

File No. 180680 Committee Item No. 10
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date September 24, 2018

Board of Supervisors Meeting Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input 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 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 |
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| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Figures 249.84</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Referral CEQA 070318</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Referral PC 070318</u> |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>CEQA Determination 080118</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Hearing Notice 091718</u> |
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Completed by: Erica Major Date September 20, 2018
Completed by: Erica Major Date _____

1 [Planning Code, Zoning Map - India Basin Special Use District]

2
3 **Ordinance amending the Planning Code to establish the India Basin Special Use**
4 **District, located generally at Innes Avenue between Griffith Street and Earl Street,**
5 **along the India Basin shoreline, in the southeast part of San Francisco; amending the**
6 **Planning Code by amending the Zoning Map to change zoning designations, height**
7 **districts, and add the India Basin Special Use District; and making findings under the**
8 **California Environmental Quality Act, findings of consistency with the General Plan and**
9 **the eight priority policies of Planning Code, Section 101.1, and findings of public**
10 **necessity, convenience, and welfare under Planning Code, Section 302.**

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

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

19 Section 1. Planning and Environmental Findings.

20 (a) In companion legislation adopting a Development Agreement associated with the
21 India Basin Mixed-Use project, the Board of Supervisors adopted environmental findings
22 pursuant to the California Environmental Quality Act (CEQA) (California Public Resources
23 Code Sections 21000 et seq.), the CEQA Guidelines (14 Cal. Code Reg. Sections 15000 et
24 seq.), and Chapter 31 of the Administrative Code. The Board of Supervisors adopts these
25 environmental findings as though fully set forth herein in relation to this ordinance. A copy of

1 said companion legislation is in Board of Supervisors File No. 180681 and it and its
2 environmental findings are incorporated herein by reference.

3 (b) In companion legislation adopting General Plan amendments associated with the
4 India Basin Mixed-Use project, the Board of Supervisors adopted findings that the actions
5 contemplated in this ordinance are consistent, on balance, with the City's General Plan and
6 eight priority policies of Planning Code Section 101.1. The Board incorporates these findings
7 by reference and adopts these findings as its own. A copy of said companion legislation is in
8 Board of Supervisors File No. 180681.

9 (c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code
10 amendment will serve the public necessity, convenience, and welfare for the reasons set forth
11 in Planning Commission Resolution No. 20251 and adopted on July 26, 2018, and the Board
12 adopts such reasons as its own. A copy of said resolution is on file with the Clerk of the
13 Board of Supervisors in File No. 180681 and is incorporated herein by reference.

14
15 Section 2. The Planning Code is hereby amended by adding Section 249.84, to read
16 as follows:

17 **SEC. 249.84. INDIA BASIN SPECIAL USE DISTRICT.**

18 (a) Purpose and Boundaries. A Special Use District entitled the "India Basin Special Use
19 District" (SUD) is hereby established, located generally at Innes Avenue between Griffith Street and
20 Earl Street, along the India Basin shoreline, in the southeast part of San Francisco. The precise
21 boundaries of the SUD are shown on Sectional Map SU09 of the Zoning Map. The purpose of this SUD
22 is to implement the Development Agreement for the India Basin Mixed-Use Project (Project), approved
23 by the Board of Supervisors in the ordinance in Board File No. _____ . The Project will provide
24 several benefits to the City, such as a significant amount of open space, increased public access,
25

1 commercial space, extensive infrastructure improvements, and affordable housing, while creating jobs,
2 housing, and a vibrant community.

3 (b) **Public Trust.** Within this SUD, certain property is or will be subject to the public trust for
4 commerce, navigation, and fisheries (the Public Trust) in accordance with a public trust exchange and
5 title settlement agreement with the State of California. The Port of San Francisco (Port) has
6 jurisdiction over the Public Trust property, with the right to prohibit uses that are not consistent with
7 the Public Trust. The Port also shall issue permits for any improvements on the Public Trust property,
8 subject to any delegation by the Port to another City agency. The Recreation and Park Department
9 will operate and maintain the public parks and open spaces located on Public Trust property, in
10 accordance with an agreement with the Port and in accordance with the open space covenant attached
11 to the Development Agreement (Open Space Covenant). The Planning Commission has jurisdiction
12 over the permitting for any development of property within the SUD that is not subject to the Public
13 Trust.

14 (c) **Relationship to Design Standards and Guidelines.** The Design Standards and Guidelines
15 (DSG), as may be periodically amended, are incorporated into this SUD and set forth standards and
16 guidelines applicable within the SUD. A copy of the DSG is on file with the Planning Department and
17 is available on its website. This SUD and the DSG shall be read and construed together so as to avoid
18 any conflict to the greatest extent possible. If there is an unavoidable conflict between the SUD and the
19 DSG, the SUD shall prevail. The Planning Director may make adjustments to the DSG for areas within
20 the Planning Commission's jurisdiction, provided any material amendment to the DSG, as determined
21 by the Planning Director, will be subject to the review and approval of the Planning Commission.
22 Adjustments to the DSG for areas outside of the Planning Commission's jurisdiction, such as
23 adjustments to the public right-of-ways, public infrastructure, or recreational facilities within the
24 parks, may be made by the Public Works Director, the San Francisco Public Utilities Commission
25 General Manager, or the Recreation and Park Department General Manager, as applicable, subject to

1 the requirements of the Development Agreement and the Open Space Covenant and following
2 consultation with the Planning Director.

3 (d) Relationship to Other Planning Code Provisions. Applicable provisions of the Planning
4 Code shall control except as otherwise provided in this SUD, the DSG within the control of the
5 Planning Commission or Recreation and Park Commission, and the Development Agreement (for so
6 long as the Development Agreement is in effect). In the event of a conflict between other provisions of
7 the Planning Code and the DSG or this SUD (and further subject to subsection (e) below), this SUD
8 shall control first, followed by the DSG and the Planning Code.

9 (e) Relationship to the Development Agreement. This SUD shall be read and construed
10 consistent with the Development Agreement, and all development within the Project Site shall satisfy
11 the requirements of the Development Agreement for so long as it remains in effect for each part of the
12 Project Site. As described in the Development Agreement, the Project is divided into Development
13 Phases, and no development may occur within a Development Phase until after the Planning
14 Department issues a Development Phase Approval. Upon expiration or termination of the
15 Development Agreement for any part of the Project Site, any new development, other than replacement
16 of what was built under the Development Agreement, shall require a conditional use approval under
17 Section 303 of this Code.

18 (f) Definitions. If not expressly superseded by definitions set forth in this Section 249.84 the
19 DSG, or the Development Agreement, all definitions, procedures, and requirements of the Planning
20 Code shall apply to this SUD. The following definitions shall govern interpretation of this Section:

21 "Applicant" means the owner or authorized agent of the owner of a parcel that applies for an
22 approval under this SUD.

23 "Building Standards" means the standards applicable to Vertical Improvements and any
24 associated privately-owned open spaces within the SUD, consisting of the standards specified in
25 subsection (h) below and the standards identified as such in the DSG. It does not mean Building Code

1 requirements under either the California, the San Francisco, or the Port of San Francisco Building
2 Codes, which this SUD and the DSG do not override.

3 “Development Agreement” shall mean the Development Agreement By and Between the City
4 and County of San Francisco and India Basin Investment LLC, a California limited liability company,
5 Relative to the Development Known as India Basin Mixed-Use Project, approved by the Board of
6 Supervisors in the ordinance in Board File No. _____, as it may be amended from time to time.

7 “Development Phase” and “Development Phase Approval” have the meaning set forth in the
8 Development Agreement.

9 “General Manager” means the General Manager of the Recreation and Park Department.

10 “Horizontal Development” or “Horizontal Improvements” means all improvements and
11 construction required to prepare land for Vertical Improvements, including streets, right-of-ways,
12 utility lines, and infrastructure to serve development lots, transit improvements, public parks and open
13 spaces, bicycle paths, and shoreline improvements. Horizontal Development shall include all Public
14 Improvements and all Privately-Owned Community Improvements, as those terms are defined in the
15 Development Agreement.

16 “India Basin DSG” or “DSG” shall mean the document adopted by Planning Commission
17 Motion _____, as may be amended from time to time. The DSG is incorporated into this SUD by
18 reference.

19 “Major Modification” means a deviation of 10% or more from any dimensional or numerical
20 standard in this SUD or in the DSG, except as explicitly prohibited per subsection (i) below.

21 “Minor Modification” means a deviation of less than 10% from any dimensional or numerical
22 standard in this SUD or in the DSG, except as explicitly prohibited per subsection (i) below, or any
23 deviation from any non-numerical standard in the DSG.

24 “Privately-Owned Community Improvement” shall mean a facility that is privately owned and
25 privately maintained, at no cost to the City, for the public benefit, that is not dedicated to the City. The

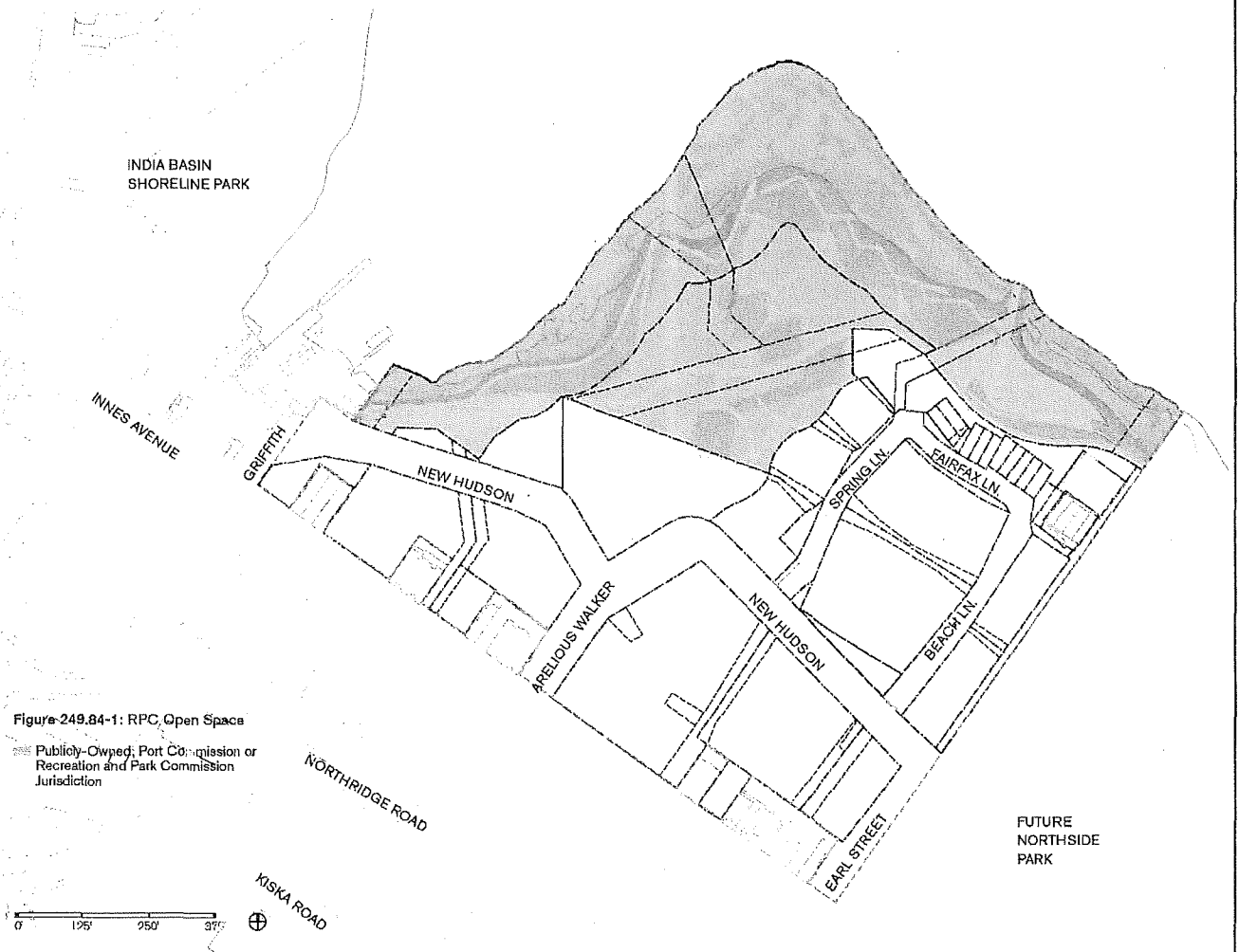
1 Privately-Owned Community Improvements include certain right-of-ways, pedestrian paths and bicycle
2 lanes, open spaces, the public market, and storm drain facilities, as more particularly described in the
3 Development Agreement.

4 “Project Site” has the meaning set forth in the Development Agreement.

5 “Public Improvements” means the facilities, both on- and off-site, to be improved, constructed,
6 and dedicated by Developer and, upon completion in accordance with the Development Agreement,
7 accepted by the City. Public Improvements include the streets within the Project Site described in the
8 Development Agreement, and all infrastructure and public utilities within the accepted streets (such as
9 gas, electricity, and water and sewer lines, but excluding any non-municipal utilities), as well as
10 sidewalks, bicycle lanes, street furniture, paths, and intersection improvements (such as curbs,
11 medians, signaling, traffic controls devices, signage, and striping). Public Improvements also include
12 the Parks and Open Spaces, the SFPUC Infrastructure, and the SFMTA Infrastructure, as those terms
13 are defined in the Development Agreement. The Public Improvements do not include Privately-Owned
14 Community Improvements.

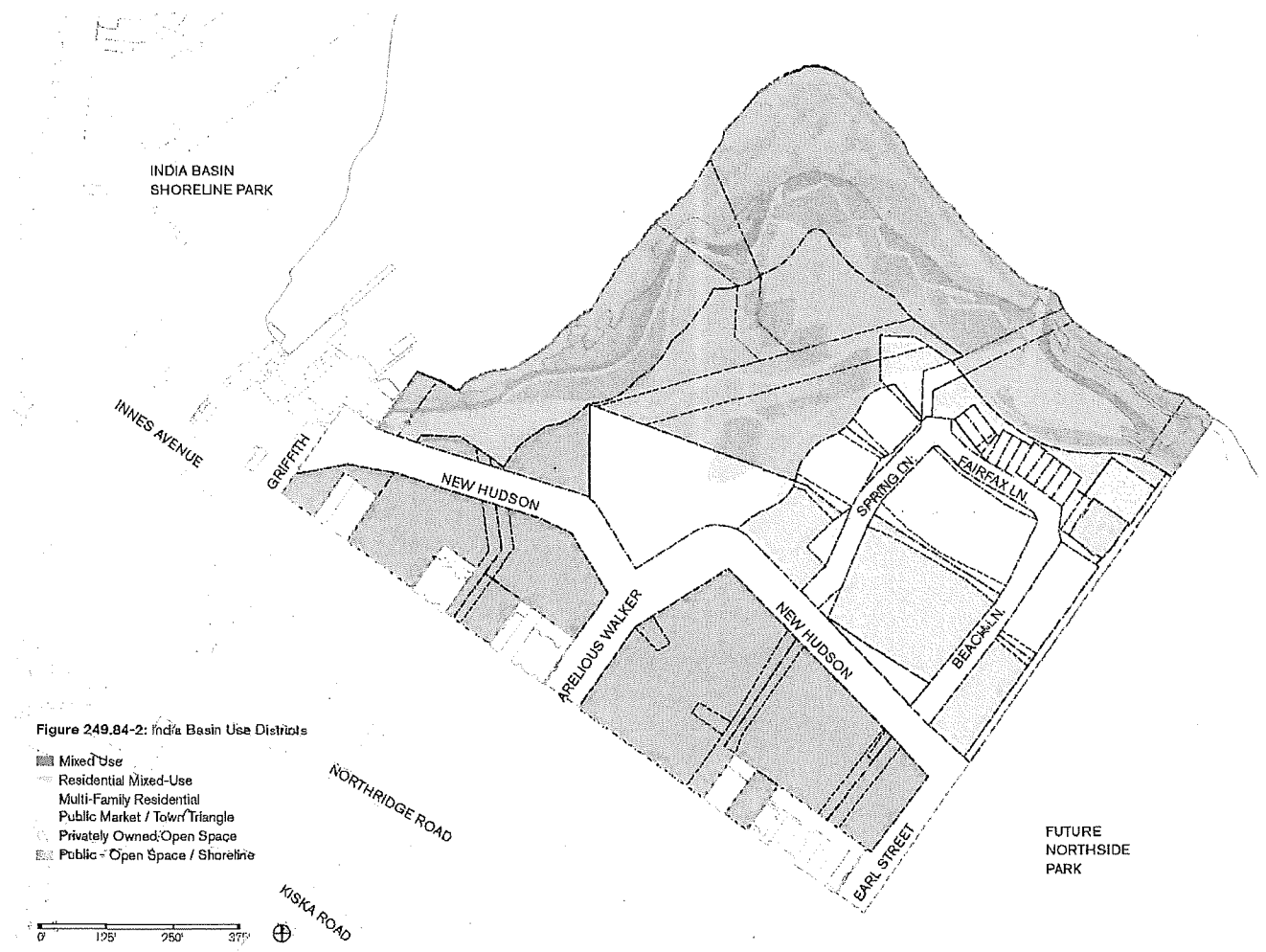
15 “RPC Open Space” means publicly-owned areas within the SUD that are within the jurisdiction
16 of the Port Commission or the Recreation and Park Commission, as depicted on Figure 249.84-1: RPC
17 Open Space.

Figure 249.84-1: RPC Open Space



“Vertical Development” or “Vertical Improvements” means new construction of a building and any later expansion or addition to a previously approved building, where the building is located within the Mixed-Use, Residential Mixed-Use, Multi-Family Residential, or Public Market land use districts within the SUD shown in Figure 249.84-2: India Basin Use Districts.

Figure 249.84-2: India Basin Use Districts



(g) Uses.

(1) Permitted Uses. *The following uses set forth in Table 249.84-1: India Basin Uses shall be permitted as indicated within the different use districts of the SUD, where P means Permitted Use and NP means Non-permitted Use.*

Table 249.84.1: India Basin Uses

<u>Use</u>	<u>Mixed Use</u>	<u>Residential Mixed-Use</u>	<u>Multi-Family Residential</u>	<u>Public Market / Town Triangle</u>	<u>Privately Owned Open Space</u>

<u>Agriculture Use</u>	<u>P (1,2)</u>	<u>P (1,2)</u>	<u>P (1,2)</u>	<u>P (1)</u>	<u>P (1)</u>
<u>Automotive Use</u>	<u>NP (3)</u>	<u>NP (3)</u>	<u>NP (3)</u>	<u>NP</u>	<u>NP</u>
<u>Entertainment, Arts & Recreation Use</u>	<u>P (4,5)</u>	<u>P (4,5)</u>	<u>P (5,6)</u>	<u>P (5, 6)</u>	<u>NP</u>
<u>Industrial Use</u>	<u>NP (7)</u>	<u>NP (7, 8)</u>	<u>NP (3)</u>	<u>NP</u>	<u>NP</u>
<u>Institutional Use</u>	<u>P (9)</u>	<u>P (10)</u>	<u>P (10,11)</u>	<u>NP (12)</u>	<u>NP</u>
<u>Residential Use</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Sales and Services, Non-Retail Use</u>	<u>P (13)</u>	<u>P (13)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Sales and Services, Retail Use</u>	<u>P (14)</u>	<u>P (14, 15)</u>	<u>NP</u>	<u>NP (16)</u>	<u>NP</u>
<u>Utility and Infrastructure Use</u>	<u>NP (17, 18)</u>	<u>NP (17, 18)</u>	<u>NP (17, 18)</u>	<u>NP (18)</u>	<u>NP (18)</u>

Notes:

1. Use permitted with the exception of Large Scale Urban Agriculture and Industrial Agriculture.
2. Use permitted with the exception of Greenhouses.
3. Use not permitted with the exception of Public and Private Parking facilities.
4. Use permitted with a maximum limit of three screens for any Movie Theater use.
5. Use permitted with the exception of Livery Stables and Sports Stadiums.

1 6. Use permitted with the exception of Movie Theater and Nighttime Entertainment.

2 7. Use not permitted with the exception of Cat Boarding, Kennel, Light Manufacturing, Metal
3 Working, Parcel Trade Office, Trade Shop, Animal Processing I, and Food Fiber and Beverage
4 Processing.

5 8. Use not permitted except on Ground Floor.

6 9. Cannabis Dispensary permitted with Conditional Use.

7 10. Use permitted with the exception of Cannabis Dispensary and Hospital.

8 11. Use Permitted with the exception of Job Training, Trade School and Post-secondary
9 Educational Institution.

10 12. Use not permitted with the exception of Public Facilities.

11 13. Use permitted with the exception of Laboratory, Life Sciences, Commercial Storage,
12 Wholesale Sales, and Wholesale Storage.

13 14. Use permitted with the exception of Adult Business, Mortuary, Limited Financial Services,
14 Motel, Self-Storage and Tobacco Paraphernalia Store.

15 15. Use permitted with the exception of Animal Hospital, Fringe Financial Services.

16 16. Use not permitted with the exception of Grocery, Food and Beverage uses.

17 17. Use not permitted with the exception of Internet Service Exchange, Wireless
18 Telecommunication Services (WTS) Facility, which shall be permitted with a Conditional Use permit.

19 18. Use not permitted with the exception of Utility Installation.

20 (2) Uses within RPC Open Space. Subject to the limitations imposed by the Public
21 Trust, uses within RPC Open Space shall be subject to review under Planning Code section 211, which
22 controls land uses within P (Public) Districts. Notwithstanding Planning Code Sections 211, 211.1,
23 and 211.2, the following uses shall be considered principally permitted: concessionaire stands and
24 infrastructure as described in the Development Agreement and the DSG.

1 (3) Temporary Uses. Subject to the limitations imposed by the Public Trust, any of the
2 following temporary uses (collectively, Temporary Uses) may be authorized by the General Manager
3 for uses located within the RPC Open Space or the Planning Director for uses located within the SUD
4 but outside the RPC Open Space without a public hearing for a period not to exceed 90 days: booths
5 for charitable, patriotic, or welfare purposes; markets; exhibitions, festivals, circuses, musical and
6 theatrical performances, and other forms of live entertainment including setup/load-in and
7 demobilization/load-out; athletic events; open-air sales of agriculturally-produced seasonal
8 decorations such as Christmas trees and Halloween pumpkins; meeting rooms and event staging;
9 mobile food on private property; and temporary retail establishments. Such authorization may be
10 extended for another 90 days, as approved by the General Manager or Planning Director, as
11 applicable. The General Manager (for uses located within the RPC Open Space) or the Planning
12 Director (for uses located outside the RPC Open Space) may authorize recurring Temporary Uses,
13 such as a weekly farmers market, under a single authorization. All such uses on the public right-of-way
14 are subject to permitting as required under the Municipal Code.

15 (4) Interim Uses. Subject to the limitations imposed by the Public Trust, interim uses
16 for a period not to exceed five years may be authorized by the General Manager (for uses located
17 within the RPC Open Space) or the Planning Director (for uses located outside the RPC Open Space)
18 without a public hearing if the General Manager or Planning Director, as applicable, finds that such
19 Interim Use will not impede orderly development consistent with this SUD, the DSG, and the
20 Development Agreement. Additional time for such uses may be authorized upon a new application.
21 Any Interim Use listed in this subsection (g)(4) that is integral to development under the Development
22 Agreement, as determined by the General Manager or Planning Director, as applicable, shall not
23 require separate authorization as an Interim or Temporary use (for example, uses incidental to
24 environmental clean-up, demolition and construction, storage, and automobile and truck parking and
25 loading related to construction activities). Any authorization granted pursuant to this subsection (g)(4)

1 shall not exempt the applicant from obtaining any other permit required by law. All such uses on the
2 public right-of-way are subject to permitting as required under the Municipal Code. In addition to
3 temporary uses integral to the development, Interim Uses shall include, but are not limited to:

4 (A) Retail activities, which may include the on-site assembly, production, or sale
5 of food, beverages, and goods, the operation of restaurants or other retail food service in temporary
6 structures, outdoor seating, food trucks, and food carts;

7 (B) Temporary art installations, exhibits, and sales;

8 (C) Recreational facilities and uses (such as play and climbing structures and
9 outdoor fitness classes);

10 (D) Motor vehicle and bicycle parking, if accessory to other permitted,
11 temporary, or interim uses;

12 (E) On-site assembly and production of goods in enclosed or unenclosed
13 temporary structures;

14 (F) Educational activities, including but not limited to after-school day camp and
15 activities;

16 (G) Site management service, administrative functions, and customer amenities
17 and associated loading;

18 (H) Rental or sales offices incidental to new development;

19 (I) Entertainment uses, both unenclosed and enclosed; which may include
20 temporary structures to accommodate stages, seating, and support facilities for patrons and
21 operations; and

22 (J) Trailers, recreational vehicles, or other temporary housing for construction
23 workers, seasonal labor, or other workforce employment needs.

24 (5) **Nonconforming Uses.** The Planning Director and the General Manager may allow
25 the reasonable continuance, modification, or expansion of existing uses and structures that do not

1 comply with this Section 249.84 or the DSG upon a determination that the use would not impede the
2 orderly development of the SUD consistent with this Section and the Development Agreement.

3 (6) **Ground Floor Use Requirements.** Ground Floor Uses are required as indicated in
4 Table 249.84-2: Types of Ground Floor Uses and Figure 249.84-3: Ground Floor Uses, below. Such
5 uses cannot face a public right-of-way or public open space with non-transparent walls or involve the
6 storage of goods or vehicles at a rate greater than 15% of the required frontage length, as further
7 governed by the Ground Floor Use Requirements in the DSG.

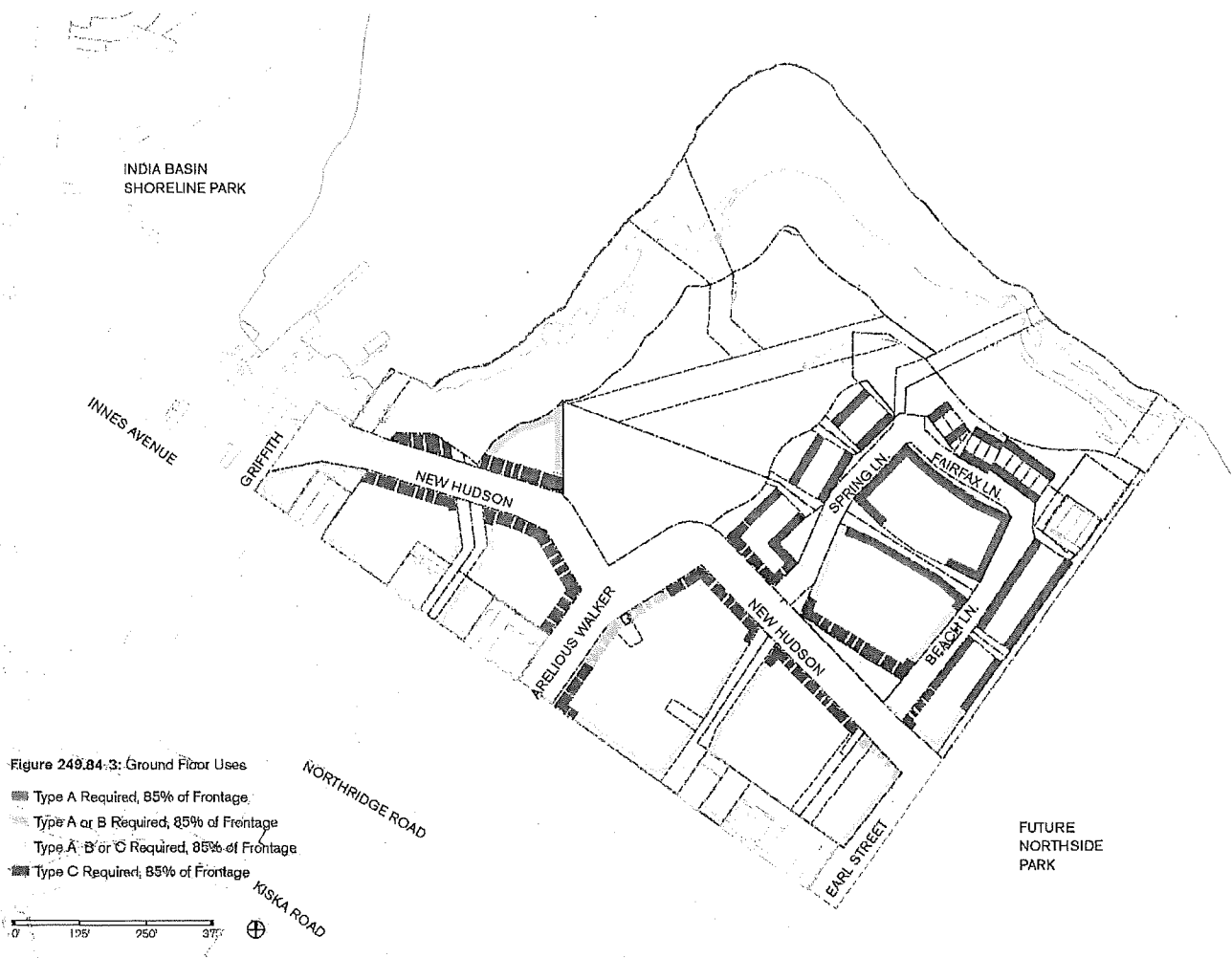
8 **Table 249.84-2: Types of Ground Floor Uses**

9

<u>Ground Floor Use Type</u>	<u>Allowed Use Categories (can be principal, conditional, or accessory)</u>
<u>Type A</u>	<u>Entertainment, Arts, and Recreation Uses, Sales and Services, Retail Uses</u>
<u>Type B</u>	<u>Sales and Services, Non- Retail and Institutional Use</u>
<u>Type C</u>	<u>Residential Use Category</u>

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Figure 249.84-3: Ground Floor Uses



(h) **Building Standards.** Building Standards shall be as follows, unless modified in accordance with subsections (i)(2) or (i)(3), below.

(1) **Residential Unit Density.** There shall be no residential unit density limit within this **SUD.**

(2) **Floor Area Ratio.** There shall be no floor-area-ratio limit within this **SUD.**

(3) **Building Height.** The height limits shall be as set forth on Sectional Map HT09 of the Zoning Map and as further limited and detailed in Figure 249.84-4: Building Heights Maximum, and as further governed by the **DSG.**

Figure 249.84-4: Building Heights Maximum

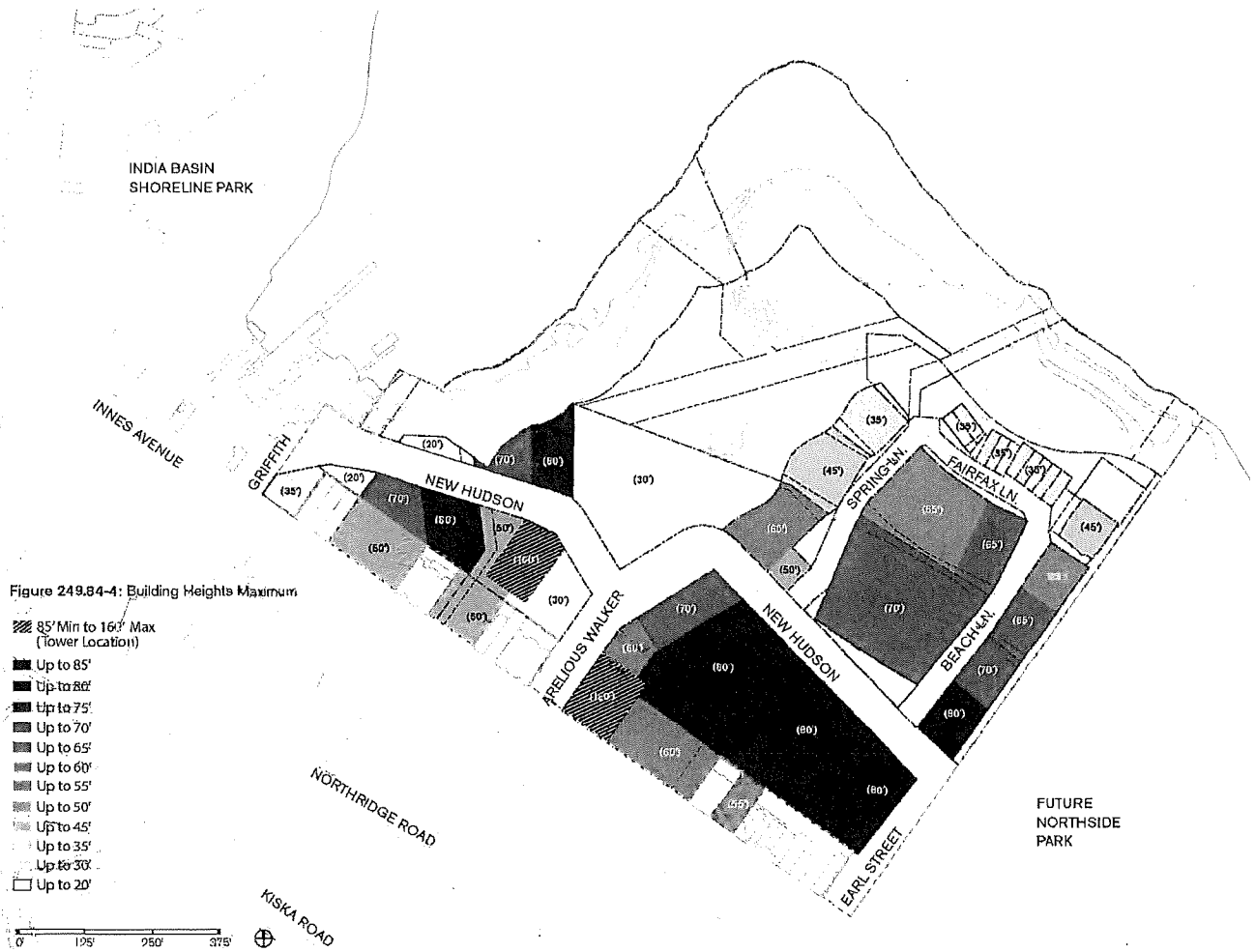
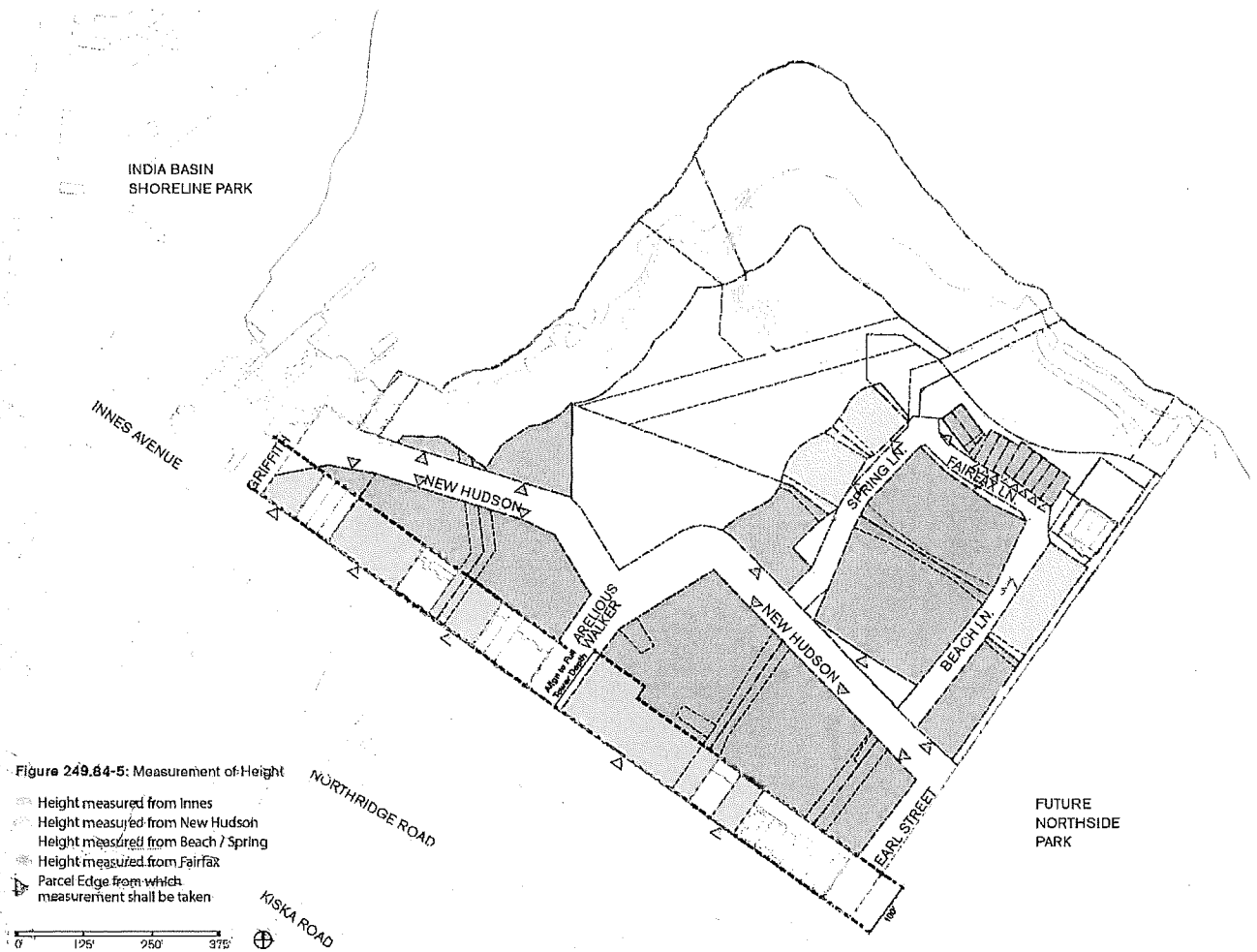


Figure 249.84-4: Building Heights Maximum

- 85' Min to 160' Max (Tower Location)
- Up to 85'
- Up to 80'
- Up to 75'
- Up to 70'
- Up to 65'
- Up to 60'
- Up to 55'
- Up to 50'
- Up to 45'
- Up to 35'
- Up to 30'
- Up to 20'

(4) Measurement of Height. Buildings shall be measured from predetermined points as provided in Figure 249.84-5: Measurement of Height and as further set forth in Chapter 5 of the DSG. Portions of the Site within the "OS" Height designations shall be subject to the same requirements and review procedures of other properties throughout San Francisco with an "OS" Height and Bulk designation.

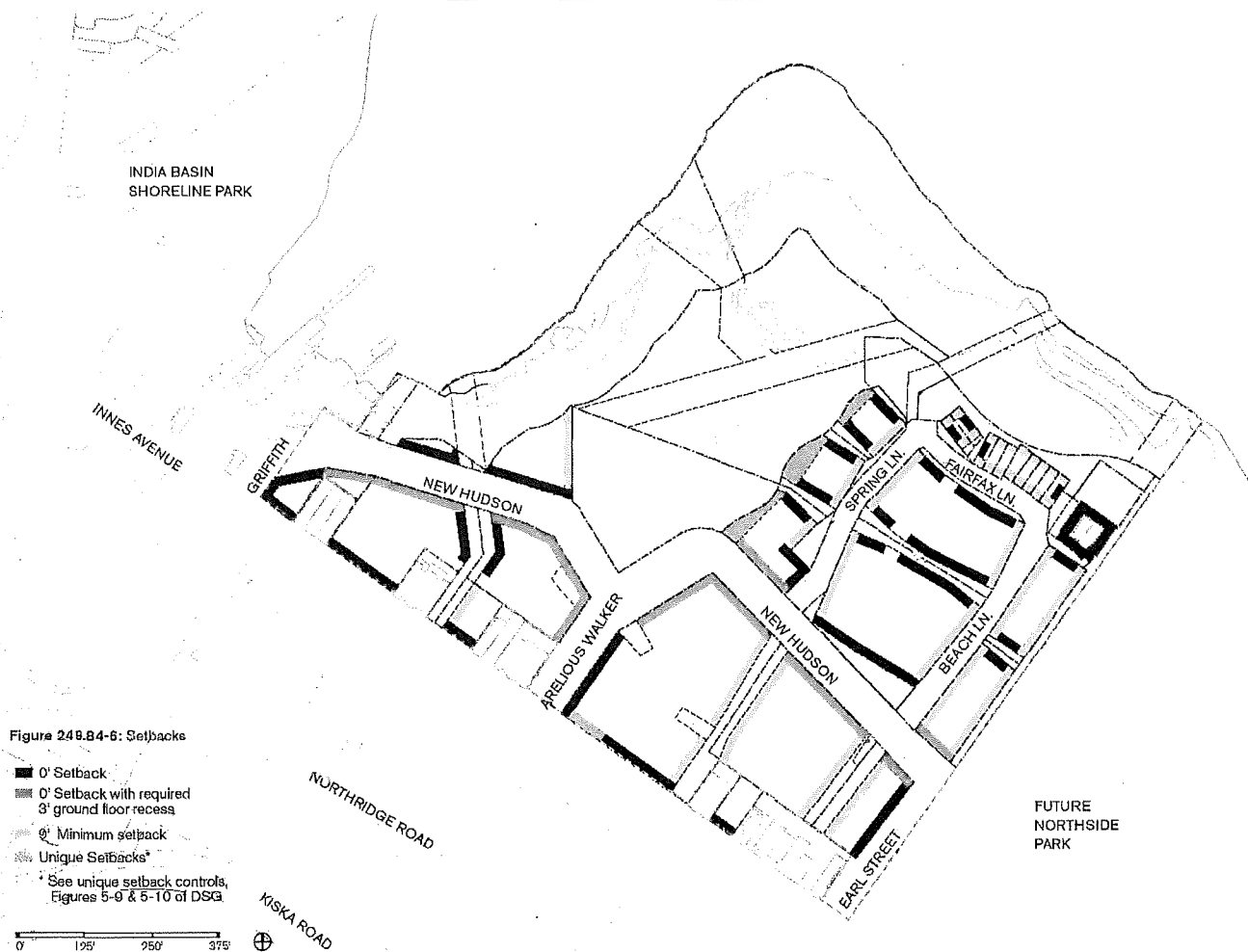
Figure 249.84-5: Measurement of Height



(5) **Bulk.** No building dimension shall be greater than 270 feet along any public right-of-way or public open space. No portion of any building above 80 feet in height shall have a dimension greater than 130 feet. Buildings shall also meet the DSG requirements for building modulation and sculpting.

(6) **Setbacks.** Buildings shall be set back from or built to the respective right-of-ways as shown in Figure 249.84-6: Setbacks, and as further governed by the DSG.

Figure 249.84-6: Setbacks



(7) Rear Yard. There shall be no rear yard requirement within the India Basin SUD.

(8) Usable Open Space. In addition to any publicly-accessible open spaces described in the DSG, a minimum of 36 square feet of open space if private, or 48 square feet of open space if common, shall be provided for each dwelling unit. Such open space may be on the ground, on decks, balconies, porches, or other facilities and shall be provided on the same development block as the unit to be served. The standards for open spaces shall be governed by the DSG. Notwithstanding the above, dwelling units within "the Cove" portion of the site, as described in the Development Agreement and

1 shown in Figure 1-38 of the DSG, are exempt from this usable open space requirement, given their
2 immediate adjacency to “the Market Place” open space.

3 (9) Minimum Dwelling Unit Exposure. All required dwelling unit windows and
4 openings as defined by Section 504: Light and Ventilation of the San Francisco Housing Code shall
5 face directly on an open area such as a public street, laneway, parcel break, trail, or unobstructed open
6 space, for a minimum horizontal clear dimension of 25 feet, measured perpendicularly from the
7 required window or opening face, as further provided in the DSG.

8 (10) Maximum Off-Street Parking. The standards for off-street parking shall be
9 governed by the DSG. Off-Street parking is not required and shall be limited to the following maximum
10 ratios:

11 Table 249.84-3: Maximum Off-Street Parking Ratios per Land Use

<u>Land Use</u>	<u>Off-Street Parking Ratio</u>
<u>Residential</u>	<u>1 space: 1 unit</u>
<u>Office</u>	<u>1 space: 1,200 gross square feet</u>
<u>Retail, except General Grocery or Special Grocery Use</u>	<u>1 space: 700 gross square feet</u>
<u>General Grocery or Special Grocery Uses below 20,000 gross square feet</u>	<u>1 space: 500 gross square feet</u>
<u>General Grocery or Special Grocery Uses with 20,000 gross square feet or more</u>	<u>1 space: 250 gross square feet</u>

22
23 Pursuant to subsection (l)(4), parking amounts may be greater on a parcel-by-parcel basis than
24 otherwise allowed by Table 249.84-3, but not to exceed 1,800 off-street parking spaces in the SUD.
25 Notwithstanding the maximum off-street parking ratios established in Table 249.84-3, up to 225 public

1 parking spaces may be provided to visitors to India Basin's parks, subject to the 1,800-parking-space
2 cap.

3 (11) Loading. Off-street loading spaces shall be provided in the following amounts,
4 and as shown in Table 249.84-4: Loading Spaces, and Figure 249.84-7: Loading Spaces, subject to
5 modifications in accordance with Section 4.7 of the DSG.

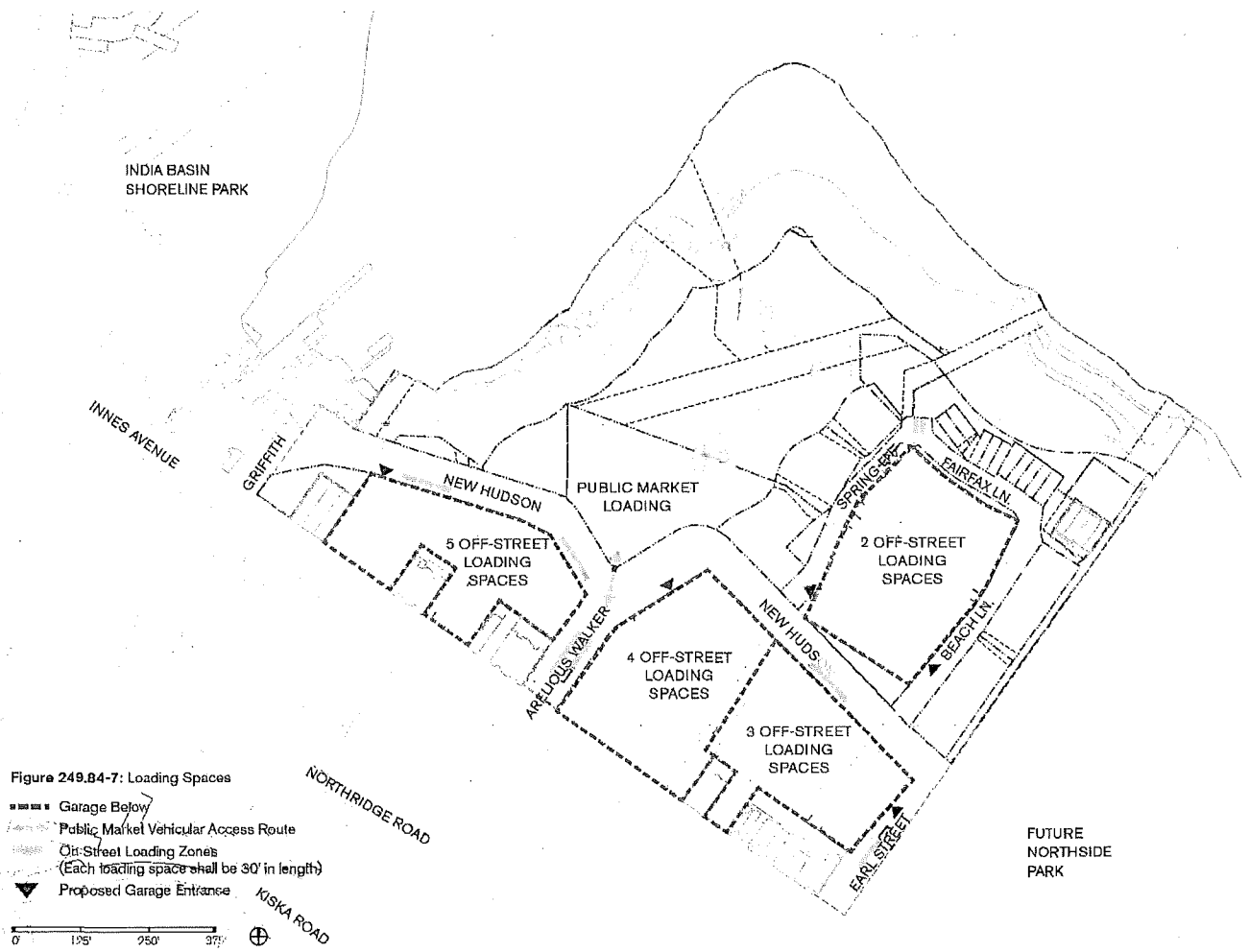
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8 Table 249.84-4: Loading Spaces

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<u>Garage</u>	<u>Loading Spaces</u>
<u>The Cove</u>	<u>5</u>
<u>Hillside</u>	<u>7</u>
<u>Flats</u>	<u>2</u>

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Figure 249.84-7: Loading Spaces



(12) Bicycle Parking. The amount of bicycle parking required shall be governed by the Planning Code, but the location and design of the required bicycle parking shall be governed by the DSG and the transportation plan attached to the Development Agreement.

(13) Showers and Lockers. Showers and lockers shall be provided pursuant to the Planning Code.

(14) Permitted Obstructions. Obstructions shall extend no more than three feet within required setbacks and right-of-ways and no more than four feet within required setbacks greater than one foot, as further described in the DSG.

1 (15) Streetscape Improvements. Implementation of the Rights-of-Way Public Realm
2 Improvements as described in the DSG shall be required pursuant to the Development Agreement.

3 (16) Signage. Notwithstanding the signage controls of Article 6 for business and
4 identifying signs within NC-2 and MUG Districts, the following signage controls shall be applied
5 within the Mixed Use, Residential Mixed-Use, and Multi-Family Residential districts of this SUD, in
6 addition to regulation of signs in the DSG:

7 (A) Freestanding signs are not permitted.

8 (B) Signs shall be placed no higher than 30feet above grade.

9 (C) Identifying signs shall be no larger than 10 square feet.

10 (D) There is no limitation on the area of business signs as long as they meet the
11 controls of the DSG.

12 (E) Projecting signs may project no more than 50% of the sidewalk width and
13 must be oriented perpendicular to the building face.

14 (17) Inclusionary Housing Requirements. For so long as the Development Agreement
15 is in effect with respect to a portion of the Project Site, the affordable housing requirements of the
16 Development Agreement shall govern that portion of the Project Site. Upon expiration or termination
17 of the Development Agreement as applied to a portion of the Project Site, the then-applicable
18 affordable housing requirements of the Planning Code shall apply to that portion of the Project Site,
19 without reference to the date of any earlier environmental review application.

20 (18) Impact Fees. For so long as the Development Agreement remains in effect with
21 respect to a portion of the Project Site, the developer impact fees payable for any Vertical Development
22 on that portion of the Project Site will be determined in accordance with the Development Agreement.
23 Upon expiration or termination of the Development Agreement as applied to a portion of the Project
24 Site, the then-applicable developer impact fees in the Planning Code shall apply to that portion of the
25 Project Site.

1 (i) Modifications to Building Standards and Ground Floor Use Requirements. Modification
2 of the Building Standards and Ground Floor Use Requirements set forth in this SUD and as more
3 specifically set forth in the DSG may be approved on a project-by-project basis according to the
4 procedures set forth below.

5 (1) No Modifications or Variances. No modifications or variances are permitted for
6 maximum height and maximum off-street parking ratios established in this SUD, except as provided in
7 subsection (l)(4). Other Building Standards set forth in this SUD or in the DSG may only be modified
8 as provided in subsections (i)(2) and (i)(3).

9 (2) Minor Modifications. The Planning Director may approve a Minor Modification
10 administratively in accordance with the procedures set forth in subsection (l).

11 (3) Major Modifications. The Planning Commission shall hear any application for a
12 Major Modification in accordance with the procedures set forth in subsection (l).

13 (j) Development Phase Approval. The Planning Department shall approve only those
14 applications for individual building projects that are consistent with a Development Phase Approval.
15 The Development Phase Approval process, as set forth in the Development Agreement, is to ensure that
16 all Horizontal Improvements and Vertical Improvements within a Development Phase are consistent
17 with the Development Agreement and this SUD. The Planning Director shall act on a Development
18 Phase Application within 60 days after submittal of a complete Development Phase Application.

19 (k) Design Review and Approval. To ensure that Vertical Improvements and Privately-Owned
20 Community Improvements meet the DSG and Development Agreement requirements, an Applicant shall
21 submit a design review application and receive approval from the Planning Department, or the
22 Planning Commission if required, before obtaining any permits for the applicable construction. Design
23 review and approval for all RPC Open Spaces shall be performed by the Recreation and Park
24 Department, with Planning Department consultation, subject to the Port's approval for consistency
25 with the Public Trust for any lands that are subject to the Public Trust. Standards and limitations on

1 design review approval are set forth in the Development Agreement and in subsection (l), below.
2 Nothing in this Section 249.84 limits the Charter authority of any City department or commission or the
3 rights of City agencies to review and approve proposed infrastructure as set forth in the Development
4 Agreement.

5 **(l) Design Review Applications and Process.**

6 (1) Applications. Each design review application shall include the documents and
7 other materials necessary to determine consistency with this SUD and the DSG, including site plans,
8 sections, elevations, renderings, landscape plans, and exterior material samples to illustrate the overall
9 concept design of the proposed buildings. If an Applicant requests a Major or Minor Modification, the
10 application shall describe proposed changes in reasonable detail, including narrative and supporting
11 images, if appropriate, and a statement of the purpose or benefits of the proposed changes.
12 Substitutions should be of equal or superior quality to existing standards.

13 (2) Completeness. Planning Department staff shall review the application for
14 completeness and advise the Applicant in writing of any deficiencies within 30 days of the date of the
15 application.

16 **(3) Design Review of Vertical Improvements and Privately-Owned Community**
17 **Improvements.** Upon a determination of completeness, Planning Department staff shall conduct
18 design review and prepare a staff report determining compliance with this SUD and the DSG,
19 including a recommendation regarding any modifications sought. The staff report shall be delivered to
20 the Applicant and any third parties requesting notice in writing, shall be kept on file, and shall be
21 posted on the Department's website for public review, within 60 days of the determination of
22 completeness. If Planning Department staff determines that the design is not compliant with this SUD
23 or the DSG, the Applicant may resubmit the Application, in which case the requirements of this
24 subsection (l) for determination of completeness, staff review and determination of compliance, and
25 delivery, filing, and posting of the staff report, shall apply anew.

1 **(4) Off-Street Parking.** *Design review applications for Vertical Improvements shall*
2 *include the requested number of off-street parking spaces sought for the Vertical Improvement. It is the*
3 *intent of this SUD that at full build-out of all parcels in the SUD, the total number of off-street parking*
4 *spaces within the SUD shall not exceed the applicable maximum parking ratios specified in Table*
5 *249.84-3. The maximum parking ratios shall not apply to individual Vertical Improvements or parcels,*
6 *but shall be considered cumulatively for the Vertical Improvements within the SUD as a whole, as set*
7 *forth in the Development Agreement. Each application shall include both the individual request for off-*
8 *street parking related to the specific location and the cumulative number of off-street parking spaces*
9 *previously approved.*

10 **(5) Approvals and Public Hearings for Vertical Improvements and Privately-Owned**
11 **Community Improvements.**

12 **(A) Vertical Improvements Seeking No Modifications, or Minor Modifications.**
13 *Within 10 days after the delivery and posting of the staff report on the design review application, the*
14 *Planning Director shall approve or disapprove the design and any Minor Modifications based on its*
15 *compliance with this SUD, the DSG, and the General Plan. If the Vertical Improvement is consistent*
16 *with the numeric standards set forth in this SUD and the DSG, the Planning Director's discretion to*
17 *approve or disapprove the Vertical Improvement shall be limited to the Vertical Improvement's*
18 *consistency with the non-numeric elements of the DSG and the General Plan. Notwithstanding any*
19 *other provisions of this SUD, the Planning Director may, at his or her discretion, refer an Application*
20 *that proposes a Minor Modification to the Planning Commission if the Planning Director determines*
21 *that the proposed modification does not meet the intent of the DSG standards.*

22 **(B) Vertical Improvements Seeking Major Modifications.** *If an application for*
23 *Vertical Improvements seeks one or more Major Modifications, or if a design review application is*
24 *otherwise referred to the Planning Commission, the Planning Commission shall calendar the item for a*
25 *public hearing, subject to any required noticing. The Planning Commission's review shall be limited to*

1 the proposed Major Modification or the modifications referred by the Planning Director for failure to
2 meet the DSG standards. The Planning Commission shall consider all comments from the public and
3 the recommendations of the staff report and the Planning Director in making a decision to approve or
4 disapprove the Vertical Improvement design, including the granting of any Major Modifications.

5 (C) **Notice of Hearings.** In addition to complying with the notice requirements
6 of the Brown Act and the Sunshine Ordinance, notice of Planning Commission hearings required by
7 subsection (l)(5)(B) shall be provided as follows:

8 (i) by mail not less than 10 days prior to the date of the hearing, to the
9 Vertical Improvement applicant, to property owners within 300 feet of the exterior boundaries of the
10 property that is the subject of the application, using for this purpose the names and addresses as shown
11 on the citywide assessment roll in the Office of the Tax Collector, and to any person who has requested
12 such notice; and

13 (ii) by posting on the subject property not less than 10 days prior to the
14 date of the hearing.

15 (m) **Change of Use.** Each building permit application submitted to the Department of Building
16 Inspection for Vertical Improvements shall be forwarded to the Planning Department. The applicable
17 department shall review the building permit application for consistency with the authorizations granted
18 pursuant to this Section 249.84. No building permit may be issued for any Vertical Improvement or for
19 a permit of Occupancy that would authorize a new use unless the Planning Department determines
20 such permit is consistent with the Standards set forth in the DSG.

21 (n) **Discretionary Review.** No requests for discretionary review shall be accepted by the
22 Planning Department or heard by the Planning Commission for any Building in the SUD.

1 Section 3. The Planning Code is hereby amended in accordance with Planning Code
 2 Section 106 by revising Sectional Map ZN09, Height Map HT09, and Special Use District Map
 3 SU09 of the Zoning Map, as follows:

4 (a) To change the Zoning Map (ZN09) from M-1 (Light Industrial) to MUG (Mixed-
 5 Use General):

Assessor's Parcels (Blocks/Lot Numbers)	Land Use District Superseded	New Land Use District
4606/100; 4607/025; 4620/001, 002; 4621/016, 018, 100, 101; 4630/005, 100; 4631/001, 002; 4644/001, 010, 010A, 010B; 010C, 011; 4645/001, 010, 010A, 011, 012, 013	M-1	MUG

13 (b) To change the Zoning Map (ZN09) from M-1 to P (Public):

4646/001; 4629A/010; 4630/002	M-1	P
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16 (c) To change the Zoning Map (ZN09) from NC-2 (Neighborhood Commercial, Small
 17 Scale) to P:

4646/002, 003, 003A, 019	NC-2	P
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21 (d) To change the Zoning Map (ZN09) from M-2 (Heavy Industrial) to P:

4646/002, 003, 003A, 019	NC-2	P
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25 (e) To change the Height and Bulk Map (HT09) from 40-X to 20/160-IB:

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Parcels	Height and Bulk District Superseded	New Height and Bulk District
4606/100; 4607/025; 4620/001, 002; 4621/016, 018, 100, 101; 4630/005, 100; 4631/001, 002; 4644/001, 010, 010A, 010B; 010C, 011; 4645/ 001, 010, 010A, 011, 012, 013; 4644/004A, 005, 006, 006A, 007, 008, 009; 4645/003A, 004, 006, 007, 007A, 014, 015	40-X	20/160-IB

(f) To change the Height and Bulk Map (HT09) from 40-X to OS:

Parcels	Height and Bulk District Superseded	New Height and Bulk District
4601/001, 002, 003, 003A, 019; 4629A/101; 4630/002; 4596/026; 4597/026; 4606/026; 4607/024; 4621/021; 4630/002, 006, 007	40-X	OS

1 (g) To change the Special Use District Map (SD09) by creating the new India Basin
 2 Special Use District and assigning the following parcels to be within the India Basin Special
 3 Use District:

Parcels	Special Use District
4606/100; 4607/025; 4620/001, 002; 4621/016, 018, 100, 101; 4630/005, 100; 4631/001, 002; 4644/001, 010, 010A, 010B; 010C, 011; 4645/001, 010, 010A, 011, 012, 013; 4644/004A, 005, 006, 006A, 007, 008, 009; 4645/003A, 004, 006, 007, 007A, 014, 015; 4596/026; 4597/026; 4606/026; 4607/024; 4621/021; 4630/002, 006, 007	India Basin Special Use District

11 Section 4: The Figures presented in this ordinance (Figures 249.84-1, 249.84-2,
 12 249.84-3, 249.84-4, 249.84-5, 249.84-6, and 249.84-7) have been placed in Board of
 13 Supervisors File No. 180680, and are incorporated herein by this reference.

14 Section 5. Effective and Operative Dates.

15 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs
 16 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not
 17 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the
 18 Mayor's veto of the ordinance.

19 (b) This ordinance shall become operative on its effective date or on the effective date
 20 of the Development Agreement for the India Basin Mixed-Use project, enacted by the
 21 ordinance in Board of Supervisors File No. _____, whichever date occurs later; provided,
 22 that this ordinance shall not become operative if the ordinance regarding the Development
 23 Agreement is not approved.
 24
 25

1 (b) This ordinance shall become operative on its effective date or on the effective date
2 of the Development Agreement for the India Basin Mixed-Use project, enacted by the
3 ordinance in Board of Supervisors File No. _____, whichever date occurs later; provided,
4 that this ordinance shall not become operative if the ordinance regarding the Development
5 Agreement is not approved.
6

7 APPROVED AS TO FORM:
8 DENNIS J. HERRERA, City Attorney

9 By: 
10 ANDREA RUIZ-ESQUIDE
11 Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code, Zoning Map - India Basin Special Use District]

Ordinance amending the Planning Code to establish the India Basin Special Use District, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline, in the southeast part of San Francisco; amending the Planning Code by amending the Zoning Map to change zoning designations, height districts, and add the India Basin Special Use District; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Existing Law

The India Basin Mixed-Use Project (Project) is proposed to be developed on several parcels that are currently designated as Light Industrial (M-1), Heavy Industrial (M-2), Neighborhood Commercial, Small Scale (NC-2) and Public (P), along the India Basin shoreline, in the South-East part of San Francisco.

Amendments to Current Law

This Ordinance adds Section 249.84 to the Planning Code. Section 249.84 establishes the India Basin Special Use District (SUD), located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline, in the southeast part of San Francisco. The purpose of the SUD is to implement the Development Agreement for the India Basin Mixed-Use Project (Project), approved by the Board of Supervisors in the ordinance introduced contemporaneously with this Planning Code amendment. The Project will provide several benefits to the City, such as a significant amount of open space, increased public access, commercial space, extensive infrastructure improvements, and affordable housing, while creating jobs, housing, and a vibrant community.

The SUD establishes development standards for the Project, in conjunction with the Design Standards and Guidelines (DSG) document. The DSG document is adopted by the Planning Commission, and describes standards and guidelines applicable to the SUD in more detail.

The Ordinance lists permitted, non-permitted, temporary, and interim uses on the Project site. It sets forth controls for development at the site, including ground floor and retail controls, building standards, maximum heights, off-street parking, dwelling unit exposure, bicycle parking, open space, streetscape improvements, inclusionary housing, and others. It also includes mechanisms for modifying those standards in the future, on a case-by-case basis, and for reviewing and approving future development phases and horizontal development.

The Ordinance also amends the Zoning Map, to do the following:

- a) change the use of the site from M-1 (Light Industrial) to M-1 to MUG (Mixed-Use General), and from M-1 and NC-2 to P (Public);
- b) change the height and bulk from 40-X to 20/160 X –IB and OS, and
- c) create the SUD in the sectional map.

The Ordinance provides that it shall become operative on its effective date or on the effective date of the Development Agreement for the India Basin Mixed-Use project, whichever date occurs later; provided, that this Ordinance shall not become operative if the ordinance regarding the Development Agreement is not approved.

Background Information

The India Basin Mixed Use Project is located generally along the India Basin shoreline, in the South-East part of San Francisco. The Project involves construction of infrastructure, public open space and other public facilities, new building construction, and rehabilitation of historic resources, resulting in a mix of market-rate and affordable residential uses, office space, commercial uses, research and development uses, and shoreline improvements. The Planning Commission certified and approved a final environmental impact report on the Project under the California Environmental Quality Act (CEQA), adopted findings under the CEQA, including a Mitigation Monitoring and Reporting Plan (MMRP), and recommended the approval this India Basin Special Use District to the Board of Supervisors.

This Ordinance facilitates the orderly development of this site by establishing the SUD to accommodate and regulate Project development. By separate legislation, the Board is considering a number of actions in furtherance of the Project, including the approval of amendments to the City's General Plan and approval of a Development Agreement.

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Figure 249.84-1: RPC Open Space
 Publicly-Owned: Port Commission or
 Recreation and Park Commission
 Jurisdiction



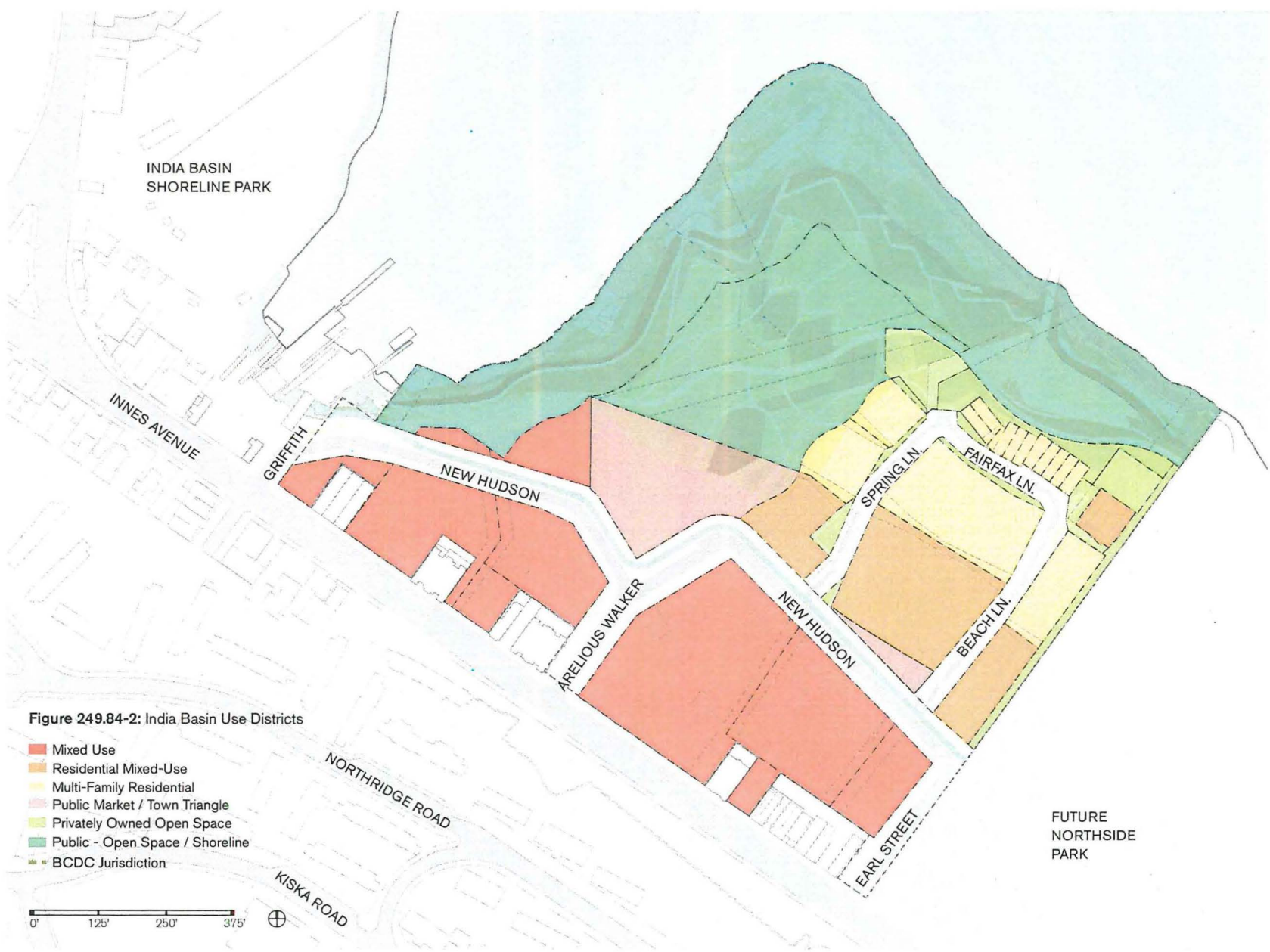


Figure 249.84-2: India Basin Use Districts

- Mixed Use
- Residential Mixed-Use
- Multi-Family Residential
- Public Market / Town Triangle
- Privately Owned Open Space
- Public - Open Space / Shoreline
- BCDC Jurisdiction

0' 125' 250' 375'



FUTURE
NORTHSIDE
PARK



Figure 249.84-3: Ground Floor Uses

- Type A Required, 85% of Frontage
- Type A or B Required, 85% of Frontage
- Type A, B or C Required, 85% of Frontage
- Type C Required, 85% of Frontage

0' 125' 250' 375'





INDIA BASIN
SHORELINE PARK

INNES AVENUE

GRIFFITH

NEW HUDSON

SPRING LN.

FAIRFAX LN.

BEACH LN.

ARELIIOUS WALKER

NEW HUDSON

NORTHRIDGE ROAD

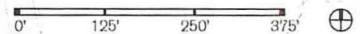
EARL STREET

KISKA ROAD

FUTURE
NORTHSIDE
PARK

Figure 249.84-4: Building Heights Maximum

- 85' Min to 160' Max (Tower Location)
- Up to 85'
- Up to 80'
- Up to 75'
- Up to 70'
- Up to 65'
- Up to 60'
- Up to 55'
- Up to 50'
- Up to 45'
- Up to 35'
- Up to 30'
- Up to 20'



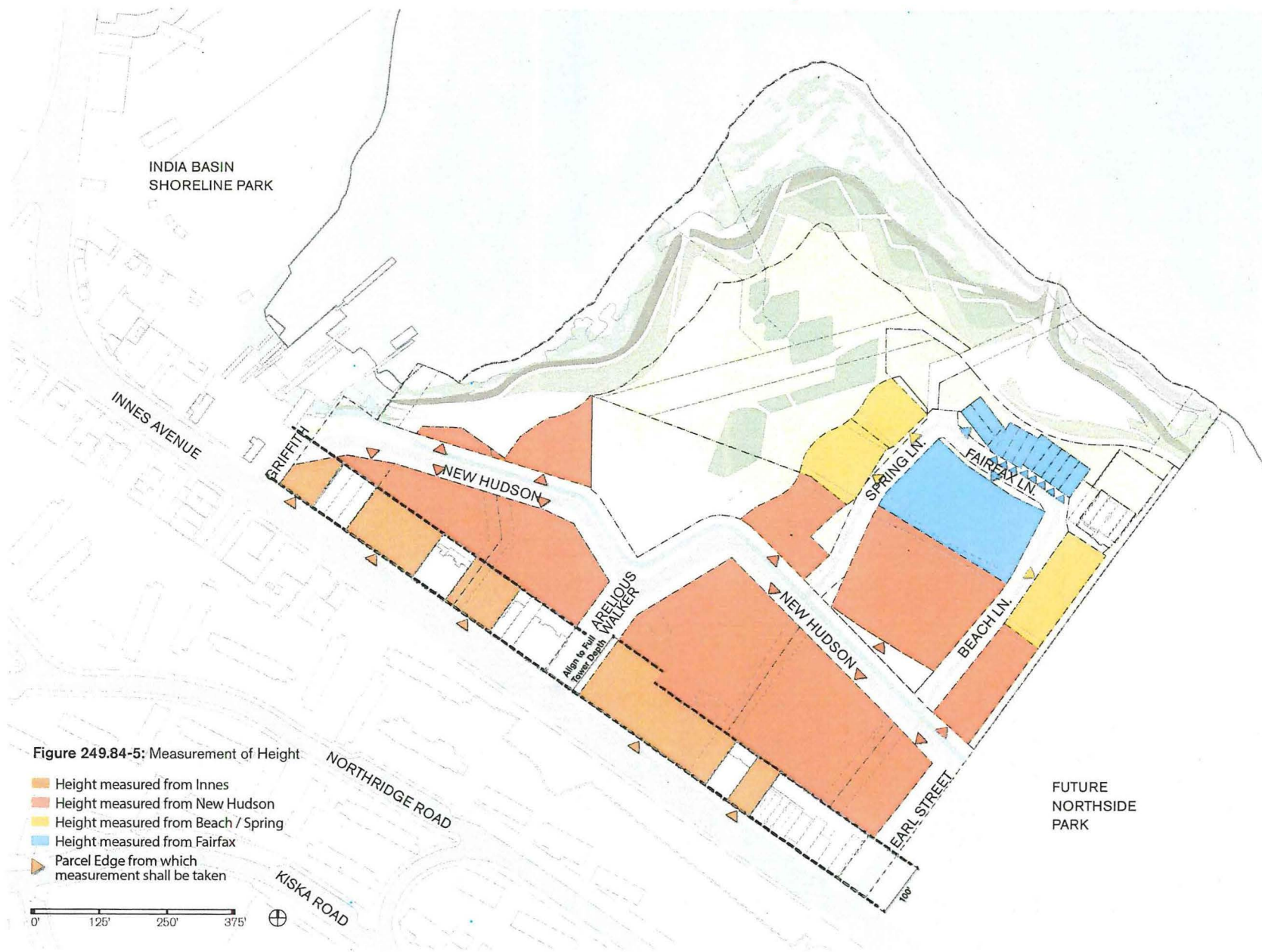
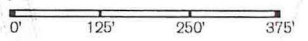


Figure 249.84-5: Measurement of Height

- Height measured from Innes
- Height measured from New Hudson
- Height measured from Beach / Spring
- Height measured from Fairfax
- ▲ Parcel Edge from which measurement shall be taken



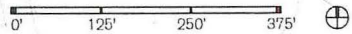
FUTURE
NORTHSIDE
PARK



Figure 249.84-6: Setbacks

- 0' Setback
- 0' Setback with required 3' ground floor recess
- 9' Minimum setback
- Unique Setbacks*

* See unique setback controls 5-8 & 5-9



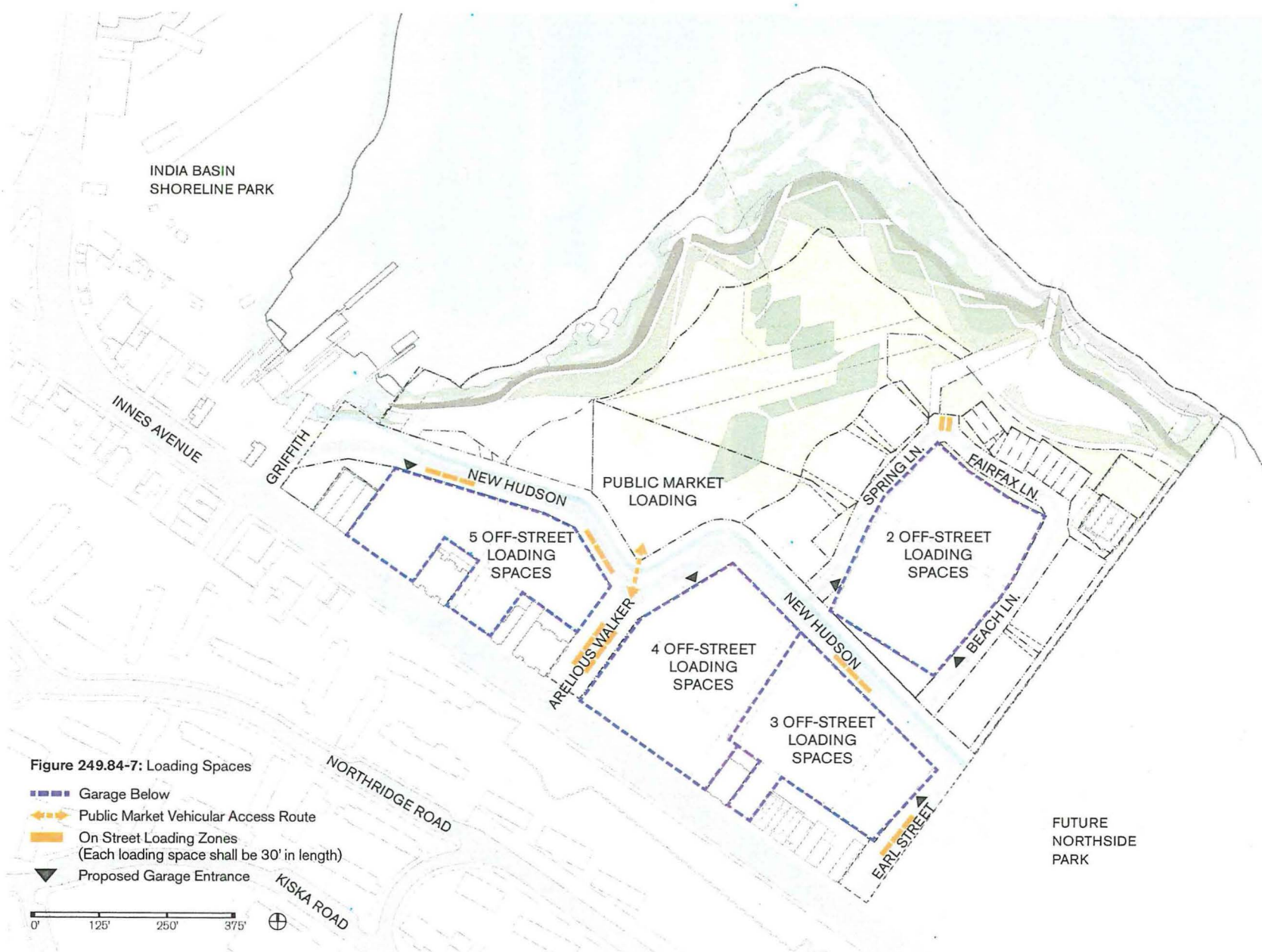


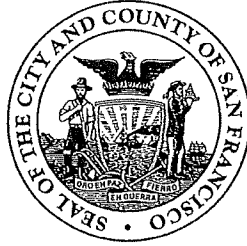
Figure 249.84-7: Loading Spaces

- Garage Below
- Public Market Vehicular Access Route
- ▬ On Street Loading Zones (Each loading space shall be 30' in length)
- ▲ Proposed Garage Entrance

0' 125' 250' 375'



BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

July 3, 2018

File Nos. 180680 & 180681

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On June 26, 2018, Supervisor Cohen introduced the following proposed legislations:

File No. 180680

Ordinance amending the Planning Code to establish the India Basin Special Use District, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline, in the south-east part of San Francisco; amending the Planning Code by amending the Zoning Map to change zoning designations, height districts, and add the India Basin Special Use District; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

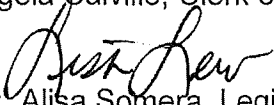
File No. 180681

Ordinance approving a Development Agreement between the City and County of San Francisco and India Basin Investment LLC, a California limited liability company, for the India Basin Project at the approximately 28-acre site located at Innes Avenue between Griffith Street and Earl Street, with various public benefits, including 25% affordable housing and 11 acres of parks and open space; making findings under the California Environmental Quality Act and findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); approving a Public Trust Exchange Agreement, making public trust

findings, and authorizing the transfer and acceptance of real property and the recording of a land use covenant consistent with the Public Trust Exchange Agreement; approving specific development impact fees and waiving any conflicting provision in Planning Code, Article 4, or Administrative Code, Article 10; confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B, 23, 56, and 82 and Subdivision Code, Section 1348, and ratifying certain actions taken in connection therewith.

These legislations are being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

for By:  Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

CEQA clearance under Planning Dept. Case No.
2014-00254ENV India Basin Mixed-Use Project
EIR certified by the SF Planning Commission on
July 26, 2018.

Joy Navarrete

Digitally signed by Joy Navarrete
DN: cn=Joy Navarrete, o=Planning,
ou=Environmental Planning,
email=joy.navarrete@sfgov.org, c=US
Date: 2018.08.01 16:17:44 -07'00'

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

July 30, 2018

File Nos. 180680 & 180681

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On July 24, 2018, Supervisor Cohen introduced the following substitute legislations:

File No. 180680

Ordinance amending the Planning Code to establish the India Basin Special Use District, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline, in the south-east part of San Francisco; amending the Planning Code by amending the Zoning Map to change zoning designations, height districts, and add the India Basin Special Use District; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

File No. 180681

Ordinance approving a Development Agreement between the City and County of San Francisco and India Basin Investment LLC, a California limited liability company, for the India Basin Project at the approximately 28-acre site located at Innes Avenue between Griffith Street and Earl Street, with various public benefits, including 25% affordable housing and 11 acres of parks and open space; making findings under the California Environmental Quality Act and findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); approving a Public Trust Exchange Agreement, making public trust findings, and authorizing the transfer and acceptance of real property and the recording of a land use covenant consistent with the Public Trust Exchange Agreement; approving specific development impact fees and waiving any conflicting provision in Planning Code, Article 4, or Administrative Code, Article 10; confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B, 23, 56, and 82 and Subdivision Code, Section 1348, and ratifying certain actions taken in connection therewith.

These are being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board



By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

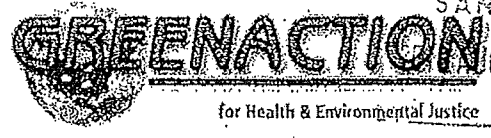
CEQA clearance under Planning Dept. Case No.
2014-00254ENV India Basin Mixed-Use Project
EIR certified by the SF Planning Commission on
July 26, 2018.

Joy
Navarrete

Digitally signed by Joy Navarrete
DN: cn=Joy Navarrete, o=Planning,
ou=Environmental Planning,
email=joy.navarrete@sfgov.org,
c=US
Date: 2018.08.01 16:46:40 -0700

180816
180680
180681

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO



AUG 27 PM 4:54

SUBMITTED IN
COMMITTEE

9/17/18

August 27, 2018

Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall
San Francisco, CA 94102-4689

**GREENACTION FOR HEALTH AND ENVIRONMENTAL JUSTICE APPEAL OF
PLANNING COMMISSION APPROVAL OF INDIA BASIN MIXED USE PROJECT**

Greenaction for Health and Environmental Justice files this appeal of the Planning Commission's approval of the EIR and the India Basin Mixed Use Project. We file this appeal on behalf of our many members and constituents in Bayview Hunters Point whose health, environment, and civil rights will be adversely, disproportionately and significantly impacted by the approval of this project.

Greenaction is a San Francisco-based non-profit organization founded in 1997 and led by grassroots leaders from urban, rural and Indigenous communities which are impacted by pollution, environmental racism, and injustice. We have participated in the project's environmental review and permit process since it began with the Planning Department, submitted written comments starting with the Notice of Preparation/Scoping process, and testified at public hearings held by the Planning Department and Planning Commission on this matter. Due to our extensive participation in the process, and our many members and constituents in the affected community, we have standing to file this appeal.

I. Planning Commission Improperly Told Greenaction their Decision was Not Appealable

On August 17, 2018, Michael Li of the Planning Department emailed Bradley Angel, Greenaction's Executive Director, in response to our inquiry about the Planning Commission's decision and questions about appealing that decision.

Greenaction for Health and Environmental Justice
315 Sutter Street, 2nd floor, San Francisco, CA 94108
Phone: (415) 447-3904 Fax: (415) 447-3905
www.greenaction.org greenaction@greenaction.org

Mr. Li's email to Greenaction stated incorrectly that "The Planning Commission's decision to adopt CEQA findings and a Statement of Overriding Considerations (M-20248) is not subject to appeal under the EIR certification, as they are related to the project's approvals and not to the adequacy or accuracy of the EIR."

On August 27th, Greenaction confirmed via a phone call to the Clerk of the Board of Supervisors that the India Basin Mixed Use Project decision is in fact subject to appeal and we were informed that we can file an appeal today by 5 pm, which we have done.

We are concerned that others may also have been misled by Mr. Li's statement, and we therefore request that a new notice be published and a new appeal period be enacted.

It also appears that the final decision was not posted until August 1, 2018, impacting our appeal of this decision.

II. Refusal to Translate Notices and Key Documents Violates the Civil Rights of Non-English Speaking Residents and Improperly and Illegally Excludes them from Meaningful Civic Engagement

It is unfortunate, and a violation of language access and civil rights, that the "Sanctuary City" of San Francisco refused to translate key notices and key documents into languages spoken by many residents of Bayview Hunters Point.

Following numerous emails and testimony by Greenaction that are part of the administrative record, Lisa Gibson, Environmental Review Officer, Director of Environmental Planning wrote to Greenaction on September 8, 2017.

In that letter, attached and incorporated as part of this appeal, Ms. Gibson wrote:

"We acknowledge that the department did not provide a translated Notice of Availability of the Notice of Preparation of an EIR, an oversight that we deeply regret. At the same time, we respectfully disagree with your proposed remedy that the department restart the CEQA process again, with language noticing as you describe."

As the Planning Department acknowledged the violation of language access, yet refused to remedy it, this project cannot be approved. Approving this project while acknowledging the de facto but very real exclusion of the non-English speaking residents of the affected community is unjust, nothing less than racism, and a violation of civil rights.

The Response to Comments document claimed that CEQA does not require agencies to provide language access services. However, civil rights laws also apply to decisions and actions of the City and County of San Francisco. Denying non-English speakers equal access to this process is a violation of civil rights, regardless of CEQA requirements.

III. Compliance with Civil Rights Laws:

Since the City and County of San Francisco receives federal and state funding, it is subject to and must comply with state and federal civil rights laws (California Government Code 11135 and Title VI of the United States Civil Rights Act). Approval of this project will violate state and federal civil rights laws and the approval must therefore be reversed.

Due to the refusal to translate key notices and documents, and due to approval of this project by the adoption of a Statement of Overriding Consideration, the project will have a significant, negative and disproportionate impact on the at-risk and vulnerable Bayview Hunters Point community. This decision enables the project to add significant unhealthy air pollution about that cannot be mitigated. Therefore, approval of this project would have an unlawful negative impact on protected classes of persons - people of color and non-English speakers - in violation of state and federal civil rights laws. The approval must be reversed.

IV. Statement of Overriding Consideration is Improper, Illegal, and Would Allow Significant Increase in Unhealthy Air Pollution in an At Risk Community

As mentioned above, the EIR concluded that the project would have several significant negative impacts that cannot be mitigated. The most alarming negative impact that the EIR acknowledges cannot be mitigated would be the addition of air pollution above health thresholds, and the air pollution would occur both during construction and the life of the project.

The City and County of San Francisco have long acknowledged that Bayview Hunters Point residents already suffer the cumulative health impacts from many pollution sources, including the notorious radioactive contamination at the Hunters Point Shipyard Superfund Site located next to India Basin.

The Bay Area Air Quality Management District has identified Bayview Hunters Point as a CARE Community, an acknowledgement of the air quality problems afflicting the community.

The State of California's CalEnviroScreen 3.0 confirms Bayview Hunters Point is one of the communities most at risk from pollution in the entire state, and concluded that it has a higher pollution burden than 90% of the state. CalEnviroScreen, developed by California EPA, measures vulnerability through evaluating and quantifying pollution exposures, environmental effects, sensitive populations and socioeconomic factors. For example, it ranks in the 98th percentile for asthma and very high for both diesel emissions and hazardous waste.

The addition of expensive housing, with some so-called affordable housing, is not a primary overriding consideration. In addition to the fact the increase in housing doesn't help those suffering from air pollution, the so-called affordable housing is still quite expensive and not affordable to those city residents most in need: 20% less than market value is still not affordable in any real world definition.

It is shocking and unacceptable that the City and County would approve any project that would add significant and unhealthy amounts of air pollution to Bayview Hunters Point, claiming that other "benefits" are "overriding."

Nothing is more important than life, and air pollution kills. That is a fact.

V. Comprehensive Testing of the BUILD LLC Site for Hazardous and Radioactive Contamination Has Not Taken Place, and No Remediation Has Occurred

Unlike the Rec and Park component of the project, BUILD LLC to our knowledge has not conducted comprehensive testing of the proposed project site. In addition, BUILD LLC has publicly stated they have no plan to test for radiation, despite the site's proximity to the radioactive Shipyard Superfund site. In addition, early in the project BUILD LLC actually said to Greenaction via phone and an in person meeting that the only toxic waste at the site is a "few paint cans" – an incorrect statement.

It is improper and premature for the project to be approved for housing and open space without considering the extent and type of toxic contamination at the site and the remediation plan.

VI. Effects of Sea Level Rise Were Never Evaluated

The DEIR failed to discuss or evaluate the impact sea level rise will have on the proposed project. The Bay Conservation and Development Commission predict sea level rise of 11 to 19 inches by 2050 and 30 to 55 inches by 2100. An increase of sea level in addition to storm surges exacerbated by climate change will cause coastal flooding, erosion/shoreline retreat, rising groundwater and wetland loss.

VII. Significant Population and Housing Impacts

The EIR's conclusion that "The proposed project or variant would not induce substantial population growth..." and would be "less than significant" is contradicted by the project proposal itself. The project would add several thousand primarily upper class residents to Bayview Hunters Point, significantly increasing population size, and dramatically changing the neighborhood's demographics. This would be a major contributor to gentrification – especially when evaluated in combination with the shipyard project.

VIII. Conclusion

For all the above reasons, we respectfully urge the Board of Supervisors to uphold justice and civil rights. We ask the Board to protect the health, well-being and community of our city's most at risk residents by rejecting the project's approval.

Sincerely,


Bradley Angel

Executive Director



**SAN FRANCISCO
PLANNING DEPARTMENT**

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2018 AUG 27 PM 4:54

Planning Commission Motion No. 20247

HEARING DATE: July 26, 2018

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Case No.: 2014-002541ENV

Project Address: India Basin Mixed-Use Project (700 Innes Avenue, 900 Innes Avenue, India Basin Open Space, and India Basin Shoreline Park)

Zoning: M-1 (Light Industrial), M-2 (Heavy Industrial), NC-2 (Small-Scale Neighborhood Commercial), and P (Public) Districts
40-X and OS (Open Space) Height and Bulk Districts

Block/Lot: Various Lots on Blocks 4596, 4597, 4605, 4606, 4607, 4620, 4621, 4622, 4629A, 4630, 4631, 4644, 4645, and 4646

Project Sponsor: Courtney Pash, BUILD
(415) 551-7626 or courtney@bldsf.com
Nicole Avril, San Francisco Recreation and Park Department
(415) 305-8438 or nicole.avril@sfgov.org

Staff Contact: Michael Li, San Francisco Planning Department
(415) 575-9107 or michael.j.li@sfgov.org

ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED PROJECT AT 700 INNES AVENUE, 900 INNES AVENUE, INDIA BASIN OPEN SPACE, AND INDIA BASIN SHORELINE PARK, THE AREA GENERALLY BOUNDED BY INNES AVENUE ON THE WEST, HUNTERS POINT BLVD. ON THE NORTH, THE SAN FRANCISCO BAY ON THE EAST AND THE EARL STREET RIGHT-OF-WAY ON THE SOUTH (LARGELY EXCLUDING PARCELS WITH STRUCTURES) TOTALING ABOUT 38.24 ACRES. THE BUILD PORTION OF THE INDIA BASIN MIXED-USE PROJECT WOULD INCLUDE THE DEVELOPMENT OF ABOUT 29.26 UNDEVELOPED ACRES (PARCELS AND DESIGNATED RIGHTS-OF-WAY) THAT WOULD RESULT IN APPROXIMATELY 1,575 RESIDENTIAL UNITS, 209,000 GSF OF NONRESIDENTIAL USE, UP TO 1,800 PARKING SPACES, 1,575 BICYCLE PARKING SPACES, 15.5 ACRES OF NEW AND IMPROVED PUBLICLY ACCESSIBLE OPEN SPACE, NEW STREETS AND OTHER PUBLIC REALM IMPROVEMENTS. THE RECREATION AND PARKS DEPARTMENT COMPONENT OF THE PROJECT CONSISTS OF MAKING IMPROVEMENTS TO THE 900 INNES, INDIA BASIN OPEN SPACE, AND INDIA BASIN SHORELINE PARK PROPERTIES. THESE IMPROVEMENTS WOULD INCLUDE ENHANCING EXISTING AND DEVELOPING NEW OPEN SPACE AND RECREATION FACILITIES TOTALING ABOUT 8.98 ACRES. THE SUBJECT SITES ARE CURRENTLY WITHIN THE M-1 (LIGHT INDUSTRIAL), M-2 (HEAVY INDUSTRIAL), NC-2 (SMALL-SCALE NEIGHBORHOOD COMMERCIAL), AND P (PUBLIC) USE DISTRICTS AND 40-X AND OS (OPEN SPACE) HEIGHT AND BULK DISTRICTS.

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Environmental Impact Report (hereinafter "FEIR") identified as Case No. 2014-002541ENV, the "India Basin Mixed-Use Project" at 700 Innes Avenue, 900 Innes Avenue, India Basin Open Space, and India Basin Shoreline Park (hereinafter "the Project"), based upon the following findings:

1. The City and County of San Francisco, acting through the Planning Department (hereinafter "the Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 *et seq.*, hereinafter "CEQA"), the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 *et seq.*, hereinafter "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").
 - A. The Department determined that an Environmental Impact Report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on June 1, 2016.
 - B. The Department published the Draft EIR (hereinafter "DEIR") on September 13, 2017, and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice and to property owners and occupants within a 300-foot radius of the site on September 13, 2017.
 - C. Notices of availability of the DEIR and of the date and time of the public hearing were posted near the project site by the project sponsor on September 13, 2017.
 - D. Copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse, on September 13, 2017.
 - E. A Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on September 13, 2017.
2. The Commission held a duly advertised public hearing on said DEIR on October 19, 2017, at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on October 30, 2017.
3. The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in Responses to Comments (hereinafter "RTC") document published on July 11, 2018, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.
4. An FEIR has been prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the RTC document, all as required by law.

Motion No. 20247
July 26, 2018

CASE NO. 2014-002541ENV
India Basin Mixed-Use Project

5. Project EIR files have been made available for review by the Commission and the public. These files are available for public review at the Department at 1650 Mission Street, Suite 400, and are part of the record before the Commission.
6. On July 26, 2018, the Commission reviewed and considered the information contained in the FEIR and hereby does find that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.
7. The project sponsor has indicated that the presently preferred alternative is the Revised Project analyzed in the DEIR and the RTC document.
8. The Planning Commission hereby does find that the FEIR concerning File No. 2014-002541ENV reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the RTC document contains no significant revisions to the DEIR, and hereby does CERTIFY THE COMPLETION of said FEIR in compliance with CEQA and the CEQA Guidelines.
9. The Commission, in certifying the completion of said FEIR, hereby does find that the Project described in the EIR:
 - A. Will have significant unavoidable project-level environmental effects on cultural resources, noise, air quality, and wind; and
 - B. Will have significant cumulative environmental effects on cultural resources, transportation and circulation, noise, and air quality.
10. The Planning Commission reviewed and considered the information contained in the FEIR prior to approving the Project.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of July 26, 2018.



Jonas P. Iorun
Commission Secretary

AYES: Melgar, Fong, Johnson, Koppel, Richards
NOES: None
ABSENT: Hillis, Moore
ADOPTED: July 26, 2018

RE: Request to extend public comment period on scoping for Indi...

Subject: RE: Request to extend public comment period on scoping for Indian Basin Mixed-Use Project, and request for the Planning Dept. to provide short presentation at June 15th BVHP EJ Task Force meeting

From: "Bollinger, Brett (CPC)" <brett.bollinger@sfgov.org>

Date: 6/9/2016 7:52 AM

To: Bradley Angel <bradley@greenaction.org>

CC: Marie Harrison <marieH@greenaction.org>, "etecia@greenaction.org" <etecia@greenaction.org>

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BOARD OF SUPERVISORS
SAN FRANCISCO
JUN 27 PM 4:54

Thank you for your interest in the project. To be clear about the project notice that was sent out on 6/1/2016 and the overall environmental review process, this was a Notice of Preparation (NOP) of an Environmental Impact Report under the California Environmental Quality Act (CEQA). Although an Initial Study (IS) is attached to the NOP ([http://sfmea.sfplanning.org/2014-002541ENV India%20Basin NOP-IS.pdf](http://sfmea.sfplanning.org/2014-002541ENV%20Basin%20NOP-IS.pdf)) with some environmental topics focused out, the more complex environmental topics (transportation, air quality, noise, biological resources, water/wastewater, etc.) analysis has yet to be published. The technical analysis for the more complex topics will be published as part of the Draft Environmental Impact Report (DEIR), which will include a 60-day public comment period and a public comment hearing in front of the SF Planning Commission within the 60-day comment period. We expect to publish the DEIR in December 2016. Only the Environmental Review Officer (ERO) or the Planning Commission can recommend extension of the comment period. In discussion with the ERO, we don't believe an extension of the scoping comment period is justified in this case. However, we will accept late scoping comment letters since we do not expect the DEIR to be published until late 2016.

Regarding translation services, we can provide that service at the Planning Commission DEIR public hearing if requested. We can also work with individuals over the phone to answer questions regarding the environmental review process and analysis we publish. We do not have the resources to translate every page of analysis into multiple languages. Any individuals that need translation services can go through the Mayor's Office of Disability: <http://sfgov.org/mod/language-access-ordinance>

On Thursday June 16th at 5pm we will be holding a NOP Public Scoping Meeting to receive comments on the NOP/IS that was published on 6/1/2016. At this hearing the public can also comment on environmental topics that should be addressed in the DEIR. I suggest that you contact the project sponsor to request a presentation of the proposed project at your June 15th meeting. My role with this project involves only the CEQA compliance portion for which we are holding a public hearing on 6/16/2016. I can also answer questions via email or over the phone regarding the CEQA process for the project.

Please don't hesitate to contact me with any additional questions, clarifications or comments.

Best,

Brett Bollinger
San Francisco Planning Department
Environmental Planning Division
1650 Mission Street Suite 400
San Francisco, CA 94103

RE: Request to extend public comment period on scoping for Indi...

(415) 575-9024

-----Original Message-----

From: Bradley Angel [<mailto:bradley@greenaction.org>]

Sent: Tuesday, June 07, 2016 12:22 PM

To: Bollinger, Brett (CPC)

Cc: Marie Harrison; etecia@greenaction.org

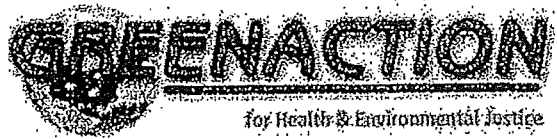
Subject: Request to extend public comment period on scoping for Indian Basin Mixed-Use Project, and request for the Planning Dept. to provide short presentation at June 15th BVHP EJ Task Force meeting

On behalf of our members and constituents in Bayview Hunters Point impacted by the proposed India Basin Mixed-Use Project, we request the Planning Department provide an extended public comment period beyond July 1, 2016. Due to the complexity of the many issues including many potential significant impacts already identified, and the need to ensure meaningful civic engagement in this process, we request that the comment period be extended to July 30, 2016.

In addition, can you tell us if the notice and/or environmental documents were prepared and provided in any language other than English, as it is vital that all members of the community are informed about what is proposed and how they can provide input. If such translations were not provided, we hereby request a notice and underlining documents immediately be made available in other relevant languages spoken in the community.

Also, we invite you/Planning Department to make a presentation about this project and how the public can be involved at the next meeting of the Bayview Hunters Point Environmental Justice Response Task Force, Wednesday, June 15th at 2 pm. Please let us know if you or someone from the department can do this.

Thanks,
Bradley Angel
Greenaction for Health and Environmental Justice



June 30, 2016

Brett Bollinger
San Francisco Planning Department
Environmental Planning Division
1650 Mission Street Suite 400
San Francisco, CA 94103

Greenaction for Health and Environmental Justice Scoping Comments on the Proposed India Basin Mixed Use Project

On behalf of our members and constituents in Bayview Hunters Point, San Francisco, we submit the following Scoping comments regarding concerns with the Initial Study and other issues that must be considered and evaluated in the preparation of an Environmental Impact Report for the proposed India Basin Mixed Use Project.

Greenaction For Health and Environmental Justice is a multiracial grassroots organization that works with low-income and working class urban, rural, and indigenous communities to fight environmental racism and build a clean, healthy and just future for all. Greenaction has been involved in environmental health and justice advocacy in Bayview Hunters Point since we were founded in 1997. This low-income community of color continues to be negatively and disproportionately impacted by pollution, gentrification, health disparities, and other forms of environmental, social, economic injustice.

Planning Department Improperly Rejected Request for Extension of Public Comment Period and Translation of Public Notice and Key Documents:

On June 7, 2016, Greenaction emailed the Planning Department with the following request:

On behalf of our members and constituents in Bayview Hunters Point impacted by the proposed India Basin Mixed-Use Project, we request the Planning Department provide an extended public comment period beyond July 1, 2016. Due to the complexity of the many issues including many potential significant impacts already identified, and the need to ensure meaningful civic engagement in this process, we request that the comment period be extended to July 30, 2016. In addition, can you tell us if the notice and/or environmental documents were prepared and provided in any language other than English, as it is vital that all members of the community are informed about what is proposed and how they can provide input. If such translations were not provided, we hereby request a notice and underlining documents immediately be made available in other relevant languages spoken in the community.

On June 9, 2016, the Planning Department responded via email and denied our requests. While the Planning Department response stated they would accept "late" comments, that is not adequate as there is no legal guarantee that comments submitted after the official comment period ends would be part of the administrative record.

We believe the denial of our request for a modest extension of the public comment period and for publishing a notice and key documents in languages spoken in the community is improper and effectively denies many members of the community their lawful and civil rights to meaningful participation in a public process on a proposed project that very well could have a significant and negative impact on their well-being, environment and community.

As a result of the Planning Department's rejection of our requests, non-English speaking residents will likely never know about this Scoping Process as they cannot read the Notice if by some chance they receive it. Even if non-English speaking residents did receive the notice, which is solely in English, they would not be able to provide meaningful comments as they cannot read or understand the Notice or the underlying documents such as the Initial Study.

Environmental Review Topics:

The Initial Study prepared in 2014 accurately identified a number of issues and potential impacts from the proposed project that would have significant impacts. Full analysis of these significant impacts must be done, and we believe many of these significant impacts may not be able to be mitigated.

The Initial Study incorrectly and improperly concluded that there were certain environmental review topics that would not be addressed in an EIR. These include: land use and land planning, aesthetics, population and housing, greenhouse gas emissions, geology and soils, mineral/energy resources, agriculture and forest resources. Some of these will be explained in more detail below. The study states that

All items in the Initial Study Checklist that have been checked "Less than Significant Impact," "No Impact" or "Not Applicable" indicate that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect relating to that topic... the conclusions regarding potentially significant adverse environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Planning Department.

Greenaction strongly disagrees with the conclusion in the Planning Department's Initial Study to exclude many of the above mentioned issues from evaluation in the EIR. We base this assertion due to two factors:

(1) We assert that this project's potential impact on land use and land planning, aesthetics, population and housing and greenhouse gas emissions in Bayview Hunters Point will indeed be significant; and

(2) Even if these issues individually were to be evaluated in an EIR and determined to be "less than significant," the cumulative, combined impact of these issues is likely quite significant and thus must be considered individually and cumulatively in the EIR.

Compliance with Civil Rights Laws:

As the City and County of San Francisco receives federal and state funding, it is subject to and must comply with state and federal civil rights laws (California Government Code 11135 and Title VI of the United States Civil Rights Act). The EIR for this project must evaluate all potential significant impacts that would have a negative discriminatory and disparate impact on people of color. As this project is proposed for Bayview Hunters Point, and as it would have significant impacts that may not be able to be mitigated, an analysis of whether this project would have a discriminatory and disparate

impact on people of color and thus violate the civil rights of people of color residents is required.

Hazardous Waste and Toxic Contamination in and next to the Project Area:

The proposed project site contains toxic contamination from prior industrial activities in the area. The project site is also next to the federal Superfund/National Priorities List site at the Hunters Point Shipyard which is contaminated with radioactive and toxic waste.

Project proponents have acknowledged that comprehensive testing has not been completed to assess the full extent of contamination, and have stated to Greenaction that the plan for any remediation or cleanup would be made after the design for the development is made. This is an enormous concern and threatens the accuracy and integrity of the EIR process.

An EIR cannot be prepared, meaningful comments cannot be made, and an analysis of potentially significant impacts cannot likely not be accurate without knowing the extent of contamination at the site and plans for remediating and/or cleaning up the contamination. The EIR must additionally evaluate the potential impact of the Navy's plan to leave large amounts of radioactive and toxic waste at the adjacent Shipyard Superfund Site that is threatened by sea level rise, as this could have a negative impact on the environment and health of people living and working at the India Basin development site.

If an accurate assessment of the contamination at the site is not conducted, and an adequate and health-protective cleanup plan not approved prior to the EIR process, then the EIR clearly must analyze – and conclude – that the India Basin project would have a significant negative impact that cannot be mitigated if toxic contamination at and next to the site is not fully cleaned up.

A plan for a full cleanup must be made before the design starts so that the design can be made around the areas that need cleanup. If the design for the development is done as currently planned, it will be difficult to clean up certain areas and impossible to evaluate the full potential impacts of the contamination in an EIR process.

The only way to mitigate the presence of toxic contamination is to safely and completely remove this contamination. The health and safety of Bayview Hunters Point residents must be fully protected in all stages of this project.

Sea Level Rise:

Sea level rise was only mentioned once in the entire Initial Study - in the "Hydrology and Water Quality" Section. The study stated that the site "could" experience "climate-change-related sea level rise." This conclusion is factually incorrect, as there is no doubt based on all the latest scientific evidence and projections, that the site will experience potentially severe climate change sea level rise impacts.

As the proposed project is located directly on the waterfront, this issue needs to be comprehensively and thoroughly evaluated using the most recent scientific projections. This is especially a concern as there is toxic contamination at the site near the waterfront.

The initial study used outdated information on sea level rise. Since that report was written, the predictions for how much sea level will rise in San Francisco have gone up dramatically. Therefore the

current estimates of projected sea level rise must be used in the EIR and accurate assessment based on the latest science must be thoroughly evaluated in the EIR.

The state government's California Climate Action Team now estimates that sea level will rise an additional 10 to 17 inches by 2050 and 31 to 69 inches by 2100 or more. San Francisco Department of the Environment projects sea level increasing by 11 to 19 inches by 2050, and 30 to 55 inches by 2100.

In March 2016, the City and County of San Francisco released a "San Francisco Sea Level Rise Action Plan," which will provide a foundation for a citywide sea level rise adaptation plan (the expected completion of this report is 2018). The SLR Action Plan is based on important climate science and provides a sobering portrait of many of the likely effects of sea level rise on the San Francisco waterfront. For example, the report notes that, by the year 2100, sea level for San Francisco could rise by 66 inches. In the event of extreme tides or coastal storms, sea level could reach 108 inches, or 9 feet. Coastal hazards that increase with sea level rise include temporary coastal flooding, urban flooding (caused by rainfall runoff, which would impede the city's combined sewage and storm water systems), shoreline erosion, daily tidal inundation and regular King Tide floods, and extreme storms.

The EIR must thus thoroughly evaluate all the potential impacts of what clearly and ominously may be massive sea level rise, storm surges and inundation of the project site.

Greenhouse Gases:

The Initial Study incorrectly concluded that greenhouse gases will not be assessed as an environmental factor in the EIR. In 2016, in an area where this is already a serious pollution problem, greenhouse gasses should not be allowed to be taken off the list of necessary environmental review topics as there is a serious potential for a significant impact from greenhouse gas emissions.

We thus challenge as factually incorrect the Initial Study's conclusion that the proposed project would be consistent with the San Francisco Reduction Strategy and would not generate GHG emissions in a manner that would have a significant impact on the environment. The potential impact of greenhouse gas emissions must therefore be included in the environmental review topics that will be included in the EIR.

The Initial Study found that there could be a "potentially significant impact" for "Cause substantial additional vehicle miles traveled" under the Transportation section. This directly impacts and would increase greenhouse gas emissions. In addition, construction equipment working on this massive project will likely result in significant GHG emissions.

Air Quality:

The Initial Study found that there could be potentially significant impacts from violation of air quality standards, cumulatively considerable net increase of any criteria pollutant, odors, conflict with air quality plan."

Impacts on neighborhood air quality must be evaluated and the existing in pollution must be taken into account when air quality is considered in the EIR. As residents already suffer high rates of asthma and other respiratory illnesses, air quality is an enormous concern that must be accurately and cumulatively evaluated.

Cumulative Impacts of Pollution and Health, Socio-Economic Factors:

The Bay Area Air Quality Management District has identified Bayview Hunters Point as a “CARE” community that is disproportionately and negatively impacted by pollution. The fact that that Bayview Hunters Point is significantly and cumulatively impacted by historic and current pollution – including mobile and stationary sources – is also recognized by the wide range of local, regional, state and federal regulatory agencies.

The EIR must include a thorough cumulative impact analysis that evaluates all the potential environmental, health, and socio-economic impacts of the India Basin project combined with existing impacts in the community historically and today.

Land Use, Gentrification, and Affordable Housing:

On page 51 of the Initial Study, under Land Use, section LU-3, it is stated that “the proposed project and variant would not have a substantial adverse impact on the existing character of the vicinity. (Less than Significant)” (51). Greenaction strongly disagrees with this assessment.

Bayview Hunters Point is a community under attack by developers who are gentrifying the neighborhood and changing its character from a predominantly people of color community to one with thousands of high-end condos, townhouses and homes that most residents could never afford.

This proposed development has the strong potential to further gentrify the area by creating a development with only minimal “affordable housing” and with most residential units priced too high for many current residents to afford. By building developments that most residents of Bayview Hunters Point cannot afford, the culture of the neighborhood is changed, the price of housing and commercial rents in the neighborhood goes up, and therefore forces out people who are already longtime residents of the community.

The EIR should consider, and conclude, that the current plans for the project are inadequate to prevent further gentrification of the neighborhood. The only way to avoid and mitigate this significant impact is that the development needs more affordable housing for the current residents living in Bayview and Hunters Point. When the term “affordable housing” is used, we are referring to affordable housing that is based on the actual incomes of residents currently living in the area. Currently, at least 149 affordable units must be built in the development (or a fee can be paid to avoid building them at all). At a minimum, at least half of the total units proposed to be built should be real affordable housing and accessible to current residents of Bayview Hunters Point.

With a massive increase in higher-end residential development, the neighborhood will also change in other ways including higher commercial rents resulting in evictions of the many community-owned small businesses along 3rd Street. BVHP is already experiencing dramatic rent increases and changes in demographics, and the EIR must evaluate in depth the potential impacts on housing and the overall environment of the community.

The project proponents should also work in a broad and representative community process prior to finalizing their project plan to reach a Community Benefits Agreement that will address and prevent all negative impacts that might arise from their project – and any such agreement should be reviewed in depth in the EIR.

Bus Routes:

This project would change existing bus routes in the neighborhood that would affect community members that live close to India Basin and those that live farther away. We do not want the community to be inconvenienced by changing bus routes. A full assessment of the effects of changing these specific bus routes should be analyzed in the EIR.

Please respond to these comments in writing.

Submitted by,

Bradley Angel

Bradley Angel, Executive Director

Claire Laurentine, Intern

Marie Harrison, Bayview Hunters Point Community Organizer

Etecia Brown, Bayview Hunters Point Community Organizer

Greenaction for Health and Environmental Justice

559 Ellis Street, San Francisco, CA 94109

greenaction@greenaction.org

RE: Request to extend public comment period on scoping for Indi...

-----Original Message-----

From: Bradley Angel [<mailto:bradley@greenaction.org>]

Sent: Tuesday, June 07, 2016 12:22 PM

To: Bollinger, Brett (CPC)

Cc: Marie Harrison; etecia@greenaction.org

Subject: Request to extend public comment period on scoping for Indian Basin Mixed-Use Project, and request for the Planning Dept. to provide short presentation at June 15th BVHP EJ Task Force meeting

On behalf of our members and constituents in Bayview Hunters Point impacted by the proposed India Basin Mixed-Use Project, we request the Planning Department provide an extended public comment period beyond July 1, 2016. Due to the complexity of the many issues including many potential significant impacts already identified, and the need to ensure meaningful civic engagement in this process, we request that the comment period be extended to July 30, 2016.

In addition, can you tell us if the notice and/or environmental documents were prepared and provided in any language other than English, as it is vital that all members of the community are informed about what is proposed and how they can provide input. If such translations were not provided, we hereby request a notice and underlining documents immediately be made available in other relevant languages spoken in the community.

Also, we invite you/Planning Department to make a presentation about this project and how the public can be involved at the next meeting of the Bayview Hunters Point Environmental Justice Response Task Force, Wednesday, June 15th at 2 pm. Please let us know if you or someone from the department can do this.

Thanks,

Bradley Angel

Greenaction for Health and Environmental Justice

RE: Request to extend public comment period on scoping for Indi...

Subject: RE: Request to extend public comment period on scoping for Indian Basin Mixed-Use Project; and request for the Planning Dept. to provide short presentation at June 15th BVHP EJ Task Force meeting

From: "Bollinger, Brett (CPC)" <brett.bollinger@sfgov.org>

Date: 6/9/2016 7:52 AM

To: Bradley Angel <bradley@greenaction.org>

CC: Marie Harrison <marieH@greenaction.org>, "etecia@greenaction.org" <etecia@greenaction.org>

Thank you for your interest in the project. To be clear about the project notice that was sent out on 6/1/2016 and the overall environmental review process, this was a Notice of Preparation (NOP) of an Environmental Impact Report under the California Environmental Quality Act (CEQA). Although an Initial Study (IS) is attached to the NOP (http://sfmea.sfplanning.org/2014-002541ENV_India%20Basin_NOP-IS.pdf) with some environmental topics focused out, the more complex environmental topics (transportation, air quality, noise, biological resources, water/wastewater, etc.) analysis has yet to be published. The technical analysis for the more complex topics will be published as part of the Draft Environmental Impact Report (DEIR), which will include a 60-day public comment period and a public comment hearing in front of the SF Planning Commission within the 60-day comment period. We expect to publish the DEIR in December 2016. Only the Environmental Review Officer (ERO) or the Planning Commission can recommend extension of the comment period. In discussion with the ERO, we don't believe an extension of the scoping comment period is justified in this case. However, we will accept late scoping comment letters since we do not expect the DEIR to be published until late 2016.

Regarding translation services, we can provide that service at the Planning Commission DEIR public hearing if requested. We can also work with individuals over the phone to answer questions regarding the environmental review process and analysis we publish. We do not have the resources to translate every page of analysis into multiple languages. Any individuals that need translation services can go through the Mayor's Office of Disability: <http://sfgov.org/mod/language-access-ordinance>

On Thursday June 16th at 5pm we will be holding a NOP Public Scoping Meeting to receive comments on the NOP/IS that was published on 6/1/2016. At this hearing the public can also comment on environmental topics that should be addressed in the DEIR. I suggest that you contact the project sponsor to request a presentation of the proposed project at your June 15th meeting. My role with this project involves only the CEQA compliance portion for which we are holding a public hearing on 6/16/2016. I can also answer questions via email or over the phone regarding the CEQA process for the project.

Please don't hesitate to contact me with any additional questions, clarifications or comments.

Best,

Brett Bollinger
San Francisco Planning Department
Environmental Planning Division
1650 Mission Street Suite 400
San Francisco, CA 94103

GREENACTION

For Health & Environmental Justice

May 23, 2017

Michael Li
San Francisco Planning Department/Environmental Planning Division
1650 Mission Street Suite 400
San Francisco, CA 94103

RE: India Basin Mixed Use Project Draft EIR

Dear Mr. Li,

On behalf of our many members and constituents in Bayview Hunters Point, Greenaction for Health and Environmental Justice is writing to raise several serious concerns about the India Basin Mixed Use Project. We call on your agency to immediately remedy serious defects in the Scoping and DEIR process, including the refusal of your agency to provide meaningful opportunities for public participation to non-English speaking residents.

On June 7, 2016, Greenaction wrote to the Planning Department about several issues related to the Scoping and EIR processes, including the English-only notices associated with the environmental review process. We asked "if the notice and/or environmental documents were prepared and provided in any language other than English, as it is vital that all members of the community are informed about what is proposed and how they can provide input. If such translations were not provided, we hereby request a notice and underlining documents immediately be made available in other relevant languages spoken in the community."

On June 9, 2016, Mr. Bollinger responded to our June 7th communication, rejecting our request for translation. Mr. Bollinger stated in relevant part:

Regarding translation services, we can provide that service at the Planning Commission DEIR public hearing if requested. We can also work with individuals over the phone to answers questions regarding the environmental review process and analysis we publish. We do not have the resources to translate every page of analysis into multiple languages. Any individuals that need translation services can go through the Mayor's Office of Disability: <http://sfgov.org/mod/language-access-ordinance>

The refusal of the Planning Department to translate the notice and any part of the associated environmental review documents, despite the fact that the affected community has many non-English speaking residents (particularly Chinese and Spanish-speaking), is unacceptable as it denies them their lawful right to meaningful participation in public processes including the Scoping and EIR process. The Planning Department clearly has the resources, as well as the legal and moral responsibility, to translate the public notices and at least translate an extended executive summary of the Scoping/Notice of Preparation, DEIR, EIR and other key documents.

Furthermore, it is insulting to San Francisco residents who are non-English speaking or limited English speaking for the Planning Department to respond by saying: "*Any individuals that need translation services can go through the Mayor's Office of Disability...*"

It is ironic that the Planning Department in the Sanctuary City of San Francisco apparently considers speaking a language other than English as a disability. It is a human right.

We are also concerned that the Planning Department apparently plans on releasing the Draft Environmental Impact Report any day. In addition to the language access issues described above, we have serious concerns that the DEIR will be inadequate due to the lack of information and analysis about the extent of contamination at the project site.

We understand that some testing for toxic contamination has been conducted. We also understand that test results were not considered in development of the DEIR as these test results are just being analyzed now. We further are concerned that no testing was conducted for possible radioactive contamination, despite the clearly known fact that the adjacent Hunters Point Naval Shipyard Superfund site is heavily contaminated with radioactive waste from decades of military and industrial polluting activities. The lack of data immensely relevant to a DEIR undermines that adequacy of the DEIR and prevents the public from being able to make informed comments -- denying us and others our lawful right to meaningful civic engagement in the process.

We therefore call on the San Francisco Planning Department to take the following actions to ensure that the environmental review process is legitimate, ensures full meaningful civic engagement opportunities for all people including people of color and non-English speaking residents, and complies with state and federal civil rights laws:

- (1) Start the process over, and do it properly, starting with the Scoping/Notice of Preparation;
- (2) Translate all notices associated with the project into languages spoken by Bayview Hunters Point residents, including Spanish and Chinese;
- (3) Translate all environmental review documents, or at a minimum produce and translate extended Executive Summaries of all documents; and
- (4) Require that the entire site be thoroughly tested for hazardous and radioactive contamination, with test results analyzed and made publicly available, prior to the creation of a DEIR document.

We request a meeting with your department in the next week to discuss these urgent matters.

Sincerely,



Bradley Angel, Executive Director

cc Nicole Avril, Recreation and Parks Department
Bayview Hunters Point Mothers and Fathers Committee
Bayview Hunters Point Environmental Justice Response Task Force
Department of Toxic Substances Control
APRI
PODER

Subject: India Basin EIR

From: "Navarrete, Joy (CPC)" <joy.navarrete@sfgov.org>

Date: 8/29/2017 6:19 PM

To: Bradley Angel <bradley@greenaction.org>

CC: Brian Butler <brian@greenaction.org>, Victoria Lehman <victoria@bldsf.com>, "Taupier, Anne (ECN)" <anne.taupier@sfgov.org>, "sheridan@greenaction.org" <sheridan@greenaction.org>, Michael Yarne <michael@bldsf.com>, "Gibson, Lisa (CPC)" <lisa.gibson@sfgov.org>, "Simi, Gina (CPC)" <gina.simi@sfgov.org>, "Avril, Nicole (REC)" <nicole.avril@sfgov.org>, "Li, Michael (CPC)" <michael.j.li@sfgov.org>, "Warren, Elaine (CAT)" <elaine.warren@sfgov.org>, "Murphy, Mary G. (MGMurphy@gibsondunn.com)" <MGMurphy@gibsondunn.com>

Dear Mr. Angel,

Thank you again for your patience. We sincerely apologize for the delay.

Language Translation:

Thank you for your request for translation. We do acknowledge your prior request for translation of the NOP back in June 2016 and had translated the NOP into Spanish shortly thereafter (attached). However, based on our review of correspondence during that time, we discovered that it was not transmitted to you. This appears to have been an unfortunate oversight. I sincerely apologize. That being said, there was no procedural oversight that would require recirculation of the NOP/IS as the Planning Department satisfied its requirements under CEQA.

Moving forward, we will translate the Notice of Availability of the Draft EIR into Spanish, Chinese, and Tagalog. Please send us a list of mailing and/or email addresses for each of the interested parties requesting translation under each respective language so that we can ensure the mailing is transmitted properly. We will also make these translated notices available on our webpage - <http://sf-planning.org/environmental-impact-reports-negative-declarations>

Further Comment Opportunity:

It is not too late for public input on the India Basin EIR or the Project. As you know, the NOP/IS scoping period has passed and we are now preparing to publish the Draft EIR. The Draft EIR will contain an up-to-date project description and will address the comments we received during the NOP/IS scoping period. We have also taken Greenaction's May 2017 letter as an NOP/Initial Study comment, which will also be addressed in the Draft EIR. There will be a minimum 45-day Draft EIR comment period within which comments on the Draft EIR can be submitted either in writing or in person at the public hearing before the Planning Commission. Then a Responses to Comments document will be prepared and the EIR will once again go before the Planning Commission for certification. This makes two more opportunities for public comments on the EIR moving forward – Draft EIR comment period and Final EIR certification. In addition, public hearings on the approvals for the project would be scheduled before several decision-makers including, but not limited to, the Planning Commission, Recreation and Parks Commission, and Board of Supervisors. Hence, more public participation opportunities forthcoming.

While we welcome further input through the EIR process, please note that the opportunity for verbal comments will be at the Planning Commission Draft EIR hearing. The Planning Department will not be hosting any other DEIR workshop events. As we stated yesterday, the Build Inc. letter that you received on August 24,

2017 did not reflect the Planning Department's concurrence in any way. We regret any confusion this has caused and have hopefully clarified the CEQA process. Whatever the project sponsors propose to implement would be independent of the Planning Department and CEQA requirements.

Please feel free to contact me or the Environmental Review Officer Lisa Gibson (cc'ed above) if you have any questions.

Thanks,
Joy

Joy Navarrete, Senior Environmental Planner
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
P. 415-575-9040 F. 415-558-6409
www.sfplanning.org

—Attachments:—————

Spanish_India Basin EIR NOP.pdf

210 KB



SAN FRANCISCO PLANNING DEPARTMENT

September 8, 2017

Bradley Angel, Executive Director
Greenaction
559 Ellis Street
San Francisco, CA 94109

Re: Case No. 2014-002541ENV
India Basin Mixed-use Project EIR Language Access

Dear Mr. Angel,

I am writing in response to your email message dated 8/31/17 to Joy Navarrete regarding language access in the India Basin EIR process. Because the Planning Department takes compliance with the Language Access Ordinance and the California Environmental Quality Act (CEQA) very seriously, I have reviewed the correspondence between you and our department on this matter and met with staff to understand the history of communications and context for your concerns.

I understand that you remain unsatisfied with the steps taken by the Planning Department regarding translation and language access on this project. Given your experience and your organization's objectives, I understand your perspective.

We have heard your concerns and are committed to translating the Notice of Availability of the Draft EIR into Spanish, Chinese, and Tagalog. BUILD has proposed to translate the Draft EIR Executive Summary into other languages, upon request by Greenaction. Non-English speaking people may request language access services at the Planning Commission hearing on the Draft EIR, and their verbal comments will be responded to in writing in the Responses to Comments document. Language access services will also be available at the EIR certification hearing. These steps will provide ample opportunity for meaningful input and participation by non-English speaking people in the EIR process moving forward.

We acknowledge that the department did not provide a translated Notice of Availability of the Notice of Preparation of an EIR, an oversight that we deeply regret. At the same time, we respectfully disagree with your proposed remedy that the department restart the CEQA process again, with language noticing as you describe. We believe that a reasonable response is that the department learn from this oversight and commit to ensuring that it does not happen again.

Toward that end, our managers will conduct a Language Access Ordinance refresher training session for Environmental Planning staff this month. In that training, we will review the

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Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
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Planning
Information:
415.558.6377

department's "Language Access Ordinance Standard Operating Procedures for Employees." The training will stress the importance of providing equal access to information to those who identify themselves as Limited English Speaking individuals, and we will use this project to illustrate how valued this ordinance is by our stakeholders. Finally, we will review our internal procedures to confirm that project environmental coordinators and their supervisors adhere to these requirements in their work.

I recognize that these steps may not fully satisfy your concerns. They do, however, reflect the actions that we sincerely feel are reasonable and appropriate to take under the circumstances. We look forward to your further input and participation in the India Basin EIR process. I am available at (415) 575-9032 or lisa.gibson@sfgov.org should you have any questions.

Sincerely,



Lisa Gibson
Environmental Review Officer
Director of Environmental Planning

cc Joy Navarrete, Planning Department
Michael Li, Planning Department
Gina Simi, Planning Department
Michael Yarne, BUILD

State of California Confirms Bayview Hunters Point at Risk from Pollution

For decades residents have voiced concern about pollution. California finally confirms BVHP as one of the communities most vulnerable to pollution in the State.

What does this mean for Bayview Hunters Point?

A community with a high percentage is experiencing a higher pollution burden and vulnerability than a community with a lower percentage in California.

Bayview Hunters Point rates in the 90% percentile on CalEnviroScreen.

This means that BVHP has a higher pollution burden than 90% of California.



CalEnviroScreen results for Bayview Hunters Point:

Environmental Factors	Percentage
Diesel Particulate Matter	99%
Groundwater Threats	98%
Hazardous Waste	86%
Health Factors	Percentage
Asthma	98%
Low Birth Weight	99%
Cardiovascular	69%
Population Characteristics	Percentage
Poverty	87%
Unemployment	84%
Housing	91%

How to learn more and access the tool:
 Website: <http://oehha.ca.gov/calenviroscreen>
 Email: CalEnviroScreen@oehha.ca.gov

The CalEnviroScreen 3.0 report (in English and Spanish), maps and additional data:
<https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>

Contact us for more information:
 315 Sutter Street, 2nd Floor
 San Francisco, CA 94108
 (415) 447-3904
www.greenaction.org
greenaction@greenaction.org



<http://bvhp-ivan.org>
 Submit a pollution complaint!
 Be as detailed as possible! Take a photo!
 Get alerts from the website
 Track responses and results from state agencies

State of California Confirms Bayview Hunters Point at Risk from Pollution

For decades residents have voiced concern about pollution. California finally confirms BVHP as one of the communities most vulnerable to pollution in the State.

What is CalEnviroScreen 3.0?

CalEnviroScreen 3.0 is a tool made by California Environmental Protection Agency to help identify communities most affected by pollution.

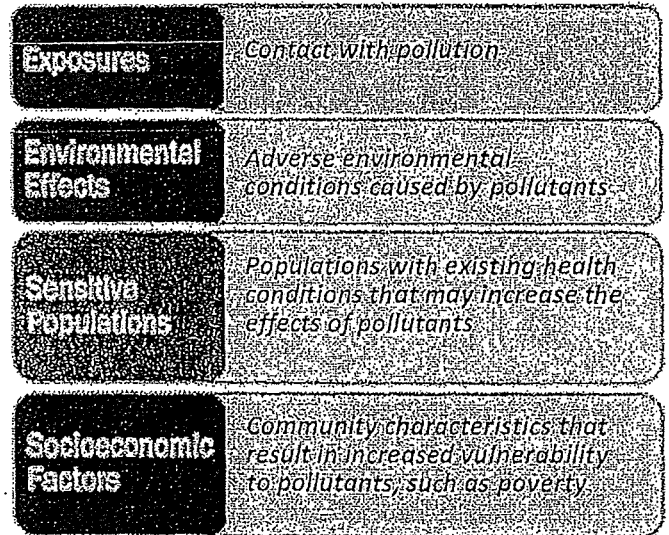
CalEnviroScreen uses the *cumulative impact theory* to compare pollution levels and health risks in communities across California.

What are Cumulative Impacts?

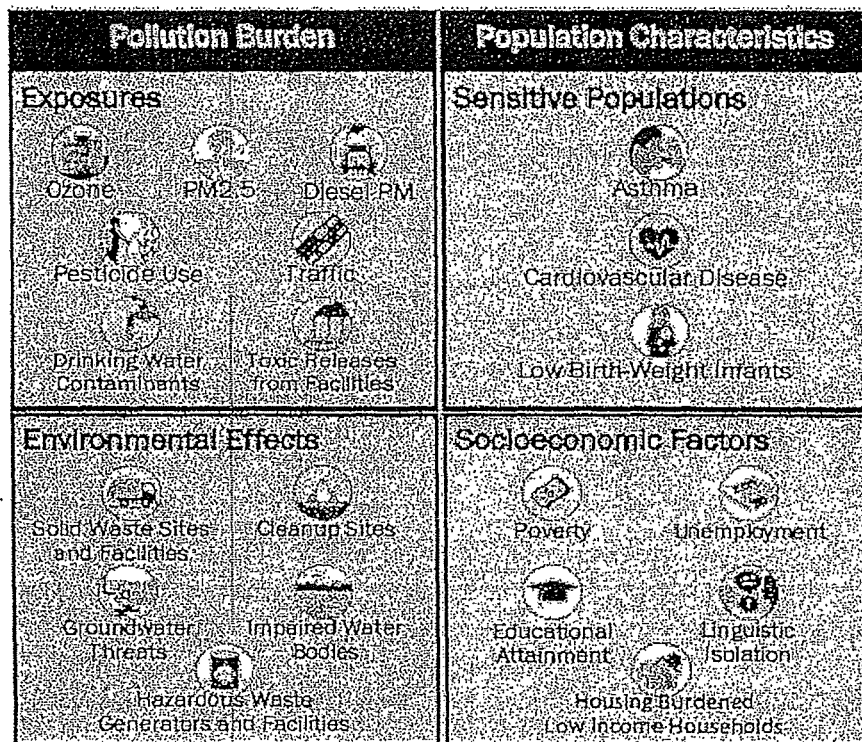
They are the combination of different factors that when added together result in a higher impact.

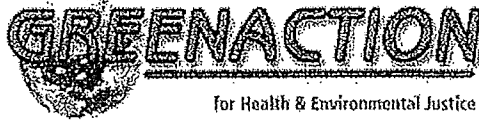
Example: pollution + asthma + poverty = cumulative impacts!
 $1+1+1+1=$ too much!

CalEnviroScreen measures indicators through these four main groups:



The CalEnviroScreen results are the pollution burden times the population characteristics





RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2018 AUG 27 PM 4:55

BY _____

August 27, 2018

**APPEAL FEE WAIVER REQUEST RE:
GREENACTION FOR HEALTH AND ENVIRONMENTAL JUSTICE APPEAL OF
PLANNING COMMISSION APPROVAL OF INDIA BASIN MIXED USE PROJECT**

Pursuant to Planning Code Section 350(j)(3) and Ordinance No. 149-16, Section Greenaction for Health and Environmental Justice requests a waiver of filing fees for our appeal of the Planning Commission's approval of the EIR and the India Basin Mixed Use Project. We file this appeal on behalf of our many members and constituents in Bayview Hunters Point whose health, environment, and civil rights will be adversely, disproportionately and significantly impacted by the approval of this project.

Greenaction is a San Francisco-based non-profit organization founded in 1997 and led by grassroots leaders from urban, rural and Indigenous communities which are impacted by pollution, environmental racism, and injustice. We have participated in the project's environmental review and permit process since it began with the Planning Department, submitted written comments starting with the Notice of Preparation/Scoping process, and testified at public hearings held by the Planning Department and Planning Commission on this matter. Due to our extensive participation in the process, and our many members and constituents in the affected community, we have standing to file this appeal and request a fee waiver.

Sincerely,



Bradley Angel, Executive Director

Greenaction for Health and Environmental Justice
315 Sutter Street, 2nd floor, San Francisco, CA 94108
Phone: (415) 447-3904 Fax: (415) 447-3905
www.greenaction.org greenaction@greenaction.org

**GREENACTION FOR HEALTH &
ENVIRONMENTAL JUSTICE**
315 SUTTER ST FL 2
SAN FRANCISCO, CA 94108

Bank of America
ACH R/T 12100358

5260
11-35/1210 CA
91292

8/27/2018

PAY TO THE ORDER OF San Francisco Planning Department

\$ **597.00

Five Hundred Ninety-Seven and 00/100*****

DOLLARS

San Francisco Planning Department

MEMO

India Basin Mixed Use Project - Appeal

AUTHORIZED SIGNATURE



GREENACTION FOR HEALTH &

ENVIRONMENTAL JUSTICE

5260

San Francisco Planning Department

8/27/2018

India Basin Mixed Use Project - Appeal

597.00

B of A - Checking #46 India Basin Mixed Use Project - Appeal

597.00

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2018 AUG 27 PM 4:54
BY *[Signature]*



San Francisco Planning

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SAN FRANCISCO

2018 AUG 27 PM 4:59

BOARD OF SUPERVISORS APPEAL FEE WAIVER FOR NEIGHBORHOOD ORGANIZATIONS

BY ll

APPLICATION

Appellant's Information

Name: Bradley Angel

Address: 315 Sutter St 2nd floor Email Address: bradley@greenaction.org
SF 94108 Telephone: 415 447 3904 X102

Neighborhood Group Organization Information

Name of Organization: Greenaction for Health and Environmental Justice

Address: 315 Sutter St 2nd floor Email Address: greenaction@greenaction.org
SF 94108 Telephone: 415 447 -3904

Property Information

Project Address: 700 lane 1

Project Application (PRJ) Record No: _____ Building Permit No: _____

Date of Decision (if any): 7/26/18

Required Criteria for Granting Waiver

All must be satisfied; please attach supporting materials.

REQUIRED CRITERIA	YES	NO
The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization.	✓	
The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.	✓	
The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.	✓	
The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.	✓	

For Department Use Only

Application received by Planning Department:

By: _____ Date: _____

Submission Checklist:

- APPELLANT AUTHORIZATION CURRENT ORGANIZATION REGISTRATION MINIMUM ORGANIZATION AGE
- PROJECT IMPACT ON ORGANIZATION
- WAIVER APPROVED WAIVER DENIED

180816
180680
180681
9/17/18
COMM
SUBMITTED
IN COMM

Hello members of the Land Use and Transportation Committee,

MV name is Jesus Flores. I am the operations manager at Archimedes Banya: we are one of the buildings that is directly adjacent to the proposed project. As a committee today you are here to amend the general plan to revise the bayview hunters point area plan and the urban design, commerce and industry, and recreation and open space elements, to reflect the India basin Mixed Use project. In addition the ordinance amending the planning code to establish the India Basin Special use district by changing the zoning designations, height districts and the India basin special use district. Lastly approving a development agreement between the City and county of san francisco and India Basin Investment LLC that would cover a 28 acre project which some believe have various public benefits of including 25% affordable housing and 11 acre parks and open space all while making sure things fall under the California Environmental Quality Act and that the findings conform with the General Plan. I am here to appeal to you that such ordinance amendments should be further investigated, discussed and not amended today because of the significant and unavoidable negative impacts to not only Archimedes Banya but the community of India Basin Bayview and Hunters Point.

Before getting into the reasons why such ordinance amendments would have a significant and unavoidable negative impact to Archimedes Banya and the community which would not adhere to the California Environmental Quality Act. I would like to inform you a little about the Banya. We at Archimedes Banya SF (the Banya), are committed to improving the quality of life for all that live in the nearby community and residents and visitors of the whole SF Bay Area. The Banya is a Russian/German/Scandinavian style bathhouse, the only one of its kind in the Bay Area. It is not only a place for people to experience Russian/German/Scandinavian cultures, it has quickly become a cultural institution and tourist destination in San Francisco. The Banya is a place where people of all ages, genders, ethnic and cultural backgrounds convene to relax, socialize, and improve their health. It uniquely attracts visitors to Hunters Point, a destination in San Francisco that was previously avoided by visitors and locals alike. Thus, the Banya has contributed to the vibrancy of the neighborhood that has been unprecedented by any other business in the area. We are a place where people can forget that they are in a bustling city and get away from their every day routine.

To start off I would like to discuss with you the negative effects that this building will have if you allow the zoning to change to a Special Use District, which would allow for two 14 story and various other 6 7 8 story building in the area that would engulf Archimedes Banya. I strongly urge this committee to maintain the current zoning of MC 1 and NC 2 which would keep the height at 40 feet throughout the project. When we first started coming to these public meetings with the planning commission about the EIR we wanted to first off be included in the report. Not one mention of Archimedes Banya was included or the effects this project would have on our business. Then after we came again to stop the Revised EIR from being passed because then we were just referred to as a commercial / residential dwelling unit. The adverse effects were again not discussed in the revised version. I know some people from build have spoken with the owner Dr. Mikhail Brodsky but have any of you come and used our facility. It is more than just a commercial/residential dwelling unit. It is a space where citizens come to heal their body and relax.

If you were to change the zoning heights for this project and allow these buildings to engulf us you would drastically impact the wind speeds and duration of hazardous winds and in turn negatively impact the ventilation of our building. As stated in the revised EIR "The EIR concluded that the proposed project would result in a substantial increase in the wind speed and duration of hazardous winds at the project site and in its vicinity, which would substantially affect public areas or outdoor recreation facilities and result in a significant and unavoidable wind impact". Now Mitigation measures were introduced M-WI-1a, M-WI-1b, and M-WI-1c these discussed wind impact analysis and mitigation for buildings over 100 ft, temporary wind reduction measures during construction and reduce effects of ground level hazardous winds through ongoing review. Unfortunately again as stated in the revised EIR which was passed in it it stated" Implementation of these mitigation measures would not reduce the proposed project's wind impact to a less-than significant level. Therefore, the Draft EIR concluded that the proposed project's wind impact would be significant and unavoidable with mitigation" and then it went to summarize "impacts of the revised proposed project would be the same as the proposed project's impacts described in the EIR. The impacts of the revised proposed project related to wind would be significant and unavoidable with mitigation." High winds effect Archimedes Banva ventilation svstem. If i can quicklv summarize in our facilitv we have two parikas . these are russiar style sauna that involve humidity. Now if winds increase that means the air duct on our roof would have more wind going into the saunas and would cause the humidity and the temperature to be reduce and those are two main kev components that you need when enioving our facilitv. I can also get into how you would remove our customers privacy as well. People enjoy our roof to sun bath and do so in the nude at times. But getting past just the privacy that will be infringed upon I would like to continue because of these negative wind impacts I believe you should look how the air quality will be even more drastic.

Now the revised proposed project would not propose any changes to building envelopes or locations. With that i would like to mention that the air quality is going to have negative impacts on Archimedes Banva and the communitv. Mitigation measures were introduced to M-AQ-1a, 1b, 1c, and 1d. These were said to minimized off/on road construction equipment emission , utilize best available control technology for in water construction equipment, and offset emissions for construction and operation o zonone precursor (Nox and RoG) emission . As stated in the in the revised EIR that was passed "Mitigation Measures M-AQ-1a through M-AQ-1d would be implemented to reduce construction-related emissions of oxides of nitrogen (NOX) to the greatest extent feasible. However, even with the implementation of those mitigation measures, the proposed project would violate an air quality standard, contribute to an existing or projected air quality violation, and cause a cumulatively considerable net increase in criteria air pollutants during construction. " the revised proposed project would have the same construction activities as the proposed project. Although the revised proposed project would result in a similar daily estimate or slight decrease in operational vehicle trips, overall impacts related to the combined construction-related and operational emissions would be significant and unavoidable with mitigation, the same impact conclusion as reported in the Draft EIR for the proposed project. Now how can you allow that harmful emission go into the community that its members have already been reported to have more ailment because of the navv vard being there for years and now you want to introduce new containments and not only that the Banya guest come to heal there bodies and you would want them breath in this air that is literally less than 5 feet in either direction.

Now since my time might be coming to a close i would like to address the biggest flaw and issue of why this project would not be in accordance to the safety of our environment and the CEQA and that this committee on land use and transportation should further investigate the plot before amending these ordinances. Is that the cancer risk for continuing this project will be high even with mitigation as stated " the impact of the proposed project related to concentrations of particulate matter less than or equal to 2.5 micrometers in diameter (PM2.5) during construction would be significant and unavoidable because of haul truck traffic and construction equipment emissions. In terms of building square footage, the amount of construction would be the same under the revised proposed project as under the proposed project. Construction-related and operational activities associated with the proposed project would result in increases in emissions of diesel particulate matter (PM) that would affect lifetime excess cancer risk for both on- and off-site receptors. Overall, impacts of the revised proposed project would be the same as the proposed project's impacts described in the Draft EIR. Impacts of the revised proposed project on air quality would be significant and unavoidable with mitigation. To add to this just recently radioactive objects were found less than a quarter mile from our location at the Navy Yards parcel A as stated in the SF Chronicle in an article by [Jason Fagone](#) and [Cynthia Dizikes](#) . I have worked at Archimedes since it open and i have seen that development go up as well. I know that teams from that site would dump dirt over in the project site we are currently discussing. In the EIR soil samples were only done on the surface, the plot of the proposed project has been getting filled for over half a century with other contaminants. Further soil sample should be taken as well especially since back in 1999 soil samples were done by Trans Pacific Geotechnical Consultants and found traces of lead and other minerals and gases.

I am appealing to you members of this committee Tang, Kim, and Safai to further investigate the land use of this India Basin Mixed Used Project to not move forward with amending these ordinances. Further investigation should be done on the effects it will have on the community and my business. You are allowing a community to be greatly affected. If you amend these today you are saying you are ok with giving members of the community cancer and other health related illness all for a few hundred units of houses that won't even be affordable to those that live in the neighborhood you are going to devastate. If you truly wanted to help the community Build should not have removed the school or better yet allow for a higher amount of so called affordable housing. If this project was to be done in your district and you were aware of the negative impacts. I would expect for you not to allow it to continue. You all have strived to better the lives of families in San Francisco other communities so don't hurt the lives of those in this community.

TRANS PACIFIC GEOTECHNICAL CONSULTANTS, INC.

445 GRANT AVENUE, SUITE 403, SAN FRANCISCO, CALIFORNIA 94108-3249
TELEPHONE: (415) 788-8627 FAX: (415) 788-3121

June 28, 1999

Our Job No. 1535-001

Banya 2000
1600 Shattuck Avenue, #214-II
Berkeley, California 94709

Attention: Mr. Reinhard Imhof

Ladies and Gentlemen:

Report
Soil Sampling and Chemical Testing
Proposed Russian Spa
Assessor's Block 4644, Lot 5A
Innes Avenue
San Francisco, California

This report presents the results of our soil sampling and chemical testing for the site of the proposed Russian spa in San Francisco, California. The site, known as Lot 5A of Assessor's Block 4644, is located on the north side of Innes Avenue between Earl Street and Fitch Street as shown on the Vicinity Map, Plate 1.

PROPOSED CONSTRUCTION

Present plans call for construction of a three-story building with a basement. The building will house an in-door swimming pool, hot tubs, exercise rooms, weight rooms, and a restaurant, among others. The basement will be used for parking and a mechanical room. Details of the proposed development have not been finalized and details of the loading information are not available at this time.

PURPOSE AND SCOPE OF SERVICES

The purpose of our service was to explore the subsurface soil and rock conditions at the site and to collect soil samples for analytical chemical testing. Our service was performed substantially in accordance with our proposal dated May 13, 1999. The scope of our services included a field exploration program of excavating two test pits and performance of analytical chemical testing.

FIELD EXPLORATION

The subsurface conditions were explored on June 4, 1999, by excavating two test pits with a backhoe at the locations shown on the Plot Plan, Plate 2. The test pits were excavated to depths of about 11 feet to 14 feet below the existing ground surface. The field exploration was performed under the technical direction of one of our geologists who examined and visually classified the soil encountered, maintained a log of test pits, and obtained samples for visual examination and analytical chemical testing. Graphical presentation of the soils encountered is presented on the Log of Exploratory Pit, Plates 3A through 3B. An explanation of the nomenclature and symbols used on the Log of Exploratory Pits is shown on Plate 4, Soil Classification Chart and Key to Test Data. The

logs of test pits show subsurface conditions on the date and at the locations indicated, and it is not warranted that they are representative of subsurface conditions at other times or locations. After completion of the excavation operation, the test pits were loosely backfilled with the excavated soils and randomly rolled with the rubber-tired wheels.

The soil samples were collected with appropriate sampling protocol. These samples were initially stored in an ice chest and subsequently refrigerated for proper storage and eventual transport to the analytical laboratory. A chain of custody of these samples was maintained.

DISCUSSION

Soil samples were hand delivered to the premise of Caltest Analytical Laboratory in Napa, California on June 7, 1999. We were directed by Mr. R. Imhof to hold the testing of soil samples obtained in Test Pit 1 in abeyance; therefore, analytical testing was assigned only on soil samples obtained in Test Pit 2. These tests included testing for heavy metals, asbestos, total petroleum hydrocarbons as gas and total petroleum hydrocarbons as diesel and polychlorinated biphenyls (PCB).

The results of the analytical testing, as presented by Caltest Analytical Laboratory, are presented in the Appendix.

CLOSURE

Our services have been performed with the usual thoroughness and competence of the engineering profession. No other warranty or representation, either expressed or implied, is included or intended.

If you have any questions regarding this report or require additional information, please contact us. The following plates and appendix are attached and complete this report.

- | | |
|------------------|--|
| Plate 1 | Vicinity Map |
| Plate 2 | Plot Plan |
| Plates 3A and 3B | Log Of Exploratory Pit |
| Plate 4 | Soil Classification Chart and Key to Test Data |
| Appendix | Report prepared by Caltest Analytical Laboratory and dated June 25, 1999 |



Yours very truly,
Trans Pacific Geotechnical Consultants, Inc.

Eddy T. Lau

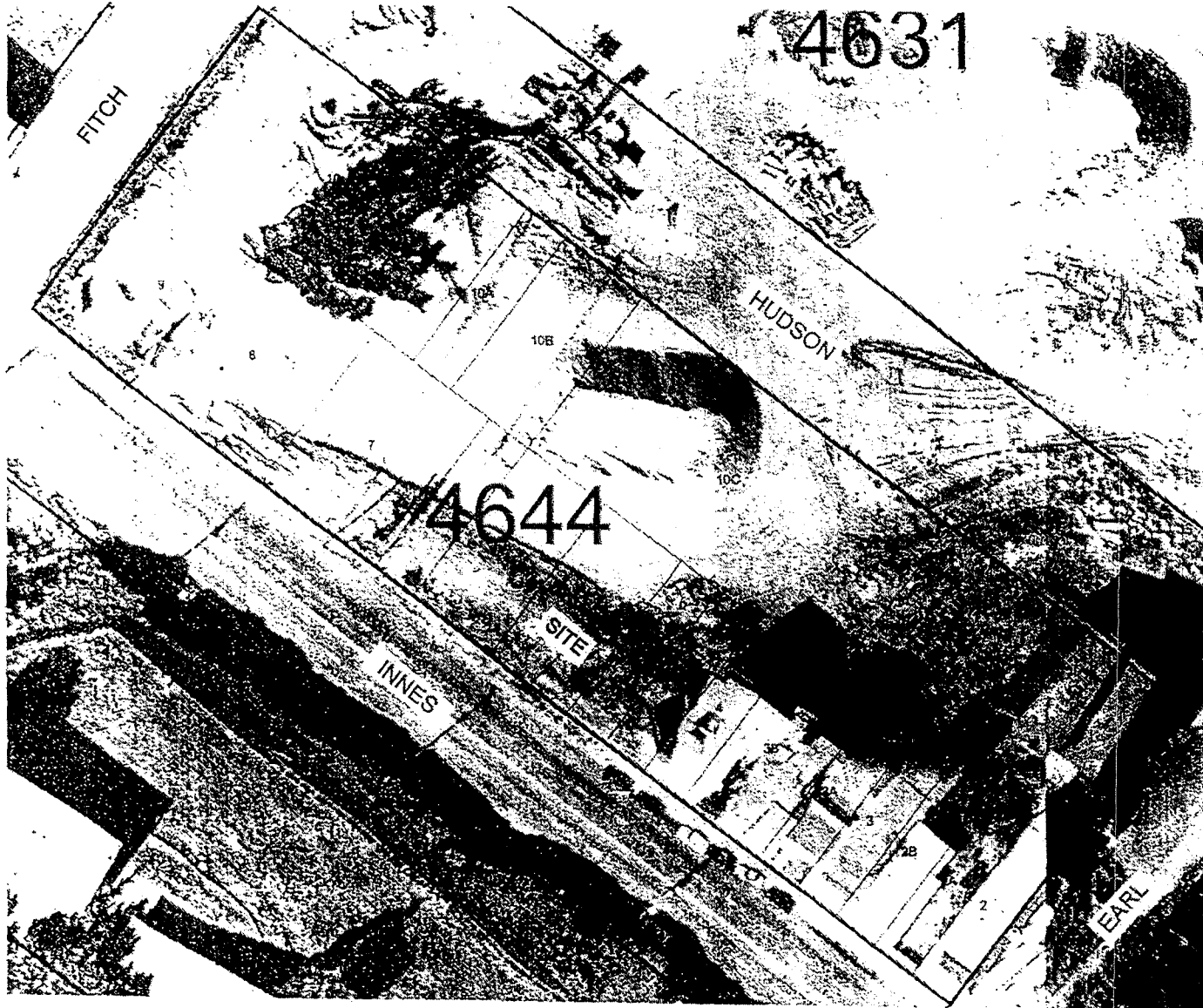
Eddy T. Lau, P.E.
Reg. Civil Engineer 019897
Reg. Geotechnical Engineer 506
Expiration 9/30/2001

(Six copies submitted)

cc: ARCUS Architecture and Planning (2)
445 Grant Avenue, Suite 404
San Francisco, California 94108
Attention: Mr. Samuel Kwong

SF Digital Basemap

1535-001 Proposed Russian Spa, Innes Avenue, San Francisco, California



VICINITY MAP

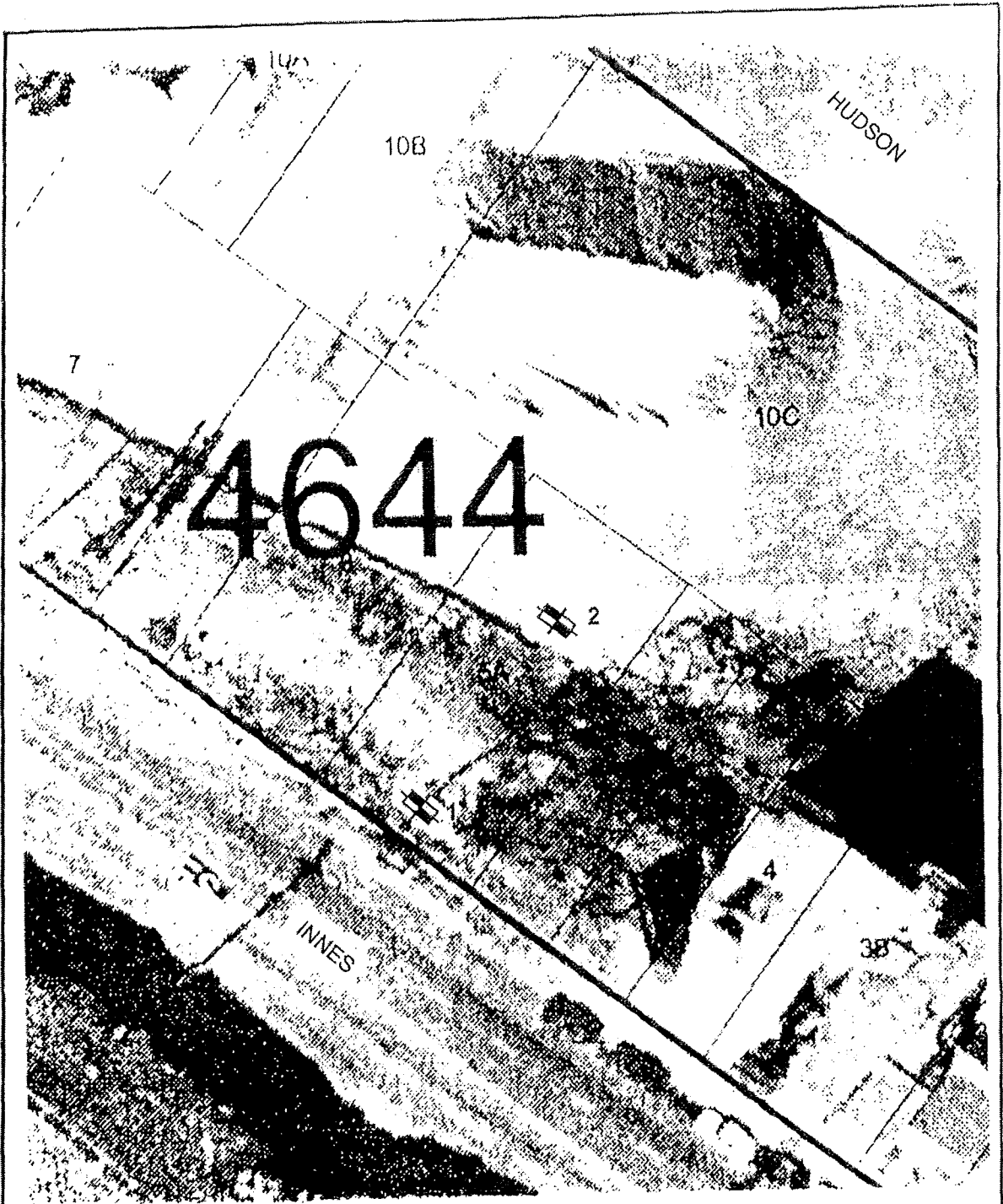
Source: Department of
Public Works,
Copyright, 1996

30 0 30 60 Feet

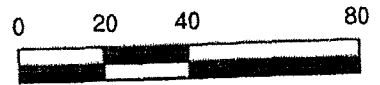
Trans Pacific Geotechnical Consultants, Inc.

PLATE 1

1535-001 Proposed Russian Spa, Innes Avenue, San Francisco, California



Test Pit Location



SCALE IN FEET

PLOT PLAN

TRANS PACIFIC GEOTECHNICAL CONSULTANTS, INC.

TEST PIT 1

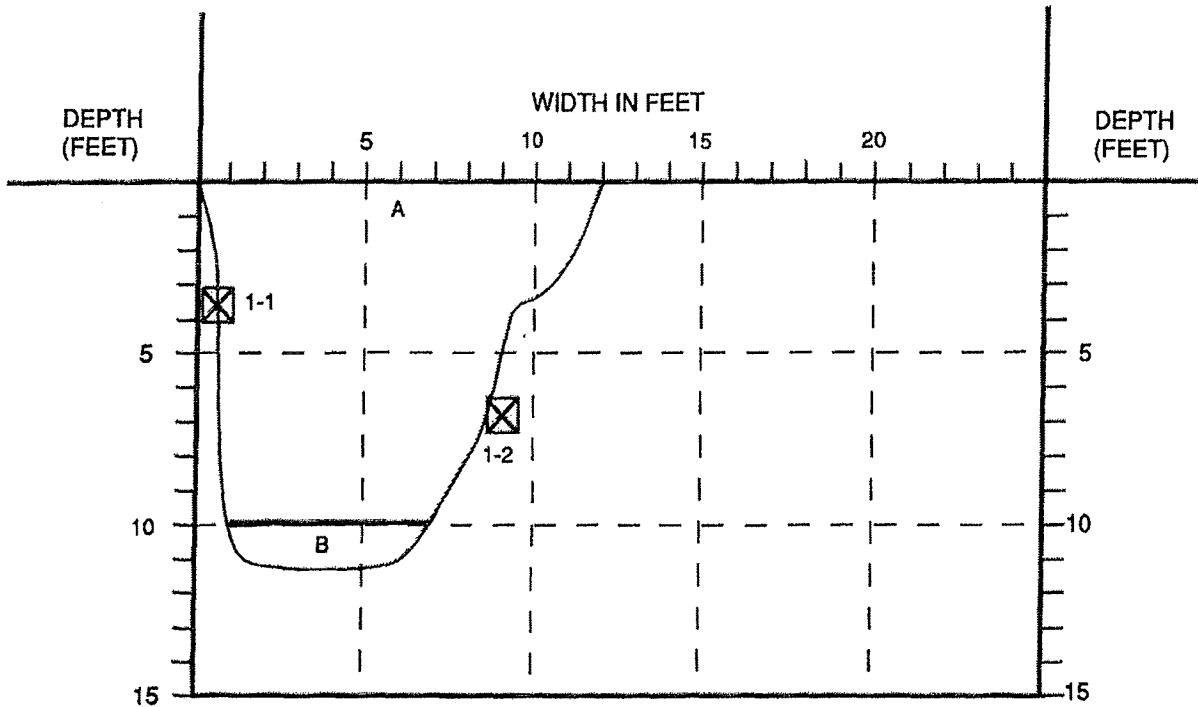
SURFACE ELEVATION: _____

DATE EXCAVATED: 6/4/99

LOGGED BY: DRF

EQUIPMENT: backhoe

DATE BACKFILLED: 6/4/99



INDICATES DEPTH OF UNDISTURBED SAMPLE



INDICATES DEPTH OF DISTURBED SAMPLE

A. GC, Sandy GRAVEL with trace clay and serpentine rock fragments, occasional cobbles, dry to damp, (loose), [FILL].

B. CL, Brown silty CLAY with rock fragments, moist.

1535-04, Proposed Russian Spa, Innes Avenue, San Francisco, California

LOG OF EXPLORATORY PIT

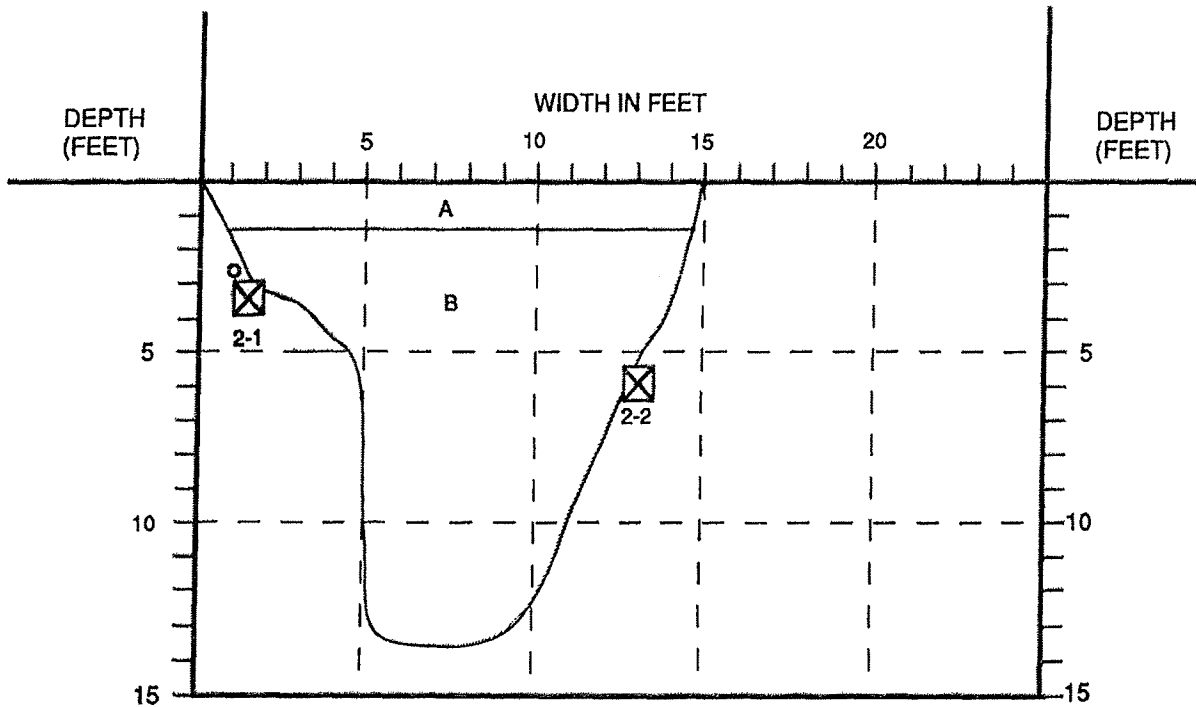
Trans Pacific Geotechnical Consultants, Inc.

PLATE 3A

TEST PIT 2

SURFACE ELEVATION: _____ DATE EXCAVATED: 6/4/99

LOGGED BY: DRF EQUIPMENT: backhoe DATE BACKFILLED: 6/4/99



- INDICATES DEPTH OF UNDISTURBED SAMPLE
- ⊠ INDICATES DEPTH OF DISTURBED SAMPLE
- PIPE

- A. GW, Sandy GRAVEL, dry, (loose), [FILL].
- B. CL/GC, Dark brown and black layered sandy CLAY with wood, brick, reinforcing steel, large rock fragments, and a block of granite, moist, (loose and soft), [FILL]. Grading to yellowish brown clayey GRAVEL at around 11 feet to 12 feet, moist, (loose), [FILL].

1535-u01 Proposed Russian Spa, Innes Avenue, San Francisco, California

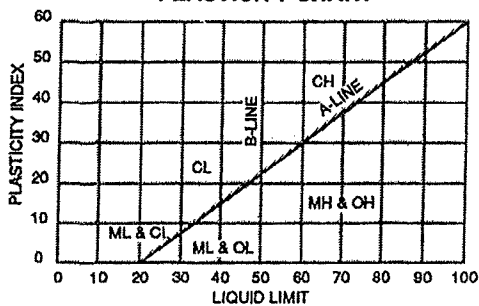
LOG OF EXPLORATORY PIT

Trans Pacific Geotechnical Consultants, Inc.

UNIFIED SOIL CLASSIFICATION SYSTEM

SYMBOL	LETTER	DESCRIPTION	MAJOR DIVISIONS				
	GW	WELL-GRADED GRAVELS, GRAVEL-SAND MIXTURES, LITTLE OR NO FINES	CLEAN GRAVELS (LITTLE OR NO FINES)	GRAVELS MORE THAN 50% OF COARSE FRACTION RETAINED ON NO. 4 SIEVE	COARSE-GRAINED SOILS MORE THAN 50% OF MATERIAL IS RETAINED ON NO. 200 SIEVE		
	GP	POORLY-GRADED GRAVELS, GRAVEL-SAND MIXTURES, LITTLE OR NO FINES					
	GM	SILTY GRAVELS, GRAVEL-SAND-SILT MIXTURES	GRAVELS WITH FINES (APPRECIABLE AMOUNT OF FINES)				
	GC	CLAYEY GRAVELS, GRAVEL-SAND-CLAY MIXTURES					
	SW	WELL-GRADED SAND, GRAVELLY SANDS, LITTLE OR NO FINES	CLEAN SANDS (LITTLE OR NO FINES)			SANDS 50% OR MORE OF COARSE FRACTION PASSES NO. 4 SIEVE	FOR VISUAL CLASSIFICATION, THE 1/4" SIZE MAY BE USED AS EQUIVALENT TO THE NO. 4 SIEVE SIZE
	SP	POORLY-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES					
	SM	SILTY SANDS, SAND-SILT MIXTURES	SANDS WITH FINES (APPRECIABLE AMOUNT OF FINES)				
	SC	CLAYEY SANDS, SAND-CLAY MIXTURES					
	ML	INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS, CLAYEY SILTS WITH SLIGHT PLASTICITY	SILTS & CLAYS (LIQUID LIMIT LESS THAN 50)	FINE-GRAINED SOILS 50% OR MORE OF MATERIAL PASSES THE NO. 200 SIEVE	THE NO. 200 U.S. STANDARD SIEVE SIZE IS ABOUT THE SMALLEST PARTICLE VISIBLE TO THE NAKED EYE		
	CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS					
	OL	ORGANIC SILTS AND ORGANIC SILT-CLAYS OF LOW PLASTICITY					
	MH	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SANDY OR SILTY SOILS, ELASTIC SILTS	SILTS & CLAYS (LIQUID LIMIT 50 OR MORE)				
	CH	INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS					
	OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS					
	PT	PEAT AND OTHER HIGHLY ORGANIC SOILS	HIGHLY ORGANIC SOILS				

PLASTICITY CHART



TYPES OF SOIL SAMPLERS

- MC - MODIFIED CALIFORNIA SAMPLER
- NX - ROCK CORING
- P - PISTON SAMPLER
- PT - PITCHER BARREL SAMPLER
- S - SHELBY SAMPLER
- SPT - STANDARD PENETRATION TEST SAMPLER
- U - UNDERWATER SAMPLER

KEY TO SAMPLES

- INDICATES DEPTH OF UNDISTURBED SAMPLE
- INDICATES DEPTH OF DISTURBED SAMPLE
- INDICATES DEPTH OF SAMPLING ATTEMPT WITH NO RECOVERY
- INDICATES DEPTH OF STANDARD PENETRATION TEST
- INDICATES DEPTH OF UNDISTURBED "S" (SHELBY) TYPE SAMPLE

KEY TO TEST DATA

- GS - GRAIN-SIZE DISTRIBUTION
- DSCU - DIRECT SHEAR TEST, CONSOLIDATED - UNDRAINED
- DSUU - DIRECT SHEAR TEST, UNCONSOLIDATED - UNDRAINED
- TXUU - TRIAXIAL COMPRESSION TEST, UNCONSOLIDATED - UNDRAINED

**SOIL CLASSIFICATION CHART
AND KEY TO TEST DATA**

Trans Pacific Geotechnical Consultants, Inc.

APPENDIX

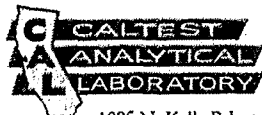
Report

Prepared By

CALTEST ANALYTICAL LABORATORY

Laboratory No. 9906-181

June 25, 1999



1885 N. Kelly Rd. • Napa, California 94558

CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

(707) 258-4000 • Fax: (707) 226-1001

June 25, 1999

Mr. Eddy T. Lau, P.E.
Trans Pacific GeoTechnical
445 Grant Avenue, Suite 403
San Francisco, CA 94108

Dear Mr. Lau:

On June 7, 1999, Caltest received four soil samples which were logged into our system as lab order number 9906181. Per your request, two of the four samples were analyzed for California Assessment Manual (CAM) Metals, Asbestos, Total Petroleum Hydrocarbons (TPH) as Gas, Total Petroleum Hydrocarbons (TPH) as Diesel, and Polychlorinated Biphenyls (PCB).

The following analytical report indicates a detection on both soil samples for an unidentified petroleum hydrocarbon pattern which was quantitated as Diesel # 2. All metals were below the Total Threshold Limit Concentration (TTL) Limits, however, Chromium and Lead were detected above 10 times the Soluble Threshold Limit Concentration (STLC) Limit. This is an indication that an STLC Extraction and analysis needs to be performed on both soil samples for Chromium, and Lead.

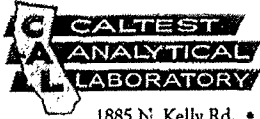
Please do not hesitate to call me at the laboratory if you have any questions regarding this report.

Sincerely,
Caltest Analytical Laboratory

A handwritten signature in black ink, appearing to read 'Todd M. Albertson', is written over a horizontal line.

Todd M. Albertson
Project Manager

Enclosure(s):
Caltest Lab Order # 9906181



1885 N. Kelly Rd. • Napa, California 94558

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CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

LAB ORDER No.: 9906-181
Page 1 of 6

REPORT of ANALYTICAL RESULTS

Report Date: 25 JUN 1999
Received Date: 07 JUN 1999

Client: Eddy T. Lau, P.E.
Trans Pacific GeoTechnical
445 Grant Avenue, Suite 403
San Francisco, CA 94108

Project: 1535-001 RUSSIAN SPA

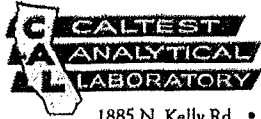
Sampled by: DON FOWLER

<u>Lab Number</u>	<u>Sample Identification</u>	<u>Matrix</u>	<u>Sampled Date/Time</u>
9906181-1	2-1 (A & B) 3'6"	SOIL	04 JUN 99 09:20
9906181-2	2-2 (A & B) 5'6"	SOIL	04 JUN 99 09:40
9906181-3	1-1 (A & B) 3'3"	SOIL	04 JUN 99 08:30
9906181-4	1-2 (A & B) 6'6"	SOIL	04 JUN 99 08:40

Todd M. Albertson
Project Manager

Christine Horn
Laboratory Director

CALTEST authorizes this report to be reproduced only in its entirety.
Results are specific to the sample as submitted and only to the parameters reported.
All analyses performed by EPA Methods or Standard Methods (SM) 18th Ed. except where noted.
Results of 'ND' mean not detected at or above the listed Reporting Limit (R.L.).
'D.F.' means Dilution Factor and has been used to adjust the listed Reporting Limit (R.L.).
Acceptance Criteria for all Surrogate recoveries are defined in the QC Spike Data Reports.



1885 N. Kelly Rd. • Napa, California 94558

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CALIFORNIA ELAP #1664

(707) 258-4000 • Fax: (707) 226-1001

LAB ORDER No.:

9906-181

INORGANIC ANALYTICAL RESULTS

Page 2 of 6

ANALYTE	RESULT	R.L.	UNITS	D.F.	METHOD	ANALYZED	QC BATCH	NOTES
LAB NUMBER: 9906181-1								
SAMPLE ID: 2-1 (A & B) 3'6"								
SAMPLED: 04 JUN 99 09:20								
Antimony	ND	2.	mg/kg	10	6010B	06.16.99	A990421ICP	1.2
Arsenic	6.7	0.8	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Barium	110.	1.	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Beryllium	ND	1.	mg/kg	10	6010B	06.16.99	A990421ICP	1,2,3
Cadmium	ND	0.2	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Chromium	57.	1.	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Cobalt	11.	0.4	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Copper	56.	1.	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Lead	210.	0.6	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Mercury	0.6	0.1	mg/kg	5	7471A	06.16.99	A990428MER	2.4
Molybdenum	ND	1.	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Nickel	80.	1.	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Selenium	ND	2.	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Silver	ND	0.6	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Thallium	ND	2.	mg/kg	10	6010B	06.16.99	A990421ICP	1.2
Vanadium	42.	0.4	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Zinc	150.	4.	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Asbestos	RR		%	1	PLM			5.6

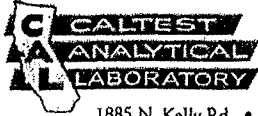
LAB NUMBER: 9906181-2

SAMPLE ID: 2-2 (A & B) 5'6"

SAMPLED: 04 JUN 99 09:40

Antimony	ND	2.	mg/kg	10	6010B	06.16.99	A990421ICP	1.2
Arsenic	4.7	0.8	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Barium	84.	1.	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Beryllium	ND	1.	mg/kg	10	6010B	06.16.99	A990421ICP	1,2,3
Cadmium	ND	0.2	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Chromium	51.	1.	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Cobalt	10.	0.4	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Copper	41.	1.	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Lead	89.	0.6	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Mercury	1.2	0.2	mg/kg	10	7471A	06.16.99	A990428MER	2.4
Molybdenum	ND	1.	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Nickel	55.	1.	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Selenium	ND	2.	mg/kg	10	6010B	06.15.99	A990421ICP	1.2

- 1) Sample Preparation on 06-14-99 using 3050B
- 2) Result expressed as wet weight of sample.
- 3) The Reporting Limit (R.L.) was raised due to background interference noted in the sample.
- 4) Sample Preparation on 06-15-99 using 7471A
- 5) Analysis performed by EMSL Analytical, ELAP certification # 1620.
- 6) Refer to the attached reference laboratory report for the original certificate of analysis and supporting Quality Control data.



1885 N. Kelly Rd. • Napa, California 94558

CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

(707) 258-4000 • Fax: (707) 226-1001

LAB ORDER No.:

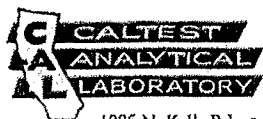
9906-181

INORGANIC ANALYTICAL RESULTS

Page 3 of 6

<u>ANALYTE</u>	<u>RESULT</u>	<u>R.L.</u>	<u>UNITS</u>	<u>D.F.</u>	<u>METHOD</u>	<u>ANALYZED</u>	<u>QC BATCH</u>	<u>NOTES</u>
LAB NUMBER: 9906181-2 (continued)								
Silver	ND	0.6	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Thallium	ND	2.	mg/kg	10	6010B	06.16.99	A990421ICP	1.2
Vanadium	45.	0.4	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Zinc	100.	4.	mg/kg	10	6010B	06.15.99	A990421ICP	1.2
Asbestos	RR		%	1	PLM			3.4

- 1) Sample Preparation on 06-14-99 using 3050B
- 2) Result expressed as wet weight of sample.
- 3) Analysis performed by EMSL Analytical, ELAP certification # 1620.
- 4) Refer to the attached reference laboratory report for the original certificate of analysis and supporting Quality Control data.



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CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

LAB ORDER No.: 9906-181

Page 4 of 6

ORGANIC ANALYTICAL RESULTS

ANALYTE	RESULT	R.L.	UNITS	D.F.	ANALYZED	QC BATCH	NOTES
LAB NUMBER: 9906181-1							
SAMPLE ID: 2-1 (A & B) 3'6"							
SAMPLED: 04 JUN 99 09:20							
METHOD: EPA 8082							
POLYCHLORINATED BIPHENYLS (PCBS)				1	06.19.99	T9901510CP	1,2,3
PCB 1016	ND	0.1	mg/kg				
PCB 1221	ND	0.1	mg/kg				
PCB 1232	ND	0.1	mg/kg				
PCB 1242	ND	0.1	mg/kg				
PCB 1248	ND	0.1	mg/kg				
PCB 1254	ND	0.1	mg/kg				
PCB 1260	ND	0.1	mg/kg				
Surrogate TCMX	94.		%				
Surrogate Decachlorobiphenyl	103.		%				

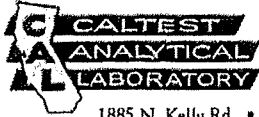
LAB NUMBER: 9906181-1 (continued)
 SAMPLE ID: 2-1 (A & B) 3'6"
 SAMPLED: 04 JUN 99 09:20
 METHOD: EPA 8015M

TOTAL SEMI-VOLATILE PETROLEUM HYDROCARBONS				1	06.18.99	T990148TPH	2,4,5
Diesel Fuel	ND	4.	mg/Kg				
TPH-Extractable, quantitated as diesel	14.	4.	mg/Kg				
Surrogate o-Terphenyl	85.		%				

LAB NUMBER: 9906181-1 (continued)
 SAMPLE ID: 2-1 (A & B) 3'6"
 SAMPLED: 04 JUN 99 09:20
 METHOD: EPA 8020A

AROMATIC HYDROCARBONS				1	06.09.99	V990064G9A	2,6
Benzene	ND	0.0025	mg/kg				
Toluene	ND	0.0025	mg/kg				
Ethylbenzene	ND	0.0025	mg/kg				
Xylenes (Total)	ND	0.0025	mg/kg				

- 1) Sample Preparation on 06-15-99 using EPA 3550
- 2) Result expressed as wet weight of sample.
- 3) The final volume of the sample extract was higher than the nominal amount, resulting in (a) higher reporting limit(s).
- 4) Sample Preparation on 06-11-99 using EPA 3550
- 5) An unidentified petroleum hydrocarbon was present in the sample. An approximate concentration has been calculated based on Diesel #2 standards.
- 6) Sample Preparation on 06-09-99 using EPA 5030



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(707) 258-4000 • Fax: (707) 226-1001

CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

LAB ORDER No.:

9906-181

Page 5 of 6

ORGANIC ANALYTICAL RESULTS

<u>ANALYTE</u>	<u>RESULT</u>	<u>R.L.</u>	<u>UNITS</u>	<u>D.F.</u>	<u>ANALYZED</u>	<u>QC BATCH</u>	<u>NOTES</u>
----------------	---------------	-------------	--------------	-------------	-----------------	-----------------	--------------

LAB NUMBER: 9906181-1 (continued)
 SAMPLE ID: 2-1 (A & B) 3'6"
 SAMPLED: 04 JUN 99 09:20
 METHOD: EPA 8020A

AROMATIC HYDROCARBONS (continued)				1	06.09.99	V990064G9A	
Surrogate 4-Bromofluorobenzene [PID]	106.		%				

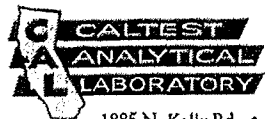
LAB NUMBER: 9906181-2
 SAMPLE ID: 2-2 (A & B) 5'6"
 SAMPLED: 04 JUN 99 09:40
 METHOD: EPA 8082

POLYCHLORINATED BIPHENYLS (PCBS)				1	06.19.99	T9901510CP	1,2
PCB 1016	ND	0.02	mg/kg				
PCB 1221	ND	0.02	mg/kg				
PCB 1232	ND	0.02	mg/kg				
PCB 1242	ND	0.02	mg/kg				
PCB 1248	ND	0.02	mg/kg				
PCB 1254	ND	0.02	mg/kg				
PCB 1260	ND	0.02	mg/kg				
Surrogate TCMX	87.		%				
Surrogate Decachlorobiphenyl	100.		%				

LAB NUMBER: 9906181-2 (continued)
 SAMPLE ID: 2-2 (A & B) 5'6"
 SAMPLED: 04 JUN 99 09:40
 METHOD: EPA 8015M

TOTAL SEMI-VOLATILE PETROLEUM HYDROCARBONS				1	06.18.99	T990148TPH	2,3,4
Diesel Fuel	ND	4.	mg/Kg				
TPH-Extractable, quantitated as diesel	59.	4.	mg/Kg				
Surrogate o-Terphenyl	94.		%				

- 1) Sample Preparation on 06-15-99 using EPA 3550
- 2) Result expressed as wet weight of sample.
- 3) Sample Preparation on 06-11-99 using EPA 3550
- 4) An unidentified petroleum hydrocarbon was present in the sample. An approximate concentration has been calculated based on Diesel #2 standards.



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ORGANIC ANALYTICAL RESULTS

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<u>ANALYTE</u>	<u>RESULT</u>	<u>R.L.</u>	<u>UNITS</u>	<u>D.F.</u>	<u>ANALYZED</u>	<u>QC BATCH</u>	<u>NOTES</u>
----------------	---------------	-------------	--------------	-------------	-----------------	-----------------	--------------

LAB NUMBER: 9906181-2 (continued)
SAMPLE ID: 2-2 (A & B) 5'6"
SAMPLED: 04 JUN 99 09:40
METHOD: EPA 8020A

AROMATIC HYDROCARBONS

Benzene	ND	0.0025	mg/kg	1	06.09.99	V990064G9A	1.2
Toluene	ND	0.0025	mg/kg				
Ethylbenzene	ND	0.0025	mg/kg				
Xylenes (Total)	ND	0.0025	mg/kg				
Surrogate 4-Bromofluorobenzene [PID]	110.		%				

- 1) Sample Preparation on 06-09-99 using EPA 5030
- 2) Result expressed as wet weight of sample.

EMSL Analytical, Inc.

382 South Abbott Avenue
Milpitas, CA 95035

Phone: (408) 934-7010 Fax: (408) 934-7015



Attn.: Todd Albertson
Caltest Analytical Laboratory
1885 N. Kelly Road
Napa, CA 94558

Tuesday, June 15, 1999

Ref Number: CA993492

POLARIZED LIGHT MICROSCOPY (PLM)

Performed by EPA 600/R-93/116 Method*

Project: 9906181

Sample	Location	Appearance	Sample Treatment	ASBESTOS		NON-ASBESTOS	
				%	Type	%	Fibrous % Non-Fibrous
9906181-1	2-1 (A & B) 3' 6"	Black Non-Fibrous Homogeneous	Crushed	None Detected		25% Quartz 75% Other	
9906181-2	2-2 (A & B) 3' 6"	Black Non-Fibrous Homogeneous	Crushed	None Detected		25% Quartz 75% Other	

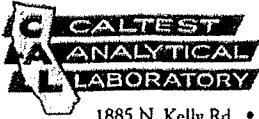
Comments: For all obviously heterogeneous samples easily separated into subsamples, and for layered samples, each component is analyzed separately. Also, '# of Layers' refers to number of separable subsamples.

* NY samples analyzed by ELAP 198.1 Method.


Nonette Patron
Analyst


Approved
Signatory

Disclaimers: PLM has been known to miss asbestos in a small percentage of samples which contain asbestos. Thus negative PLM results cannot be guaranteed. EMSL suggests that samples reported as <1% or none detected be tested with either SEM or TEM. The above test report relates only to the items tested. This report may not be reproduced, except in full, without written approval by EMSL. The above test must not be used by the client to claim product endorsement by NVLAP nor any agency of the United States Government. Laboratory is not responsible for the accuracy of results when requested to physically separate and analyze layered samples.



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CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

LAB ORDER No.: 9906-181
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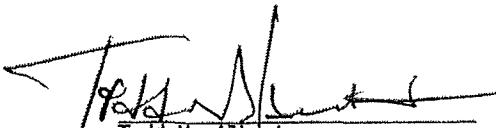
SUPPLEMENTAL QUALITY CONTROL (QC) DATA REPORT


Report Date: 25 JUN 1999
Received Date: 07 JUN 1999

Client: Eddy T. Lau, P.E.
Trans Pacific GeoTechnical
445 Grant Avenue, Suite 403
San Francisco, CA 94108

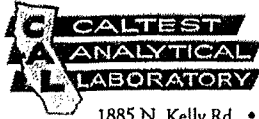
Project: 1535-001 RUSSIAN SPA

<u>QC Batch ID</u>	<u>Method</u>	<u>Matrix</u>
A990421ICP	6010B	SOIL
A990428MER	7471A	SOIL
T990148TPH	8015M	SOIL
T9901510CP	8082	SOIL
V990064G9A	8020A	SOIL


Todd M. Albertson
Project Manager


Christine Horn
Laboratory Director

CALTEST authorizes this report to be reproduced only in its entirety.
Results are specific to the sample as submitted and only to the parameters reported.
All analyses performed by EPA Methods or Standard Methods (SM) 18th Ed. except where noted.
Results of 'ND' mean not detected at or above the listed Reporting Limit (R.L.).
Analyte Spike Amounts reported as 'NS' mean not spiked and will not have recoveries reported.
'RPD' means Relative Percent Difference and RPD Acceptance Criteria is stated as a maximum.
'NC' means not calculated for RPD or Spike Recoveries.



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LAB ORDER No.:

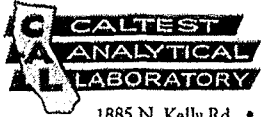
9906-181

METHOD BLANK ANALYTICAL RESULTS

Page 2 of 6

<u>ANALYTE</u>	<u>RESULT</u>	<u>R.L.</u>	<u>UNITS</u>	<u>ANALYZED</u>	<u>NOTES</u>
QC BATCH: A990421ICP					
Antimony	ND	2.	mg/kg	06.16.99	
Arsenic	ND	0.8	mg/kg	06.15.99	
Barium	ND	1.	mg/kg	06.15.99	
Beryllium	ND	0.2	mg/kg	06.16.99	
Cadmium	ND	0.2	mg/kg	06.15.99	
Chromium	ND	1.	mg/kg	06.15.99	
Cobalt	ND	0.4	mg/kg	06.15.99	
Copper	ND	1.	mg/kg	06.15.99	
Lead	ND	0.6	mg/kg	06.15.99	
Molybdenum	ND	1.	mg/kg	06.15.99	
Nickel	ND	1.	mg/kg	06.15.99	
Selenium	ND	2.	mg/kg	06.15.99	
Silver	ND	0.6	mg/kg	06.15.99	
Thallium	ND	2.	mg/kg	06.16.99	
Vanadium	ND	0.4	mg/kg	06.15.99	
Zinc	4.45	4.	mg/kg	06.15.99	1
QC BATCH: A990428MER					
Mercury, TTLC	ND	0.01	mg/kg	06.16.99	
QC BATCH: T990148TPH					
TOTAL SEMI-VOLATILE PETROLEUM HYDROCARBONS				06.18.99	
Diesel Fuel	ND	4.	mg/Kg		
TPH-Extractable, quantitated as diesel	ND	4.	mg/Kg		
Surrogate o-Terphenyl	97.		%		
QC BATCH: T9901510CP					
POLYCHLORINATED BIPHENYLS (PCBS)				06.19.99	
PCB 1016	ND	0.02	mg/kg		
PCB 1221	ND	0.02	mg/kg		
PCB 1232	ND	0.02	mg/kg		
PCB 1242	ND	0.02	mg/kg		
PCB 1248	ND	0.02	mg/kg		
PCB 1254	ND	0.02	mg/kg		
PCB 1260	ND	0.02	mg/kg		
Surrogate TCMX	59.		%		
Surrogate Decachlorobiphenyl	142.		%		

1) Low level contamination noted in the Method Blank; sample results less than the RL or greater than 10 times the contamination level are reported.



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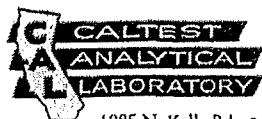
LAB ORDER No. :

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METHOD BLANK ANALYTICAL RESULTS

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<u>ANALYTE</u>	<u>RESULT</u>	<u>R.L.</u>	<u>UNITS</u>	<u>ANALYZED</u>	<u>NOTES</u>
QC BATCH: V990064G9A					
AROMATIC HYDROCARBONS				06.09.99	
Benzene	ND	0.0025	mg/kg		
Toluene	ND	0.0025	mg/kg		
Ethylbenzene	ND	0.0025	mg/kg		
Xylenes (Total)	ND	0.0025	mg/kg		
Methyl tert-Butyl Ether (MTBE)	ND	.125	mg/kg		
Surrogate 4-Bromofluorobenzene [PID]	112.		%		



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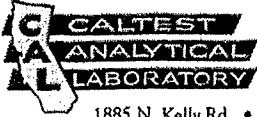
9906-181

LABORATORY CONTROL SAMPLE ANALYTICAL RESULTS

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ANALYTE	SPIKE AMOUNT	SPIKE\DUP RESULT	SPK\DUP %REC	ACCEPTANCE %REC \RPD	REL% DIFF	ANALYZED	NOTES
QC BATCH: A990421ICP							
Antimony	19.8	20.9\	106\	75-125\35		06.16.99	
Arsenic	19.9	21.2\	107\	75-125\35		06.15.99	
Barium	99.6	105.\	105\	75-125\35		06.15.99	
Beryllium	19.8	21.6\	109\	75-125\35		06.16.99	
Cadmium	9.96	10.6\	106\	75-125\35		06.15.99	
Chromium	19.9	21.2\	107\	75-125\35		06.15.99	
Cobalt	19.9	20.4\	103\	75-125\35		06.15.99	
Copper	19.9	20.8\	105\	75-125\35		06.15.99	
Lead	99.6	106.\	106\	75-125\35		06.15.99	
Molybdenum	19.9	21.1\	106\	75-125\35		06.15.99	
Nickel	19.9	20.3\	102\	75-125\35		06.15.99	
Selenium	19.9	20.7\	104\	75-125\35		06.15.99	
Silver	19.9	20.3\	102\	75-125\35		06.15.99	
Thallium	99.2	104.\	105\	75-125\35		06.16.99	
Vanadium	19.9	20.8\	105\	75-125\35		06.15.99	
Zinc	99.6	108.\	108\	75-125\35		06.15.99	
QC BATCH: A990428MER							
Mercury, TTLC	0.200	0.229\	114\	75-125\35		06.16.99	
QC BATCH: T990148TPH							
TOTAL SEMI-VOLATILE PETROLEUM HYDROCARBONS						06.18.99	
Diesel Fuel	66.7	58.6\	88\	59-134\			
Surrogate o-Terphenyl	6.7	7.40\	110\	60-111\			
QC BATCH: T9901510CP							
POLYCHLORINATED BIPHENYLS (PCBS)						06.25.99	
PCB 1260	0.133	0.166\	125\	70-130\			
Surrogate TCMX	0.0133	0.0125\	94\	13-147\			
Surrogate Decachlorobiphenyl	0.0133	0.0158\	119\	23-167\			
QC BATCH: V990064G9A							
AROMATIC HYDROCARBONS						06.09.99	
Benzene	0.033	0.0450\	136\	79-134\			
Toluene	0.195	0.227\	116\	56-140\			
Surrogate 4-Bromofluorobenzene [PID]	0.100	0.113\	113\	72-123\			

06.18.99



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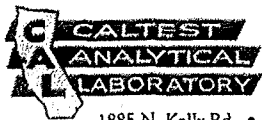
9906-181

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MATRIX SPIKE ANALYTICAL RESULTS

ANALYTE	ORIGINAL RESULT	SPIKE AMOUNT	SPIKE\DUP RESULT	SPK\DUP %REC	ACCEPTANCE %REC \RPD	REL% DIFF	ANALYZED	NOTES
QC BATCH: A990421ICP QC SAMPLE LAB NUMBER: 9906181-1								
Antimony QC BATCH: A990421ICP (continued) QC SAMPLE LAB NUMBER: 9906181-1	ND	19.8	18.0\19.0	91\96	75-125\35	5.4	06.16.99	
Arsenic QC BATCH: A990421ICP (continued) QC SAMPLE LAB NUMBER: 9906181-1	6.67	19.9	26.3\25.9	98\96	75-125\35	1.5	06.15.99	
Barium QC BATCH: A990421ICP (continued) QC SAMPLE LAB NUMBER: 9906181-1	111.	99.6	207.\209.	96\98	75-125\35	1	06.15.99	
Beryllium QC BATCH: A990421ICP (continued) QC SAMPLE LAB NUMBER: 9906181-1	ND	19.8	19.2\19.1	97\96	75-125\35	0.5	06.16.99	
Cadmium QC BATCH: A990421ICP (continued) QC SAMPLE LAB NUMBER: 9906181-1	ND	9.96	9.61\9.53	96\96	75-125\35	0.8	06.15.99	
Chromium QC BATCH: A990421ICP (continued) QC SAMPLE LAB NUMBER: 9906181-1	57.2	19.9	67.8\64.5	53\37	75-125\35	5.0	06.15.99	1
Cobalt QC BATCH: A990421ICP (continued) QC SAMPLE LAB NUMBER: 9906181-1	10.9	19.9	28.8\28.7	90\89	75-125\35	0.4	06.15.99	
Copper QC BATCH: A990421ICP (continued) QC SAMPLE LAB NUMBER: 9906181-1	55.8	19.9	72.0\66.5	81\54	75-125\35	7.9	06.15.99	1
Lead QC BATCH: A990421ICP (continued) QC SAMPLE LAB NUMBER: 9906181-1	211.	99.6	289.\329.	78\118	75-125\35	13.	06.15.99	
Molybdenum QC BATCH: A990421ICP (continued) QC SAMPLE LAB NUMBER: 9906181-1	ND	19.9	20.4\20.3	103\102	75-125\35	0.5	06.15.99	
Nickel	80.3	19.9	83.6\91.5	17\56	75-125\35	9.0	06.15.99	1

1) Spike recovery outside control limits. Spike added less than one half sample concentration. LCS/LCSD and Method Blank are in control.



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LAB ORDER No.:

9906-181

MATRIX SPIKE ANALYTICAL RESULTS

Page 6 of 6

ANALYTE	ORIGINAL RESULT	SPIKE AMOUNT	SPIKE\DUP RESULT	SPK\DUP %REC	ACCEPTANCE %REC \RPD	REL% DIFF	ANALYZED	NOTES
QC BATCH: A990421ICP (continued)								
QC BATCH: A990421ICP (continued)								
QC SAMPLE LAB NUMBER: 9906181-1								
Selenium	ND	19.9	20.3\20.1	102\101	75-125\35	1	06.15.99	
QC BATCH: A990421ICP (continued)								
QC SAMPLE LAB NUMBER: 9906181-1								
Silver	ND	19.9	19.5\19.4	98\97	75-125\35	0.5	06.15.99	
QC BATCH: A990421ICP (continued)								
QC SAMPLE LAB NUMBER: 9906181-1								
Thallium	ND	99.2	97.3\97.2	98\98	75-125\35	0.1	06.16.99	
QC BATCH: A990421ICP (continued)								
QC SAMPLE LAB NUMBER: 9906181-1								
Vanadium	42.1	19.9	61.8\58.8	99\84	75-125\35	5.0	06.15.99	
QC BATCH: A990421ICP (continued)								
QC SAMPLE LAB NUMBER: 9906181-1								
Zinc	154.	99.6	268.\245.	114\91	75-125\35	9.0	06.15.99	
QC BATCH: A990428MER								
QC SAMPLE LAB NUMBER: 9906289-1								
Mercury, TTLC	0.0569	0.200	0.268\0.254	106\98	75-125\35	5.4	06.16.99	
QC BATCH: T990151OCP								
QC SAMPLE LAB NUMBER: 9906181-1								
POLYCHLORINATED BIPHENYLS (PCBS)								06.19.99
PCB 1260	ND	0.133	0.121\0.124	91\93	70-130\20	2.4		
Surrogate TCMX	94.%	0.0133	0.0112\0.0119	84\89	56-129\			
Surrogate Decachlorobiphenyl	103.%	0.0133	0.0133\0.0135	100\102	19-185\			
QC BATCH: V990064G9A								
QC SAMPLE LAB NUMBER: 9906181-2								
AROMATIC HYDROCARBONS								06.09.99
Benzene	ND	0.033	0.0280\0.0130	85\39	10-179\31	73.		
Toluene	ND	0.195	0.161\0.185	83\95	10-188\14	14.		
Surrogate 4-Bromofluorobenzene [PID]	110.%	0.100	0.106\0.115	106\115	58-143\			



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SAMPLE CHAIN OF CUSTODY

LAB ORD# 9c. 6181
PAGE 1 OF

PROJECT #/ PROJECT NAME
1535-001 Russian Spa

P.O. #

CLIENT: TRANS PACIFIC GEOTECHNICAL CONSULTANTS, INC. - EDDY T. LAU
ADDRESS: 445 GRANT AVENUE SUITE 403, SAN FRANCISCO, CA 94108
CITY: SAN FRANCISCO STATE: CA ZIP: 94108
BILLING ADDRESS: SAA

REPORT TO: EDDY T. LAU
SAMPLER (PRINT & SIGN NAME): Don Fowler / Don Fowler

ANALYSES REQUESTED
SOIL METALS
PCB
BTEX
CAMMET (17)
ASBESTOS
TURN-AROUND TIME
 STANDARD
 RUSH
DUE DATE:

PHONE #: (415) 788-8627 FAX PHONE: (415) 788-321

CALTEST #	DATE SAMPLED	TIME SAMPLED	MATRIX	CONTAINER AMOUNT/TYPE	PRESERVATIVE	SAMPLE IDENTIFICATION SITE	CLIENT LAB #	COMP. OF GRAB	REMARKS
-3	6-4-99	8:30	SOIL	brass tube	ICE	1-1a 3'3"			
↓	6-4-99	8:30		glass jar		1-1b 3'3"			
-4	6-4-99	8:40		brass tube		1-2a 6'6"			Hold until further notice per client 6/17/99
↓	6-4-99	8:40		glass jar		1-2b 6'6"			
-1	6-4-99	9:20		brass tube		2-1a 3'6"			
↓	6-4-99	9:20		glass jar		2-1b 3'6"			
-2	6-4-99	9:40		brass tube		2-2a 3'6"			
↓	6-4-99	9:40		glass jar		2-2b 5'6"			

By submittal of sample(s), client agrees to abide by the Terms and Conditions set forth on the reverse of this document.

RELINQUISHED BY	DATE/TIME	RECEIVED BY	RELINQUISHED BY	DATE/TIME	RECEIVED BY
<u>Don Fowler</u>	<u>6-4-99 11:00</u>	<u>E. Lau</u>	<u>E. Lau</u>	<u>6/4/99 12 NOON</u>	<u>LABORATORY/RETAIN/2/RE</u>
<u>LABORATORY/RETAIN/2/RE</u>	<u>6/7/99 9:30 AM</u>	<u>E. Lau</u>	<u>E. Lau</u>	<u>6/7/99 1106</u>	<u>Todd W. Scott</u>

Samples: WC MICRO BIO AA SV VOA PH7 Y/N TEMP ICE SEALED INTACT

BD: BIO WC AA

CC: AA SV VOA

SIL: HP PT QT VOA

W/ HNO₃ H₂SO₄ NaOH

FIL: HNO₃ H₂SO₄ NaOH HCL

MATRIX: AQ = Aqueous Nondrinking Water, Digested Metals; FE = Low R.L.s, Aqueous Nondrinking Water, Digested Metals; DW = Drinking Water; SL = Soil, Sludge, Solid; FP = Free Product

CONTAINER TYPES: AL = Amber Liter; AHL = 500 ml Amber; PT = Pint (Plastic); QT = Quart (Plastic); HG = Half Gallon (Plastic); SJ = Soil Jar; B4 = 4 oz. BACT; BT = Brass Tube; VOA = 40 mL VOA; OTC = Other Type Container

FOR LABORATORY USE ONLY

YELLOW - CLIENT COPY TO ACCOMPANY FINAL REPORT PINK - CLIENT COPY AS RECEIPT WHITE - LABORATORY

INDIA BASIN NEIGHBORHOOD ASSOCIATION

BOS-1
180841-
080
@16

September 17, 2018

RE: Files: 180841, 180680, 180816

Angela Calvillo, Clerk of the Board
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

2018 SEP 19 PM 2:45

AK

Dear: Ms. Calvillo,

The India Basin Neighborhood Association (IBNA) supports the Build, Inc / India Basin Investment, LLC (Developer) 700 Innes project to revitalize the India Basin community by creating a 21st century village for all San Francisco to enjoy. This support is based on our shared goals:

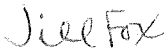
- Comprehensive Planning
- Economic Success
- Environmental Protections
- Transportation Improvements
- Recreation Opportunities

IBNA created the above goals in its 2010 Community Vision for the India Basin waterfront, which is considered a starting document for Developer. IBNA has continued involvement in fashioning this addition to our community by meeting regularly for the last four years to provide input to Developer and participating in the India Basin Parks Task Force.

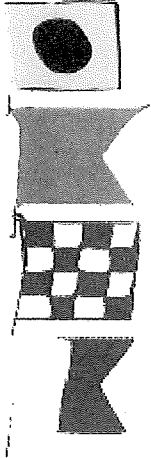
IBNA support of the 700 Innes project is subject to the IBNA Board of Directors' Resolution of May 6, 2017, *Establishing Public Benefit Criteria for Supporting Proposed Height Increases in India Basin Neighborhood*, which established clear guidelines surrounding any proposed building height increases in certain limited situations due to the clear public benefit conferred by a particular development, and not to be precedent setting for the entire neighborhood. It is also subject to the IBNA and Developer agreement signed July 24, 2018, pledging to continue to work together on both interim and permanent community benefits at the 700 Innes project and throughout the neighborhood. Please contact IBNA for document review.

Advocating for our community since 1994, the India Basin Neighborhood Association is a membership organization of residents, local business owners and workers, and friends of the community who support the IBNA mission to "preserve the maritime history, natural beauty, diverse character and unique ambiance of the vibrant mixed-use neighborhood of India Basin through community organizing." IBNA is managed by an all-volunteer Board of Directors elected by members.

IBNA looks forward to welcoming new neighbors. The hope is that the 700 Innes project, together with efforts by various city departments to plan and execute long-needed improvements, will make this a more livable, walkable, safe community where residents and visitors can all enjoy the history, natural beauty, and stunning views – and find the recreation, shopping, transit, city service, education, and entertainment amenities other San Francisco neighborhoods enjoy.


Jill Fox, Chair

PO Box 880953, San Francisco, CA 94188
www.INDIABASIN.org



Advocating for
our community
since 1994

Board of Directors

Jill Fox, Chair
Allen Frazier
Michael Hamman
Sean Karlin
Richard Laufman
Monica Padilla-
Stemmelen

Member, Board of Supervisors
District 4



City and County of San Francisco

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2018
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2018

KATY TANG

DATE: September 17, 2018

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Supervisor Katy Tang
Chairperson, Land Use and Transportation Committee

RE: Land Use and Transportation Committee
COMMITTEE REPORTS

Pursuant to Board Rule 4.20, as Chair of the Land Use and Transportation Committee, I have deemed the following matter is of an urgent nature and request it be considered by the full Board on Tuesday, September 25, 2018, as a Committee Report:

180816 General Plan - India Basin Mixed-Use Project

Ordinance amending the General Plan to revise the Bayview Hunters Point Area Plan, and the Urban Design, Commerce and Industry, and Recreation and Open Space Elements, to reflect the India Basin Mixed-Use Project; adopting findings under the California Environmental Quality Act; and making findings under Planning Code, Section 340, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

180680 Planning Code, Zoning Map - India Basin Special Use District

Ordinance amending the Planning Code to establish the India Basin Special Use District, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline, in the south-east part of San Francisco; amending the Planning Code by amending the Zoning Map to change zoning designations, height districts, and add the India Basin Special Use District; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

180681 Development Agreement - India Basin Investment LLC - India Basin Project - Innes Avenue at Griffith Street

Ordinance approving a Development Agreement between the City and County of San Francisco and India Basin Investment LLC, a California limited liability company, for the India Basin Project at the approximately 28-acre site located at Innes Avenue between Griffith Street and Earl Street, with various public benefits, including 25% affordable housing and 11 acres of parks and open space; making findings under the California Environmental Quality Act and findings of conformity with the General Plan, and with the eight priority policies of Planning

Member, Board of Supervisors
District 4



City and County of San Francisco

KATY TANG

Code, Section 101.1(b); approving a Public Trust Exchange Agreement, making public trust findings, and authorizing the transfer and acceptance of real property and the recording of a land use covenant consistent with the Public Trust Exchange Agreement; approving specific development impact fees and waiving any conflicting provision in Planning Code, Article 4, or Administrative Code, Article 10; confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B, 23, 56, and 82, and Subdivision Code, Section 1348, and ratifying certain actions taken in connection therewith.

These matters will be heard in the Land Use and Transportation Committee at a Regular Meeting on Monday, September 24, 2018, at 1:30 p.m.

A handwritten signature in cursive script that reads "Katy Tang".

Supervisor Katy Tang
Chair, Land Use & Transportation Committee

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

July 30, 2018

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On July 24, 2018, Supervisor Cohen introduced the following substitute legislations:

File No. 180680

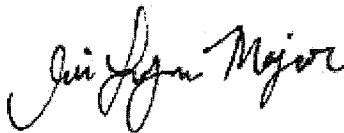
Ordinance amending the Planning Code to establish the India Basin Special Use District, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline, in the south-east part of San Francisco; amending the Planning Code by amending the Zoning Map to change zoning designations, height districts, and add the India Basin Special Use District; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

File No. 180681

Ordinance approving a Development Agreement between the City and County of San Francisco and India Basin Investment LLC, a California limited liability company, for the India Basin Project at the approximately 28-acre site located at Innes Avenue between Griffith Street and Earl Street, with various public benefits, including 25% affordable housing and 11 acres of parks and open space; making findings under the California Environmental Quality Act and findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); approving a Public Trust Exchange Agreement, making public trust findings, and authorizing the transfer and acceptance of real property and the recording of a land use covenant consistent with the Public Trust Exchange Agreement; approving specific development impact fees and waiving any conflicting provision in Planning Code, Article 4, or Administrative Code, Article 10; confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B, 23, 56, and 82 and Subdivision Code, Section 1348, and ratifying certain actions taken in connection therewith.

The proposed ordinances are being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. These ordinances are pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink, appearing to read "Erica Major". The signature is fluid and cursive, written over a light gray circular stamp.

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

- c: John Rahaim, Director of Planning
- Aaron Starr, Manager of Legislative Affairs
- AnMarie Rodgers, Director of Citywide Planning
- Scott Sanchez, Zoning Administrator
- Lisa Gibson, Environmental Review Officer
- Joy Navarrete, Environmental Planning
- Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

July 30, 2018

File Nos. 180680 & 180681

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On July 24, 2018, Supervisor Cohen introduced the following substitute legislations:

File No. 180680

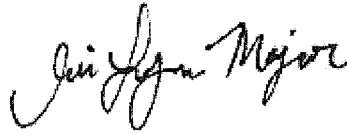
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These are being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink, appearing to read "Erica Major". The signature is written in a cursive, flowing style.

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Small Business Commission, City Hall, Room 448

FROM: Erica Major, Assistant Clerk
Land Use and Transportation Committee

DATE: July 30, 2018

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following legislations, which are being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 180680

Ordinance amending the Planning Code to establish the India Basin Special Use District, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline, in the south-east part of San Francisco; amending the Planning Code by amending the Zoning Map to change zoning designations, height districts, and add the India Basin Special Use District; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

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Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

_____ **No Comment**

_____ **Recommendation Attached**

Chairperson, Small Business Commission

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Mohammed Nuru, Director, Public Works
Harlan Kelly, Jr., General Manager, Public Utilities Commission
Phil Ginsburg, General Manager, Recreation and Park Department

FROM: Erica Major, Assistant Clerk
Land Use and Transportation Committee

DATE: July 30, 2018

SUBJECT: SUBSTITUTE LEGISLATIONS INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed substitute legislations, introduced by Supervisor Cohen on July 24, 2018:

File No. 180680

Ordinance amending the Planning Code to establish the India Basin Special Use District, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline, in the south-east part of San Francisco; amending the Planning Code by amending the Zoning Map to change zoning designations, height districts, and add the India Basin Special Use District; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

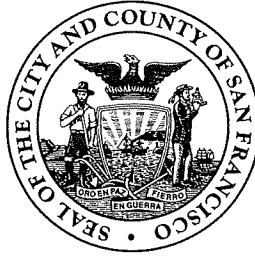
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Ordinance approving a Development Agreement between the City and County of San Francisco and India Basin Investment LLC, a California limited liability company, for the India Basin Project at the approximately 28-acre site located at Innes Avenue between Griffith Street and Earl Street, with various public benefits, including 25% affordable housing and 11 acres of parks and open space; making findings under the California Environmental Quality Act and findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); approving a Public Trust Exchange Agreement, making public trust findings, and authorizing the transfer and acceptance of real property and the recording of a land use covenant consistent with the Public Trust Exchange Agreement; approving specific development impact fees and waiving any conflicting provision in Planning Code, Article 4, or Administrative Code, Article 10; confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B, 23, 56, and 82 and Subdivision Code, Section 1348, and ratifying certain actions taken in connection therewith.

If you have comments or reports to be included with the files, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: Erica.Major@sfgov.org.

- c: David Steinberg, Public Works
- Jeremy Spitz, Public Works
- Jennifer Blot, Public Works
- John Thomas, Public Works
- Lena Liu, Public Works
- Juliet Ellis, Public Utilities Commission
- Donna Hood, Public Utilities Commission
- John Scarpulla, Public Utilities Commission
- Christopher Whitmore, Public Utilities Commission
- Sarah Madland, Recreation and Park Department

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

July 3, 2018

File Nos. 180680 & 180681

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On June 26, 2018, Supervisor Cohen introduced the following proposed legislations:

File No. 180680

Ordinance amending the Planning Code to establish the India Basin Special Use District, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline, in the south-east part of San Francisco; amending the Planning Code by amending the Zoning Map to change zoning designations, height districts, and add the India Basin Special Use District; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

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findings, and authorizing the transfer and acceptance of real property and the recording of a land use covenant consistent with the Public Trust Exchange Agreement; approving specific development impact fees and waiving any conflicting provision in Planning Code, Article 4, or Administrative Code, Article 10; confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B, 23, 56, and 82 and Subdivision Code, Section 1348, and ratifying certain actions taken in connection therewith.

These legislations are being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

for  By: Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

July 3, 2018

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On June 26, 2018, Supervisor Cohen introduced the following legislations:

File No. 180680

Ordinance amending the Planning Code to establish the India Basin Special Use District, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline, in the south-east part of San Francisco; amending the Planning Code by amending the Zoning Map to change zoning designations, height districts, and add the India Basin Special Use District; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

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The proposed ordinances are being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. These ordinances are pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

for By:  Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

- c: John Rahaim, Director of Planning
- Aaron Starr, Manager of Legislative Affairs
- AnMarie Rodgers, Director of Citywide Planning
- Scott Sanchez, Zoning Administrator
- Lisa Gibson, Environmental Review Officer
- Joy Navarrete, Environmental Planning
- Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



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San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Small Business Commission, City Hall, Room 448

FROM: *Al*
fn Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

DATE: July 3, 2018

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following legislations, which are being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 180680

Ordinance amending the Planning Code to establish the India Basin Special Use District, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline, in the south-east part of San Francisco; amending the Planning Code by amending the Zoning Map to change zoning designations, height districts, and add the India Basin Special Use District; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

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Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

No Comment

Recommendation Attached

Chairperson, Small Business Commission

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Mohammed Nuru, Director, Public Works
Harlan Kelly, Jr., General Manager, Public Utilities Commission
Phil Ginsburg, General Manager, Recreation and Park Department

FROM: *AL*
for Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

DATE: July 3, 2018

SUBJECT: LEGISLATIONS INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislations, introduced by Supervisor Cohen on June 26, 2018:

File No. 180680

Ordinance amending the Planning Code to establish the India Basin Special Use District, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline, in the south-east part of San Francisco; amending the Planning Code by amending the Zoning Map to change zoning designations, height districts, and add the India Basin Special Use District; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

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If you have comments or reports to be included with the files, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: alisa.somera@sfgov.org.

- c: David Steinberg, Public Works
- Jeremy Spitz, Public Works
- Jennifer Blot, Public Works
- John Thomas, Public Works
- Lena Liu, Public Works
- Juliet Ellis, Public Utilities Commission
- Donna Hood, Public Utilities Commission
- John Scarpulla, Public Utilities Commission
- Christopher Whitmore, Public Utilities Commission
- Sarah Madland, Recreation and Park Department

BOARD of SUPERVISORS



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Tel. No. 554-5184
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TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposals and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Monday, September 17, 2018

Time: 1:30 p.m.

Location: Legislative Chamber, Room 250, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: **File No. 180680.** Ordinance amending the Planning Code to establish the India Basin Special Use District, located generally at Innes Avenue between Griffith Street and Earl Street, along the India Basin shoreline, in the south-east part of San Francisco; amending the Planning Code by amending the Zoning Map to change zoning designations, height districts, and add the India Basin Special Use District; and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

File No. 180816. Ordinance amending the General Plan to revise the Bayview Hunters Point Area Plan, and the Urban Design, Commerce and Industry, and Recreation and Open Space Elements, to reflect the India Basin Mixed-Use Project; adopting findings under the California Environmental Quality Act; and making findings under Planning Code, Section 340, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record on these matters, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to these matters are available in the Office of the Clerk of the Board. Agenda information relating to these matters will be available for public review on Friday, September 14, 2018.

A handwritten signature in blue ink, appearing to read "Angela Calvillo".

Angela Calvillo, Clerk of the Board

DATED/PUBLISHED/MAILED/POSTED: September 7, 2018



PUBLIC NOTICES

San Mateo County: 650-556-1556
E-mail: smlegals@sfmtediaco.com

San Francisco: 415-314-1835
E-mail: sflegals@sftmediaco.com

SAN FRANCISCO EXAMINER • DALY CITY INDEPENDENT • SAN MATEO WEEKLY • REDWOOD CITY TRIBUNE • ENQUIRER-BULLETIN • FOSTER CITY PROGRESS • MILLBRAE • SAN BRUNO SUN • BOUTIQUE & VILLAGER

GOVERNMENT

CHAMBER, ROOM 250
1 DR. CARLTON ST.
GOODLETT PLACE, SAN FRANCISCO, CA

The agenda packet and legislative files are available at www.sfbos.org, in Rm 244 at the address listed above, or by calling (415) 554-5184.

CITATION
SUPERIOR COURT FOR THE STATE OF CALIFORNIA FOR THE CITY AND COUNTY OF SAN FRANCISCO

UNITED FAMILY COURT
Case Number: JD15-3083
In the Matter of: J.J.J., A Minor

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposals and said public hearing will be held as follows, which time all interested parties may attend and be heard: File No. 180680, Ordinance amending the Planning Code to establish the India Basin Special Use District, located generally at Street and East Street, along the India Basin shoreline, in the south-east part of San Francisco, amending the Zoning Map to change zoning designations, height districts, and add the India Basin Special Use District, and making findings under the California Environmental Quality Act, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302. File No. 180816, Ordinance amending the General Plan to revise the Bayview Hunters Point Area Plan, and the Urban Design, Commerce and Industry, and Recreation and Open Space Elements, to reflect the India Basin Mixed-Use Project, adopting findings under the California Environmental Quality Act, and making findings under Planning Code, Section 340, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, in accordance with Administrative Code, Section 67-7.1, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record on these matters, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to these matters are available in the Office of the Clerk of the Board, Agenda Information relating to this matter will be available for public review on Friday, September 14, 2018, Angela Calillo, Clerk of the Board.

BY ORDER OF THIS COURT, you are hereby cited and required to appear before this Court on the day of November 14, 2018 at 8:45 a.m., at the Juvenile Dependency Court, 400 McAllister Street, Room 406, San Francisco, California, then and there to show cause, if any you have, why said minor(s) should not be declared free from the custody and control of his parent(s). This proceeding is for the purpose of developing a permanent plan for the child(ren), which could include adoption.

If you appear on the above-mentioned date in the above-mentioned courtroom, the judge will advise you of the nature of the proceedings, the procedures, and possible consequences of the entitled parent(s) of the child(ren) if the minor(s) have the right to have an attorney present and, if the parent(s) cannot afford an attorney, the Court will appoint an attorney for the parent(s). Date: August 14, 2018
CAT VALDEZ, Legal Assistant for Petitioner, Department of Human Services (415) 554-3835
By: DAMON CARTER, Deputy Clerk.

FICTITIOUS BUSINESS NAMES

FICTITIOUS BUSINESS NAME STATEMENT
File No. A-038291-00

Fictitious Business Name(s): Microbiz Security Company, 444 Jessie Street SF CA 94103, County of SF Registered Owner(s): Microbiz Service Company (CA) 444 Jessie St, San Francisco, CA 94103 The business is conducted by: A Corporation The registrant commenced to transact business under the fictitious business name or names listed above on 8-29-2018 I declare that all information in this statement is true and correct.

correct. (A registrant who declares as true any material matter pursuant to Section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000).) S/ David Chilton CFO-Owner Microbiz Service Company This statement was filed with the San Francisco County Clerk on August 23, 2018

FICTITIOUS BUSINESS NAME STATEMENT
File No. A-038277-00

Fictitious Business Name(s): Boombot Collective, 536 Leavenworth St. Apt. 1002, San Francisco, CA 94109, County of San Francisco Registered Owner(s): Jordan Jakusz, 8184 Terrace Dr., El Cerrito, CA 94530 Carlos Garcia, 536 Leavenworth St. Apt. 1002, San Francisco, CA 94109 Alex Fleming, 460 Lyon St. Apt. 6, San Francisco, CA 94117 The business is conducted by: a general partnership The registrant commenced to transact business under the fictitious business name or names listed above on N/A I declare that all information in this statement is true and correct. (A registrant who declares as true any material matter pursuant to Section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000).) S/ Carlos Castillo This statement was filed with the San Francisco County Clerk on August 23, 2018

FICTITIOUS BUSINESS NAME STATEMENT
File No. A-038290-00

Fictitious Business Name(s): House of Nanking, 919 Kearny St., SF CA 94133, County of San Francisco Registered Owner(s): House of Nanking LLC (CA) 919 Kearny St., SF CA 94133 The business is conducted by: A Limited Liability Company The registrant commenced to transact business under the fictitious business name or names listed above on 9/1/89 I declare that all information in this statement is true and correct. (A registrant who declares as true any material matter pursuant to Section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000).) S/ Kathy Fang, Represtative/ Manager House of Nanking LLC This statement was filed with the San Francisco County Clerk on August 23, 2018

FICTITIOUS BUSINESS NAME STATEMENT
File No. A-038299-00

Fictitious Business Name(s): Bema Reporting, 553 Laidley Street, San Francisco, CA 94131-3039, County of S.F. Registered Owner(s): Laverne Viat, 553 Laidley St, San Francisco, CA 94131-3039 The business is conducted by: an individual The registrant commenced to transact business under the fictitious business name or names listed above on 12/5/09 I declare that all information in this statement is true and correct. (A registrant who declares as true any material matter pursuant to Section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000).) S/ Laverne Viat This statement was filed with the San Francisco County Clerk on August 23, 2018

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FICTITIOUS BUSINESS NAME STATEMENT
File No. A-038279-00

Fictitious Business Name(s): Ethan Michael Strong Photography, 352 Divisadero St., San Francisco, CA 94117, County of San Francisco Registered Owner(s): Ethan Strong, 352 Divisadero Street, San Francisco, CA 94117 The business is conducted by: an individual The registrant commenced to transact business under the fictitious business name or names listed above on 8/23/2018 I declare that all information in this statement is true and correct. (A registrant who declares as true any material matter pursuant to Section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000).) S/ Ethan Strong This statement was filed with the San Francisco County Clerk on August 23, 2018

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FICTITIOUS BUSINESS NAME STATEMENT
File No. A-0382808-00

Fictitious Business Name(s): Frisco Tattooing, 3424 25th Street, 94110, County of San Francisco Registered Owner(s): Natalie Phillips, 2051 Clinton Ave. W., Alameda, CA 94501 The business is conducted by: an individual The registrant commenced to transact business under the fictitious business name or names listed above on 8/8/18 I declare that all information in this statement is true and correct. (A registrant who declares as true any material matter pursuant to Section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000).) S/ Natalie Phillips This statement was filed with the San Francisco County Clerk on August 24, 2018

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FICTITIOUS BUSINESS NAME STATEMENT
File No. A-038272-00

Fictitious Business Name(s): (1) The Chestnut Group, (2) CP Ennesgram Academy, 235 Shrader St. #1, San Francisco, CA 94117, County of San Francisco Registered Owner(s): Beatrice Chestnut, 235 Shrader Street #1, San Francisco, CA 94117 The business is conducted by: an individual The registrant commenced to transact business under the fictitious business name or names listed above on August 15, 2018 I declare that all information in this statement is true and correct. (A registrant who declares as true any material matter pursuant to Section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000).) S/ Beatrice Chestnut This statement was filed with the San Francisco County Clerk on August 15, 2018

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Management Branch
9838 Old Placerville Road, Suite B
Sacramento, CA 95827
Attention: Mark Elliott

Submission Deadline:
September 21, 2018 before 3:00 P.M.

SOOs are required to meet certain specifications as outlined in the RFQ. Interested firms may obtain a copy of the RFQ by downloading it from the internet at www.caeprocure.ca.gov.

All questions regarding this RFQ shall be emailed directly to Denise Dubé at denise.dube@cdor.ca.gov no later than September 7, 2018 before 3:00 P.M.

California Department of Corrections and Rehabilitation

831, 9/7/18
CNS-3169225#
SAN FRANCISCO EXAMINER

CAHILL CONTRACTORS
LLC requests bids from Certified SBE Subcontractors and Suppliers for the following select DESIGN BUILD TRADES ONLY:

Fire Sprinklers / Solar Hot Water
735 DAVIS - DESIGN BUILD BID - SELECT TRADES

735 Davis St, San Francisco, CA 94111 This is a SFCMD project with construction workforce and prevailing wage requirements. BID DATE: 9/20/18 @ 2 PM Voluntary Pre-bid Meeting: TBD

BID DOCUMENTS: Please contact Colby for access to documents on BuildingConnected. CONTACT: Colby Smith at estimating@cahill-sf.com, (415) 677-0611.

824, 8/31, 9/7, 9/14/18
CNS-316735#
SAN FRANCISCO EXAMINER

CAHILL CONTRACTORS
LLC requests bids from Certified SBE Subcontractors and Suppliers for the following select DESIGN BUILD TRADES ONLY:

Fire Sprinklers / Solar Hot Water
88 BROADWAY - DESIGN BUILD BID - SELECT TRADES

88 Broadway, San Francisco, CA 94111 This is a SFCMD project with construction workforce and prevailing wage requirements. BID DATE: 9/20/18 @ 2 PM Voluntary Pre-bid Meeting: TBD

BID DOCUMENTS: Please contact Colby for access to documents on BuildingConnected. CONTACT: Colby Smith at estimating@cahill-sf.com, (415) 677-0611.

824, 8/31, 9/7, 9/14/18
CNS-316734#
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824, 8/31, 9/7, 9/14/18
CNS-316734#
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824, 8/31, 9/7, 9/14/18
CNS-316734#
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824, 8/31, 9/7, 9/14/18
CNS-316734#
SAN FRANCISCO EXAMINER

To be considered for selection, firms must submit their Statement of Qualifications (SOQ) as prescribed in the Request for Qualifications (RFQ) to:

California Department of Corrections and Rehabilitation

Facility Planning, Construction and Management Division

Facilities Asset

Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2018 JUL 24 PM 4:15

BY B Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Malia Cohen

Subject:

Planning code, zoning map - India Basin Special Use District

The text is listed:

Ordinance amending the planning code to establish the India Basin Special Use District along the India Basin shoreline

Signature of Sponsoring Supervisor:

Malia Cohen

For Clerk's Use Only

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2018 JUN 26 PM 3:04
Time stamp

BY MA or meeting date

I hereby submit the following item for introduction (select only one):

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Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:



For Clerk's Use Only