Director of Planning notifies the Director of the Department of Building Inspections that the sponsor has complied with this Section or fails to respond within five business days, a certificate of occupancy shall not be disapproved pursuant to this Section. Any failure of the Director of the Department of Building Inspections or the Director of Planning to give any notice under this Subsection shall not relieve a sponsor from compliance with this Section.

(d) In the event that the Department or the Commission takes action affecting any development project subject to this Section and such action is thereafter modified, superseded, vacated, or reversed by the Department or the Commission, Board of Appeals, the Board of Supervisors, or by court action, the permit application for such office development project shall be remanded to the Department or Commission within 60 days following the date on which such action is final to determine whether the proposed project has been changed in a manner which affects the area of the child-care facility or the amount of the in-lieu fee to be provided under this Section 314.4 and, if so, the Department or the Commission shall revise the child-care requirement imposed on the permit application in compliance with this Section, and shall promptly notify the Treasurer and DBI of that revision.

(e) The sponsor shall supply all information to the Treasurer, the Department, and the Commission necessary to make a determination as to the applicability of this Section and the number of gross square feet of office or hotel space subject to this Section.

(f) Within nine months of the effective date of this Section, the Commission shall, after public notice and a hearing pursuant to Charter Section 4.104, adopt rules and regulations by which compliance with this Subsection shall be determined.

(g) In the event that a sponsor elects to satisfy its child-care requirement under Section 314(b)(1), (2), (3) or (5) by providing an on-site or near-site child-care facility, the sponsor shall submit a report to the Department in January of each year for the life of the child-care facility. The report shall have attached thereto a copy of the license issued by the California Department of Social Services permitting operation of the child-care facility, and shall state:

- (1) The address of the child-care facility;
- (2) The name and address of the child-care provider operating the facility;

- (3) The size of the center in terms of floor area;
- (4) The capacity of the child-care facility in terms of the maximum number of children for which the facility is authorized to care under the license;
- (5) The number and ages of children cared for at the facility during the previous year; and
- (6) The fees charged parents for use of the facility during the previous year.

(h) In the event that a sponsor elects to satisfy its child-care requirement under Paragraphs 314.4 (b)(1), (2), (3) or (5) by providing an on-site or near-site child-care facility, or under Paragraph 314.4(b)(6) by agreement with a non-profit organization, the sponsor, or in the case of a facility created pursuant to Paragraph 314.4(b)(6) the non-profit organization, may apply to the Department to eliminate the facility or to reduce the floor area of the facility in any amount, providing, however, that the gross floor area of a reduced facility is at least 2,000 square feet. The Department shall schedule a public hearing on any such application before the Commission and provide notice pursuant to City Planning Code Section 306.3(a) at least two months prior to the hearing. The application may be granted only where the sponsor has demonstrated that there is insufficient demand for the amount of floor area then devoted to the on-site or near-site child-care facility. The actual reduction in floor area or elimination of the child-care facility shall not be permitted in any case until six months after the application is granted. Such application may be made only five years or more after the issuance of the first certificate of occupancy for the project. Prior to the reduction in floor area or elimination of the child care facility, the sponsor shall pay an in-lieu fee to the City's Treasurer to be computed as follows:

<b>(20 - No. of years since issuance of first <u>certificate of occupancy</u>)</b> <b>20</b>	<b>X</b>	<b>Net reduction gross sq. ft. child-care facility</b>	<b>= \$100 X</b>	<b>Total Fee</b>
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Upon payment of the fee in full to the Treasurer and upon request of the sponsor, the Treasurer shall issue a certification that the fee has been paid. The sponsor shall present such certification to the Director prior to the reduction in the floor area or elimination of the child care facility.

(i) The child care provider operating any child care facility pursuant to Sections 314.4(b)(1), (2), (3) or (5) shall reserve at least 10 percent of the maximum capacity of the child care facility as determined by the license for the facility issued by the California Department of Social Services to be affordable to children of households of low income. The Department shall adopt rules and regulations to determine the rates to be charged to such households at the same time and following the procedures for the adoption of rules and regulations under Section 314.5.

(j) The fee required by this ordinance is due and payable to the Treasurer prior to issuance of the first certificate of occupancy for the office development project. Except in the case of a reduction in space of the child care facility pursuant to Subsection (h), if the fee remains unpaid following issuance of the certificate, any amount due shall accrue interest at the rate of one and one-half percent per month, or fraction thereof, from the date of issuance of the certificate until the date of final payment. Where the amount due is as a result of a reduction in space of the child care facility pursuant to subsection (h), such interest shall accrue from the date on which the available space is reduced until the date of final payment.

(k) In the event that a development project for which an in-lieu fee imposed under this Section has been fully paid is demolished or converted to a use or uses not subject to this ordinance prior to the expiration of its estimated useful life, the City shall refund to the sponsor a portion of the amount of an in-lieu fee paid. The portion of the fee refunded shall be determined on a pro rata basis according to the ratio of the remaining useful life of the project at the time of demolition or conversion in relation to its total useful life. For purposes of this ordinance, the useful life of a development project shall be 50 years.

(l) A sponsor's failure to pay the fee imposed pursuant to (1) this Section shall constitute cause for the City to record a lien against the development project in the sum of the in-lieu fee required under this ordinance, as adjusted under this Section.

(2) If, for any reason, the fee imposed pursuant to this ordinance remains unpaid following issuance of the certificate, the Treasurer shall initiate proceedings in accordance with the procedures set forth in Article XX of Chapter 10, of the San Francisco Administrative Code to make the entire unpaid balance of the fee, including interest, a lien against all parcels used for the development project. The Treasurer shall send all notices required by that Article to the owner of the property as well as the sponsor. The Treasurer shall also prepare a preliminary report notifying the sponsor of a hearing to confirm such report by the Board of Supervisors at least 10 days before the date of the hearing. The report to the sponsor shall contain the sponsor's name, a description of the sponsor's development project, a description of the parcels of real property to be encumbered as set forth in the Assessor's Map Books for the current year, a description of the alleged violation of this ordinance, and shall fix a time, date, and place for hearing. The Treasurer shall cause this report to be mailed to the sponsor and each owner of record of the parcels of real property subject to lien. Except for the release of lien recording fee authorized by Administrative Code Section 10.237, all sums collected by the Tax Collector pursuant to this ordinance shall be held in trust by the Treasurer and deposited in the Child Care Capital Fund established in Section 314.5.

(3) Any notice required to be given to a sponsor or owner shall be sufficiently given or served upon the sponsor or owner for all purposes hereunder if personally served upon the sponsor or owner or if deposited, postage prepaid, in a post office letterbox addressed in the name of the sponsor or owner at the official address of the sponsor or owner maintained by the Tax Collector for the mailing of tax bills or, if no such address is available, to the sponsor at the address of the development project, and to the applicant for the site or building permit at the address on the permit application.

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86; Ord. 409-87, App. 10/9/87; Ord. 22-00, File No. 991877, App. 2/18/2000; Ord. 76-03, File No. 020592, App. 5/2/2003)

### **SEC. 314.5. - CHILD CARE CAPITAL FUND.**

There is hereby established a separate fund set aside for a special purpose called the Child Care Capital Fund ("Fund"). All monies contributed pursuant to the provisions of this Section, and all other monies from the City's General Fund or from contributions from third parties designated for the fund shall be deposited in the fund. For a period of three years from the date of final adoption of this ordinance, no more than 25 percent of the money deposited in the fund shall be paid to providers operating child care facilities subject to Sections 314.4(b)(1), (2), (3) and (5) to reduce the cost of providing affordable child care services to children from households of low income as required in Section 314.4(i). The remaining monies deposited in the fund during such three-year period, and all monies in the fund following expiration of such three-year period, shall be used solely to increase and/or improve the supply of child care facilities affordable to households of low and moderate income; except that monies from the fund shall be used by the

Director to fund in a timely manner a nexus study to demonstrate the relationship between commercial development projects and child care demand as described in San Francisco Planning Code Section 314.4. In the event that no child care facility is in operation under Sections 314.4(b)(1), (2), (3) or (5) during such three-year period, the maximum of 25 percent of the fund reserved for households of low income shall be spent solely to increase and/or improve the supply of child care facilities affordable to households of low and moderate income. The fund shall be administered by the Director, who shall adopt rules and regulations governing the disposition of the fund which are consistent with this Section. Such rules and regulations shall be subject to approval by resolution of the Board of Supervisors.

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86; Ord. 409-87, App. 10/9/87; Ord. 263-98, App. 8/21/98; Ord. 76-03, File No. 020592, App. 5/2/2003)

**SEC. 314.6. - PARTIAL INVALIDITY AND SEVERABILITY.**

If any provision of this Section, or its application to any development project or to any geographical area of the City, is held invalid, the remainder of the Section, or the application of such provision to other office or hotel development projects or to any other geographical areas of the City, shall not be affected thereby.

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86)

**SEC. 314.7. - ANNUAL EVALUATION.**

Commencing one year after the effective date of this Section and each year thereafter, the Director shall report to the Commission at a public hearing and to the Planning, Housing and Development Committee of the Board of Supervisors at a separate public hearing, on the status of compliance with this Section and the efficacy of this Section in mitigating the City's shortage of child care facilities generated by the office and hotel development projects subject to this Section. Five years after the effective date of this Section, the Commission shall review the formulae set forth in Section 314.4. In such report, the Director shall recommend any changes in the formulae.

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86)

**SEC. 314.8. - DECREASE IN CHILD CARE FORMULAE AFTER STUDY.**

If the Commission determines after review of an empirical study that the formulae set forth in Section 314.4 impose a greater requirement for child care facilities than is necessary to provide child care for the number of employees attracted to office and hotel development projects subject to this Section, the Commission shall, within three years of making such determination, refund that portion of any fee paid or permit a reduction of the space dedicated for child care by a sponsor consistent with the conclusions of such study. The Commission shall adjust any sponsor's requirement and the formulae set forth in Section 314.4 so that the amount of the exaction is set at the level necessary to provide child care for the employees attracted to office and hotel development projects subject to this Section.

(Added by Ord. 411-85, App. 9/6/85; amended by Ord. 441-86, App. 11/13/86)

## **Attachment D: Planning Code Section 295**

### **SEC. 295 – HEIGHT RESTRICTIONS ON STRUCTURES SHADOWING PROPERTY UNDER THE JURISDICTION OF THE RECREATION AND PARK COMMISSION.**

(a) No building permit authorizing the construction of any structure that will cast any shade or shadow upon any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission may be issued except upon prior action of the City Planning Commission pursuant to the provisions of this Section; provided, however, that the provisions of this Section shall not apply to building permits authorizing:

- (1) Structures which do not exceed 40 feet in height;
- (2) Structures which cast a shade or shadow upon property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission only during the first hour after sunrise and/or the last hour before sunset;
- (3) Structures to be constructed on property under the jurisdiction of the Recreation and Park Commission for recreational and park-related purposes;
- (4) Structures of the same height and in the same location as structures in place on June 6, 1984;
- (5) Projects for which a building permit application has been filed and either (i) a public hearing has been held prior to March 5, 1984 on a draft environmental impact report published by the Department of City Planning, or (ii) a Negative Declaration has been published by the Department of City Planning prior to July 3, 1984;
- (6) Projects for which a building permit application and an application for environmental evaluation have been filed prior to March 5, 1984 and which involve physical integration of new construction with rehabilitation of a building designated as historic either by the San Francisco Board of Supervisors as a historical landmark or by the State Historic Preservation Officer as a State Historic Landmark, or placed by the United States Department of the Interior on the National Register of Historic Places and which are located on sites that, but for separation by a street or alley, are adjacent to such historic building.

(b) The City Planning Commission shall conduct a hearing and shall disapprove the issuance of any building permit governed by the provisions of this Section if it finds that the proposed project will have any adverse impact on the use of the property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission because of the shading or shadowing that it will cause, unless it is determined that the impact would be insignificant. The City Planning Commission shall not make the determination required by the provisions of this Subsection until the general manager of the Recreation and Park Department in consultation with the Recreation and Park Commission has had an opportunity to review and comment to the City Planning Commission upon the proposed project.

(c) The City Planning Commission and the Recreation and Park Commission, after a joint meeting, shall adopt criteria for the implementation of the provisions of this Section.

(d) The Zoning Administrator shall determine which applications for building permits propose structures which will cast a shade or shadow upon property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission. As used in this Section, “property designated for acquisition by the Recreation and Park Commission” shall mean property which a majority of each of the Recreation and Park Commission and the City Planning Commission, meeting jointly, with the concurrence of the Board of Supervisors, have recommended for acquisition from the Open Space Acquisition and Park Renovation Fund, which property is to be placed under the jurisdiction of the Recreation and Park Commission.

(Added Ord. 62-85, App. 1/31/1985)

**Attachment E: Planning Commission Resolution 18102**





## SAN FRANCISCO PLANNING DEPARTMENT

### Planning Commission Resolution No. 18102 HEARING DATE: JUNE 3, 2010

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

*Date:* **March 18, 2010**  
*Case No.:* **2007.0946BEMRTUZ**  
*Project:* **Candlestick Point - Hunters Point Shipyard Phase 2  
Finding the Redevelopment Plan Amendments  
Consistent with the General Plan, Recommending  
Approval of Redevelopment Plan Amendments, and  
Making Office Allocation Findings (Planning Code  
Section 320 - 325)**  
*Block/Lot:* **Candlestick Point and Hunters Point Shipyard**  
*Staff Contact:* **Matt Snyder - (415) 575-6891  
[matthew.snyder@sfgov.org](mailto:matthew.snyder@sfgov.org)**  
*Recommendation:* **Approval**

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

**ESTABLISHING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN OF THE CITY AND COUNTY OF SAN FRANCISCO FOR PROPOSED AMENDMENTS TO THE BAYVIEW HUNTERS POINT REDEVELOPMENT PLAN AND THE HUNTERS POINT SHIPYARD REDEVELOPMENT PLAN, AS PART OF THE CANDLESTICK POINT - HUNTERS POINT SHIPYARD PHASE 2 PROJECT, RECOMMENDING THE APPROVAL OF THE AMENDMENTS TO SUCH REDEVELOPMENT PLANS, AND MAKING OFFICE ALLOCATION FINDINGS PURSUANT TO PLANNING CODE SECTIONS 320 - 325.**

**WHEREAS**, In accordance with California Redevelopment Law, the San Francisco Redevelopment Agency is proposing to amend both the Bayview Hunters Point Redevelopment Plan and the Hunters Point Shipyard Redevelopment Plan.

The Bayview Hunters Point has one of the highest concentrations of very low-income residents and one of the highest unemployment rates in San Francisco, and public health in the area has generally been poor compared to the rest of San Francisco. Bayview Hunters Point has very few quality public parks and open spaces that provide active recreation facilities for neighborhood youth, and is in need of affordable housing and business and job opportunities for its residents. The area remains under-served by transit and basic neighborhood-serving retail and cultural amenities. The betterment of the quality of life for the residents of the Bayview Hunters Point community is one of the City's highest priorities.

Hunters Point Shipyard and Candlestick Point are part of the Bayview Hunters Point neighborhood and are in close proximity to one another, separated only by the Yosemite Slough and South Basin. Together, they comprise about 702 acres, and make up the largest area of underused land in the City. This legislation creating the Candlestick Point Activity Node Special Use District, the Hunters Point Shipyard Phase 2 Special Use District, the 40/420-CP Height and Bulk District and the 40/370-HP Height and Bulk District, and the related rezoning and General Plan amendments, will implement the proposed consolidated redevelopment of the Hunters Point Shipyard Phase 2 and Candlestick Point ("the Project"). The areas within the Candlestick Activity Node Special Use District and the Hunters Point Shipyard Phase 2 Special Use District together comprise the Project Site ("The Project Site"). As set forth in Proposition G, passed by San Francisco voters on June 3, 2008, the Project is designed to reconnect the Shipyard and Candlestick Point with the Bayview Hunters Point community and the rest of San Francisco and transform these long-abandoned waterfront lands into productive areas for jobs, parks and housing, including affordable housing.

Expediting implementation of the Project will provide long overdue improvements to the Bayview Hunters Point community that will also benefit the City as a whole.

### Hunters Point Shipyards

Hunters Point Shipyards was once a thriving, major maritime industrial center that employed generations of Bayview Hunters Point residents. Following World War II, the Shipyards was a vital hub of employment in the Bayview Hunters Point, providing logistics support, construction and maintenance for the United States Department of the Navy. At its peak, the Shipyards employed more than 17,000 civilian and military personnel, many of whom lived in Bayview Hunters Point. The United States Navy ceased operations at the Shipyards in 1974 and officially closed the base in 1988. The Shipyards was then included on the Department of Defense's 1991 Base Realignment and Closure (BRAC) list. In 1993, following designation of the Shipyards by the City's Board of Supervisors as a redevelopment survey area, the City and the Redevelopment Agency began a community process to create a plan for the economic reuse of the Shipyards and the remediation and conveyance of the property by the Navy.

In planning for the redevelopment of the Shipyards, the City and the Redevelopment Agency worked closely with the Hunters Point Citizen's Advisory Committee ("CAC"). The CAC is a group of Bayview Hunters Point community residents, business owners and individuals with expertise in specific areas, who are selected by the Mayor to oversee the redevelopment process for the Shipyards. The Agency has worked with the CAC and the community throughout the process of implementing revitalization activities regarding the Shipyards.

In July 1997, the Board of Supervisors adopted a Redevelopment Plan for revitalization of the Shipyards. The Hunters Point Redevelopment Plan contemplated the development of a mix of residential, commercial, cultural, research and development and light industrial uses, with open space around the waterfront perimeter.

Since its selection by the Redevelopment Agency, the Shipyards developer has worked with the City, the Agency, and the Navy to facilitate the redevelopment and economic reuse of the Shipyards. In 2003, the Shipyards developer and the Agency entered into the Hunters Point Shipyards Phase I Disposition and Development Agreement (DDA), under which the Shipyards developer is constructing infrastructure for up to 1,600 residential units on Parcel A of the Shipyards, of which approximately 30 percent will be affordable. The Phase I DDA also requires the Shipyards developer to create approximately 25 acres of public parks and open space on Parcel A.

In March 2004, the Redevelopment Agency, in cooperation with the City and the Shipyards developer negotiated a comprehensive agreement with the Navy governing the terms and conditions of the hazardous materials remediation and conveyance of the Shipyards by the Navy to the Agency. The Conveyance Agreement obligates the Navy to remediate the hazardous materials on the Shipyards to levels consistent with the land uses designated in the original redevelopment plans for the Shipyards and to convey parcels to the Agency at no cost on a phased basis as the Navy successfully completes the remediation.

In 2005, the Navy conveyed Parcel A to the Agency under the Conveyance Agreement, and the Agency then closed escrow on its transfer of a portion of Parcel A to the Shipyards developer to begin site preparation and infrastructure development for the construction of new housing and parks on Parcel A.

### Candlestick Point

**WHEREAS**, Candlestick Point includes, among other things: (a) the City-owned stadium, currently named Candlestick Park, which is home to the San Francisco 49ers and is nearing the end of its useful life; (b) the Alice B. Griffith Housing Development, also known as Double Rock, and (c) the Candlestick Point State Recreation Area.

In June, 1997, San Francisco voters adopted two measures (Propositions D and F) providing for the development by the 49ers or their development partners of a new stadium, a related 1,400,000 square foot entertainment and retail shopping center, and other conditional uses including residential uses. The voters approved up to \$100 million of lease revenue bonds to help finance the proposed development of the new stadium.

In June 2006, following a 10-year planning process, the Board of Supervisors adopted a Redevelopment Plan for the Bayview Hunters Point Project Area that includes Candlestick Point. The primary objective of the Redevelopment Plan is to revitalize the Bayview Hunters Point community through economic development, affordable housing and community enhancement programs for the benefit of existing residents and community-based businesses. The policies and programs of the Redevelopment Plan incorporate community goals and objectives expressed in a Concept Plan that the Bayview Hunters Point Project Area Committee (“PAC”) adopted in 2000, following hundreds of community planning meetings. The PAC is a body that was formed in 1997 through a public election by Bayview Hunters Point voters to work with the Redevelopment Agency and the City and represent the interests of the Bayview Hunters Point community in planning for the area’s future. The Agency has continued to work through the PAC and with the community throughout the process of implementing revitalization activities under the Redevelopment Plan.

The Alice B. Griffith Housing Development, built in the early 1960s and operated by the San Francisco Housing Authority, needs substantial improvement. An important component of the Project is to provide one-for-one replacement of Alice B. Griffith units at existing low income levels and to ensure that existing tenants have the right to move to the new upgraded units without being displaced until the replacement units are ready for occupancy.

In 1983, the City donated land at Candlestick Point to the State of California to form the Candlestick Point State Recreation Area with the expectation that the State would develop and implement a plan for improving the park land. The Recreation Area has the potential to be a tremendous open space recreational resource for the region and for the residents of Bayview Hunters Point. But it has not reached its potential due to limited State funding and a challenging configuration. The long-term restoration and improvement of the Candlestick Point State Recreation Area has been a long-term goal of the residents of Bayview Hunters Point, the City, and the State.

Integrated Development of the Hunters Point Shipyards and Candlestick Point.

For over a decade, the redevelopment of Candlestick Point and the Shipyards has proceeded on parallel, though largely separate, paths. But over the last four years, the City and the Redevelopment Agency have been working with the Bayview Hunters Point community on redeveloping the two sites together. A primary objective of both the Hunters Point Shipyards Redevelopment Plan and the Bayview Hunters Point Redevelopment Plan is to create economic development, affordable housing, public parks and open space and other community benefits by developing the under-used lands within the two project areas. Combining the planning and redevelopment of these two areas provides a more coherent overall plan, including comprehensive public recreation and open space plans and integrated transportation plans, and provides better ways to increase efficiencies to finance the development of affordable housing and the public infrastructure necessary to expedite the revitalisation of both areas; and

Accordingly, in May, 2007, the Board of Supervisors adopted and the Mayor approved a resolution a Conceptual Framework for the integrated development of Candlestick Point and the Hunters Point Shipyards (“the Project”). The Conceptual Framework, which is the basis for the last three years of planning for the Project, envisioned a major mixed-use project, including hundreds of acres of new waterfront parks and open space, thousands of new housing units, a robust affordable housing program, extensive job-generating retail and research and development space, permanent space for the artist colony that exists in the Shipyards, and a site for a potential new stadium for the 49ers on the Shipyards; and

In furtherance of the Conceptual Framework, in April 2007, the San Francisco Recreation and Parks Commission adopted a resolution requesting the Redevelopment Agency to include the existing stadium site under the Exclusive Negotiations Agreement. In May 2007, the Redevelopment Agency and the Shipyards developer (whose members were reconstituted) entered into a Second Amended and Restated Exclusive Negotiations and Planning Agreement related to Phase II of the Shipyards Redevelopment Plan, which extended the Shipyards developer's exclusive negotiating rights to cover Candlestick Point.

On June 3, 2008, the San Francisco voters approved Proposition G, an initiative petition measure named The Bayview Jobs, Parks, and Housing Initiative, regarding plans to revitalize the Project site. As set forth in Proposition G, the project is designed to revitalize the Project Site by (a) improving and creating hundreds of acres of public parks and open space, particularly along the waterfront, (b) significantly increasing the quality and quantity of affordable housing in southeastern San Francisco, including the complete rebuilding of the Alice Griffith Housing Development, (c) providing thousands of commercial and construction job opportunities for San Francisco residents and businesses, especially in the Bayview Hunters Point community, (d) supporting the creation of permanent space on the Shipyards for existing artists, (e) elevating the site into a regional center for green development and the use of green technology and sustainable building design, (f) providing extensive transportation improvements that will benefit southeastern San Francisco generally, (g) attracting and sustaining neighborhood serving retail and cultural amenities and services, and (h) offering a world-class waterfront stadium site opportunity as the City's last and best chance to keep the 49ers in San Francisco over the long term, but without requiring the revitalization project to be delayed if the 49ers do not timely decide to build a stadium in the project site or decide to build a new stadium elsewhere.

In October 2009, the State Legislature approved and the Governor signed and filed Senate Bill No. 792 (SB 792). SB 792, enacted as Chapter 2003 of the Statutes of 2009 in January of 2010, provides for the reconfiguration of the Candlestick Point State Recreation Area and improvement of the State park lands, in connection with the development of the Project.

Since February 2007, the Project has been reviewed by the Bayview Hunters Point community and other stakeholders in over 200 public meetings, including those held before the PAC, the CAC, the Redevelopment Agency Commission, the Board of Supervisors, the Planning Commission, and other City commissions and in other local forums.

On June 3, 2010, by Resolution No.18098, the Planning Commission adopted amendments to the General Plan and recommended to the Board of Supervisors approval of those amendments to the General Plan including amendments to Bayview Hunters Point Area Plan and the Commerce and Industry Element, and the creation of the Candlestick Point Subarea Plan, and the Hunters Point Area Plan.

Pursuant to Sections 33346 and 33354.6 of the California Health and Safety Code regarding California Redevelopment Law, the planning policies and objectives and land uses and densities of the Redevelopment Plans must be found consistent with the General Plan prior to Redevelopment Plan approval or amendment by the Board of Supervisors.

The Planning Commission wishes to facilitate the physical, environmental, social and economic revitalization of the Bayview Hunters Point and Hunters Point Shipyards, using the legal and financial tools of a Redevelopment Plan, while creating jobs, housing and open space in a safe, pleasant, attractive and livable mixed use neighborhood that is linked rationally to adjacent neighborhoods; and

The proposed Bayview Hunters Point and Hunters Point Shipyards Redevelopment Plans provides for a type of development, intensity of development and location of development that is consistent with the overall goals and

objectives and policies of the General Plan as well as the Eight Priority Policies of Section 101.1 of the Planning Code as set forth in Planning Commission Resolution.

The Planning Commission believes that the Bayview Hunters Point Redevelopment Plan as amended and the Hunters Point Shipyards Redevelopment Plan as amended would meet these objectives; and

The Project will 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 Shipyards 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 Shipyards 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 an alternative uses that either shift some residential uses from Candlestick Point to the Shipyards and expands by up to 500,000 square feet commercial uses on some of the areas of the Shipyards currently reserved for stadium uses or expand research and development uses by 2,500,000 square feet on the Shipyards if the 49ers do not avail themselves of the opportunity to build a new stadium on the Shipyards, (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.

The proposed Hunters Point Shipyards Redevelopment Plan provides that to facilitate early job generation within the Project Area during the early phases of redevelopment under this Plan, the first 800,000 square feet of office development within the Project Area is to receive priority under Sections 320-325 over all office development proposed elsewhere in the City, except within (a) the Mission Bay South Project Areas; and (b) the Transbay Transit Tower (proposed for development on Lot 001 of assessors Block 3720) (but not the remainder of the Transbay Redevelopment Project Area)

The Design for Development document contains detailed design standards and guidelines for all proposed development in both the Candlestick Point and Hunters Point Shipyards areas (“the Project Area”).

The Candlestick Point area comprises approximately 281 and Hunters Point Shipyards Phase 2 area comprises approximately 402 acres. Candlestick Point is generally comprised of the 49ers Football Stadium and parking lot, the Candlestick Point State Recreation Area (CPSRA) (excluding the Yosemite Slough portion of the Park), the Alice Griffith Housing development, along with privately held parcels to the southwest of the stadium site between Bayview Hill and Jamestown Avenue, and privately held parcels between the stadium and the CPSRA. The Hunters Point Shipyards portion of the project is comprised of a majority of the former Naval Shipyards except for the portion currently being developed as “Phase 1”, also often referred to as “Parcel A”.

Any office development in the Candlestick Point and Hunters Point Shipyards will be subject to the limitation on the amount of square footage which may be approved, as set forth in Planning Code 321 or as amended by the voters.

Planning Code Sections 320-325 require review of proposed office development, as defined in Planning Code Section 320, by the Planning Commission and consideration of certain factors in approval of any office development.

Based upon the information before the Planning Commission regarding design guidelines for in the Design for Development for Candlestick Point and Hunters Point Shipyards, and the land use designations set out in the

respective Redevelopment Plans, the Candlestick Point Subarea Plan and the Hunters Point Shipyards Area Plan, and the goals and objectives of set out in all the relevant documents, the Planning Commission hereby makes the findings set forth below, in accordance with Planning Code Section 321.

The Planning Commission has reviewed and considered the factors set forth in Planning Code Section 321(b) in order to make the determination that the office development contemplated by the Plan in particular would promote the public welfare, convenience and necessity. Those factors include consideration of the balance between economic growth and housing, transportation and public services, the contribution of the office development to the objectives and policies of the General Plan, the quality of the design of the proposed office development, the suitability of the proposed office development for its location, the anticipated uses of the proposed office development, in light of employment opportunities to be provided, needs of existing businesses, and the available supply of space suitable for such anticipated uses, the extent to which the proposed development will be owned or occupied by a single entity, and the use of transferable development rights for such office development.

The Planning Commission will review the design and details of individual office developments which are proposed in the Project Area, using the design standards and guidelines set forth in the Design for Development reviewed by this Planning Commission, to confirm that the specific office development continues to be consistent with the findings set forth herein.

On June 3, 2010, by Motion No. 18096, the Commission certified the Final Environmental Impact Report (“FEIR”) as accurate, complete and in compliance with the California Environmental Quality Act (“CEQA”); and

On June 3, 2010 by Motion No. 18097, the Commission adopted findings in connection with its consideration of, among other things, the adoption of amendments to the Bayview Hunters Point Redevelopment Plan and the Hunters Point Shipyards Redevelopment Plan, under CEQA, the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code and made certain findings in connection therewith, which findings are hereby incorporated herein by this reference as if fully set forth.

The Planning Commission finds the amended Bayview Hunters Point Redevelopment Plan and the amended Hunters Point Shipyards Redevelopment Plan as described in Exhibit A to this Resolution consistent with the General Plan, as it is proposed to be amended, and to Section 101.1 of the Planning Code as described in Exhibit A to Resolution No. 18101 which findings are hereby incorporated herein by this reference as if fully set forth.

**NOW, THEREFORE, BE IT RESOLVED**, That the Planning Commission having considered this proposal at a public meeting on June 3, 2010 pursuant to Planning Code Sections 302(b) and 340, having heard and reviewed oral and written testimony and reports, and having reviewed and certified the Final Environmental Impact Report on the Redevelopment Plans as adequate, complete, and in compliance with CEQA, does hereby find the Bayview Hunters Point Redevelopment Plan, as amended, and the Hunters Point Shipyards Redevelopment Plan, as amended, dated May 6, 2010 respectively, in conformity with the General Plan as it is recommended to be amended by Resolution No. 18101; and

**BE IT FURTHER RESOLVED**, That the Planning Commission hereby finds that up to 5,000,000 square feet of office development contemplated by the Hunters Point Shipyards Redevelopment Plan and up to 150,000 square feet of office development contemplated in Zone 1 of the Bayview Hunters Point Redevelopment Plans in particular promotes the public welfare, convenience and necessity for the following reasons:

1. The office development is part of the Redevelopment Plans, which would eliminate blighting influences and correct environmental deficiencies in the Hunters Point Redevelopment Project Area and Zone 1 (Candlestick

Point) of the Bayview Hunters Point Redevelopment Project Area through a comprehensive plan for redevelopment.

2. The Redevelopment Plans and their supporting documents include a series of detailed design standards and guidelines which will ensure quality design of office development as well as a quality urban design scheme.
3. The Redevelopment Plans provide the important ability to retain and promote, within the City and County of San Francisco, the possibility of new emerging industries including green technology through the provision of a major new site and space for adjacent office and related uses.
4. Implementing permitted office uses as part of the Redevelopment Plans enables the achievement of a coordinated mixed-use development plan incorporating many features, such as large open spaces and parks and a new street grid,.
5. Implementing the office use contemplated by the Redevelopment Plans would strengthen the economic base of the Project Area and the City as a whole by strengthening retail and other commercial functions in the Project Area community through the addition of approximately 850,000 leasable square feet of various kinds of retail space, and as much as about 5,000,000 leasable square feet of mixed office, research and development and light manufacturing uses depending on the final disposition of the 49ers to building a new stadium at the Shipyards.
6. Build-out, including office uses, of both the Candlestick Point and Hunters Point Shipyards Phase 2 is anticipated to result in significant positive fiscal impacts to the City. This includes \$22 million in net cumulative revenues will accrue to other City funds including the Children's Fund, Library Fund and Open Space Fund
7. The development proposed by the Project will also have significant positive economic impacts on the City. At full build-out, employment in the Project Area is expected to be about 10,700. Direct and indirect job generation is estimated to be about 18,500. About 55% of the direct and indirect jobs are expected to be held by San Francisco residents. Project-related construction employment is projected to total 1,500 annual full-time equivalent jobs over the build-out period, representing a five percent increase in the City's construction job industry base. The employees working at the Project Area are expected to generate total household income of about \$746 million annually. Total direct, indirect and induced economic activity within the City and County of San Francisco is expected to be approximately \$3.7 billion. The Project provides an unprecedented system for diversity and economic development, including good faith efforts to meet goals for hiring minority and women-owned consulting and contracting businesses, hiring of minority and women laborers, compliance with prevailing wage policies, and would include a robust job training and placement program that will include, but not be limited to, almost \$9 million to workforce training and placement programs for local residents. . The community benefits package also includes funds for child care and school facilities. Development of office uses will help to create the employment opportunities to achieve such hiring goals.
8. The Project includes the opportunity for substantial new publicly accessible open spaces totaling upwards of approximately 336 acres including a fully realized CPSRA, the dual use sports facility on the stadium's parking lot, ecological restoration areas, and a wide variety of neighborhood parks, plazas and shorefront promenades. Office users will benefit from the conveniently located open space, and the development of office uses will help to finance the provision of such open space and its maintenance.

9. The office uses would be located in an ideal area to take advantage of a wide variety of transit, including a new Bus Rapid Transit (BRT) line, express downtown buses, and extended Muni lines. The Project Area has been designed in consultation with the City, including MUNI, to capitalize on opportunities to coordinate with and expand transit systems to serve the Project. The Project also includes Transportation Management Programs which will be in place throughout the development of the Project Area.
10. The Plan areas include sites for both a new fire station and a flexible approach to other community facilities including the potential use for a school, so that necessary services and assistance are available near the office uses and so that office uses will not otherwise burden existing services.
11. The Redevelopment Plan and their supporting documents include significant new infrastructure, including a linked program for creation of a comprehensive vehicular, bicycle and pedestrian circulation system. The public infrastructure will include public streets, underground pipes, traffic signals and open space, plus additional substantial infrastructure as described in the Candlestick Point — Hunters Point Shipyards Phase 2 Infrastructure Plan. An emphasis will be placed on sustainable development techniques as outlined in the Sustainability Plan. The office development would be adequately served by the infrastructure and the tax increment generated by office development in the Project Area will also provide a critical component of the financing of such infrastructure.
12. This new infrastructure included in the Plan will be financed through a self-taxing financing device to be imposed upon the Project Area (excluding affordable housing sites and open space).

**BE IT FURTHER RESOLVED**, That the Planning Commission has considered the factors set forth in Planning Code Section 321(b)(3)(A)-(G) and finds as follows:

- (A) The apportionment of potential office space over the course of many approval periods during the anticipated 20-30 year build-out of the Plan Areas will remain within the limits of Planning Code Section 321 and will maintain a balance between economic growth and housing, transportation and public services, pursuant to the terms of the Plans and their supporting documents which provide for the appropriate construction and provision of housing, roadways, transit and all other necessary public services in accordance with the Infrastructure Plan; and
- (B) As determined in this Resolution, above, and for the additional reasons set forth in Planning Commission Resolution No. 18101, the adoption of the Plan, which includes office uses and contemplates office development, and all of the other implementation actions, are consistent with the objectives and policies of the General Plan and Priority Policies of Planning Code Section 101.1 and will contribute positively to the achievement of City objectives and policies as set forth in the General Plan; and
- (C) The design guidelines for the Project Area are set forth in the respective Design for Development documents for Candlestick Point and Hunters Point Shipyards Phase 2. This Planning Commission has reviewed the design standards and guidelines and finds that such standards and guidelines will ensure quality design of any proposed office development. In addition, the Planning Commission will review any specific office development subject to the terms of Planning Code §§320-325 to confirm that the design of that office development is consistent with the findings set forth herein; and

- (D) The potential office development contemplated in the Plans is suitable for the Project Area where it would be located. As discussed above, transportation, housing and other public services including open space will be provided in the Project Area. The office development would be located in an area which is not currently developed, nor is it heavily developed with other office uses; and
- (E) As noted above, the anticipated uses of the office development will enhance employment opportunities and will serve other Research and Development related uses including potentially those for green technology businesses which wish to locate in the Project Area, where the underdeveloped nature of the area provides a readily available supply of space for potential research and development, light industrial and office uses; and
- (F) While the overall Project is being developed by a master developer, the proposed office development is available to serve a variety of users, including a variety of businesses expected to locate in the area, and could accommodate a multiplicity of owners; and
- (G) The Plan does not provide for the use of transferrable development rights (“TDRs”) and this Planning Commission does not believe that the use of TDRs is useful or appropriate in the Project Area, given the availability of space for development and the fact that only a relatively few number of buildings have been identified as a potential historic resource; and

**BE IT FURTHER RESOLVED**, That the Planning Commission will review and approve the design of specific office development which may be proposed in the Project Area and subject to the provisions of Planning Code §§320-325, using the design standards and guidelines set forth in the Design for Development, as reviewed by this Planning Commission, to confirm that the specific office development continues to be consistent with the findings set forth herein; and

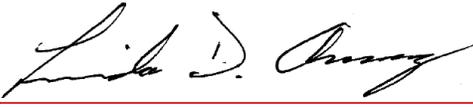
**BE IT FURTHER RESOLVED**, That upon such determination, the Planning Commission will issue an authorization for the proposed office development project;

**BE IT FURTHER RESOLVED**, That the Planning Commission does hereby recommend approval of the amendments to the Bayview Hunters Point Redevelopment Plan and the Hunters Point Redevelopment Plan to the Board of Supervisors.

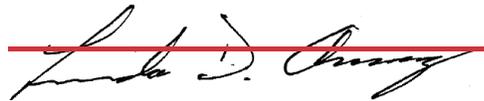
Hearing Date: June 3, 2010  
Resolution No. 18102

Case No 2007.0946BEMTZRU  
Candlestick Point — Hunters Point  
Shipyards Phase 2 - Findings of  
Consistency with the General Plan,  
Recommending Approval of the  
Redevelopment Plans, and Making  
Office Allocation Findings Under  
Sections 320-325 of the Planning  
Code

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on June 3,

2010.   

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Linda D. Avery  
Commission Secretary

AYES: Commissioners Antonini, Borden, Lee, Miguel, Moore and Sugaya

NOES: Commissioner Olague

ABSENT: None

ADOPTED: June 3, 2010

**Attachment F: Proposition O (2016)**

## **INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS**

The City Attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

**[TITLE]**

**[SUMMARY]**

*Be it ordained by the People of the City and County of San Francisco.*

### **SECTION 1. Title.**

This Initiative shall be known and may be cited as the “Hunters Point Shipyard/Candlestick Point Jobs Stimulus Proposition” (referred to hereinafter as the “Initiative”).

### **SECTION 2. Findings & Conclusions.**

(a) In 2008, San Francisco voters adopted Proposition G, the Bayview Jobs, Park and Housing Initiative, by a 63% to 37% vote. Proposition G sought to revitalize the Bayview Hunters Point area with hundreds of acres of parks, significant jobs and economic development opportunities, and a substantial number of affordable and market-rate homes. Proposition G recognized that the closure of the Hunters Point Shipyard, once a thriving maritime industrial center and leading hub of employment, had resulted in significant job losses, which had profoundly affected the economics of the area. Accordingly, the voters envisioned substantial redevelopment of the area, including office development that was designed to replace the high-quality, permanent jobs lost when the Shipyard closed.

(b) Since 2008, extensive environmental and public review has been undertaken. Redevelopment plans, area plans, zoning ordinances and agreements have been approved and entered into. For the property shown on the maps below (Hunters Point Shipyard Phase 2 and Candlestick Point), various approval documents allow and provide for extensive development, including the following:

- Approximately 330 acres for parks and open space, and approximately 370 acres for housing, research and technology jobs, retail sales, office space, and workspace for artists;
- 10,500 housing units, of which approximately one-third must be priced at below-market prices;
- 5,150,000 square feet of research and development, and office uses;
- 885,000 square feet of retail and entertainment uses.

(c) It has been eight years since Proposition G was passed, and the jobs envisioned in Proposition G have not yet materialized. The office uses, which are a key component of the plan

to regenerate jobs lost to the Shipyard closure, face a special hurdle: a 1986 initiative called Proposition M. Among other things, Proposition M imposed a growth management program on office space, generally limiting office development to 950,000 square feet per year. The Bayview Hunters Point office development anticipated in Proposition G and in the subsequent approvals could wait many years before being built because of this program. However, Proposition M was adopted decades ago, when it was assumed office development would be concentrated in the downtown area. Hunters Point Shipyard Phase 2 and Candlestick Point are not located downtown—they are located on and around the site of the decommissioned Hunters Point Shipyard and former Candlestick Park in the southeastern part of the City. If left unamended, the growth management program of Proposition M would thwart the voters’ desire to revitalize the area and expedite development of job-creating uses.

(d) This Initiative amends the provisions of Proposition M and the San Francisco Planning Code that regulate the pace of office development. It removes Hunters Point Shipyard Phase 2 and Candlestick Point from the area within which an allocation or project authorization allowing office development may be required. This Initiative is intended to facilitate a rational development pace for this area, and to implement the voters’ desire to realize the revitalization contemplated in Proposition G. To achieve these goals, this Initiative would also establish a policy that development applications shall be processed and decided quickly, and development expedited.

(e) This Initiative would not affect the applicability of the office development controls enacted by Proposition M to other areas of the City. This Initiative also would not affect the applicability of the priority policies adopted by Part 1 of Proposition M, nor would it affect the applicability of the resident placement and training program adopted by Part 3 of Proposition M.

**SECTION 3.** Part 2 of Proposition M (November 1986) and the Planning Code are hereby amended by adding Section 324.1 to read as follows:

**SEC. 324.1. DEVELOPMENT IN HUNTERS POINT SHIPYARD PHASE 2 AND CANDLESTICK POINT.**

**(a) For purposes of this Section 324.1, “Development” includes, without limitation, development, redevelopment, reuse and reoccupancy; and the “Subject Property” is comprised of property within the dotted lines depicted on the following maps:**









**(b) Notwithstanding Part 2 — Annual Limit of Proposition M (November 1986) and other provisions of any San Francisco Code, the terms “office development,” “office space,” and “additional office space,” when used in Sections 320-325 of this Planning Code, shall not include Development on the Subject Property.**

**(c) No project authorization or allocation shall be required for any Development on the Subject Property. However, Development on the Subject Property that would require a project authorization or allocation but for this Section 324.1 shall be treated for all purposes as if it had been granted approval of a project authorization or allocation.**

**(d) Development on the Subject Property shall not affect the annual limit or the unallocated amount referenced in Sections 320-324. The amount of office development for which project authorizations may be granted under Sections 320-324 on properties other than the Subject Property shall be determined without regard to the amount of Development on the Subject Property.**

**SECTION 4.** Section 325 of Proposition M (1986) and the Planning Code are hereby amended to read as follows:

**SEC. 325. SUNSET CLAUSE.**

The limit on office development set out in Planning Code Sections 320, 321, 322, 323, **and 324 and 324.1**, as of October 17, 1985, as amended by the voters on November 4, 1986 **and November 8, 2016**, shall remain in effect until amended or repealed by the voters of San Francisco at a regularly scheduled election.

**SECTION 5. Declaration of Policy.**

The following declaration of policy is approved by the voters as specified in San Francisco Charter Section 14.101:

It shall be the policy of the City and County of San Francisco that applications for Development on the Subject Property shall be processed and decided as quickly as feasible, in implementation of the voters’ strong desire and intent that Development on the Subject Property be expedited.

**SECTION 6. Interpretation.**

This Initiative shall not be interpreted to exempt any development on the Subject Property from paying any fees that such development would otherwise be required to pay but for the adoption of this Initiative.

This Initiative (including the definitions in new Section 321.4) shall not be interpreted to affect the application of Planning Code Sections 321-324 to any property other than the Subject Property.

This Initiative shall be interpreted so as to be consistent with all federal and state laws, rules, and regulations. It is the intent of the voters that the provisions of this Initiative be

interpreted or implemented in a manner that facilitates the purposes set forth in this Initiative. The title of this Initiative and the captions preceding the sections of this Initiative are for convenience of reference only. Such title and captions shall not define or limit the scope or purpose of any provision of this Initiative. The use of the terms “including,” “such as” or words of similar import when following any general term, statement or matter shall not be construed to limit such term, statement or matter to the specific items or matters, whether or not language of non-limitation is used. Rather, such terms shall be deemed to refer to all other items or matters that could reasonably fall within the broadest possible scope of such statement, term or matter. The use of the term “or” shall be construed to mean and/or.

This Initiative proposes to add text and maps to the referenced sections of Proposition M (November 1986) and the Planning Code. The new text is indicated above with **bold, underlined text**, and deleted text is shown in ~~**bold-strikeout-text**~~. The voters intend to enact only the boundaries shown on the maps included in Section 321.4, and do not enact any other aspects of those maps.

To allow the amendments to be read in context, the following exhibits are attached:

- Exhibit A The text of Sections 320 through 325 of the San Francisco Planning Code, as they exist on May 1, 2016
- Exhibit B The text of Proposition M (November 1986)
- Exhibit C A map demonstrating the location of the Subject Property within the City & County of San Francisco.

These exhibits are attached for informational purposes only, and not enacted by this Initiative. The amendments enacted by this Initiative are those set forth in Sections 3 and 4 of this Initiative.

### **SECTION 7. Severability.**

If any provision of this Initiative, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining provisions shall not be affected, but shall remain in full force and effect, and to this end the provisions of this Initiative are severable. The voters declare that this Initiative, and each word, phrase, sentence, section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any other provision or provisions is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application. If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, we, the People of the City and County of San Francisco, indicate our strong desire that: (i) the Board of Supervisors use its best efforts to sustain and provide for the re-enactment of that portion, and (ii) the Board of Supervisors implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, including, if necessary, taking the appropriate steps to provide for the adoption or re-enactment of any such portion in a manner consistent with the intent of this Initiative.

### **SECTION 8. Conflicting Ballot Measures.**

In the event that this Initiative and another measure or measures relating to the development of office space on Hunters Point Shipyard Phase 2 or Candlestick Point shall appear on the same municipal election ballot, the provisions of such other measures shall be deemed to be in conflict with this Initiative. In the event that this Initiative shall receive a greater number of affirmative votes, the provisions of this Initiative shall prevail in their entirety and each and every provision of the other measure or measures shall be null and void in their entirety. In the event that the other measure or measures shall receive a greater number of affirmative votes, the provisions of this Initiative shall take effect to the extent permitted by law. If this Initiative is approved by the voters but superseded by law in whole or in part by any other conflicting initiative approved by the voters at the same election, and such conflicting initiative is later held invalid, this Initiative shall be self-executing and given full force of law.

### **SECTION 9. Effective Date.**

In accordance with the provisions of Municipal Elections Code § 380 and California Elections Code § 9217, if a majority of the voters vote in favor of the Initiative, the Initiative shall go into effect ten days after the official vote count is declared by the Board of Supervisors.

### **SECTION 10. Amendment.**

Clerical actions may be taken by staff of the City and County of San Francisco to relocate the maps enacted by this Initiative to a location other than within Section 324.1 of the Planning Code, and to note in Section 324.1 where such maps may be found, provided that doing so effects no substantive change to this Initiative. Pursuant to Municipal Elections Code § 390 and California Elections Code § 9217 no other provision of this Initiative may be amended except by a vote of the People.

**EXHIBIT A (FOR INFORMATIONAL PURPOSES ONLY)**  
**San Francisco Planning Code §§ 320-325**

**SEC. 320. OFFICE DEVELOPMENT: DEFINITIONS.**

When used in Sections 320, 321, 322 and 323, the following terms shall each have the meaning indicated. See also Section 102.

(a) "Additional office space" shall mean the number of square feet of gross floor area of office space created by an office development, reduced, in the case of a modification or conversion, by the number of square feet of gross floor area of preexisting office space which is lost.

(b) "Approval period" shall mean the 12-month period beginning on October 17, 1985 and each subsequent 12-month period.

(c) "Approve" shall mean to approve issuance of a project authorization and shall include actions of the Planning Commission, Board of Appeals and Board of Supervisors.

(d) "Completion" shall mean the first issuance of a temporary certificate of occupancy or a Certificate of Final Completion and Occupancy as defined in San Francisco Building Code Section 307.

(e) "Disapprove" shall mean for an appellate administrative agency or court, on review of an office development, to direct that construction shall not proceed, in whole or in part.

(f) "Office space" shall mean space within a structure intended or primarily suitable for occupancy by persons or entities which perform for their own benefit or provide to others services at that location, including but not limited to professional, banking, insurance, management, consulting, technical, sales and design, or the office functions of manufacturing and warehousing businesses, but shall exclude the following: Retail use; repair; any business characterized by the physical transfer of tangible goods to customers on the premises; wholesale shipping, receiving and storage; any facility, other than physicians' or other individuals' offices and uses accessory thereto, customarily used for furnishing medical services, and design showcases or any other space intended and primarily suitable for display of goods. This definition shall include all uses encompassed within Section 102 of this Code.

(g) "Office development" shall mean construction, modification or conversion of any structure or structures or portion of any structure or structures, with the effect of creating additional office space, excepting only:

(1) Development which will result in less than 25,000 square feet of additional office space;

(2) Development either:

(i) Authorized under San Francisco Redevelopment Agency disposition or owner participation agreements which have been approved by Agency resolution prior to the effective date of this Section, or

(ii) Authorized prior to the effective date of this Section by Agency resolution in anticipation of such agreements with particular developers identified in the same or a subsequent agency resolution;

(3) Any development which is governed by prior law under Section 175.1(b) of this Code, unless modified after the effective date specified in Section 175.1(b) to add more than 15,000 square feet of additional office space. Any addition of office space up to 15,000 square feet shall count against the maximum for the approval period, pursuant to Section 321(a)(2)(B);

(4) Any development including conversion of 50,000 square feet or more of manufacturing space to office space where the manufacturing uses previously located in such space are relocated to another site within the City and County of San Francisco and the acquisition or renovation of the new manufacturing site is funded in whole or part by an Urban Development Action Grant approved by the Board of Supervisors;

(5) Any mixed-residential-commercial development which will be assisted by Community Development Block Grant funds approved by the Board of Supervisors in which all of the housing units shall be affordable to low-income households for a minimum of 40 years and for which an environmental review application and site permit application have been filed prior to the effective date of this ordinance which enacted the provisions of this Section;

(6) Any development authorized pursuant to a Planned Unit Development, as provided for by City Planning Code Section 304, providing for a total of 500 or more additional units of housing, provided such development first received a Planned Unit Development authorization prior to November 4, 1986. Such Planned Unit Development may be amended from time to time by the Planning Commission, but in no event shall any such amendment increase the amount of office space allowed for the development beyond the amount approved by the Planning Commission prior to November 4, 1986.

(h) "Project authorization" shall mean the authorization issued by the Planning Department pursuant to Sections 321 and 322 of this Code.

(i) "Replacement office space" shall mean, with respect to a development exempted by Subsection (g)(6) of this Section, that portion of the additional office space which does not represent a net addition to the amount of office space used by the occupant's employees in San Francisco.

(j) "Retail Use" shall mean supply of commodities on the premises including, but not limited to, stores, shops, Restaurants, Bars, eating and drinking businesses, and Retail Sales and Services uses defined in Planning Code Section 102, except for Hotels and Motels.

(k) "Preexisting office space" shall mean office space used primarily and continuously for office use and not accessory to any use other than office use for five years prior to Planning Commission approval of an office development project which office use was fully legal under the terms of San Francisco law.

**SEC. 321. OFFICE DEVELOPMENT: ANNUAL LIMIT.**

(a) **Limit.**

(1) No office development may be approved during any approval period if the additional office space in that office development, when added to the additional office space in all other office developments previously approved during that approval period, would exceed 950,000 square feet or any lesser amount resulting from the application of Section 321.1. To the extent the total square footage allowed in any approval period is not allocated, the unallocated amount shall be carried over to the next approval period.

(2) The following amounts of additional office space shall count against the maximum set in Subsection (a)(1):

(A) All additional office space in structures for which the first building or site permit is approved for issuance during the approval period and which will be located on land under the jurisdiction of the San Francisco Port Commission or under the jurisdiction of the San Francisco Redevelopment Agency; provided, however, that no account shall be taken of structures which are exempt under Section 320(g)(2);

(B) The amount of added additional office space approved after the effective date of this ordinance in structures which are exempt under Section 320(g)(3);

(C) All additional office space in structures owned or otherwise under the jurisdiction of the State of California, the federal government or any State, federal or regional government agency, which structures are found to be otherwise exempt from this Section 321 or Section 322 by force of other applicable law;

(D) All additional office space in structures exempt under Section 320(g)(4) or 320(g)(6) or the last sentence of Section 175.1(b), or which satisfy the substantive terms of either of said exemptions but for which the first building or site permit is authorized or conditional use or variance approved by the Planning Commission after June 15, 1985 but before the effective date of this ordinance.

The additional office space described in Subsection (a)(2)(A) shall be taken into account with respect to all proposed office developments which are considered after the first site or building permit is approved for issuance for the described project. The additional office space described in Subsections (a)(2)(B) and (a)(2)(D) shall be taken into account with respect to all proposed office developments which are considered during the approval period and after the project or the added additional office space is first authorized or a conditional use or variance approved by the Planning Commission. The additional office space described in Subsection (a)(2)(C) shall be taken into account with respect to all proposed office developments which are considered during the approval period and after commencement of construction of the described structures. Modification, appeal or disapproval of a project described in this Section shall affect the amount of office space counted under this Section in the time and manner set forth for office developments in Section 321(c).

(3) The Planning Department shall maintain and shall make available for reasonable public inspection a list showing:

(A) All office developments, and all projects subject to Section 321(a)(2) for which application has been made for a project authorization or building or site permit and, if applicable, the date(s) of approval and of approval for issuance of any building or site permit;

(B) The total amount of additional office space and, if applicable, replacement office space, approved with respect to each listed development;

(C) Approved office developments (i) which are subsequently disapproved on appeal; (ii) the permit for which expires or is cancelled or revoked pursuant to Subsection (d)(1) of this Section; or (iii) the approval of which is revoked pursuant to Subsection (d)(2) of this Section; and

(D) Such other information as the Department may determine is appropriate.

(4) Not less than six months before the last date of the approval period, the Planning Department shall submit to the Board of Supervisors a written report, which report shall contain the Planning Commission's recommendation with respect to whether, based on the effects of the limitation imposed by this Section on economic growth and job opportunities in the City, the availability of housing and transportation services to support additional office development in the City, office vacancy and rental rates, and such other factors as the Commission shall deem relevant, there should continue to be a quantitative limit on additional office space after the approval period, and as to what amount of additional office space should be permitted under any such limit.

(5) Every holder of a site permit issued on or after July 1, 1982 for any office development, as defined in Section 320(g) without regard to Subsections (g)(2) through (g)(5), shall provide to the Planning Commission reports containing data and information with respect to the following:

- (A) Number of persons hired for employment either in construction of the development or, to the extent such information is available to the permittee, by users of the completed building;
- (B) The age, sex, race and residence, by City, of each such person;
- (C) Compensation of such persons, classified in \$5,000 increments, commencing with annualized compensation of \$10,000;
- (D) The means by which each such person most frequently travels to and from the place of employment.

Such reports shall commence on October 1, 1985 and continue quarterly thereafter during the approved period. A report containing information by quarter for the period between July 1, 1982 and the effective date of the ordinance shall be submitted not later than December 31, 1985. The Planning Commission shall have full access to all books, records and documents utilized by any project sponsor in preparation of the written reports referred to above, and shall inspect such books, records and documents from time to time for purposes of authenticating information contained in such reports.

(b) **Guidelines.**

(1) During the approval period, the Planning Commission, and the Board of Supervisors and Board of Appeals on appeal from the Planning Commission shall approve, within the allowable limit, subject to Subsection (b)(2) of this Section, only those office developments which they shall determine in particular promote the public welfare, convenience and necessity, and shall be empowered under this Section to disapprove the remainder. The Planning Department shall issue to office developments so approved, in accord with Sections 320 through 323 of this Code, a project authorization.

(2) The following proposed office developments, subject to all other applicable sections of this Code and other applicable law, shall be approved under this Section in preference to all others:

(A) All proposed developments to the extent approval is required by court order; and, thereafter,

(B) Subject to Subsection (a)(1) of this Section, all proposed office developments which were approved by the Planning Commission during the approval period, but subsequently disapproved by any administrative appellate body or court, if and when said disapproval is later reversed.

(3) In determining which office developments best promote the public welfare, convenience and necessity, the Board of Supervisors, Board of Appeals and Planning Commission shall consider:

(A) Apportionment of office space over the course of the approval period in order to maintain a balance between economic growth, on the one hand, and housing, transportation and public services, on the other;

(B) The contribution of the office development to, and its effects on, the objectives and policies of the General Plan;

(C) The quality of the design of the proposed office development;

(D) The suitability of the proposed office development for its location, and any effects of the proposed office development specific to that location;

(E) The anticipated uses of the proposed office development, in light of employment opportunities to be provided, needs of existing businesses, and the available supply of space suitable for such anticipated uses;

(F) The extent to which the proposed development will be owned or occupied by a single entity;

(G) The use, if any, of TDR by the project sponsor.

Payments, other than those provided for under applicable ordinances, which may be made to a transit or housing fund of the City, shall not be considered.

(4) Reserve for Smaller Buildings. In each approval period at least 75,000 square feet of office development shall be reserved for buildings between 25,000 and 49,999 square feet in gross floor area of office development. To the extent the total square footage allowed under this Subsection in any approval period is not allocated, the unallocated amount shall be carried over to the next approval period and added only to the Reserve for Smaller Buildings.

(5) With respect to any office development which shall come before the Board of Supervisors for conditional use review, that Board shall consider, in addition to those criteria made applicable by other provisions of law, the criteria specified in Subsection (b)(3). As to any such office development, the decision of the Board of Supervisors with respect to the criteria specified in Subsection (b)(3) shall be a final administrative determination and shall not be reconsidered by the Planning Commission or Board of Appeals.

(6) The Planning Commission shall establish procedures for coordinating review of project authorization applications under Section 322 with review under Section 309 of this Code. The Commission may hold hearings under Sections 309 and 322 in such sequence as it may deem appropriate, but may not issue any project authorization until the requirements of Section 309 have been satisfied.

(c) **Appeal and Modification.**

(1) If an approved office development is disapproved, or if a previously unapproved office development is approved, by a court or appellate agency, the list described in Subsection (a)(3) of this Section shall be revised accordingly at the time that the period for rehearing before the appellate body in question shall have lapsed. Approval on appeal of any office development,

if conditioned on disapproval of another office development which was previously approved, shall not be effective before the time for rehearing with respect to the disapproval shall have lapsed.

(2) The amount of additional office space of any development shall not count against the maximum for the approval period, beginning from the time the office development loses its approved status on the Planning Department list under Subsection (c)(1); provided, however, that if a decision disapproving an office development permits construction of a part of the project, the permitted additional office space only shall continue to count against the maximum, unless and until all building or site permits for the development expire or are cancelled, revoked or withdrawn.

(3) Any modification of an approved office development, including, without limitation, modification by a court or administrative appellate agency, shall be governed by this Subsection, subject, in the case of a court order, to Subsection (b)(2)(A).

(A) Any office development which is modified for any reason after it is first approved so as to increase its amount of additional office space shall lose its approved status on the list described in Subsection (a)(3) at the time such modification is approved, and may be approved as modified only subject to the limits of Subsection (a)(1). Such a modified development shall not be constructed or carried out based on its initial approval. Approval on appeal of such a modified development, if approval would violate the maximum set forth in Subsection (a)(1) of this Section but for disapproval of another previously approved office development, shall not be effective, nor grounds for reliance, until the time for rehearing with respect to the disapproval shall have lapsed.

(B) An approved office development may be modified so as to reduce the amount of additional office space, subject to all authorizations otherwise required by the City. No additional office space shall become available for any other development during the approval period on account of such a modification, unless the modification is required by any appellate administrative agency or a court, in which case additional office space shall become available when the time for rehearing has lapsed.

**(d) Unbuilt Projects; Progress Requirement.**

(1) The maximum amount of additional office space for the approval period shall be increased by the amount of such space included in office developments which were previously approved during the period but for which during such period an issued site or building permit has been finally cancelled or revoked, or has expired, with the irrevocable effect of preventing construction of the office development.

(2) Construction of an office development shall commence within 18 months of the date the project is first approved, or, in the case of development in the C-3-O(SD) District the development shall commence within three (3) years. Notwithstanding the above provision, office projects larger than 500,000 gross square feet in the C-3-O(SD) District shall commence construction within five (5) years. Failure to begin work within that period, or thereafter to carry the development diligently to completion, shall be grounds to revoke approval of the office development. Neither the Department of Building Inspection nor the Board of Appeals shall grant any extension of time inconsistent with the requirements of this Subsection (d)(2).

(3) The Department of Building Inspection shall notify the Planning Department in writing of its approval for issuance and issuance of a site or building permit for any office development, and for any development under the jurisdiction of the Successor Agency to the Redevelopment Agency of the City and County of San Francisco or the Port Commission subject to Section 321(a)(2), and of the revocation, cancellation, or expiration of any such permit.

(e) **Rules and Regulations.** The Planning Commission shall have authority to adopt such rules and regulations as it may determine are appropriate to carry out the purposes and provisions of this Section and Sections 320, 322 and 323.

**SEC. 321.1. ANNUAL LIMIT ADJUSTMENT.**

(a) It is the intention of the people of San Francisco that the annual limit on office development be reduced to account for the square footage resulting from the excessive number of building, alteration and site permits that were issued after November 29, 1984, the date the Planning Commission amended the General Plan to include the Downtown Plan.

(b) Not later than January 1, 1987 and January 1st of each subsequent year, the Planning Department shall survey the records of the Central Permit Bureau and an other necessary records to develop a list of the square footage of all office development projects for which building, alteration or site permits were issued after November 29, 1984 that have not lapsed or otherwise been revoked, and all office development projects reapproved by the City, the Successor Agency to the Redevelopment Agency of the City and County of San Francisco or the San Francisco Port Commission after November 29, 1984. Reapproval specifically includes any project reconsidered by any agency pursuant to a Court decision. This process shall continue until the Department is able to certify that all projects with approval dates on or before November 4, 1986 have received permits, have been abandoned or are no longer subject to litigation challenging their approval. Notwithstanding any other provision of the Planning Code or the former provisions of Subsection 320(g), all projects in excess of 24,999 square feet of additional office space shall be included in the survey. The list shall not include permits for projects authorized pursuant to the office development competition set out in Subsection 321(b) and Section 322.

(c) Not later than February 1, 1987 and February 1st of each subsequent year as set out above, the Department shall certify in writing to the Planning Commission at a public hearing the list of all projects enumerated in Subsection (b) above, including the square footage of each project and the total of all such projects.

(d) Within 30 days of receipt of the Department's certification, the Commission shall reduce the 950,000 square foot annual limit established in Subsection 321(a)(1) by 475,000 square feet per approval period until the amount of square footage remaining on the Department's list is reduced to zero.

(e) If the City has authorized more than 475,000 square feet as part of the office development competition set out in Subsection 321(b) and Section 322 prior to November 4, 1986, any amount exceeding 475,000 square feet shall be separately deducted from otherwise allowable square feet calculated pursuant to Subsection (d) above for the approval period and for subsequent approval periods until the total amount of square footage is reduced to zero.

**SEC. 321.2. LEGISLATIVE REDUCTION OF ANNUAL LIMIT.**

The Board of Supervisors is permitted to reduce the annual limit defined in Subsection 321(a)(1).

**SEC. 321.3. VOTER APPROVAL OF EXEMPTIONS OF OFFICE PROJECTS AUTHORIZED BY DEVELOPMENT AGREEMENTS.**

Any office development approved pursuant to a development agreement under Government Code Section 65865 or any successor Section may only be exempted from the annual limit set forth in Subsection 321(a)(1) after the exemption for such office development has been approved by the voters at a regularly scheduled election.

**SEC. 322. PROCEDURE FOR ADMINISTRATION OF OFFICE DEVELOPMENT LIMIT.**

(a) **Project Authorization Required.** During the approval period, every site or building permit application for an office development must, before final action on the permit, include a copy of a project authorization for such office development, certified as accurate by the Planning Department. No such application shall be considered complete and the Department of Building Inspection shall not issue any such site or building permit unless such a certified copy is submitted. No site or building permit shall be issued for an office development except in accordance with the terms of the project authorization for such office development. Any such site or building permit which is inconsistent with the project authorization shall be invalid.

(b) **Application for Project Authorization.** During the approval period, an applicant for approval of an office development shall file an application for a project authorization with the Planning Department contemporaneously with the filing of an application for environmental evaluation for such development. Such application shall state such information as the Planning Department shall require; provided, however, that an application for a project authorization for each office development for which an environmental evaluation application has been filed prior to the effective date of this Section, shall be deemed to have been filed effective as of the date such environmental evaluation application was filed.

(c) Processing of Applications.

(1) The approval period shall be divided into such review periods as the Planning Commission shall provide by rule. The first review period shall commence on the effective date.

(2) Applications for project authorizations shall be considered by the Planning Commission during a specific review period in accordance with the following procedures:

(A) During a specific review period the Planning Commission shall consider all project authorization applications for which, prior to the first day of such review period, a final Environmental Impact Report has been certified, or a final Negative Declaration has been issued, or other appropriate environmental review has been completed; provided, however, that during the first review period, the Planning Commission shall consider only those office developments for which (i) an environmental evaluation application and a site or building permit application were submitted prior to June 1, 1985, or (ii) a draft environmental impact report or a preliminary negative declaration was published prior to the effective date.

(B) The Planning Commission may hold hearings on all project authorization applications assigned to a specific review period before acting on any such application.

(C) In reviewing project authorization applications, the Planning Commission shall apply the criteria set forth in Section 321, and shall, prior to the end of such a review period, approve, deny, or, with the consent of the applicant, continue to the next subsequent review period each such application based on said criteria.

(D) Notwithstanding any other provisions of this Section or Section 321, the Planning Commission may at any time, after a noticed hearing, deny or take other appropriate action with respect to any application for a project authorization as to which environmental review, in the judgment of the Commission, has not been or will not be completed in sufficient time to allow timely action under applicable law.

(E) Any project authorization application which is denied by the Planning Commission, unless such denial is reversed by the Board of Appeals or Board of Supervisors, shall not be resubmitted for a period of one year after denial.

(d) **Appeal of Project Authorization.** The Planning Commission's determination to approve or deny the issuance of a project authorization may be appealed to the Board of Appeals within 15 days of the Commission's issuance of a dated written decision pursuant to the procedural provisions of Section 308.2 of this Code, except in those instances where a conditional use application was filed. In cases in which a conditional use application was filed, the decision of the Planning Commission may be appealed only to the Board of Supervisors pursuant to Section 308.1 of this Code. The decision on the project authorization by the Board of Appeals or Board of Supervisors shall be the final administrative determination as to all matters relating to the

approval of the office development that is the subject of the project authorization, except for matters, not considered in connection with the project authorization, which arise in connection with a subsequent building or site permit application for the development in question.

(e) **Modification of Project Authorization.** The Planning Commission may approve a modified project authorization, after a noticed hearing, during the review period in which the initial project authorization was approved or a subsequent review period. Approval or denial of a modified project authorization shall be subject to appeal in accord with Subsection (d).

(f) **No Right to Construct Conveyed.** Neither approval nor issuance of a project authorization shall convey any right to proceed with construction of an office development, nor any right to approval or issuance of a site or building permit or any other license, permit, approval or authorization which may be required in connection with said office development.

### **SEC. 323. OFFICE DEVELOPMENT: PREAPPLICATION PROCEDURE.**

The Planning Commission may by rule permit such persons as elect to do so, to submit a preliminary application on a proposed office development before submitting any application for a project authorization. Such a preliminary application shall contain such information as the Commission may require. With respect to each proposed office development for which all the information required by the Planning Department is timely submitted to the Department, the Director of Planning or his designee shall, in writing, issue an advisory opinion to the person submitting such information, as to whether he or she at that time intends to recommend, based on the information submitted to him or her, the proposed development for denial by the Planning Commission. The advice and recommendation of the Director shall neither convey, nor foreclose, any right to proceed with a project authorization application or the development and shall constitute neither approval nor denial of the development. The Director's recommendations under this Section shall be governed by Section 321(b) of this Code.

### **SEC. 324. FINDINGS.**

(a) The Board of Supervisors declares that it is the policy of the City and County of San Francisco to:

- (1) Provide a quality living and working environment for residents and workers;
- (2) Foster the diversified development of the City, providing a variety of economic and job opportunities;
- (3) Maintain a balance between economic growth, on the one hand, and housing, transportation and public services in general, on the other, and encourage a rate of growth consistent with transportation and housing capacity;
- (4) Prevent undesirable effects of development on local air quality and other environmental resources; and
- (5) Encourage development projects of superior design, optimum location and other desirable characteristics.

(b) In recent years, office development in the City has increased dramatically. Office development has already affected housing, transportation and parking capacities.

(c) The City has only limited legal authority to direct or control physical development, whether for office use or not, on land covered by approved redevelopment plans or under the jurisdiction of the Port Commission.

(d) There are competing legitimate public interests which must be balanced in the planning process. Environmental concerns are of great importance, but must be balanced against the need for continued, healthy economic growth and job creation, maintenance of municipal revenues for the provision of social services, effective preservation of historic buildings and other considerations.

(e) Based on developments proposed to date, general economic conditions affecting San Francisco, and the trend in recent years of an increasing rate of office development, it is likely that excessive office development will come before City agencies for authorization and approval during the years 1985 through 1988, and possible that excessive development would continue thereafter. It is therefore appropriate to approve during the three years after adoption of this ordinance only particular, proposed developments which serve the public interest, convenience and necessity, and to similarly limit approvals for further periods to the extent excessive development might otherwise continue to occur.

(f) Sections 320 through 324 of this ordinance are intended to further the policies noted in Subsection (a) and to aid in responding to the effects noted in Subsection (b), with due regard to the factors set forth in Subsections (c) and (d), by authorizing more effective regulation of the rate, distribution, type and quality of office development in the City and County of San Francisco. Control of office development will afford additional time to analyze and meet its effects.

### **SEC. 325. SUNSET CLAUSE.**

The limit on office development set out in Planning Code Sections 320, 321, 322, 323 and 324 as of October 17, 1985, as amended by the voters on November 4, 1986, shall remain in effect until amended or repealed by the voters of San Francisco at a regularly scheduled election.

**EXHIBIT B (FOR INFORMATIONAL PURPOSES ONLY)**  
**Text of Proposition M (November 1986)**

**PART 1—MASTER PLAN**

Be it ordained by the people of the City and County of San Francisco that Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding section 101.1 as follows:

**SECTION 101.1. MASTER PLAN CONSISTENCY AND IMPLEMENTATION.**

(a) The Master Plan shall be an integrated, internally consistent and compatible statement of policies for San Francisco. To fulfill this requirement, after extensive public participation and hearings, the City Planning Commission shall in one action amend the Master Plan by January 1, 1988.

(b) The following Priority Policies are hereby established. They shall be included in the preamble to the Master Plan and shall be the basis upon which inconsistencies in the Master Plan are resolved:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;
2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;
3. That the City's supply of affordable housing be preserved and enhanced;
4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;
5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;
6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;
7. That landmarks and historic buildings be preserved; and,
8. That our parks and open space and their access to sunlight and vistas be protected from development.

(c) The City may not adopt any zoning ordinance or development agreement authorized pursuant to Government Code Section 65865 after November 4, 1986, unless prior to that adoption it has specifically found that the ordinance or development agreement is consistent with the Priority Policies established above.

(d) The City may not adopt any zoning ordinance or development agreement authorized pursuant to Government Code Section 65865 after January 1, 1988, unless prior to that adoption it has specifically found that the ordinance or development agreement is consistent with the City's Master Plan.

(e) Prior to issuing a permit for any project or adopting any legislation which requires an initial study under the California Environmental Quality Act, and prior to issuing a permit for any demolition, conversion or change of use, and prior to taking any action which requires a finding of consistency with the Master Plan, the City shall find that the proposed project or legislation is consistent with the Priority Policies established above. For any such permit issued or legislation adopted after January 1, 1988 the City shall also find that the project is consistent with the City's Master Plan.

**PART 2—ANNUAL LIMIT**

Be it ordained by the people of the .City and County of San Francisco that Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

Subsections 320(b) and 320(g)(1) are amended as follows:

**SECTION 320. OFFICE DEVELOPMENT: DEFINITIONS.**

(b) "Approval period" shall mean the twelve month period beginning on October 17, 1985 and each subsequent twelve month period.

(g) "Office development" shall mean construction, modification or conversion of any structure or structures or portion of any structure or structures, with the effect of creating additional office space, excepting only:

1. Development which will result in less than 25,000 square feet of additional office space.

Subsection 320(g)(5) is deleted and the existing Subsections renumbered.

Subsection 320(k) is added as follows:

(k) "Preexisting office space" shall mean office space used primarily and continuously for office use and not accessory to any use other than office use for five (5) years prior to Planning Commission approval of an office development project which office use was fully legal under the terms of San Francisco law.

Subsection 321(a)(1) is amended as follows:

**SECTION 321. OFFICE DEVELOPMENT: ANNUAL LIMIT.**

- (a) Limit.

1. No office development may be approved during any approval period if the additional office space in that office development, when added to the additional office space in all other office developments previously approved during that approval period, would exceed 950,000 square feet or any lesser amount resulting from the application of Section 321.1. To the extent the total square footage allowed in any approval period is not allocated, the unallocated amount shall be carried over to the next approval period.

A new Subsection 321(b)(4) is added as follows and existing subsections renumbered:

(4) Reserve for Smaller Buildings. In each approval period at least 75,000 square feet of office development shall be reserved for buildings between 25,000 and 49,999 square feet in gross floor area of office development. To the extent the total square footage allowed under this subsection in any approval period is not allocated, the unallocated amount shall be carried over to the next approval period and added only to the Reserve for Smaller Buildings.

Section 321.1 is added as follows:

**SECTION 321.1. ANNUAL LIMIT ADJUSTMENT.**

(a) It is the intention of the people of San Francisco that the annual limit on office development be reduced to account for the square footage resulting from the excessive number of building, alteration and site permits that were issued after November 29, 1984, the date the City Planning Commission amended the Master Plan to include the Downtown Plan.

(b) Not later than January 1, 1987 and January 1 of each subsequent year the Department of City Planning shall survey the records of the Central Permit Bureau and any other necessary records to develop a list of the square footage of all office development projects for which building, alteration or site permits were issued after November 29, 1984 that have not lapsed or otherwise been revoked, and all office development projects reapproved by the City, the Redevelopment Agency or the San Francisco Port Commission after November 29, 1984. Reapproval specifically includes any project reconsidered by any agency pursuant to a Court decision. This process shall continue until the Department is able to certify that all projects with approval dates on or before November 4, 1986 have received permits, have been abandoned or are no longer subject to litigation challenging their approval. Notwithstanding any other provision of the City Planning Code or the former provisions of Subsection 320(g), all projects in excess of 24,999 square feet of additional office space shall be included in the survey. The list shall not include permits for projects authorized pursuant to the office development competition set out in Subsection 321(b) and Section 322.

(c) Not later than February 1, 1987, and February 1 of each subsequent year as set out above, the Department shall certify in writing to the City Planning Commission at a public hearing the list of all projects enumerated in subsection (b) above, including the square footage of each project and the total of all such projects.

(d) Within 30 days of receipt of the Department's certification, the Commission shall reduce the 950,000 square foot annual limit established in Subsection 321(a)(1) by 475,000 square feet per approval period until the amount of square footage remaining on the Department's list is reduced to zero.

(e) If the City has authorized more than 475,000 square feet as part of the office, development competition set out in Subsection 321(b) and Section 322 prior to November 4, 1986, any amount exceeding 475,000 square feet shall be separately deducted from otherwise allowable square feet calculated pursuant to subsection (d) above for the approval period and for subsequent approval periods until the total amount of square footage is reduced to zero.

Section 321.2 is added as follows:

**SECTION 321.2. LEGISLATIVE REDUCTION OF ANNUAL LIMIT.**

(g) The Board of Supervisors is permitted to reduce the annual limit defined in Subsection 321(a)(1).

Section 321.3 is added as follows:

**SECTION 321.3. VOTER APPROVAL OF EXEMPTION OF OFFICE PROJECTS AUTHORIZED BY DEVELOPMENT AGREEMENTS.**

Any office development approved pursuant to a development agreement under Government Code Section 65865 or any successor section may only be exempted from the annual limit set forth in Subsection 321(a)(1) after the exemption for such office development has been approved by the voters at a regularly scheduled election.

Section 325 is amended as follows:

**SECTION 325. SUNSET CLAUSE.**

The limit on office development set out in Planning Code sections 320, 321, 322, 323 and 324 as of October 17, 1985, as amended by the voters on November 4, 1986, shall remain in effect until amended or repealed by the voters of San Francisco at a regularly scheduled election.

**PART 3—EMPLOYMENT**

Be it ordained by the people of the City and County of San Francisco that Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

Subsection 164(a) is amended as follows:

**SECTION 164. SAN FRANCISCO RESIDENT PLACEMENT AND TRAINING PROGRAM.**

(a) The City has determined in its certification of the Downtown Plan Environmental Impact Report and in its findings and studies leading to the adoption of Section 313 of the Planning Code that San Francisco and regional traffic and transit problems will become more intolerable as the number of non-resident employees increases in San Francisco as a result of new office development. In order to mitigate those adverse traffic and transit impacts, while protecting the City’s residential areas from unwanted increases in density, the people determine that a policy of maximizing resident employment training and placement opportunities is needed.

Subsections 164(d) and (e) are added as follows:

(d) In order to ensure, that the maximum number of San Francisco residents are trained and placed in employment opportunities in our City, the Board of Supervisors shall hold public hearings and not later than January 1, 1988 the City shall adopt legislation to establish a program which will coordinate the job training and placement efforts of the San Francisco Unified School District, the San Francisco Community College District, community-based non-profit employment and training programs, and other agencies from the public and private sectors, to assure maximum use of existing federal, state and local training and placement programs, and to develop such additional training and placement programs as deemed necessary.

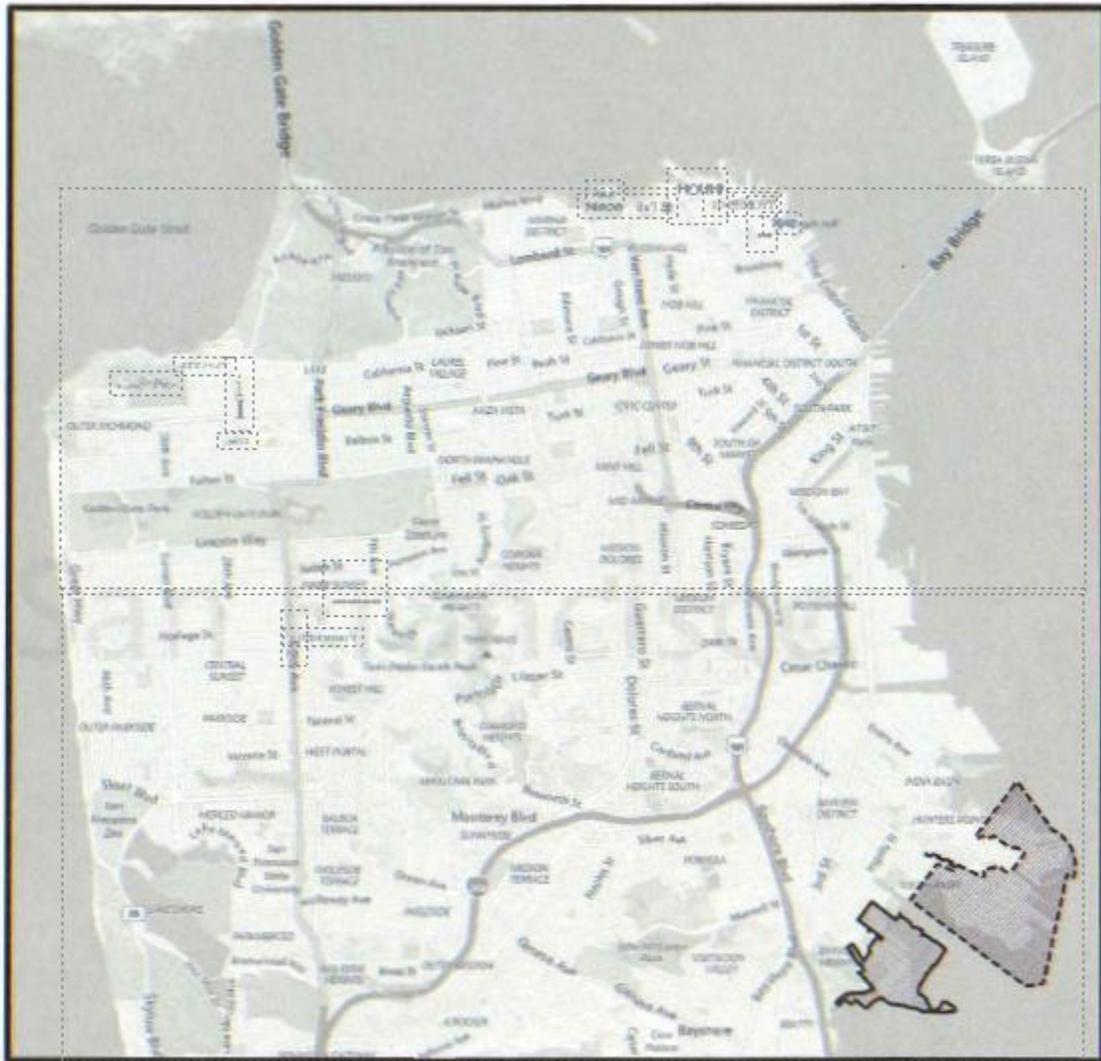
(e) Should the Board of Supervisors determine that additional funds are needed for programs established pursuant to subsection (d) above, it shall consider the adoption of a San Francisco Resident Training and Placement Fee of not less than \$1.50 per square foot as a condition of the approval of any application for an office development project proposing the net addition of 50,000 or more gross square feet of office space.

**PART 4—SEVERABILITY CLAUSE**

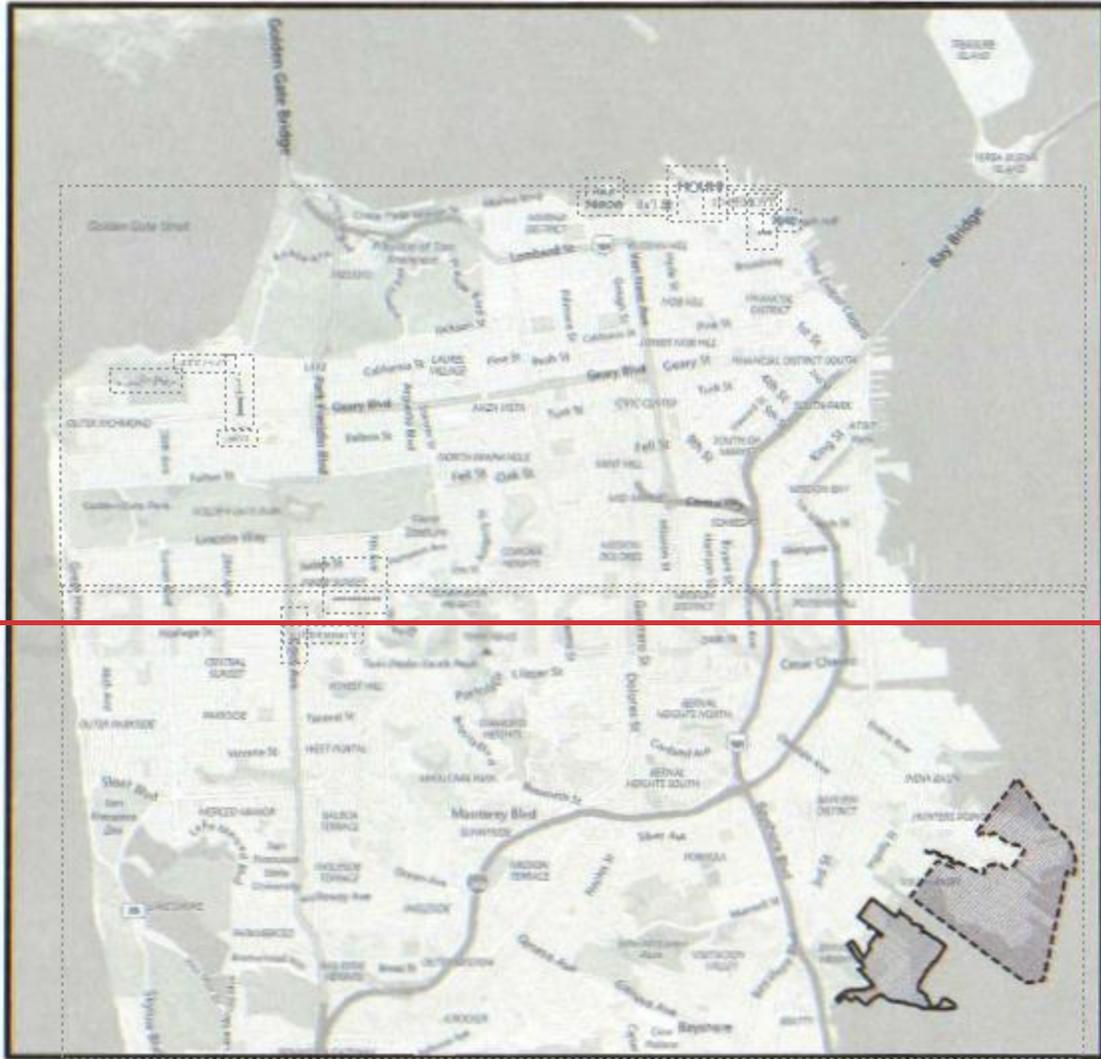
If any part of this initiative is held invalid by a court of law, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other parts of the initiative or applications which can be given effect without the invalid part or application hereof and to this end the sections of this initiative are separable.

**EXHIBIT C**

**Map Demonstrating the Location of the Subject Property within the City and County of San Francisco (For Informational Purposes Only)**



- Candlestick Point
- - - Hunters Point Shipyard Phase 2



- Candlestick Point
- - - Hunters Point Shipyard Phase 2

161862194.12

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 27-2024

*Adopted September 3, 2024*

**ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AUTHORIZING A FOURTH AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT (CANDLESTICK POINT AND PHASE 2 OF THE HUNTERS POINT SHIPYARD) WITH CP DEVELOPMENT CO., LLC, SUBJECT TO THE APPROVAL OF THE OVERSIGHT BOARD OF THE CITY AND COUNTY OF SAN FRANCISCO AND THE CALIFORNIA DEPARTMENT OF FINANCE; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA AND BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT AREA**

WHEREAS, In furtherance of the objectives of the California Community Redevelopment Law (Health and Safety Code, section 33000 et seq. the “**CRL**”), the Redevelopment Agency of the City and County of San Francisco (the “**Former Agency**”) undertook programs for the reconstruction and construction of blighted areas in the City and County of San Francisco (“**City**”), including the Bayview Hunters Point Redevelopment Project Area (“**BVHP Project Area**”) and the Hunters Point Shipyard Redevelopment Project Area (“**HPS Project Area**”); and,

WHEREAS, The Board of Supervisors of the City and County of San Francisco (“**Board of Supervisors**”) adopted the Hunters Point Shipyard Redevelopment Plan (“**HPS Plan**”) on July 14, 1997 by Ordinance No. 285-97 and amended the HPS Plan on August 3, 2010 by Ordinance No. 211-10, on June 22, 2017 by Ordinance No. 122-17, and on July 16, 2018 by Ordinance No. 0166-18; and,

WHEREAS, On May 23, 2006, the Board of Supervisors amended the Bayview Hunters Point Redevelopment Plan (“**BVHP Plan**”) by Ordinance No. 113-06, on August 3, 2010 by Ordinance No. 210-10, on June 22, 2017 by Ordinance No. 123-17, and on July 16, 2018 by Ordinance No. 0166-18; and,

WHEREAS, In June 2008, San Francisco voters approved the Bayview Jobs, Parks, and Housing Initiative (“**Proposition G**”), which established goals, objectives, and policies to encourage the timely and coordinated redevelopment of the Candlestick Point portion of the BVHP Plan and Phase 2 of the HPS Plan area. Proposition G also authorized the transfer of City land at Candlestick Point for non-recreational uses subject to certain requirements including that Developer provide a binding obligation to create new public park or public open space, at least equal in size to the land being transferred; and,

WHEREAS, In furtherance of Proposition G, on June 3, 2010, the Former Agency Commission took several actions approving (or recommending for approval of) a program of development for approximately 702 acres of land comprised of Zone 1 of Project Area B of the BVHP Project Area (the “**Candlestick Site**”) and Phase 2 of the HPS Project Area (the “**Shipyard Site**”, and collectively the “**CP/HPS2 Project**”), including a Disposition and Development Agreement (Candlestick Point and Phase 2 of the Hunters Point Shipyard) by and between the Former Agency and CP Development Co., LLC (“**Developer**”) (including all related binding plans and agreements attached to or referenced in the text thereof, the “**DDA**”); and,

- WHEREAS, The DDA is a binding contractual agreement that provides for the transfer of land from the Former Agency to Developer, the rights and obligations of Developer and Successor Agency relating to the construction of specified improvements, and the financing mechanisms for completing the CP/HPS2 Project. The DDA establishes a comprehensive set of enforceable obligations that collectively govern the completion of the CP/HPS2 Project; and,
- WHEREAS, Pursuant to California Health and Safety Code §§ 34170 et seq. (the “**Dissolution Law**”), the Former Agency was dissolved as of February 1, 2012; and,
- WHEREAS, The Successor Agency to the Redevelopment Agency of the City and County of San Francisco (commonly known as the Office of Community Investment and Infrastructure, herein “**Successor Agency**” or “**OCII**”) is completing the enforceable obligations of the Former Agency with regard to the HPS and BVHP Project Areas, including implementation of the CP/HPS2 Project, under the authority of the CRL as amended by the Dissolution Law, and under San Francisco Ordinance No. 215- 12 (Oct. 4, 2012) (establishing the Successor Agency Commission (“**Commission**”) and delegating to it state authority under the Dissolution Law); and,
- WHEREAS, On December 14, 2012, the California Department of Finance determined “finally and conclusively” that the DDA and tax allocation pledge agreements, including the affordable housing programs, are enforceable obligations under the Dissolution Law; and,
- WHEREAS, The DDA contemplates two development alternatives for the CP/HPS2 Project, primarily distinguished by the presence or absence of a football stadium within the Shipyard Site. The 49ers elected to construct a new football stadium outside of the CP/HPS2 Project and in 2014 terminated the 49ers Lease. Accordingly, the Successor Agency and Developer (the “Parties”) are proceeding with development of the Non-Stadium Alternative under the DDA; and,
- WHEREAS, Recognizing the complexity of the CP/HPS2 Project, the DDA provides OCII and Developer with a process to make changes to the phasing and other elements of the CP/HPS2 Project. In 2013, OCII and Developer agreed to revise the phasing as a result of a delay in the schedule of the transfer of U.S. Navy parcels to OCII at Hunters Point Shipyard and the decision of the San Francisco 49ers to vacate Candlestick Park earlier than originally contemplated (approved by Oversight Board Resolution No. 16-2012, dated December 10, 2012). In 2014 OCII and Developer agreed to further revise the phasing of the CP/HPS2 Project to accommodate the early transfer of the former Candlestick Stadium site from OCII to Developer (approved by Oversight Board Resolution No. 08-2014 on September 22, 2014); and,
- WHEREAS, The DDA was amended by that certain First Amendment to Disposition and Development Agreement (Candlestick Point and Phase 2 of the Hunters Point Shipyard), dated as of December 20, 2012, (“**First Amendment**”), as further amended by that certain Second Amendment to Disposition and Development Agreement (Candlestick Point and Phase 2 of the Hunters Point Shipyard), dated as of December 1, 2014 (“**Second Amendment**”), and as further amended by that certain Third Amendment to Disposition and Development Agreement

(Candlestick Point and Phase 2 of the Hunters Point Shipyard), dated as of August 10, 2018 (“**Third Amendment**”) (collectively, the “**DDA**”); and,

WHEREAS, Transfer of the majority of the CP/HPS2 Project within the HPS Project Area (the “**Shipyard Site**”) has been delayed to allow the U.S. Navy to perform additional testing and remediation actions within the Shipyard Site; and,

WHEREAS, Commencing in May 2018, the Excusable Delay provisions of the DDA became applicable to all dates in the Schedule of Performance for the Shipyard Site because of the ongoing Navy parcel transfer delays that were not in the control of the Developer. As a result, all dates in the Schedule of Performance for the Shipyard Site are no longer applicable given the severity of the ongoing delays; and,

WHEREAS, On September 13, 2023, the Governor signed into law Senate Bill 143 (2023) (“**SB 143**”) which amended Health & Safety Code section 34177.7 to add subdivision (j) which states that “the limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the redevelopment plans, the time to repay indebtedness, the time for applying tax increment, the number of tax dollars, or any other matters set forth in Section 33333.2 and Section 33492.13 shall not apply” to the Project. SB 143 provides that the applicable time limits for establishing loans, advances, and indebtedness, the effectiveness of the redevelopment plans, the time to repay indebtedness and receive property taxes will be established in the Project agreements. SB 143 further clarified that Redevelopment Dissolution Law does not “limit the receipt and use of property tax revenues generated from the HPS Redevelopment Plan project area or Zone 1 of the BVHP Redevelopment Plan project area” in connection with the Project; and,

WHEREAS, The Parties now propose a fourth amendment to the DDA (“**Fourth Amendment**”) to amend the Non-Stadium Alternative development program for the CP/HPS2 Project (the “**Updated Program**”), which generally includes: (a) increase in research and development and office space at the Candlestick Site to 2,800,000 square feet; (b) decrease in research and development and office space at the Shipyard Site to 2,096,500 square feet; and (c) as described below, increases in the time limits for the redevelopment program, the incurrence of indebtedness, and the receipt of property tax revenue to repay the indebtedness. The Updated Program will facilitate the development of Candlestick Center as an “Innovation District” which is envisioned as a place that focuses on innovation, entrepreneurship, advancing employment generating uses, and flexible and harmonious integration of land uses, including with adjacent residential uses; and,

WHEREAS, The Fourth Amendment does not change the number of residential units contemplated in the overall CP/HPS2 Project, which would continue to include up to 10,672 new homes. Of these 10,672 units, 3,454 units are allocated to the Shipyard Site and 7,218 units are allocated to the Candlestick Site. The Fourth Amendment also does not change the current requirement that approximately thirty-one and eight-six hundredths percent (31.86%) of the 10,500 units originally contemplated for the CP/HPS2 Project be affordable units and 18 of the additional 172 units relocated from HPS Phase 1 will be below-market rate units; and,

WHEREAS, The Fourth Amendment maintains Developer’s right to develop the CP/HPS2 Project in Major Phases (as defined in the DDA), but the Fourth Amendment eliminates Sub-Phases and the Sub-Phase Application and Approval process which is duplicative with the Major Phase process. The elimination of Sub-Phase process will streamline the planning review process to help advance development of the Project. Major Phase Applications will continue to be submitted to the Hunters Point Shipyard Citizens Advisory Committee (“CAC”) for review and consideration and will continue to be subject to approval by the Commission; and,

WHEREAS, The Fourth Amendment would also implement SB 143 by establishing new time limits related to the completion of the CP-HPS2 Project; and,

WHEREAS, In connection with the development of the Candlestick Site, the Fourth Amendment establishes the following time limits: (a) the time limit for establishing loans, advances, and indebtedness in connection with Zone 1 of Project Area B shall be 30 years from the 2024 Plan Amendment Date (defined in the BVHP Plan as the date on which the Board of Supervisors ordinance adopting the amendments to the BVHP Plan becomes effective); and (b) the time limit to repay indebtedness and receive property taxes for Zone 1 of Project Area B shall be 45 years from the 2024 Plan Amendment Date. Solely for the purpose of using property tax revenues generated from Zone 1 of the BVHP Project Area to fund Qualified Project Costs and other costs necessary to complete the enforceable obligations in the Shipyard Site, the time limits referenced in clauses (a) and (b) shall include an additional fifteen (15) years. The Navy has recently informed OCII that completion of remediation and conveyance of all portions of the Shipyard Site, excluding Parcel F, to Developer will occur between 2036-2038, including time needed for a Finding of Suitability for Transfer and associated conveyance documentation. Exhibit 1 is correspondence from the Navy attached relaying Navy schedule delays. This estimated delay (defined as the Anticipated Navy Delay in the Fourth Amendment) warrants an additional 15-year extension of the redevelopment timelines referenced in clauses (a) and (b) of this paragraph for purposes of funding, from Candlestick Site tax increment, redevelopment activities on the Shipyard Site and related tax increment financing; and,

WHEREAS, In connection with the development of the Shipyard Site, the Fourth Amendment establishes the following time limits: (a) the time limit for establishing loans, advances, and indebtedness shall be 30 years from the date of conveyance to the Developer all portions of the Shipyard Site required for the completion of development of the first Major Phase (as defined in the DDA) (defined as the “Initial HPS Transfer Date” in the DDA) plus an additional 15 years which represents the “Anticipated Navy Delay” as further described in the preceding paragraph, and (b) the time limit to repay indebtedness and receive property taxes for the Shipyard Site shall be 45 years from the Initial HPS Transfer Date plus an additional 15 years which represents the Anticipated Navy Delay; and,

WHEREAS, The Fourth Amendment would further clarify that Developer is required to provide Adequate Security only upon the transfer of real property from the Agency to Developer when Developer has not obtained an approved final subdivision map and has not provided improvement security to the City pursuant to the CP/HPS Subdivision Code; and,

WHEREAS, As part of the Fourth Amendment, the Parties to the DDA also propose conforming amendments to several of the plans included in the DDA as exhibits, including the Development Plan for the Non-Stadium Alternative, the Phasing Plan and Schedule of Performance, the Design Review and Document Approval Procedure (“**DRDAP**”), the Below-Market Rate Housing Plan, the Financing Plan, and the Transportation Plan (collectively, the “**Amended Exhibits**”); and,

WHEREAS, The Fourth Amendment revises the boundaries of the Major Phases for the Candlestick Site (but not the project area boundaries of the Candlestick Site), increases the number of Major Phases at the Candlestick Site from three (3) Major Phases to seven (7) Major Phases. The Fourth Amendment maintains linkages between Developer’s build-out of Major Phases and Developer’s obligations to complete the parks, transportation and other infrastructure required for that build-out, and to deliver affordable housing parcels and other public benefits corresponding to that build-out. The updated Phasing Plan includes significant affordable housing as part of Major Phase 2, the next phase of development at Candlestick Point, which includes: AG 7, an Agency Lot that will provide approximately 60 Agency Affordable Units that were previously contemplated to be provided in a later phase; AG 6, which will provide approximately 57 market rate units plus three inclusionary units; Agency Lot 11a which will include 176 Agency Affordable Units; and Blocks 6a, 8a, and 9a which will include 340 market-rate units plus 39 inclusionary units. The updated Phasing Plan also contemplates advancing development of housing in future phases. Major Phase 4 will include portions of Alice Griffith that were part of former CP-05. The portion of former CP-05, which was intended to be developed after former CP-02-03-04, would include four residential lots. The proposed Major Phase 4 boundaries in the updated Phasing Plan, which is anticipated to follow Major Phases 2 and 3 (which includes former CP-02-03-04), will now include seven residential lots, four affordable lots and three market-rate lots with inclusionary housing; and,

WHEREAS, The Fourth Amendment would modify the Outside Dates for the Commencement and Completion of Infrastructure and Completion of Associated Public Benefits to address the updated development timeline and to align with the updated Phasing Plan; and,

WHEREAS, The Fourth Amendment would amend the Below-Market Rate Housing Plan (“**BMR Plan**”) included in the DDA to adjust the dates in the Cumulative Agency Subsidy schedule to reflect the delays facing the Project and the updated Schedule of Performance. As part of the advancement of development of more residential units in Major Phase 4 in connection with the portion of Alice Griffith that was part of former CP-05, the amendment to the BMR Plan would also adjust the timing for payment of the Agency Subsidy for the remaining thirty Alice Griffith Replacement Units and remaining associated Subsidized Agency Affordable Units and would amend the BMR Housing Map to convert AG 11 from a Stand-Alone Workforce Lot to a Market-Rate Lot and convert AG 17 from a Market-Rate Lot to a Stand-Alone Workforce Lot. The number of Workforce Units will remain the same; and,

WHEREAS, The Fourth Amendment would amend the Transportation Plan to modify the parking ratio for office and research and development uses at Candlestick Point to

2.0 spaces per 1,000 square feet for the first 1,700,000 square feet of office and research and development. Following the development of the first 1,700,000 square feet of office and research and development, the Developer will conduct a parking study to determine whether adjustments to the parking ratio are needed; and,

WHEREAS, Section 26.7 of the DDA (as amended by the Third Amendment) provides that if the Developer elects not to provide Adequate Security for the parks and open space identified in the Parks and Open Space Plan, Infrastructure Plan, Schedule of Performance, and Phasing Plan for the last Major Phase on the Candlestick Site and Shipyard Site (defined as “Final Public Improvements” in the DDA), then OCII may elect to sever any or all of such Final Public Improvements from the DDA and shall design and construct the Final Public Improvements in the same manner and to the extent that Developer would have been obligated to construct such Final Public Improvements with the Agency retaining Candlestick Proceeds and/or Shipyard Proceeds available in the last major Phase for the sole purpose of completing the Final Public Improvements. The Fourth Amendment would delete Section 26.7 from the DDA, while leaving intact all of Developer’s obligations regarding park and open space development; and,

WHEREAS, The Fourth Amendment was presented to the Mayor’s Hunters Point Shipyard Citizens Advisory Committee Business & Employment, Housing and Planning subcommittee on May 16, 2024, and to its full Committee on June 17, 2024, and received its recommendation for approval; and,

WHEREAS, The DDA, as amended, will continue to benefit the taxing entities because it will increase the amount of revenues to the taxing entities by enhancing and promoting the development of the CP/HPS2 Project, facilitate the revitalization of the community and encourage further investment in the area, and generate employment opportunities throughout the CP/HPS2 Project area; and,

WHEREAS, On September 3, 2024, the Commission adopted Resolution No. 22-2024, by which the Commission determined that the Final EIR (therein defined), together with further analysis provided in Addendum No. 1, Addendum No. 4, Addendum No. 5, Addendum No. 6, and Addendum No. 7 remain adequate, accurate, and objective and in compliance with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (“CEQA”) and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et seq.); and,

WHEREAS, The environmental effects of the Fourth Amendment have been analyzed in the environmental documents, which are described in Resolution No. 22-2024. Copies of the environmental documents are on file with the Agency; now, therefore, be it:

RESOLVED, That the Commission hereby finds that the Fourth Amendment is included in the actions identified in Resolution No. 22-2024 for purposes of compliance with CEQA; and be it further

RESOLVED, That in Resolution No. 22-2024, adopted on September 3, 2024, the Commission adopted findings that various actions facilitating modification of the CP/HPS2 Project, including the Fourth Amendment, were in compliance with CEQA. Said findings are on file with the Commission Secretary and are incorporated herein by reference. Said findings are in furtherance of the actions contemplated in this Resolution and are made part of this Resolution by reference herein; and be it

RESOLVED, That the Commission authorizes the OCII Executive Director to execute an amended and restated DDA pursuant to the Fourth Amendment, without further Agency Commission approval, provided that the amended and restated DDA does not include material changes from the DDA, as amended by the First Amendment, Second Amendment, Third Amendment, and Fourth Amendment; and be it further

RESOLVED, That the Commission approves the Fourth Amendment substantially in the form lodged with the Commission Secretary, subject to Oversight Board and DOF review and approval as required under the Dissolution Law; and be it further

RESOLVED, That the Commission approves the Amended Exhibits substantially in the form lodged with the Commission Secretary, subject to Oversight Board and DOF approval of each as required under the Dissolution Law, and subject to approval by those City bodies having jurisdiction over the Amended Exhibits; and be it further

RESOLVED, That the Commission authorizes the OCII Executive Director, prior to execution, to make changes and take any and all steps, including but not limited to the attachment of exhibits and the making of corrections, as necessary or appropriate to consummate the Fourth Amendment and Amended Exhibits, provided, however, such changes and steps are consistent with review and approval of the Oversight Board and DOF and do not materially increase the burdens and responsibilities of OCII; and be it further

RESOLVED, That the Commission authorizes the OCII Executive Director to take all actions as may be necessary or appropriate, to the extent permitted under applicable law and under the Fourth Amendment and Amended Exhibits, to effectuate OCII's performance thereunder.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of September 3, 2024.

  
\_\_\_\_\_  
Commission Secretary

EXHIBIT 1: Email correspondence from Danielle Janda to Office of Community Investment and Infrastructure dated July 30, 2024, with accompanying Attachment "Hunters Point Naval Shipyard" schedule dated 5/10/2024.

**From:** [Janda, Danielle L CIV USN \(USA\)](#)  
**To:** [Hussain, Lila \(CII\)](#)  
**Cc:** [Pound, Michael J CIV USN NAVFAC WASHINGTON DC \(USA\)](#); [Moss, Curtis M CIV USN \(USA\)](#)  
**Subject:** HPNS Updated FFS Schedule  
**Date:** Tuesday, July 30, 2024 12:33:07 PM  
**Attachments:** [REVISED TAB B HPNS Schedule Revised Final May 10 2024.pdf](#)

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Good Afternoon Lila,

In May, the Secretary of the Navy provided a letter to Speaker Emerita Pelosi that laid out our current schedule. In that letter we had updated the FFA schedule to account for the objects found in Parcels B and C.

I attached a modified version of the table. Will this work for your purposes of updating the FFA schedule? I don't want to do something different and risk mistakenly providing dates that do not match what we gave Speaker Emerita Pelosi.

V/r,

Danielle Janda  
Base Closure Manager  
NAVFAC HQ  
Navy BRAC PMO West  
33000 Nixie Way  
Bldg 50, 2nd Floor  
San Diego, CA 92147  
Phone: 619-524-5683



# PLANNING COMMISSION MOTION NO. 21607

**HEARING DATE: SEPTEMBER 12, 2024**

**Record No.** 2007.0946GPR-04

**Project:** Candlestick Center – Amendments to the Bayview Hunters Point Redevelopment Plan, the Hunters Point Shipyard Redevelopment Plan, and the Candlestick Point Design-for-Development

**Zoning:** Candlestick Point Activity Node Special Use District / CP Height and Bulk District

**Block/Lot:** 5000/002 and 042

**Project Sponsor:** CP Development Co., LLC  
One Sansome Street, Suite 3500  
San Francisco, CA 94104

**Property Owner:** [same as Project Sponsor]

**Staff Contact:** Mat Snyder – (628) 652-7460  
Mathew.snyder@sfgov.org

**Reviewed By:** Joshua Switzky  
Joshua.switzky@sfgov.org

ADOPTING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND WITH THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1 FOR THE PROPOSED AMENDMENTS TO THE REDEVELOPMENT PLANS FOR BOTH THE BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT AREA AND THE HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA TO ENABLE THE TRANSFER OF UP TO 2,050,000 OF ENTITLED SQUARE FEET OF OFFICE / RESEARCH AND DEVELOPMENT (“R&D”) USE FROM PHASE 2 OF HUNTERS POINT SHIPYARD TO CANDLESTICK POINT, AMONGST OTHER REVISIONS, TO ACCOMMODATE REVISIONS TO THE DESIGN AND REGULATORY FRAMEWORK FOR CANDLESTICK POINT AND ADOPTING ENVIRONMENTAL FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

## PREAMBLE

WHEREAS, Section 4.105 of the City Charter and 2A.53 of Administrative Code require General Plan referrals to the Planning Commission (hereinafter “Commission”) for certain matters, including changes to redevelopment project plans within the City and County of San Francisco, to determine conformity of the proposed redevelopment plan with the General Plan prior to consideration by the Board of Supervisors.

WHEREAS, Sections 33346 and 33354.6 of the California Health and Safety Code regarding California Redevelopment Law require that the planning policies and objectives and land uses and densities of the Redevelopment Plans be found consistent with the General Plan prior to Redevelopment Plan approval or amendment by the Board of Supervisors.

**WHEREAS,** The Planning Department (“Department”), the Office of Community Investment and Infrastructure (“OCII”), the successor to the San Francisco Redevelopment Agency among many other City Departments have been working to transform Candlestick Point (“CP”) and Phase 2 of Hunters Point Shipyard (“HPS”) from their current underutilized nature into a vibrant high-density, mixed-use, and transit-oriented neighborhoods that will provide public benefits to both the existing residents and the City as a whole (the “CP/HPS2 Project”). Candlestick Point is within the Bayview Hunters Point Redevelopment Project Area and is identified as “Zone 1”, within the Redevelopment Project Area. OCII is charged with implementing the Redevelopment Plan for Zone 1 of the Bayview Hunters Point Redevelopment Plan, along with the Hunters Point Shipyard Redevelopment Plan.

**WHEREAS,** On June 3, 2010, the Planning Commission and the Redevelopment Commission made the following actions (“Original Approvals”) regarding the CP-HPS Project: (1) Certification of the Final Environmental Impact Report (Planning Commission Motion No. 18096); (2) adoption of CEQA Findings (Planning Commission Motion No. 18097); adoption of master General Plan Finding and Planning Code Section 101.1 Finding (Planning Commission Motion No. 18101); (4) approval of General Plan amendments including the establishment of the Candlestick Point Sub-Area Plan (Motion No. 18098); (5) approval of Planning Code Text and Map amendments creating the Candlestick Point Activity Node SUD and allowed greater height per the Redevelopment Plan (Motion Nos. 18099 and 18100); (6) approval of amendments to the Bayview Hunters Point and Hunters Point Shipyard Redevelopment Plans and adoption of office allocation findings for the office component of the Project (Resolution No. 18102); and (7) approving the Candlestick Point Design for Development Documents (Motion No. 18104). At the same hearing, the Redevelopment Commission also approved the following: (1) Interagency Cooperation Agreements (ICA) for interagency review of horizontal improvements; (2) Health Code, Public Works Code, Building Code, and Subdivision Code amendments; (3) Disposition and Development Agreement (DDA), which included (among other documents) as attachments a Project Phasing Plan, a Transportation Plan and an Infrastructure Plan; (4) Real Property Transfer Agreement; (5) Public Trust Exchange Agreement; (6) Park Reconfiguration Agreement; and (7) Tax Increment Allocation Pledge Agreement.

**WHEREAS,** After several amendments, the CP/HPS2 Project approvals currently accommodate the following land uses: up to 10,672 residential units, of which approximately 32% will be below market rate; approximately 327-336 acres of improved open space and recreational areas; approximately 360,000 square feet of retail space; approximately 4,900,000 million square feet of research and development (R&D) and office space, 150,000 square feet of community services; and two hotels, among other uses.

**WHEREAS,** Originally, CP and HPS were intended to be developed cohesively with coordinated phasing between the two; the phasing was to integrate the two components’ financing and to enable the coordinated delivery of CP and HPS’ land uses, infrastructure and community benefits. Most of the office / R&D uses had been planned for HPS. However, delayed environmental clean-up at HPS has stopped all development from moving at Hunters Point Shipyard Phase 2 for the foreseeable future, including the delivery of office/R&D. As such, CP and HPS are no longer proposed to be implemented in the same time sequence as originally planned. In response to the delays at HPS, the Project Sponsor is proposing changes to the Project to transfer 2,050,000 square feet of office / R&D land uses from HPS to CP – specifically to Candlestick Center -- since the area is available for development. The revised Candlestick Center (“Project”) is being described as an R&D Innovation District (“Innovation District”) with the intention of attracting office, R&D, laboratory and similar job creating uses.

**WHEREAS,** On June 12, 2024, CP Development Co., LLC (“Project Sponsor”) submitted a General Plan Referral application for the Redevelopment Plan Amendments for both the Bayview Hunters Point (“BVHP”) Redevelopment Plan and the Hunters Point Shipyard (“HPS”) Redevelopment Plan (together, “Plan Amendments”). The Plan Amendments are being proposed to largely enable revisions to the development proposal at Candlestick Center (“Project”), one of the four neighborhoods at CP.

**WHEREAS,** The Planning Commission wishes to facilitate the physical, environmental, social and economic revitalization of the Bayview Hunters Point and Hunters Point Shipyard, using the legal and financial tools of a Redevelopment Plan, while creating jobs, housing and open space in a safe, pleasant, attractive and livable mixed-use neighborhood that is linked rationally to adjacent neighborhoods.

**WHEREAS,** On June 3, 2010, the Planning Commission and Former Redevelopment Agency acting as lead agencies under the California Environmental Quality Act (“CEQA”) (California Public Resources Code sections 21000 et seq.) and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et seq.), certified a Final Environmental Impact Report (hereinafter “FEIR”) for the CP/HPS2 Project by Motion No. 18096 and Resolution No. 58-2010, respectively. At the same hearing the Former Redevelopment Agency and Planning Commission also adopted findings pursuant to the California Environmental Quality Act, including a Mitigation Monitoring and Reporting Program (“MMRP”) and a Statement of Overriding Considerations for the Project by Motion No. 18097 and Resolution No. 59-2010, respectively. On July 14, 2010, the San Francisco Board of Supervisors affirmed the Planning Commission’s certification of the FEIR (Motion No. M10-110).

**WHEREAS,** Since the certification of the FEIR, OCII, in consultation with the Planning Department, has issued several addenda to the FEIR to address project changes. Most recently, OCII, in consultation with Planning, has prepared Addendum No. 7, which evaluates the potential environmental effects of the Project and required actions, thereto. In addition, Addendum No. 7 also recommends modifications to six adopted mitigation measures for reasons set out in Addendum No. 7. Based on the analysis in Addendum No. 7, OCII concludes that the analyses conducted, and the conclusions reached in the FEIR on June 3, 2010, remain valid and the proposed Project, including the proposed amendments to the mitigation measures, will not cause new significant impacts not identified in the FEIR, or substantially increase the severity of previously identified significant impacts. Further, as described in Addendum No. 7, no Project changes have occurred, and no changes have occurred with respect to circumstances surrounding the proposed Project that will require major revisions of the FEIR due to involvement of new significant effects or a substantial increase in the severity of previously identified significant effects, and no new information has become available that shows that the Project will cause new or more severe significant environmental impacts. Therefore, no subsequent or supplemental environmental review is required under CEQA beyond Addendum No. 7 to approve the Project.

**WHEREAS,** On September 3, 2024, the Commission on Community Investment and Infrastructure (“CCII” or “Successor Agency Commission”) adopted CCII Resolution No. 22-2024, by which the Successor Agency Commission determined that the analysis conducted and the conclusions reached in the FEIR as to the environmental effects of the Project, together with further analysis provided in Addendum No. 1, Addendum No. 4, Addendum No. 5, Addendum No. 6, and Addendum No. 7 to the FEIR, remain valid and can be relied upon for approval of the Project in compliance with the CEQA.

## **FINDINGS**

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

**1. The above recitals are accurate and constitute findings of this Commission.**

- 2. Project Description.** The Plan Amendments would enable the proposed revisions to Candlestick Center (“Project”), one of four proposed neighborhoods at Candlestick Point, which has been envisioned as the largest non-residential component at Candlestick, initially as a retail mall. Candlestick Center’s new vision calls for the creation of an “Innovation District” that would principally include office, R&D, and other similar job-creating uses in urban design framework that would encourage synergies across the site’s businesses and community users. The revisions include but are not limited to (1) allowing the addition of 2,050,000 square feet of office / R&D use (transferred from the Shipyard Site) for a total 2,800,000 square feet, (2) increasing the maximum heights from the previous maximum of 120 feet to a new maximum of 180 feet, with allowed heights and bulk of buildings increased throughout; (3) revising the site plan to require a new central promenade and other pedestrian and open space amenities; (4) revising ground floor use and active frontage requirements; and (5) increasing the allowed parking ratio for the first 1,700,000 square feet from 1.3 spaces : 1,000 square feet to 2 spaces : 1,000 square feet to align with the R&D / office use contemplated at Candlestick Center.

At its completion, the approximately 22-acre Candlestick Center site would be divided into parcels, with each parcel containing one or more buildings with a height between 85 to 180 feet. The parcels would be bordered by internal privately owned publicly accessible streets, curb less shared streets and paseos, and a central promenade. Ground floor space bordering Harney Avenue and Ingerson Way (Candlestick Point’s planned two main public streets), and the central promenade would be bordered by active uses and frontages. Uses that were previously proposed at Candlestick Center including residential, hotel and entertainment uses -- and are no longer being pursued to the same extent -- would still be permitted. However, use provisions in the other Candlestick neighborhoods would be amended to accommodate these uses at those locations.

- 3. Redevelopment Plan Amendments.** To enable this, the following amendments to the Redevelopment Plans would be required: (1) transferring up to 2,050,000 square feet of office / laboratory / R&D uses from Phase 2 of the Shipyard Site to commercially-zoned areas of Zone 1 of the BVHP Project Area (the Candlestick Site) with a corresponding reduction in those uses at the Shipyard Site; (2) allowing hotel and visitor-serving land uses, currently primary uses within the Candlestick Center, to be allowed within the Candlestick neighborhoods; (3) clarifying that certain commercial uses, such as “maker space” currently authorized within the HPS Project Area are also allowed within the BVHP Project Area; (4) authorizing the transfer of residential units from HPS to CP subject to the Commission on Community Investment and Infrastructure approval (5) extending the limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the Redevelopment Plans, and the time to repay indebtedness and receive property tax increment, in connection with the Project; and (6) authorizing property tax increment revenues from Phase 2 of the HPS Project Area and Zone 1 of the BVHP Project Area to be combined to fund costs under the Project agreements.

- 4. Amendments to the Candlestick Center Design-for-Development (“D4D”)** also would be

required. These amendments will be considered separately by the Planning Commission at the same hearing.

5. **Public Outreach and Comments.** The Developer has provided the following opportunities in-person and virtual/hybrid for the public to participate and comment during the Plan Amendment process. The meetings included Subcommittee and full board meetings of the Hunters Point Shipyard Community Advisory Committee (“HPSCAC”) and community-wide and neighborhood meetings. On June 17, 2024, the HPSCAC voted unanimously to support the Plan Amendments.

Community Meetings	Date
HPSCAC Subcommittees (Business & Employment, Housing and Planning) Meeting	May 16, 2024
Community Outreach Workshop	May 22, 2024
Community Outreach Workshop	June 1, 2024
Bayview Hill Neighborhood	June 3, 2024
HPSCAC Full Subcommittee (Approval)	June 17, 2024,
Community Outreach Workshop	June 26, 2024
Alice Griffith residents and service providers – Community Outreach Workshop, True Hope Church	July 11, 2024
Bay Area Council	August 8, 2024
Alice Griffith residents, Candlestick Update Presentation: Alice Griffith Tenants Association meeting	August 12, 2024
Community Benefits Implementation Committee (members invited include Faith in Action, AD10 and Labor Council) - Candlestick Update Presentation	August 20 and 22, 2024
Meeting with Shirley Moore and other Bayview Hill Neighbors at the home of Brenda Ramirez (response to questions in person during meeting and in writing after meeting)	July 2, 2024
Local contractors	August 27, 2024
Taste of Bayview event	August 29, 2024
Youth outreach	November 2025 and ongoing

6. **General Plan Compliance.** The Project, on balance, consistent with the following Objective and Policies of the General Plan:

**BAYVIEW HUNTERS POINT AREA PLAN**

**OBJECTIVE 1**

**STIMULATE BUSINESS, EMPLOYMENT, AND HOUSING GROWTH WITHIN THE EXISTING GENERAL LAND USE PATTERN BY RESOLVING CONFLICTS BETWEEN ADJACENT INDUSTRIAL AND RESIDENTIAL AREAS.**

*The Redevelopment Plan Amendments will enable the Project, which in turn will allow the construction of up to 2,800,000 square feet of job creating uses. This job intensive center would be constructed adjacent to Candlestick North and Candlestick South, two planned high density mixed-use predominately-residential neighborhoods that would include up to 7,218 new residential units. Together, Candlestick Center and the two predominantly residential neighborhoods would provide a synergistic mix of uses.*

#### **OBJECTIVE 4**

**DEVELOP AND MAINTAIN A SYSTEM FOR THE EASY MOVEMENT OF PEOPLE AND GOODS, TAKING INTO ACCOUNT ANTICIPATED NEEDS OF BOTH LOCAL AND THROUGH TRAFFIC.**

##### **Policy 4.1**

Develop a comprehensive network and schedule of roadway improvements to assure that Bayview maintains an adequate level of service at key intersections as the residential and work force population in the district increases.

##### **Policy 4.5**

Create a comprehensive system for pedestrian and bicycle circulation.

*Candlestick Center would be constructed in accordance with the CP/HPS2 Transportation Plan and CP/HPS2 Infrastructure Plan, which together lay out CP/HPS2's streets, transit lines, and bike network creating a robust multimodal transportation network. Candlestick Center would feature a network of privately owned but publicly accessible streets, mid-block breaks, and paseos that would provide porous accessibility into the site and tie the Candlestick North and Candlestick South street networks together.*

#### **OBJECTIVE 6**

**ENCOURAGE THE CONSTRUCTION OF NEW AFFORDABLE AND MARKET RATE HOUSING AT LOCATIONS AND DENSITY LEVELS THAT ENHANCE THE OVERALL RESIDENTIAL QUALITY OF BAYVIEW HUNTERS POINT.**

##### **Policy 6.1**

Encourage development of new moderate density affordable ownership units, appropriately designed and located and especially targeted for existing Bayview Hunters Point residents.

*The Plan Amendments do not result in a reduction of the number of residential units at Candlestick Point or to the overall Project. The anticipated next phase of development includes a portion of Candlestick Center and residential blocks adjacent to Candlestick Center that will result in the development of significant affordable housing. While housing would not be a main component of Candlestick Center, over 675 units (of which 41% would be affordable) have been approved adjacent to Candlestick Center and would be constructed within the same phase as the initial phase for Candlestick Center. The Developer has completed the construction of 337 affordable residential units, which includes 226 Alice Griffith Replacement Units and 111 additional affordable units. Candlestick Point is envisioned to include upwards of 7,218 units, and the overall Project envisions up to 10,672*

*residential units, of which 32% would be affordable. The Plan Amendments encourage development of new housing by extending redevelopment timelines to maintain the Project's feasibility.*

### OBJECTIVE 11

#### IMPROVE DEFINITION OF THE OVERALL URBAN PATTERN OF BAYVIEW HUNTERS POINT

##### Policy 11.2

Increase awareness and use of the pedestrian/bicycle trail system that links subareas in Bayview Hunters Point with the rest of the City.

*The CP/HPS2 Transportation Plan calls for a robust system of pedestrian and bike trails that include grade separated bike facilities along Harney Way. The Redevelopment Plan Amendments would enable the revised Candlestick Center Project, which would implement a part of that network, but more importantly, would spur the overall project to move forward.*

### CANDLESTICK POINT SUB-AREA PLAN

#### OBJECTIVE 1

REALIZE THE FULL POTENTIAL OF THE UNDERUTILIZED CANDLESTICK POINT BY CREATING A COMPLETE AND THRIVING NEW NEIGHBORHOOD INTIMATELY CONNECTED TO THE BAYVIEW AND THE REST OF THE CITY, IN A WAY THAT FULLY REALIZES ITS SHORELINE LOCATION AND ACTS AS AN ECONOMIC CATALYST FOR THE REST OF THE BAYVIEW

##### POLICY 1.1

Create a balanced and complete mix of land uses.

##### POLICY 1.2

Take full advantage of the underutilized site by providing high density sustainable development.

##### POLICY 1.3

Create a distinctive destination for the Bayview, the City, and the region.

#### OBJECTIVE 3

CREATE A DIVERSE AND EXCITING URBAN NEIGHBORHOOD THAT IS ENGAGING, COMFORTABLE, AND HAS CONVENIENT ACCESS TO AMENITIES, OPTIMIZES ITS WATERFRONT SETTING AND REFLECTS SAN FRANCISCO BUILT FORM AND CHARACTER IN A CONTEMPORARY WAY

##### POLICY 3.2

Ensure a block pattern and street network that is tied to the adjacent neighborhood, is coherent, and provides the development with organization and orientation.

##### POLICY 3.3

Create a street system where streets are clearly an element of the public realm.

**POLICY 3.6**

Assure high quality architecture of individual buildings that work together to create a coherent and identifiable place while being individually distinguishable.

*The Redevelopment Plan Amendments would enable the revisions at Candlestick Center creating a high intensity job center, and spur planned development for the rest of Candlestick. Plans for Candlestick Center call for an “Innovation District” that features active ground floors with expressive architecture at key intersections, providing a new destination in the Bayview that will be well integrated with the rest of the neighborhood.*

**OBJECTIVE 4**

**INCLUDE TRANSPORTATION IMPROVEMENTS THAT ARE INHERENTLY MULTI-MODAL, ARE SEAMLESSLY CONNECTED TO THE BAYVIEW AND THE REST OF THE CITY, AND PROVIDE RESIDENTS WITH THE ABILITY TO MEET DAILY NEEDS WITHOUT HAVING TO DRIVE**

*Candlestick Center will be constructed consistent with, and will partially implement, the CP/HPS2 Transportation Plan, which calls for robust pedestrian, bike, and transit facilities.*

**OBJECTIVE 5**

**IN CREATING A NEW NEIGHBORHOOD, PRODUCE TANGIBLE ECONOMIC COMMUNITY BENEFITS, AND ENSURE THAT THE NEW DEVELOPMENT ACTS AS A CATALYST FOR FURTHER ECONOMIC AND COMMUNITY DEVELOPMENT THROUGHOUT THE BAYVIEW AND THE CITY.**

**POLICY 5.2**

Include commercial uses that will provide jobs at both a wide range of fields, and at a wide range of income levels.

*Candlestick Center will include upwards of 2,800,000 square feet of research and development/office uses that will generate a wide range of jobs in various industries and sectors. In addition to the jobs generated by the R&D/office uses, the Project contemplates retail uses, hotel uses, and entertainment uses on Candlestick Point. These diverse land uses will generate additional jobs across a broad range of fields and income levels. The Plan Amendments will enable the Project, and spur the rest of the CP/HPS2 Project to move forward.*

**HOUSING**

**OBJECTIVE 1.B**

**ADVANCE EQUITABLE HOUSING ACCESS.**

**Policy 5**

Improve access to the available Affordable Rental and Homeownership units especially for disproportionately underserved racial and social groups.

**OBJECTIVE 4.A**

**SUBSTANTIALLY EXPAND THE AMOUNT OF PERMANENTLY AFFORDABLE HOUSING FOR EXTREMELY LOW- TO MODERATE-INCOME HOUSEHOLDS**

Policy 15

Expand permanently affordable housing investments in Priority Equity Geographies to better serve American Indian, Black, and other People of color within income ranges underserved, including extremely-, very low-, and moderate-income households.

*Candlestick Center and the CP/HPS2 Project is within a Priority Equity Geography. A key goal for CP/HPS2 is to serve the Bayview Community, a historically Black community, and provide housing opportunities for its residents. Through the implementation of the CP/HPS2 Project - which the revised Candlestick Center proposal would help spur - the City and the Project Sponsor look to deliver a significant number of affordable units provided at different affordability levels for Bayview and other City residents. The Plan Amendments do not change the number of residential units contemplated for Candlestick Point. Consistent with City policy to advance housing, the Plan Amendments allow the transfer of residential units for Phase 2 of the Shipyard Site to Candlestick Point, subject to OCII Commission approval and subsequent environmental review, to spur housing development in the event development on the Shipyard Site continues to be delayed.*

**COMMERCE AND INDUSTRY ELEMENT**

**OBJECTIVE 2**

**MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.**

Policy 2.3

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

*The Project would include up to 2,800,000 square feet of job-creating office / R&D uses in an Innovation District that is designed to attract new businesses to the Bayview and San Francisco. The Innovation District looks to create an attractive environment that will both be well integrated into the surrounding neighborhoods and to Bayview, while creating a new hub for businesses activity. Candlestick Center also includes a Central Promenade that is envisioned to be the central open space and connecting spine of Candlestick Center and serve as a vibrant community gathering space that is privately maintained but open to the public. The Central Promenade is intended to serve as an activating element at Candlestick Center and will include programming, such as performances (music, art), farmers markets, and outdoor fitness activities, to attract employees, residents, and visitors which will enhance the attractiveness of Candlestick Center as a social and cultural destination.*

**OBJECTIVE 3**

**PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.**

Policy 3.1

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

Policy 3.4

Assist newly emerging economic activities.

*The CP/HPS2 Project was approved under a Disposition and Development Agreement, which includes a robust Workforce Development Plan., that targets local residents for both construction and end-user employment.*

OBJECTIVE 6

**MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS**

Policy 6.2

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to economic and technological innovation in the marketplace and society.

POLICY 6.7

Promote high quality urban design on commercial streets.

*Candlestick Point is envisioned as a high-density mixed-use development with synergistic uses that would enable its residents, workers, and visitors to meet day-to-day needs by walking, bicycling and using transit. Key to this vision, is the provision of retail. The Candlestick Center proposal includes building out the west side of Ingerson Avenue, which would be Candlestick's main shopping street. Associated with the Plan Amendments are revisions to the Candlestick Center D4D, which would require retail along Ingerson and within its Central Promenade plaza as a way to meet this goal.*

**RECREATION AND OPEN SPACE**

OBJECTIVE 1

**ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM**

Policy 1.11

Encourage private recreational facilities on private land that provide a community benefit, particularly to low and moderate-income residents.

OBJECTIVE 2

**INCREASE RECREATION AND OPEN SPACE TO MEET THE LONG-TERM NEEDS OF THE CITY AND BAY REGION**

Policy 2.5

Encourage the development of region-serving open spaces in opportunity areas: Treasure Island, Yerba Buena Island, Candlestick and Hunters Point Shipyard.

*The Candlestick Center revisions would help restart the CP/HPS2 Project which envisions more than 300 acres of open space. Moreover, the Candlestick Center proposal would include a new privately-owned publicly-accessible open space, The Central Promenade, which will both provide a unifying element for Candlestick Center, and provide a great open space amenity for the surrounding community.*

## **TRANSPORTATION**

### **OBJECTIVE 1**

**MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.**

#### **POLICY 1.2**

Ensure the safety and comfort of pedestrians throughout the city.

*The Candlestick Center proposal will be constructed in accordance with the CP/HPS2 Transportation Plan, which calls for a robust pedestrian network. It will feature an internal network of privately-owned publicly accessible streets that will break the site down into small blocks providing porosity into the site and easy access through it.*

### **OBJECTIVE 9**

**IMPROVE BICYCLE ACCESS TO SAN FRANCISCO FROM ALL OUTLYING CORRIDORS.**

#### **POLICY 9.2**

Where bicycles are prohibited on roadway segments, provide parallel routes accessible to bicycles or shuttle services that transport bicycles.

*The Candlestick Center proposal will be constructed in accordance with the CP/HPS2 Transportation Plan, as amended, which calls for a robust bicycle network. The construction of Candlestick Center will include the construction of a portion of Harney, which features a grade separated bike facility.*

## **URBAN DESIGN**

### **OBJECTIVE 1**

**EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.**

#### **Policy 1.2**

Recognize, protect and reinforce the existing street pattern, especially as it is related to topography.

#### **Policy 1.3**

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

Policy 1.6

Make centers of activity more prominent through design of street features and by other means.

*The Candlestick Center Innovation District Urban Design framework looks to accommodate large floorplate buildings with heights between 85 feet and 180 feet. A revised Candlestick Point Design-for-Development (D4D) would include a new chapter for the Innovation District, which would require specific active use treatments at the ground plane. The D4D calls for special larger scale architectural treatment Candlestick Center's entry points. As envisioned, Candlestick Center would both be well integrated into the surrounding neighborhood, while providing new architecturally iconic moments for Bayview and the City.*

7. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

*The existing neighborhood-serving retail uses would be preserved and enhanced as the refinements to the land use program would promote the development of an economically vibrant mixed-use project that will promote employment opportunities in the local community. As an example, the CP/HPS2 Projects plans for include up to 360,500 square feet of retail and 75,000 square feet of maker space. This retail and maker space will enhance future opportunities for BVHP residents and businesses by fostering employment, business, and entrepreneurial opportunities and stimulating the local economy. The first unbuilt phase of Candlestick includes Developer's Community Facilities Spaces, which will provide free and otherwise affordable retail and maker space for Bayview residents and businesses. The proposed project would not impact the amount of neighborhood-serving retail anticipated for development at Candlestick Point.*

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

*The proposed project will not affect existing housing. The Developer has completed approximately 337 units at Alice Griffith as part of the first phase of development at Candlestick Site, with an additional 667 units approved through site permits. While the revisions at Candlestick Center do not currently call for residential development, housing would be permitted and accommodated by revisions to the Redevelopment Plans and the D4D. The amendments to the CP D4D will enhance neighborhood character through design standards and principles that promote an active, urban environment. Planned community facilities spaces and maker space, planned as a part of the next phase at Candlestick in conjunction with the first phase of Candlestick Center will be specifically marketed to BVHP residents and businesses and provides rent free space to serve as business launching*

*opportunities. The combination of market rate commercial spaces and rent-free spaces in a mixed-use environment will allow for cultural and economic diversity by including small, newer businesses alongside established major employers.*

- C. That the City's supply of affordable housing be preserved and enhanced,

*The proposed project retains its commitment to affordable housing and does not propose changes to the Project's affordable housing requirements. The CP/HPS2 Project will enhance the City's supply of housing stock by providing up to 10,672 housing units, of which approximately 32% will be provided at below-market rate. In addition to direct investments in affordable housing, the CP/HPS2 Project will generate substantial property tax increment revenues for affordable housing in the City.*

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

*The Project will not impede existing MUNI transit service. The CP/HPS2 Transportation Plan includes robust plans for new and improved transit over time, which include a BRT line and shuttles. There are no changes to the transportation commitments as last approved in 2019. The proposed project will continue to provide a street grid that will be consistent with the existing street network and facilitate a more logical sequence of development, such as connecting the existing Alice Griffith Phase 1 homes to Arelious Walker Drive with more direct access to Harney Way and 101. Existing MUNI bus lines will be extended to serve Candlestick, and additional transportation infrastructure, such as BRT lanes would increase public physical access through new infrastructure such as complete streets with sidewalks, bike lanes and mid-block breaks. An off-street parking strategy would reduce existing parking challenges by using a phased approach to create adequate parking and continue to create multi-modal splits, reducing vehicle miles traveled while increasing choices, as more robust transit options are phased in with shorter headways.*

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

*The proposed project would not displace existing industrial and service uses or change the existing economic base in the area beyond what was anticipated in the development and adoption of the Redevelopment Plans in 2010. The Project would provide a high intensity of job-creating uses at Candlestick, that could include office, research and development, retail, and other potential neighborhood serving uses. The Project would enable the larger development to move forward, which could also include hotel, entertainment, and other community / institutional uses. Therefore, the Project will advance the potential for long-term economically successful development of the CP/HPS2 Project area by fostering employment, business, and entrepreneurial opportunities through a 50% local hire goal and rent-free small business space.*

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of

life in an earthquake.

*Development of the project will comply with the current building code and seismic standards. Furthermore, the City's earthquake preparedness will be improved as seismic upgrades will be provided as part of the adaptive re- use of historic buildings.*

- G. That landmarks and historic buildings be preserved.

*There are no historic buildings at Candlestick where the 49ers stadium was previously located.*

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

*The proposed project would not significantly affect sunlight or vistas on public open space beyond what was anticipated in the development and adoption of the Redevelopment Plans in 2010 and what was analyzed in the 2010 Project EIR. The proposed standards in the CP D4D.*

- 8. OCII Housing Production Report.** At the September 12, 2024 hearing, OCII staff committed to providing the Planning Commissioners with OCII's Annual Housing Production Report.

**NOW THEREFORE BE IT RESOLVED,** That the Planning Commission has reviewed and considered the CEQA Findings, including the statement of overriding considerations that it previously adopted in Motion No. 18097, the findings in Addendum No. 7, and the findings in CCII Resolution No. 22-2024. The Planning Commission finds that the actions contemplated by this Motion are included in the actions identified in CCII Resolution 22-2024 for purposes of compliance with CEQA. The Planning Commission hereby adopts the additional CEQA Findings in CCII Resolution 22-2024 as its own, including approving the modifications to the six adopted mitigation measures recommended for modification in Addendum No. 7.

**NOW THEREFORE BE IT FURTHER RESOLVED,** that the that the Commission hereby finds the proposed amendments to the BVHP and HPS Redevelopment Plans, as described above, to be consistent with the General Plan of the City and County of San Francisco, including, but not limited to the Bayview Hunters Point Area Plan, Candlestick Sub-Area Plan, Housing Element, Commerce and Industry Element, and Urban Design Element, and are consistent with the eight Priority Policies in Planning Code Section 101.1 for reasons set forth in this motion.

I hereby certify that the foregoing motion was adopted by the Commission at its meeting on September 12, 2024.



Jonas Ionin  
Planning Commission Secretary

AYES: Campbell, McGarry, So, Williams, Braun, Imperial, Moore  
NOES: None  
ABSENT: None  
ADOPTED: September 12, 2024

**HUNTERS POINT SHIPYARD  
REDEVELOPMENT PLAN**

**JULY 14, 1997**  
**Amended August 3, 2010**  
**Amended June 22, 2017**  
**Amended July 16, 2018**



**Amended [DATE], 2024**



**SUCCESSOR AGENCY TO THE SAN FRANCISCO  
REDEVELOPMENT AGENCY**

**July 16, 2018 [DATE], 2024**

**REDEVELOPMENT PLAN  
for the**

**HUNTERS POINT SHIPYARD  
PROJECT AREA**

# HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT

## REDEVELOPMENT PLAN

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**Map 1: Boundary Map**

**Map 2: Land Use Districts Map**

**Map 2A: Private Infrastructure**

**Map 3: Existing Buildings**

**Map 4: Street Plan**

**Attachments:**

**Attachment A: Legal Description of the Project Area**

**Attachment B: Authorized Public Improvements**

**Attachment C: Planning Code Section 314**

**Attachment D: Planning Code Section 295**

**Attachment E: Planning Commission Resolution 18102**

**Attachment F: Proposition O (2016)**

# HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT

## REDEVELOPMENT PLAN

This Redevelopment Plan (this “**Plan**”) for the Hunters Point Shipyard Redevelopment Project Area (the “**Project Area**”) consists of the following text, maps and attachments: (a) the maps are: Map 1: Boundary Map; Map 2: Land Use Districts Map; Map 2a: Private Infrastructure; Map 3: Existing Buildings; and Map 4: Street Plan; and (b) the attachments are: Attachment A: Legal Description of the Project Area; Attachment B: List of Public Improvements; Attachment C: Planning Code Section 314; Attachment D: Planning Code Section 295; Attachment E: Planning Commission Resolution 18102 (subject to Section II.D.5 below), and Attachment F: Proposition O.

This Plan was adopted on July 14, 1997 (Ordinance No. 285-97) and amended on August 3, 2010 (Ordinance No. 211-10), on June 22, 2017 (Ordinance No. 122-17), ~~and~~ on July 16, 2018 (Ordinance No. 0166-18-), ~~and on [DATE], 2024 (Ordinance No. \_\_\_\_\_).~~ This Plan was prepared in accordance with the California Community Redevelopment Law (as amended from time to time, the “**CRL**”) and pursuant to Chapter 4.5 therein, which governs the redevelopment of closed military bases. During the preparation of this Plan, the Redevelopment Agency of the City and County of San Francisco (the “**Agency**”) consulted with the Mayor’s Hunters Point Shipyard Citizens Advisory Committee (the “**CAC**”), the San Francisco Planning Commission, and with other departments and offices of the City and County of San Francisco (the “**City**”). This Plan conforms with the General Plan of the City insofar as the General Plan applies to the Project. Any development within the jurisdiction of the Bay Conservation and Development Commission shall conform to the San Francisco Bay Plan.

The proposed redevelopment of the Project Area as described in this Plan is consistent with the San Francisco General Plan, the Bayview Hunters Point Area Plan, and the Hunters Point Shipyard Sub-Area Plan as of the 20~~18~~<sup>24</sup> Plan Amendment Date, and is in conformity with the eight Priority Policies of Section 101.1 of the San Francisco Planning Code (the “**Planning Code**”).

This Plan sets forth the objectives and the basic land use controls within which specific redevelopment activities in the Project Area will be pursued. It is consistent with provisions of the CRL in effect at the date of adoption of this Plan and as of the 20~~18~~<sup>24</sup> Plan Amendment Date.

On February 1, 2012, the State of California dissolved all redevelopment agencies, including the Agency, and established successor agencies to assume certain rights and obligations of the former redevelopment agencies, Cal. Health & Safety Code § 34170 et seq. (the “Redevelopment Dissolution Law”). As a result, the Agency ceased to exist and the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (commonly known as the Office of Community Investment and Infrastructure or “OCII”), was established by operation of law and assumed certain obligations of the Agency, primarily those “enforceable obligations” that were entered into prior to the suspension of redevelopment agencies’ activities and were approved by the State of California, through its Department of Finance. On December 14, 2012, the Department of Finance finally and conclusively determined that the following

agreements associated with the Project Area are enforceable obligations that survived redevelopment dissolution: the Disposition and Development Agreement for Hunters Point Shipyard Phase 1, the Disposition and Development Agreement for Candlestick Point-Hunters Point Shipyard Phase 2 (“CP-HPS2 DDA”), the Tax Increment Pledge Agreement for CP-HPS2, including those portions funding affordable housing in CP-HPS2. Accordingly, the Successor Agency continues to have authority to implement the above-referenced enforceable obligations in the Project Area.

In 2023, amendments to State law established that the limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the Redevelopment Plan, the time to repay indebtedness, the time for applying tax increment, number of tax dollars, or any other matters set forth in Health & Safety Code sections 33333.2 and 33492.13 shall not apply to the CP-HPS2 project, which is located within Zone 1 of Project Area B of the Bayview Hunters Point Redevelopment Project Area and Phase 2 of this Project Area. Stats. 2023, chapter 196, section 14 (Sep. 13, 2023) (codified at Health & Safety Code section 34177.7(i)). Consistent with Section 34177.7(j), the 2024 amendments to this Redevelopment Plan incorporate the new limitations referenced in the preceding sentence, which were approved by the Oversight Board of the City and County of San Francisco and the California Department of Finance in the amended CP-HPS 2 project agreements.

## **I. DESCRIPTION OF PROJECT**

### **A. Project Boundaries**

The boundaries of the Project Area are indicated on Map 1: Boundary Map and the legal description of the Project Area is provided in Attachment A: Legal Description of the Project Area. The Project Area consists of Real Property within the City and County of San Francisco, State of California.

### **B. The Citizens Advisory Committee Planning Guidelines - A Statement of General Principles**

The planning process for the reuse of the Project Area is complex, involving the Mayor’s Hunters Point Shipyard Citizens Advisory Committee and a host of citizen groups and government agencies. The planning process establishes the roles of these various entities, as well as the timeframe during which certain actions must occur. The process began in earnest in 1993 when the CAC convened to formulate goals and preferred uses for the Shipyard site. The CAC adopted a set of planning guidelines to frame their ideas for the development and reintegration of the Shipyard into the social, economic and physical fabric of Bayview Hunters Point and the City of San Francisco at an intensive conference and public workshop that they sponsored in February 1994. The CAC guidelines represent a strong group consensus and the CAC feels that they should set the tone for the renewal of the Project Area. These planning guidelines are outlined below:

## **1. Create Jobs for Economic Vitality**

Encourage land uses that will foster employment, business and entrepreneurial opportunities, cultural and other public benefits for residents of San Francisco. South Bayshore residents and businesses should be given priority. Legislative and administrative regulation mandating preference to South Bayshore residents and businesses in the course of the environmental remediation, redevelopment and reuse of the property should be used to facilitate this objective. Existing training and educational programs will be supported and new programs created as needed.

## **2. Support Existing Businesses and Artists' Community**

New uses should be compatible with existing South Bayshore businesses, Shipyard businesses and artists, and other sectors of San Francisco's economy. Maintain the large community of artists and artisans on the Shipyard, providing for their need for flexible low-cost space, while accommodating the full diversity of arts and culture in the South Bayshore community. Expand the scope of activities to accommodate the full range of arts and culture.

## **3. Create Appropriate Mix of New Businesses**

Encourage diversity with a mix of large, medium and small businesses to generate revenues for the City's general fund and stimulate the economy of the South Bayshore community. Diversify San Francisco's economic base by restoring its industrial sector with uses based on futuristic technologies tied to regional, national and international markets and economics. Target industries and businesses with a likelihood for long-term growth, such as multimedia, biotech and video-film.

## **4. Balance Development and Environmental Conservation**

Balance development with reclamation of the natural ecology of the southeast waterfront with targeted uses that are environmentally appropriate for the San Francisco Bay. Use the toxic cleanup process to develop training, employment and business opportunities consistent with Guideline #1.

## **5. Facilitate Appropriate Immediate Access**

Incorporate an action program to enable immediate access to existing Shipyard facilities, giving preference to South Bayshore businesses and organizations. Transitional uses in the Shipyard should be consistent with, and not deter, long-term development of the Shipyard in accordance with these Master Plan Guidelines.

## **6. Integrate Land Uses**

Integrate new uses at the Shipyard into current plans for the Bayview area. Plan for the integration of passive and active open space, affordable housing, transportation and traffic circulation, while minimizing land use conflicts between housing and industry.

## **7. Acknowledge History**

Include uses that acknowledge the history of the original Native American inhabitants of the Hunters Point area and historic relationship of Bayview Hunters Point's African-American community to the Shipyard.

## **C. Existing Conditions**

The Project Area is characterized by conditions of blight. Physical conditions include buildings in which it is unsafe or unhealthy for persons to live or work, and the existence of factors that prevent or substantially hinder the economically viable reuse of buildings and areas. Economic conditions include depreciated or stagnant property values, properties containing hazardous wastes, abnormally high business vacancies, abandoned buildings, and excessive vacant lots within an area formerly used as a military base.

## **D. Summary of Proposed Actions**

The Agency, in accordance with and pursuant to applicable Federal and State laws as well as those local laws that are applicable pursuant to this Plan, will remedy, or cause to be remedied, the conditions causing blight presently existing in the Project Area by some or all of the following measures:

1. Rehabilitation, alteration, modernization, general improvement or any combination thereof (hereinafter called "**rehabilitation**") of certain existing structures.
2. Acquisition of real property by purchase, gift, devise, exchange, condemnation, lease, or any other lawful means.
3. Relocation of certain commercial and industrial occupants presently located in structures that may be subject to acquisition or rehabilitation.
4. Demolition, removal, or clearance of certain existing buildings structures, and improvements.
5. Installation, construction, or reconstruction of streets, utilities, and other public improvements or facilities.
6. Disposition of all land acquired by the Agency for reuse in accordance with this Plan, the Hunters Point Shipyard Phase 1 Design for Development, the Hunters Point Shipyard Phase 2 Design for Development, and such additional conditions as may be established by the Agency in any manner authorized by law in order to carry out the purposes of redevelopment.

7. Formulation and administration of rules governing reasonable preference to owners or tenants of business, or other types of real property who are displaced from the Project Area to reenter the Project Area.

## II. PROJECT PLAN

### A. Objectives

The objectives of the actions proposed by this Plan are to:

1. Foster employment, business, and entrepreneurial opportunities in the rehabilitation, construction, operations, and maintenance of facilities in the Project Area.
2. Stimulate and attract private investments, thereby improving the City's economic health, tax base, and employment opportunities.
3. Provide for the development of economically vibrant and environmentally sound districts for mixed use; cultural, educational and arts activities; research, industrial and training activities; and housing.
4. Provide for the development of mixed-income housing:
  - With regard to this objective, the project-wide aggregate income-mix goal includes that at least 15% of the housing be affordable to persons and families of low or moderate income.
  - The term “persons and families of low or moderate income” has the same meaning as defined in Section 50093 of the California Health and Safety Code.
5. Provide public parks, open space, and other community facilities.
6. Administer lands granted to the Agency by the State of California consistent with the Public Trust and reconfigure those lands in a manner that enhances their value for Public Trust purposes, in accordance with Chapter 203 of the Statutes of 2009 (as amended from time to time, the “**Granting Act**”).
7. Retain, improve, and re-use historic structures, where feasible, as part of a program to feature the history of people, buildings, and uses at the Shipyard.
8. Provide for infrastructure improvements, including: streets and transportation facilities; open space and recreation areas; and utilities for water, sewer, gas, and electricity.
9. Remove conditions of blight in the form of buildings, site improvements, and infrastructure systems that are substandard and serve as impediments to land development.

10. Encourage use of the most cost-effective, energy efficient, and environmentally sustainable development techniques feasible.
11. Retain those existing viable industries and businesses currently located in the Project Area.
12. Position the Project Area at the vanguard of technology development and production as well as associated labor markets. Accommodate new, emerging, and unforeseen uses not specifically identified herein.
13. Provide sufficient flexibility in the development of real property within the Project Area to respond readily and appropriately to market conditions and innovations.
14. Provide opportunities and support for privately owned “eco-district” utility infrastructure that helps achieve community and ecological priorities within the Project Area.

## **B. Land Uses**

Map 1: Boundary Map, Map 2: Land Use Districts Map, Map 2a: Private Infrastructure; Map 3: Existing Buildings, and Map 4: Street Plan illustrates the location of the Project Area boundaries, existing buildings, major streets in the Project Area and land uses permitted in the Project Area.

### **1. Land Use Districts**

The Project Area consists of several mixed-use districts (each referred to as a “**District**” or “**Land Use District**”) as shown on Map 2: Land Use Districts Map. The map shows the general boundaries of the Districts; precise boundaries of the Districts are to be interpreted in light of the objectives of this Plan at the time specific parcels are subdivided in accordance with City and State subdivision laws.

Allowable land uses within each District will be all those that are consistent with the character of the District as described in this Plan. The specific uses identified below and on Map 2 for each District illustrate the appropriate scope and nature of permitted uses.

**Principal Uses.** Within each District, “**Principal Uses**” shall be allowed as of right.

**Secondary Uses.** Within each District, “**Secondary Uses**” shall be allowed through the determination of the Agency Commission or its designee, provided that such use: (a) generally conforms with the redevelopment objectives of this Plan, the objectives of the District as set forth in this Plan and applicable Hunters Point Shipyard Design for Development (Phase 1 or Phase 2); (b) is compatible with the District’s Principal Uses, nearby public facilities, and broader community; (c) is consistent with the Mitigation Measures and appropriately mitigates any adverse impacts; and (d) does not at the proposed size and location materially impede the planned uses and development of the District or Project Area. The Agency Commission or its

designee may place conditions on the Secondary Use as necessary to make the findings in clauses (a) through (d) above.

***Non-Designated Uses.*** Uses that are proposed but are not specifically defined herein (~~“are “Non-Designated Uses””~~) may be classified by the Executive Director as Principal Uses, Secondary Uses, Temporary Uses, Interim Uses, or Prohibited Uses. The Executive Director or his or her designee may allow a Non-Designated Use as a Principal Use subject to approval by the Agency Commission, provided the Executive Director or his or her designee finds that such Non-Designated Use: (a) is consistent with the other Principal Uses allowed in the applicable District; (b) is consistent with the objectives for the applicable District; (c) generally conforms with the applicable Hunters Point Shipyard Design for Development (Phase 1 or Phase 2); and (d) is consistent with the Mitigation Measures and appropriately mitigates any adverse impacts.

For Temporary or Interim Uses, the Executive Director shall in addition make the findings required for such uses as set forth in Sections C.1 and C.2 below.

In the event the Executive Director determines that a Non-Designated Use should be evaluated as a potential Secondary Use rather than a Principal Use, the Executive Director shall require that the proposed use be considered by the Agency Commission pursuant to the Secondary Use process set forth above.

***Prohibited Uses.*** Within most Districts, certain land uses are expressly prohibited in order to maintain the intended character of the District, avoid conflicts of land uses, or maintain public welfare in response to specific conditions of the District (“**Prohibited Uses**”). The following uses will be Prohibited Uses in all Districts within the Project Area: Mortuary; and Adult Entertainment uses.

***Provisions Applicable Generally.***

Certain lands within the Project Area are or may be subject to the Public Trust. The Public Trust doctrine limits the uses that are permitted on Public Trust lands. A Principal Use or Secondary Use shall be permitted on Public Trust land only to the extent the use is permitted under the Public Trust and is consistent with the Agency’s management of those lands on behalf of the State for Public Trust purposes. Thus, even though a particular use or uses may be shown as a permitted Principal Use or Secondary Use within the Project Area, that use or uses may nevertheless not be permitted on lands subject to the Public Trust within the Project Area.

In all cases below, the height, bulk, setback, parking and open space requirements will be established in the Hunters Point Shipyard Phase 1 Design for Development and Hunters Point Shipyard Phase 2 Design for Development, provided that development thereunder shall not exceed the limits established in Section II.D.4.

Parking is a permitted Accessory Use to every Principal Use and Secondary Use permitted in each Land Use District. The design and location of parking is controlled by the applicable Design for Development.

Infrastructure elements that are required to provide access, utilities, and public services to the development described in this Section II.B, as described in or consistent with the Infrastructure Plan for the Hunters Point Shipyard Phase 2-Candlestick Point Project, are permitted provided they are consistent with the Mitigation Measures and subject to the Candlestick Point/Hunters Point Shipyard Phase 2 EIR (including any subsequent analysis).

Additional “eco-district” and other privately owned utility infrastructure is encouraged in the Project Area, provided such infrastructure does not conflict with elements identified in the Infrastructure Plan, and is consistent with the Mitigation Measures and the Candlestick Point/Hunters Point Shipyard Phase 2 EIR (including any subsequent analysis), each as determined by the Executive Director. Such infrastructure (including components thereof) is encouraged, but not required, to be located within future public or private rights of way, and such infrastructure (including components thereof) is permitted as follows under this Plan (but remain subject to review under other applicable Plan Documents and City review). Privately owned utility infrastructure includes individual stand-alone structures as well as Accessory infrastructure components listed below. Individual structures are permitted as specifically identified in Sections II.B.2-B.7, below, or otherwise as Secondary Uses throughout Phase 2 of the Project area.

Accessory infrastructure components (those constructed together with otherwise permitted Uses) are permitted under this Plan (but remain subject to review for consistency with other applicable Plan Documents, including the applicable Design for Development). Such Accessory infrastructure components include:

- District Heating and Cooling Facility, including central energy plant (CEPs), water return and supply distribution system components, and water-to-air and water-to-water heat exchanger including components thereof (but excluding Geothermal Borefields, which are individual structures permitted as discussed above)
- Battery Storage System (including distribution system components thereof)
- Rooftop solar photovoltaic (PV) system (including components thereof)
- Recycled water collection, treatment and distribution system components
- Telecommunications/Fiber System and components
- Automated trash collection system and components
- Stormwater collection and treatment system (including Stormwater BMPs and other components thereof)
- Other Accessory infrastructure facilities and components that, as determined by the Executive Director, do not conflict with the objectives of the Plan, the Plan Documents or other applicable laws and regulations.

## **2. Hunters Point Hill Residential District**

*Objectives for this District:* This District will accommodate residential uses with lower densities than the surrounding portion of the Project Area, given its hilltop and hillside position. Complementary neighborhood-serving commercial uses will be allowed, but are expected to be less prevalent than in the flatter North Shoreline District, which sits below

this District. This District will include Hillpoint Park, a regional Park that will be impressed with the Public Trust and will include recreational and sports uses, special view areas with framed views of the Shipyard and the Bay beyond, public art, terraced sitting areas that take advantage of hilltop and hillside topography and stunning views of the Bay, and public access for visitors, residents, and employees in surrounding Districts.

(a) *Principal Uses*: The following Uses are Principal Uses in this Land Use District:

Residential Uses:

- Dwelling Units
- Live/Work Units
- Supportive Housing
- Home Office

Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services
- Commercial Wireless Transmitting Facilities

Parks and Recreation Uses:

- Parks
- Open Space
- Public Recreation

(b) *Prohibited Uses*: Cannabis-Related Uses and all other uses that are incompatible with the Principal Uses shall be Prohibited Uses in this Land Use District.

### **3. North Shoreline District**

*Objectives for this District*: This District will accommodate a waterfront-oriented residential neighborhood with higher densities and a greater range of housing types than those on the adjacent hillside. The principal land use is Dwelling Units ranging from townhomes to multi-family high-rise residential apartment or condominium towers. Related uses also include local-serving businesses, family child care services, small professional offices, and recreation facilities. Parks in this District may include a range of uses such as basketball, volleyball, tennis courts, children’s playgrounds, restrooms, and concessionaires. They may also include picnic/barbecue areas, pathways, and shade shelters. The Parks in this District may also include open air marketplace uses.

(a) *Principal Uses*: The following Uses are Principal Uses in this Land Use District:

Residential Uses:

- Dwelling Units
- Live/Work Units
- Group Housing
- Supportive Housing

- Home Office

Institutional Uses:

- Residential Care Facility
- Child-Care Facility
- Elementary School
- Post-Secondary Institution
- Religious Institution

Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services (up to 10,000 sq. ft. per tenant)
- Restaurants
- Bars
- Dry Cleaning Facility
- Health clubs, fitness, gymnasium, or exercise facilities
- Commercial Wireless Transmitting Facilities

Civic, Arts & Entertainment Uses:

- Community Use
- Recreational Facility
- Arts Education
- Art Production

Parks and Recreation Uses:

- Parks
- Public Recreation
- Open Space
- Open air marketplaces

(b) *Secondary Uses*: The following Uses are permitted in this Land Use District if the criteria for Secondary Uses set forth in Section II.B.1 are met:

Institutional Uses:

- Secondary School
- Vocational/Job Training Facility

Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services (over 10,000 sq. ft. per tenant)
- Nighttime Entertainment
- Maker Space

Office Uses

Civic, Arts & Entertainment Uses:

- Performance Arts
- Amusement Enterprise

(c) *Prohibited Uses*: The following Uses are Prohibited Uses in this Land Use District:

- Drive-through facilities
- Automotive Repair and service stations
- Cannabis-Related Uses

#### 4. **Village Center District**

*Objectives for this District*: This District will accommodate a mixed-use community with a range of housing types, retail uses, and cultural and educational facilities designed to comprise a village that will serve the community in the surrounding Districts.

Neighborhood-serving retail uses are proposed to be located on the ground floors along major commercial streets of the area with residential uses or office uses on the upper floors. This District will provide space dedicated for artists and arts-related uses as well as community-serving retail, business, service, and office uses. The arts-related, recreational, and grocery store uses in this District are intended to attract visitors from areas beyond the Project Area.

(a) *Principal Uses*: The following Uses are Principal Uses in this Land Use District:

Residential Uses:

- Dwelling Units
- Live/Work Units
- Group Housing
- Supportive Housing
- Home Office

Institutional Uses:

- Residential Care Facility
- Child-Care Facility
- Elementary School
- Secondary School
- Post-Secondary Institutions
- Religious Institution
- Vocational/Job Training Facility

Retail Sales & Services Uses:

- Neighborhood Retail Sales and Services

- Restaurants
- Bars
- Health clubs, fitness, gymnasium, or exercise facilities
- Nighttime Entertainment
- Grocery Store (up to 60,000 sq. ft.)
- Dry Cleaning Facility
- Commercial Wireless Transmitting Facilities
- Maker Space

Office Uses:

- Office
- Conference facilities/meeting rooms

Hotel Uses

Civic, Arts & Entertainment Uses:

- Community Use
- Recreational Facility
- Performance Arts
- Arts Education
- Art Production
- Amusement Enterprise

Parks and Recreation Uses:

- Parks
- Public Recreation
- Open air marketplace
- Open Space

(b) Secondary Uses: The following Uses are permitted in this Land Use District if the criteria for Secondary Uses set forth in this Section II.B.1 are met:

Retail Sales & Services Uses:

- Grocery Store (between 60,000 and 80,000 sq. ft.)
- Animal Services
- Medical Services

Office and Industrial Uses:

- Light Industrial (not including uses that include chemical processing of materials or heavy machinery use)
- Industrial kitchen
- Internet Service Exchange

(c) Prohibited Uses: The following Uses are Prohibited Uses in this Land Use District:

- Drive-through facilities
- Automotive Repair and service stations

## 5. Wharf District

*Objectives for this District:* This District will provide a diverse array of commercial and institutional operations for new research and development firms in a dynamic urban campus. This District will allow an integration of various uses suitable for evolving market conditions and for an innovative business or institutional environment ranging from office to laboratory activities including light industrial and manufacturing operations. It will also support Neighborhood Retail Sales and Services and Community Uses to complement the research and development uses.

For Laboratory, Life Science, Light Industrial, and Green Technology Uses within this District, any Use containing a facility that emits regulated toxic air contaminants must show that the facility does not exceed the risk thresholds identified in the Mitigation Measures.

(a) *Principal Uses:* The following Uses are Principal Uses in this Land Use District:

### Research & Development, Office & Industrial Uses:

- Office
- Light Industrial
- Life Science
- Laboratory
- Green Technology
- Transportation and transit service facilities

### Multi-media and Digital Arts Uses:

- Motion picture production
- Animation studios
- Printing and publishing
- Education and classroom facilities
- Galleries and exhibit space
- Recording studios
- Artist and artisan studios

### Hotel Uses

### Institutional Uses:

- Religious Institution
- Vocational/Job Training Facility
- Child-Care Facility (subject to Section II.B.8)

### Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services (up to 12,000 sq. ft. per tenant)
- Regional Retail Sales and Services
- Non-Retail Sales and Services
- Animal Services
- Restaurants
- Bars
- Health clubs, fitness, gymnasium, or exercise facilities
- Nighttime Entertainment
- Dry Cleaning Facility
- Commercial Wireless Transmitting Facilities
- Grocery Store
- Maker Space

Residential Uses:

Residential Uses in this District shall be allowed only in the blocks of the District that are adjacent to either Fisher Avenue or Drydock 4 (These blocks are indicated on Map 2). The following Residential Uses are Principal Uses in this Land Use District:

- Dwelling Units
- Live/Work Units
- Group Housing
- Supportive Housing
- Home Office

Civic, Arts & Entertainment Uses:

- Community Use
- Recreational Facility
- Arts Education
- Art Production

Parks and Recreation Uses:

- Parks
- Public Recreation
- Open Space
- Marina-related facilities

Within the Wharf District, any Laboratory, Life Science, Light Industrial, and/or Green Technology Use containing a facility that emits regulated toxic air contaminants must show that the facility does not exceed the risk thresholds identified in the Mitigation Measures. In addition, no Laboratory, Life Science, Light Industrial and/or Green Technology Uses containing a facility that emits regulated toxic air contaminants shall be permitted within three hundred fifty (350) feet of any Child-

Care Facility, Elementary or Secondary School, or Residential Use in the Wharf District.

(b) *Secondary Uses*: The following Uses are permitted in this Land Use District if the criteria for Secondary Uses set forth in Section II.B.1 are met:

Institutional Uses:

- Post-Secondary Institutions

Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services (over 12,000 sq. ft. per tenant)
- Automotive Repair and Service station

Office and Industrial Uses:

- Enclosed processing of raw materials for production
- Small boat repair facilities and workshop areas
- Automotive storage
- Commercial Storage
- Internet Service Exchange

(c) *Prohibited Uses*: The following Uses are Prohibited Uses in this Land Use District:

- Dwelling Units (except in the area described above and shown on Map 2)
- Elementary School
- Secondary School
- Drive-through facilities

## 6. Warehouse District

*Objectives for this District.* This District will include research and development, office, and light industrial uses similar in scale and character to those in the adjacent Wharf District. This District would include a mix of uses including neighborhood-serving retail, business, research and development and office uses comparable in scale and intensity to, and complementary of, those in the adjacent Wharf District, and potentially, Child-Care, Elementary and Secondary Schools and residential units (subject to Section II.B.8).

(a) *Principal Uses*: The following Uses are Principal Uses in this Land Use District:

Research & Development, Office & Industrial Uses:

- Office
- Light Industrial
- Life Science
- Laboratory
- Green Technology
- Non-Retail Sales and Services

## Hotel Uses

### Multi-media and Digital Arts Uses:

- Motion picture production
- Animation studios
- Printing and publishing
- Education and classroom facilities
- Galleries and exhibit space
- Recording studios
- Artist and artisan studios

### Institutional Uses:

- Religious Institution
- Vocational/Job Training Facility

### Retail Sales and Services Uses:

- Neighborhood Retail Sales and Services
- Regional Retail Sales and Services
- Animal Services
- Restaurants
- Bars
- Health clubs, fitness, gymnasium, or exercise facilities
- Nighttime Entertainment
- Dry Cleaning Facility
- Commercial Wireless Transmitting Facilities
- Grocery Store
- Maker Space

### Civic, Arts and Entertainment Uses:

- Community Use
- Recreational Facility
- Arts Education
- Art Production
- Amusement Enterprise
- Performance Arts

### Infrastructure/Utility Uses

- Recycled Water Treatment Facility\*
- Geothermal Borefields for vertical-bore geothermal heating exchange system\*

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\* As located consistent with Private Infrastructure Map 2a (except that Geothermal Borefields may not be located beneath property to be provided to the Agency for use as affordable housing without approval by the Agency Commission in its sole discretion).

- Internet Service Exchange

The following Uses would be Principal Uses in this Land Use District, subject to a finding adopted by the Agency Commission that these uses are not subject to any applicable Environmental Restriction described in Section II.B.8.

Residential Uses:

- Dwelling Units
- Live/Work Units
- Group Housing
- Supportive Housing
- Home Office

Institutional Uses

- Child-Care Facility
- Elementary School
- Secondary School
- Post-Secondary Institutions

Parks and Recreation Uses:

- Parks
- Public Recreation
- Open Space
- Marina-related facilities

Within the Warehouse District, any Laboratory, Life Science, Light Industrial, and/or Green Technology Use containing a facility that emits regulated toxic air contaminants must show that the facility does not exceed the risk thresholds identified in the Mitigation Measures. In addition, no Laboratory, Life Science, Light Industrial and/or Green Technology Uses containing a facility that emits regulated toxic air contaminants shall be permitted within three hundred fifty (350) feet of any Child-Care Facility, Elementary or Secondary School, or Residential Use in the Warehouse District.

(b) Secondary Uses:

The following Uses are permitted in this Land Use District if the criteria for Secondary Uses set forth in Section II.B.1 are met:

- Commercial Storage
- Drive-through facilities
- Automotive Repair and service station

(c) Prohibited Uses: The following Uses are Prohibited Uses in this Land Use District:

- Large scale chemical handling and stationary emission sources within two hundred (200) feet of existing or planned residential uses or primary school facilities.

## 7. **Parks and Open Space District**

*Objectives for this District.* This District will provide public recreation access to the San Francisco Bay waterfront along the eastern and southern waterfront of the Shipyard, consistent with the Public Trust, including regional serving open spaces, viewing area of the water and historic Shipyard facilities, the San Francisco Bay Trail, and restorative habitat areas. Recreational sports facilities will be limited to areas not subject to the Public Trust. Only Principal Uses will be permitted in this District.

(a) *Principal Uses:* The following Uses are Principal Uses in this Land Use District:

- Parks
- Open Space
- Public Recreation
- Open-air marketplace
- Recreational Facility
- Museum and environmental education centers
- Commercial recreational uses serving visitors to the waterfront
- Small boat marina, watercraft launches and ancillary boating facilities
- Retail uses in existing, rehabilitated historic buildings
- Community Use
- Performance Arts
- Geothermal Borefields for vertical-bore geothermal heating exchange system (located consistent with Private Infrastructure Map 2a)

In areas not subject to the Public Trust, the full range of Uses allowed in Parks, open air marketplaces, and similar active recreational Uses shall be allowed in addition to the Permitted Uses listed above.

## 8. **Environmental Restrictions**

As of the 2018 Plan Amendment Date, the Navy has issued Final Records of Decisions for Parcels B, C, D-1, E, E-2, UC-1, UC-2, UC-3 & G selecting environmental remedies that will impose land use and activity restrictions on these parcels in the Project Area and is expected to issue additional Records of Decisions selecting environmental remedies that will impose land use and activity restrictions applicable to other locations. Such land use and activity restrictions are referred to in this Plan as “**Environmental Restrictions**”. Notwithstanding any other provision of this Plan, the Uses allowed by this Plan are subject to any applicable Environmental Restrictions contained in quitclaim deeds from the United States Navy or in other enforceable restrictions imposed on the property through the

environmental cleanup process under the Federal Facilities Agreement executed by the United States Navy, United States Environmental Protection Agency, California Department of Toxic Substances Control, and San Francisco Bay Area Regional Water Quality Control Board (the “**Regulating Agencies**”) unless and until such Environmental Restrictions are waived or removed by the appropriate Regulating Agencies.

### C. **Temporary and Interim Uses**

Pending the ultimate development of land consistent with the land use program, certain interim and temporary uses are authorized as follows:

#### 1. **Temporary Uses**

“**Temporary Uses**” are short-term, transitory uses that may be proposed either prior to or following development of land within a Land Use District consistent with this Plan. The Executive Director or his or her designee may allow Temporary Uses for such period of time as he or she determines to be reasonable provided the Executive Director or his or her designee finds that such Temporary Use is consistent with the objectives of the this Plan and the applicable Hunters Point Shipyard Design for Development (Phase 1 or Phase 2). Permissible Temporary Uses include:

- Booth for charitable, patriotic or welfare purposes
- Exhibition, celebration, festival, circus or neighborhood carnival
- Open air sales of agriculturally-produced seasonal decorations, including Christmas trees and Halloween pumpkins
- Convention staging
- Parking (either primary or accessory to other uses)
- Truck parking and loading accessory to the uses listed above
- Other Temporary Uses that do not conflict with the objectives of the Plan, the Plan Documents, and the Public Trust, where applicable.

#### 2. **Interim Uses**

“**Interim Uses**” are uses proposed during the time prior to or concurrent with development of land within a Land Use District consistent with this Plan. Interim Uses may be authorized in all areas not subject to the Public Trust for an initial time period to be determined by the Executive Director, upon a determination by the Executive Director that the authorized uses will not impede the orderly development of the Project Area as contemplated in this Plan. Where approved, Interim Uses will be permitted for a defined period of time not to exceed five (5) years. Permissible Interim Uses include:

- Rental or sales office incidental to a new development, provided that it is located in the development or a temporary structure
- Structures and uses incidental to environmental cleanup and staging

- Temporary structures and uses incidental to the demolition or construction of a structure, building, infrastructure, group of buildings, or open space, including construction staging of materials and equipment
- Commercial Storage
- Parking (either primary or accessory to other uses)
- Truck parking and loading accessory to the uses above
- Other Interim Uses that do not impede the orderly development of the Project Area as contemplated in this Plan, as determined by the Executive Director

Interim Uses of areas subject to the Public Trust shall be authorized only if the authorized uses are determined to be consistent with, necessary and convenient for, or incidental or ancillary to, the purposes of the Public Trust, or if the following criteria are met:

- There are no immediate trust-related needs for the property,
- The proposed lease for the use prohibits construction of new structure or improvements that, as a practical matter, could prevent or inhibit the property from being converted to a permissible trust use if necessary,
- The proposed lease for the use provides that the Agency has the right to terminate the lease in favor of trust uses as trust needs arise, and
- The proposed use of the leased property would not interfere with commerce, navigation, fisheries, or any other existing trust use or purpose.

Extensions of the above approval periods may be authorized by the Executive Director in increments of up to five (5) year periods, subject to the same determinations as required for the initial period.

#### **D. Standards for Development**

This Plan and the other Plan Documents, including the Hunters Point Shipyard Phase 1 Design for Development and Hunters Point Shipyard Phase 2 Design for Development, establish the standards for development in the Project Area and supersede the San Francisco Planning Code in its entirety, except as otherwise expressly provided herein. The only sections of the Planning Code that shall apply, pursuant to the provisions of this Plan, are: (a) Sections 101.1, 295, and 314, as such sections are in effect as of the 2010 Plan Amendment Date; (b) as to Phase 1 of the Project Area only, Sections 320-325 as such sections are in effect as of the 2010 Plan Amendment Date; (c) as to Phase 2 of the Project Area only, Section 324.1 as that section is in effect as of the 2017 Plan Amendment Date; and (d) as to Phase 2 of the Project, Section 202.2 as provided in Section II.D.1(c) below. Both the Agency Commission and the Planning Commission must approve any amendment to the Hunters Point Phase 1 Design for Development or the Hunters Point Phase 2 Design for Development.

##### **1. Applicability of City Regulations; City’s Duty to Protect Public Health and Safety**

- (a) *General.* Regardless of any future action by the City or the Agency, whether by ordinance, resolution, initiative or otherwise, the rules, regulations, and official policies

applicable to and governing the overall design, construction, fees, use or other aspect of development of the Project Area will be (i) this Plan and the other Plan Documents, (ii) to the extent not inconsistent therewith or not superseded by this Plan, the Existing City Regulations (including all provisions of the Building Construction Codes, which are not inconsistent with or superseded by this Plan), (iii) New City Regulations to the extent permitted in this Plan; (iv) new or changed Development Fees and Exactions to the extent permitted under Section II.D.6 of this Plan; (v) any disposition and development agreement or owner participation agreement related to development in the Project Area; and (vi) the Mitigation Measures (collectively, the “**Applicable City Regulations**”).

(b) *Protection of Public Health and Safety; Federal or State Law.* Notwithstanding any other provision of this Plan to the contrary, the Agency and any City Agency having jurisdiction shall exercise its sole discretion under this Plan and the applicable Plan Documents in a manner that is consistent with the public health and safety and shall at all times retain their respective authority to take any action that is necessary to protect the physical health and safety of the public (the “**Public Health and Safety Exception**”) or to comply with changes in Federal or State law, including applicable Federal and State regulations (the “**Federal or State Law Exception**”), including the authority to condition or deny a permit approval agreement or other entitlement or to adopt a New City Regulation, but subject, in all events, to any rights to terminate between an owner or developer and the Agency as set forth in either the Plan Documents or any disposition and development agreement or owner participation agreement related to development within the Project Area. Except for emergency measures, any City Agency or the Agency, as the case may be, will meet and confer with the owner of the affected Real Property and/or any affected party under any disposition and development agreement or owner participation agreement related to development within the Project Area in advance of the adoption of any New City Regulations or New Construction Requirements to the extent feasible.

(c) *Permitted New City Regulations.* The City Agencies and the Agency reserve the right to impose any New City Regulations (except for the Planning Code sections superseded by this Plan) provided that (i) they are imposed on a Citywide Basis and (ii) they do not conflict with the development permitted or contemplated within the Project Area by this Plan, the Plan Documents or any disposition and development agreement or owner participation agreement related to development within the Project Area or any portion of such development (unless such conflict is waived by the owners and developers of affected property). As used in this paragraph (c), a New City Regulation “conflicts with the development permitted or contemplated” if it would change the aforementioned development regulations to:

- (1) limit or reduce the density or intensity of development, or otherwise require any reduction in the square footage or number of proposed buildings (including number of Dwelling Units) or other improvements;
- (2) limit or reduce the height or bulk of development within the Project Area, or any part thereof, or of individual proposed buildings or other improvements;

- (3) materially change, restrict, or condition any land uses, including permitted or conditional uses, of development within the Project Area;
- (4) materially limit or control the rate, timing, phasing, or sequencing of approval, development, or construction (including demolition);
- (5) require the issuance of additional land use-related permits or approvals by the City or the Agency;
- (6) materially limit or control the availability of public utilities, services or facilities or any privileges or rights to public utilities, services or facilities for the Project Area, including but not limited to water rights, water connections, sewage capacity rights and sewer connections;
- (7) control or limit commercial or residential rents or purchase prices (excluding property owned or controlled by the Agency or the City during the period of Agency or City ownership and only to the extent such controls or limits would not survive transfer to a successive owner);
- (8) materially limit the processing or procuring of applications and approvals for any subsequent City or Agency approvals;
- (9) subject to Section II.D.6, impose any new Development Fees and Exactions or expand or increase Development Fees and Exactions;
- (10) subject to Section II.D.1(d) (New Construction Requirements), materially increase the cost of construction or maintenance of all or any development contemplated or permitted in the Project Area or of compliance with any provision of this Plan, the Plan Documents, any disposition and development agreement or owner participation agreement related to development within the Project Area or Existing City Regulations;
- (11) materially decrease the value of any land in the Project Area;
- (12) materially reduce, limit the availability of or delay the amount or timing of tax increment or Mello-Roos Community Facilities District funding; or
- (13) limit the Agency's ability to timely satisfy its obligations under any disposition and development agreement or owner participation agreement related to development within the Project Area or the City's ability to timely satisfy its obligations under any cooperation agreement or tax allocation agreement related to development within the Project Area.

Nothing in this Plan or other applicable Plan Documents shall be deemed to limit any City Agency's or the Agency's ability to comply with the California Environmental Quality Act ("CEQA") or the CRL.

Nothing in this section shall limit the authority of the Agency or any City Agency to exercise its discretion under the Public Health and Safety Exception, or to make changes under the Federal or State Law Exception, as described in Section II.D.1.b (Protection of Public Health and Safety).

The City Municipal Code (excluding the Planning Code with the exception of conditions for cannabis-related uses specified in Section 202.2 thereof (as may be amended or superseded)) and related regulations (as such Code Sections and regulations may be amended from time to time consistent with this Plan) establishing a permitting program for Cannabis-Related Uses are Permitted New City Regulations applicable to and enforceable against Cannabis-Related Uses within the Project Area.

The City’s Municipal Code and related regulations establishing a permitting program for Short-Term Rentals (as such Code Sections and regulations may be amended from time to time consistent with this Plan) are Permitted New City Regulations applicable to and enforceable against Short-Term Rentals within the Project Area.

(d) *New Construction Requirements.* In addition to the Public Health and Safety Exception and the Federal or State Law Exception, the City may change construction requirements for Infrastructure and other Improvements (“**New Construction Requirements**”) if the changes: (i) would not materially increase costs or accelerate the payment of costs of developing the Project Area consistent with this Plan; (ii) are imposed by the Board of Supervisors on a Citywide Basis; and (iii) would not: (a) materially adversely affect Net Available Increment; (b) delay development; (c) materially limit or restrict the availability of Infrastructure; or (d) impose limits or controls on the timing, phasing, or sequencing of development permitted under this Plan. In addition, from and after the 10<sup>th</sup> anniversary of the issuance of the first Building Permit for a project in Phase 2 of the Project Area (as shown on Map 2), the City may impose New Construction Requirements in response to technological advances in construction if the New Construction Requirements: (1) would materially decrease the City’s operation and maintenance costs and would not materially interfere with the uses, heights, density, and intensity of development described in the Plan Documents; (2) will apply on a Citywide Basis for similar land uses; (3) do not conflict with the Mitigation Measures (provided, this requirement may be satisfied with an exemption for specific Mitigation Measures as needed); and (4) do not increase by more than twenty percent (20%) the unit cost of any single component that is the subject of the New Construction Requirement.

## 2. **Limitation on the Number of Buildings**

The number of buildings in the Project Area may not exceed 1,125.

## 3. **Limitation on the Number of Dwelling Units**

The maximum number of Dwelling Units in the Project Area is approximately 5,875. [The 2024 amendments to the Redevelopment authorize the Commission to approve, without amendment to](#)

this Redevelopment Plan but subject to any necessary environmental review, the transfer of Dwelling Units from Phase 2 of the Project Area to Zone 1 of Bayview Hunters Point Redevelopment Plan Project Area B, provided that the total Dwelling Units constructed within both the Project Area and Zone 1 of the Bayview Hunters Point Redevelopment Plan Area may not exceed 12,100 Dwelling Units without Commission approval (including attendant environmental review).

#### **4. Limitation on Type, Size and Height of Buildings**

The size and type of buildings constructed in the Project Area may be as permitted in the Plan, Plan Documents, and Applicable City Regulations, which is approximately 5,501,0003,332,500 square feet of non-residential development, including approximately 255,000 square feet of artists space, 50,000 square feet of community use space,<sup>†</sup> 401,000 square feet of retail space (including up to 100,000 square feet of Regional Retail)<sup>‡</sup>, 120,000 square feet of hotel and hotel related use space, 410,000 square feet of institutional use space, and 4,265,0002,096,500 square feet of research and development and office space.

The Commission may approve, without amendment to this Plan but subject to any necessary environmental review, adjustment of the foregoing square footages over time (except for artists or community use space), including conversion to other non-residential uses allowed by this Plan, provided the total square footage of non-residential uses within Phase 2 of the Project Area does not materially exceed 5,501,0003,332,500 square feet.

In addition, to the extent the Bayview Hunters Point Redevelopment Plan allows for a transfer of non-residential-use square footage from the Hunters Point Shipyard Project Area to commercially-zoned areas of the Bayview Hunters Point Project Area or from the Bayview Hunters Point Project Area to commercially-zoned areas of the Hunters Point Shipyard Project Area, the foregoing limitations shall be reducedadjusted commensurately upon such transfer.

Accessory parking facilities for these uses, and infrastructure components Accessory to the foregoing, are not included as part of or subject to these square footage limitations.

The maximum building heights within the Project Area will be prescribed in the Hunters Point Shipyard Phase 1 Design for Development and the Hunters Point Shipyard Phase 2 Design for Development. No building may exceed 370 feet in height. Other size limitations for buildings are set in the Hunters Point Shipyard Phase 1 Design for Development and the Hunters Point Shipyard Phase 2 Design for Development by development controls including block patterns, bulk controls, prescribed setbacks, and open space requirements. Height and other size limitations shall maintain and protect view corridors from Hillpoint Park so that visitors can enjoy substantial vistas of San Francisco Bay, consistent with the requirements of the Granting Act for exchanging the park and adjacent hillside open space into the Public Trust.

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<sup>†</sup> In addition to 52,000 square feet of Community Uses already identified within Phase 1 of the Plan Area.

<sup>‡</sup> In addition to 9,000 square feet of Neighborhood Retail Uses already identified within Phase 1 of the Plan Area.

## 5. Office Development Limitations

On November 8, 2016, voters enacted Proposition O (Planning Code Section 324.1), which exempts Phase 2 of the Project Area from the office development limits set forth in Planning Code Sections 320-325. Planning Code Sections 320 – 325 (Proposition M) shall apply to office development in Phase 1 of the Project Area, and Planning Code Section 324.1 shall apply to office development in Phase 2 of the Project Area. Accordingly, the cap on the annual amount of office development permitted in the City shall apply to Phase 1 but not Phase 2 of the Project Area.

By Resolution No. 18102, the Planning Commission adopted findings pursuant to Planning Code Section 321(b)(1) that the up to 5,000,000 square feet of office development contemplated in this Plan in particular promotes the public welfare, convenience and necessity, and in so doing considered the criteria of Planning Code Section 321(b)(3)(A)-(G). Proposition O states in part that “No project authorization or allocation shall be required for any Development on the Subject Property [Candlestick Point and Hunter’s Shipyard Phase 2]. However, Development on the Subject Property that would require a project authorization or allocation but for this Section 324.1 shall be treated for all purposes as if it had been granted approval of a project authorization or allocation.” Proposition O (2016) supersedes, as to Phase 2 of the Project Area, any part of Resolution No. 18102 (Attachment E) that would require an office authorization or allocation, compliance with Planning Code sections 320-325, or Planning Commission review or approval of office developments.

## 6. Development Fees and Exactions

The following provisions will apply to all property in the Project Area except parcels used for the development of affordable housing by Agency-sponsored entities. Development Fees and Exactions shall apply to the Project in the manner described below. Except as provided in this section and except as required by the Mitigation Measures, the School Facilities Impact Fee, the Child-Care Requirements, and the Art Requirement shall be the only Development Fees and Exactions that apply to the Project Area for the duration of this Plan. Water Capacity Charges and Wastewater Capacity Charges are Administrative Fees and not Development Fees and Exactions, and shall apply in the Project Area.

The School Facilities Impact Fee shall apply for the duration of this Plan, shall be administered as required by State law, and shall be increased for the duration of this Plan in accordance with State law but only to the extent permitted by State law.

The Art Requirement shall apply for the duration of this Plan and requires that any new office building in excess of 25,000 square feet constructed within the Project Area include one-half of one percent (0.5%) of the hard costs of initial construction (excluding costs of infrastructure and tenant improvements) (the “**Art Fee Amount**”) for the installation and maintenance of works of art in the public realm within the Project Area or within Zone 1 of Project Area B of the Bayview Hunters Point Redevelopment Project Area. In the event that public spaces are not available at the time the Art Requirement is due, then the Art Fee Amount shall be paid to a fund

administered by the Agency to be used for public art within the Project Area or within Zone 1 of Project Area B of the Bayview Hunters Point Redevelopment Project Area. The public realm within which art may be installed so as to comply with the Art Requirement includes: any areas on the site of the building and clearly visible from the public sidewalk or open space feature, on the site of any open space feature, or in any adjacent public property. The type and location of artwork proposed shall be reviewed by the Executive Director for consistency with the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development and other Plan Documents.

The Child-Care Requirements shall apply for the duration of this Plan only to all commercial development over 50,000 square feet per Planning Code Section 314, as it existed on the 2010 Plan Amendment Date (attached and incorporated hereto as Attachment C). The Child-Care Requirements will be administered by the Agency to provide for these public benefits within the Project Area or within Zone 1 of Project Area B of the Bayview Hunters Point Redevelopment Project Area.

The Child-Care Requirements provide for compliance either by constructing Child-Care Facilities or, alternatively, payment of an in-lieu fee. For the duration of this Plan, development within the Project Area shall not be subject to any change to the provisions of the Child-Care Requirements that permit compliance through the construction of Child-Care Facilities. In addition, no new in lieu fee or increase in the existing in lieu fee related to the Child-Care Requirement shall apply to the Project Area for twelve (12) years following the date the first Building Permit is issued for a project in Phase 2 of the Project Area (as shown in Map 2) and, thereafter, will only be applicable if the new or increased in lieu fee relating to Child-Care Requirements is: (i) not increased at a rate greater than the annual increase in the Consumer Price Index commencing at the end of the 12-year period during which the fee has been frozen as described above; (ii) generally applicable on a Citywide Basis to similar land uses; and (iii) not redundant of a fee, dedication, program, requirement, or facility described in the Plan Documents or in any applicable disposition and development agreement related to development within the Project Area.

Notwithstanding the foregoing, new or increased Development Fees and Exactions may be imposed to the extent required under the Public Health and Safety Exception and the Federal or State Law Exception.

## **7. Shadow on Recreation and Park Property**

Section 295 of the Planning Code (Proposition K) shall apply to development in the Project Area in the form in which Section 295 was in effect as of the 2010 Plan Amendment Date (and as attached hereto as Attachment D). Section 295 (Proposition K) shall not continue to apply to development in the Project Area in the event it is repealed by legislation or voter initiative.

### **E. Retention-Rehabilitation**

Existing buildings in the Project Area, as of the 2010 Plan Amendment Date, are identified by the Navy's building numbers, on Map 3: Existing Buildings.

1. Historic buildings and other facilities proposed for retention, rehabilitation or adaptive reuse include:

Buildings 101,140, 204, 205, 207, and 208; and

Dry Docks 2, 3, and 4.

2. Four additional buildings identified as historic; Buildings 211, 224, 231 and 253 will be further evaluated for retention, preservation and reuse.

#### **F. Density Bonus**

Under State law, the Agency may grant, as a form of local public subsidy, residential density bonuses. These bonuses, if granted, shall insure that additional low- or moderate-income Dwelling Units will actually be produced within the Project Area. In Hunters Point Shipyard Phase 1 (consisting of the Hunters Point Hill Residential District), the Agency will grant such bonuses only after a developer has demonstrated to the Agency's satisfaction that the developer has utilized its best effort to provide such low- or moderate-income Dwelling Units. Hunters Point Shipyard Phase 2 consists of all Land Use Districts other than the Hunters Point Hill Residential District. A density bonus is not proposed to increase the total maximum number of residential units in Phase 2 above those levels described in Section II.D.3.

#### **G. Streets Plan**

The Street Plan for the Hunters Point Shipyard Project Area is identified on Map 4: Street Plan, which indicates generally the public rights-of-way. The categories of streets include the following:

1. Primary Arterial
2. Retail Street
3. Boulevard Park Street
4. Local Street

The Project Area's street pattern contributes to the establishment of its fundamental land use patterns, and in doing so, becomes an integral element of the overall urban design for the Project. It is, however, recognized that there is a need for some degree of adaptability and flexibility in locating and configuring some of the Project's local streets and alleys at the time of actual physical development. Accordingly, the alignment and classification of these streets are subject to adjustment by the Agency and the City at the time of detailed engineering studies.

Certain streets in the Project Area will be impressed with the Public Trust. These streets will provide key vehicular, bicycle and pedestrian access ways to the waterfront, providing a connection between the various parts of the waterfront, and between the waterfront and other Public Trust lands within the Project Area.

In order to accommodate vehicle traffic and transit serving the various uses planned for the Project Area, this Plan also provides for street, lighting, utility, and related improvements to Innes Avenue and Hunters Point Boulevard, outside the northwestern boundary of the Project Area.

### **III. PROJECT PROPOSALS**

#### **A. Rehabilitation and New Development**

All new development and all rehabilitation of existing structures must conform to this Plan, and to all applicable Federal and State laws and to those local laws that are applicable pursuant to this Plan.

1. Utilities: Stormwater detention, stormwater treatment, and similar facilities may include above-ground features such as bioswales and channels. New permanent utility lines must be placed underground. Above ground pump stations control rooms and sub-stations are permitted however their visual impact must be minimized per requirements either the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, as appropriate. Temporary utility poles and wires may be installed during the project build out.
2. Signage: With the exception of temporary marketing and sales signs pertaining to developments within the Project Area (which will be permitted), permanent or temporary billboards (excluding kiosks, streetscape commercial signage, and street furniture-related commercial signage), are prohibited within all Land Use Districts (including any park or street area). Permanent signage for residential, commercial and open space development is subject to the development controls and guidelines of either the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, as appropriate. The Agency Commission shall review for consistency with the objectives of this Plan any proposed signage not permitted by the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, as appropriate and any signage master plan.
3. Development Project: Plans for rehabilitation and new development shall be submitted to the Agency for architectural review and approval, consistent with the Agency's Design Review and Document Approval Process (DRDAP) for the Project Area or as attached to any disposition and development agreement related to development within the Project Area.
4. Agency Sponsored Improvements: To the extent now or hereafter permitted by law, the Agency may pay for, develop, or construct any building, facility, element of infrastructure, structure or other improvement either within or outside the Project Area, for itself or for any public body or entity, provided that such building, facility, element of infrastructure, structure or other improvement would be of benefit to the Project Area and conform to the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, as appropriate.

**B. Owner and Tenant Preference**

Persons who are either owners or tenants of businesses, or other types of real property within the Project Area being displaced by rehabilitation, Agency property acquisition, or other Agency action occasioned by the implementation of this Plan will be afforded certain preferences. The Agency shall extend preferences to such persons in order that they may re-enter the redeveloped Project Area. The Agency will adopt a business relocation program to implement these preferences. Participants in this program necessarily will be subject to and limited by the requirements of this Plan.

**C. Acquisition of Real Property**

Any real property located within the Project Area may be acquired by the Agency by purchase, gift, devise, exchange, lease, or any other lawful method. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is also authorized to acquire any other interest in real property less than full fee title.

**D. Acquisition of Personal Property**

Where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means except eminent domain.

**E. Property Management**

During such time as any property in the Project Area is owned or leased by the Agency, such property will be under the management and control of the Agency and may be leased or subleased.

**F. Payment of Taxes**

The Agency may in any year during which it owns property in the Project Area pay directly to the City or any district, including a school district or other public corporation for whose benefit a tax would have been levied upon such property had it not been exempt, an amount of money in lieu of taxes.

A proportionate share of any amount of money paid by the Agency to the City will be disbursed by the City to any school district with territory located within the Project Area in the City. “**Proportionate share**” means the ratio of the school district tax rate that is included in the total tax rate of the City to the total tax rate of the City.

The Agency may also pay to any taxing agency with territory located within a project area other than the community that has adopted the Project, any amount of money that in the Agency’s determination is appropriate to alleviate any financial burden or detriment caused to any taxing agency by this Plan.

## **G. Relocation**

The Agency will provide relocation assistance and benefits as required under applicable Federal and State law. A review of the current Project Area indicates that there are no persons currently residing therein. Accordingly, relocation activities would relate solely to businesses.

To the extent required under applicable State or Federal law, the Agency shall: (1) assist or cause to be assisted all eligible persons displaced by redevelopment activities undertaken or assisted by the Agency in finding new locations in accordance with applicable law, and where possible, shall relocate businesses to a location of similar size within the Project Area; and (2) make or cause to be made relocation payments to eligible persons displaced by redevelopment activities undertaken or assisted by the Agency as may be required by applicable State or Federal law. The Agency may make such other payments as it determines to be appropriate and for which funds are available.

Pursuant to Section 33339.5 of the California Health and Safety Code, the Agency shall extend reasonable preferences to persons who are engaged in business within the Project Area to reenter in business within the redeveloped Project Area, if they otherwise meet the requirements of this Plan. In order to extend reasonable preferences to businesses to reenter into business within the redeveloped Project Area, the Agency has promulgated, by Agency Resolution No. 93097, rules for the Business Occupant Re-Entry Program within the redeveloped Project Area.

## **H. Demolition and Clearance**

The Agency is authorized to demolish and clear buildings, structures, and other improvements from real property owned by the Agency in the Project Area as necessary to carry out the purposes of this Plan.

## **I. Public Improvements and Public Facilities**

The Agency is authorized to install and construct or to cause to be installed and constructed the public improvements, public facilities, and public utilities, on any parcel within or outside the Project Area, appropriate or necessary to carry out this Plan. Such public improvements and public facilities are described in Attachment B, Authorized Public Improvements.

## **J. Preparation of Building Sites**

The Agency is authorized to prepare or cause to be prepared as building sites any real property in the Project Area owned or leased by the Agency.

## **K. Disposition of Real Property**

For the purpose of this Plan, the Agency is authorized to sell, lease, sublease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest of real property, except to the extent prohibited by the Granting Act.

Any real or personal property acquired by the Agency in the Project Area will be sold or leased for development in accordance with this Plan and for consideration. However, the Agency may convey real property to the City or to any other public body with or without consideration.

Property containing buildings or structures rehabilitated by the Agency will be offered for resale within one year after completion of rehabilitation or an annual report concerning such property will be published by the Agency as required by law.

The Agency will reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to insure that development is carried out pursuant to this Plan.

All purchasers or lessees of property will be obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time that the Agency fixes as reasonable, and to comply with other conditions that the Agency deems necessary to carry out the purposes of this Plan.

#### **L. Disposition and Development Documents**

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or otherwise conveyed by the Agency will be made subject to the provisions of this Plan by lease, deed, contract, agreement, declaration of restrictions, or other means. Where appropriate, as determined by the Agency, such documents or portions thereof will be recorded in the Office of the Recorder of the County of San Francisco.

The leases, deeds, contracts, agreements, and declarations of restrictions may contain restrictions, covenants running with the land, rights of reverter, powers of termination, conditions subsequent, equitable servitudes, or any other provision necessary to carry out this Plan.

All property in the Project Area sold, leased or conveyed by the Agency will be made subject by appropriate documents to the restriction that there will be no discrimination or segregation on any basis listed in subdivision (a) or (d) of Section 12955 of the California Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the California Government Code, or on the basis of race, color, creed, religion, national origin or ancestry, sexual orientation, gender, identity, marital or domestic partner status, age, or disability, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area. In addition, such property will be made subject to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such nondiscrimination and non-segregation clauses as are required by law and this Plan.

**M. Disposition of Personal Property**

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property that has been acquired by the Agency.

**N. Replacement Housing**

Whenever Dwelling Units housing persons and families of low or moderate income are destroyed or removed from the low- and moderate-income housing market as part of this redevelopment project, the Agency shall, within four (4) years of such destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, for rental or sale to persons and families of low or moderate income an equal number of replacement Dwelling Units at affordable rents within the Project Area or within the territorial jurisdiction of the Agency.

**O. Redeveloper's Obligations**

In order to provide adequate safeguards that the process of redevelopment will be carried out pursuant to this Plan, agreements for the disposition of land by the Agency shall include provisions recognizing and requiring that:

1. The purchase of land is for redevelopment and not for speculation and reserving to the Agency such powers and controls as may be necessary to prevent transfer, retention or use of the property for speculative purposes.
2. The land shall be built upon and/or improved in conformity with the development standards of this Plan and any applicable Agency regulations, the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, and the Declaration of Restrictions.
3. All developers and owner participants shall submit phasing plans, schematic architectural plans, site and landscape plans and final plans including landscaping and sign plans, and specifications of the improvements proposed to be constructed on the land for architectural review and approval by the Agency in order to ensure that development and construction will be carried out in a manner that will effectuate the purposes of this Plan. To the extent required in disposition and development agreements or agreements with owner participants, as a part of such plans and specifications, developers and, if required by the Agency, owner participants shall submit time schedules for the commencement and completion of such improvements. All such plans and schedules shall be submitted to the extent required by, and within the time specified in, the respective agreements with such developers and owner participants.
4. By and for the contracting parties, their heirs, executors, administrators, and assigns, there may be no discrimination against or segregation of any person or group of

persons on any basis listed in subdivision (a) or (d) of Section 12955 of the California Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the California Government Code, or on the basis of race, color, religion, national origin, gender, sexual orientation, gender identity, marital or domestic partner status, age, disability, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the premises therein described, nor may the contracting parties, or any person claiming under or through them establish or permit such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy of tenants, lessees, subleases, or vendees in the premises described. All deeds, leases or contracts for the sale, lease, sublease, or other transfer of any land shall contain the nondiscrimination and non-segregation clauses specified in the CRL (Section 33436 of the California Health and Safety Code) and this Plan.

#### **IV. METHODS FOR PROJECT FINANCING**

##### **A. General**

Upon adoption of this Plan by the Board of Supervisors, the Agency is authorized to finance projects consistent with this Plan with assistance from the United States Government,

including the Department of Housing and Urban Development (HUD), the Department of Defense (Office of Economic Adjustment) as well as from other Federal programs, from the State, from the City, from Agency bonds, and from other available sources.

The Agency is hereby authorized to issue bonds, obtain advances, borrow funds and create indebtedness in carrying out this Plan. The principal and interest of such advances, funds, and indebtedness may be repaid from any funds that may appropriately be available to the Agency.

Any other loans, grants, or financial assistance from the United States, or any other public or private sources will also be utilized, if available.

As permitted under Section 34177.7(j)(2) of California Health and Safety Code and amendments to the CP-HPS2 project agreements, the 2024 amendments to the Redevelopment Plan authorize the application of the allocated property tax revenues generated from Zone 1 of BVHP Redevelopment Plan Project Area B and Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area to both such project areas for the purpose of implementing the Candlestick-Point Hunters Point Shipyard Phase 2 project regardless of location of the projects financed within Zone 1 of BVHP Redevelopment Plan Project Area B and Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area.

##### **B. Tax Allocation**

Taxes, if any, levied upon the taxable property in the Project Area each year by or for the benefit of the State, the City, any district, or other public corporation, after the Effective Date, shall be divided as follows, in accordance with the CRL (Section 33670 of the Health and Safety Code):

(a) That portion of the taxes that would be produced by the rate upon which the taxes levied each year by or for each of the Taxing Agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective Taxing Agencies as taxes by or for said Taxing Agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies that did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the county last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and

(b) That portion of the levied taxes each year in excess of that amount shall be allocated to and when collected shall be paid into a special fund of the redevelopment agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the redevelopment agency to finance or refinance, in whole or in part, the redevelopment project. Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in that project as shown by the last equalized assessment roll referred to in paragraph (a) hereof, all of the taxes levied and collected upon the taxable property in the redevelopment project shall be paid to the respective Taxing Agencies. When the loans, advances, and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in the redevelopment project shall be paid to the respective Taxing Agencies as taxes on all other property are paid.”

Not less than twenty percent (20%) of all taxes that are allocated to the Agency pursuant to Health and Safety Code Section 33670 and Section IV.B.(b) of this Plan shall be used by the Agency for the purposes of increasing, improving and preserving the community’s supply of low- and moderate-income housing available at affordable housing cost, as defined by Section 50052.5 of the California Health and Safety Code, to persons and families of low or moderate income, as defined in Section 50093, to lower income households, as defined in Section 50079.5, and to very low income households, as defined in Section 50105.

In the proceedings for the advance of moneys, making loans or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the Agency to finance or refinance, in whole or in part, the Hunters Point Shipyard Redevelopment Project, the portion of taxes set forth in the CRL and the California Constitution (as the same may exist on the date of the making of said advances or loans or the incurring of indebtedness) as available to the Agency for such purposes may be irrevocably pledged for the payment of the principal of and interest on such loans, advances, or indebtedness.

~~It is anticipated that the amount of taxes to be produced by the method described in Subsections (a) and (b) above may be sufficient to support a bond(s) issue in the range of \$900 million. In~~

~~addition, it may become necessary and appropriate to issue bonds to be partially repaid from taxes allocated pursuant to Subsections (a) and (b) above. Therefore, the amount of bonded indebtedness that can be outstanding at any one time from the issuance of bonds to be repaid in whole or in part from the allocation of taxes pursuant to Section 33670 of the California Health and Safety Code will be limited to \$900 million. In order to adequately fund the repayment of such bonds (including principal, interest, and issuance cost), the number of dollars of taxes that may be divided and allocated to the Agency pursuant to Section 33670 of the California Health and Safety Code will be limited to \$4.2 billion.~~

For Zone 1 of BVHP Redevelopment Plan Project Area B and Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area, the aggregate total amount of bonded indebtedness of the Agency to be repaid from the allocation of taxes to the Agency for both Zone 1 of the BVHP Redevelopment Plan Project Area B and Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area pursuant to CRL Section 33670, which can be outstanding at one time, may not exceed \$5.9 billion

No loans, advances, or indebtedness to finance Phase 1 of the redevelopment projectProject Area in whole or in part and to be repaid from the allocation of taxes pursuant to Section 33670 of the California Health and Safety Code may be established or incurred by the Agency twenty (20) years after the Agency begins collecting substantial tax increment funds in the Project Area, meaning a total allocation of tax increment funds exceeding \$100,000.

The Agency may not establish loans, advances, or indebtedness to finance in whole or in part its activities in Phase 2 of the Project Area beyond thirty (30) years from the date of the conveyance, to the Shipyard Phase 2 master developer, of all Phase 2 parcel(s) required for the completion of development of the first Major Phase (as defined in that certain CP-HPS2 DDA) located within Phase 2 (“Initial HPS Transfer Date”) ), plus an additional fifteen (15) years, which represents the “Anticipated Navy Delay”. The “Anticipated Navy Delay” is the estimated delay, based on documentation from the Navy, that completion of remediation and conveyance of all portions of Phase 2 of the Project Area, excluding Parcel F, to the master developer of the CP HPS2 project will occur in 2036-2038, including time needed for issuance of a Finding of Suitability for Transfer and associated conveyance documentation. This Anticipated Navy Delay warrants an additional extension of the redevelopment timelines to be established pursuant to Section 34177.7(j) to include fifteen (15) additional years for purposes of those redevelopment activities on Phase 2 of the Project Area and related tax increment financing.

The Agency may not pay indebtedness or receive property taxes pursuant to Section 33670 of the California Health and Safety Code from Phase 1 of the Project Area forty five (45) years after the Agency begins collecting substantial tax increment funds in the Project Area; meaning a total allocation of tax increment funds exceeding one hundred thousand dollars (\$100,000).

The Agency may not pay indebtedness or receive property taxes pursuant to Section 33670 of the California Health and Safety Code from Phase 2 of the Project Area forty--five (45) years after ~~the Agency begins collecting substantial tax increment funds in the Project Area; meaning a total allocation of tax increment funds exceeding one hundred thousand dollars (\$100,000).~~Initial HPS

Transfer Date plus an additional fifteen (15) years, which amount represents the Anticipated Navy Delay.

Bond issues, the principal and interest of which the Agency proposes to pay with tax allocations under Health and Safety Code 33670, are subject to Board of Supervisors approvals, as are all bond issues of the Agency; where the Agency proposes to utilize tax allocations for other than repaying principal and interest on bond issues or other existing indebtedness, the Agency shall prepare, for the approval of the Board of Supervisors, an annual Project Work Program, which program shall outline in detail the activities to be undertaken by the Agency, the loans and/or advances to be received and/or the indebtedness to be incurred.

## **V. ACTIONS BY THE CITY**

The City, by the adoption of this Plan, agrees to aid and cooperate with the Agency in carrying out this Plan and shall take any further action necessary to ensure the continued fulfillment of the various objectives and purposes of this Plan and to prevent the recurrence or spread in the Project Area of conditions causing blight. Such actions include the following:

- A. Prior to termination of this Plan, revision of zoning within the Project Area (to be effective as of this Plan expiration date) to conform to the land uses authorized by this Plan and the development standards and design guidelines set forth in the Hunters Point Shipyard Design for Development documents, as they have been amended from time to time as of the expiration date of this Plan.
- B. Institution and completion of proceedings necessary for changes and improvements in publicly-owned utilities within or affecting the Project Area.
- C. Performance of the above and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule that will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
- D. Referral will be made to the Agency prior to approval by the City of each building permit application in the Project Area. No building permit will be issued unless it conforms to this Plan.
- E. The City is authorized, but not obligated to provide funds to ensure the completion of the Project as a whole in accordance with this Plan.
- F. The City shall review, consider, and approve, without unnecessary delay, tentative subdivision maps and parcel maps as necessary to develop the Project Area, provided maps and public infrastructure agreements are found to be consistent with the objectives of this Plan, approved environmental mitigations, and the development standards and design guidelines set forth in the Hunters Point Shipyard Phase 1

Design for Development and Hunters Point Shipyard Phase 2 Design for Development.

- G. The undertaking and completing of any other proceedings necessary to carry out the Project.

In order to facilitate the implementation of this Plan, the City and the Agency have entered into Interagency Cooperation Agreements (each, an “ICA”). Each ICA is intended to provide the framework for cooperation among various City Agencies and the Agency in accordance with this Plan, the other applicable Plan Documents and disposition and development agreements entered into in accordance with this Plan with respect to the review and approval of development authorizations in the Project Area and, where appropriate, to facilitate cooperation of the City Agencies in issuance of those permits, approvals, agreements and entitlements at each applicable stage of development. The City shall perform all of its obligations under each ICA.

## **VI. PROCEDURE FOR AMENDMENT**

This Plan may be amended by means of the procedure established in Section 33450-33458 of the California Health and Safety Code, or by any other procedure hereafter established by law.

## **VII. PROCEDURE FOR VARIANCE**

The owner or developer of any property in the Project Area may make a written request for a variance that states fully the grounds of the application and the facts pertaining thereto. Upon receipt of a complete application, the Agency may conduct its own further investigation and the Agency Commission may, in its sole discretion at a duly noticed public hearing, grant a variance from the development controls in this Plan and either the Hunters Point Shipyard Phase 1 or Phase 2 Design for Development, as appropriate, under the following circumstances:

- Due to unique physical constraints or other extraordinary circumstances applicable to the property, the enforcement of development regulations without a variance would otherwise result in practical difficulties for development and create undue hardship for the property owner or developer or constitute an unreasonable limitation beyond the intent of this Plan; and
- The granting of a variance would be in harmony with the goals of this Plan, and will not be materially detrimental to the public welfare or materially injurious to neighboring property or improvements in the vicinity.

In granting a variance, the Agency will specify the character and extent thereof, and also prescribe conditions necessary to secure the goals of this Plan and the Design for Development.

The Agency’s determination to grant or deny a variance will be final and will not be appealable to the Planning Department. In no instance will any variance be granted that will substantially change the allowable land uses of this Plan. Procedures for the evaluation of Secondary Uses are described above in Section II.B.1.

In addition, for certain development controls specified in the Phase 2 Design for Development, the Executive Director may approve deviations (minor modifications no greater than ten percent of the numerical development control), in accordance with the standards and processes set forth therein.

## **VIII. DURATION OF PLAN**

### Phase 1 of Project Area

This Plan as it relates to Phase 1 of the Project Area will be effective until thirty (30) years from the date the Controller of the City and County of San Francisco certifies, pursuant to Section 33492.9, as the final day of the first fiscal year in which one hundred thousand dollars (\$100,000) or more of tax increment from the Project Area are paid to the Agency pursuant to Section 33675(d); provided, however, that the nondiscrimination and non-segregation provisions will continue in perpetuity. Any Declaration of Restrictions formulated pursuant to this Plan may contain provisions for the extension of such Declaration of Restrictions for successive periods. The Agency may receive property taxes pursuant to Section 33670 of the California Health and Safety Code for up to forty five (45) years after the Agency begins collecting substantial tax increment funds; meaning a total allocation of tax increment funds exceeding one hundred thousand dollars (\$100,000).

### Phase 2 of Project Area

This Plan as it relates to Phase 2 of the Project Area will be effective for thirty (30) years from the Initial HPS Phase Transfer Date plus an additional fifteen (15) years, which amount represents the Anticipated Navy Delay.

## **IX. ENFORCEMENT OF PLAN**

The provisions of this Plan and other documents formulated pursuant thereto may be enforced by the Agency in any manner authorized by law.

## **X. SEVERABILITY**

If any provision, section, subsection, subdivision, sentence, clause or phrase of this Plan is for any reason held to be invalid or unconstitutional, such decision will not affect the validity of the remaining portion or portions of this Plan.

## **XI. DEFINITIONS**

Following are definitions for certain words and terms used in this Plan. All words used in the present tense include the future. All words in the plural number include the singular number and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word “shall” is mandatory and not directory; and the term

“may not” is prohibitory and not permissive. The words “including”, “such as” or words of similar import when following any general term may not be construed to limit the general term to the specific terms that follow, whether or not language of non-limitation is used; rather, these terms will be deemed to refer to all other terms that could reasonably fall within the broadest possible scope of the term.

**2010 Plan Amendment Date** means the date on which Ordinance No. 211-10 adopting amendments to this Plan, approved on August 3, 2010, became effective.

**2017 Plan Amendment Date** means the date on which Ordinance No. 122-17 adopting amendments to this Plan, approved on June 22, 2017, became effective.

**2018 Plan Amendment Date** means the date on which Ordinance No. 0166-18 adopting amendments to this Plan, approved on July 16, 2018, became effective.

**2024 Plan Amendment Date** means the date on which Ordinance No. \_\_\_\_\_ adopting amendments to this Plan, approved on [DATE], became effective.

**Accessory Use** means uses that are related to and subservient to another use, and serve that use only (with the exception of Parking, which may serve several lawfully permitted uses). For purposes of private infrastructure, accessory means utility systems and/or a component thereof, located within, on or beneath a lawful permitted Use on the same Assessor’s lot.

**Administrative Fee** means any fee charged by any City Agency or the Agency in effect on a Citywide Basis, including fees associated with Article 31, at the time of submission for the processing of any application for building or other permits, subdivision maps, or other City or Agency regulatory actions or approvals for any development in the Project Area.

**Adult Entertainment** means a use that includes any of the following: adult bookstore, adult theater, and encounter studio, as defined by Section 1072.1 of the San Francisco Police Code.

**Agency Commission** means the Commission for the Redevelopment Agency of the City and County of San Francisco.

**Amusement Enterprise** means enterprises such as billiard halls, bowling alleys, skating rinks, and similar uses when conducted within a completely enclosed building.

**Animal Services** means an animal care use that provides medical care and/or boarding services for animals.

**Arts Education** means schools of any of the following for professionals, credentialed individuals, or amateurs: dance, music, dramatic art, film, video, graphic art, painting, drawing, sculpture, small-scale glass works, ceramics, textiles, woodworking, photography, custom-made jewelry or apparel, and other visual, performance, industrial and product-design and sound arts and craft.

**Art Production** means commercial arts and art-related business service uses including, but not limited to, recording and editing services, small-scale film and video developing and printing; titling; video and film libraries; special effects production; fashion and photo stylists; production, sale and rental of theatrical wardrobes; and studio property production and rental companies. Arts spaces may include studios, workshops, galleries, museums, archives and small theaters, and other similar spaces customarily used principally for production and post-production of graphic art, painting, drawing, sculpture, small-scale glass works, ceramics, textiles, woodworking, photography, custom-made jewelry or apparel and other visual, performance and sound arts and craft.

**Automotive Repair** means a retail automotive service use that provides any of the following automotive repair services, whether outdoors or in an enclosed building: minor auto repair, engine repair, rebuilding, or installation of power train components, reconditioning of badly worn or damaged motor vehicles, collision service, or full body paint spraying.

**Bar** means a principal retail use not located in a Restaurant that provides on-site alcoholic beverage sales for drinking on the premises, including bars serving beer, wine and/or liquor to the customer where no person under twenty one (21) years of age is admitted (with Alcoholic Beverage Control [ABC] license 42, 48, or 61) and drinking establishments serving liquor (with ABC license 47 or 49) in conjunction with other uses that admit minors, such as theaters, and other entertainment. Restaurants with ABC licenses are not considered bars under this definition.

**Battery Storage System** means a component of the utility electricity system which stores energy.

**Board of Supervisors** means the Board of Supervisors of the City and County of San Francisco, California.

**Building Construction Codes** means the City's (or if applicable, the Port's) Building Code, Electrical Code, Mechanical Code and Plumbing Code and any construction requirements in the Housing Code and the Fire Code.

**Business Occupant Re-Entry Policy** means a document approved by the Agency Commission in relation to this Plan that establishes, to the extent required by State or Federal law, how the extension of reasonable preferences to business occupants will be implemented within the Project Area.

**Cannabis-Related Use** means any Use that is required to obtain a permit, and has obtained such permit, from the San Francisco Office of Cannabis (or its successor). For the avoidance of doubt, a Cannabis-Related Use is any category of Use otherwise permitted herein that cultivates, manufactures, distributes, tests, sells, delivers or in any other way uses cannabis or cannabis-derived materials, including for legal adult use or medical use.

**Child-Care Facility** means a use that provides less than 24-hour care for children by licensed personnel and that meets all the requirements of the State and other authorities for such a facility.

**Child-Care Requirements** means the requirements set forth in City Planning Code Section 314, as it exists on the 2010 Plan Amendment Date.

**City Agency** means, individually or collectively as the context requires, all departments, agencies, boards, commissions and bureaus of the City with subdivision or other permit, entitlement or approval authority or jurisdiction over any portion of the Project Area, including but not limited to the Port Authority, Department of Public Works, the Public Utilities Commission, the Planning Commission, the Municipal Transportation Agency, the Building Inspection Commission, the Public Health Commission, the Fire Commission and the Police Commission, or any successor public agency designated by or under law.

**City Regulations** means ordinances, resolutions, initiatives, rules, regulations, and other official City and Agency policies applicable to and governing the overall design, construction, fees, use or other aspects of development within the Project Area. City Regulations includes City municipal codes, the General Plan, Building Construction Codes, Subdivision Code, and all ordinances, rules, regulations and official policies adopted to implement those City Regulations, except to the extent such regulations are Administrative Fees.

**Citywide Basis** means all privately-owned property within (a) the City's jurisdictional limits or (b) any designated use classification or use district of the City so long as (1) any such use classification or use district includes a substantial amount of affected private property other than affected private property within the Project Area, (2) the use classification or use district includes all private property that receives the general or special benefits of, or causes the burdens that occasion the need for, the New City Regulation, Development Fees and Exactions, or New Construction Requirements, and (3) the cost of compliance with the New City Regulation, Development Fees and Exactions, or New Construction Requirements applicable to the same type of use in the Project Area (or portion thereof) does not exceed the proportional benefits to, or the proportional burdens caused by private development of that type of use in the Project Area (or portion thereof).

**Commercial Storage** means a commercial use that stores, within an enclosed building, household goods, contractors' equipment, building materials or goods or materials used by other businesses at other locations and that may include self-storage facilities for members of the public. Commercial storage does not include the storage of waste, salvaged materials, automobiles, inflammable or highly combustible materials, and wholesale goods or commodities.

**Commercial Wireless Transmitting Facility** means equipment for the transmission, reception, or relay of radio, television, or other electronic signals, and may include towers, antennae, and related equipment.

**Community Use** means a publicly or privately owned use that provides public services to the community, whether conducted within a building or on an open lot. This use may include, by way of example and not limitation, museums, post offices, public libraries, police or fire stations, transit and transportation facilities, utility installations, building-integrated sustainable energy

generation facilities, neighborhood-serving community recycling centers, and wireless transmission facilities.

**Consumer Price Index** means the All Items Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-San Jose Metropolitan Statistical Area published by the Bureau of Labor Statistics of the United States Department of Labor.

**Declaration of Restrictions** means a recorded declaration that provides notice that properties in the Project Area are subject to restrictions, reservations and covenants for the benefit of the Project Area and this Plan.

**Development Fees and Exactions** means a monetary or other exaction including in-kind contributions, other than a tax or special assessment or Administrative Fee, that is charged by the Agency or any City Agency in connection with any permit, approval, agreement or entitlement or any requirement for the provision of land for construction of public facilities or Infrastructure or any requirement to provide or contribute to any public amenity or services. Development Fees and Exactions does not include Building Construction Codes in effect from time to time and generally applicable on a Citywide Basis to similar land uses.

**District Heating and Cooling Facility** means a plant (including geothermal powered) with hot water (or steam) and chilled water distributed from the district plant to individual buildings via a pipe distribution network.

**Dry-Cleaning Facility** means dry-cleaning establishment, including pressing and other miscellaneous processing of clothes.

**Dwelling Units** means a residential use that consists of a suite of one or more rooms and includes sleeping, bathing, cooking, and eating facilities.

**Effective Date** means the date the ordinance passed by the Board of Supervisors approving this Plan (Ordinance No. 211-10) became effective.

**Elementary School** means an institution that provides K-8 education and that may be either public or private.

**Executive Director** means the Executive Director of the Agency.

**Existing City Regulations** means City Regulations as they are in effect on the 2010 Plan Amendment Date.

**General Plan** means the General Plan for the City and County of San Francisco.

**Green Technology** means a use or several uses that involves the research, development, and fabrication of innovative methods, materials, and technology to improve environmental quality, increase energy and/or resource efficiency, reduce greenhouse gas emissions, reduce waste and pollution, and increase resource sustainability. Green Technology uses may utilize office,

laboratory, light manufacturing, or other types of use. Green technology can include office, laboratory, and light-manufacturing uses.

**Grocery Store** means a retail use of medium or large scale providing sales of food, produce, prepared food, beverages, toiletries, pharmaceutical products and services, and household items to the general public. This includes neighborhood-serving stores, supermarkets, festival market places, or other large format tenants providing primarily food sales up.

**Group Housing** means a residential use that provides lodging or both meals and lodging without individual cooking facilities. Group Housing may include housing specifically designed for and occupied by seniors, students or disabled residents.

**Home Office** means the accessory use of a dwelling for office purposes, provided that the principal user of such office resides in that dwelling.

**Hotel** means a use that provides overnight accommodations including guest rooms or suites and ancillary services to serve hotel guests. Hotels shall be designed to include all lobbies, offices and internal circulation to guest rooms and suites within and integral to the same enclosed building or buildings as the guest rooms or suites.

**Hunters Point Shipyard Phase 1 Design for Development** means the Design for Development document that sets development standards and design guidelines for Phase 1 of the Project, which consists of the Hunters Point Hill Residential District, as amended from time to time in accordance with its provisions.

**Hunters Point Shipyard Phase 2 Design for Development** means the Design for Development document that sets development standards and design guidelines for Phase 2 of the Project, which consists of all of the Project Area except for the Hunters Point Hill Residential District, as amended from time to time in accordance with its provisions.

**Implementation Plan** means a plan adopted periodically by the Agency Commission relating to the implementation of goals and objectives within this Plan, in accordance with the requirements of the CRL.

**Internet Service Exchange** means a use that provides a location for: switching equipment (whether wireline or wireless) that joins or connects customers, or subscribers to enable them to transmit data, voice, or video signals; one or more computer systems and related equipment used to build, maintain or process data, voice or video signals or provide other data processing services; or a group of network servers.

**Institutional Use** means Residential Care Facility, Child-Care Facility, Elementary School, Religious Institution, Secondary School, Post-Secondary Institution, or Vocational/Job Training Facility.

**Laboratory** means a use that provides for space within any structure intended or primarily suitable for scientific research. This includes industrial, chemical, and digital work stations for

the purpose of design, developing, and testing product development. The space requirements of uses within this category include specialized facilities or built accommodations that distinguish the space from office uses and light industrial uses.

**Life Science** means a use that involves the integration of natural and engineering sciences and advanced biological techniques using organisms, cells, and parts thereof for products and services. Life Science uses may utilize office, laboratory, light manufacturing, or other types of uses.

**Light Industrial** means a non-retail use that provides for the fabrication or production of goods, by hand or machinery, for distribution to retailers or wholesalers for resale off the premises, primarily involving the assembly, packaging, repairing, or processing of previously prepared materials.

**Live/Work Units** means a structure or portion of a structure combining a residential living space for a household or group of persons with an integrated work space principally used by one or more of the residents of that unit. Work spaces uses in a Live/Work Unit must comply with the other non-residential uses allowed within the respective land use District.

**Maker Space** means uses for contemporary forms of small-scale manufacturing, repair, and post-manufacturing activities. Maker space should typically include a retail component, and may include several other uses within a single space, including but not limited to, Light Industrial (for example, craft, industrial arts and design, robotics, woodworking, jewelry manufacture, clothing and apparel manufacture, and food and beverage production), office and research and development (e.g., digital technologies and electronics, 3D printing, graphic design), and Neighborhood Retail Sales and Services associated with the foregoing (e.g., food and beverage tasting and sale, arts and crafts sales, jewelry sales), among many others. For the purposes of size limitations established in Section II.D.4, Maker Space is considered Neighborhood Retail Sales and Service or research and development and office space.

**Mitigation Measures** means those mitigation measures from the Candlestick Point/Hunters Point Shipyard Phase 2 Project EIR imposed as conditions of approval of the amendments to this Plan as set forth in Resolution No. 347-2010, as amended or modified from time to time consistent with CEQA.

**Neighborhood Retail Sales and Services** means a commercial use that provides goods and/or services directly to the customer, whose primary clientele is customers who live or work nearby and who can access the establishment directly from the street on a walk-in basis. This use may provide goods and/or services to the business community, provided that it also serves the general public. This use would include those that sell, for example, groceries, personal toiletries, magazines, smaller scale comparison shopping; personal services such as laundromats, health clubs, formula retail outlets, hair or nail salons; medical services including, but not limited to, urgent care facilities and standalone emergency rooms, but excluding hospitals; and uses designed to attract customers from the surrounding neighborhood. Retail uses can also include outdoor activity areas, open air sales areas, and walk-up facilities (such as ATMs or window

service) related to the retail sale or service use and need not be granted separate approvals for such features. Retail uses can also include interactive spaces (e.g., uses that promote pedestrian activity on the ground level of buildings), including but not limited to, markets, cafes, restaurants, fitness centers, bike shops/bike repair, childcare, creative maker spaces, co-working spaces, health and wellness spaces, learning spaces, and neighborhood spaces (e.g., neighborhood-serving amenities or accessible resources for the community).

**New City Regulations** means both City Regulations adopted after the 2010 Plan Amendment Date or a change in Existing City Regulations, including any amendment to this Plan or the Plan Documents, effective after the 2010 Plan Amendment Date.

**Nighttime Entertainment** means entertainment activities such as dance halls, discotheques, nightclubs, and similar evening-oriented entertainment activities generally involving amplified music, either live or recorded, as well as restaurants and bars, and other venues or spaces used for different uses during the day that present such activities. It excludes Adult Entertainment.

**Non-Retail Sales and Services** means a commercial or office use that provides goods and/or services primarily to other businesses rather than to the general public and that may include by way of example and not limitation, wholesale sales, sale, rental, installation, servicing and/or repair of business goods and equipment.

**Office** means a use within a structure or portion thereof intended or primarily suitable for occupancy by persons or entities that perform, provide for their own benefit, or provide to others at that location services including, but not limited to, the following: professional; medical; banking; insurance; management; consulting; technical; sales; artificial intelligence; technology, and design; and the non-accessory office functions of manufacturing and warehousing businesses; multimedia and digital arts, software development, hardware development, web design, electronic commerce, and information technology; administrative services; and professional services. This use does not include retail uses; repair; any business characterized by the physical transfer of tangible goods to customers on the premises; or wholesale shipping, receiving and storage.

**OPA Rules** means rules established by the Agency Commission for property owner participation in redevelopment activities consistent with the provisions of this Plan within the Project Area and consistent with the CRL.

**Open Space** means space that is retained primarily in an unimproved, natural state. Open Space may be used for passive recreational activities, such as hiking and picnicking, and may include facilities related to such passive recreational uses.

**Owner Participation Agreement or OPA** means a binding agreement between a property owner and the Agency by which the participant agrees to rehabilitate, develop, use and maintain the property in conformance with this Plan.

**Parking** means the storage of vehicles Accessory to a principal or secondary residential or commercial use. Such storage can be in the form of independently accessible parking spaces, non-independently accessible parking spaces including those accessed on parking lifts or through the use of valet. Parking spaces need not be on the same lot or block to the use it serves.

**Parks** means publicly owned, or privately owned and publicly accessible, open space improved with either active recreational amenities such as playing fields, sporting courts, and small performance spaces and/or passive recreational amenities such as trails, picnic areas, and fields.

**Performance Arts** means a use that includes performance, exhibition, rehearsal, production, or post-production of any of the following: dance, music, dramatic art, film, video, and other visual, performance and sound arts and craft.

**Plan Documents** means the Business Occupant Re-Entry Policy, Implementation Plan, Hunters Point Shipyard Phase 1 Design for Development, Hunters Point Shipyard Phase 2 Design for Development, Relocation Plan and OPA Rules.

**Planning Commission** means the Planning Commission of the City and County of San Francisco, California.

**Planning Department** means the Planning Department of the City and County of San Francisco.

**Post-Secondary Institutions** means a use that is certified by the Western Association of Schools and Colleges that provides post-secondary educational services such as a school, college or university.

**Priority Policies** means the eight priority policies stated in Section 101.1, Master Plan Consistency and Implementation, of the City’s Planning Code.

**Public Recreation** means privately owned recreational areas that are open to the general public. This use may include may include hiking trails, playgrounds, public parks, sports fields, community gardens, golf courses, marinas, and tennis courts as well as accessory uses such as maintenance facilities, parking, and concession areas.

**Public Trust** means collectively the common law public trust for commerce, navigation and fisheries and the statutory trust imposed by the Granting Act.

**Real Property** means land, including land under water and waterfront property; buildings, structures, fixtures, and improvements on the land; any property appurtenant to or used in connection with the land; every estate, interest, privilege, easement, franchise, and right in land, including rights-of-way, terms for years, and liens, charges, or encumbrances by way of judgment, mortgage, or otherwise and the indebtedness secured by such liens.

**Recreational Facility** means a use that provides social, fraternal, counseling, athletic or other recreational gathering services to the community.

**Recycled Water Treatment Facility** is a centralized facility for treating wastewater to be used for non-potable uses in the Project Area and that abides by odor control measures established in the Phase 2 Design for Development. Passive square footage (i.e., non-administrative office space) within such facility shall not be not included as part of or subject to square footage limitations in Section II.D.4.

**Regional Retail Sales and Services** means a commercial use that provides goods and/or services directly to the customer, whose primary clientele is customers who live throughout the surrounding region and may include both small and large format tenants up to 120,000 square feet. This use would include those who sell apparel, electronics, furniture, durable goods, specialty items, formula retail outlets, and other more expensive, and less frequently purchased items; beyond the surrounding neighborhood. Regional Retail sales and services can include counter and other walk-up facilities as well as adjacent outdoor activity areas accessory to such uses. Includes movie theaters and related or similar uses. Regional retail uses can also include interactive spaces (e.g., uses that promote pedestrian activity on the ground level of buildings), including but not limited to, markets, cafes, restaurants, fitness centers, bike shops/bike repair, childcare, creative maker spaces, co-working spaces, health and wellness spaces, learning spaces, and neighborhood spaces (e.g., neighborhood-serving amenities or accessible resources for the community).

**Religious Institution** means a use that provides religious services to the community such as a church, temple or synagogue.

**Relocation Plan** means a document approved by the Agency Commission that establishes how the Agency and/or developers shall assist persons, business concerns and others displaced from the Project Area by redevelopment activities of or assisted by the Agency in finding new locations in accordance with applicable State and Federal law.

Research and Development means a use compatible with adjacent uses that includes the study, testing, engineering, design, analysis, or experimental development of products, processes, or services related to current, emerging, or new technologies, including but not limited to artificial intelligence, clean energy, communications, 3-D production and printing. Research and development may include, but is not limited to, light manufacturing, fabricating, processing, assembling or storage of products or materials, or similarly related activities that includes, but is not limited to, Laboratory, Life Science, Light Industrial, Green Technology, and Office uses.

**Residential Care Facility** means medical use that provides lodging, board, and care for one day or more to persons in need of specialized aid by personnel licensed by the State but does not provide outpatient services.

**Residential Use** means a use that includes for sale and rental housing units, including Dwelling Units, Live/Work Units, and Group Housing

**Restaurant** means a full service or self-service retail facility primarily for eating use that provides ready-to-eat food to customers for consumption on or off the premises, which may or

may not provide seating, and that may include service of liquor under ABC licenses [those explicitly for any alcoholic service in association with a restaurant]. Food may be cooked or otherwise prepared on the premises.

**School Facilities Impact Fee** means the sum payable to the San Francisco Unified School District pursuant to Government Code Section 65995.

**Short-Term Rental** has the meaning established in Article 41A of the Administrative Code (as it may be amended from time to time), and, subject to compliance with regulations of the City’s Office of Short-Term Rentals (or its successor), is allowed within Residential Uses unless otherwise prohibited by applicable private covenants or similar restrictions.

**Secondary School** means a use that provides grade 9-12 education and may be either public or private.

**State** means the State of California.

**Stormwater Best Management Practice (BMP)** means constructed facilities or measures to help protect receiving water quality and control stormwater quantity, also referred to as stormwater controls.

**Supportive Housing** means affordable housing developments with integrated services that are not required as a condition of occupancy and that serve high needs populations including but not limited to low income senior citizens, youth transitioning out of foster care, adults with developmental disabilities, individuals and families who are homeless or at risk of homelessness, and persons with AIDS.

**Taxing Agencies** means all public entities that have the authority to tax property within the Project Area, including the State, the City, BART, San Francisco Unified School District, City College of San Francisco, Bay Area Air Quality Management District and any district or other public corporation.

**Telecommunication/Fiber System** means equipment for the transmission, reception or relay of analogue, digital and optical fiber signals.

**Use** means the purpose for which land or a structure, or both, are designed, constructed, arranged or intended, or for which they are occupied or maintained, let or leased.

**Vocational/Job Training Facility** means a use that provides job training, and may also provide vocational counseling and job referrals and or office or light industrial activities for education purposes.

## **REDEVELOPMENT PLAN MAPS**

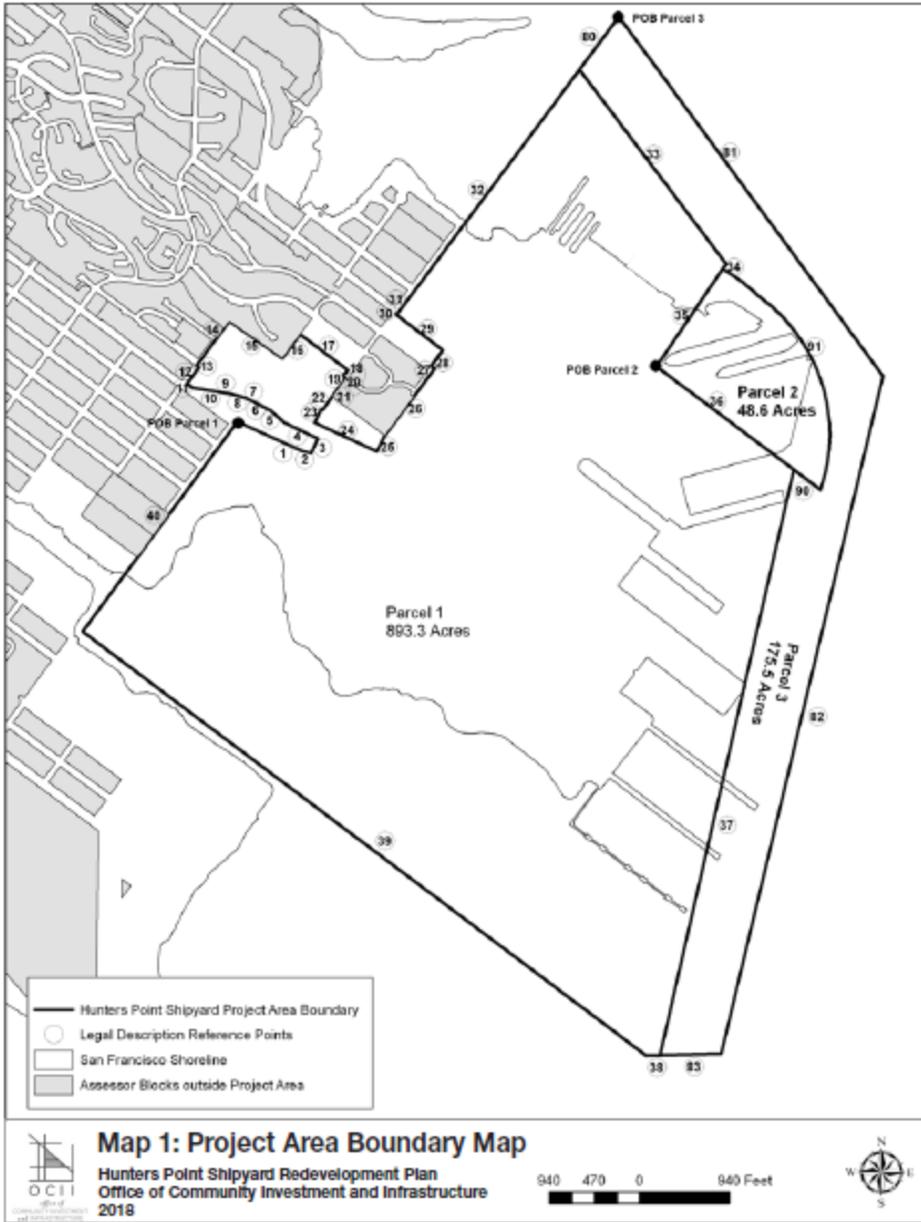
**Map 1: Boundary Map**

**Map 2: Land Use Districts Map**

**Map 2A: Private Infrastructure Map**

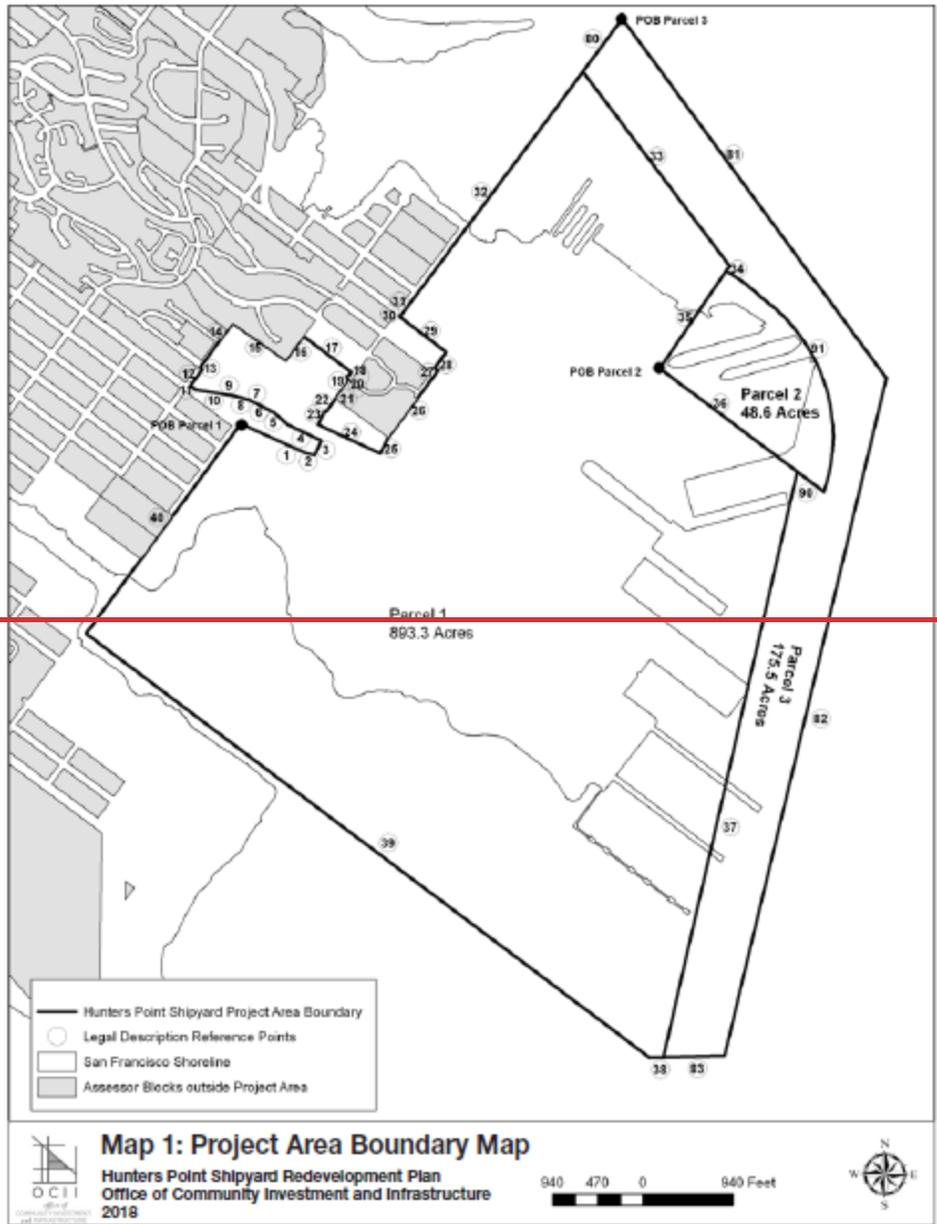
**Map 3: Existing Buildings**

**Map 4: Street Plans**



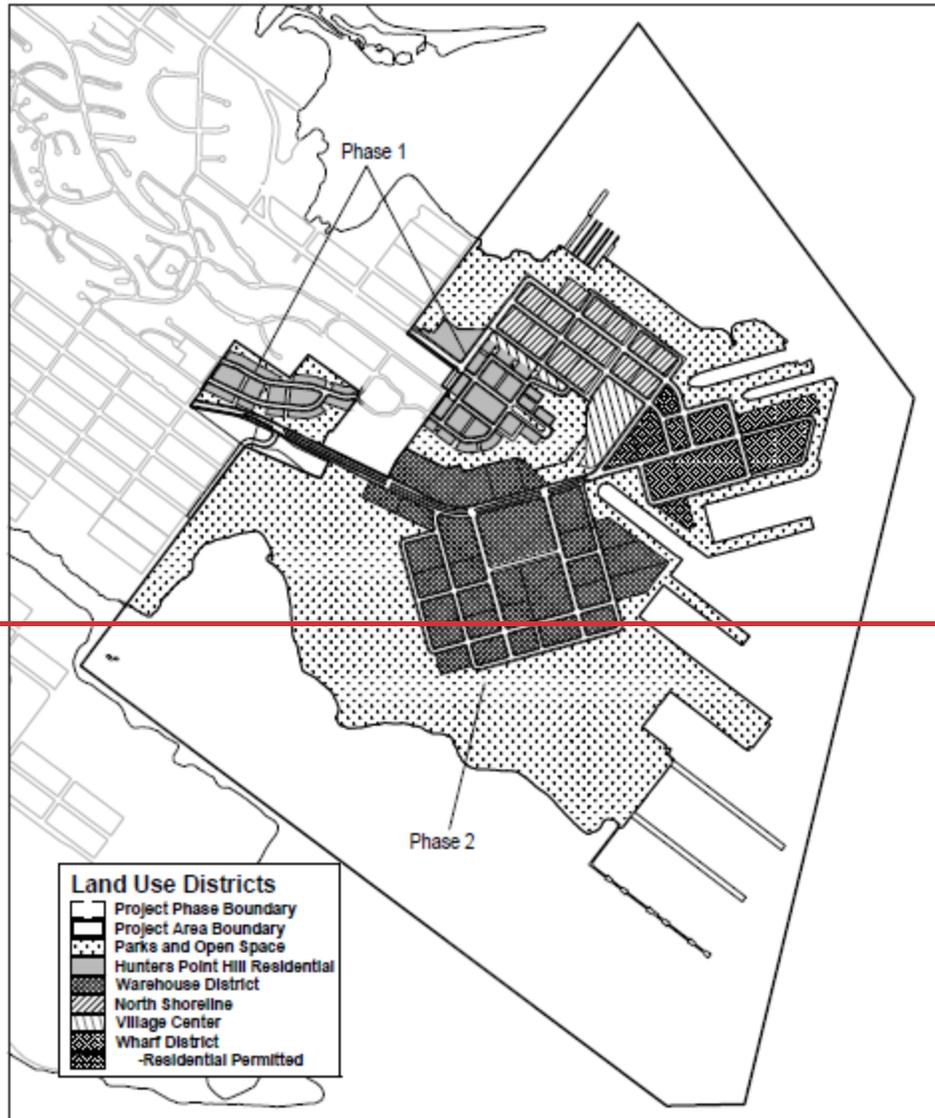
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 July 16, 2018

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Hunters Point Shipyard Redevelopment Plan  
 July 16, 2018

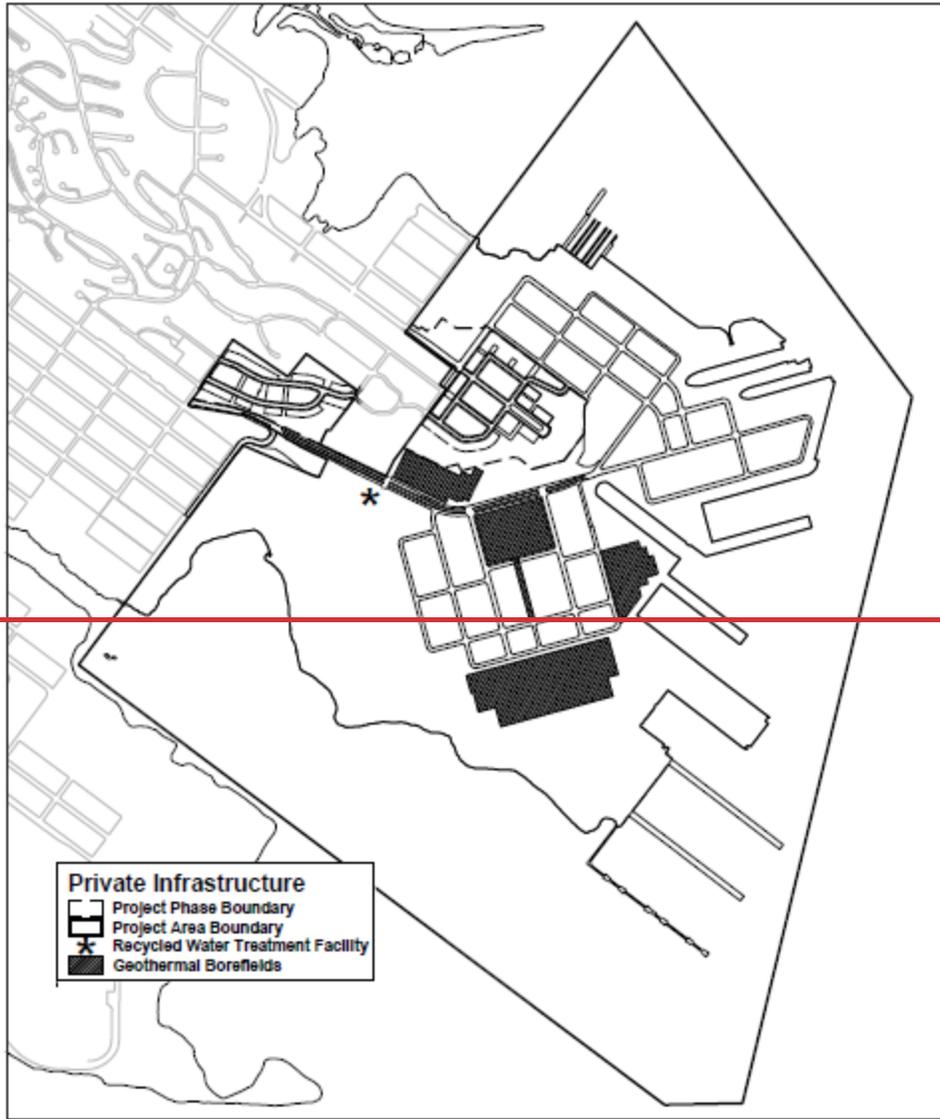
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**Map 2: Land Use Districts Map**  
 Hunters Point Shipyard Redevelopment Plan  
 Office of Community Investment and Infrastructure  
 2018

Hunters Point Shipyard Redevelopment Plan  
 July 16, 2018

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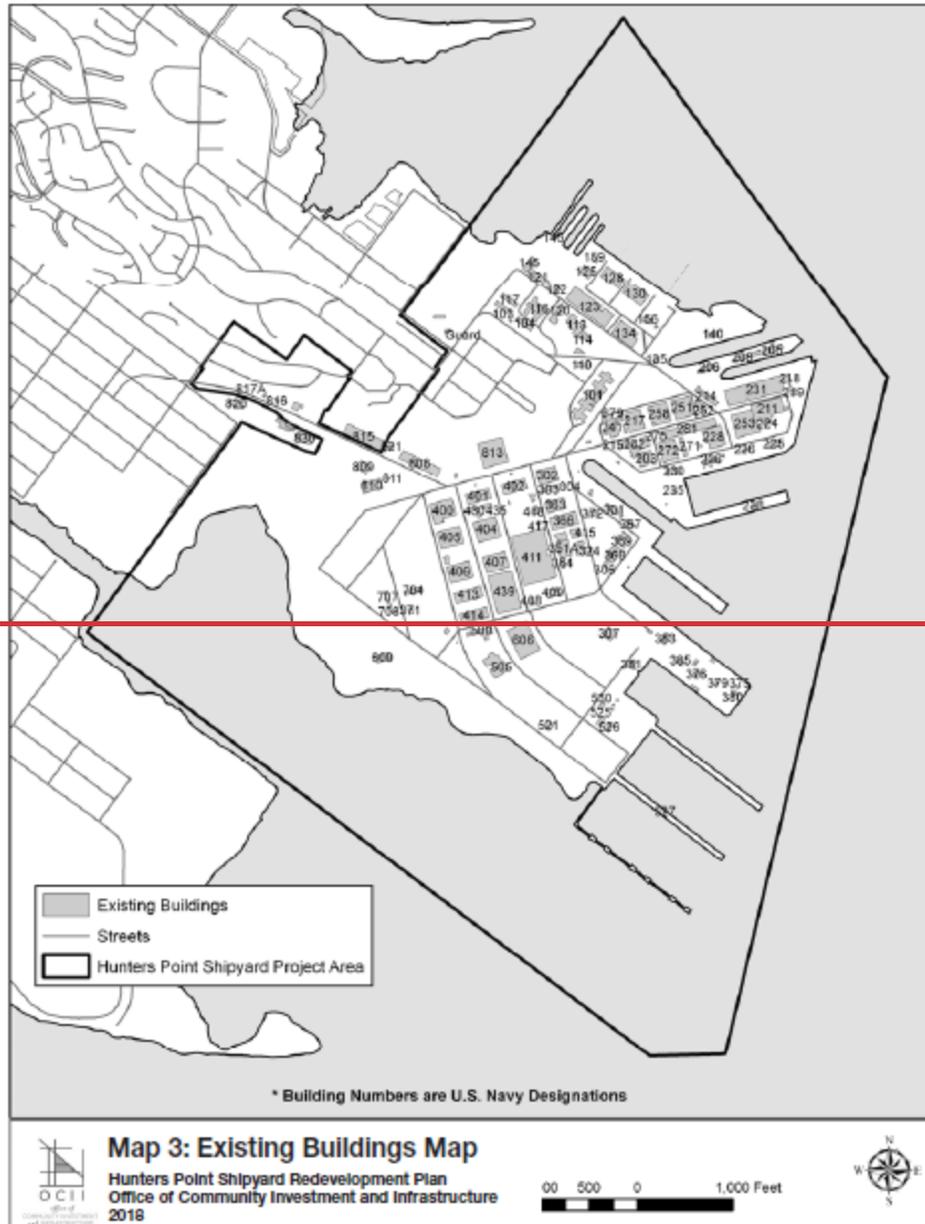
Private Infrastructure	
	Project Phase Boundary
	Project Area Boundary
	Recycled Water Treatment Facility
	Geothermal Borefields

**Map 2A: Private Infrastructure**  
 Hunters Point Shipyard Redevelopment Plan  
 Office of Community Investment and Infrastructure  
 2018

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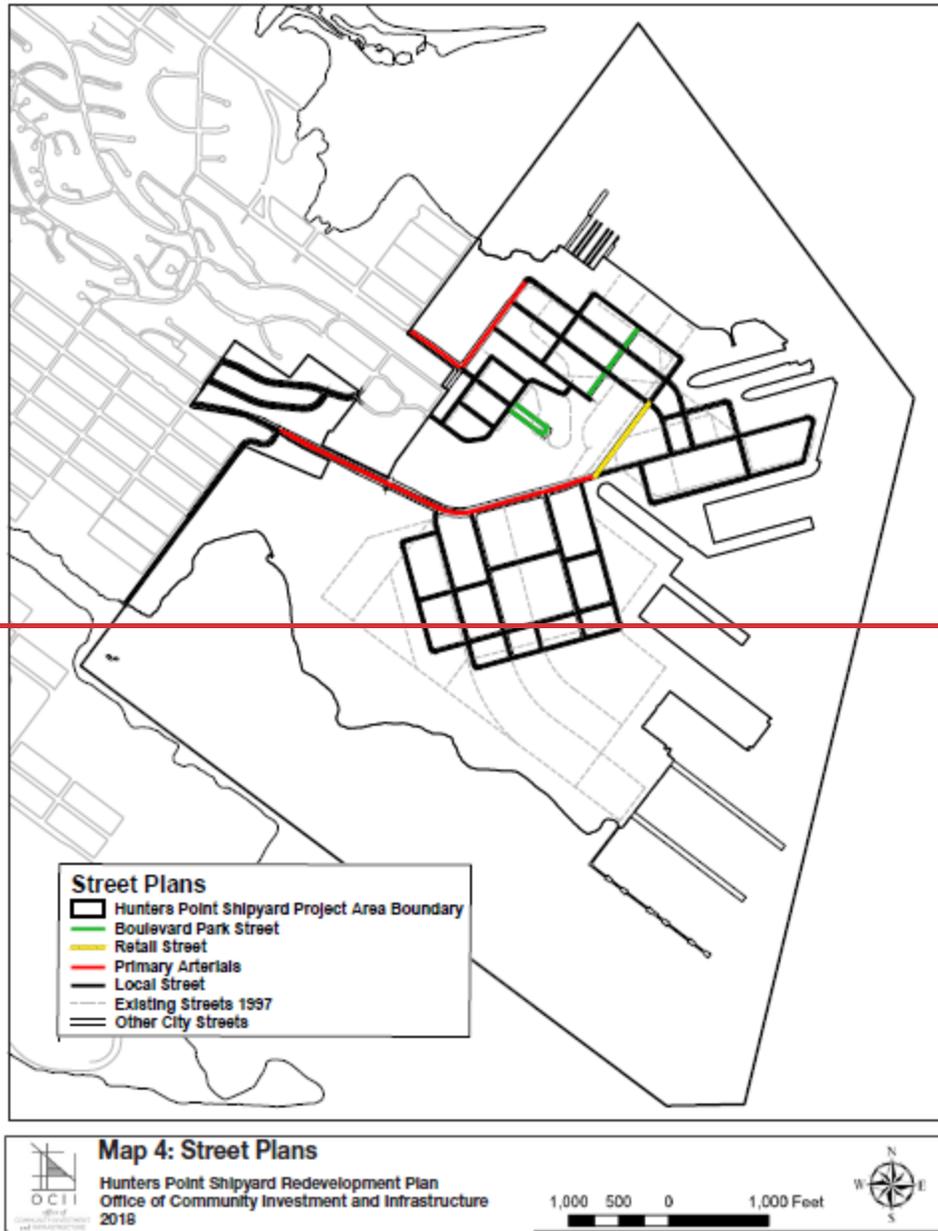
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 July 16, 2018

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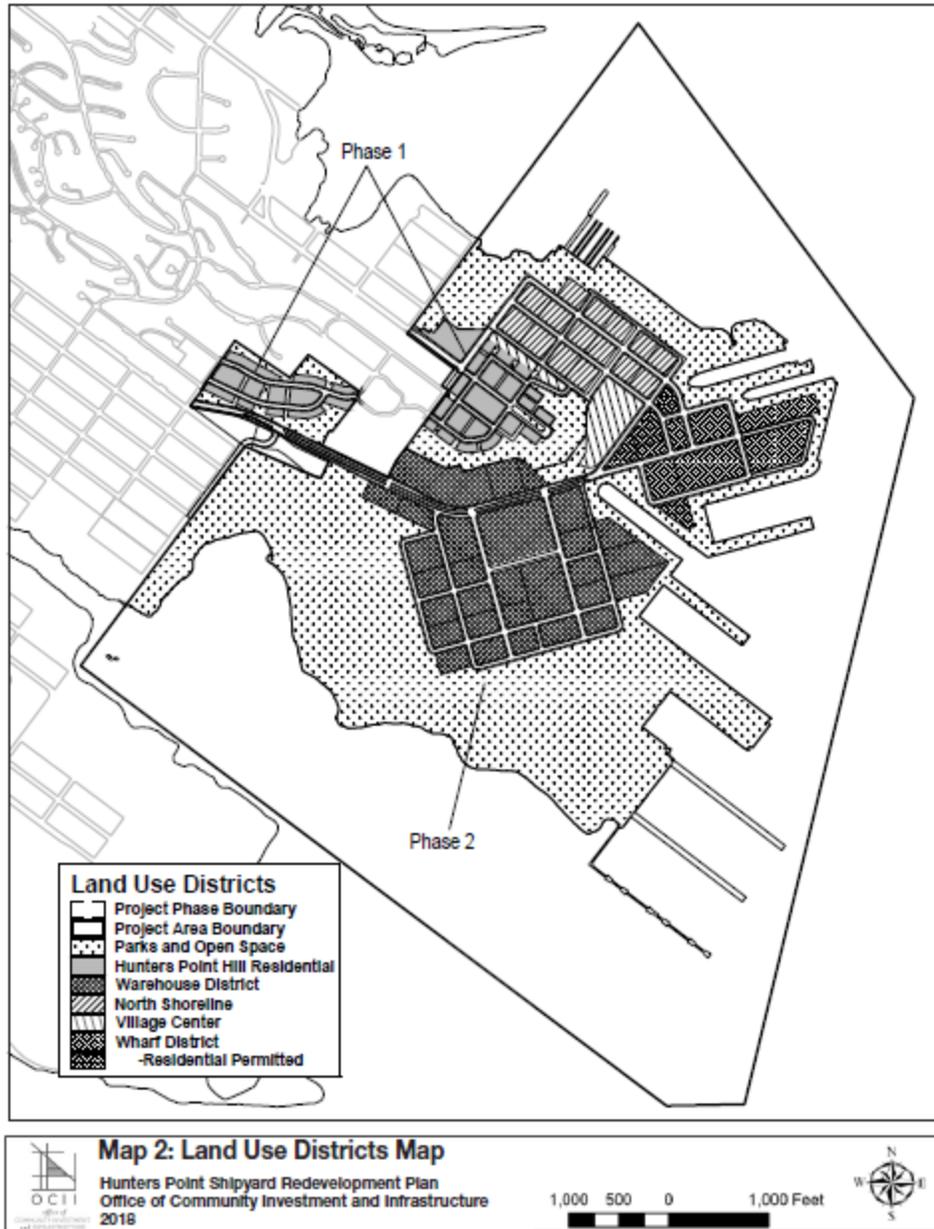
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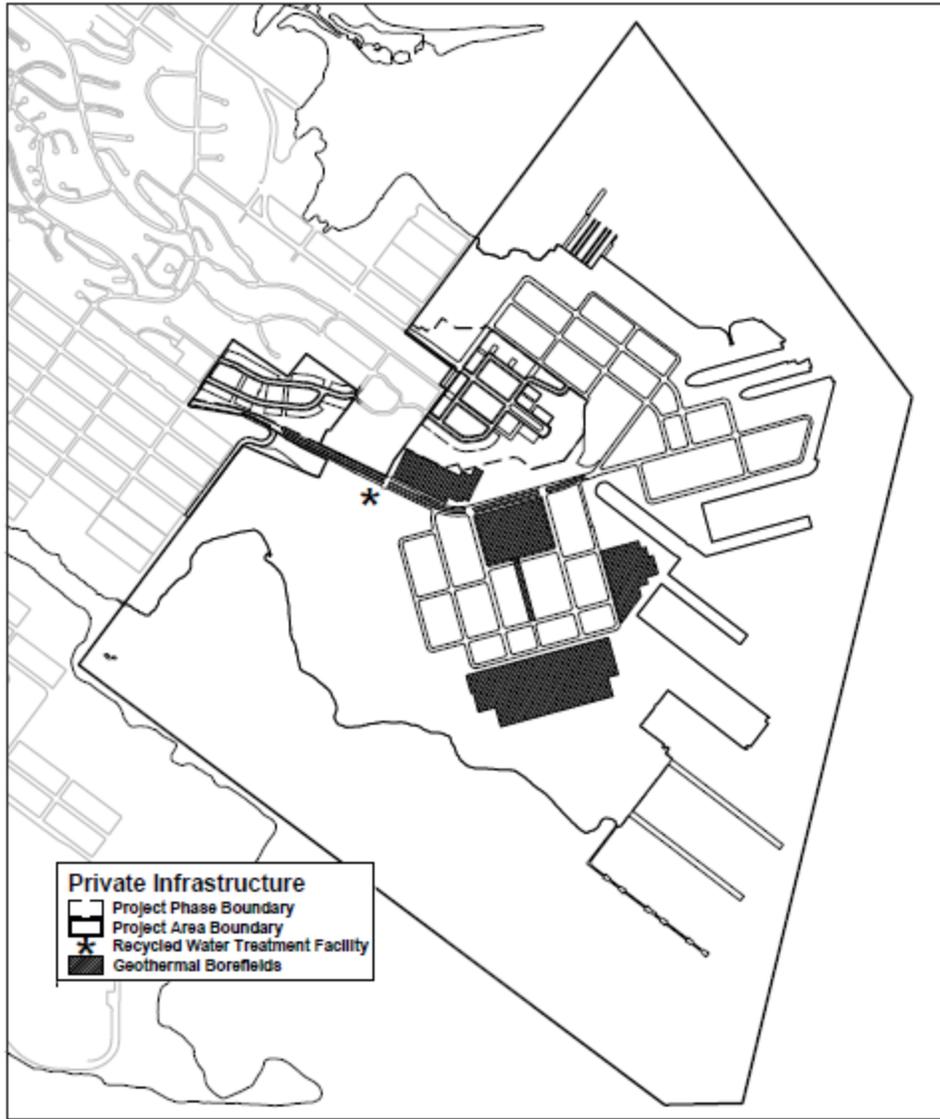
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**Private Infrastructure**  
 Project Phase Boundary  
 Project Area Boundary  
 Recycled Water Treatment Facility  
 Geothermal Borefields

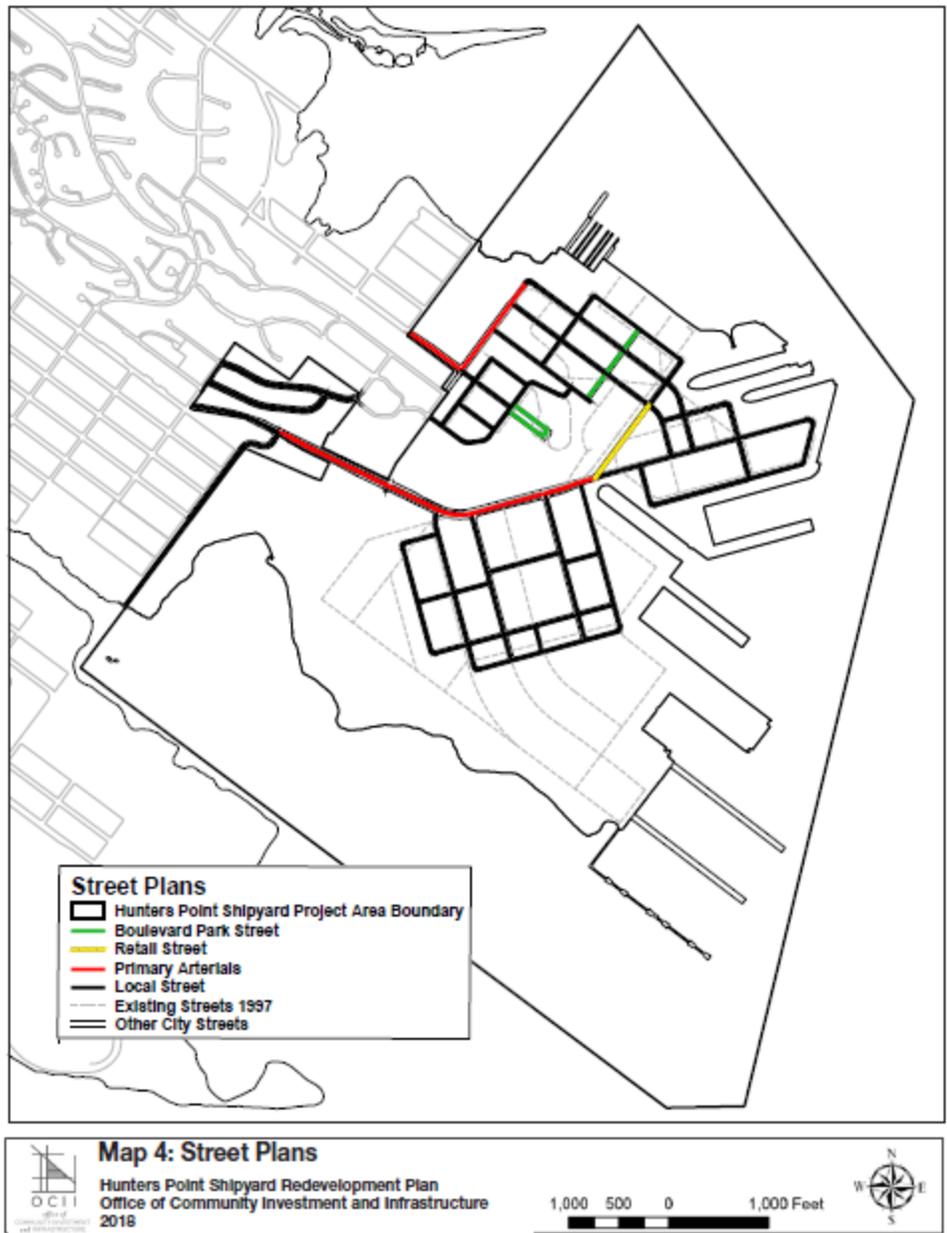
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 Office of Community Investment and Infrastructure  
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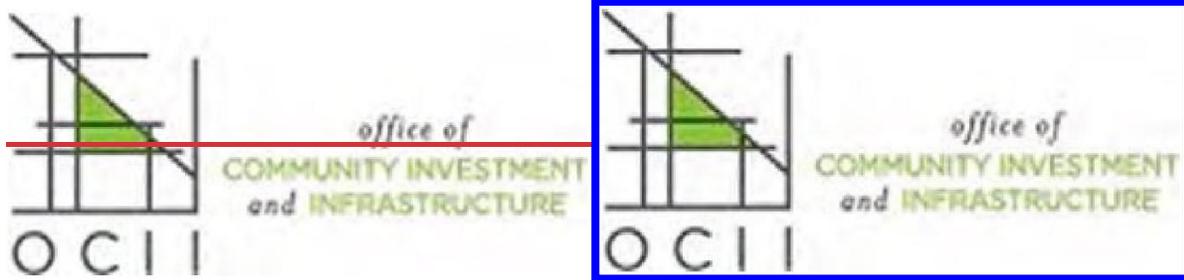
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**REDEVELOPMENT PLAN  
FOR THE  
BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT**



July 16, 2018[DATE]



**SUCCESSOR AGENCY TO THE SAN FRANCISCO  
REDEVELOPMENT AGENCY**

**Adopted August 3, 2010  
Amended June 22, 2017  
Amended July 16, 2018**

**Amended [DATE], 2024**

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**REDEVELOPMENT PLAN  
FOR THE  
BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT**

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Bayview Hunters Point Redevelopment Plan  
Approved and Adopted by the Board of Supervisors  
of the City and County of San Francisco,  
Ordinance No. 25-69, January 20, 1969

Amendments Adopted and Approved by the Board of Supervisors  
of the City and County of San Francisco,  
Ordinance No. 280-70, August 24, 1970,  
Ordinance No. 475-86, December 1, 1986,  
Ordinance No. 417-94, December 12, 1994,  
Ordinance No. 113-06, May 23, 2006,  
Ordinance No. 210-10, August 3, 2010;  
Ordinance No. 121-17; June 22, 2017  
and Ordinance No. 0167-18, July 16, 2018.

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**Attachment B - Legal Description Project Area B**

**Parcel One**

**Parcel Two**

**Attachment C - Authorized Public Improvements**

**Attachment D - List of Blocks and Lots Within Zone 1 of Project Area B**

**Attachment E - Planning Code Section 314**

**Attachment F - Planning Code Section 295**

**Attachment G - Planning Commission Resolution 18102**

**Attachment H - Proposition O (2016)**

## **EXHIBITS**

**MAP 1 – Project Area Boundary**

**MAP 2 – Project Area B Redevelopment Zones**

**MAP 3 – Area B Activity Nodes**

**MAP 4 – Zone 1 Land Use Districts Map**

**MAP 5 – Zone 2 Generalized Land Use Map**

## 1.0 BAYVIEW HUNTERS POINT REDEVELOPMENT PLAN OVERVIEW

When adopted in 2006, this Bayview Hunters Point Redevelopment Plan<sup>1</sup> (the “**Redevelopment Plan**”) amended the redevelopment plan formerly known as the Hunters Point Redevelopment Plan for the redevelopment project area formerly known as “**Hunters Point Redevelopment Project Area**.” In January 2009, the portion of this Redevelopment Plan covering the Hunters Point Redevelopment Project Area (also known as Project Area A) expired and, as a result, the Redevelopment Agency of the City and County of San Francisco (the “**Agency**”) has no authority to act pursuant to that portion of this Redevelopment Plan except to pay previously incurred indebtedness, to enforce existing covenants, contracts, or other obligations, and to comply with affordable housing obligations, which includes the use of its tax increment for the funding of affordable replacement housing.<sup>2</sup> With the expiration of Project Area A, only the area added by the 2006 amendment constitutes the “**Bayview Hunters Point Redevelopment Project Area**” (sometimes referred to as the “**Project Area B**” or the “**Project Area**”). During the preparation of this Redevelopment Plan, the Agency consulted with the Project Area Committee, the Planning Department and other departments of the City and County of San Francisco (the “**City**”).

On February 1, 2012, the State of California dissolved all redevelopment agencies, including the Agency, and established successor agencies to assume certain rights and obligations of the former redevelopment agencies, Cal. Health & Safety Code § 34170 et seq. (the “Redevelopment Dissolution Law”). As a result, the Agency ceased to exist and the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (commonly known as the Office of Community Investment and Infrastructure or “OCII”), was established by operation of law and assumed certain obligations of the Agency, primarily those “enforceable obligations” that were entered into prior to the suspension of redevelopment agencies’ activities and were approved by the State of California, through its Department of Finance. On December 14, 2012, the Department of Finance finally and conclusively determined that the following agreements associated with the Project Area are enforceable obligations that survived redevelopment dissolution: the Disposition and Development Agreement for Candlestick Point-Hunters Point Shipyard Phase 2 (“CP-HPS2”) and the Tax Increment Allocation Pledge Agreement (Candlestick Point and Phase 2 of the Hunters Point Shipyard), including those portions funding affordable housing in CP-HPS2. Accordingly, the Successor Agency continues to have authority to implement the above-referenced enforceable obligations in Zone 1 of the Project Area, but lacks authority to undertake activities in Zone 2 of the Project Area.

In 2023, amendments to State law established that the limitations relating to time for establishing loans, advances, and indebtedness, the effectiveness of the Redevelopment Plan, the time to repay indebtedness, the time for applying tax increment, number of tax dollars, or any other matters set forth in Health & Safety Code sections 33333.2 and 33492.13 shall not apply to

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<sup>1</sup> Capitalized terms have the meaning set forth in Section 6 (**Definitions**) unless otherwise indicated in the text.

<sup>2</sup> Under Sections 33333.7 and 33333.8 of the California Health and Safety Code, the Agency may continue to incur indebtedness and receive tax increment from the Hunters Point Project Area (Project Area A) to fulfill its housing obligation to replace affordable housing units that were previously destroyed and never replaced. Ordinance No. 15-05 (Jan. 21, 2005).

the CP-HPS2 project, which is located within Zone 1 of Project Area B and Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area. Stats. 2023, chapter 196, section 14 (Sep. 13, 2023) (codified at Health & Safety Code section 34177.7(j)). Consistent with Section 34177.7(j), the 2024 amendment to this Redevelopment Plan incorporates the new limitations referenced in the preceding sentence, which were approved by the Oversight Board of the City and County of San Francisco and the California Department of Finance in the amended CP-HPS2 project agreements.

## **1.1 Bayview Hunters Point Redevelopment Plan Overview**

### **1.1.1 Significant Community Participation In Planning Process**

The Hunters Point Redevelopment plan was adopted in 1969 to replace and rehabilitate former military housing units. The redevelopment activities in this area, termed Project Area A in this Redevelopment Plan, are complete. In 1995 the community completed planning work on the South Bayshore Area Plan, a specific area plan of the San Francisco General Plan. The South Bayshore Area Plan considered the use of redevelopment tools to continue the revitalization of the Bayview Hunters Point community. The same year, the Board of Supervisors created the Bayview Hunters Point Survey Area. In 1997, the PAC was formed through a public election process.

The PAC created the Community Revitalization Concept Plan for Bayview Hunters Point in 2000, which outlined a wide range of programs intended to bring about physical and economic improvements in the community. While the Concept Plan described many activities beyond the scope of redevelopment programs, it has served as the foundational policy document for this Redevelopment Plan. In 2004, the PAC completed the Framework Housing Program that described an array of affordable housing programs and policies supported by PAC members. This Redevelopment Plan incorporates relevant policies of the Framework Housing Program. Both the Concept Plan and the Framework Housing Program should continue to guide the policies of the Agency and other city departments working in Bayview Hunters Point.

In June 2008, San Francisco voters approved Proposition G, which adopted policies for revitalization of Candlestick Point and Hunters Point Shipyard Phase ~~Phase-2~~. This Redevelopment Plan implements Proposition G.

### **1.1.2 Contents of this Redevelopment Plan**

This Redevelopment Plan consists of this text, the Project Area Boundary map (Map 1), the Legal Descriptions of Project Areas A and B (Attachments A & B), the Project Area B Redevelopment Zones map (Map 2), the Area B Activity Nodes map (Map 3), the Zone 1 Land Use Districts Map (Map 4), the Zone 2 Generalized Land Use Map (Map 5), the list of

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Authorized Public Improvements (Attachment C), the List of Blocks and Lots within Zone 1 as of the 2010 Plan Amendment Date (Attachment D), Planning Code Section 314 (Attachment E), Planning Code Section 295 (Attachment F), Planning Commission Resolution 18102 (Attachment G) (subject to Section 4.3.16 (below)), and Proposition O (Attachment H). All attachments and maps are incorporated into this Redevelopment Plan by reference. This Redevelopment Plan was prepared by the Agency pursuant to the California Community Redevelopment Law (CRL), the California Constitution, and all applicable local codes and ordinances. The Project Area is in Bayview Hunters Point, City and County of San Francisco, State of California and includes all properties within the Project Area boundary shown on Map 1.

### **1.1.3 Project Area Boundaries**

The Project Area consists of Project Area B which has two sub-areas: Zone 1 (also known as the Candlestick Point Sub-Area) and Zone 2.<sup>3</sup>

Project Area B includes portions of the Survey Area designated and described in Resolution No. 26-95 adopted by the Board of Supervisors of the City and County of San Francisco on January 3, 1995, and formally designated in name as the “Bayview Hunters Point Survey Area” in Resolution No. 439-99 adopted by the Board of Supervisors on May 10, 1999. The BVHP Project Area was adopted on June 1, 2006 by Ordinance No. 113-06. The boundaries of Project Area B are indicated on Map 1, Project Area Boundary Map, and the legal description is found in Attachment B. The sub-areas of Project Area B are illustrated in Map 2. The parcels, as of the 2010 Plan Amendment Date, within Zone 1 are listed by Assessor Block and Lot numbers in Attachment D.

A portion of the original Bayview Hunters Point Survey Area created in 1995 centered around the Hunters Point Shoreline Activity Node, also referred to as the India Basin Shoreline, may be added as Project Area C as part of a future plan amendment, as described in Section 1.1.8 below.

### **1.1.4 Conformance with the General Plan**

The Redevelopment Plan is consistent with the General Plan of the City and County of San Francisco and its applicable elements, including the BVHP Area Plan and the Candlestick

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<sup>3</sup> Prior to its expiration in 2009, Project Area A comprised all of the Redevelopment Area G (Hunters Point), as designated and described in Resolution No. 711-63 adopted by the Board of Supervisors on December 23, 1963, portions of the Survey Area as designated and described in Resolution No. 100-68 adopted by the Board of Supervisors on February 13, 1968, and Survey Areas as designated and described in Resolution No. 313-70 adopted by the Board of Supervisors on May 25, 1970. The boundaries of Project Area A are indicated on Map 1, Project Boundary Map, and the legal description is found in Attachment A.

Point Sub-Area Plan, each as of the 20~~18~~<sup>24</sup> Plan Amendment Date, and is in conformity with the eight Priority Policies of Section 101.1 of the San Francisco Planning Code.

### **1.1.5 Powers, Duties and Obligations for Implementation of this Redevelopment Plan**

This Redevelopment Plan provides the Agency with the powers, duties and obligations to implement and further the programs generally described herein for the redevelopment, rehabilitation and revitalization of the Project Area. This Redevelopment Plan provides a framework and sets forth the objectives, redevelopment programs, and land use controls within which specific redevelopment activities in the Project Area will be pursued. It also describes the tools available to the Agency to develop and proceed with specific plans, projects, and solutions. The development of all real property in Zone 1 of the Project Area is subject to the controls and requirements of this Redevelopment Plan, and the other applicable Plan Documents, including the development standards and design guidelines established in the Candlestick Point Design for Development. The development of all real property in Zone 2 of the Project Area is subject to the controls and requirements of this Redevelopment Plan, the Planning Code and the other applicable Plan Documents, as described herein.

### **1.1.6 Powers and Duties of the Project Area Committee**

The PAC has the role and duties listed in Section 33347.5 and Sections 33385 through 33388 of the CRL, which requires, among other things that the Agency consult with and obtain the advice of a project area committee on policy matters affecting the residents of the project area “throughout the period of preparation of the redevelopment plan and for a three-year period after the adoption of the redevelopment plan, subject to one-year extensions by the legislative body.” Section 33386. The required three-year period for the PAC is reset by the amendment of this Redevelopment Plan by Ordinance No. 210-10. When the term of the existing PAC expires, the Agency shall request, on an annual basis, that the Board of Supervisors authorize one-year extensions of the PAC for the duration of this Redevelopment Plan or otherwise ensure, pursuant to CRL Section 33385(f), that another advisory committee is formed for the duration of this Redevelopment Plan. The Agency will consult with and seek the advice of the PAC or other advisory committee on policies and programs designed to implement this Redevelopment Plan.

### **1.1.7 Preliminary Plan**

This Redevelopment Plan is based on the Amended Preliminary Plan for the South Bayshore Redevelopment Project Area, formulated and adopted by the Planning Commission by Motion No. 14205 on October 10, 1996 and as revised by the Planning Commission by Motion No. 14257 on December 12, 1996. The Planning Commission also formulated and adopted the India Basin Preliminary Plan by Motion No. 17932 on July 23, 2009.

### **1.1.8 Remaining Survey Area Subject to Further Analysis and Incorporation**

A portion of the Bayview Hunters Point Survey Area that is centered around the Hunters Point Shoreline Activity Node, as shown on Map 3 – Area B Activity Nodes, is subject to further analysis and planning by the Agency, in conjunction with the Planning Department and other City departments. Although this area suffers from severe blighting conditions, further analysis and study are required before the Agency can recommend to the Board of Supervisors that the area be included in the Project Area. The Agency anticipates that further planning and blight analysis will support a future amendment to this Redevelopment Plan to include most of this area. If supported by further analysis, the Agency anticipates incorporation of the India Basin Shoreline area as Project Area C through a further amendment of this Redevelopment Plan.

## **1.2 Planning Goals and Objectives for the Project Area**

### **1.2.1 Redevelopment Project Area Objectives**

The following goals for this Redevelopment Plan were established in conjunction with the PAC through its endorsement of the Concept Plan and in meetings with members of the public at large. Together with the other related Plan Documents, these goals and objectives will direct the revitalization of the community and guide the direction of all future development within the Project Area. The goals and objectives for the Project Area are as follows:

- Providing opportunities for participation by owners in the redevelopment of their properties.
- Increasing the community’s supply of housing by facilitating economically feasible, affordable housing for existing very low-, low- and moderate-income households and residents in the community.
- Strengthening the economic base of the Project Area and the community by strengthening retail and other commercial functions within the Project Area through the facilitation of new retail space, and as appropriate, new commercial and light industrial uses.
- Providing public parks and open space.
- Administering lands granted to the Agency by the State consistent with the Public Trust for commerce, navigation and fisheries, and reconfiguring those lands in a manner that enhances their value for Public Trust purposes, in accordance with Chapter 203 of the Statutes of 2009 (as amended from time to time, the “Granting Act”).

- Retaining existing residents and existing cultural diversity to the extent feasible.
- Encouraging participation of area residents in the economic development that will occur.
- Supporting locally-owned small businesses and local entrepreneurship.
- Facilitating emerging commercial-industrial sectors through facilitating improvement of transportation access to commercial and industrial areas, improvement of safety within the Project Area, and the installation of needed site improvements to stimulate new commercial and industrial expansion, employment, and economic growth.
- Facilitating public transit opportunities to and within the Project Area to the extent feasible.
- Providing land, as feasible and appropriate, for publicly accessible open spaces.
- Facilitating the preservation, rehabilitation, and seismic retrofitting of historic buildings and other landmarks.
- Providing assistance towards the improvement of key transportation routes to meet the needs of alternative transportation modes, industrial trucking operations, and emergency operations.
- Eliminating blighting influences and correcting environmental deficiencies within the Project Area, including, abnormally high vacancies, abandoned, deteriorated and dilapidated buildings, incompatible land uses, depreciated or stagnant property values, and inadequate or deteriorated public improvements, facilities and utilities.
- Removing structurally substandard buildings, removing impediments to land development, and facilitating modern, integrated development with improved pedestrian and vehicular circulation within the Project Area and vicinity.
- Redesigning and developing undeveloped and underdeveloped areas, which are improperly utilized.
- Providing flexibility in the development of real property within the Project Area to respond readily and appropriately to market conditions.

### **1.2.2 Implementation Plan for the Project Area**

Community Redevelopment Law Section 33490 requires the Agency to adopt, after a public hearing, an implementation plan that contains the specific goals and objectives of the Agency for the Project Area, the specific programs, including potential projects, estimated expenditures proposed to be made during the next five years, and an explanation of how the goals and objectives, programs, and expenditures will eliminate blight within the Project Area

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and implement the requirements of CRL Sections 33334.2, 33334.4, 33334.6, and 33413. After adoption of the first implementation plan, subsequent implementation plans must be adopted every five years either in conjunction with the City's housing element cycle, new redevelopment plan amendments, or the implementation plan cycle and report on the Agency's compliance with CRL Sections 33334.2, 33334.4, 33334.6, and 33413.

### **1.2.3 Related Plan Documents for the Project Area**

In order to facilitate the implementation of this Redevelopment Plan, the Agency has developed, or may develop in the future, related Plan Documents such as the Design for Development, Interagency Cooperation Agreement, Business Occupant Re-Entry Policy, Delegation Agreement, Implementation Plan, OPA Rules and Relocation Plan. In addition, the State or, subject to the provisions of this Redevelopment Plan, the City may pass legislation related to this Redevelopment Plan.

### **1.2.4 Historical Survey of the Project Area**

As part of the Agency's annual budget, the Agency shall seek funding from the Board of Supervisors to conduct a building-by-building historical survey of each parcel in the Project Area. The Agency shall complete the survey within five (5) years from the date that the Agency first receives sufficient funding from the City to initiate the survey. If funded, this survey will include, among other things, an architectural description and analysis together with historical documentation of each building, structure, or object and will also note whether it has been designated in any existing City survey or other official listing. In seeking this funding, the Agency may identify particular subareas of the Project Area that will be surveyed incrementally over a period of time so that completion of the entire survey of the Project Area will occur over a five year period. The Agency may request funding for a subarea survey based on its inclusion in the Planning Department's rezoning efforts, its identification in this Redevelopment Plan as an Economic Development Activity Node, or some other reasonable classification of an area for survey purposes. As of the 2010 Plan Amendment Date, a Historic Survey has been conducted for the Candlestick Point (Zone 1), the Hunters Point Shoreline (including Survey Area C), and the Town Center Activity Nodes.

### **1.2.5 Performance Audit**

The City Services Auditor will conduct periodic performance audits of the activities of the Agency and other relevant City departments in implementing this Redevelopment Plan. Such audits will include a review of the overall performance and effectiveness of the Agency, together with relevant City departments, in the planning, undertaking, construction and operation of redevelopment projects in furtherance of the goals and objectives for the Project Area as set forth in this Redevelopment Plan. The Agency and City will provide for the cost of such performance audit in the Agency's annual budget.

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## 1.3 Redevelopment Plan Duration

### 1.3.1 Plan Duration for Project Area A

On January 1, 2009, the Agency’s land use jurisdiction over Project Area A ended, and this Redevelopment Plan has no further effect as to development in Project Area A, except to pay previously incurred indebtedness, to enforce existing covenants, contracts, or other obligations, and to comply with affordable housing obligations, which include the use of its tax increment for the funding of affordable replacement housing. In 2005, the Board of Supervisors adopted a plan amendment by Ordinance No. 15-05, allowing the Agency to incur additional indebtedness and receive additional tax increment revenues from Project Area A to repay the additional indebtedness, but only for the purpose of funding low- and moderate-income housing fund activities. The 2005 plan amendment was authorized under Section 33333.7 and Section 33333.8 of the CRL, which is also known as SB 2113.

Any declaration of restrictions formulated pursuant to this Redevelopment Plan may contain provisions for the extension of such declaration of restrictions for successive periods. Tax increment financing will remain in place beyond this expiration date.

### 1.3.2 Plan Duration for Project Area B

The provisions of this Redevelopment Plan for Zone 2 of Project Area B will be effective for thirty years from the adoption of the ordinance approving the Bayview Hunters Point Plan by the Board of Supervisors on June 1, 2006; except that the nondiscrimination and nonsegregation provisions will run in perpetuity. ~~After this time limit~~

The provisions of this Redevelopment Plan for Zone 1 of Project Area B will be effective for thirty (30) years from the 2024 Plan Amendment Date. Solely for the purpose of using property tax revenues generated from Zone 1 of the Project Area to fund Qualified Project Costs and other costs necessary to complete the enforceable obligations of the CP-HPS2 project, including Agency Affordable Housing Costs and Agency Costs (as defined in the Disposition and Development Agreement for the CP-HPS2 project (“CP-HPS2 DDA”)) in Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area, the provisions of this Redevelopment Plan shall be (i) thirty (30) years from the 2024 Plan Amendment Date, plus (ii) an additional fifteen (15) years, which represents the “Anticipated Navy Delay”. The “Anticipated Navy Delay” is the estimated delay, based on documentation from the Navy, that completion of remediation and conveyance of all portions of Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area, excluding Parcel F, to the master developer of the CP HPS2 project will occur in 2036-2038, including time needed for issuance of a Finding of Suitability for Transfer and associated conveyance documentation. This Anticipated Navy Delay warrants an additional extension of the redevelopment timelines to be established pursuant to Section

34177.7(j) to include fifteen (15) additional years for purposes of those redevelopment activities on Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area and related tax increment financing. Notwithstanding that the effectiveness of this Redevelopment Plan for Zone 1 of Project Area B may expire as described above, the Agency shall continue to pay indebtedness and receive property taxes pursuant to Section 33670 of the California Health and Safety Code from Zone 1 of Project Area B as set forth herein.

After the time limits on the duration and effectiveness of this Redevelopment Plan, the Agency will have no authority to act pursuant to this Redevelopment Plan except, subject to compliance with the Redevelopment Dissolution Law, (i) to pay previously incurred indebtedness and to enforce existing covenants or contracts, and (ii) if the Agency has not completed its housing obligations pursuant to CRL Section 33413, it will retain its authority to implement its requirements under CRL Section 33413, including its ability to incur and pay indebtedness for this purpose, and will use this authority to complete these housing obligations as soon as reasonably possible.

## **1.4 Redevelopment Activities for the Project Area**

### **1.4.1 Redevelopment Actions**

The Agency may exercise all of its powers in Project Area B, including but not limited, to the following:

- Providing very low-, low- and moderate-income housing, including supportive housing for the homeless;
- Preserving the availability of affordable housing units assisted or subsidized by public entities, which are threatened with conversion to market rates;
- Requiring the integration of affordable housing sites with sites developed for market rate housing;
- Assisting the development of affordable and supportive housing by developers;
- Providing relocation assistance to eligible occupants displaced from property in the Project Area by Agency Actions;
- Providing for participation in redevelopment by owners presently located in the Project Area and extending preferences to business occupants and other tenants desiring to remain or relocate within the Project Area;
- Acquiring land or building sites;
- Demolishing or removing certain buildings and improvements;

- Constructing buildings, structures, roadways, and park facilities;
- Improving land, building sites, or public infrastructure with on-site or off-site improvements;
- Encouraging the rehabilitation of structures and improvements by present owners or their successors;
- Disposing of property by sale, lease, donation or other means to public entities or private developers for uses in accordance with this Redevelopment Plan;
- Financing insurance premiums pursuant to CRL Section 33136;
- Developing plans, paying principal and interest on bonds, loans, advances or other indebtedness or paying financing or carrying charges;
- Promoting the retention of existing businesses and attraction of new businesses and the provision of assistance to the private sector, if necessary; and
- Remedying or removing a release of hazardous substances on, under, or from property within the Project Area.

To accomplish the above activities in the implementation and furtherance of this Redevelopment Plan, the Agency is authorized to use all the powers provided in this Redevelopment Plan and all the powers now or hereafter permitted by law as may be limited by this Redevelopment Plan.

#### **1.4.2 Personal Property Acquisition and Disposition**

The Agency is not authorized to acquire personal property in the Project Area, except as necessary in the execution of this Redevelopment Plan. For purposes of this section, personal property includes but is not limited to, structures and improvements without acquiring the land upon which those structures or improvements are located. The Agency is authorized to lease, sell, exchange, transfer, assign, pledge, encumber or otherwise dispose of personal property acquired by the Agency.

#### **1.4.3 Real Property Acquisition**

The Agency may acquire real property, either the entire fee or any other interest in real property less than a fee, including underground easements, located in the Project Area by any means authorized by law, as may be limited by this Redevelopment Plan. The use of eminent domain is totally prohibited in Project Area A and is partially prohibited in Project Area B, as set forth in Section 1.4.5 of this Redevelopment Plan.

#### **1.4.4 Real Property Disposition and Development**

The Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust or otherwise dispose of any interest in real property in the Project Area, except to the extent prohibited by the Granting Act. To the extent permitted by law, the Agency is authorized to dispose of or acquire real property by negotiated lease, sale or transfer without public bidding.

All real property acquired by the Agency in the Project Area will be sold or leased to public or private persons or entities for development of the uses permitted in this Redevelopment Plan, or may be developed by the Agency for uses consistent with the Community Redevelopment Law.

The Agency will obligate all purchasers or lessees of property acquired from the Agency to use the property for the purposes designated in this Redevelopment Plan, to begin and complete development of the property within a period of time that the Agency fixes as reasonable and to comply with other conditions that the Agency deems necessary to carry out the purposes of this Redevelopment Plan.

To provide adequate safeguards to ensure that the provisions of this Redevelopment Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased or conveyed by the Agency, as well as all property subject to owner participation agreements, is subject to the provisions of this Redevelopment Plan.

The Agency will reserve powers and controls in the disposition and development documents as necessary to prevent transfer, retention or use of property for speculative purposes and to ensure that development is carried out consistent with this Redevelopment Plan.

Leases, deeds, contracts, agreements and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes or any other provisions necessary to carry out this Redevelopment Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, will be recorded in the office of the County Recorder.

Property acquired by the Agency in the Project Area will be under the management and control of the Agency during its ownership of such property. Such property may be rented or leased by the Agency pending its conveyance.

The Agency is authorized to assist financially (and otherwise) any public entity in the cost of public land, buildings, facilities, structures or other improvements where such land, buildings, facilities, structures or other improvements, are or would be, of benefit to the Project Area.

#### **1.4.5 Prohibitions and Limitations on Use of Eminent Domain**

The Agency may exercise the power of eminent domain in the Project Area only if the Agency complies with state law including the requirement: that the Agency make every effort to acquire property by negotiation, instead of by condemnation or eminent domain; that the Agency pay just compensation based upon fair market value; and that the Agency adopt at a public hearing by a vote of not less than two-thirds of all members of the Agency Commission, a resolution of necessity finding that acquisition of such property through eminent domain is in the public interest, and necessary to carry out this Redevelopment Plan. In addition, the use of eminent domain will be subject to the following limitations and prohibitions:

- The Agency may not use eminent domain to acquire property without first receiving a recommendation from the PAC or appointed citizens advisory committee. As stated in Section 1.1.6, the Agency commits to maintain a PAC or an appointed citizens advisory committee for the duration of this Redevelopment Plan.
- The Agency may not use eminent domain to acquire publicly owned property including property owned by the San Francisco Housing Authority.
- Eminent domain proceedings, if used in the Project Area, must be commenced, pursuant to CRL Section 33333.2(a)(4), within twelve (12) years from the Effective Date. This time limitation may be extended, pursuant to the standards of CRL Section 33333.2(a)(4), only by amendment of this Redevelopment Plan, as adopted and approved by the Board of Supervisors and the Agency Commission, following a community process.
- The Agency may not acquire, through the use of eminent domain, real property in a Residential (R) District, as defined by the Planning Code (“R” zone), as of the Effective Date, in the Project Area.
- The Agency may not acquire, through the use of eminent domain, property that contains legally occupied Dwelling Units.
- The Agency may not acquire, through the use of eminent domain, property owned by churches or other religious institutions, as defined in Planning Code Section 209.3(j).
- The Agency may not acquire real property in the Project Area to be retained by an owner pursuant to an Owner Participation Agreement, unless the owner fails to perform under that agreement and as a result the Agency exercises its reverter rights, if any; or successfully prosecutes a condemnation or eminent domain action.
- The Agency will use eminent domain on a parcel not zoned “R” (Residential) only as a last resort after the property owner has failed, after reasonable notice, to correct one or more of the following conditions:

- The property contains an unreinforced masonry building (UMB) that has not been seismically retrofitted by the date required by City ordinance.
- The property contains a building in which it is unsafe or unhealthy for persons to live or work as determined by the Department of Building Inspection, after failure to comply with an order of abatement of such conditions pursuant to Section 102 of the Building Code.
- The property contains uses that pose a threat to the public’s safety and welfare as formally determined through major citations by the appropriate City agencies or departments, including the San Francisco Police Department, San Francisco Fire Department, San Francisco City Attorney’s Office, San Francisco District Attorney’s Office, San Francisco Department of Public Health, San Francisco Department of Building Inspection, and San Francisco Planning Department.
- A parcel that is vacant, used solely as a surface parking lot (not accessory to another use), or contains a vacant or substantially vacant (approximately seventy five percent (75%) or more of the rentable area) building(s) and the owner has no active plans for a new use or development.
- Under-utilization of a property of irregular form and shape, and of inadequate size that substantially hinders its economically viable uses for development consistent with this Redevelopment Plan.

**1.4.6 Rehabilitation, Conservation and Moving of Structures**

The Agency is authorized to rehabilitate and conserve or to cause to be rehabilitated and conserved, any building or structure in the Project Area and to encourage others to do so. The Agency is also authorized to acquire, restore, rehabilitate, move and conserve historic resources in the Project Area.

It is a purpose of this Redevelopment Plan to encourage the retention of existing businesses that are generally compatible with this Redevelopment Plan and to add to the economic viability of businesses by programs that encourage voluntary participation in conservation and rehabilitation. The Agency is authorized to conduct a program of assistance and incentives to encourage owners of property within the Project Area to upgrade and maintain their property in a manner consistent with this Redevelopment Plan and with other standards that may be established by the Agency.

**1.5 Community Revitalization Activity Nodes**

The Agency shall encourage the promotion of policies and land use decisions that provide job-training, employment and business opportunities to local residents with a focus on Bayview Hunters Point Redevelopment Plan  
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economic development efforts within the seven Community Revitalization Activity Nodes of the Project Area: Town Center, Health Center, South Basin, Oakinba, Candlestick Point and a portion of the Hunters Point Shoreline and Northern Gateway Activity Nodes. The Community Revitalization Activity Nodes are shown on Map 3. The Agency may implement Activity Node development programs for all or part of each Activity Node. The Agency may also pursue economic development efforts outside of the Project Area where these efforts are determined to be necessary to effect the elimination of blighting conditions within the Project Area and are consistent with CRL Section 33445.1 (Stat.2009, Chapter 555). The design of each Community Revitalization Activity Node will facilitate and support the Agency's efforts under its Affordable Housing Program.

The Agency's Housing programs, economic development efforts, and community enhancements will focus on the following Activity Nodes as illustratively described below:

### **1.5.1 Northern Gateway**

- Promote mixed-use, transit-oriented development on Third Street, including local shopping, office space, entertainment venues and, where appropriate, light industrial activities.
- Develop industrial and large-scale commercial space on properties.
- Encourage the development of major business and employment development centers.
- Maintain and expand industry to increase the job base and support the development of entrepreneurial opportunities.
- Encourage clean industry and facilities to improve the quality of life for Project Area residents and workers.

### **1.5.2 Town Center**

- Promote appropriately scaled, mixed-use, transit-oriented development on Third Street.
- Assist the retention of existing buildings and facades where feasible and appropriate.
- Encourage the growth of commercial retail, including restaurants, boutique shops, arts, theaters, museums, a conference center, cultural and entertainment uses that contribute to development of a cultural destination.
- Promote infill development in residential neighborhoods, as appropriate.

- Create community service spaces centered around Third Street and Oakdale Avenue.
- Promote the enhancement of transit hubs, including Muni and CalTrain, to bring people to Bayview Hunters Point and to provide residents with improved connections to employment.
- Develop community destinations and gathering places – including plazas and locations for festivals, fairs, a farmer’s market and community events.

### **1.5.3 Health Center**

- Assist the development of mixed-use, transit oriented projects on Third Street with ground floor commercial retail space.
- Enhance public amenities designed to serve an aging population.
- Promote commercial activities focused on medical, medical-related and supportive services.
- Assist in the renovation and expansion of the Southeast Health Center.
- Construct community destinations and gathering places – including plazas.
- Develop housing for seniors including assisted-living facilities.
- Develop an commercial office area, with medical and other types of office uses bounding the Southeast Health Center with buffer zones between adjacent residential and industrial uses.

### **1.5.4 South Basin**

- Promote transit-oriented development adjacent to Third Street, with residential units, including affordable housing units, in appropriate locations.
- Encourage the development of industrial and large-scale commercial space on properties zoned for light industrial uses.
- Create buffer land use zones between residential and industrial uses to minimize potential adverse environmental health impacts and other land use conflicts.
- Promote locally-owned businesses and local entrepreneurs.
- Promote retail growth focused on neighborhood-serving businesses that meet the basic shopping needs of the community.
- An eco-industrial park in the southeast portion of the district, with defined truck routes linking the Shipyard and the freeway.

- Protect historic residential neighborhoods, with a range of new infill housing and transit-oriented mixed-use development focused around light rail stations.

#### **1.5.5 Oakinba**

- Create a vibrant commercial center with limited larger-scale, city-serving commercial businesses along Bayshore Boulevard consistent with Planning Code standards.
- Ensure the compatibility of larger-scale commercial and light industrial uses with nearby residential neighborhoods.
- Develop job-training, employment and business opportunities to local residents.
- Promote economic development that fosters clean industry and commercial facilities to protect and improve the quality of life for area residents and workers.
- Maintain and expand industry within the area to increase the job base and support the development of entrepreneurial opportunities.
- Facilitate the creation of a ‘green’ home improvement district along Bayshore Boulevard.

#### **1.5.6 Hunters Point Shoreline**

- Promote new housing on available infill development sites where appropriate.
- Assist with the renovation of Housing Authority projects such that the housing fits in architecturally with other residential development in the community.
- Emphasis on encouraging artists and artisans, such as those of African or Pan-African influence.
- Improve access to water recreation along the India Basin shoreline and enhance public access to the waterfront from the hillside housing.
- Assist with the redesign of Innes Avenue to improve pedestrian safety and enhance the neighborhood commercial area.
- Facilitate the development of a maritime center focused on historic boating activities and creating future recreational opportunities.
- Conduct specific land use planning for the remaining survey area.

#### **1.5.7 Candlestick Point**

- Administer the development of a new, high density, transit-oriented mixed-use development that includes residential units with a range of housing types and densities and fosters a diverse array of commercial uses from a wide range of

industries that may include, among other uses, regional retail and entertainment venues; a hotel and entertainment arena; neighborhood-serving commercial and retail uses; and office, research and development, and community service uses, consistent with Proposition G, which San Francisco voters approved on June 3, 2008.

- Create community and regional recreational destinations and gathering places, including a restored, reconfigured, and redeveloped Candlestick Point State Recreation Area land, and other public parks and civic spaces.
- Rebuild the Alice Griffith Housing to provide at least one-for-one replacement units targeted to the same income levels as those of the existing residents and ensure that Alice Griffith households leasing units from the Housing Authority have the opportunity to move to the new, upgraded units directly from their existing Alice Griffith Housing units without having to relocate to any other area.
- Construct new public infrastructure and transportation facilities to service new development at Candlestick Point, Alice Griffith and the Hunters Point Shipyard.

## **1.6 Community Enhancements and Benefits Program for the Project Area**

### **1.6.1 Community Benefits Program**

The Agency may adopt and implement a community enhancements and benefits program that will promote the full revitalization of the Bayview Hunters Point neighborhood and that will involve the Agency and as appropriate, other city, regional and state agencies in its implementation.

### **1.6.2 Proposed Benefits Programs**

The following community benefit program elements are suggested under this Redevelopment Plan:

- Streetscape plans for Third Street, Evans-Innes Avenue, Oakdale Avenue or other major roadways in Zone 2 of the Project Area, including traffic calming where needed;
- Green Streets Program to provide for the landscaping and lighting of local streets;
- Façade Improvement Program in concert with the streetscape plans to enhance key catalyst areas along the major roadways;

- Development of “way finding” programs such as local signage and gateway elements;
- Development of public parks and recreational facilities;
- Preservation of historic structures;
- Commitment of land and ground floor spaces in mixed use projects for community facilities;
- Planning and development of community facilities and health clinics; and
- Creation of job readiness, training, and placement programs for local residents.

### **1.6.3 Open Space**

The generalized park and open space areas consist of a system of new and reconfigured state park facilities, community and neighborhood parks, plazas, recreational facilities, and habitat preservation areas.

In Zone 1, the Agency will work with developer(s), City and State agencies, toward the construction of a comprehensive and integrated system of new and reconfigured public parks in the Candlestick Point Activity Node. The Agency may assist in land transactions and the funding of new public parks or the enlargement and/or enhancement of existing public facilities within Zone 1 of the Project Area and maintenance of those improvements. The Agency encourages the cooperation of developers in the construction and maintenance of private and semi-public outdoor open spaces (plazas, balconies, patios, courtyards, rooftops).

In Zone 2, the Agency will work with city agencies toward the construction of a comprehensive and integrated system of inviting and well-lighted “Green Streets” to provide direct pedestrian movement to and from schools, parks, playgrounds, commercial areas, and other frequently visited facilities and places. These pedestrian routes, both on and away from public streets, should be marked with distinctive landscaping. The Agency may assist in the purchase of land and the development of new public parks or the enlargement and enhancement of existing public facilities within Zone 2 of the Project Area. The Agency encourages the cooperation of developers in the construction and maintenance of private and semi-public outdoor open spaces (plazas, balconies, patios, courtyards, rooftops).

### **1.6.4 Public Improvements and Public Facilities**

The Agency is authorized to install and construct or to cause to be installed and constructed the public improvements, public facilities, and public utilities, on any parcel within or outside the Project Area, appropriate or necessary to carry out this Redevelopment Plan. Such public improvements and public facilities are described in Attachment C.

## **1.7 Affordable Housing in the Project Area**

### **1.7.1 Affordable Housing Program**

The Agency shall implement an Affordable Housing Program and, as feasible, may dedicate affordable housing funds for the production of affordable housing outside of the Project Area if such production is determined to be necessary to effect the elimination of blighting conditions within the Project Area and the implementation of this Redevelopment Plan.

Further the Agency may only utilize citywide affordable housing funds generated from Zone 1 of the Project Area for the production of affordable housing outside of Zone 1 as provided in the applicable Tax Allocation Agreement and disposition and development agreement.

The Affordable Housing Program shall be consistent with the City's Consolidated Housing Plan and the General Plan and will include below market rate apartment development, affordable home ownership project development, supportive housing projects serving high need populations, and Agency programs such as a model block single family rehabilitation program.

### **1.7.2 Affordable Housing Production Goals**

Subdivision (b)(2) of Section 33413 of the Community Redevelopment Law requires that at least fifteen percent (15%) of all new and substantially rehabilitated Dwelling Units developed within Project Area B by public or private entities or persons other than the Agency will be available at affordable housing cost to, and occupied by, persons and families of extremely low-, very low-, low- or moderate-income, as defined by the CRL.

In Zone 1, the Agency shall meet this Community Redevelopment Law requirement through implementation of one or more disposition and development agreements that include the Candlestick Point Hunters Point Shipyard Phase 2 Below Market Rate Housing Plan. In Zone 2 of the Project Area, the Agency shall exceed the Community Redevelopment Law requirement by making at least twenty-five percent (25%) of all new and substantially rehabilitated Dwelling Units developed within Project Area B by public or private entities or persons other than the Agency be available at affordable housing cost to, and occupied by, persons and families of extremely low-, very low-, low- or moderate-income, as defined by the CRL. Not less than forty percent (40%) of the Dwelling Units in Zone 2 required to be available at affordable housing cost to, and occupied by, persons and families of extremely low-, very low-, low- or moderate-income shall be available at affordable housing cost to, and occupied by, extremely low- and very low-income households.

### **1.7.3 Affordable Housing Participation Policy**

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To facilitate the Agency’s compliance with the above-described affordable housing production goals, the developers of market rate housing shall have an inclusionary housing obligation.

In Zone 1 of the Project Area, developers of housing shall comply with the requirements of any disposition and development agreement, including the Candlestick Point and Hunters Point Shipyard Phase 2 Below-Market Housing Plan, which requires, among other things, Permanently Affordable, inclusionary units that are restricted to households earning between eighty percent (80%) and one hundred-twenty percent (120%) of AMI (Asas defined in the Candlestick Point and Hunters Point Shipyard Phase 2 Below-Market Housing Plan) and developer subsidies for affordable housing units constructed on Agency-owned land in Zone 1 of the Project Area.

In Zone 2 of the Project Area, developers of housing shall comply with the citywide Inclusionary Housing Ordinance, as described in Sections 315 et seq. of the Planning Code, and as it may be further amended from time to time, except that: (a) the duration, monitoring, marketing, and controls for affordable units shall be consistent with the Community Redevelopment Law and Agency policy; (b) the number of units required under Sections 315.4 and 315.5 of the Planning Code shall be increased to at least fifteen percent (15%) of all units constructed on the project site and twenty percent (20%) of all units constructed off-site; (c) the construction of off-site units under Sections 314.4(e)(1) and 315.5 of the Planning Code shall occur only at a site within Zone 2 of the Project Area; (d) the payment of an in lieu fee under Sections 314.4(e)(2) and 315.6 of the Planning Code shall be made to the Agency instead of the Mayor’s Office of Housing; and (e) the definition of “affordable to qualifying households” in Section 315.1 means: (1) for rental units in an affordable housing project, the goal will be to establish, to the extent feasible, a rent that is affordable to households whose combined annual gross income for all members does not exceed fifty percent (50%) of Area Median Income; and (2) for owned units in an affordable housing project, the goal will be to establish, to the extent feasible, an average maximum purchase price that is affordable to households whose combined annual gross income for all members does not exceed eighty percent (80%) of Area Median Income, assuming an annual payment of all housing costs of thirty-three percent (33%) of the combined household annual net income, a five percent (5%) down payment and available financing consistent with the Limited Equity Program, or such successor affordable homeownership program as the Agency may implement. However, notwithstanding anything herein to the contrary, if the ownership structure of any housing development in Zone 2 includes a long-term leasehold, with fee title ownership of the land held by the Agency, then the requirements and procedures of Section 315.1-315.9 of the Code, as they may become applicable, shall apply only to the leasehold estate, and no affordability restrictions shall be recorded against the Agency’s fee title interest.

#### **1.7.4 Tax Increment Committed To Housing**

In a given year, the Agency shall use no less than the amount required under CRL Section 33334.2, which mandates that not less than twenty percent (20%) of all taxes allocated to the Agency pursuant to CRL Section 33670(b) shall be used by the Agency for the purposes of increasing, improving and preserving the City’s supply of housing for persons and families of very low-, low- or moderate-income unless certain findings are made as required by that section to lessen or exempt such requirement. In Zone 1 of the Project Area, these funds are to be used solely for the costs related to the construction of affordable housing units and related development expenses.

Over the term of this Redevelopment Plan, the Agency shall use no less than fifty percent (50%) of the total tax increment funds that the Mayor and Board of Supervisors allocate to the Agency for its redevelopment activities for the purposes of increasing, improving, and preserving the City’s supply of housing for persons and families of extremely low-, very low-, low- or moderate-income, consistent with Board Resolution No. 427-05 and Agency Resolution No. 134-2005; provided, however, that in Zone 1 the Agency may use funding sources other than tax increment to provide the amount of funding that meets or exceeds the amount equivalent to fifty percent (50%) of the total tax increment funds allocated to the Agency. For purposes of this Section, “redevelopment activities” means the Agency’s work program for the Project Area as described in its annual budget but does not include any statutory pass-through obligations.

Within Zone 1 of the Project Area the Agency may utilize Zone 1 housing funds for the construction of infrastructure directly related to affordable housing development, subject to compliance with the standards of Section 33334.2.

The Agency may use the funds specified in CRL Section 33334.2 to meet, in whole or in part, the replacement housing provisions or the affordable housing production provisions. These funds may be used inside the Project Area. These funds may be used outside the Project Area only if findings of benefit to the Project Area are made as required by CRL Section 33334.2(g).

#### **1.7.5 Replacement Housing**

In accordance with CRL Section 33334.5, whenever Dwelling Units housing persons of low or moderate income are destroyed or removed from the low- and moderate-income housing market, as part of the implementation of this Redevelopment Plan, the Agency shall, within four (4) years of such destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, for rental or sale to persons and families of low- or moderate-income an equal number of comparably affordable replacement Dwelling Units, within the Project Area or within the territorial jurisdiction of the City in accordance with the provisions of CRL Sections 33413 and 33413.5.

#### **1.7.6 Occupancy Preferences**

Whenever the Agency provides a subsidy, financial assistance or some other material benefit such as site assembly, site specific capital improvements, or an amendment to this Redevelopment Plan, that results in low- or moderate- income housing units being developed in Zone 2 of the Project Area or elsewhere pursuant to this Redevelopment Plan, the Agency shall require by contract or other appropriate means that such housing be made available for rent or purchase to persons and families of low- and moderate-income in the following order of priority, to the extent permitted by law: (1) Hunters Point Certificate of Preference Holders; (2) other Certificate of Preference Holders; (3) rent burdened or assisted housing residents, defined as persons paying more than fifty percent (50%) of their income for housing, or persons residing in public housing or Project-Based Section 8 housing; (4) San Francisco residents and workers; and (5) members of the general public. Any residency preference authorized under this Section will be permitted only to the extent that such preference: (a) does not have the purpose or effect of delaying or otherwise denying access to a housing development or unit based on race, color, ethnic origin, gender, religion, disability, age, or other protected characteristic of any member of an applicant household; and (b) is not based on how long an applicant has resided or worked in the area.

## **1.8 Methods of Financing this Redevelopment Plan in the Project Area**

### **1.8.1 General Description of Proposed Financing Method**

The Agency is authorized to finance the implementation of this Redevelopment Plan with financial assistance from the City, State, federal government, tax increment funds, interest income, Agency bonds, donations, loans from private financial institutions, assessments, the lease or sale of Agency-owned property and any other available source, public or private.

The Agency is also authorized to obtain advances, borrow funds and create indebtedness in carrying out this Redevelopment Plan. The principal and interest on such advances, funds and indebtedness may be paid from tax increments or any other funds available to the Agency.

The City or any other public agency may expend money to assist the Agency in carrying out this Redevelopment Plan. As available, gas tax funds from the State and County may be used for transportation improvements and public transit facilities.

### **1.8.2 Tax Increment Financing**

All taxes levied upon taxable property within the Project Area each year, by or for the benefit of the State, the City, any district or any other public corporation (sometimes called “Taxing Agencies”) after the Effective Date shall be divided as follows:

That portion of the taxes that would be produced by the rate upon which the tax is levied each year by or for each of the Taxing Agencies upon the total sum of the assessed value of the taxable property in the Project Area as shown upon the assessment roll used in connection with the taxation of such property by such Taxing Agencies, last equalized prior to the Effective Date, shall be allocated to and when collected shall be paid into the funds of the respective Taxing Agencies as taxes by or for the Taxing Agencies on all other property are paid. For the purpose of allocating taxes levied by or for any Taxing Agency or agencies that does not include the territory of the Project Area as of the Effective Date but to which such territory is annexed or otherwise included after such Effective Date, the assessment roll of the County of San Francisco last equalized on the Effective Date will be used in determining the assessed valuation of the taxable property in the Project Area on the Effective Date.

Except as provided in CRL Section 33670(e) or in Section 33492.15, that portion of levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on loans, monies advanced to or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the redevelopment project; provided, however, that the portion of the levied taxes from Zone 1 of the Project Area shall be allocated each year and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on loans, money advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the implementation of those sections of this Redevelopment Plan for Zone 1. Unless and until the total assessed valuation of the taxable property in the Project Area exceeds the total assessed value of taxable property in the Project Area as shown by the last equalized assessment roll referred to herein, all of the taxes levied and collected upon the taxable property in the Project Area shall be paid into the funds of the respective Taxing Agencies. When the loans, advances or indebtedness, if any, and interest thereon, have been paid, all monies thereafter received from taxes upon the taxable property in the Project Area shall be paid into the funds of the respective Taxing Agencies as taxes on all other property are paid.

The Agency irrevocably pledges the portion of taxes mentioned above and hereby for the payment of the principal and interest on the advance of monies, or making of loans or the incurring of an indebtedness (whether funded, refunded, assumed or otherwise), to finance or refinance the implementation of this Redevelopment Plan in whole or in part, including direct and indirect expenses; provided, however, that the portion of taxes received from Zone 1 of the Project Area shall be pledged for the implementation of those sections of this Redevelopment Plan for Zone 1 and Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area; and provided further that the portion of taxes received from Zone 2 of the Project Area shall be pledged for the implementation of those sections of this Redevelopment Plan for Zone 2. The Agency is authorized to make pledges as to specific advances, loans and indebtedness as appropriate in carrying out this Redevelopment Plan.

As permitted under Section 34177.7(j)(2) of the California Health and Safety Code and amendments to the CP-HPS2 project agreements, the 2024 amendment to the Redevelopment Plan authorize the application of the allocated property tax revenues generated from Zone 1 of Project Area B and Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area to both project areas for the purpose of implementing the Candlestick-Point Hunters Point Shipyard Phase 2 project regardless of location of the projects financed within Zone 1 of Project Area B and Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area.

### **1.8.3 Agency Bonds**

The Agency is authorized to issue bonds from time to time, if it deems it appropriate to do so, in order to finance all or any part of the implementation of ~~this Redevelopment Plan~~the CP-HPS2 project. Neither the members of the Agency Commission nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

For Zone 1 of the Project Area, and Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area, the aggregate total amount of bonded indebtedness of the Agency to be repaid from the allocation of taxes to the Agency for both Zone 1 of the Project Area and Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area pursuant to CRL Section 33670, which can be outstanding at one time, may not exceed \$~~1.25~~1.259 billion, except by amendment of this Redevelopment Plan. ~~Notwithstanding the foregoing, the principal amount of bonded indebtedness of the Agency to be repaid from such allocation of taxes to the Agency, which can be outstanding at one time for Zone 1 may not exceed a total of \$800,000,000, determined in a manner prescribed in a tax allocation agreement between the Agency and the City. Further, notwithstanding the foregoing, available tax increment that may be paid, pursuant to a tax allocation agreement or other agreement, for the implementation of those sections of this Redevelopment Plan for Zone 1 from the allocation of increment to the Agency under CRL Section 1.8.34177.7(j)(2) above shall be limited to), the~~ available increment levied against property within and collected from Zone 1 of the Project Area ~~and shall exclude all of the following: the amount specified in Section 1.8.2 and annual fees to the Agency for the purpose of administering~~ shall be available to finance both (i) the implementation of those sections of this Redevelopment Plan and related documents for Zone 1 in the amount in accordance with ~~an agreement between the Agency, master developer of Zone 1, and/or the City and pursuant to State law. Likewise, notwithstanding the CP-HPS2 DDA and~~ (ii) the implementation of those sections of Phase 2 of the Hunters Point Shipyard Redevelopment Plan and related documents in the amount in accordance with the CP-HPS2 DDA.

Notwithstanding the foregoing, available tax increment that may be paid, pursuant to a tax allocation agreement or other agreement, for the implementation of those sections of this Redevelopment Plan for Zone 2 from the allocation of increment to the Agency under Section 1.8.2 above shall be limited to available increment levied against property within and collected from Zone 2 of the Project Area and shall exclude all of the following: the amount specified in

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Section 1.8.2 and annual fees to the Agency for the purpose of administering the implementation of those sections of this Redevelopment Plan and related documents for Zone 2 in the amount in accordance with an agreement between the Agency, developers and/or landowners in Zone 2, and/or the City and pursuant to State law.

The bonds and other obligations of the Agency are not a debt of the City or the State, nor are any of its political subdivisions liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the Agency, and such bonds and other obligations shall so state on their face. The bonds do not constitute indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

#### **1.8.4 Time Limit on Establishment of Indebtedness**

The Agency may not establish or incur loans, advances or indebtedness to finance in whole or in part its activities in Zone 2 of the Project Area beyond twenty (20) years from the Effective Date unless amended following applicable provisions of the Community Redevelopment Law, except that the Agency may incur loans, advances or indebtedness beyond twenty (20) years from the Effective Date to be paid from the Low and Moderate Income Housing Fund as defined by the Community Redevelopment Law or to meet the Agency's replacement housing or inclusionary housing requirements as set forth in CRL Sections 33413 and 33413.5. This limit will not prevent the Agency from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit to repay indebtedness required by CRL Section 33333.2.

#### **1.8.5 Time Limit for Receipt of Tax Increment Funds**

The Agency may not establish or incur loans, advances or indebtedness to finance in whole or in part its activities in Zone 1 of Project Area B beyond thirty (30) years from the 2024 Plan Amendment Date. Solely for the purpose of using property tax revenues generated from Zone 1 of the Project Area to fund Qualified Project Costs and other costs necessary to complete the enforceable obligations of the CP-HPS2 project, including Agency Affordable Housing Costs and Agency Costs (as defined in the CP-HPS2 DDA)) in Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area, the time limit establishing or incurring loans, advances or indebtedness is (i) thirty (30) years from the 2024 Plan Amendment Date, plus (ii) an additional fifteen (15) years, which represents the Anticipated Navy Delay. The Agency may not pay indebtedness or receive property taxes pursuant to CRL Section 33670 from Zone 2 of Project Area B after forty-five (45) years from the Effective Date.

The Agency may not pay indebtedness or receive property taxes pursuant to CRL Section 33670 from Zone 1 of Project Area B after forty-five (45) years from the 2024 Plan Amendment Date. Solely for the purpose of using property tax revenues generated from Zone 1 of the Project

Area to fund Qualified Project Costs and other costs necessary to complete the enforceable obligations of the CP-HPS2 project, including Agency Affordable Housing Costs and Agency Costs (as defined in the CP-HPS2 DDA) in Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area, the time limit for paying indebtedness or receiving property taxes is (i) forty-five (45) years from the 2024 Plan Amendment Date, plus (ii) an additional fifteen (15) years, which amount represents the Anticipated Navy Delay.

### **1.8.6 Other Loans, Grants and Miscellaneous Financing Sources**

Any other loans, grants, guarantees or financial assistance from the federal government, the State, the City or any other public or private source will be used if available.

## **2.0 GENERAL POLICIES APPLICABLE TO THE PROJECT AREA**

In order to eliminate existing blight in the Project Area, to prevent its reoccurrence and to accomplish the goals of this Redevelopment Plan, the Agency may implement the following policies listed in this Section, as said policies may be amended from time to time. In addition, the Agency may adopt additional policies, from time to time, in its sole discretion, as are desirable and necessary to accomplish the goals of this Redevelopment Plan.

### **2.1 Relocation of Displaced Persons, Businesses and Others in Project Area**

#### **2.1.1 Assistance in Finding other Locations**

The Relocation Plan of the Agency for the relocation of families or single persons to be displaced by a project shall provide that no persons or families of low- or moderate-income may be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement. Such housing units shall be a standard dwelling that is suitable to the needs of such displaced persons or families and must be decent, safe, sanitary, and otherwise standard dwellings. The Agency may not displace such person or family until such housing units are available and ready for occupancy.

To the extent required by State and Federal law, the Agency shall: (1) pursuant to a Relocation Plan, assist or cause to be assisted all eligible persons (including individuals and families), business concerns and others, if any, displaced from Project Area B by redevelopment activities undertaken or assisted by the Agency in finding other locations and facilities, and, where possible, shall relocate businesses to a location of similar size within the Project Area; and (2) in order to implement this Redevelopment Plan with a minimum of hardship to eligible

persons, business concerns and others, if any, displaced by the implementation of this Redevelopment Plan, the Agency shall assist such persons, business concerns and others in finding new locations in accordance with Community Redevelopment Law, California Relocation Assistance Law and other applicable State and Federal law.

### **2.1.2 Relocation Payments**

The Agency shall make or cause to be made relocation payments to persons (including individuals and families), business concerns and others displaced by implementation of this Redevelopment Plan as may be required by State and Federal law. The Agency shall make such relocation payments pursuant to the California Relocation Assistance Law (Government Code §§ 7260 *et seq.*), Agency rules and regulations adopted pursuant thereto, and, as may be applicable in the event that the Agency uses federal funding to implement this Redevelopment Plan, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The Agency may make such other payments as it determines to be appropriate and for which funds are available.

### **2.1.3 Business Tenant Preference**

The Agency shall extend reasonable preferences to persons who are engaged in business within the Project Area to participate in the redevelopment of the Project Area, or to reenter into business within the redeveloped Project Area, if they otherwise meet the requirements of this Redevelopment Plan. In order to extend reasonable preferences to businesses to reenter into business within the redeveloped Project Area, the Agency has promulgated rules for the Business Occupant Re-Entry Policy within the redeveloped Project Area. For development in Zone 1, the Agency may elect to promulgate rules pursuant to a new Business Occupant Re-Entry Policy specific to Zone 1.

## **2.2 Nondiscrimination and Equal Opportunity**

### **2.2.1 Nondiscrimination in Implementation**

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, gender identity, sexual orientation, age, marital or domestic partner status, national origin or ancestry, height, weight, or disability including HIV/AIDS status permitted in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of property in the Project Area. All property sold, leased, conveyed or subject to an Owner Participation Agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases or contracts for the sale, lease, sublease or other transfer of land in the Project Area shall contain such nondiscrimination and non-segregation clauses.

### **2.2.2 Employment and Contracting Opportunities in Implementation**

The Agency, after consultation with the PAC, will adopt and implement programs for the Project Area, that meet or exceed City policies regarding workforce development, contracting opportunities, and equal opportunity, particularly for economically-disadvantaged Bayview Hunters Point residents and businesses.

For those projects that require Agency Action, the Agency shall require the developer to comply with the Agency's equal opportunity and local hiring policies, including: the Small Business Enterprise Program, the Bayview Employment and Contracting Policy, Nondiscrimination and Equal Benefits policies, Minimum Compensation and Healthcare Accountability policies and the Agency's Prevailing Wage Policy, where applicable, as such policies are amended or succeeded from time to time. For public housing redevelopment projects, compliance with SFHA contracting requirements is mandatory.

## **2.3 Owner Participation Agreements**

### **2.3.1 Participation by Property Owners**

Owners of real property in the Project Area may participate in the redevelopment of the Project Area by new development or rehabilitation in accordance with the standards for development or the standards for rehabilitation, which will be set forth in the OPA Rules.

The Agency may require, as a condition to participate in redevelopment in the Project Area, that each participant may enter into a binding written Owner Participation Agreement with the Agency by which the property will be developed, maintained or rehabilitated for use in conformity with this Redevelopment Plan, the Planning Code, the OPA Rules, declaration of restrictions, if any, and applicable design guidelines promulgated by the Agency. Owners of property in Zone 1 of the Project Area that is not subject to a disposition and development agreement must enter into an OPA in order to coordinate the delivery of public infrastructure with the development of other land within Zone 1.

Owner participation necessarily will be subject to and limited by such factors as the nature, condition, and use of existing improvements; the reduction of the total number of individual parcels in the Project Area; the elimination of certain land uses; the realignment of streets; the construction of new public facilities and improvements; and the ability of owners to finance acquisition, rehabilitation, and/or redevelopment in accordance with this Redevelopment Plan and the declaration of restrictions and in accordance with such controls as are necessary to ensure that redevelopment is carried out pursuant to the Standards for Development.

### **2.3.2 OPA Rules**

Property owners will be given a reasonable opportunity to participate in redevelopment. The Agency has adopted, after a public hearing, rules governing participation by property owners, which are subject to amendment from time to time. These rules were adopted pursuant to the CRL in order to implement the provisions of this Redevelopment Plan regarding participation by property owners. These rules incorporate the procedures to encourage, permit and govern the participation by property owners within the boundaries of the Project Area to the maximum extent consistent with the objectives of this Redevelopment Plan.

## **2.4 Enforcement, Amendments and Severability of Redevelopment Plan**

### **2.4.1 Actions by the City**

The City shall aid and cooperate with the Agency in carrying out this Redevelopment Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Redevelopment Plan and the other applicable Plan Documents, including preventing the recurrence or spread of conditions causing blight in the Project Area. The City shall comply with the provisions of the Community Redevelopment Law that generally entitle the Agency to all of the property tax revenues realized from growth in property values since the inception of this Redevelopment Plan.

### **2.4.2 Administration and Enforcement**

Except as otherwise specified in any Delegation Agreement, Interagency Cooperation Agreement, or Cooperation Agreement to be adopted by the Agency, the administration and enforcement of this Redevelopment Plan, including the preparation and execution of any documents implementing this Redevelopment Plan, will be performed by the Agency.

The provisions of this Redevelopment Plan or other documents entered into pursuant to this Redevelopment Plan may also be enforced by legal action instituted by the Agency and/or, to the extent set forth in a Delegation Agreement, Interagency Cooperation Agreement, or Cooperation Agreement, the City. Any such legal action may seek appropriate remedies that may include, but are not limited to, specific performance, damages, re-entry, injunctions or any other remedies appropriate to the purposes of this Redevelopment Plan.

Members of the PAC may, to the extent permitted by law, enforce this Redevelopment Plan in a court of competent jurisdiction.

### **2.4.3 Procedures for Plan Amendment**

This Redevelopment Plan may be amended by means of the procedure established in CRL Sections 33450-33458 or by any other procedure hereafter established by law.

#### **2.4.4 Severability**

If any provision, section, subsection, subdivision, sentence, clause or phrase of this Redevelopment Plan is for any reason held to be invalid or unconstitutional, such decision will not affect the validity of the remaining portion or portions of this Redevelopment Plan.

### **3.0 EXPIRED REDEVELOPMENT PLAN FOR PROJECT AREA A**

On January 20, 1969, by Ordinance No. 25-69, the Board of Supervisors adopted the redevelopment plan for Hunters Point, which became Project Area A of the Bayview Hunters Point Redevelopment Plan pursuant to Ordinance No. 113-06 and which expired in January 2009. Accordingly, the Agency has no authority to act pursuant to the portion of the former redevelopment plan for Project Area A except to pay previously incurred indebtedness, to enforce existing covenants, contracts, or other obligations, and to comply with affordable housing obligations, which includes the use of its tax increment for the funding of affordable replacement housing.<sup>4</sup> The regulation of land use and development in Project Area A reverted back to the Planning Code with the expiration of Project Area A in January 2009.

### **3.1 Methods of Financing under this Redevelopment Plan for former Project Area A**

#### **3.1.1 General Description of Proposed Financing Method**

Under the prior Hunters Point Redevelopment Plan, which this Redevelopment Plan amended in 2006, the Agency has been authorized to finance redevelopment activities related to Project Area A with financial assistance from the City, the State or the federal government, tax increment funds, interest income, Agency bonds, donations, loans from private institutions, assessments, the lease or sale of Agency-owned property or any other available source, public or private. The City or any other public agency may expend money to assist the Agency in carrying out this Redevelopment Plan. As available, gas tax funds from the State and County may be used for street improvements and public transit facilities. In accordance with CRL, the Agency has been authorized to obtain advances, borrow funds and create indebtedness in carrying out

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<sup>4</sup> Under Sections 33333.7 and 33333.8 of the California Health and Safety Code, the Agency may continue to incur indebtedness and receive tax increment from the Hunters Point Project Area (Project Area A) to fulfill its housing obligation to replace affordable housing units that were previously destroyed and never replaced. Ordinance No. 15-05 (Jan. 21, 2005).

redevelopment activities and to pay the principal and interest on such indebtedness from tax increment funds.

All taxes levied upon taxable property within Project Area A each year, by or for the benefit of the State, the City, any district or any other public corporation (sometimes called “Taxing Agencies”) after the effective date of the ordinance initially approving the allocation of taxes from Project Area A pursuant to Section 33670 (“**Effective Date of the Project Area A Ordinance**”), shall be divided as follows:

That portion of the taxes that would be produced by the rate upon which the tax is levied each year by or for each of the Taxing Agencies upon the total sum of the assessed value of the taxable property in Project Area A as shown upon the assessment roll used in connection with the taxation of such property by such Taxing Agencies, last equalized prior to the Effective Date of the Project Area A Ordinance, shall be allocated to and when collected shall be paid into the funds of the respective Taxing Agencies as taxes by or for the Taxing Agencies on all other property are paid. For the purpose of allocating taxes levied by or for any Taxing Agency or agencies which does not include the territory of the Project Area A as of the Effective Date of the Project Area A Ordinance but to which such territory is annexed or otherwise included after such Effective Date, the assessment roll of the County of San Francisco last equalized on the Effective Date of the Project Area A Ordinance will be used in determining the assessed valuation of the taxable property in the Project Area on the Effective Date of the Project Area A Ordinance.

Except as provided in CRL Section 33670(e) or in Section 33492.15, that portion of levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on loans, monies advanced to or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the redevelopment project. Unless and until the total assessed valuation of the taxable property in Project Area A exceeds the total assessed value of taxable property in Project Area A as shown by the last equalized assessment roll referred to herein, all of the taxes levied and collected upon the taxable property in Project Area A shall be paid into the funds of the respective Taxing Agencies. When the loans, advances or indebtedness, if any, and interest thereon, have been paid, all monies thereafter received from taxes upon the taxable property in Project Area A shall be paid into the funds of the respective Taxing Agencies as taxes on all other property are paid.

The Agency irrevocably pledges the portion of taxes mentioned above and hereby for the payment of the principal and interest on the advance of monies, or making of loans or the incurring of an indebtedness (whether funded, refunded, assumed or otherwise), to finance or refinance the implementation of redevelopment activities in whole or in part, including direct and indirect expenses. The Agency is authorized to make pledges as to specific advances, loans and indebtedness as appropriate in carrying out redevelopment activities.

Prior to 2005, the amount of Project Area A taxes allocated to the Agency pursuant to Section 33670 of the CRL was limited to \$15.1 million. This tax increment financing cap has been reached. In addition, the deadline for incurring debt for non-housing redevelopment activities was January 1, 2004. However, by virtue of Section 33333.7 of the CRL and Board of Supervisors' Ordinance No. 15-05, the Agency has the ability to incur indebtedness exclusively for the purpose of building affordable housing until the earlier of January 1, 2014 or until the Agency's replacement housing obligation, as defined in Section 33333.7 (SB 2113), is met.

### **3.1.2 Limits on Indebtedness and Tax Increment for Non-Housing Purposes**

The Agency may not pay indebtedness or receive property taxes for non-housing purposes in Project Area A after January 1, 2019.

### **3.1.3 Extension of Indebtedness and Tax Increment for Housing under Senate Bill (SB) 2113**

Notwithstanding the expiration of this Redevelopment Plan with respect to Project Area A, the Agency will have the continuing authority to incur indebtedness and to receive tax increment to meet its replacement housing obligation under CRL Section 33333.7 (SB 2113). Pursuant to state law, the Board of Supervisors amended the Hunters Point Redevelopment Plan by Ordinance No. 15-05 which became effective on January 21, 2005, to allow the Agency to incur indebtedness exclusively for the purpose of building affordable housing until the earlier of January 1, 2014 or until the Agency's replacement housing obligation under SB 2113 is met. The Agency will have the ability to receive tax increment for the purpose of repaying the indebtedness incurred to meet its replacement housing obligation under SB 2113 until January 1, 2044.

## **4.0 REDEVELOPMENT PLAN FOR ZONE 1 OF THE PROJECT AREA**

This Redevelopment Plan amendment designates Zones 1 and 2 of the Project Area as shown on Map 2, within the Bayview Hunters Point Redevelopment Project Area B. The Agency's Redevelopment Plan for the elimination of blight, increased affordable housing and economic development in Zone 1 of the Project Area are set forth below. The Agency retains land use authority within Zone 1 of the Project Area. The blocks and lots contained within Zone 1 as of the 2010 Plan Amendment Date are listed in Attachment D.

All real property in Zone 1 of ~~the~~ Project Area B is hereby made subject to the controls and requirements of this Redevelopment Plan. The Redevelopment Plan designates allowed uses and building types for Zone 1 of ~~the~~ Project Area B and relies upon the Candlestick Point Design for Development to provide more detailed development standards, design guidelines, and

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controls on use within Zone 1 of ~~the~~ Project Area B. No real property or real property interest may be developed, rehabilitated, or otherwise changed after the 2010 Plan Amendment Date except in conformance with the provisions of this Redevelopment Plan and the Candlestick Point Design for Development.

#### **4.1 Existing Conditions in Zone 1 of the Project Area**

Zone 1 of ~~the~~ Project Area B contains a mixture of vacant lands, surface parking lots, Candlestick Stadium, under-utilized park lands, blighted industrial properties, and the Alice Griffith San Francisco Housing Authority property in need of revitalization. The area is served by inadequate public infrastructure and deficient public facilities. These conditions constitute a substandard living environment and have a detrimental effect on the neighborhoods within and surrounding Zone 1 of ~~the~~ Project Area B.

#### **4.2 Generalized Neighborhood Land Uses**

Neighborhoods correspond to portions of Zone 1 with distinct characteristics and planning objectives, as reflected both in this Redevelopment Plan and the Candlestick Point Design for Development. This Redevelopment Plan identifies general objectives for each of this Neighborhoods in order to help determine what additional, complementary land uses may be allowed in a Land Use District and to assist with implementation of the Candlestick Point Design for Development.

##### **4.2.1 Alice Griffith Neighborhood**

*Objectives for This Neighborhood:* This Neighborhood will accommodate a diverse range of housing types with improved connections to the surrounding neighborhoods. Existing affordable homes will be rebuilt to provide at least one-for-one replacement units targeted to the same income levels as those of the existing residents and ensure that eligible Alice Griffith Housing residents have the opportunity to move to the new, upgraded units directly from their existing Alice Griffith Housing units without having to relocate to any other area. A focus of this Neighborhood will be a centrally located park that extends the length of this Neighborhood that may include community gardens, active sports uses, and picnic areas.

This Neighborhood will include mixed-income housing developments that may include townhomes, stacked townhomes, live-work units, group housing, and multi-unit, multi-story apartment and condominium buildings.

##### **4.2.2 Candlestick North Neighborhood**

*Objectives for This Neighborhood:* This Neighborhood will accommodate a compact, mixed-use community with higher densities than the Alice Griffith Neighborhood and an anchoring main street for neighborhood-serving shops and services. Given the higher density and greater number of units in the neighborhood than in the Alice Griffith Neighborhood, this Neighborhood ~~will include~~envisions a greater concentration of neighborhood-serving retail, business, service, and office uses, ~~most of which~~ will may be concentrated in the ground floor beneath residential uses along the southern edge of this Neighborhood, adjacent to the Candlestick Center Neighborhood. This Neighborhood may include certain commercial uses, including but not limited to, retail, hotel, and entertainment uses, as Principal and Secondary Uses as set forth in Section 4.2.7. This Neighborhood will include community facilities uses as well as two parks – one in the center of this Neighborhood intended to serve this Neighborhood and a wedge-shaped park at the southeastern edge forming a connection between the development, the State Park and the Bay waterfront. This Neighborhood may also include commercial uses and places intended to foster a sense of community where people can spend time between home and work.

This Neighborhood may include townhomes; lofts; live-work units; group housing, low- and mid-rise multi-unit, multi-story condominium or apartment buildings; and high-rise towers.

#### **4.2.3 Candlestick Center Neighborhood**

*Objectives for This Neighborhood:* This Neighborhood will accommodate the commercial heart of Zone 1. ~~It is and envisions~~ a mixed-use neighborhood ~~with regional shops and services, offices~~comprised of a diverse array of uses that may include, among other uses, office, research and development, hotel, public uses and residential uses. ~~The regional and neighborhood~~ retail uses ~~in this Neighborhood may include, public uses, entertainment uses such as movie theaters, clubs with live music, and restaurants., residential, and arts and cultural uses.~~ This Neighborhood ~~may include large format, anchor retailers to be accompanied by smaller stores fronting onto neighborhood streets also encourages innovation, such as emerging technologies, and active uses that enhance adjacent Neighborhoods.~~ This Neighborhood will include office/research and development uses ~~to which may~~ be located above the ground-floor retail ~~and entertainment uses and residential units above base floors containing commercial uses and parking areas.~~ Parking areas would be included on the interiors of blocks.

Residential uses in this Neighborhood may include townhomes; lofts; live-work units; and senior and disabled housing, and multi-unit, multi-story condominium or apartment buildings.

#### **4.2.4 Candlestick South Neighborhood**

*Objectives for This Neighborhood:* This Neighborhood will accommodate a broad range of residential housing types ~~as well as neighborhood serving~~and may include commercial uses,

including but not limited to, appropriate, retail, hotel, and entertainment uses designed to complement its position adjacent to the beach and surrounding parkland. ~~Most~~This Neighborhood may include commercial uses and places intended to foster a sense of the community where people can spend time between home and work. The neighborhood-serving retail, business, service, and office uses ~~will be~~may be concentrated in the ground floor beneath residential uses along the northern edge of this Neighborhood, adjacent to the Candlestick Center Neighborhood. This Neighborhood will include a mini-wedge park that would bisect this Neighborhood and provide a direct connection to the State parklands that are adjacent to this Neighborhood and provide the area's principal recreational resources.

Residential uses in this Neighborhood will include townhomes; lofts; live-work units; group housing, low- and mid-rise multi-unit, multi-story condominium or apartment buildings; and high-rise towers.

#### **4.2.5 Intentionally Deleted.**

#### **4.2.6 Land Use Districts**

Zone 1 of the Project Area consists of three land use districts (each referred to as a “**District**” or “**Land Use District**”) as shown on Map 4. The map shows the general boundaries of the Districts; precise boundaries of the Districts are to be interpreted in light of the objectives of this Redevelopment Plan at the time specific parcels are subdivided in accordance with City and State subdivision laws.

Allowable land uses within each District will be all those that are consistent with the character of the District as described in this Redevelopment Plan. The specific uses identified below for each District illustrate the appropriate scope and nature of permitted uses.

***Principal Uses.*** Within each District, “**Principal Uses**” shall be allowed as of right.

***Secondary Uses.*** Within each District, “**Secondary Uses**” will be permitted, through the determination of the Agency Commission or its designee, provided that such use: (a) generally conforms with the redevelopment objectives of this Redevelopment Plan, the objectives of the District as set forth in this Redevelopment Plan and the Candlestick Point Design for Development; (b) is compatible with the District's Principal Uses, nearby public facilities, and broader community; (c) is consistent with the Mitigation Measures and appropriately mitigates any adverse impacts; and (d) does not at the proposed size and location materially impede the planned uses and development of the District or Project Area. The Agency Commission or its designee may place conditions on the Secondary Use as necessary to make the findings in clauses (a) through (d) above.

***Non-Designated Uses.*** Uses that are proposed but are not specifically defined herein (“**Non-Designated Uses**”) may be classified by the Executive Director as Principal Uses, Secondary Uses, Temporary Uses, Interim Uses, or Prohibited Uses. The Executive Director or his or her designee may allow a Non-Designated Use as a Principal Use subject to approval by the Agency Commission, provided the Executive Director or his or her designee finds that such Non-Designated Use: (a) is consistent with the other Principal Uses allowed in the applicable District; (b) is consistent with the objectives for the applicable District; (c) generally conforms with the Candlestick Point Design for Development; and (d) is consistent with the Mitigation Measures and appropriately mitigates any adverse impacts. For Temporary or Interim Uses, the Executive Director shall in addition make the findings required for such uses as set forth in Section 4.2.10 and 4.2.11 below.

In the event the Executive Director determines that a Non-Designated Use should be evaluated as a potential Secondary Use rather than a Principal Use, the Executive Director shall require that the proposed use be considered by the Agency Commission pursuant to the Secondary Use process set forth above.

***Prohibited Uses.*** Within most Districts, certain land uses are expressly prohibited in order to maintain the intended character of the District, avoid conflicts of land uses, or maintain public welfare in response to specific conditions of the District (“**Prohibited Uses**”). The following uses will be Prohibited Uses in all Districts within Zone 1: Mortuary and Adult Entertainment uses.

***Provisions Applicable Generally.***

Certain lands within the Zone 1 are or may be subject to the Public Trust. The Public Trust doctrine limits the uses that are permitted on Public Trust lands. A Principal Use or Secondary Use shall be permitted on Public Trust land only to the extent the use is permitted under the Public Trust and is consistent with the Agency’s management of those lands on behalf of the State for Public Trust purposes. Thus, even though a particular use or uses may be shown as a permitted Principal or Secondary Use within the Zone 1, that use or uses may nevertheless not be permitted on lands subject to the Public Trust within Zone 1.

In all cases below, the height, bulk, setback, parking and open space requirements will be established in the Candlestick Point Design for Development.

Parking is a permitted Accessory Use to every Principal Use and Secondary Use permitted in each Land Use District. The design and location of parking is controlled by the Candlestick Point Design for Development.

Infrastructure elements that are required to provide access, utilities, and public services to the development described in this Section 4.2 shall be allowed as Principal Uses to the provided they

are consistent with the Mitigation Measures and subject to the Candlestick Point/Hunters Point Shipyard Phase 2 EIR.

Additional infrastructure elements such as decentralized wastewater treatment facilities, automated trash centralized collection facilities, and district heating and cooling facilities that serve the Project Area will be subject to the Candlestick Point/Hunters Point Shipyard Phase 2 EIR, the Mitigation Measures, and the Infrastructure Plan for the Hunters Point Shipyard Phase 2-Candlestick Point Project (as amended from time to time, the “**Infrastructure Plan**”). Decentralized wastewater treatment facilities shall be permitted as a Secondary Use in all Districts except the Open Space District. Automated trash centralized collection facilities shall be permitted as a Secondary Use in the Candlestick Mixed Use Commercial District. District Heating and Cooling Facilities shall be permitted as a Secondary Use in all Districts except the Open Space District.

#### **4.2.7 Candlestick Mixed Use Residential District**

The Candlestick Mixed Use Residential District consists of residential uses and **some** compatible **nonresidential uses, including but not limited to, local-serving retail and services, hotels, and neighborhood serving entertainment uses.** The primary land use is residential ~~units,~~ ranging from attached single family homes to high-rise multi-family residential developments. Related uses also include, **among other uses,** local-serving businesses, neighborhood retail, community facilities, family Child-Care Facilities, small professional offices, home occupations, and recreation facilities. This district covers the allowable land uses for the residential neighborhoods of Alice Griffith Neighborhood, Candlestick North Neighborhood and Candlestick South Neighborhood described above. This District also includes a planned neighborhood park, the final location of which has not been determined.

The following Uses are Principal Uses in this Land Use District:

##### Residential Uses:

- Dwelling Units
- Live-Work Units
- Group Housing
- Supportive Housing
- Home Office

##### Retail Businesses, Offices and Personal Services Uses:

- Neighborhood Retail Sales and Services  
(up to 10,000 sq. ft. per tenant)
- Restaurants
- Physical fitness and health facilities
- Automated teller machines (ATMs)

- Dry Cleaning Facility (without on-site dry cleaning plant)
- Commercial Wireless Transmitting Facilities
- Maker Space

Civic and Institutional Uses:

- Community Uses
- Arts Education
- Recreation Facilities
- Religious Institutions
- Elementary School
- Child-Care Facility
- Vocational / Job Training Facility (Clerical/Administrative)

Hotel Uses (restaurants, bars and other entertainment activities permitted as Accessory Uses)

Parks and Recreation Uses:

- Parks
- Public Art
- Open Space
- Bicycle Storage
- Public Restrooms
- Maintenance Facilities

The following Uses are permitted in this Land Use District if the criteria for Secondary Uses set forth in Section 4.2.6 are met:

Retail Businesses, Offices and Personal Services Uses:

- Regional Retail Sales and Services
- Neighborhood Retail Sales and Services (over 10,000 sq. ft. per tenant)
- Grocery Store
- Bars
- Office

Civic and Institutional Uses:

- Secondary School
- Post-Secondary Institution
- Nighttime Entertainment

- Amusement Enterprise
- Vocational / Job Training Facility (Mechanical/Industrial)

Commercial, Entertainment and Visitor Serving Uses:

- Performance Arts
- Multi-screen cinema
- Meeting Rooms
- Conference Facilities

The following Uses are Prohibited Uses in this Land Use District:

- Commercial Storage
- Automotive Sale
- Automotive Service Station
- Automotive Repair
- Automotive Gas Station
- Motor Vehicle Tow Service
- Drive-through facilities
- Dry Cleaning Facility (with onsite cleaning operations)
- Wholesale Retail
- Warehousing
- (prohibition excludes such uses allowed as an Accessory Use) Cannabis-Related Uses

**4.2.8 Candlestick Center Mixed Use Commercial District**

The Candlestick Center Mixed Use Commercial District consists of a diverse array of commercial uses that provide for the integration of various uses suitable for evolving market conditions for an innovative business or institutional environment ranging from office to laboratory activities, and as appropriate accessory uses, light industrial and manufacturing operations. It will also support small-, moderate-and large-scale retail and commercial operations, residential units, office and professional services, research and development, hotels, and entertainment uses. This land use district covers the allowable uses within the Candlestick Center Neighborhood described above.

The following Uses are Principal Uses in this Land Use District:

Residential Uses:

- Dwelling Units
- Group Housing
- Supportive Housing

- Live-Work Units
- Home Office

Retail Businesses, Offices, Research and Development, and Personal Services Uses:

- Regional Retail Sales and Services
- Neighborhood Retail Sales and Services
- Grocery Store
- Professional, medical, and business offices,
- Physical fitness and other health facilities
- Restaurants
- Bars
- Commercial Wireless Transmitting Facilities
- ~~Commercial~~
- Office
- Research and Development
- Laboratory
- Life Science

• Green Technology  
Maker SpaceCommercial, Entertainment and Visitor Serving Uses:

- Performance Arts
- Multi-screen cinema
- Hotel
- Meeting Rooms
- Conference Facilities

Education, Arts and Community Activities Uses:

- Arts Production
- Community Use
- Nighttime Entertainment
- Amusement Enterprise
- Post-Secondary Institution
- Recreation Facilities
- Religious Institutions
- Child-Care Facility
- Vocational / Job Training

Parks and Recreation Uses:

- Parks
- Active Recreation Facilities
- Public Art
- Open Space
- Bicycle Storage
- Public Restrooms
- Maintenance Facilities

The following Uses are permitted in this Land Use District if the criteria for Secondary Uses set forth in Section 4.2.6 are met:

Retail Businesses, Offices and Personal Services:

- Non-Retail Sales and Services
- Dry Cleaning Facility (with on-site dry cleaning plant)
- Animal Services
- Automotive Rental

Education, Arts and Community Activities Uses:

- Secondary School

The following Uses are Prohibited Uses in this Land Use District:

- Commercial Storage
- Automotive Sale
- Automotive Service Station
- Automotive Repair
- Automotive Gas Station
- Motor Vehicle Tow Service
- Drive-through facilities
- Industrial Activities (prohibition excludes such uses allowed as an Accessory Use)
- Warehousing (prohibition excludes such uses allowed as an Accessory Use)

#### 4.2.9 Open Space

The open space areas consist of land owned by the Agency, City or the State to be developed into regional and local-serving public parks including appropriate recreational facilities and equipment and park maintenance areas. Park lands that are subject to the Public Trust will be managed as state or regional parks consistent with the Public Trust. No other uses beyond those described below are permitted in open space areas.

The following Uses are Principal Uses in this Land Use District:

##### Parks and Recreation Uses:

- Active Recreation Facilities
- Public Art
- Open Space
- Bicycle Storage
- Public Restrooms
- Maintenance Facilities
- Recreational Equipment Rental

##### Civic, Arts & Entertainment Uses:

- Recreational Facility
- Transit Shelters

In areas not subject to the Public Trust, the full range of Uses allowed in Parks, open air marketplaces, and similar active recreational Uses shall be allowed in addition to the Permitted Uses listed above.

The following Uses are permitted in this Land Use District if the criteria for Secondary Uses set forth in Section 4.2.6 are met:

- Performance Arts
- Restaurants

#### 4.2.10 Interim Uses

“**Interim Uses**” are uses proposed during the time prior to or concurrent with development of land within a Land Use District consistent with this Redevelopment Plan. Interim Uses may be authorized in all areas not subject to the Public Trust for an initial time period to be determined by the Executive Director, upon a determination by the Executive Director that the authorized uses will not impede the orderly development of the Project Area as contemplated in this Redevelopment Plan. Where approved, Interim

Uses will be permitted for a defined period of time not to exceed five (5) years.

Permissible Interim Uses are as follows:

- Rental or sales office incidental to a new development, provided that it is located in the development or a temporary structure
- Structures and uses incidental to environmental cleanup and staging
- Temporary structures and uses incidental to the demolition or construction of a structure, building, infrastructure, group of buildings, or open space, including construction staging of materials and equipment
- Commercial Storage
- Parking (either primary or accessory to other uses)
- Truck parking and loading accessory to the uses above
- Other Interim Uses that do not conflict with the objectives of the Plan, the Plan Documents, and the Public Trust, where applicable.

Interim Uses of areas subject to the Public Trust shall be authorized only if the authorized uses are determined to be consistent with, necessary and convenient for, or incidental or ancillary to, the purposes of the Public Trust, or if the following criteria are met:

- There are no immediate Public Trust-related needs for the property,
- The proposed lease for the use prohibits construction of new structure or improvements that, as a practical matter, could prevent or inhibit the property from being converted to a permissible Public Trust use if necessary,
- The proposed lease for the use provides that the Agency has the right to terminate the lease in favor of Public Trust uses as Public Trust needs arise, and
- The proposed use of the leased property would not interfere with commerce, navigation, fisheries, or any other existing Public Trust use or purpose.

Extensions of the above approval periods may be authorized by the Executive Director in increments of up to five (5) year periods, subject to the same determinations as required for the initial period.

#### **4.2.11 Temporary Uses**

“**Temporary Uses**” are short-term, transitory uses that may be proposed either prior to or following development of land within a Land Use District consistent with this Redevelopment Plan. Temporary Uses will be permitted by the Executive Director or his or her designee for such period of time as the Executive Director or his or her designee determines to be reasonable provided the Executive Director or his or her designee finds that such Temporary Use is consistent with the objectives of the this Redevelopment Plan and the Candlestick Point Design for Development, as appropriate. Permissible Temporary Uses include:

- Booth for charitable, patriotic or welfare purposes
- Exhibition, celebration, festival, circus or neighborhood carnival
- Open air sales of agriculturally-produced seasonal decorations, including Christmas trees and Halloween pumpkins
- Convention staging
- Parking (either primary or accessory to other uses)
- Truck parking and loading accessory to the uses listed above
- Other Temporary Uses that do not conflict with the objectives of the Plan, the Plan Documents, and the Public Trust, where applicable.

#### 4.2.12 Public Rights-of-Way

The proposed street layout for Zone 1 is illustrated on the Map 4. Streets and alleys may be widened, narrowed, altered, realigned, abandoned, depressed or closed as necessary for proper redevelopment of Zone 1 of the Project Area. Additional public streets, alleys, rights-of-way and easements, may be created in Zone 1 of the Project Area as needed for development and circulation.

Certain streets in Zone 1 will be impressed with the Public Trust. These streets will provide key vehicular, bicycle and pedestrian access ways to and along the wedge parks at the center of Candlestick Point, and linking the northern, eastern, and southern waterfronts in the State Park.

### 4.3 Standards and Procedures for Development in Zone 1

For Zone 1, this Redevelopment Plan and the other Plan Documents, including the Candlestick Point Design for Development, establish the standards for development and supersede the San Francisco Planning Code in its entirety, except as otherwise expressly provided herein. The only sections of the Planning Code that shall apply within Zone 1, pursuant to the provisions of this Redevelopment Plan, are Sections 101.1, 295, and 314, as such sections are in effect as of the 2010 Plan Amendment Date. Both the Agency Commission and the Planning Commission must approve any amendments to the Candlestick Point Design for Development.

#### 4.3.1 Applicability of City Regulations; City’s Duty to Protect Public Health and Safety

(a) *General.* Regardless of any future action by the City or the Agency, whether by ordinance, resolution, initiative or otherwise, the rules, regulations, and official policies applicable to and governing the overall design, construction, fees, use or other aspect of development of Zone 1 will be (i) this Redevelopment Plan and the other Plan Documents, (ii) to Bayview Hunters Point Redevelopment Plan  
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the extent not inconsistent therewith or not superseded by this Redevelopment Plan, the Existing City Regulations (including all provisions of the Building Construction Codes, which are not inconsistent with or superseded by this Redevelopment Plan), (iii) New City Regulations to the extent permitted under this Redevelopment Plan; (iv) new or changed Development Fees and Exactions to the extent permitted under Section 43.15 of this Redevelopment Plan; (v) any disposition and development agreement or owner participation agreement related to development within Zone 1; and (vi) the Mitigation Measures (collectively, the “**Applicable City Regulations**”).

(b) Protection of Public Health and Safety; Federal or State Law. Notwithstanding any provision of this Redevelopment Plan to the contrary, the Agency and any City Agency having jurisdiction, shall exercise its sole discretion under this Redevelopment Plan and the applicable Plan Documents in a manner that is consistent with the public health and safety and shall at all times retain their respective authority to take any action that is necessary to protect the physical health and safety of the public (the “**Public Health and Safety Exception**”) or to comply with changes in Federal or State law, including applicable Federal and State regulations (the “**Federal or State Law Exception**”), including the authority to condition or deny a permit, approval, agreement or other entitlement or to adopt a New City Regulation, but subject, in all events, to any rights to terminate between an owner or developer and the Agency as set forth in either the Plan Documents or any disposition and development agreement or owner participation agreement related to development within Zone 1. Except for emergency measures, any City Agency or the Agency, as the case may be, will meet and confer with the owner of the affected Real Property and/or any affected party under any disposition and development agreement or owner participation agreement related to development within Zone 1 in advance of the adoption of any New City Regulations or New Construction Requirements to the extent feasible.

(c) Permitted New City Regulations. The City Agencies and the Agency reserve the right to impose any New City Regulations (except for the Planning Code sections superseded by this Redevelopment Plan) provided that (i) they are imposed on a Citywide Basis and (ii) they do not conflict with the development permitted or contemplated within Zone 1 by this Redevelopment Plan, the Plan Documents, or any disposition and development agreement or owner participation agreement related to development within Zone 1, or any portion of such development (unless such conflict is waived by the owners and developers of all affected property). As used in this paragraph (c), a New City Regulation “conflicts with the development permitted or contemplated” if it would change the aforementioned development regulations to:

(1) limit or reduce the density or intensity of development, or otherwise require any reduction in the square footage or number of proposed buildings (including number of Dwelling Units) or other improvements;

(2) limit or reduce the height or bulk of development within Zone 1, or any part thereof, or of individual proposed buildings or other improvements;

(3) materially change, restrict, or condition any land uses, including permitted or conditional uses, of development within Zone 1;

(4) materially limit or control the rate, timing, phasing, or sequencing of approval, development, or construction (including demolition);

(5) require the issuance of additional land use-related permits or approvals by the City or the Agency;

(6) materially limit or control the availability of public utilities, services or facilities or any privileges or rights to public utilities, services or facilities for Zone 1, including but not limited to water rights, water connections, sewage capacity rights and sewer connections;

(7) control or limit commercial or residential rents or purchase prices (excluding property owned or controlled by the Agency or the City during the period of Agency or City ownership and only to the extent such controls or limits would not survive transfer to a successive owner);

(8) materially limit the processing or procuring of applications and approvals for any subsequent City or Agency approvals;

(9) subject to Section 4.3.15, impose any new Development Fees and Exactions or expand or increase Development Fees and Exactions;

(10) subject to section 4.3.1.d (New Construction Requirements), materially increase the cost of construction or maintenance of all or any development permitted or contemplated in Zone 1 or of compliance with any provision of this Redevelopment Plan, the Plan Documents, any disposition and development agreement or owner participation agreement related to development within Zone 1 or Existing City Regulations applicable to Zone 1

(11) materially decrease the value of any land in Zone 1;

(12) materially reduce, limit the availability of or delay the amount or timing of tax increment or Mello-Roos Community Facilities District funding; or

(13) limit the Agency's ability to timely satisfy its obligations under any disposition and development agreement or owner participation agreement related to development within Zone 1 or the City's ability to timely satisfy its obligations under any cooperation agreement or tax allocation agreement related to development within Zone 1.

Nothing in this Redevelopment Plan or other applicable Plan Documents shall be deemed to limit any City Agency's or the Agency's ability to comply with the California Environmental Quality Act ("CEQA") or the CRL.

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Nothing in this section shall limit the authority of the Agency or any City Agency to exercise its discretion under the Public Health and Safety Exception or to make changes under the Federal or State Law Exception, as described in Section 4.3.1(b) (Protection of Public Health and Safety).

The City Municipal Code (excluding the Planning Code with the exception of conditions for cannabis-related uses specified in Section 202.2 thereof (as may be amended or superseded)) and related regulations (as such Code Sections and regulations may be amended from time to time consistent with this Redevelopment Plan) establishing a permitting program for Cannabis-Related Uses are Permitted New City Regulations applicable to and enforceable against Cannabis-Related Uses within the Project Area.

The City's Municipal Code and related regulations establishing a permitting program for Short-Term Rentals (as such Code Sections and regulations may be amended from time to time, consistent with this Redevelopment Plan) are Permitted New City Regulations applicable to and enforceable against Short-Term Rentals within the Project Area.

(d) *New Construction Requirements.* In addition to the Public Health and Safety Exception and the Federal or State Law Exception, the City may change construction requirements for Infrastructure and other Improvements (“**New Construction Requirements**”) if the changes: (i) would not materially increase costs or accelerate the payment of costs of developing the Project Area consistent with this Redevelopment Plan; (ii) are imposed by the Board of Supervisors on a Citywide Basis; and (iii) would not: (a) materially adversely affect Net Available Increment; (b) delay development; (c) materially limit or restrict the availability of Infrastructure; or (d) impose limits or controls on the timing, phasing, or sequencing of development permitted under this Redevelopment Plan. In addition, from and after the 10th anniversary of the issuance of the first Building Permit for a project within Zone 1 of Project Area B of the Project Area, the City may impose New Construction Requirements in response to technological advances in construction if the New Construction Requirements: (1) would materially decrease the City's operation and maintenance costs and would not materially interfere with the uses, heights, density, and intensity of development described in the Plan Documents; (2) will apply on a Citywide Basis for similar land uses; (3) do not conflict with the Mitigation Measures (provided, this requirement may be satisfied with an exemption for specific Mitigation Measures as needed); and (4) do not increase by more than twenty percent (20%) the unit cost of any single component that is the subject of the New Construction Requirement.

#### **4.3.2 Cooperation Agreement**

The Agency will enter into a Cooperation Agreement with the Planning Department defining the roles and responsibilities for the provision of project entitlements and the administration of, development controls, and implementation of mitigation measures within Zone 1 of the Project Area. The Cooperation Agreement will specify the respective roles of the Agency and the Planning Department in reviewing development proposals and otherwise

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administering the development controls, with the objective of facilitating the development process and furthering the goals of this Redevelopment Plan and the Candlestick Point Design for Development. Amendments to the Candlestick Point Design for Development will be approved by the Agency Commission and the Planning Commission.

#### **4.3.3 Interagency Cooperation Agreement**

The Agency and the City are entering into an Interagency Cooperation Agreement defining the roles and responsibilities for the design and installation of infrastructure, and implementation of mitigation measures within Zone 1 of the Project Area. The Interagency Cooperation Agreement will outline the responsibilities of city departments and agencies regarding the design, approval, installation and maintenance of public infrastructure in Zone 1.

#### **4.3.4 Type, Size, Height and Use of Buildings in Zone 1**

The Redevelopment Plan, the General Plan, and the Candlestick Point Design for Development establish the development controls authorized for Zone 1 of the Project Area. The Candlestick Point Design for Development provides specific limitations to the height and other dimensions of new buildings, standards for development of new buildings, as well as design guidelines directing the architectural character of future development.

The Planning Commission and the Agency Commission may adopt amendments to the Candlestick Point Design for Development to better achieve the goals and objectives of this Redevelopment Plan, subject to Section 4.3.1 above.

#### **4.3.5 Limitation on the Number of Buildings**

The number of buildings within the Zone 1 of the Project Area may not exceed approximately 450 buildings.

#### **4.3.6 Limitation on the Number of Dwelling Units**

The maximum number of Dwelling Units in Zone 1 of ~~the~~ Project Area B is approximately 7,850 units, provided that the maximum number of Dwelling Units may be increased, without amendment to this Plan, to the extent the Hunters Point Shipyard Redevelopment Plan allows for the transfer of Dwelling Units from Phase 2 of the Hunters Point Shipyard Redevelopment Plan Project Area to Zone 1 of Project Area B (subject to any required Commission approval and environmental review required under CEQA), and provided that the total Dwelling Units constructed within both Zone 1 of ~~the~~ Project Area B and the Hunters Point Shipyard Redevelopment Plan Area may not exceed 12,100 Dwelling Units without Commission approval (including attendant environmental review).

#### 4.3.7 Limitation on Type, Size and Height of Buildings

The size and type of buildings may be as permitted in the Applicable City Regulations, which is approximately ~~1,185,000~~3,353,500 square feet of non-residential development, including approximately ~~760,000~~309,500 square feet of retail and entertainment space, 50,000 square feet of community services space, ~~1,502,800~~,000 square feet of research and development/office space, 1~~53~~0,000 square feet of hotel and hotel related uses, and ~~10,000~~1,200 seat (~~7564~~,000 square feet) film arts/performance/event space.

The Commission may approve, without amendment to this Plan but subject to any necessary environmental review, adjustment of the foregoing square footages over time (except of community services space), including conversion to other non-residential uses allowed by this Plan, provided the total square footage of non-residential uses within Zone 1 of the Project Area does not materially exceed ~~1,185,000~~3,353,500 square feet (except as provided below).

The Commission may approve (with any necessary environmental review) the transfer of up to ~~118,500~~2,050,000 square feet of research and development/office use from the Hunters Point Shipyard Project Area to those portions of Zone 1 of the Bayview Hunters Point Project Area where such use is a Principal Use, without further amendment to this Redevelopment Plan. Any unused research and development/office square footage transferred from the Hunters Point Shipyard Project Area to Zone 1 of the Bayview Hunters Point Project Area pursuant to this paragraph may be transferred back to the Hunters Point Shipyard Project Area subject to Commission approval of applicable Major Phase Application(s) (as defined in the CP-HPS2 DDA).<sup>4</sup>

Accessory parking facilities for these uses are not included as part of these limitations.

The maximum building heights within Zone 1 is 420 feet. The Agency may impose additional height limits, building size and location restrictions, and other development controls within the Candlestick Point Design for Development, subject, subject to Section 4.3.1 above.

#### 4.3.8 Parking

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<sup>4</sup> The 2010 FEIR for the CP HPS2 project and subsequent addenda evaluated up to 5,000,000 million square feet of research and development and office use within Phase 2 of the Hunters Point Shipyard Project Area. To the extent feasible, the Agency and master developer shall rely on the prior environmental review in the event of a transfer of square footage to Phase 2 of the Hunters Point Shipyard Project Area pursuant to this paragraph. In addition, the Infrastructure Plan and Transportation Plan for the CP HPS2 project is designed to accommodate up to 5,000,000 million square feet of research and development/office use on Phase 2 of the Hunters Point Shipyard Project Area. A transfer of square footage pursuant to this paragraph that substantially conforms with the Infrastructure Plan and Transportation Plan shall not require amendment of such plans.

Parking will be permitted and required as described in the permitted land use section and as further regulated in the Candlestick Point Design for Development. In Zone 1, parking is generally required to be in an enclosed garage, not visible from the street or right-of-way, and accessory to an established residential or commercial use. Stand-alone parking use is not permitted at full build-out. However, it is understood that through phasing of the project, parking may be available before the completion of the use to which it is accessory, and may be on temporary outdoor lots.

#### **4.3.9 Land Coverage**

Land coverage will be determined by the application of the Candlestick Point Design for Development for density, parking, and open space.

#### **4.3.10 Signs**

In Zone 1, with the exception of temporary marketing and sales signs pertaining to developments within Zone 1 (which will be permitted), permanent or temporary billboards (excluding kiosks, streetscape commercial signage, and street furniture-related commercial signage), are prohibited within all Land Use Districts and are prohibited in any park or street area. Permanent signage for residential, commercial and open space development is subject to the development controls and guidelines of the Candlestick Point Design for Development. The Agency Commission shall review for consistency with the objectives of this Redevelopment Plan any proposed signage not permitted by the Candlestick Point Design for Development and any signage master plan.

#### **4.3.11 Review of Planning Applications, Architectural and Landscape Plans**

In evaluating plans, the Agency will use the standards set forth in the Candlestick Point Design for Development, which establishes design criteria for specific parcels to ensure an attractive and harmonious urban design. Development proposals will be evaluated pursuant to the Agency's Design Review and Document Approval Procedure (DRDAP) as attached to any disposition and development agreement to ensure they achieve the objectives of this Plan and are consistent with the Candlestick Point Design for Development.

#### **4.3.12 Off-Site Improvements**

The Agency may require a landowner or development project sponsor to install infrastructure, roadways, street trees, parks and other landscaping, or other improvements on property other than the site that is the subject of the sale, disposal, lease, or owner participation agreement. Such improvements shall be designed in conformity with approved open space, streetscape, or infrastructure plans and other applicable design guidelines.

The tax increment resources from Zone 1 of this Redevelopment Plan may provide for development of a stadium at Hunters Point Shipyard in order to free up the site of the existing Candlestick Point, thus facilitating regional retail and entertainment uses adjacent to Highway 101 and the integrated development of Candlestick Point and Hunters Point Shipyard. In order to accommodate vehicle traffic and transit serving the various uses planned for the Project Area, this Redevelopment Plan also provides for street, lighting, utility, and related improvements to the portion of Harney Way located to the southwest of the Zone 1 boundary of the Project Area, Bus Rapid Transit facilities along Geneva Avenue and at the Bayshore Caltrain Station, portions of the costs related to the Highway 101/Harney/Geneva freeway interchange, portions of Palou Avenue east of Third Street located outside the Project Area, and improvements to the Pennsylvania/25<sup>th</sup> Street intersection north of the Project Area.

#### **4.3.13 Variance by Agency**

The owner or developer of any property in Zone 1 may make a written request for a variance that states fully the grounds of the application and the facts pertaining thereto. Upon receipt of a complete application, the Agency may conduct its own further investigation and, after consultation with the PAC and the Planning Department, the Agency Commission may, in its sole discretion at a duly noticed public hearing, grant a variance from this Redevelopment Plan or the Candlestick Point Design for Development under the following circumstances:

- Due to unique physical constraints or other extraordinary circumstances applicable to the property, the enforcement of development regulations without a variance would otherwise result in practical difficulties for development and create undue hardship for the property owner or developer or constitute an unreasonable limitation beyond the intent of this Redevelopment Plan; and
- The granting of a variance would be in harmony with the goals of this Redevelopment Plan and the Candlestick Point Design for Development, and will not be materially detrimental to the public welfare or materially injurious to neighboring property or improvements in the vicinity.

In granting a variance, the Agency will specify the character and extent thereof, and also prescribe conditions necessary to secure the goals of this Redevelopment Plan and the Candlestick Point Design for Development. The Agency's determination to grant or deny a variance will be final and will not be appealable to the Planning Department. In no instance will any variance be granted that will substantially change the allowable land uses of this Plan.

#### **4.3.14 Nonconforming Uses**

The Agency will provide for the reasonable continuance, modifications, and/or termination of non-conforming uses and non-complying structures whose use or structure does not comply with this Redevelopment Plan or the Candlestick Point Design for Development, provided that such use is generally compatible with the development and uses authorized by this Redevelopment Plan and the Candlestick Point Design for Development. The Agency may authorize additions, alterations, reconstruction, rehabilitation, or changes in use through uses or structures that do not conform to the provisions of this Redevelopment Plan, subject to the Agency's determination that the additions, alterations, reconstruction, rehabilitation, or changes in use will not impede the orderly development of Zone 1 of this Redevelopment Plan and promote compatibility of uses, eliminate blighting conditions and effectuate the purposes, goals, and objectives of this Redevelopment Plan.

#### **4.3.15 Development Fees and Exactions**

The following provisions will apply to all property in Zone 1 except parcels used for the development of affordable housing by Agency-sponsored entities. Development Fees and Exactions shall apply to the Project in the manner described below. Except as provided in this section and except as required by the Mitigation Measures, the School Facilities Impact Fee, the Child-Care Requirements, and the Art Requirement shall be the only Development Fees and Exactions that apply to the Zone 1 for the duration of this Redevelopment Plan. Water Capacity Charges and Wastewater Capacity Charges are Administrative Fees and not Development Fees and Exactions, and shall apply in the Project Area.

The School Facilities Impact Fee shall apply for the duration of this Redevelopment Plan, shall be administered as required by State law, and shall be increased for the duration of this Redevelopment Plan in accordance with State law, but only to the extent permitted by State law.

The Art Requirement shall apply for the duration of this Redevelopment Plan and requires that any new office building in excess of 25,000 square feet constructed within the Project Area include one-half of one percent (0.5%) of the hard costs of initial construction (excluding costs of infrastructure and tenant improvements) (the "**Art Fee Amount**") for the installation and maintenance of works of art in the public realm within Zone 1 or within the Hunters Point Shipyard Redevelopment Project Area. In the event that public spaces are not available at the time the Art Requirement is due, then the Art Fee Amount shall be paid to a fund administered by the Agency to be used for public art within the Zone 1 or within the Hunters Point Shipyard Redevelopment Project Area. The public realm within which art may be installed so as to comply with the Art Requirement includes: any areas on the site of the building and clearly visible from the public sidewalk or open space feature, on the site of any open space feature, or in any adjacent public property. The type and location of artwork proposed shall be reviewed by the Executive Director for consistency with the Candlestick Point Design for Development and other Plan Documents.

The Child-Care Requirements shall apply for the duration of this Redevelopment Plan only to all commercial development over 50,000 square feet per Planning Code Section 314, as it existed on the 2010 Plan Amendment Date (attached and incorporated hereto as Attachment E). The Child-Care Requirements will be administered by the Agency to provide for these public benefits within Zone 1 or within the Hunters Point Shipyard Redevelopment Project Area.

The Child-Care Requirements provide for compliance either by constructing Child-Care Facilities or, alternatively, payment of an in-lieu fee. For the duration of this Redevelopment Plan, development within the Zone 1 shall not be subject to any change to the provisions of the Child-Care Requirements that permit compliance through the construction of Child-Care facilities. In addition, no new in lieu fee or increase in the existing in lieu fee related to the Child-Care Requirement shall apply to the Project Area for twelve (12) years following the date the first Building Permit is issued for a project in Zone 1 of Project Area B of the Project Area and, thereafter, will only be applicable if the new or increased in lieu fee relating to Child-Care Requirements is: (i) not increased at a rate greater than the annual increase in the Consumer Price Index commencing at the end of the 12-year period during which the fee has been frozen as described above; (ii) generally applicable on a Citywide Basis to similar land uses; and (iii) not redundant of a fee, dedication, program, requirement, or facility described in the Plan Documents or in any applicable disposition and development agreement related to development within Zone 1.

Notwithstanding the foregoing, new or increased Development Fees and Exactions may be imposed to the extent required under the Public Health and Safety Exception and the Federal or State Law Exception.

The parcels on Assessor Blocks 4917, 4918, 4934, and 4935 shall be subject to all fees and exactions under the City Planning Code in effect from time to time, except as otherwise provided pursuant to an Owner Participation Agreement or Development Disposition Agreement, if the Agency determines that the public benefits under an Owner Participation Agreement exceed those that would otherwise be obtained through imposition of the City Planning Code fees and exactions.

#### **4.3.16 Office Development Limitations**

On November 8, 2016, voters enacted Proposition O, which exempts Zone 1 of this Redevelopment Plan from the office development limits set forth in Planning Code Sections 320 – 325. Planning Code Sections 320 – 325 (Proposition M) shall apply to office development in Zone 2 of this Redevelopment Plan and Planning Code Section 324.1 shall apply to office development in Zone 1 of this Redevelopment Plan. Accordingly, the cap on the annual amount of office development permitted in the City shall apply in Zone 2 but not in Zone 1 of this Redevelopment Plan.

By Resolution No. 18102 (Attachment G), the Planning Commission adopted findings pursuant to Planning Code Section 321(b)(1) that the 150,000 square feet of office development contemplated in Zone 1 of this Redevelopment Plan in particular promotes the public welfare, convenience and necessity, and in so doing considered the criteria of Planning Code Section 321(b)(3)(A)-(G). Proposition O states in part that “No project authorization or allocation shall be required for any Development on the Subject Property [Candlestick Point and Hunter’s Shipyard Phase 2]. However, Development on the Subject Property that would require a project authorization or allocation but for this Section 324.1 shall be treated for all purposes as if it had been granted approval of a project authorization or allocation.” Proposition O (2016) supersedes, as to Zone 1 of this Redevelopment Plan, any portion of Resolution No. 18102 (Attachment G) that would require an office authorization or allocation, compliance with Planning Code sections 320-325, or Planning Commission review or approval of office developments.

Proposition O did not exempt Zone 2 of the Project Area from the requirements of Proposition M (Sections 320-325). The permitted land uses and standards of development for Zone 2 are described in Section 5.

#### **4.3.17 Shadow on Recreation and Park Property**

Section 295 of the Planning Code (Proposition K) shall apply to development in the Project Area in the form in which Section 295 was in effect as of the 2010 Plan Amendment Date (attached hereto as Attachment F). Section 295 (Proposition K) shall not continue to apply to development in the Project Area in the event it is repealed by legislation or voter initiative.

### **5.0 REDEVELOPMENT PLAN FOR ZONE 2 OF THE PROJECT AREA**

This Redevelopment Plan designates Zones 1 and 2 of the Project Area as shown on Map 2 within the Bayview Hunters Point Redevelopment Project Area B. The Agency’s Redevelopment Plan for the elimination of blight, increased affordable housing and economic development in Zone 2 are set forth below. To the extent that the Agency has delegated land use authority in Zone 2 to the Planning Department by a Delegation Agreement then in effect, references below to actions or determinations by the Agency may be undertaken by the Planning Department or Planning Commission. The Agency’s Redevelopment Plan for the elimination of blight, increased affordable housing and economic development in Zone 1 is described in Section 4.

#### **5.1 Existing Conditions in Zone 2 of the Project Area**

Zone 2 of the Project Area is a mixed residential, industrial and commercial area that has suffered from severe economic decline for many years with the closure of the Hunters Point

Naval Shipyard, the shrinking of heavy and light industrial bases, and the lingering effects of long-term environmental pollution. The resulting difficulty of rehabilitating residential and commercial areas have resulted in the prolonged use of obsolete and inadequate structures; nearly vacant and abandoned commercial and industrial buildings; obsolete and inadequate public facilities; and some privately-owned, deteriorating dwellings. Zone 2 of the Project Area is characterized by dilapidated buildings of inadequate construction, unfit and unsafe for occupancy; deteriorating streets and public utilities of inadequate construction; a general absence of usable open and recreation space; conflicts between industrial and residential land uses and deficient public facilities. These conditions constitute a substandard living environment and have a detrimental effect on the neighborhoods within and surrounding Zone 2 of the Project Area.

## **5.2 Land Uses Permitted in Zone 2 of the Project Area**

### **5.2.1 Permitted Land Uses in Zone 2**

All real property in Zone 2 of the Project Area is hereby made subject to the controls and requirements of this Redevelopment Plan, which incorporates the Planning Code and Zoning Maps as its land use controls. No real property or real property interest may be developed, rehabilitated, or otherwise changed after the 2010 Plan Amendment Date, except in conformance with the provisions of this Redevelopment Plan, as amended from time to time, and the Planning Code and Zoning Maps, as amended from time to time, to the extent not contrary to this Redevelopment Plan.

The generalized land uses for Zone 2 of the Project Area are shown on Map 5, are generally illustrative and based on the Generalized Land Use Plan in the Bayview Hunters Point Area Plan of the General Plan. The descriptions below generally illustrate the land uses of Zone 2 of the Project Area, but property owners and others should refer directly to the Planning Code and its Zoning Maps for applicable standards.

### **5.2.2 Residential**

The generalized residential areas consist of residential uses and some compatible local-serving retail and services. The primary land use is residential units ranging from single family homes to multi-family developments of a moderate scale. Related uses also include local-serving businesses, family Child-Care Facilities, small professional offices, home occupations, and recreation facilities.

### **5.2.3 Mixed Use – Neighborhood Commercial**

The generalized mixed use area consists of small and moderate scale retail and commercial operations on the ground floor along the major commercial streets of the area with

residential units or office uses on the upper floors. The mixed use area allows on the ground floor local-serving businesses, restaurants, financial institutions, small offices, catering establishments, household or business repair, interior decorating shops, graphics reproduction, child care, religious institutions, ATMs, and parking. On the upper floors, land uses may include small scale offices, second floor retail operations, and residential units.

#### **5.2.4 Light Industrial**

The generalized light industrial areas consist of businesses and facilities requiring some separation from residential areas due to their generation of truck traffic, noise, and odors. The land uses taking place in these areas are primarily industrial in nature and include manufacturing, repair shops, automotive services, warehouses, wholesale showrooms, industrial research laboratories, open storage, transportation and distribution facilities, food production and distribution, graphic design and reproduction, arts facilities, entertainment venues, vocational job training and related commercial operations. Office and retail uses are permitted but primarily as accessory uses to the industrial operations.

#### **5.2.5 Buffer Zones**

The generalized buffer zone areas are intended to provide a transition from industrial uses to residential neighborhoods. The land uses in the buffer zone are small scale light industrial activities that create limited external impacts (such as noise, traffic, or odor), commercial operations, arts facilities, vocational training and, where appropriate, limited accessory residential units.

#### **5.2.6 Public Facility**

The generalized public facility areas consist of land other than housing sites or open space, owned by a government agency or other public or semi-public entity and in some form of public or semi-public use. The principal uses in this area include fire station, police stations, public schools, community college facilities, water treatment facilities, sports stadiums, cultural facilities and public transportation facilities.

#### **5.2.7 Public Rights-of-Way**

The existing street layout is illustrated on Map 2. Streets and alleys may be widened, narrowed, altered, realigned, abandoned, depressed or closed as necessary for proper redevelopment of Zone 2 of the Project Area. Additional public streets, alleys, rights-of-way and easements, including above and below-ground railroad easements and rights of way, may be created in Zone 2 of the Project Area as needed for development and circulation. Any modifications must conform to the General Plan and the Planning Code, as amended from time

to time in the future, unless amendments to the General Plan or the Planning Code are contrary to the provisions of this Redevelopment Plan.

### **5.3 Standards for Development in Zone 2 of the Project Area**

To achieve the objectives of this Redevelopment Plan in Zone 2 of the Project Area, the use and development of land shall be in accordance with the Planning Code and the General Plan. References in this Section to the Planning Code and the General Plan mean the Planning Code and the General Plan, as amended from time to time, to the extent that the amendments are not contrary to the provisions of this Redevelopment Plan.

#### **5.3.1 Delegation Agreement**

The Agency and Planning Department have entered into a Delegation Agreement delegating to the Planning Department the administration of development controls within Zone 2 of the Project Area. The Delegation Agreement specifies the respective roles of the Agency and the Planning Department in reviewing development proposals and otherwise administering the development controls, with the objective of facilitating the development process and furthering the goals of this Redevelopment Plan. For projects requiring Agency Action wherein the Agency does not delegate its land use jurisdiction, appeals of permits, variances, and final action on environmental review under the California Environmental Quality Act will be to the Board of Supervisors or to the Board of Appeals; these appeals shall be consistent with the procedures of the City's Charter and Ordinances pertaining to appeals from decisions of the Planning Commission and Planning Department. The Agency and City will provide for the cost of implementing the Delegation Agreement in the Agency's or Planning Department's annual budget.

#### **5.3.2 Type, Size, Height and Use of Buildings in Zone 2**

The General Plan and the Planning Code identify the land uses and other development controls authorized in Zone 2 of the Project Area. The Planning Commission and the Board of Supervisors may adopt amendments to the General Plan and the Planning Code to better achieve the goals and objectives of this Redevelopment Plan. In the event the General Plan, Planning Code or any other applicable ordinance is amended or supplemented with regard to any land use or development control in Zone 2 of the Project Area, the land use provisions and development controls of this Redevelopment Plan will be automatically modified accordingly without the need for any formal plan amendment process unless those amendments or supplements are contrary to the provisions of this Redevelopment Plan. Prospective property developers should refer directly to the Planning Code for applicable standards, as well as to the remainder of this Redevelopment Plan and Related Plan Documents; provided however that to the extent that the inclusionary housing requirements in Section 315 of the Planning Code are inconsistent with this

Redevelopment Plan, this Redevelopment Plan amends and takes precedence over Section 315 of the Planning Code. Thus, developers in Project Area B are required to comply with the inclusionary housing standards in this Redevelopment Plan.

**5.3.3 Limitation on the Number of Buildings**

The number of buildings within the Zone 2 of the Project Area may not exceed approximately 4,000.

**5.3.4 Number of Dwelling Units**

The number of Dwelling Units presently within Zone 2 of the Project Area is currently approximately 5,510 and will be approximately 9,300 under this Redevelopment Plan.

**5.3.5 Parking**

Parking spaces may be provided as permitted in the Planning Code. The Agency will encourage joint use of parking spaces as may be permitted under the Planning Code to the extent that such joint use will adequately serve the needs of each user.

**5.3.6 Land Coverage**

Land coverage shall be determined by the application of the Planning Code for density, parking, and open space.

**5.3.7 Signs**

Signs in Zone 2 of the Project Area shall be designed and constructed in conformance with the Planning Code. In addition, signs shall be complementary to elements in the total environment.

**5.3.8 Review of Planning Applications, Architectural and Landscape Plans**

In evaluating the plans, the Agency will use the standards set forth in the Planning Code and any applicable approved City design guidelines. Particular emphasis will be given to the visual relationship to adjoining development and to the view of the development from public rights-of- way.

In the disposition of land, the Agency may establish design criteria for specific parcels to ensure an attractive and harmonious urban design and may implement these criteria with appropriate provisions in the disposition documents. Development proposals will be evaluated as to the manner in which they achieve the objectives of this Redevelopment Plan.

### **5.3.9 Off-Site Improvements**

The Agency may require a land owner, at his/her own expense, to install street trees, landscaping, paving, or other improvements on property other than the site that is the subject of the sale, lease, or owner participation agreement. Such improvements shall be designed in conformity with approved streetscape plans and/or applicable design guidelines.

### **5.3.10 Variance by Agency**

If a development project in Zone 2 involves Agency Action, then, in its sole discretion, the Agency may grant a variance from this Redevelopment Plan or the Planning Code.

The owner or developer of any property in Zone 2 may make a written request for a variance that states fully the grounds of the application and the facts pertaining thereto. Upon receipt of a complete application, the Agency may conduct its own further investigation and, after consultation with the PAC and the Planning Department, the Agency Commission may, at a duly noticed public hearing, grant a variance from this Redevelopment Plan or the Planning Code under the following circumstances:

- Due to unique physical constraints or other extraordinary circumstances applicable to the property, the enforcement of development regulations without a variance would otherwise result in practical difficulties for development and create undue hardship for the property owner or developer or constitute an unreasonable limitation beyond the intent of this Redevelopment Plan; and
- The granting of a variance would be in harmony with the goals of this Redevelopment Plan and the Planning Code, and would not be materially detrimental to the public welfare or materially injurious to neighboring property or improvements in the vicinity.

In granting a variance, the Agency will specify the character and extent thereof, and also prescribe conditions necessary to secure the goals of this Redevelopment Plan and the Planning Code.

### **5.3.11 Variance by Planning Department**

If a development project is in Zone 2 of the Project Area and does not involve Agency Action, then any request for a variance will be reviewed by the Planning Department, in its sole discretion, using the guidelines and procedures established by the Planning Department. The Planning Department's determination to grant or deny a variance is not appealable to the Agency.

## **5.4 Economic Development Program for Zone 2 of the Project Area**

### **5.4.1 Proposed Economic Development Programs**

The Agency may develop the following economic programs within each of the Economic Development Activity Nodes in conjunction with and with the assistance of the PAC:

- Façade improvement program;
- Brownfield cleaning assistance;
- Assistance with the development of key catalyst commercial sites;
- Provision of small business improvement assistance;
- Assistance with marketing and promotional activities for local business groups;
- Creating local business retention programs;
- Development of cultural facilities;
- Rehabilitation of historic structures;
- Planning for innovative parking strategies in the Third Street corridor;
- Providing support for job training programs; and
- Enforcing the Agency's and/or City's local hiring and equal opportunity programs, where appropriate.

### **5.4.2 Economic Development Activity Nodes**

The Agency shall encourage the promotion of policies and land use decisions that provide job-training, employment and business opportunities to local residents with a focus on economic development efforts within the seven Activity Nodes of Project Area B described in Section 1.4.7. The Agency may implement Activity Node development programs for all or part of each Activity Node. The Agency may also pursue economic development efforts outside of Zone 2 of the Project Area where these efforts are determined to be necessary to effect the elimination of blighting conditions within Zone 2 of the Project Area; and where they comply with the CRL, including, Section 33445.1. The design of each Economic Development Activity Node will facilitate and support the Agency's efforts under its Affordable Housing Program.

## 6.0 DEFINITIONS

Following are definitions for certain words and terms used in this Redevelopment Plan. All words used in the present tense include the future. All words in the plural number include the singular number and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word “shall” is mandatory and not directory; and the term “may not” is prohibitory and not permissive. The words “including,” “such as,” or words of similar import when following any general term may not be construed to limit the general term to the specific terms that follow, whether or not language of non-limitation is used; rather, these terms will be deemed to refer to all other terms that could reasonably fall within the broadest possible scope of the term.

**2010 Plan Amendment Date** means the date on which Ordinance No. 210-10 adopting amendments to this Redevelopment Plan, approved on August 3, 2010, became effective.

**2017 Plan Amendment Date** means the date on which Ordinance No. 121-17 adopting amendments to this Plan, approved on June 22, 2017, became effective.

**2018 Plan Amendment Date** means the date on which Ordinance No. 0176-18 adopting amendments to this Plan, approved on July 16, 2018, became effective.

**2024 Plan Amendment Date** means the date on which Ordinance No. \_\_\_\_\_ adopting amendments to this Plan, approved on [DATE], became effective.

**Accessory Use** means uses that are related to and subservient to another use, and serve that use only.

**Administrative Fee** means any fee charged by any City Agency or the Agency in effect on a Citywide Basis, including fees associated with Article 31, at the time of submission for the processing of any application for building or other permits, subdivision maps, or other City or Agency regulatory actions or approvals for any development in the Project Area.

**Adult Entertainment** means a use that includes any of the following: adult bookstore, adult theater, and encounter studio, as defined by Section 1072.1 of the San Francisco Police Code.

**Affordable Housing Program** means the Agency’s activities to construct, rehabilitate, and preserve housing that is permanently affordable to low- and moderate-income households. The basis for the Affordable Housing Program can be found in the Framework Housing Program adopted by the PAC on September 20, 2004 and the Below – Market Rate Housing Plan formulated in 2010 for Zone 1 of the Project Area, as amended from time to time.

**Agency Action** means the Agency’s funding, acquisition, disposition, or development of property through a Disposition and Development Agreement (DDA), Owner Participation Agreement (OPA), loan agreement, grant agreement, or other transactional or funding documents between a property owner or developer and the Agency.

**Agency Commission** means the Commission for the Redevelopment Agency of the City and County of San Francisco.

**Amusement Enterprise** means enterprises such as billiard halls, bowling alleys, skating rinks, and similar uses when conducted within a completely enclosed building.

**Animal Services** means an animal care use that provides medical care and/or boarding services for animals.

**Area Median Income** or **AMI** means area median income as determined by the United States Department of Housing and Urban Development for the San Francisco area, adjusted for actual household size, but not adjusted for high income area. If data from HUD specific to the Metro Fair Market Rent Area that includes San Francisco are unavailable, AMI may be calculated by the Mayor’s Office of Housing using other publicly available and credible data, adjusted for Household Size.

**Arts Education** means schools of any of the following for professionals, credentialed individuals or amateurs: dance, music, dramatic art, film, video, graphic art, painting, drawing, sculpture, small-scale glass works, ceramics, textiles, woodworking, photography, custom-made jewelry or apparel, and other visual, performance, industrial and product-design and sound arts and craft.

**Art Production** means commercial arts and art-related business service uses including, but not limited to, recording and editing services, small-scale film and video developing and printing; titling; video and film libraries; special effects production; fashion and photo stylists; production, sale and rental of theatrical wardrobes; and studio property production and rental companies. Arts spaces may include studios, workshops, galleries, museums, archives and small theaters, and other similar spaces customarily used principally for production and post-production of graphic art, painting, drawing, sculpture, small-scale glass works, ceramics, textiles, woodworking, photography, custom-made jewelry or apparel and other visual, performance and sound arts and craft.

**Automotive Sale** means a retail use that provides on-site vehicle sales whether conducted within a building or on an open lot.

**Automotive Repair** means a retail automotive service use that provides any of the following automotive repair services, whether outdoors or in an enclosed building: minor auto repair,

engine repair, rebuilding, or installation of power train components, reconditioning of badly worn or damaged motor vehicles, collision service, or full body paint spraying.

**Bar** means a principal retail use not located in a Restaurant that provides on-site alcoholic beverage sales for drinking on the premises, including bars serving beer, wine and/or liquor to the customer where no person under twenty one (21) years of age is admitted (with Alcoholic Beverage Control [ABC] license 42, 48, or 61) and drinking establishments serving liquor (with ABC license 47 or 49) in conjunction with other uses that admit minors, such as theaters, and other entertainment. Restaurants with ABC licenses are not considered bars under this definition.

**Bayview Hunters Point Survey Area C** means the India Basin portion of the original South Bayshore Survey Area designated in 2006 to remain an area for consideration for amendment into Project Area B after an additional community planning process.

**Board of Supervisors** means the Board of Supervisors of the City and County of San Francisco, California.

**Bicycle Storage** means: (a) Class 1 Bicycle Parking Space(s), that are facilities that protect the entire bicycle, its components and accessories against theft and against inclement weather, including wind-driven rain. Examples of this type of facility include (1) lockers, (2) check-in facilities, (3) monitored parking, (4) restricted access parking, and (5) personal storage; (b) Class 2 Bicycle Parking Space(s), that include bicycle racks that permit the locking of the bicycle frame and at least one wheel to the rack and, that support the bicycle in a stable position without damage to wheels, frame or components.

**Building Construction Codes** means the City's (or if applicable, the Port's) Building Code, Electrical Code, Mechanical Code and Plumbing Code and any construction requirements in the Housing Code and the Fire Code.

**Business Occupant Re-Entry Policy** means a document approved by the Agency Commission in relation to this Redevelopment Plan that establishes, to the extent required by State or Federal law, how the extension of reasonable preferences to business occupants will be implemented within the Project Area. For Zone 2, such document was adopted by Resolution No. 34-2006 dated March 7, 2006. The Agency may elect to rely on this document with respect to Zone 1 or may elect to promulgate a new Business Occupant Reentry Policy specific to Zone 1.

**Candlestick Point Design for Development** means the Candlestick Point Design for Development document, that sets development standards and design guidelines for Zone 1 of the Project Area (the Candlestick Point Sub-Area) as shown on Map 2, including the Candlestick Point Activity Node that may be amended from time to time consistent with its provisions.

**Candlestick Point Sub-Area** means that portion of the Bayview Area Plan within the San Francisco General Plan that corresponds to Zone 1 of the Project Area, consisting of the within the Candlestick Activity Node and the Alice Griffith Project.

**Cannabis-Related Use** means any use that is required to obtain a permit, and has obtained such permit, from the San Francisco Office of Cannabis (or its successor). For the avoidance of doubt, a Cannabis-Related Use is any category of Use otherwise permitted herein that cultivates, manufactures, distributes, tests, sells, delivers or in any other way uses cannabis or cannabis-derived materials, including for legal adult use or medical use.

**Certificate of Preference Holders** means persons who have rights under the Agency's Certificate of Preference Program, as amended by Resolution No. 57-2008 (adopted on June 3, 2008 and effective Oct. 1, 2008).

**Child-Care Facility** means a use that provides less than 24-hour care for children by licensed personnel and that meets all the requirements of the State and other authorities for such a facility.

**Child-Care Requirements** means the requirements set forth in City Planning Code Section 314, as it exists on the 2010 Plan Amendment Date (and attached hereto as Attachment E).

**City Agency** means, individually or collectively as the context requires, all departments, agencies, boards, commissions and bureaus of the City with subdivision or other permit, entitlement or approval authority or jurisdiction over any portion of the Project Area, including but not limited to the Port Authority, Department of Public Works, the Public Utilities Commission, the Planning Commission, the Municipal Transportation Agency, the Building Inspection Commission, the Public Health Commission, the Fire Commission and the Police Commission, or any successor public agency designated by or under law.

**City Regulations** means ordinances, resolutions, initiatives, rules, regulations, and other official City and Agency policies applicable to and governing the overall design, construction, fees, use or other aspects of development within Zone 1. City Regulations includes City municipal codes, the General Plan, Building Construction Codes, and all ordinances, rules, regulations, and official policies adopted to implement those City Regulations, except to the extent such regulations are Administrative Fees.

**Citywide Basis** means all privately-owned property within (a) the City's jurisdictional limits or (b) any designated use classification or use district of the City so long as (1) any such use classification or use district includes a substantial amount of affected private property other than affected private property within the Project Area, (2) the use classification or use district includes all private property that receives the general or special benefits of, or causes the burdens that occasion the need for, the New City Regulation, Development Fees and Exactions, or New Construction Requirements, and (3) the cost of compliance with the New City Regulation,

Development Fees and Exactions, or New Construction Requirements applicable to the same type of use in the Project Area (or portion thereof) does not exceed the proportional benefits to, or the proportional burdens caused by private development of that type of use in, the Project Area (or portion thereof).

**Commercial Storage** means a commercial use that stores, within an enclosed building, household goods, contractors' equipment, building materials or goods or materials used by other businesses at other locations and that may include self-storage facilities for members of the public. The prohibition of this use in Zone 1 includes the storage of waste, salvaged materials, automobiles, inflammable or highly combustible materials, and wholesale goods or commodities.

**Commercial Wireless Transmitting Facility** means equipment for the transmission, reception, or relay of radio, television, or other electronic signals, and may include towers, antennae, and related equipment.

**Community Garden** means land gardened collectively by a group of people.

**Community Redevelopment Law** or **CRL** means the Community Redevelopment Law of the State of California (Health & Safety Code Sections 33000 *et seq.*).

**Community Use** means a publicly- or privately-owned use that provides public services to the community, whether conducted within a building or on an open lot. This use may include, by way of example and not limitation, museums, post offices, public libraries, police or fire stations, transit and transportation facilities, utility installations, building-integrated sustainable energy generation facilities, neighborhood-serving community recycling centers, and wireless transmission facilities.

**Concept Plan** means the Bayview Hunters Point Community Revitalization Concept Plan adopted by the PAC on November 13, 2000, as amended from time to time.

**Conceptual Framework Plan** means the Conceptual Framework Plan for the Integrated Development of Hunters Point Shipyard Phase 2 and Candlestick Point, endorsed by Board Resolution No. 264-07.

**Consumer Price Index** means the All Items Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-San Jose Metropolitan Statistical Area published by the Bureau of Labor Statistics of the United States Department of Labor.

**Cooperation Agreement** means an agreement between the Agency and the Planning Department that defines how the two agencies will administer the entitlement process in Zone 1 of the Project Area.

**Delegation Agreement** means an agreement between the Agency and the Planning Department that defines how the two agencies will administer the entitlement process in Zone 2 of the Project Area.

**Development Fees and Exactions** means a monetary or other exaction including in-kind contributions, other than a tax or special assessment or Administrative Fee, that is charged by the Agency or any City Agency in connection with any permit, approval, agreement or entitlement or any requirement for the provision of land for construction of public facilities or Infrastructure or any requirement to provide or contribute to any public amenity or services. Development Fees and Exactions does not include Building Construction Codes in effect from time to time and generally applicable on a Citywide Basis to similar land uses.

**District Heating and Cooling Facility** means a plant with hot water (or steam) and chilled water distributed from the district plant to individual buildings via a pipe distribution network located under the streets.

**Dry-Cleaning Facility** means dry-cleaning establishment, including pressing and other miscellaneous processing of clothes.

**Dwelling Units** means a residential use that consists of a suite of one or more rooms and includes sleeping, bathing, cooking, and eating facilities.

**Effective Date** means the date the ordinance passed by the Board of Supervisors approving this Redevelopment Plan (Ordinance No. 113-06) became effective.

**Elementary School** means an institution that provides K-8 education and that may be either public or private.

**Executive Director** means the Executive Director of the Agency.

**General Plan** means the General Plan for the City and County of San Francisco.

**Green Technology** means a use or several uses that involves the research, development, and fabrication of innovative methods, materials, and technology to improve environmental quality, increase energy and/or resource efficiency, reduce greenhouse gas emissions, reduce waste and pollution, and increase resource sustainability. Green Technology uses may utilize office, laboratory, light manufacturing, or other types of use. Green technology can include office, laboratory, and light-manufacturing uses.

**Grocery Store** means a retail use of medium or large scale providing sales of food, produce, prepared food, beverages, toiletries, pharmaceutical products and services, and household items to the general public. This includes neighborhood-serving stores, supermarkets, festival market places, or other large format tenants providing primarily food sales up.

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**Group Housing** means a residential use that provides lodging or both meals and lodging without individual cooking facilities. Group Housing may include housing specifically designed for and occupied by seniors, students or disabled residents.

**Historic Survey** means a building-by-building survey of properties containing structures over fifty (50) years of age utilizing survey methods outlined by State Office of Historic Preservation.

**Home Office** means the accessory use of a dwelling for office purposes, provided that the principal user of such office resides in that dwelling.

**Hotel** means a use that provides overnight accommodations including guest rooms or suites and ancillary services to serve hotel guests. Hotels shall be designed to include all lobbies, offices and internal circulation to guest rooms and suites within and integral to the same enclosed building or buildings as the guest rooms or suites.

**Housing Authority** means the San Francisco Housing Authority.

**Implementation Plan** means a plan adopted periodically by the Agency Commission relating to the implementation of goals and objectives within this Redevelopment Plan, in accordance with the requirements of the CRL.

**India Basin Shoreline Area** means BVHP Survey Area C.

**India Basin Sub-area Plan** means a proposed sub-area plan for the Bayview Hunters Point applicable for BVHP Survey Area C.

**Interagency Cooperation Agreement** means an agreement between the Agency and the City to facilitate the design, approval, operation and maintenance of public infrastructure to be built to serve Zone 1 of the Project Area.

**Institutional Use** means Residential Care Facility, Child-Care Facility, Elementary School, Religious Institution, Secondary School, Post-Secondary Institution, or Vocational/Job Training Facility.

**Laboratory** means a use that provides for space within any structure intended or primarily suitable for scientific research. This includes industrial, biologics, chemical, pharmaceuticals, and digital work stations for the purpose of design, developing, and testing product development. The space requirements of uses within this category include specialized facilities or built accommodations that distinguish the space from office uses and light industrial uses.

**Life Science** means a use that involves the integration of natural and engineering sciences and advanced biological techniques using organisms, cells, and parts thereof for products and

services. Life Science uses may utilize office, laboratory, light manufacturing, or other types of uses. Life Science can include Light Industrial uses as accessory uses.

**Light Industrial** means a non-retail use that provides for the fabrication or production of goods, by hand or machinery, for distribution to retailers or wholesalers for resale off the premises, primarily involving the assembly, packaging, repairing, or processing of previously prepared materials.

**Limited Equity Program** means the Agency’s program for first-time homebuyers, which provides for-sale housing to income-qualified households at an affordable price and maintains initial affordability levels at each resale.

**Live-Work Units** means a structure or portion of a structure combining a residential living space for a household or group of persons with an integrated work space principally used by one or more of the residents of that unit.

**Maker Space** means uses for contemporary forms of small-scale manufacturing, repair, and post-manufacturing activities. Maker space should typically include a retail component, and may include several other uses within a single space, including but not limited to, Light Industrial (for example, craft, industrial arts and design, robotics, woodwork, jewelry manufacture, clothing and apparel manufacture, and food and beverage production), office and research and development (e.g., digital technologies and electronics, 3D printing, graphic design), and Neighborhood Retail Sales and Services associated with the foregoing (e.g., food and beverage tasting and sale, arts and crafts sales, jewelry sales), among many others. For the purposes of size limitations established in Section 4.3.7, Maker Space is considered research and development/office or retail and entertainment space.

**Mayor** means the current Mayor for the City and County of San Francisco.

**Mitigation Measures** means those mitigation measures from the Candlestick Point/Hunters Point Shipyard Phase 2 Project EIR imposed as conditions of approval of the amendments to this Redevelopment Plan as set forth in Resolution No. 347-10, as amended or modified from time to time consistent with CEQA.

**Motor Vehicle Tow Service** means a service use that provides vehicle towing service, including accessory vehicle storage, when all tow trucks used and vehicles towed by the use are parked or stored on the premises.

**Neighborhood Retail Sales and Services** means a commercial use that provides goods and/or services directly to the customer, whose primary clientele is customers who live or work nearby and who can access the establishment directly from the street on a walk-in basis. This use may provide goods and/or services to the business community, provided that it also serves the general

public. This use would include those that sell, for example, groceries, personal toiletries, magazines, smaller scale comparison shopping; personal services such as laundromats, health clubs, formula retail outlets, hair or nail salons; and uses designed to attract customers from the surrounding neighborhood. Retail uses can also include outdoor activity areas, open air sales areas, and walk-up facilities (such as ATMs or window service) related to the retail sale or service use and need not be granted separate approvals for such features. Neighborhood retail uses can also include interactive spaces (e.g., uses that promote pedestrian activity on the ground level of buildings), including but not be limited to, markets, cafes, restaurants, fitness centers, bike shops/bike repair, childcare, creative maker spaces, co-working spaces, and health and wellness spaces, learning spaces, and neighborhood spaces (e.g., neighborhood-serving amenities or accessible resources for the community).

**New City Regulations** means both City Regulations adopted after the 2010 Plan Amendment Date or a change in Existing City Regulations, including any amendment to this Redevelopment Plan or the Plan Documents, effective after the 2010 Plan Amendment Date.

**Nighttime Entertainment** means entertainment activities such as dance halls, discotheques, nightclubs, and similar evening-oriented entertainment activities generally involving amplified music, either live or recorded, as well as restaurants and bars, and other venues or spaces used for different uses during the day that present such activities. It excludes Adult Entertainment.

**Non-Retail Sales and Services** means a commercial or office use that provides goods and/or services primarily to other businesses rather than to the general public and that may include, by way of example and not limitation, wholesale sales; sale, rental, installation, servicing and/or repair of business goods and equipment.

**Nonconforming Use** means a use that existed lawfully as of the 2010 Plan Amendment Date and that fails to conform to one or more of the use limitations in this Redevelopment Plan and/or the Planning Code then applicable for the Project Area in which the property is located.

**Office** means a use within a structure or portion thereof intended or primarily suitable for occupancy by persons or entities that perform, provide for their own benefit, or provide to others at that location services including, but not limited to, the following: professional; medical; banking; insurance; management; consulting; technical; sales; artificial intelligence; technology, and design; and the non-accessory office functions of manufacturing and warehousing businesses; multimedia, software development, hardware development; web design, electronic commerce, and information technology; administrative services; and professional services. This use does not include retail uses; repair; any business characterized by the physical transfer of tangible goods to customers on the premises; or wholesale shipping, receiving and storage.

**Open Space** means space that is retained primarily in an unimproved, natural state. Open Space may be used for passive recreational activities, such as hiking and picnicking, and may include facilities related to such passive recreational uses.

**Owner Participation Agreement or OPA** means a binding agreement between a property owner and the Agency by which the participant agrees to rehabilitate, develop, use and maintain the property in conformance with this Redevelopment Plan.

**Owner Participation Rules** means the rules for property owner participation in redevelopment activities consistent with the provisions of this Redevelopment Plan within the Project Area, approved by the Agency Commission by Resolution No. 34-2006 dated March 7, 2006, as may be amended from time to time.

**Parking** means the storage of vehicles accessory to a principle or secondary residential or commercial use. Such storage can be in the form of independently accessible parking spaces, non-independently accessible parking spaces including those accessed on parking lifts or through the use of valet. Parking spaces need not be on the same lot or block to the use it serves.

**Parks** means publicly owned open space improved with either active recreational amenities such as playing fields and sporting courts and/or passive recreational amenities such as trails, picnic areas, and small outdoor performance spaces

**Performance Arts** means a use that includes performance, exhibition, rehearsal, production, or post-production of any of the following: dance, music, dramatic art, film, video, and other visual, performance and sound arts and craft.

**Permanently Affordable** means in compliance with the statutorily required minimum affordability periods as set forth in the California Redevelopment Law.

**Plan Documents** means any Business Occupant Re-Entry Policy, Delegation Agreement(s) (as to Zone 2) Implementation Plan, Design for Development documents, Relocation Plan and Owner Participation Rules.

**Planning Code** means the Planning Code and Zoning Maps of the City and County of San Francisco.

**Planning Commission** means the Planning Commission of the City and County of San Francisco, California.

**Planning Department** means the Planning Department of the City and County of San Francisco.

**Post-Secondary Institutions** means a use that is certified by the Western Association of Schools and Colleges that provides post-secondary educational services such as a school, college or university.

**Priority Policies** means the eight priority policies stated in Section 101.1, Master Plan Consistency and Implementation, of the City’s Planning Code.

**Project Area** means Project Area B, consisting of Zone 1 and Zone 2, within the boundaries of the Bayview Hunters Point Redevelopment Project Area.

**Project Area A** means the area delineated in Map 1. The legal description is contained in Attachment A hereto.

**Project Area B** means the area delineated in Map 2 and includes Area B Parcel One, and Area B Parcel Two. The legal description is contained in Attachment B hereto. Project Area B is further delineated for the purpose of redevelopment implementation into Zone and Zone 2. Zone 1, shown in Map 2, is the Candlestick Point Sub-Area, which includes the Candlestick Point Activity Node and Alice Griffith Project. Zone 2 includes the remainder of Project Area B.

**Project Area Committee or PAC** means the elected community body that advises the Agency on the preparation of this Redevelopment Plan and supporting documents.

**Public Recreation** means privately-owned recreational areas that are open to the general public. This use may include may include hiking trails, playgrounds, public parks, sports fields, community gardens, golf courses, marinas, and tennis courts as well as accessory uses such as maintenance facilities, parking, and concession areas.

**Public Trust** means collectively the common law public trust for commerce, navigation and fisheries and the statutory trust imposed by the Granting Act.

**Real Property** means land, including land under water and waterfront property; buildings, structures, fixtures, and improvements on the land; any property appurtenant to or used in connection with the land; every estate, interest, privilege, easement, franchise, and right in land, including rights-of-way, terms for years, and liens, charges, or encumbrances by way of judgment, mortgage, or otherwise and the indebtedness secured by such liens.

**Recreational Facility** means a use that provides social, fraternal, counseling, athletic or other recreational gathering services to the community.

**Redevelopment Plan** means this Redevelopment Plan for the Bayview Hunters Point Project Area, formerly known as the Hunters Point Redevelopment Project Area.

**Regional Retail Sales and Services** means a commercial use that provides goods and/or services directly to the customer, whose primary clientele is customers who live throughout the surrounding region and may include both small and large format tenants up to 120,000 square feet. This would include those who sell apparel, electronics, furniture, durable goods, specialty items, formula retail outlets, and other more expensive, and less frequently purchased items; beyond the surrounding neighborhood. Regional Retail sales and services can include counter and other walk-up facilities as well as adjacent outdoor activity areas accessory to such uses. Regional retail uses can also include interactive spaces (e.g., uses that promote pedestrian activity on the ground level of buildings), including but be not limited to, markets, cafes, restaurants, fitness centers, bike shops/bike repair, childcare, creative maker spaces, co-working spaces, health and wellness spaces, learning spaces, and neighborhood spaces (e.g., neighborhood-serving amenities or accessible resources for the community).

**Religious Institution** means a use that provides religious services to the community such as a church, temple or synagogue.

**Relocation Plan** means, as appropriate, either: 1) as to Zone 2, a document, approved by the Agency Commission by Resolution No. 34-2006 dated March 7, 2006 that establishes how the Agency and developers will assist persons, business concerns and others displaced from the Project Area by redevelopment activities of or assisted by the Agency in finding new locations in accordance with all applicable relocation statutes and regulations; or 2) as to as to the Alice Griffith Housing portion of Zone 1, a plan approved by the Agency Commission consistent with Section 2.1 of this Redevelopment Plan in connection with a disposition and development agreement for the Alice Griffith Housing site; and 3) as to all other portions of Zone 1 other than Alice Griffith Housing, either a plan adopted by the Agency Commission consistent with the requirements of applicable State or Federal law or, if no such plan is adopted, the document approved by Agency Commission Resolution No. 34-2006 described in subsection 1 above.

**Research and Development** means a use compatible with adjacent uses that includes the study, testing, engineering, design, analysis, or experimental development of products, processes, or services related to current, emerging, or new technologies, including but not limited to artificial intelligence, clean energy, communications, 3-D production and printing. Research and development may include, but is not limited to, light manufacturing, fabricating, processing, assembling or storage of products or materials, or similarly related activities that includes, but is not limited to, Laboratory, Life Science, Light Industrial, Green Technology, and Office uses.

**Residential Care Facility** means medical use that provides lodging, board, and care for one day or more to persons in need of specialized aid by personnel licensed by the State but does not provide outpatient services.

**Residential Use** means a use that includes for sale and rental housing units, including Dwelling Units, Live/Work Units, and Group Housing

Bayview Hunters Point Redevelopment Plan  
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**Restaurant** means a full service or self service retail facility primarily for eating use that provides ready-to-eat food to customers for consumption on or off the premises, which may or may not provide seating, and that may include service of liquor under ABC licenses [those explicitly for any alcoholic service in association with a restaurant]. Food may be cooked or otherwise prepared on the premises.

**School Facilities Impact Fee** means the sum payable to the San Francisco Unified School District pursuant to Government Code Section 65995.

**Secondary School** means a use that provides grade 9-12 education and may be either public or private.

**Short-Term Rental** has the meaning established in Article 41A of the Administrative Code (as it may be amended from time to time), and, subject to compliance with regulations of the City's Office of Short-Term Rentals (or its successor), is allowed within Residential uses unless otherwise prohibited by applicable private covenants or similar restrictions.

**Standards for Development** means, for Zone 2 of the Project Area, the standards set forth in the Planning Code. For Zone 1 of the Project Area (Candlestick Point Sub-Area), the Standards for Development are set forth in the Candlestick Point Design for Development Document.

**State** means the State of California.

**State Historical Building Code** or **SHBC** means the State Historical Building Code as set forth in Part 8 of Title 24 (Health & Safety Code §§ 18950 *et seq.*), which applies to all qualified historical buildings or structures, as defined in SHBC Section 18955. It provides building regulations and standards for the rehabilitation, preservation, restoration (including related reconstruction) or relocation of qualified historical buildings.

**Supportive Housing** means affordable housing developments with integrated services that are not required as a condition of occupancy and that serve high needs populations including but not limited to low income senior citizens, youth transitioning out of foster care, adults with developmental disabilities, individuals and families who are homeless or at risk of homelessness, and persons with AIDS.

**Taxing Agencies** means all public entities that have the authority to tax property within the Project Area, including the State, the City, BART, San Francisco Unified School District, City College of San Francisco, Bay Area Air Quality Management District and any district or other public corporation.

**Use** means the purpose for which land or a structure, or both, are designed, constructed, arranged or intended, or for which they are occupied or maintained, let or leased.

**Vocational/Job Training Facility** means a use that provides job training, and may also provide vocational counseling and job referrals. Vocational/Job Training Facilities that are oriented to clerical, administrative, or professional skill development and job placement (Clerical/Administrative) shall be a distinct use from facilities that are oriented to mechanical, light industrial, or trade-related skill development and job placement (Mechanical/Industrial).

**Zone 1** means the Candlestick Point Activity Node of the Project Area, defined above, and illustrated in Map 2, subject to the additional entitlement provisions of Section 4 of this Redevelopment Plan. Zone 1 is the portion of the Project Area subject to Proposition G. All parcels within Zone 1 are listed in a separate table in Attachment D.

**Zone 2** means the portion of the Project Area outside of Zone 1, which is not subject to Proposition G.

**From:** [Brianna Morales](#)  
**To:** [Chan, Connie \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)  
**Cc:** [Board of Supervisors \(BOS\)](#); [Corey Smith](#); [sachin@growsf.org](mailto:sachin@growsf.org); [kanishka@togethersf.org](mailto:kanishka@togethersf.org); [Laura Clark](#)  
**Subject:** Support for Housing at Candlestick  
**Date:** Wednesday, October 16, 2024 1:11:12 PM  
**Attachments:** [Candlestick Petition Signers.pdf](#)  
[Candlestick - HAC Support Letter.pdf](#)

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Members of the Board of Supervisors,

I am writing on behalf of the Housing Action Coalition, GrowSF, SF YIMBY, TogetherSF Action, and Bay Area New Liberals to formally present our [petition](#) advocating for the development of housing in the Candlestick area.

Our community is facing a growing need for more housing, and it's becoming increasingly urgent. Our petition captures the shared voices of residents who are eager to see real progress in tackling these housing shortages. We believe that the proposed development will not only provide much-needed homes but will also improve the overall quality of life in our neighborhood.

Attached to this email, you will find two documents: a letter, urging prompt action on this vital project, as well as a PDF listing the residents who have signed the petition in support of our initiative. We kindly ask that you review the attached documents and consider our request for support in moving this project forward. We are hopeful for a positive response and appreciate your support.

Thank you for your time and consideration. Please let me know if you have any questions.

--

In support,

**Brianna Morales** | Pronouns: She/Her

San Francisco Organizer | Housing Action Coalition  
555 Montgomery St, San Francisco, CA 94111  
Cell: (619) 535-6182 | Email: [brianna@housingactioncoalition.org](mailto:brianna@housingactioncoalition.org)



To opt out of all HAC emails, respond to this email with "unsubscribe all".

October 16, 2024

San Francisco Board of Supervisors  
1 Dr Carlton B Goodlett Pl,  
San Francisco, CA 94102

President Peskin and Members of the SF Board of Supervisors,

The Housing Action Coalition (HAC) is pleased to endorse Five Point's Candlestick project. After a detailed presentation, HAC's Project Review Committee has determined this project exceeds our high standards in addressing the regional housing shortage, affordability, and displacement crisis.

Our committee was impressed by the large number of homes this project will provide, totalling 7,218 new homes. This project will help meet the state-mandated goal of 82,000 new homes with an astounding **32% being dedicated to affordable housing**. The project also includes a completed Alice Griffith public housing complex that brings 337 100% affordable homes to the area.

The committee was pleased with the project team's emphasis on vibrant design to bring parks, open spaces, and other community-serving destinations to the area. Utilizing a street network system, the project's walkability and multimodal environment will help to ensure safety and convenience, with a diverse set of transportation options. In total, the project will provide 105 acres of new and improved public parks and open space, with a modernized and green Willie Mays Park.

The committee was excited to learn that the project has already contributed over \$136 million towards community contributions and successes, including a Business Incubator Space Program, affordable housing, an education and scholarship fund, and workforce and job training. In addition, the project will create over 4000 construction jobs and 8000 permanent jobs across the entire new area which include offices, retail, restaurants, hotels, and many more.

The committee praises the project for its exceptional commitment to environmentally conscious design principles. The project is set to attain LEED Gold rating for Neighborhood Development in accordance with the City's Green Building Ordinance. Moreover, it plans to plant up to 10,000 new trees across public spaces and surrounding acres. Additionally, there will be a 51% reduction in potable water demand achieved through reclaimed water, surpassing Title 24 energy standards for the new buildings by 15%.

Overall, the committee is pleased to support the Candlestick project. With its commitment to creating more dense and affordable homes, great design and open space, and environmental sustainability, Candlestick is an exceptional example of a large-scale project that addresses our state's housing crisis by bringing thousands of new homes for all.

Sincerely,



**Corey Smith**, *Executive Director*

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Samuel	Landeros	sam.r.landeros@gmail.com	94121

**From:** [Megan Wong](#)  
**To:** [Board of Supervisors \(BOS\)](#)  
**Cc:** [andrea@en2action.org](mailto:andrea@en2action.org)  
**Subject:** Candlestick Development Support Letter  
**Date:** Wednesday, October 16, 2024 10:19:36 AM  
**Attachments:** [Candlestick Development Letter of Support, Arelious Walker.heic](#)

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco's Board of Supervisors,

Please see the attached letter provided by Bayview resident Arelious Walker in support of the Candlestick Development.

Sincerely,  
Megan Wong

--



9/9, 2024

**SF Board of Supervisors**  
1 Dr. Carlton B. Goodlett Place,  
City Hall, Room 244,  
Francisco, CA 94102-4689  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

**RE: Candlestick Development**

As a long-time resident of Bayview Hunters Point, I strongly support the Candlestick Point project. This development promises significant benefits for our neighborhood and San Francisco as a whole.

I recently attended a community workshop hosted by FivePoint and learned about their updated project plans for Candlestick. Responding to changes in the retail landscape, and concerns from the community, the project now aims to attract more research and development businesses while still providing the housing and other amenities that the community and its residents are currently living without.

During the workshop, it was mentioned that there will be over 3000 jobs in this next phase of development, and nearly 700 homes. District 10 desperately needs more housing options, and there is always a need for more employment. We also need the parks and opportunities for new business that are being promised as well.

I and other residents are happy that the project is finally restarting. We have been living with the empty space while other projects in the city move forward. My fear is not that a few residents who are in opposition will have a greater say-so than the majority of the community who want the benefits the project will bring. It would be terrible if Candlestick will not someday turn into the homes and businesses for D10 residents.

I implore you and other City departments to treat this project with the same urgency as other projects and move it forward. This project can add to our neighborhood, stimulate economic growth, and enhance residents' quality of life. However, timely action is essential to prevent further delays and ensure we seize his vital opportunity for the Bayview.

Sincerely,

A handwritten signature in black ink, appearing to read "Dr. Arbelio Lopez". The signature is written in a cursive style with a large initial "D" and a long, sweeping tail.

**From:** [Megan Wong](#)  
**To:** [Board of Supervisors \(BOS\)](#)  
**Cc:** [andrea@en2action.org](mailto:andrea@en2action.org)  
**Subject:** Candlestick Development Support Letter  
**Date:** Wednesday, October 16, 2024 9:57:39 AM  
**Attachments:** [CANDLESTICK LETTER, Queen Vanessa Banks .pdf](#)

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco's Board of Supervisors,

Please see the attached letter provided by Hunters Point native Queen Vanessa Banks in support of the Candlestick Development.

Sincerely,  
Megan Wong

--



OCT 17<sup>TH</sup> 2024

SF Board of Supervisors  
1 Dr. Carlton B. Goodlett Place,  
City Hall, Room 244,  
Francisco, CA 94102-4689  
Board.of.Supervisors@sfgov.org  
RE: Candlestick Development

As a long-time resident of Bayview Hunters Point, I strongly support the Candlestick Point project. This development promises significant benefits for our neighborhood and San Francisco as a whole.

I recently attended a community workshop hosted by FivePoint and learned about their updated project plans for Candlestick. Responding to changes in the retail landscape, and concerns from the community, the project now aims to attract more research and development businesses while still providing the housing and other amenities that the community and its residents are currently living without.

During the workshop, it was mentioned that there will be over 3000 jobs in this next phase of development, and nearly 700 homes. District 10 desperately needs more housing options, and there is always a need for more employment. We also need the parks and opportunities for new business that are being promised as well.

I and other residents are happy that the project is finally restarting. We have been living with the empty space while other projects in the city move forward. My fear is not that a few residents who are in opposition will have a greater say-so than the majority of the community who want the benefits the project will bring. It would be terrible if Candlestick will not someday turn into the homes and businesses for D10 residents.

I implore you and other City departments treat this project with the same urgency as other projects and move it forward. This project can add to our neighborhood, stimulate economic growth, and enhance residents' quality of life. However, timely action is essential to prevent further delays and ensure we seize his vital opportunity for the Bayview.

Respectfully,

Queen Vanessa Banks

Hunters Point Native.

**From:** [Jane Natoli](#)  
**To:** [Board of Supervisors \(BOS\)](#); [Jalipa, Brent \(BOS\)](#)  
**Subject:** Support for Candlestick  
**Date:** Tuesday, October 15, 2024 2:54:22 PM  
**Attachments:** [2024-10-15 - SF YIMBY Letter of Support for Candlestick.pdf](#)

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Hello Board of Supervisors,

Please see our attached letter of support for Candlestick.

Thank you!

--

**Jane Natoli (she/her)**  
San Francisco Organizing Director  
415-335-9950





SF YIMBY advocates for welcoming communities where everyone can thrive.  
sfyimby.org

## San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 250

San Francisco, CA 94102

*10/15/2024*

### **RE: Support for Five Point's Candlestick project**

Dear Board of Supervisors:

SF YIMBY is pleased to support the proposed Candlestick project from Five Point. This project would provide thousands of new homes for current and future San Franciscans, with 7,218 proposed homes included. This project will help meet the state-mandated goal of 82,000 new homes by 2031 and would especially help with our affordable requirements, with 32% being dedicated to that.

This project would also bring several other amenities to Candlestick Point, adding new parks, green space, and other community benefits, with 105 acres of planned parks and open space. These are just some of the benefits, including numerous investments in the local community that this large-scale project will bring to the neighborhood.

SF YIMBY is a party of YIMBY Action, a network of pro-housing activists fighting for more inclusive housing policies. Our vision is an integrated society where every person has access to a safe, affordable home near jobs, services, and opportunity.

San Francisco's severe housing shortage is causing skyrocketing homelessness and poverty, crippling our economy, and leading to debilitating commutes that exacerbate our global climate crisis. These impacts fall disproportionately on our city's low-income workers and families, and disproportionately deny communities of color access to opportunity. If we strive to be a society that advances racial and class justice, we must do more to ensure abundant housing in our region. This project will help address the housing shortage and ensure a welcoming San Francisco where everyone can thrive.

Best regards,

Jane Natoli,  
San Francisco Organizing Director



**From:** [La Shon Walker](#)  
**To:** [BOS-Supervisors](#); [Board of Supervisors \(BOS\)](#); [Board of Supervisors \(BOS\)](#)  
**Cc:** [Hussain, Lila \(CII\)](#); [Kaslofsky, Thor \(CII\)](#)  
**Subject:** Re-send of missing letters of support for Candlestick Development - BoS hearing  
**Date:** Tuesday, October 15, 2024 12:50:14 PM  
**Attachments:** [Outlook-signature .png](#)  
[BoS Letters\\_Resend\\_10.15.24.pdf](#)

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Supervisors and Clerk of the Board: It has come to my attention that some of the letters of support for the project sent directly to your attention by members of the community were not received, have been misplaced, or have otherwise not made it into the packet of project information being assembled for members.

Consequently, I have tracked down eight of those letters, and have included them here.

Please acknowledge receipt.

Thank you.

Best Regards,

*La Shon*

**FIVEPOINT.**

La Shon A. Walker  
Vice President of Community Affairs

[Lashon.a.walker@fivepoint.com](mailto:Lashon.a.walker@fivepoint.com)  
[www.fivepoint.com](http://www.fivepoint.com)

Office: 415.344.8848

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August 30, 2024

**SF Board of Supervisors**

1 Dr. Carlton B. Goodlett Place,  
City Hall, Room 244,  
Francisco, CA 94102-4689  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

RE: Candlestick Development

As a resident of Bayview Hunters Point and business owner, who started her business here in San Francisco, I strongly support the Candlestick Point project. This development promises significant benefits for our neighborhood and San Francisco as a whole.

Responding to changes in the retail landscape, and concerns from the community, FivePoint now aims to attract more research and development businesses while still providing the housing and other amenities that the community and its residents, like me, are currently living without.

I support the plan for spaces being set aside for local businesses and would love to be able to have my business in the Candlestick development. However, that won't be an option if the project does not go forward.

My family and I are happy that the project finally has a real chance to restart. We have been living with the empty space while other projects in the city move forward. It would be terrible if Candlestick will not someday turn into the homes and businesses for D10 residents.

This project can add to our neighborhood, stimulate economic growth, and enhance residents' quality of life. Please move forward with approvals.

Sincerely,

Rio Miura

Bayview Hunters Point resident/Entrepreneur

September 1, 2024

**SF Board of Supervisors**

1 Dr. Carlton B. Goodlett Place,  
City Hall, Room 244,  
Francisco, CA 94102-4689  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

RE: San Francisco's Candlestick Development

Dear San Francisco Board of Supervisors,

As a Bay Area resident who lived in San Francisco for a decade, I strongly support the Candlestick Point project. This development promises significant benefits for San Francisco and the entire region.

While we now live across the Bay, my family and I still visit San Francisco often. I have long hoped to see more services and amenities in the city's southernmost neighborhoods, so when I heard about the Candlestick Development project, I was thrilled. My two daughters, now in their twenties, were born in San Francisco and would love the chance to return some day. I would love for them to have the opportunity to purchase a home in the city, as their father and I did in 1995. However, given San Francisco's slow pace of housing development and lack of homes for those unable to afford astronomical prices, doing so seems impossible.

With its promise of over 7,000 homes, the Candlestick project is the perfect antidote to San Francisco's housing crisis. The other much needed amenities it will provide to the community, its residents, and visitors like me are a fantastic bonus.

I urge you and other City departments to move this project forward. Timely action is essential to prevent further delays and ensure we seize this vital opportunity for San Francisco and the entire Bay Area.

Sincerely,

M. Clemmons|  
Bay Area resident

October 9, 2024

**SF Board of Supervisors**  
**1 Dr. Carlton B. Goodlett Place,**  
**City Hall, Room 244,**  
**Francisco, CA 94102-4689**  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

RE: Candlestick Development

My family has been in Bayview Hunters Point since my grandparents arrived in California in the 1930s. I have dedicated most of my adult life to serving the community in the footsteps of my grandmother, Dorris M. Vincent. Recently, I was a founding member of the Implementation Committee, representing Faith in Action. As a lifelong Bayview resident, I strongly support the Candlestick Point project, as it promises significant benefits for our neighborhood and San Francisco as a whole. In response to changes in the retail landscape and community concerns, the project aims to attract more research and development businesses while still providing the necessary housing and other amenities our community currently lacks.

The next development phase will bring over 3000 jobs and nearly 700 homes. District 10 desperately needs more housing options, and more job opportunities are always welcome. Additionally, the promised parks and opportunities for new businesses are much needed.

I am thrilled that the project is finally restarting, as we have been living with the empty space while other projects in the city move forward. However, I fear that a few opposition residents may have more influence than most of the community who support the project. It would be a great disappointment and a missed opportunity if Candlestick remains undeveloped and does not become a home and business area for District 10 residents.

This project has the potential to significantly enhance our neighborhood, stimulate economic growth, and improve the quality of life for residents. However, the urgency of this matter cannot be overstated. Timely action is crucial to prevent further delays and ensure that we take advantage of this vital opportunity for Bayview. I urge you and other city departments to treat this project with the utmost urgency and move it forward.

Sincerely,

Alise Vincent  
Bayview Hunters Point resident  
Founding AD10/Implementation Committee Member

August 22, 2024

**SF Board of Supervisors**  
1 Dr. Carlton B. Goodlett Place,  
City Hall, Room 244,  
Francisco, CA 94102-4689  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

**RE: Candlestick Development**

As a long-time resident of Bayview Hunters Point, I strongly support the Candlestick Point project. This development promises significant benefits for our neighborhood and San Francisco as a whole.

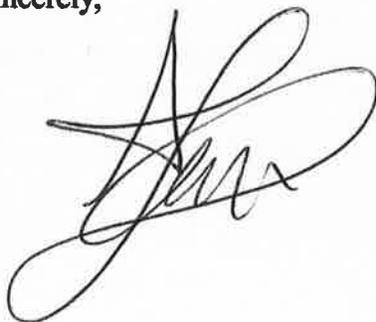
I recently attended a community workshop hosted by FivePoint and learned about their updated project plans for Candlestick. Responding to changes in the retail landscape, and concerns from the community, the project now aims to attract more research and development businesses while still providing the housing and other amenities that the community and its residents are currently living without.

During the workshop, it was mentioned that there will be over 3000 jobs in this next phase of development, and nearly 700 homes. District 10 desperately needs more housing options, and there is always a need for more employment. We also need the parks and opportunities for new business that are being promised as well.

I and other residents are happy that the project is finally restarting. We have been living with the empty space while other projects in the city move forward. My fear is not that a few residents who are in opposition will have a greater say-so than the majority of the community who want the benefits the project will bring. It would be terrible if Candlestick will not someday turn into the homes and businesses for D10 residents.

I implore you and other City departments treat this project with the same urgency as other projects and move it forward. This project can add to our neighborhood, stimulate economic growth, and enhance residents' quality of life. However, timely action is essential to prevent further delays and ensure we seize his vital opportunity for the Bayview.

Sincerely,

A handwritten signature in black ink, appearing to be 'John', written in a cursive style.

San Francisco African American Faith-Based Coalition  
c/o New Providence Baptist Church  
218 Granada Ave  
San Francisco, CA 94112

September 11, 2024

**SF Board of Supervisors**

1 Dr. Carlton B. Goodlett Place,  
City Hall, Room 244,  
Francisco, CA 94102-4689  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

RE: Candlestick Development

The San Francisco African American Faith-Based Coalition (SFAAFBC) is a coalition of 21 churches working together to address the health inequities among African Americans in our city. Our mission is to mobilize and provide resources to eliminate health disparities and inequities in communities of people of color in San Francisco. We strongly support the Candlestick Point project. This development promises significant benefits for our neighborhood in which many of our churches resides and San Francisco as a whole.

Several members of the SFAAFBC attended a community workshop hosted by FivePoint and learned about their updated project plans for Candlestick. Responding to changes in the retail landscape, and concerns from the community, the project now aims to attract more research and development businesses while still providing the housing and other amenities that the community and its residents are currently living without.

During the workshop, it was mentioned that there will be over 3000 jobs in this next phase of development, and nearly 700 homes. District 10 desperately needs more housing options, and there is always a need for more employment. We also need the parks and opportunities for new business that are being promised as well.

The SFAAFBC and other residents are happy that the project is finally restarting. We have been living with the empty space while other projects in the city move forward. Our fear is not that a few residents who are in opposition will have a greater say-so than the majority of the community who want the benefits the project will bring. It would be terrible if Candlestick will not someday turn into the homes and businesses for D10 residents.

The San Francisco African American Faith-Based Coalition implores you and other City departments treat this project with the same urgency as other projects and move it forward. This project can add to our neighborhood, stimulate economic growth, and enhance residents' quality of life. However, timely action is essential to prevent further delays and ensure we seize his vital opportunity for the Bayview.

Sincerely,

*Dr. Jonathan Butler*  
Executive Director



August 22, 2024

SF Board of Supervisors

1 Dr. Carlton B. Goodlett Place,

City Hall, Room 244

San Francisco, CA 94102-4689

[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

RE: Candlestick Development project

As a San Francisco native and resident of the Bayview Hunters Point for the past fifty five years, I am writing to you to express my support for the continuation of the Candlestick project. The benefits of the project to our neighborhood and San Francisco are very much desired and needed to move our community forward.

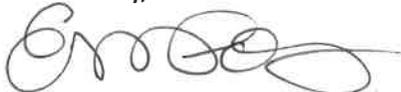
At a recently attended community workshop hosted by Five Point, I learned of the updated project plans for Candlestick. Responding to changes in the retail landscape, and concerns from the community, the project now aims to attract more research and development business while still providing the housing and other amenities that the community and its residents are currently living without. It is time for the Bayview Hunters Point community to be able to benefit from this and secure our future of continued success.

At this workshop, it was mentioned that there will be over 3000 new jobs in this next phase of development, and nearly 700 homes. District 10 desperately needs more housing options, and there is always a need for more jobs in our community. We are also in great need of the parks and opportunities for new business that are being promised as well.

My fellow neighbors and I are happy that the project has finally restarted. We have been living with the empty space as we watch other projects in the city move forward and come to completion. My greatest fear is that a few residents in opposition will have a greater say-so than the majority of the community that is completely in favor of the benefits this project will bring to our neighborhood.

It is time for the Bayview Hunters Point neighborhood to have the same economic and residential opportunities as other neighborhoods in this city. I implore you and other city departments treat this project with the same urgency as other projects and move this forward now. This project can positively add to our neighborhood, stimulate economic growth, and enhance residents' quality of life. It is pertinent that timely action is taken to prevent further delays and ensure we seize this vital opportunity that Bayview Hunters Point deserves. I thank you for your time and consideration of this request.

Sincerely,



Enrique Palos

Veronica Shepard  
1586A Thomas Ave  
San Francisco, CA 94124

August 26, 2024

**SF Board of Supervisors**

1 Dr. Carlton B. Goodlett Place,  
City Hall, Room 244,  
Francisco, CA 94102-4689  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

RE: Candlestick Development

As a long-time resident of Bayview Hunters Point, I strongly support the Candlestick Point project. This development promises significant benefits for our neighborhood and San Francisco as a whole.

I recently attended a community workshop hosted by FivePoint and learned about their updated project plans for Candlestick. Responding to changes in the retail landscape, and concerns from the community, the project now aims to attract more research and development businesses while still providing the housing and other amenities that the community and its residents are currently living without.

During the workshop, it was mentioned that there will be over 3000 jobs in this next phase of development, and nearly 700 homes. District 10 desperately needs more housing options, and there is always a need for more employment. We also need the parks and opportunities for new business that are being promised as well.

I and other residents are happy that the project is finally restarting. We have been living with the empty space while other projects in the city move forward. My fear is not that a few residents who are in opposition will have a greater say-so than the majority of the community who want the benefits the project will bring. It would be terrible if Candlestick will not someday turn into the homes and businesses for D10 residents.

I implore you and other City departments treat this project with the same urgency as other projects and move it forward. This project can add to our neighborhood, stimulate economic growth, and enhance residents' quality of life. However, timely action is essential to prevent further delays and ensure we seize his vital opportunity for the Bayview.

Sincerely,

*Veronica Shepard*  
Bayview Resident



SF YIMBY advocates for welcoming communities where everyone can thrive.  
sfyimby.org

**San Francisco Board of Supervisors**

1 Dr. Carlton B. Goodlett Place, Room 250  
San Francisco, CA 94102

*10/15/2024*

**RE: Support for Five Point's Candlestick project**

Dear Board of Supervisors:

SF YIMBY is pleased to support the proposed Candlestick project from Five Point. This project would provide thousands of new homes for current and future San Franciscans, with 7,218 proposed homes included. This project will help meet the state-mandated goal of 82,000 new homes by 2031 and would especially help with our affordable requirements, with 32% being dedicated to that.

This project would also bring several other amenities to Candlestick Point, adding new parks, green space, and other community benefits, with 105 acres of planned parks and open space. These are just some of the benefits, including numerous investments in the local community that this large-scale project will bring to the neighborhood.

SF YIMBY is a party of YIMBY Action, a network of pro-housing activists fighting for more inclusive housing policies. Our vision is an integrated society where every person has access to a safe, affordable home near jobs, services, and opportunity.

San Francisco's severe housing shortage is causing skyrocketing homelessness and poverty, crippling our economy, and leading to debilitating commutes that exacerbate our global climate crisis. These impacts fall disproportionately on our city's low-income workers and families, and disproportionately deny communities of color access to opportunity. If we strive to be a society that advances racial and class justice, we must do more to ensure abundant housing in our region. This project will help address the housing shortage and ensure a welcoming San Francisco where everyone can thrive.

Best regards,

Jane Natoli,  
San Francisco Organizing Director



**From:** [Board of Supervisors \(BOS\)](#) on behalf of [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#); [BOS-Legislative Aides](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [De Asis, Edward \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS-Operations](#)  
**Subject:** 9 Letters regarding a Candlestick Point redevelopment project  
**Date:** Thursday, September 19, 2024 2:00:00 PM  
**Attachments:** [9 Letters regarding a Candlestick Point redevelopment project.pdf](#)

---

Hello,

Please see attached for 9 Letters regarding a Candlestick Point redevelopment project.

Sincerely,

**Joe Adkins**  
**Office of the Clerk of the Board**  
**San Francisco Board of Supervisors**  
**1 Dr. Carlton B. Goodlett Place, Room 244**  
**San Francisco, CA 94102**  
**Phone: (415) 554-5184 | Fax: (415) 554-5163**  
[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

**From:** [Adam Gould](#)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Board of Supervisors \(BOS\)](#); [crwbot@gmail.com](mailto:crwbot@gmail.com); [becky.graff@gmail.com](mailto:becky.graff@gmail.com); [btassa@gmail.com](mailto:btassa@gmail.com); [Aman Khosa](#); [Susan Eslick](#); [Bruce Kin Huie](#); [Brett Villaume](#)  
**Subject:** Support for Moving the Candlestick Development Project Forward  
**Date:** Friday, September 13, 2024 2:39:44 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Commissioners,

I hope this message finds you well. As President of the Dogpatch Business Association and small business owner in the Dogpatch community, I'm writing to express our enthusiastic support for moving the Candlestick Development project forward without delay. This development holds great promise for southeast San Francisco.

Recently we learned about updated plans for Candlestick. Responding to shifts in the retail landscape and community feedback, the project now aims to attract more research and development businesses, while continuing to provide the housing and amenities our neighborhood has been waiting for.

This next phase of development promises to bring over 3,000 jobs and nearly 700 homes—both of which are sorely needed in District 10. The parks, businesses, and other opportunities this project could bring would be a tremendous benefit to the community.

Many of us in the neighborhood are excited that the project is finally restarting, especially after seeing other parts of the city move forward while we've waited with an empty space. My concern is that the voices of a small group in opposition might overshadow the desires of the majority who are eager to see the benefits this project will provide. It would be a missed opportunity if Candlestick doesn't become the vibrant home and business hub that our district needs.

I kindly urge you and the other City departments to treat this project with the same sense of urgency as others, ensuring it moves forward. This development has the potential to uplift our neighborhood, stimulate economic growth, and improve the quality of life for southeast San Francisco businesses and residents. Timely action is crucial to avoid further delays and fully seize this opportunity for our community.

Thank you for your time and consideration.

Warm regards,

Adam

--

Adam Gould | President  
Mobile: +1-415-464-7533

DOGPATCH BUSINESS ASSOCIATION

1129 Tennessee Street I San Francisco CA 94107

Website: <http://www.dbasf.com/>



**From:** [Peter.Belden@respondl.com](mailto:Peter.Belden@respondl.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Kaslofsky, Thor \(CII\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [pbelden@gmail.com](mailto:pbelden@gmail.com)  
**Subject:** I Support the Candlestick Development  
**Date:** Thursday, September 12, 2024 7:56:39 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Planning, Supervisors and Mayor,

I am writing to support the Candlestick Point project by FivePoint. This development offers significant benefits to our neighborhood and San Francisco as a whole, will finally bring improvements and investment at a large scale to this neglected area.

The project will overall bring over 7000 new homes, jobs, commercial space and help fund, parks and street improvements. The amendments proposed are helping to unlock a stalled project. The next phase of the development alone, over 600 residential units would be delivered.

Like many residents, I am pleased to see this project moving forward after years of delay. My concern is that opposition from a few could outweigh the majority who support the project and its benefits. This area cannot be left to sit vacant and attract blight to the community any longer. Our streets are in disparate condition, the Candlestick State Park is underfunded, and the area attracts extensive illegal dumping. Moving this development forward will resolve many of these issues.

I urge you and other City departments to prioritize this project, ensuring timely delivery of this project. It will stimulate economic growth, improve quality of life, and provide essential resources for current and future Bayview residents and businesses.

Regards,  
Peter Belden  
Residing in 94107

**From:** [Grant.Goldman@respondl.com](mailto:Grant.Goldman@respondl.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Kaslofsky, Thor \(CII\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [grantgoldman0@gmail.com](mailto:grantgoldman0@gmail.com)  
**Subject:** I Support the Candlestick Development  
**Date:** Wednesday, September 11, 2024 10:12:13 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Planning, Supervisors and Mayor,

As a resident in D10, I am writing to support the Candlestick Point project by FivePoint. This development offers significant benefits to our neighborhood and San Francisco as a whole, will finally bring improvements and investment at a large scale to this neglected area.

The project will overall bring over 7000 new homes, jobs, commercial space and help fund, parks and street improvements. The amendments proposed are helping to unlock a stalled project. The next phase of the development alone, over 600 residential units would be delivered.

Like many residents, I am pleased to see this project moving forward after years of delay. My concern is that opposition from a few could outweigh the majority who support the project and its benefits. This area cannot be left to sit vacant and attract blight to the community any longer. Our streets are in disparate condition, the Candlestick State Park is underfunded, and the area attracts extensive illegal dumping. Moving this development forward will resolve many of these issues.

I urge you and other City departments to prioritize this project, ensuring timely delivery of this project. It will stimulate economic growth, improve quality of life, and provide essential resources for current and future Bayview residents and businesses.

Regards,  
Grant Goldman  
Residing in 94107

**From:** [Elvira.Dayel@respondl.com](mailto:Elvira.Dayel@respondl.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Kaslofsky, Thor \(CII\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [elvira.dayel@gmail.com](mailto:elvira.dayel@gmail.com)  
**Subject:** I Support the Candlestick Development  
**Date:** Wednesday, September 11, 2024 6:49:41 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Planning, Supervisors and Mayor,

As a resident in Bayview, I am writing to support the Candlestick Point project by FivePoint. This development offers significant benefits to our neighborhood and San Francisco as a whole, will finally bring improvements and investment at a large scale to this neglected area.

The project will overall bring over 7000 new homes, jobs, commercial space and help fund, parks and street improvements. The amendments proposed are helping to unlock a stalled project. The next phase of the development alone, over 600 residential units would be delivered.

Like many residents, I am pleased to see this project moving forward after years of delay. My concern is that opposition from a few could outweigh the majority who support the project and its benefits. This area cannot be left to sit vacant and attract blight to the community any longer. Our streets are in disparate condition, the Candlestick State Park is underfunded, and the area attracts extensive illegal dumping. Moving this development forward will resolve many of these issues.

I urge you and other City departments to prioritize this project, ensuring timely delivery of this project. It will stimulate economic growth, improve quality of life, and provide essential resources for current and future Bayview residents and businesses.

Regards,  
Elvira Dayel  
Residing in 94124

**From:** [Charles.Farrugia@respondl.com](mailto:Charles.Farrugia@respondl.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Kaslofsky, Thor \(CII\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [ifitefire4u@aol.com](mailto:ifitefire4u@aol.com)  
**Subject:** I Support the Candlestick Development  
**Date:** Tuesday, September 10, 2024 11:12:48 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Planning, Supervisors and Mayor,

As a resident in Bayview, I am writing to support the Candlestick Point project by FivePoint. This development offers significant benefits to our neighborhood and San Francisco as a whole, will finally bring improvements and investment at a large scale to this neglected area.

The project will overall bring over 7000 new homes, jobs, commercial space and help fund, parks and street improvements. The amendments proposed are helping to unlock a stalled project. The next phase of the development alone, over 600 residential units would be delivered.

Like many residents, I am pleased to see this project moving forward after years of delay. My concern is that opposition from a few could outweigh the majority who support the project and its benefits. This area cannot be left to sit vacant and attract blight to the community any longer. Our streets are in disparate condition, the Candlestick State Park is underfunded, and the area attracts extensive illegal dumping. Moving this development forward will resolve many of these issues.

I urge you and other City departments to prioritize this project, ensuring timely delivery of this project. It will stimulate economic growth, improve quality of life, and provide essential resources for current and future Bayview residents and businesses.

Regards,  
Charles Farrugia  
Residing in 94134

**From:** [Odilie.Orantes@respondl.com](mailto:Odilie.Orantes@respondl.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Kaslofsky, Thor \(CII\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [odilie100@aol.com](mailto:odilie100@aol.com)  
**Subject:** I Support the Candlestick Development  
**Date:** Tuesday, September 10, 2024 9:18:21 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Planning, Supervisors and Mayor,

As a resident in Bayview, I am writing to support the Candlestick Point project by FivePoint. This development offers significant benefits to our neighborhood and San Francisco as a whole, will finally bring improvements and investment at a large scale to this neglected area.

The project will overall bring over 7000 new homes, jobs, commercial space and help fund, parks and street improvements. The amendments proposed are helping to unlock a stalled project. The next phase of the development alone, over 600 residential units would be delivered.

Like many residents, I am pleased to see this project moving forward after years of delay. My concern is that opposition from a few could outweigh the majority who support the project and its benefits. This area cannot be left to sit vacant and attract blight to the community any longer. Our streets are in disparate condition, the Candlestick State Park is underfunded, and the area attracts extensive illegal dumping. Moving this development forward will resolve many of these issues.

I urge you and other City departments to prioritize this project, ensuring timely delivery of this project. It will stimulate economic growth, improve quality of life, and provide essential resources for current and future Bayview residents and businesses.

Regards,  
Odilie Orantes  
Residing in 94134

**From:** [Lawrence.Bautista@respondl.com](mailto:Lawrence.Bautista@respondl.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Kaslofsky, Thor \(CII\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [larryb@gene.com](mailto:larryb@gene.com)  
**Subject:** I Support the Candlestick Development  
**Date:** Tuesday, September 10, 2024 4:30:51 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Planning, Supervisors and Mayor,

As a resident in Bayview, I am writing to support the Candlestick Point project by FivePoint. This development offers significant benefits to our neighborhood and San Francisco as a whole, will finally bring improvements and investment at a large scale to this neglected area.

The project will overall bring over 7000 new homes, jobs, commercial space and help fund, parks and street improvements. The amendments proposed are helping to unlock a stalled project. The next phase of the development alone, over 600 residential units would be delivered.

Like many residents, I am pleased to see this project moving forward after years of delay. My concern is that opposition from a few could outweigh the majority who support the project and its benefits. This area cannot be left to sit vacant and attract blight to the community any longer. Our streets are in disparate condition, the Candlestick State Park is underfunded, and the area attracts extensive illegal dumping. Moving this development forward will resolve many of these issues.

I urge you and other City departments to prioritize this project, ensuring timely delivery of this project. It will stimulate economic growth, improve quality of life, and provide essential resources for current and future Bayview residents and businesses.

Regards,  
Lawrence Bautista  
Residing in 94124

**From:** [Danric.Vargas@respondl.com](mailto:Danric.Vargas@respondl.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Kaslofsky, Thor \(CII\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [danric.vargas@gmail.com](mailto:danric.vargas@gmail.com)  
**Subject:** I Support the Candlestick Development  
**Date:** Tuesday, September 10, 2024 2:55:01 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Planning, Supervisors and Mayor,

As a resident in Bayview, I am writing to support the Candlestick Point project by FivePoint. This development offers significant benefits to our neighborhood and San Francisco as a whole, will finally bring improvements and investment at a large scale to this neglected area.

The project will overall bring over 7000 new homes, jobs, commercial space and help fund, parks and street improvements. The amendments proposed are helping to unlock a stalled project. The next phase of the development alone, over 600 residential units would be delivered.

Like many residents, I am pleased to see this project moving forward after years of delay. My concern is that opposition from a few could outweigh the majority who support the project and its benefits. This area cannot be left to sit vacant and attract blight to the community any longer. Our streets are in disparate condition, the Candlestick State Park is underfunded, and the area attracts extensive illegal dumping. Moving this development forward will resolve many of these issues.

I urge you and other City departments to prioritize this project, ensuring timely delivery of this project. It will stimulate economic growth, improve quality of life, and provide essential resources for current and future Bayview residents and businesses.

Regards,  
Danric Vargas  
Residing in 94124

**From:** [Beth.Bautista@respondl.com](mailto:Beth.Bautista@respondl.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Kaslofsky, Thor \(CII\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [bethd@gene.com](mailto:bethd@gene.com)  
**Subject:** I Support the Candlestick Development  
**Date:** Tuesday, September 10, 2024 2:55:00 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Planning, Supervisors and Mayor,

As a resident in Bayview, I am writing to support the Candlestick Point project by FivePoint. This development offers significant benefits to our neighborhood and San Francisco as a whole, will finally bring improvements and investment at a large scale to this neglected area.

The project will overall bring over 7000 new homes, jobs, commercial space and help fund, parks and street improvements. The amendments proposed are helping to unlock a stalled project. The next phase of the development alone, over 600 residential units would be delivered.

Like many residents, I am pleased to see this project moving forward after years of delay. My concern is that opposition from a few could outweigh the majority who support the project and its benefits. This area cannot be left to sit vacant and attract blight to the community any longer. Our streets are in disparate condition, the Candlestick State Park is underfunded, and the area attracts extensive illegal dumping. Moving this development forward will resolve many of these issues.

I urge you and other City departments to prioritize this project, ensuring timely delivery of this project. It will stimulate economic growth, improve quality of life, and provide essential resources for current and future Bayview residents and businesses.

Regards,  
Beth Bautista  
Residing in 94124

**From:** [Board of Supervisors \(BOS\)](#)  
**To:** [BOS-Supervisors](#); [BOS-Legislative Aides](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [De Asis, Edward \(BOS\)](#); [BOS-Operations](#); [Board of Supervisors \(BOS\)](#)  
**Subject:** Candlestick Development 15 letters  
**Date:** Thursday, September 12, 2024 1:36:06 PM  
**Attachments:** [Candlestick Development 15 letters.pdf](#)

---

Dear Supervisors,

Please see attached 15 letters from members of the public and various organizations regarding development at Candlestick Point.

Regards,

**Richard Lagunte**  
**Office of the Clerk of the Board**  
**San Francisco Board of Supervisors**  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
Voice (415) 554-5184 | Fax (415) 554-5163  
[bos@sfgov.org](mailto:bos@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

Pronouns: he, him, his

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.*

**From:** [Megan Wong](#)  
**To:** [Board of Supervisors \(BOS\)](#)  
**Cc:** [andrea@en2action.org](mailto:andrea@en2action.org)  
**Subject:** Candlestick Development Support Letter  
**Date:** Tuesday, September 10, 2024 11:07:07 AM  
**Attachments:** [Brenda Beebe SF Board of Supervisors-re Candlestick Point project 9.9.2024.docx.pdf](#)

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco's Board of Supervisors,

Please see the attached letter provided by Bayview resident Brenda Beebe in support of the Candlestick Development.

Sincerely,  
Megan Wong

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SF Board of Supervisors  
1 Dr. Carlton B. Goodlett Place,  
City Hall, Room 244,  
Francisco, CA 94102-4689  
Board.of.Supervisors@sfgov.org

RE: Candlestick Development

As a long-time resident District 10, I strongly support the Candlestick Point project. This development promises significant benefits for our neighborhood and San Francisco as a whole.

I recently attended a community workshop hosted by FivePoint and learned about their updated project plans for Candlestick. Responding to changes in the retail landscape, and concerns from the community, the project now aims to attract more research and development businesses while still providing the housing and other amenities that the community and its residents are currently living without.

During the workshop, it was mentioned that there will be over 3000 jobs in this next phase of development, and nearly 700 homes, including low income as well as BMR, and market rate. District 10 desperately needs more housing options.

There is always a need for more guaranteed local employment.

We also need the parks and opportunities for new business that are being promised as well.

I and other residents are happy that the project is finally restarting.

We have been living with the empty space while other projects in the city move forward.

My fear is that but a few residents who are in opposition will have a greater say-so than the majority of the community who want the benefits the project will bring.

It would be terrible if Candlestick will not someday turn into the homes and businesses for D10 residents.

I implore you and other City departments to treat this project with the same urgency as other projects and move it forward. This project can add to our neighborhood, stimulate economic growth, and enhance residents' quality of life. However, timely action is essential to prevent further delays and ensure we seize his vital opportunity for the Bayview.

Sincerely,  
Brenda Beebe

**From:** [Megan Wong](#)  
**To:** [Board of Supervisors \(BOS\)](#)  
**Cc:** [andrea@en2action.org](mailto:andrea@en2action.org)  
**Subject:** Candlestick Development Support Letter  
**Date:** Tuesday, September 10, 2024 12:51:05 PM  
**Attachments:** [Nikki Vismara\\_Candlestick Development project.pdf](#)

---

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Dear San Francisco's Board of Supervisors,

Please see the attached letter provided by Bayview resident Nikki Vismara in support of the Candlestick Development.

Sincerely,  
Megan Wong

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September 1, 2024

**SF Board of Supervisors**

1 Dr. Carlton B. Goodlett Place,

City Hall, Room 244,

Francisco, CA 94102-4689

[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

**RE: Candlestick Development**

As a long-time resident of Bayview Hunters Point, I strongly support the Candlestick Point project. This development promises significant benefits for our neighborhood and San Francisco as a whole.

I recently attended a community workshop hosted by FivePoint and learned about their updated project plans for Candlestick. Responding to changes in the retail landscape, and concerns from the community, the project now aims to attract more research and development businesses while still providing the housing and other amenities that the community and its residents are currently living without.

During the workshop, it was mentioned that there will be over 3000 jobs in this next phase of development, and nearly 700 homes. District 10 desperately needs more housing options, and there is always a need for more employment. We also need the parks and opportunities for new business that are being promised as well.

I and other residents are happy that the project is finally restarting. We have been living with the empty space while other projects in the city move forward. My fear is not that a few residents who are in opposition will have a greater say-so than the majority of the community who want the benefits the project will bring. It would be terrible if Candlestick will not someday turn into the homes and businesses for D10 residents.

I implore you and other City departments to treat this project with the same urgency as other projects and move it forward. This project can add to our neighborhood, stimulate economic growth, and enhance residents' quality of life. However, timely action is essential to prevent further delays and ensure we seize his vital opportunity for the Bayview.

Sincerely,



Nikki Vismara

**From:** [Megan Wong](#)  
**To:** [Board of Supervisors \(BOS\)](#)  
**Cc:** [andrea@en2action.org](mailto:andrea@en2action.org)  
**Subject:** Candlestick Development Support Letter  
**Date:** Tuesday, September 10, 2024 1:04:23 PM  
**Attachments:** [Dayna Sherwood Candlestick Development Letter of Support.pdf](#)

---

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Dear San Francisco's Board of Supervisors,

Please see the attached letter provided by Bayview resident Dayna Sherwood in support of the Candlestick Development.

Sincerely,  
Megan Wong

--



9-9, 2024

**SF Board of Supervisors**

1 Dr. Carlton B. Goodlett Place,  
City Hall, Room 244,  
Francisco, CA 94102-4689

[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

**RE: Candlestick Development**

As a long-time resident of Bayview Hunters Point, I strongly support the Candlestick Point project. This development promises significant benefits for our neighborhood and San Francisco as a whole.

I recently attended a community workshop hosted by FivePoint and learned about their updated project plans for Candlestick. Responding to changes in the retail landscape, and concerns from the community, the project now aims to attract more research and development businesses while still providing the housing and other amenities that the community and its residents are currently living without.

During the workshop, it was mentioned that there will be over 3000 jobs in this next phase of development, and nearly 700 homes. District 10 desperately needs more housing options, and there is always a need for more employment. We also need the parks and opportunities for new business that are being promised as well.

I and other residents are happy that the project is finally restarting. We have been living with the empty space while other projects in the city move forward. My fear is not that a few residents who are in opposition will have a greater say-so than the majority of the community who want the benefits the project will bring. It would be terrible if Candlestick will not someday turn into the homes and businesses for D10 residents.

I implore you and other City departments to treat this project with the same urgency as other projects and move it forward. This project can add to our neighborhood, stimulate economic growth, and enhance residents' quality of life. However, timely action is essential to prevent further delays and ensure we seize his vital opportunity for the Bayview.

Sincerely,



873 Meade Ave.

**From:** [Kenny.Yu@respondl.com](mailto:Kenny.Yu@respondl.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Kaslofsky, Thor \(CII\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [kenny.y.yu@gmail.com](mailto:kenny.y.yu@gmail.com)  
**Subject:** I Support the Candlestick Development  
**Date:** Tuesday, September 10, 2024 2:48:14 PM

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Dear SF Planning, Supervisors and Mayor,

As a resident in Bayview, I am writing to support the Candlestick Point project. This development offers significant benefits to our neighborhood and San Francisco as a whole, will finally bring improvements and investment at a large scale to this neglected area.

The project will overall bring over 7000 new homes, jobs, commercial space and help fund, parks and street improvements. The amendments proposed plans are helping to unlock a stalled project. The next phase of the development alone, over 600 residential units would be delivered.

Like many residents, I am pleased to see this project moving forward after years of delay. My concern is that opposition from a few could outweigh the majority who support the project and its benefits. This area cannot be left to sit vacant and attract blight to the community any longer. Our streets are in disparate condition, the Candlestick State Park is underfunded, and the area attracts extensive illegal dumping.

I urge you and other City departments to prioritize this project, ensuring timely delivery of this project. It will stimulate economic growth, improve quality of life, and provide essential resources for current and future Bayview residents and businesses.

Regards,  
Kenny Yu  
Residing in 94134

**From:** [Barb.Tassa@respondl.com](mailto:Barb.Tassa@respondl.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Kaslofsky, Thor \(CII\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [btassa@gmail.com](mailto:btassa@gmail.com)  
**Subject:** I Support the Candlestick Development  
**Date:** Tuesday, September 10, 2024 2:52:19 PM

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Dear SF Planning, Supervisors and Mayor,

As a resident in Bayview, I am writing to support the Candlestick Point project by FivePoint. This development offers significant benefits to our neighborhood and San Francisco as a whole, will finally bring improvements and investment at a large scale to this neglected area.

The project will overall bring over 7000 new homes, jobs, commercial space and help fund, parks and street improvements. The amendments proposed are helping to unlock a stalled project. The next phase of the development alone, over 600 residential units would be delivered.

Like many residents, I am pleased to see this project moving forward after years of delay. My concern is that opposition from a few could outweigh the majority who support the project and its benefits. This area cannot be left to sit vacant and attract blight to the community any longer. Our streets are in disparate condition, the Candlestick State Park is underfunded, and the area attracts extensive illegal dumping. Moving this development forward will resolve many of these issues.

I urge you and other City departments to prioritize this project, ensuring timely delivery of this project. It will stimulate economic growth, improve quality of life, and provide essential resources for current and future Bayview residents and businesses.

Regards,  
Barb Tassa  
Residing in 94124

**From:** [Laurence.Jaquet@respondl.com](mailto:Laurence.Jaquet@respondl.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Kaslofsky, Thor \(CII\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [laurence1127@gmail.com](mailto:laurence1127@gmail.com)  
**Subject:** I Support the Candlestick Development  
**Date:** Tuesday, September 10, 2024 3:37:40 PM

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Dear SF Planning, Supervisors and Mayor,

As a resident in Bayview, I am writing to support the Candlestick Point project by FivePoint. This development offers significant benefits to our neighborhood and San Francisco as a whole, will finally bring improvements and investment at a large scale to this neglected area.

The project will overall bring over 7000 new homes, jobs, commercial space and help fund, parks and street improvements. The amendments proposed are helping to unlock a stalled project. The next phase of the development alone, over 600 residential units would be delivered.

Like many residents, I am pleased to see this project moving forward after years of delay. My concern is that opposition from a few could outweigh the majority who support the project and its benefits. This area cannot be left to sit vacant and attract blight to the community any longer. Our streets are in disparate condition, the Candlestick State Park is underfunded, and the area attracts extensive illegal dumping. Moving this development forward will resolve many of these issues.

I urge you and other City departments to prioritize this project, ensuring timely delivery of this project. It will stimulate economic growth, improve quality of life, and provide essential resources for current and future Bayview residents and businesses.

Regards,  
Laurence Jaquet  
Residing in 94124

**From:** [Ramsey, Paul](#)  
**To:** [Board of Supervisors \(BOS\); CPC-Commissions Secretary](#)  
**Cc:** [Lopez-Weaver, Lindsey \(BOS\)](#)  
**Subject:** Candlestick Support!  
**Date:** Tuesday, September 10, 2024 4:14:19 PM  
**Attachments:** [2024 Candlestick Project Support Letter.docx](#)

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Hello BOS, and Planning Commission,

This voting Bayview resident is in SUPPORT of moving forward with the Candlestick redevelopment project, see attached and thank you for consideration,

Paul Ramsey

**From:** [marshapen@gmail.com](mailto:marshapen@gmail.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Board of Supervisors \(BOS\)](#); [Christopher Whipple](#); [becky.graff@gmail.com](mailto:becky.graff@gmail.com); [Barbara Tassa](#); [Aman](#)  
**Subject:** Candlestick Development - MOVE THIS PROJECT FORWARD NOW!  
**Date:** Tuesday, September 10, 2024 4:37:01 PM  
**Attachments:** [Letter of support for Candlestick Project 2024.pdf](#)

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September 10, 2024

Commissioners and Staff  
SF Planning Commission  
C/o Commission Secretary, Jonas P. Ionin  
City Hall, Room 400  
49 South Van Ness, Suite 1400  
San Francisco, CA 94103  
[Commissions.secretary@sfgov.org](mailto:Commissions.secretary@sfgov.org)

**RE: Candlestick Development – MOVE THIS PROJECT FORWARD NOW!**

Dear Commissioners:

As President of the Bayview Hill Neighborhood Association and a resident of the Bayview community, I am writing to express our support moving the Candlestick Development project forward NOW. This development promises significant benefits for our neighborhood and San Francisco as a whole.

As a community group, active since 1984 and incorporated as a California 501(c)3 non-profit organization in 1990, members of the Bayview Hill Neighborhood Association are residents of the Southeast sector of San Francisco and represent residents/homeowners who live and work in the area from Williams/Van Dyke Avenues to the San Francisco County line and from the Bayshore Freeway to Candlestick Point. We are all committed to making our neighborhood a safe, clean, and well-maintained place to live and raise our children. Our all-volunteer Association meets monthly to discuss neighborhood concerns and provide an opportunity for city and other government agents, developers and other interested parties to meet directly with residents. Our mission is to combat neighborhood deterioration by being a concerned, informed and watchful group of residents that protect the wellbeing of our community through our united voice and actions.

As one of the oldest neighborhood organizations in the area, we are a witness to the sweeping changes in population and diversity of this community. As a long-time Bayview resident, I have also witnessed the rise of homelessness in San Francisco, the evolution of service-based strategies such as “Care not Cash” and the expansion of targeted services throughout the city.

We heard about and attended a community workshop hosted by FivePoint and learned about their updated project plans for Candlestick. Responding to changes in the retail landscape, and concerns from the community, the project now aims to attract more research and development businesses while still providing the housing and other amenities that the community and its residents are currently living without.

I understand that there will be over 3,000 jobs in this next phase of development, and nearly 700 homes. District 10 desperately needs more housing options, and there is always a need for more employment. We also need the parks and opportunities for new business that are being promised as well.

I and other residents are happy that the project is finally restarting. We have been living with this empty space while other projects in the city move forward. My fear is not that a few residents who are in opposition will have a greater say-so than the majority of the community who want the benefits the project will bring. It would be terrible if Candlestick will not someday turn into the homes and businesses for D10 residents.

I implore you and other City departments treat this project with the same urgency as other projects and move it forward. This project can add to our neighborhood, stimulate economic growth, and enhance residents' quality of life. However, timely action is essential to prevent further delays and ensure we seize this vital opportunity for Bayview. Sincerely,

Marsha Maloof  
Board President



## **BAYVIEW HILL NEIGHBORHOOD ASSOCIATION**

Mailing Address: 803 Meade Avenue, San Francisco, CA 94124 Phone: 415-468-9168

September 10, 2024

Commissioners and Staff  
SF Planning Commission  
C/o Commission Secretary, Jonas P. Ionin  
City Hall, Room 400  
49 South Van Ness, Suite 1400  
San Francisco, CA 94103  
[Commissions.secretary@sfgov.org](mailto:Commissions.secretary@sfgov.org)

### **RE: Candlestick Development – MOVE THIS PROJECT FORWARD NOW!**

Dear Commissioners:

As President of the Bayview Hill Neighborhood Association and a resident of the Bayview community, I am writing to express our support moving the Candlestick Development project forward NOW. This development promises significant benefits for our neighborhood and San Francisco as a whole.

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We heard about and attended a community workshop hosted by FivePoint and learned about their updated project plans for Candlestick. Responding to changes in the retail landscape, and concerns from the community, the project now aims to attract more research and development businesses while still providing the housing and other amenities that the community and its residents are currently living without.

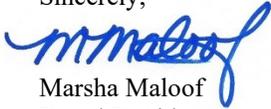
I understand that there will be over 3,000 jobs in this next phase of development, and nearly 700 homes. District 10 desperately needs more housing options, and there is always a need for more employment. We also need the parks and opportunities for new business that are being promised as well.

I and other residents are happy that the project is finally restarting. We have been living with this empty space while other projects in the city move forward. My fear is not that a few residents who are in opposition will have a greater say-so than the majority of the community who want the benefits the project will bring. It would be terrible if Candlestick will not someday turn into the homes and businesses for D10 residents.

I implore you and other City departments treat this project with the same urgency as other projects and move it forward. This project can add to our neighborhood, stimulate economic growth, and enhance residents' quality of

life. However, timely action is essential to prevent further delays and ensure we seize this vital opportunity for Bayview.

Sincerely,



Marsha Maloof  
Board President

Cc: SF Board of Supervisors [Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

**From:** [Rebecca.Graff@respondl.com](mailto:Rebecca.Graff@respondl.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Kaslofsky, Thor \(CII\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [becky.graff@gmail.com](mailto:becky.graff@gmail.com)  
**Subject:** I Support the Candlestick Development  
**Date:** Wednesday, September 11, 2024 6:22:54 AM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Planning, Supervisors and Mayor,

As a resident in Bayview, I am writing to support the Candlestick Point project by FivePoint. This development offers significant benefits to our neighborhood and San Francisco as a whole, will finally bring improvements and investment at a large scale to this neglected area.

The project will overall bring over 7000 new homes, jobs, commercial space and help fund, parks and street improvements. The amendments proposed are helping to unlock a stalled project. The next phase of the development alone, over 600 residential units would be delivered.

Like many residents, I am pleased to see this project moving forward after years of delay. My concern is that opposition from a few could outweigh the majority who support the project and its benefits. This area cannot be left to sit vacant and attract blight to the community any longer. Our streets are in disparate condition, the Candlestick State Park is underfunded, and the area attracts extensive illegal dumping. Moving this development forward will resolve many of these issues.

I urge you and other City departments to prioritize this project, ensuring timely delivery of this project. It will stimulate economic growth, improve quality of life, and provide essential resources for current and future Bayview residents and businesses.

Regards,  
Rebecca Graff  
Residing in 94124

**From:** [becky.graff@gmail.com](mailto:becky.graff@gmail.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Board of Supervisors \(BOS\)](#)  
**Subject:** Candlestick Development - Move forward  
**Date:** Wednesday, September 11, 2024 6:34:16 AM

---

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September 11, 2024

**Commissioners and Staff**  
**SF Planning Commission**

C/o Commission Secretary, Jonas P. Ionin  
City Hall, Room 400  
49 South Van Ness, Suite 1400  
San Francisco, CA 94103  
[Commissions.secretary@sfgov.org](mailto:Commissions.secretary@sfgov.org)

**RE: Candlestick Development – MOVE THIS PROJECT FORWARD NOW!**

As a long-time resident of Bayview Hunters Point, I strongly support the Candlestick Point project. This development promises significant benefits for our neighborhood and San Francisco as a whole.

I learned about FivePoint’s updated project plans for Candlestick from their presentations at a community workshop, to the CAC and to OCII, most recently. Responding to changes in the retail landscape, and concerns from the community, the project now aims to attract more research and development businesses while still providing the housing and other amenities that the community and its residents are currently living without.

I understand that there will be over 3,000 jobs in this next phase of development, and many new homes for mixed income levels. District 10 desperately needs more housing options, and there is always a need for more employment. We also need the parks and opportunities for new business that are being promised as well.

I and other residents are happy that the project is finally restarting. We have been living with the empty space while other projects in the city move forward. My fear is that a few residents who are in opposition will have a greater say than the majority of the community who want the benefits the project will bring. It would be terrible if Candlestick turn into the homes and businesses for D10 residents sooner rather than later.

I implore you and other City departments to treat this project with the same urgency as

projects in other parts of the city, and move it forward. This project can add to our neighborhood, stimulate economic growth, and enhance residents' quality of life. However, timely action is essential to prevent further delays and ensure we seize this vital opportunity for the Bayview.

Sincerely,

Rebecca Graff  
1080 Jamestown Ave, SF, CA 94124

Cc: SF Board of Supervisors [Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

**From:** [Susan.Larara@respondl.com](mailto:Susan.Larara@respondl.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Kaslofsky, Thor \(CII\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [slarara@gmail.com](mailto:slarara@gmail.com)  
**Subject:** I Support the Candlestick Development  
**Date:** Wednesday, September 11, 2024 10:26:29 AM

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Dear SF Planning, Supervisors and Mayor,

As a resident in Bayview, I am writing to support the Candlestick Point project by FivePoint. This development offers significant benefits to our neighborhood and San Francisco as a whole, will finally bring improvements and investment at a large scale to this neglected area.

The project will overall bring over 7000 new homes, jobs, commercial space and help fund, parks and street improvements. The amendments proposed are helping to unlock a stalled project. The next phase of the development alone, over 600 residential units would be delivered.

Like many residents, I am pleased to see this project moving forward after years of delay. My concern is that opposition from a few could outweigh the majority who support the project and its benefits. This area cannot be left to sit vacant and attract blight to the community any longer. Our streets are in disparate condition, the Candlestick State Park is underfunded, and the area attracts extensive illegal dumping. Moving this development forward will resolve many of these issues.

I urge you and other City departments to prioritize this project, ensuring timely delivery of this project. It will stimulate economic growth, improve quality of life, and provide essential resources for current and future Bayview residents and businesses.

Regards,  
Susan Larara  
Residing in 94124

**From:** [Parwana.Ashari@respondl.com](mailto:Parwana.Ashari@respondl.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Kaslofsky, Thor \(CII\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [parwana.ashari@gmail.com](mailto:parwana.ashari@gmail.com)  
**Subject:** I Support the Candlestick Development  
**Date:** Wednesday, September 11, 2024 11:19:08 AM

---

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Dear SF Planning, Supervisors and Mayor,

As a resident in Candlestick Heights (Bayview), I am writing to support the Candlestick Point project by FivePoint. This development offers significant benefits to our neighborhood and San Francisco as a whole, will finally bring improvements and investment at a large scale to this neglected area.

The project will overall bring over 7000 new homes, jobs, commercial space and help fund, parks and street improvements. The amendments proposed are helping to unlock a stalled project. The next phase of the development alone, over 600 residential units would be delivered.

Like many residents, I am pleased to see this project moving forward after years of delay. My concern is that opposition from a few could outweigh the majority who support the project and its benefits. This area cannot be left to sit vacant and attract blight to the community any longer. Our streets are in disparate condition, the Candlestick State Park is underfunded, and the area attracts extensive illegal dumping. Moving this development forward will resolve many of these issues.

I urge you and other City departments to prioritize this project, ensuring timely delivery of this project. It will stimulate economic growth, improve quality of life, and provide essential resources for current and future Bayview residents and businesses.

Regards,  
Parwana Ashari  
Residing in 94134

**From:** [Andrea Baker](#)  
**To:** [marshapen@gmail.com](mailto:marshapen@gmail.com)  
**Cc:** [CPC-Commissions Secretary](#); [Board of Supervisors \(BOS\)](#); [Christopher Whipple](#); [becky.graff@gmail.com](mailto:becky.graff@gmail.com); [Barbara Tassa](#); [Aman](#)  
**Subject:** Re: Candlestick Development - MOVE THIS PROJECT FORWARD NOW!  
**Date:** Wednesday, September 11, 2024 12:08:29 PM

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Marsha,  
Thanks for this!  
Your support is invaluable.  
Andrea

Megan,  
Please be sure to note this letter under our letters of support.  
Thanks!  
Andrea



**Andrea Baker (she/her)**  
Founder/CEO  
Southeast Community Center  
1550 Evans Avenue, Suite 301D  
San Francisco, CA 94124  
[www.en2action.org](http://www.en2action.org) | 415-351-8427 (m)



Want to be featured on our “**Community Happenings**” newsletter? **Click the teal icon and fill out our form!**

On Tue, Sep 10, 2024 at 4:36 PM <[marshapen@gmail.com](mailto:marshapen@gmail.com)> wrote:

September 10, 2024

Commissioners and Staff

SF Planning Commission

C/o Commission Secretary, Jonas P. Ionin

City Hall, Room 400

49 South Van Ness, Suite 1400

San Francisco, CA 94103

[Commissions.secretary@sfgov.org](mailto:Commissions.secretary@sfgov.org)

**RE: Candlestick Development – MOVE THIS PROJECT FORWARD NOW!**

Dear Commissioners:

As President of the Bayview Hill Neighborhood Association and a resident of the Bayview community, I am writing to express our support moving the Candlestick Development project forward NOW. This development promises significant benefits for our neighborhood and San Francisco as a whole.

As a community group, active since 1984 and incorporated as a California 501(c)3 non-profit organization in 1990, members of the Bayview Hill Neighborhood Association are residents of the Southeast sector of San Francisco and represent residents/homeowners who live and work in the area from Williams/Van Dyke Avenues to the San Francisco County line and from the Bayshore Freeway to Candlestick Point. We are all committed to making our neighborhood a safe, clean, and well-maintained place to live and raise our children. Our all-volunteer Association meets monthly to discuss neighborhood concerns and provide an opportunity for city and other government agents, developers and other interested parties to meet directly with residents. Our mission is to combat neighborhood deterioration by being a concerned, informed and watchful group of residents that protect the wellbeing of our community through our united voice and actions.

As one of the oldest neighborhood organizations in the area, we are a witness to the sweeping changes in population and diversity of this community. As a long-time Bayview resident, I have also witnessed the rise of homelessness in San Francisco, the evolution of service-based strategies such as “Care not Cash” and the expansion of targeted services throughout the city.

We heard about and attended a community workshop hosted by FivePoint and learned about their updated project plans for Candlestick. Responding to changes in the retail landscape, and concerns from the community, the project now aims to attract more research and development businesses while still providing the housing and other amenities that the community and its residents are currently living without.

I understand that there will be over 3,000 jobs in this next phase of development, and nearly 700 homes. District 10 desperately needs more housing options, and there is always a need for more employment. We also need the parks and opportunities for new business that are being promised as well.

I and other residents are happy that the project is finally restarting. We have been living with this empty space while other projects in the city move forward. My fear is not that a few residents who are in opposition will have a greater say-so than the majority of the community who want the benefits the project will bring. It would be terrible if Candlestick will not someday turn into the homes and businesses for D10 residents.

I implore you and other City departments treat this project with the same urgency as other projects and move it forward. This project can add to our neighborhood, stimulate economic growth, and enhance residents' quality of life. However, timely action is essential to prevent further delays and ensure we seize this vital opportunity for Bayview.



Sincerely,

Marsha Maloof

Board President

**From:** [Veronica Shepard](#)  
**To:** [Board of Supervisors \(BOS\)](#)  
**Cc:** [Jonathan Butler](#)  
**Subject:** CANDLESTICK DEVELOPMENT LETTER OF SUPPORT  
**Date:** Wednesday, September 11, 2024 12:53:16 PM  
**Attachments:** [image.png](#)  
[SFAAFBC Candlestick Development Support Letter SFBOS.091124.docx](#)

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,  
I'm sending this email on behalf of the San Francisco African American Faith-Based Coalition. Attached is a letter of support regarding the Candlestick Development that will bring so much growth to our neighborhood. Looking forward to your timely response.

In Community,  
Veronica Shepard  
Cc: Dr. Jonathan Butler



San Francisco African American Faith-Based Coalition  
c/o New Providence Baptist Church  
218 Granada Ave  
San Francisco, CA 94112

September 11, 2024

**SF Board of Supervisors**

1 Dr. Carlton B. Goodlett Place,  
City Hall, Room 244,  
Francisco, CA 94102-4689  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

RE: Candlestick Development

The San Francisco African American Faith-Based Coalition (SFAAFBC) is a coalition of 21 churches working together to address the health inequities among African Americans in our city. Our mission is to mobilize and provide resources to eliminate health disparities and inequities in communities of people of color in San Francisco. We strongly support the Candlestick Point project. This development promises significant benefits for our neighborhood in which many of our churches resides and San Francisco as a whole.

Several members of the SFAAFBC attended a community workshop hosted by FivePoint and learned about their updated project plans for Candlestick. Responding to changes in the retail landscape, and concerns from the community, the project now aims to attract more research and development businesses while still providing the housing and other amenities that the community and its residents are currently living without.

During the workshop, it was mentioned that there will be over 3000 jobs in this next phase of development, and nearly 700 homes. District 10 desperately needs more housing options, and there is always a need for more employment. We also need the parks and opportunities for new business that are being promised as well.

The SFAAFBC and other residents are happy that the project is finally restarting. We have been living with the empty space while other projects in the city move forward. Our fear is not that a few residents who are in opposition will have a greater say-so than the majority of the community who want the benefits the project will bring. It would be terrible if Candlestick will not someday turn into the homes and businesses for D10 residents.

The San Francisco African American Faith-Based Coalition implores you and other City departments treat this project with the same urgency as other projects and move it forward. This project can add to our neighborhood, stimulate economic growth, and enhance residents' quality of life. However, timely action is essential to prevent further delays and ensure we seize his vital opportunity for the Bayview.

Sincerely,

*Dr. Jonathan Butler*  
Executive Director



**From:** [Brians.Johnson@respondl.com](mailto:Brians.Johnson@respondl.com)  
**To:** [CPC-Commissions Secretary](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Peskin, Aaron \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Kaslofsky, Thor \(CII\)](#); [ChanStaff \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Engardio, Joel \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [brian@pjohnson.info](mailto:brian@pjohnson.info)  
**Subject:** I Support the Candlestick Development  
**Date:** Thursday, September 12, 2024 7:42:02 AM

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Dear SF Planning, Supervisors and Mayor,

As a resident in Bayview, I am writing to support the Candlestick Point project by FivePoint. This development offers significant benefits to our neighborhood and San Francisco as a whole, will finally bring improvements and investment at a large scale to this neglected area.

The project will overall bring over 7000 new homes, jobs, commercial space and help fund, parks and street improvements. The amendments proposed are helping to unlock a stalled project. The next phase of the development alone, over 600 residential units would be delivered.

Like many residents, I am pleased to see this project moving forward after years of delay. My concern is that opposition from a few could outweigh the majority who support the project and its benefits. This area cannot be left to sit vacant and attract blight to the community any longer. Our streets are in disparate condition, the Candlestick State Park is underfunded, and the area attracts extensive illegal dumping. Moving this development forward will resolve many of these issues.

I urge you and other City departments to prioritize this project, ensuring timely delivery of this project. It will stimulate economic growth, improve quality of life, and provide essential resources for current and future Bayview residents and businesses.

Regards,  
Brian Johnson  
Residing in 94124

From: [Bullock, John \(BOS\)](#)  
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#)  
Cc: [BOS-Operations](#); [Calvillo, Angela \(BOS\)](#); [De Asis, Edward \(BOS\)](#); [Entezari, Mehran \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Somera, Alisa \(BOS\)](#)  
Subject: 3 Letters Regarding Candlestick Point  
Date: Thursday, September 5, 2024 11:50:27 AM  
Attachments: [3 Letters Regarding Candlestick Point.pdf](#)

---

Hello,

Please see attached 3 Letters regarding the Candlestick Point redevelopment project.

Regards,

John Bullock  
Office of the Clerk of the Board  
San Francisco Board of Supervisor  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
(415) 554-5184  
[BOS@sfgov.org](mailto:BOS@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

From: [La Shon Walker](#)  
To: [Board of Supervisors \(BOS\)](#)  
Subject: Letter of support for Candlestick  
Date: Monday, September 2, 2024 10:37:39 AM  
Attachments: [Outlook-signature .png](#)  
[2024 Support Letter BoS\\_RM.pdf](#)

---

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Dear Secretary for the San Francisco Board of Supervisors:

Attached you will find a letter of support for the Candlestick development. It was sent to me by Bayview resident Rio Miura.

Best Regards,

*La Shon*

**FIVEPOINT.**

La Shon A. Walker  
Vice President of Community Affairs

[Lashon.a.walker@fivepoint.com](mailto:Lashon.a.walker@fivepoint.com)  
[www.fivepoint.com](http://www.fivepoint.com)

Office: 415.344.8848

One Sansome Street | Suite 3500 | San Francisco, CA 94104

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August 30, 2024

**SF Board of Supervisors**

1 Dr. Carlton B. Goodlett Place,  
City Hall, Room 244,  
Francisco, CA 94102-4689  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

RE: Candlestick Development

As a resident of Bayview Hunters Point and business owner, who started her business here in San Francisco, I strongly support the Candlestick Point project. This development promises significant benefits for our neighborhood and San Francisco as a whole.

Responding to changes in the retail landscape, and concerns from the community, FivePoint now aims to attract more research and development businesses while still providing the housing and other amenities that the community and its residents, like me, are currently living without.

I support the plan for spaces being set aside for local businesses and would love to be able to have my business in the Candlestick development. However, that won't be an option if the project does not go forward.

My family and I are happy that the project finally has a real chance to restart. We have been living with the empty space while other projects in the city move forward. It would be terrible if Candlestick will not someday turn into the homes and businesses for D10 residents.

This project can add to our neighborhood, stimulate economic growth, and enhance residents' quality of life. Please move forward with approvals.

Sincerely,

Rio Miura

Bayview Hunters Point resident/Entrepreneur

From: [Melinda Clemmons](#)  
To: [Board of Supervisors \(BOS\)](#)  
Subject: Support for Candlestick Development Project  
Date: Sunday, September 1, 2024 12:02:20 PM  
Attachments: [Candlestick Support Letter Board of Supervisors.pdf](#)

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please see the attached letter of support for the Candlestick Development Project. Thank you.

--

September 1, 2024

**SF Board of Supervisors**

1 Dr. Carlton B. Goodlett Place,  
City Hall, Room 244,  
Francisco, CA 94102-4689  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

RE: San Francisco's Candlestick Development

Dear San Francisco Board of Supervisors,

As a Bay Area resident who lived in San Francisco for a decade, I strongly support the Candlestick Point project. This development promises significant benefits for San Francisco and the entire region.

While we now live across the Bay, my family and I still visit San Francisco often. I have long hoped to see more services and amenities in the city's southernmost neighborhoods, so when I heard about the Candlestick Development project, I was thrilled. My two daughters, now in their twenties, were born in San Francisco and would love the chance to return some day. I would love for them to have the opportunity to purchase a home in the city, as their father and I did in 1995. However, given San Francisco's slow pace of housing development and lack of homes for those unable to afford astronomical prices, doing so seems impossible.

With its promise of over 7,000 homes, the Candlestick project is the perfect antidote to San Francisco's housing crisis. The other much needed amenities it will provide to the community, its residents, and visitors like me are a fantastic bonus.

I urge you and other City departments to move this project forward. Timely action is essential to prevent further delays and ensure we seize this vital opportunity for San Francisco and the entire Bay Area.

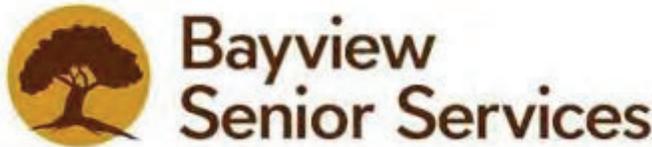
Sincerely,

M. Clemmons|  
Bay Area resident

From: [Neal Hatten](#)  
To: [Board of Supervisors \(BOS\)](#)  
Subject: Candlestick Project  
Date: Friday, August 30, 2024 4:04 PM  
Attachments: [image.png](#)

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August 30, 2024

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

Dear Board Members:

This letter expresses Bayview Senior Services' Support for the Candlestick Project. As an organization serving the Bayview Hunters Point community since 1971, we have seen firsthand the adverse effects that reduced levels of affordable housing and business activity have had on our community. It has been a long time since the stadium closed, taking jobs and leaving promises of economic development. Many promises have been made to the Bayview community, but more progress has yet to be made in honoring the commitments. In the meantime, our community has among the highest rates of unhoused residents.

While we are clear that this project will not solve all of our community's ills, it will certainly be a significant step in the right direction. We hope this project can finally break ground to provide opportunities for Bayview Hunters Point residents who have suffered through years of empty promises and neglect and offer hope and optimism for a brighter future.

--

**Neal Hatten**  
**Deputy Director**

Bayview Senior Services  
1753 Carroll Avenue  
San Francisco, CA 94124  
(415) 822-1444 x1412  
(415) 265-9273 (cell)  
[neal.hatten@bhpmss.org](mailto:neal.hatten@bhpmss.org)  
[www.bhpmss.org](http://www.bhpmss.org)

**From:** [Board of Supervisors \(BOS\)](#)  
**To:** [BOS-Supervisors](#); [BOS-Legislative Aides](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [De Asis, Edward \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS-Operations](#)  
**Subject:** FW: Candlestick Development  
**Date:** Thursday, August 22, 2024 4:04:00 PM

---

Hello,

Please see below for communication from Ericka Scott regarding the Candlestick Point redevelopment project.

Sincerely,

**Joe Adkins**  
**Office of the Clerk of the Board**  
**San Francisco Board of Supervisors**  
**1 Dr. Carlton B. Goodlett Place, Room 244**  
**San Francisco, CA 94102**  
**Phone: (415) 554-5184 | Fax: (415) 554-5163**  
[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

---

**From:** Ericka Scott <erickascott90@gmail.com>  
**Sent:** Thursday, August 22, 2024 12:17 PM  
**To:** Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** RE: Candlestick Development

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August 22, 2024

**SF Board of Supervisors**  
1 Dr. Carlton B. Goodlett Place,  
City Hall, Room 244,  
Francisco, CA 94102-4689  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

RE: Candlestick Development

As a long-time advocate of Bayview Hunters Point, I strongly support the Candlestick Point project. This development promises significant benefits for our neighborhood and San Francisco as a whole.

I recently attended a community workshop hosted by FivePoint and learned about their updated project plans for Candlestick. Responding to changes in the retail landscape, and concerns from the community, the project now aims to attract more research and development businesses while still providing the housing and other amenities that the community and its

residents are currently living without.

During the workshop, it was mentioned that there will be over 3000 jobs in this next phase of development, and nearly 700 homes. District 10 desperately needs more housing options, and there is always a need for more employment. We also need the parks and opportunities for new business that are being promised as well.

I and other residents are happy that the project is finally restarting. The community has been living with the empty space while other projects in the city move forward. My fear is not that a few residents who are in opposition will have a greater say-so than the majority of the community who want the benefits the project will bring. It would be terrible if Candlestick will not someday turn into the homes and businesses for D10 residents.

I implore you and other City departments treat this project with the same urgency as other projects and move it forward. This project can add to our neighborhood, stimulate economic growth, and enhance residents' quality of life. However, timely action is essential to prevent further delays and ensure we seize this vital opportunity for the Bayview.

Sincerely,

Ericka Scott

**415-699-6555**



450-0132024-146

September 6, 2024

Ms. Angela Calvillo  
Clerk of the Board of Supervisors  
City and County of San Francisco  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, CA 94102-4689

Re: Hunters Point Shipyard Redevelopment Plan Proposed Amendment

Dear Ms. Calvillo:

On September 3, 2024, the Successor Agency Commission (commonly known as the Commission on Community Investment and Infrastructure (“Commission”)) approved, and recommended to the Board of Supervisors for approval, an amendment to the above-referenced Redevelopment Plan (“Plan Amendments”). I understand that Mayor Breed will introduce and Supervisor Walton will co-sponsor legislation approving the Plan Amendment at the September 10, 2024 meeting of the Board of Supervisors (“BOS”). Pursuant to the requirements of the California Community Redevelopment Law, I am transmitting links to the electronic copies of the following to be included in the BOS Legislative file for the Plan Amendment Ordinance:

1. **Commission Resolution No. 22-2024**, Adopting findings, including amending adopted mitigation measures, pursuant to the California Environmental Quality Act related to the approval of the 2024 Modified Project Variant for the Candlestick Point and Phase 2 of the Hunters Point Shipyard Development Project; Hunters Point Shipyard Redevelopment Project Area and Bayview Hunters Point Redevelopment Project Area
2. **Commission Resolution No. 24-2024**, Adopting findings pursuant to the California Environmental Quality Act and approving the Report to the Board of Supervisors on the amendment to the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area; and authorizing transmittal of the Report to the Board of Supervisors; Hunters Point Shipyard Redevelopment Project Area
3. **Commission Resolution No. 26-2024**, Adopting findings pursuant to the California Environmental Quality Act and approving amendments to the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area, referring the plan amendments to the Planning Commission for its report on conformity with the General Plan, and recommending the plan amendments to the Board of Supervisors for adoption; Hunters Point Shipyard Redevelopment Project Area

London N. Breed  
MAYOR

Thor Kaslofsky  
EXECUTIVE DIRECTOR

Bivett Brackett  
CHAIR

Dr. Carolyn Ransom-Scott  
Vanessa Aquino  
Tamsen Drew  
Kent Lim  
COMMISSIONERS

📍 One S. Van Ness Ave.  
5th Floor  
San Francisco, CA  
94103

📞 415 749 2400

🏠 [www.sfocii.org](http://www.sfocii.org)

4. **Commission Resolution No. 27-2024**, Adopting findings pursuant to the California Environmental Quality Act; authorizing a Fourth Amendment to the Disposition and Development Agreement (Candlestick Point and Phase 2 of the Hunters Point Shipyard) with CP Development Co., LLC, subject to the approval of the Oversight Board of the City and County of San Francisco and the California Department of Finance; Hunters Point Shipyard Redevelopment Project Area and Bayview Hunters Point Redevelopment Project Area
5. **Environmental Documentation**, as follows: (a) Final Environmental Impact Report ("FEIR") for Candlestick Point-Hunters Point Shipyard Phase 2 (electronic only); (b) Addenda Nos. 1 and 4 to the FEIR (electronic only); and (c) Addendum No. 5 to the FEIR
6. **Report to the Board of Supervisors** (updated) on an Amendment to the Hunters Point Shipyard Redevelopment Plan

Please contact me at (415) 749-2408 if you have any questions concerning these attachments or the Redevelopment Plan Amendments.

Sincerely,



Jaimie Cruz  
Commission Secretary  
Commission on Community Investment and Infrastructure

Cc: Hon. London N. Breed, Mayor (Tom Paulino, Liaison to the Board of Supervisors)  
Hon. Shamann Walton, Supervisor  
Alisa Somera, Legislative Deputy Clerk, Office of the Clerk of the Board of Supervisors