Buried Problems and a Buried Process

The Hunters Point Naval Shipyard in a Time of Climate Change

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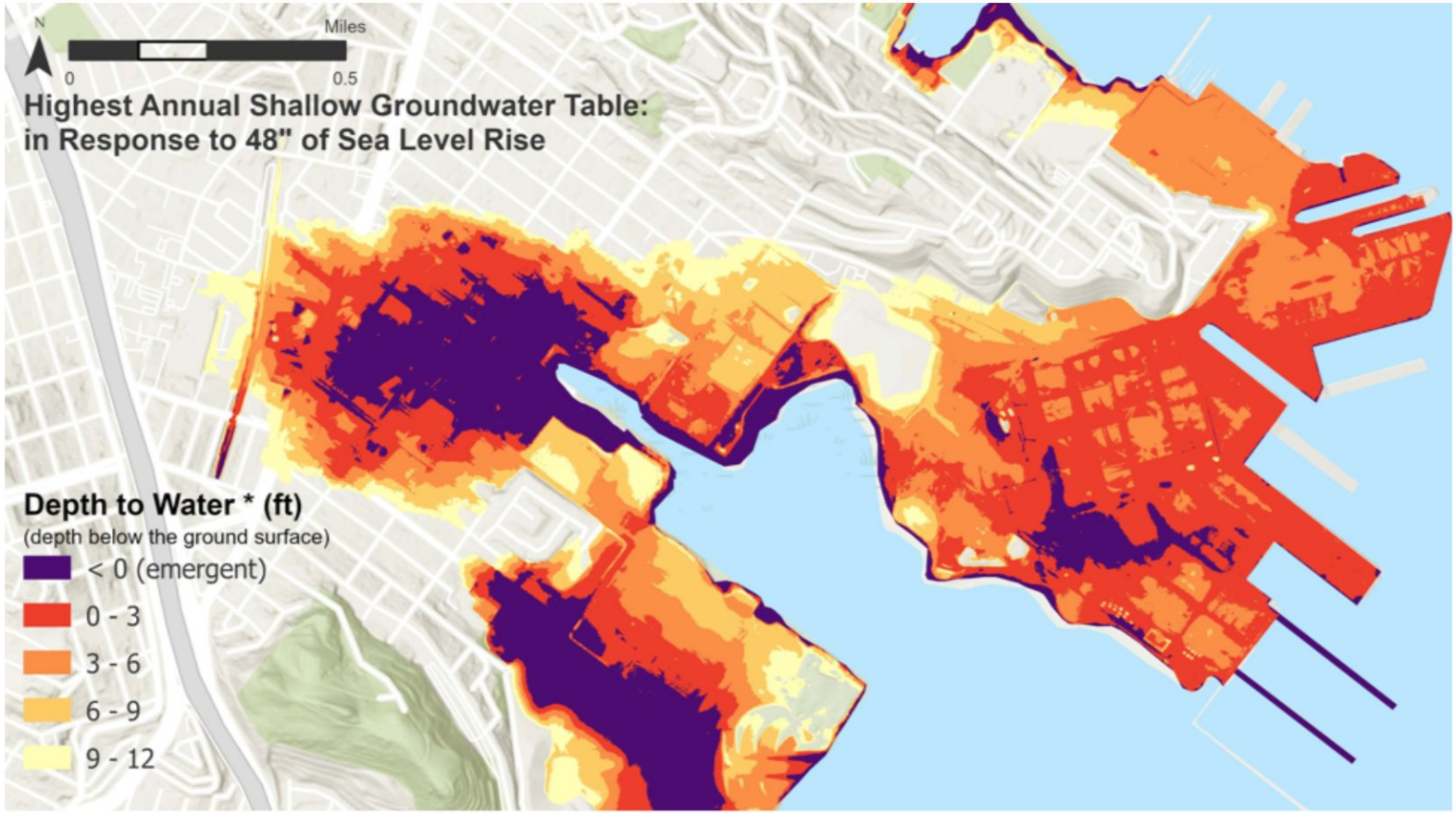
San Francisco Civil Grand Jury 2021-2022

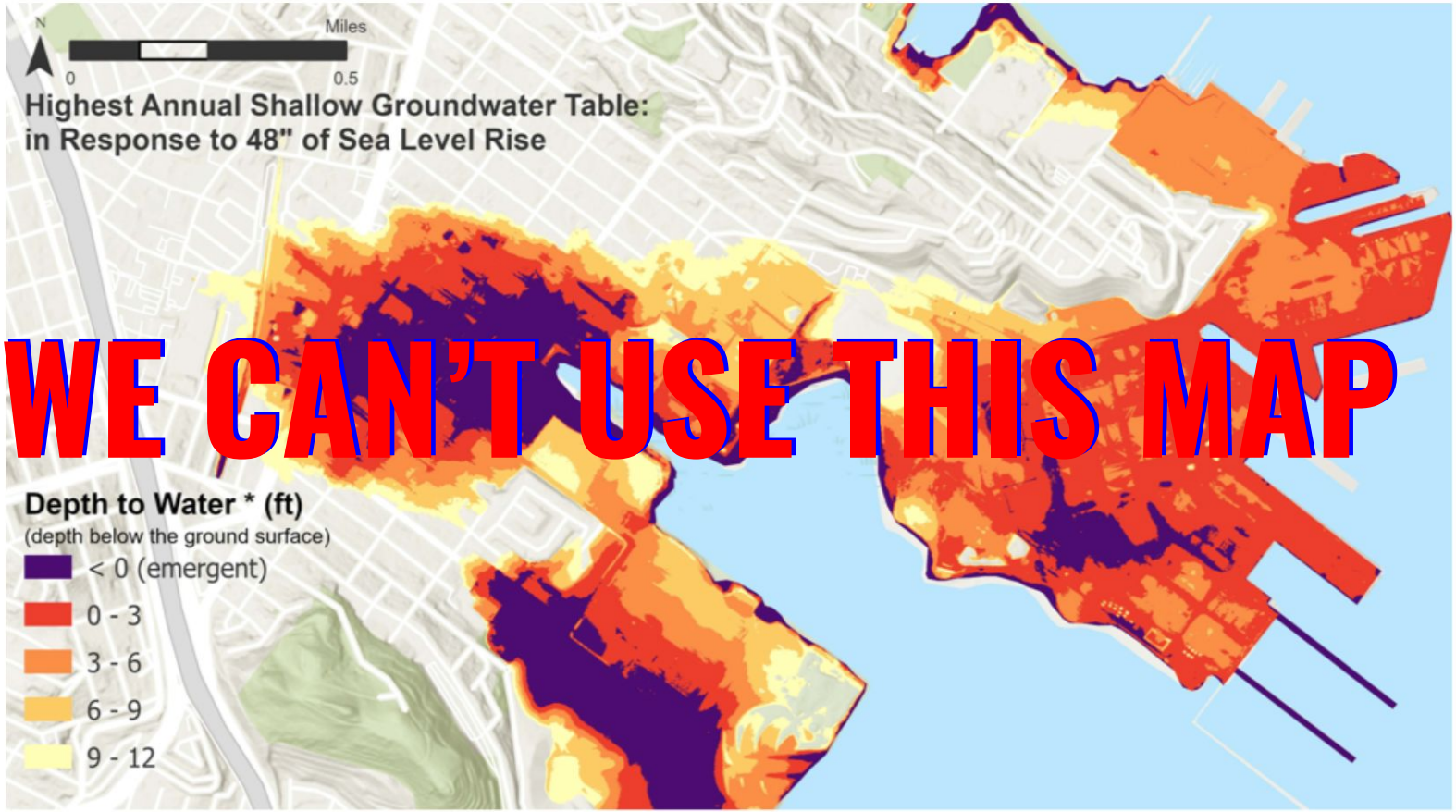
Finding 1

In the Hunters Point Shipyard, shallow groundwater rising with sea level rise and residual hazardous substances pose serious but poorly understood risks that should concern the City and County of San Francisco, the Navy, future developers, future property owners, and future residents.

Rising groundwater can destroy infrastructure and bring buried poisons into contact with human beings.



Pathways Climate Institute and San Francisco Estuary Institute-Aquatic Science Center,, “Shallow Groundwater Response to Sea Level Rise in the San Francisco Bay Area: Existing and Future Conditions,”estimated release 2022



Pathways Climate Institute and San Francisco Estuary Institute-Aquatic Science Center,, "Shallow Groundwater Response to Sea Level Rise in the San Francisco Bay Area: Existing and Future Conditions,"estimated release 2022

In the Hunters Point Shipyard:

- The dangers posed by soil contamination are greatest
- We have a blank slate and can still make smart choices about how and where to build
- The return on investment for good planning is greatest

In the Hunters Point Shipyard:

OUR GROUNDWATER RISE FORECASTS ARE WEAKEST

Finding 1

In the Hunters Point Shipyard, shallow groundwater rising with sea level rise and residual hazardous substances pose serious but poorly understood risks that should concern the City and County of San Francisco, the Navy, future developers, future property owners, and future residents.

Recommendation 1

By September 1st, 2022, the Mayor and/or the City Administrator should direct the Office of Resilience and Capital Planning, in collaboration with the Department of Public Health, to commission and manage an independent, third-party study of Hunters Point Shipyard to predict the future shallow groundwater surface, groundwater flows, and potential interactions of groundwater with hazardous materials and planned modifications to the site under multiple sea level rise scenarios.

How do we ensure the best outcomes for San Francisco in the cleanup at Hunters Point?

GOAL 3
ENSURE HOUSING FOR SAN FRANCISCANS TODAY AND AFTER A DISASTER
City and County of San Francisco
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The Bayview/Hunters Point Community Resiliency Assessment
The objectives of the Bayview Hunters Point Neighborhood Community Resiliency Assessment are to identify potential hazards, prioritize their likelihood, and briefly summarize important contextual factors that will impact the
San Francisco Planning
PORT OF SAN FRANCISCO
US Army Corps of Engineers
Waterfront Resilience Program

Finding 3

The process governing the cleanup at the Shipyard encompasses decisions and value judgments that matter to all San Franciscans, but the extremely technical nature of the process inhibits City leaders and citizens alike from understanding it, or even knowing what is at stake.

Finding 4

Despite the enormous stakes of the process governing the Shipyard cleanup, there is little understanding of the process throughout the City, or even that the City can influence this process.

Finding 5

The City and County of San Francisco is poorly prepared to discover new information pertinent to the Shipyard cleanup, to proactively look for risks and problems overlooked or under-prioritized by the Federal Facility Agreement signatories, or to develop responses to new information or problems.

Finding 6

No proactive mechanism exists for the City and County of San Francisco to articulate its interests and concerns about the cleanup to the Federal Facility Agreement signatories, nor does a mechanism exist for the City to monitor progress towards obtaining satisfactory responses to such interests and concerns from the signatories.

DPH in CERCLA, per the Mayor's Response:

SFDPH, OCII's technical consultants, and the City Attorney's Office review and comment on Navy documents that are also submitted to the Regulatory Agencies. SFDPH has been involved in the CERCLA cleanup process since 1993. SFDPH's longstanding involvement provides continuity in understanding the long history of cleanup documents and decisions as the local City health and safety representative. SFDPH attends monthly environmental meetings with the Navy, EPA, DTSC, and RWQCB to review current cleanup work. SFDPH and OCII's technical consultant also attend as-needed technical team meetings. SFDPH provides critical reviews and comments on a variety of CERCLA cleanup documents. Since 2010, the SFDPH has reviewed over 350 cleanup reports.

per the Civil Grand Jury:

For thirty years, SFDPH has worked with the signatories on the cleanup, sending a representative to the monthly meetings prescribed by the Federal Facility Agreement and issuing written comments on cleanup documents. It has done so with minimal staff and little input or participation from other experts in the City. Over time, SFDPH's role in the Shipyard cleanup has evolved organically into a detail-oriented focus on the technical aspects of the cleanup governance process, and on enforcing City health codes related to the Shipyard.

Recommendation 3

By October 1st, 2022, the Board of Supervisors should pass an ordinance to create a permanent Hunters Point Shipyard Cleanup Oversight Committee that includes the Controller or their designee, relevant technical experts from the Public Utilities Commission and the Department of Public Works, and representatives from other relevant City departments, to perform due diligence on behalf of the City and County of San Francisco into the Federal Facility Agreement signatories' decision-making, and to prepare an agenda of questions and requests to be communicated to the signatories by the Department of Public Health in advance of major cleanup document releases.

A good solution will distribute widely in the City:

- Responsibility for participating in the CERCLA process in the Shipyard
- Domain knowledge about the CERCLA process in the Shipyard

A good solution will:

- Build due diligence into the City's participation in the CERCLA process
- Enable the City to come to the table with its own goals and priorities

It is now up to you.