File No. 180816 **Committee Item No.** 9
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

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

Board of Supervisors Meeting **Date** _____

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Completed by: Erica Major **Date** September 20, 2018
Completed by: Erica Major **Date** _____

[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.

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

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

Section 1. Environmental and Planning Code Findings.

(a) California Environmental Quality Act.

(1) At its hearing on July 26, 2018, and prior to recommending the proposed General Plan Amendments for approval, by Motion No. 20247, the Planning Commission certified a Final Environmental Impact Report (FEIR) for the India Basin Mixed-Use District Project (Project) pursuant to the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 et seq.), the CEQA Guidelines (14 Cal. Code Reg. Section 15000 et seq.), and Chapter 31 of the Administrative Code. A copy of said Motion is on file with the Clerk of the Board of Supervisors in File No. 180816, and is incorporated herein by reference. In accordance with the actions contemplated herein, this Board has

reviewed the FEIR, concurs with its conclusions, affirms the Planning Commission's certification of the FEIR, and finds that the actions contemplated herein are within the scope of the Project described and analyzed in the FEIR.

(2) In approving the Project at its hearing on July 26, 2018, by Motion No. 20248, the Planning Commission also adopted findings under CEQA, including a statement of overriding consideration, and a Mitigation Monitoring and Reporting Program (MMRP). A copy of said Motion and MMRP are on file with the Clerk of the Board of Supervisors in File No. 180681, and is incorporated herein by reference. The Board hereby adopts and incorporates by reference as though fully set forth herein the Planning Commission's CEQA approval findings, including the statement of overriding considerations. The Board also adopts and incorporates by reference as though fully set forth herein the Project's MMRP, dated July 2018, and on file with the Clerk of the Board in File No.180681.

(b) Planning Code Findings.

(1) Under San Francisco Charter Section 4.105 and Planning Code Section 340, any amendments to the General Plan shall first be considered by the Planning Commission and thereafter recommended for approval or rejection by the Board of Supervisors. On June 21, 2018, by Resolution No. 20215, the Commission conducted a duly noticed public hearing on the General Plan Amendments pursuant to Planning Code Section 340, and found that the public necessity, convenience and general welfare required the proposed General Plan Amendments, adopted General Plan Amendments, and recommended them for approval to the Board of Supervisors. A copy of the Planning Commission Resolution No. 20215, is on file with the Clerk of the Board of Supervisors in File. No. 180816, and incorporated by reference herein.

(2) On August 23, 2018, the Planning Commission, in Resolution No. 20261, adopted findings that the actions contemplated in this ordinance are consistent, on balance,

with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. 180816, and is incorporated herein by reference.

Section 2. The General Plan is hereby amended by revising the Bayview Hunters Point Area Plan, as follows:

Figure 3, "Land Use Map," revise by changing the land use designation from "Light Industrial" to "Mixed Use" for the India Basin site.

Delete Policy 1.6:

~~*POLICY 1.6*~~

~~*Encourage development of a healthy mix of residential, retail, open space, and small trade shops along Innes Avenue to buffer the India Basin industrial area from the Hunters Point residential community.*~~

~~*The stretch of Innes Avenue leading up to the northern point of entry of the Hunters Point Shipyard serves as a buffer between the heavy industrial uses in India Basin and the residential uses on Hunters Point Hill. This area is undergoing modest private revitalization with a potential interesting mix of uses taking place. The base of the area, at the corner of Hawes and Innes Avenues, is the site for Our Lady of the Lourdes, the oldest Catholic church in the district. Several single-family homes are also located in the vicinity. Innes Avenue leading up to the shipyard was changed from CM to NC-2 on the northern side of the street as a result of rezoning actions taken after the 1995 update of this Plan. Additionally, an RH-1 district on the southern side of Innes Avenue was rezoned to RH-1(S), which accommodates the development of one accessory dwelling unit per lot. Directly north of Innes Avenue, an industrial park is proposed. If developed, it would be bordered by open space lands acquired by the Recreation and Park Department that will provide direct public access to the India Basin shoreline.*~~

~~*This healthy co-mingling of diverse residential, light industrial, small retail, and heavy commercial uses with natural-oriented open space areas should continue to be encouraged.*~~

Delete Figure 6, "Innes Avenue Buffer Zone."

Section 3. The General Plan is hereby amended by revising the Urban Design Element, as follows:

Map 4 – Urban Design Guidelines for Height of Buildings, add new shading on India Basin site and add new height range to legend that indicates 30-160 feet.

Section 4. The General Plan is hereby amended by revising the Commerce and Industry Element, as follows:

Map 1 – Generalized Commercial and Industrial Land Use Plan, remove Light Industry designation from India Basin site.

Section 5. The General Plan is hereby amended by revising the Recreation and Open Space Element, as follows:

POLICY 2.4

Support the development of signature public open spaces along the shoreline.

* * * *

Southeastern Waterfront

The recent development of Mission Bay, the passage of the Eastern Neighborhoods plans (Mission, East SoMa, and Showplace Square/Potrero Hill, and Central Waterfront Area Plans), ~~*the India Basin Shoreline Plan*~~ and the proposed Candlestick Point and Hunters Point Shipyard developments will bring growth, which will require increased access and open spaces throughout the Southeast. Most of these plans are accompanied by specific open

space strategies for parkland along the waterfront, where active water-oriented uses such as shoreline fishing, swimming, and boating should be promoted.

* * * *

Section 6. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 7. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

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

By: _____
ANDREA RUIZ-ESQUIDE
Deputy City Attorney

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FILE NO. 180816

LEGISLATIVE DIGEST

[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.

Existing Law

There are currently no references to the India Basin Mixed-Use Project in the General Plan.

Amendments to Current Law

The proposed legislation would 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.

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 General Plan Amendment to the Board of Supervisors.

By separate legislation, the Board is considering a number of actions in furtherance of the Project, including the approval of amendments to the Planning Code to create the India Basin Special Use District, and approval of a Development Agreement.

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Planning Commission Motion No. 20247

HEARING DATE: July 26, 2018

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.

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. Ionin
Commission Secretary

AYES: Melgar, Fong, Johnson, Koppel, Richards

NOES: None

ABSENT: Hillis, Moore

ADOPTED: July 26, 2018

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Planning Commission Resolution No. 20250

HEARING DATE: JULY 26, 2018

Case No.:	**2014-002541GPA**
Project Address:	**India Basin Mixed Use Project**
Existing Zoning:	M-1 (Light Industrial) M-2 (Heavy Industrial) NC-2 (Small Scale Neighborhood Commercial) P (Public) 40-X and OS (Open Space) Height and Bulk Districts
Proposed Zoning:	NC-2, MUG, P India Basin Special Use District (SUD) 20/160-IB, OS
Block/Lot:	Various Lots on Blocks 4596, 4597, 4605, 4606, 4607, 4620, 4621, 4622, 4629A, 4630, 4631, 4644, 4645, and 4646
Project Sponsor:	Recreation and Park Department and India Basin Associates, LLC..
Staff Contact:	Mathew Snyder – (415) 575-6891 Mathew.Snyder@sfgov.org

RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE AMENDMENTS TO THE BAYVIEW HUNTERS POINT AREA PLAN, THE URBAN DESIGN ELEMENT, THE COMMERCE AND INDUSTRY ELEMENT AND THE RECREATION AND OPEN SPACE ELEMENT AND MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1, AND FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, Section 4.105 of the Charter of the City and County of San Francisco provides to the Planning Commission the opportunity to periodically recommend General Plan Amendments to the Board of Supervisors; and

WHEREAS, Pursuant to Planning Code Section 340(C), the Planning Commission ("Commission") initiated a General Plan Amendment for the India Basin Mixed-Use Project, per Planning Commission Resolution No. 20215, on June 21, 2018.

WHEREAS, The General Plan Amendments would enable the India Basin Mixed-Use Project ("Project"). BUILD, the owners of roughly 17 acres at 700 Innes Avenue, and the San Francisco Recreation and Park Department ("RPD") jointly submitted an application to the San Francisco Planning Department ("Department") for Environmental Review to analyze the India Basin Mixed-Use Project ("Project"). The India Basin Mixed-Use Project ("Project") comprises a project site of approximately 38.24-acres along the India Basin shoreline of San Francisco Bay ("Bay"). The combined Project site encompasses publicly and privately owned dry land parcels, including existing unaccepted rights-of-way

("ROW") (including some ROW owned by the Port of San Francisco ("Port"). The Project is a mixed-use development containing an integrated network of new public parks, wetland habitat, and a mixed-use urban village. As envisioned, the Project would include a significant amount of public open space, shoreline improvements, market-rate and affordable residential uses, commercial use, parking, environmental cleanup and infrastructure development and street improvements.

WHEREAS, The Project includes an RPD component and a BUILD component, as described below.

WHEREAS, RPD would redevelop approximately 8.98 acres of publicly owned parcels along the shoreline to create a new publicly accessible network of improved parkland and open space (collectively, the "RPD Project"). The RPD development area comprises the existing 5.6-acre India Basin Shoreline Park, the 1.8-acre 900 Innes/Historic Boatyard site ("900 Innes"), and 1.58 acres of unimproved ROW. This new shoreline park network would provide space for active and passive recreation, picnicking, and water access; extend the Blue Greenway (a portion of the San Francisco Bay Trail ("Bay Trail")); rehabilitate and celebrate the historic India Basin Scow Schooner Boatyard; and provide pedestrian and bicycle connections to and along the shoreline, fronting the Bay. The RPD development represents approximately 23.5 percent of the Project area (RPD developed properties are collectively referred to as the "RPD Properties").

WHEREAS, BUILD would redevelop approximately 29.26 acres of privately and publicly owned parcels along the shoreline to create a new publicly accessible network of improved parkland and open space and a mixed-use urban village, including approximately 1,575 units, 209,000 of commercial use, 1,800 off street parking space, and 1,575 bicycle parking spaces (collectively, the "BUILD Project"). The BUILD development area comprises 17.12 acres of privately owned parcels (collectively, "700 Innes"), the existing 6.2-acre of RPD property located along the shoreline (the "India Basin Open Space"), and 5.94 acres of partially unimproved and unaccepted ROW. Approximately 11 acres of the BUILD development area would be developed in three phases into privately owned buildings as part of a mixed-use urban village. The remainder of the BUILD development, approximately 18 acres, would be developed into a mix of improved ROW, significant new public parkland and open space, new public plazas, new private gardens and open space, and restored and enhanced wetland habitat. Buildings on the BUILD site are proposed to range from 20 feet to 160 feet in height that would step with the site's terrain down to the water.

WHEREAS, approvals required for the entire Project include CEQA certification, adoption of CEQA findings, and Planning Code Zoning Map amendments. The BUILD Project also requires approval of (1) General Plan Amendments, (2) Planning Code Text Amendments creating the India Basin Special Use District ("SUD"), (3) a Development Agreement ("DA") between BUILD and the City and County of San Francisco, (4) Design Standards and Guidelines ("DSG") document; and (5) adoption of Shadow findings under Planning Code section 295.

WHEREAS, a majority of the BUILD Project Site is referenced in the General Plan as being designated for industrial use with a height limit of 40-feet. As such, the Project could not be constructed under the current provisions of the General Plan.

WHEREAS, the subject General Plan Amendments would (1) remove Policy 1.6 and Figure 6 and amend Figure 3 of the Bayview Hunters Point Area Plan, which currently identifies the subject site for

industrial use; (2) amend Urban Design Element Map 4 by establishing maximum heights consistent with the proposal; (3) amend Commerce and Industry Element Map 3 by removing the land use industrial designation; and (4) and amend the Recreation and Open Space Element Policy 2.4 by removing the reference to the India Basin Shoreline Plan, which was previously proposed but not adopted.

WHEREAS, on July 26, 2018, the Planning Commission reviewed and considered the Final EIR for the India Basin Mixed-Use Project ("FEIR") and found the FEIR to be adequate, accurate and objective, thus reflecting the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and certified the FEIR for the Project in compliance with the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and Chapter 31 by Motion No. 20247.

WHEREAS, on July 26, 2018, the Commission by Motion No. 20248 approved CEQA Findings, including adoption of a Mitigation Monitoring and Reporting Program (MMRP), under Case No. 2014-002541ENV, for approval of the Project, which findings and MMRP are incorporated by reference as though fully set forth herein.

WHEREAS, on July 26, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on the proposed General Plan Amendments and has considered the information included in the File for these Amendments, the staff reports and presentations, public testimony and written comments, as well as the information provided about the Project from other City departments.

WHEREAS, a draft ordinance, substantially in the form attached hereto as Exhibit A, approved as to form, would amend the General Plan by (1) removing Policy 1.6 and Figure 6 and amend Figure 3 of the Bayview Hunters Point Area Plan; (2) amending Urban Design Element Map 4; (3) amending Commerce and Industry Element Map 3; and (4) and amending the Recreation and Open Space Element Policy 2.4.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission hereby finds that the General Plan Amendments promote the public welfare, convenience and necessity for the following reasons:

1. The General Plan Amendments would help implement the India Basin Mixed-Use Project development, thereby evolving currently under-utilized land for needed housing, commercial space, parks and open space, and other related uses.

2. The General Plan Amendments would help implement the India Basin Project,, which in turn, would provide employment opportunities for local residents during construction and post-occupancy, as well as community facilities and parks for new and existing residents.

3. The General Plan Amendments would help implement the India Basin Mixed-Use Project by enabling the creation of a mixed-use and sustainable neighborhood, with new infrastructure. The new neighborhood would improve the site's connectivity to and integration with the surrounding City fabric, and connect existing neighborhoods to the southeast Waterfront.

4. The General Plan Amendments would enable the construction of a new vibrant, safe, and connected neighborhood, including new parks and open spaces. The General Plan Amendments

would help ensure a vibrant neighborhood with active streets and open spaces, high quality and well-designed buildings, and thoughtful relationships between buildings and the public realm, including the waterfront.

5. The General Plan Amendments would enable construction of new housing, including new on-site affordable housing, a wide mix of Bayfront waterfront recreational opportunities and other related uses, including commercial uses. These new uses would create a new mixed-use neighborhood that would strengthen and complement nearby neighborhoods.

AND BE IT FURTHER RESOLVED, that the Planning Commission finds these General Plan Amendments are in general conformity with the General Plan, and the Project and its approvals associated therein, all as more particularly described in Exhibit E to the Development Agreement on file with the Planning Department in Case No. 2014-002541DVA are each on balance, consistent with the following Objectives and Policies of the General Plan, as it is proposed to be amended as follows. These General Plan Findings are for the entirety of the Project and contemplate approval actions that, in addition to the General Plan Amendments, include but are not limited to Planning Code Text and Zoning Map Amendments, DA approval, DSG approval, adoption of Shadow findings under Planning Code Section 295, land acquisitions and conveyances as necessary to implement the public trust exchange contemplated in the DA, and actions by the Board of Supervisors and applicable City agencies approving the vacation of portions of Griffith Street, Hudson Avenue, Earl Street and Arelious Walker Avenue within the Project Site as contemplated by the DA; and

AND BE IT FURTHER RESOLVED, That in regard to any other later approvals that are consistent with and further the Project, this Commission and the Department, to the maximum extent practicable, shall rely on these General Plan consistency findings.

HOUSING ELEMENT

OBJECTIVE 1
IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

POLICY 1.1
Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

POLICY 1.8
Promote mixed use development, and include housing, particularly permanently affordable housing, in new commercial, institutional or other single use development projects.

POLICY 1.10
Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.
The Project is a mixed-use development with up to 1,575 dwelling units at full project build-out, which provides a wide range of housing options. As detailed in the Development Agreement, the Project exceeds the inclusionary affordable housing requirements of the Planning Code, by reaching a 25% affordability level. .

OBJECTIVE 11
SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

POLICY 11.1
Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

POLICY 11.2
Ensure implementation of accepted design standards in project approvals.
The Project, as described in the Development Agreement and the Design Standards and Guidelines (DSG), includes a program of substantial community benefits designed to revitalize an underutilized industrial site and complement the surrounding neighborhood, with a mix of housing, commercial and open space uses.

OBJECTIVE 12
BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

POLICY 12.1
Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

POLICY 12.2
Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

The Project appropriately balances housing with new and improved infrastructure and related public benefits.

The project will contribute to enhancing transit where currently little exist. The Project includes incentives for the use of transit, walking and bicycling through its TDM program. In addition, the Project's streetscape design would enhance bicycle and pedestrian access and connectivity through the site. The Project would contribute to enabling enhanced transit immediately adjacent to the site, and would provide shuttle service through the TDM Program, as set forth in the Transportation Plan. Therefore, new residential and commercial buildings constructed as part of the Project would be able to rely on transit use, bicycling and other environmentally sustainable patterns of movement.

Along with the housing, the BUILD Project would also provide and maintain approximately fourteen new and improved acres of open space for a variety of activities, including the Big Green, a Public Market, Town Triangle, a Transit Plaza, among many other recreational opportunities. In total, the Project would create and improve up to 14 acres of new and improved Shoreline open space.

The Project includes substantial contributions related to quality of life elements such as open space, affordable housing, transportation improvements, childcare, and potential schools, arts and cultural facilities and activities, and workforce development.

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 1
MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

POLICY 1.1
Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

The Project is intended to provide a distinct mixed-use development with residential, commercial, cultural, and open space uses. The Project would leverage the Project site's location on the Bayview Waterfront by building a dense mixed-use development that allows people to work and live close to transit. The Project's buildings would be developed in a manner that reflects the Project's unique location on an underutilized Bayfront property. The Project would incorporate varying heights, massing and scale, maintaining a strong streetwall along streets, and focused attention around public open spaces. The Project would create substantial new on-site open space, and sufficient density to support and activate the new active ground floor uses and open space in the Project.

The Project would also construct high-quality housing with sufficient density to contribute to 18-hour activity on the Project site, while offering a mix of unit types, sizes, and levels of affordability to accommodate a range of potential residents. The Project would facilitate a vibrant, interactive ground plane for Project and neighborhood residents, commercial users, and the public, with public spaces that could accommodate a variety of events and programs.

OBJECTIVE 3
PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

POLICY 3.2
Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.
The Project would help meet the job creation goals established in the City's Economic Development Strategy by generating new employment opportunities and stimulating job creation across all sectors. The Project will provide expanded employment opportunities for City residents at all employment levels, both during and after construction. The Development Agreement, as part of the extensive community benefit programs, includes focused workforce first source hiring —both construction and end-user — as well as a local business enterprise component.

TRANSPORTATION ELEMENT

OBJECTIVE 2

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

POLICY 2.1
Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

POLICY 2.5
Provide incentives for the use of transit, carpools, vanpools, walking and bicycling and reduce the need for new or expanded automobile and automobile parking facilities.

The Project is located on underutilized land, and would contribute to the creation of new local transportation services. The Project is located on Innes Avenue, for which new transit service is planned in conjunction with development of the Hunters Point Shipyard, which in addition to providing improved transit on existing SF Muni lines, would also introduce a new bus line with direct service to Downtown. The Project would contribute to the transit service by providing a transit plaza at the intersection of Innes Avenue and Arelious Walker Drive, new intersection signals and pedestrian crosswalks at intersections, left turn pockets, and Innes Avenue streetscape improvements, as well as new bus stops, and contributing to potentially reconfiguring Innes for optimal bus service. Shuttle service would be offered until such transit service is available for those living, working, and visiting the Project. The Project includes a detailed TDM program, including various performance measures, physical improvements and monitoring and enforcement measures designed to create incentives for transit and other alternative to the single occupancy vehicle for both residential and commercial buildings. In addition, the Project's design, including its streetscape elements, is intended to promote and enhance walking and bicycling. The Project features a cycle track that would be a key bicycle linkage to the Bayview's waterfront from the rest of the City.

OBJECTIVE 23
IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.

POLICY 23.1
Provide sufficient pedestrian movement space with a minimum of pedestrian congestion in accordance with a pedestrian street classification system.

POLICY 23.2
Widen sidewalks where intensive commercial, recreational, or institutional activity is present, sidewalks are congested, where sidewalks are less than adequately wide to provide appropriate pedestrian amenities, or where residential densities are high.

POLICY 23.6
Ensure convenient and safe pedestrian crossings by minimizing the distance pedestrians must walk to cross a street.

The Project establish a new street network on the project site, and would provide pedestrian improvements and streetscape enhancement measures as described in the Design Standards and

Guidelines document and reflected in the MMRP and Transportation Plan in the Development Agreement. The Project would establish "New Hudson" Street that would run parallel to Innes providing both local access along with a robust bike facility. The construction of Griffith, Arelious Walker, and an internal loop road would also add to the sites connectivity between Innes, the Big Green and the shoreline. Each of the new streets would have sidewalks and streetscape improvements as is consistent with the Better Streets Plan.

URBAN DESIGN ELEMENT

OBJECTIVE 1
EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

POLICY 1.1
Recognize and protect major views in the city, with particular attention to those of open space and water.
As explained in the DSG, the Project uses a mix of scales with this basic massing further articulated through shaping the buildings to create views and variety on the project site, as well as pedestrian-friendly, engaging spaces on the ground. The Project maintains open view corridors to the waterfront.

POLICY 1.2
Recognize, protect and reinforce the existing street pattern, especially as it is related to topography.

POLICY 1.3
Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

The Project would establish a street grid on the on the project site where one does not exist, and would construct new buildings, which would generally range in height from 20 and 80 feet with two buildings reaching 160 feet. The sites for the two 160-foot buildings have been carefully selected; they are at the higher elevations enabling the overall urban form to step toward the water; and on portions of the site on bedrock, enabling higher concentrations of development and enabling other portions of the site to be kept free and clear of development.

OBJECTIVE 2
CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

The Project would include reserving a large portion of the site for open space. The new open space, "The Big Green" would be designed in conjunction with the proposed rehabilitation of India Basin Shoreline Open Space, which together the India Basin Shoreline Park and 900 Innes would contribute to a series of linked Bayfront open spaces. The open space network, particularly the Big Green and the India Basin Shoreline Open Space would have robust ecological components and enable visitors to experience different aspects of the natural waterfront. The property at 900 Innes would be rezoned for P(Public) from M-1(Light Industrial) assuring that this shoreline asset can be reserved for public enjoyment along the waterfront.

RECREATION AND OPEN SPACE ELEMENT

OBJECTIVE 1
ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM.

POLICY 1.1
Encourage the dynamic and flexible use of existing open spaces and promote a variety of recreation and open space uses, where appropriate.

POLICY 1.3
Preserve existing open spaces by restricting its conversion to other uses and limiting encroachment form other uses, assuring no loss of quality of open space.

The Project would result in a net gain in acreage of open space along with the improvement of the existing India Basin Shoreline Park and India Basin Open Space, and the creation of the new Big Green. While new green infrastructure is being planned as an integrated element of the Big Green, and two outflows are proposed to cross below the India Basin Open Space, the net result of the Project would be to greatly improve both the quality and access to this shoreline asset. As a result, there would not be a net degradation of the quality of the India Basin Open Space but instead the open space would be enhanced, thereby meeting this Policy 1.3.

POLICY 1.7
Support public art as an essential component of open space design.

The DSG envisions the Big Green as an ideal place for public art, and provides guidelines on its placement and curation.

POLICY 1.12
Preserve historic and culturally significant landscapes, sites, structures, buildings and objects.

The Project would revitalize the 900 Innes property, and would preserve and rehabilitate important historic resources, including the historic Shipwright's Cottage, which would be retained and restored in accordance with the Secretary of the Interior's Standards for Rehabilitation. The project would include an interpretive exhibit explaining the history of the India Basin Scow Schooner Boatyard; the interpretive exhibit would be developed and installed in India Basin Shoreline Park and the 900 Innes Property. New construction at 900 Innes would be designed to be compatible, yet differentiated, with the existing historic context.

OBJECTIVE 3
IMPROVE ACCESS AND CONNECTIVITY TO OPEN SPACE.

POLICY 3.1
Creatively develop existing publicly-owned right-of-ways and streets into open space.

The Project provides approximately 23 acres of new and improved public open space and opens up new connections to the shoreline in the Bayview Hunters Point neighborhood through

improvements to the India Basin Shoreline Park and India Basin Open Space, and the introduction of new open space at 900 Innes Avenue and with the Big Green, to provide connections to the Blue Greenway/Bay Trail, Class 1 bikeway and pedestrian and bicycle access to the shoreline. The Project would encourage non-automobile transportation to and from open spaces, and would ensure physical accessibility these open spaces to the extent feasible.

ENVIRNONMENTAL PROTECTION ELEMENT

OBJECTIVE 3
MAINTAIN AND IMPROVE THE QUALITY OF THE BAY, OCEAN, AND SHORELINE AREAS.

POLICY 3.2
Promote the use and development of shoreline areas consist with the General Plan and the best interest of San Francisco.

POLICY 3.4
Encourage and assist privately operated programs to conserve the resources of the Bay, Ocean, and Shoreline.

OBJECTIVE 7
ASSURE THAT THE LAND RESOURCES IN SAN FRANCISCO AND USED IN WAYS THAT BOTH RESPECT AND PRESERVE THE NATURAL VALUES OF THE LAND AND SERVE THE BEST INTERESTS OF ALL THE CITY'S CITIZENS.

POLICY 7.1
Preserve and add to public open space in accordance with the objectives and policies of the Recreation and Open Space Element.

The Project would add more than seven acres of new shoreline open space through improvements to 900 Innes and the proposed Big Green, and would furthermore improve and rehabilitate existing public open space at India Basin Shoreline Park and India Basin Open Space, thus creating new connections to the shoreline in the Bayview Hunters Point neighborhood.

The Project's design is specifically suited for the shoreline location with a strong emphasis of adding to, rehabilitating, and improving shoreline habitat. The India Basin Open Space's design anticipates and strategizes for sea level rise and needed habit adaptation while enhancing the public's opportunity to experience and enjoy the different aspects of this special open space resource. The Project also includes future funding for additional future sea level rise improvements on the BUILD property as described in the Development Agreement and Financing Plan.

The design for 900 Innes proposes to celebrate the site's maritime past with rehabilitating the shipwright's cottage and integrating other ship building aspects into the park's design.

OBJECTIVE 13
ENHANCE THE ENERGY EFFICIENCY OF HOUSING IN SAN FRANCISCO.

Policy 13.1
Improve the energy efficiency of existing homes and apartment buildings.

The DSG includes goals and guidelines that direct development to reduce energy use consistent with or above local and State requirements.

BAYVIEW HUNTERS POINT AREA PLAN

Transportation

OBJECTIVE 4
DEVELOP AND MAINTAIN A SYSTEM FOR THE EASY MOVEMENT OF PEOPLE AND GOODS, TAKING INTO ACCOUNT ANTICIPATED NEEDS OF BOTH LOCAL AND THROUGH TRAFFIC.

Policy 4.2
Develop the necessary improvements in public transit to move people efficiently and comfortably between different neighborhoods of Bayview Hunters Point, to and from Candlestick Park Point, and to and from Downtown and other parts of the region.

POLICY 4.5
Create a comprehensive system for pedestrian and bicycle circulation.

The India Basin Mixed-Use Project includes a robust integrated transportation plan that among other aspects, would contribute to changing the nature of the immediate area to one that accommodates and encourages use of traveling by bike and by foot. The Project would include providing key missing regional linkages to the Bay Trail and the Blue Greenway, and would provide a robust bike facility on New Hudson, enabling bikes routes to be taken off of Innes.

Land Use

OBJECTIVE 6
ENCOURAGE THE CONSTRUCTION OF NEW AFFORDABLE AND MARKET RATE HOUSING AT LOCATIONS AND DENSITY LEVELS THAT ENHANCE THE OVERALL RESIDENTIAL QUALITY OF BAYVIEW HUNTERS POINT.

The Subject Project would provide up to 1,575 units, including on-site affordable housing on an underutilized site. The Project is planned to maximize housing, while at the same time assuring that the site contributes to providing access to Bayfront open space. Thus, the Project would include enough residential density to create a viable community that supports neighborhood serving retail, community facilities, and transit infrastructure and service.

Urban Design

POLICY 10.1
Better define Bayview's designated open space areas by enabling appropriate, quality development in surrounding areas.

OBJECTIVE 11
IMPROVE DEFINITION OF THE OVERALL URBAN PATTERN OF BAYVIEW HUNTERS POINT.

POLICY 11.2
Increase awareness and use of the pedestrian/bicycle trail system that links subareas in Bayview Hunters Point with the rest of the City

The India Basin Mixed-Use Project includes a site plan from the India Basin Shoreline Park to boundary of the Shipyard that is uniquely designed for this one-of-a-kind location. A significant portion of the site that is privately owned would be dedicated as open space for the public. The open space and new street network would feature robust bicycle and pedestrian facilities providing a key pedestrian and bike linkages to Hunters Point Shipyard. Overall, the Project would create a dense, compact land use plan located in close walking proximity to a multi-modal transit node, residents, employees and visitors are encouraged to choose walking, bicycling and transit over the automobile.

Recreation and Open Space

OBJECTIVE 12
PROVIDE AND MAINTAIN ADEQUATELY LOCATED, WELL DESIGNED, FULLY EQUIPPED RECREATION FACILITIES AND ENCOURAGE THEIR USE.

POLICY 12.3
Renovate and expand Bayview's parks and recreation facilities, as needed.

OBJECTIVE 13
PROVIDE CONTINUOUS PUBLIC OPEN SPACE ALONG THE SHORELINE OF BAYVIEW HUNTERS POINT UNLESS PUBLIC ACCESS CLEARLY CONFLICTS WITH MARITIME USES OR OTHER NON-OPEN SPACE USES REQUIRING A WATERFRONT LOCATION.

POLICY 13.1
Assure that new development adjacent to the shoreline capitalizes on the unique waterfront location by improving visual and physical access to the water in conformance with urban design policies.

POLICY 13.2
Maintain and improve the quality of existing shoreline open space.

POLICY 13.3
Complete the San Francisco Bay Trail around the perimeter of the City which links open space areas along the shoreline and provides for maximum waterfront access.

Energy

POLICY 13.4

Provide new public open spaces along the shoreline -- at Islais Creek, Heron's Head, India Basin, Hunters Point Shipyard, and Candlestick Point/South Basin.

The India Basin Mixed Use Project is focused on the delivery of high-quality open space that would participate in creating a continuous series of Bayfront parks and open spaces in the Bayview. A significant portion of the privately-owned property would be left open for open space, and the Development Agreement would assure that the India Basin Open Space would be rehabilitated and maintained. The Project also envisions the redesign of India Basin Shoreline Park and the addition of a new park land at 900 Innes as part of the RPD component of the Project. Overall, the Project will create an approximately 23-acre network of new and/or improved parkland and open space, pathways, trails, ecological, recreational, neighborhood and cultural areas, including: a new shoreline network which would extend the Blue Greenway/Bay Trail and would provide pedestrian and bicycle connections to and along the shoreline, passive open space, recreation areas, piers, fishing areas, plazas, event areas, tidal marshes, facilities for concessions, drinking fountains, restrooms, passive recreational areas for picnicking, shade structures, bicycle parking, wayfinding signage, and historical and educational displays.

Energy

POLICY 13.4
Provide new public open spaces along the shoreline -- at Islais Creek, Heron's Head, India Basin, Hunters Point Shipyard, and Candlestick Point/South Basin.

A key aspect of the India Basin Mixed-Use Project is its contribution to Bayfront recreation and open space. Between the newly provided open space and the rehabilitation of India Basin Shoreline Park and the India Basin Open Space, the Project would feature a variety of recreational opportunities for its Bayview and Citywide residents, workers and visitors including, but not limited to children's play areas, dog runs, public market, ecological trails, and a variety of other small plazas and publicly accessible terraces. Moreover, the India Basin open spaces are designed to link in with a larger network of Bayfront recreational parks and other opportunities.

Energy

OBJECTIVE 17
SUPPORT COMMUNITY ECONOMIC DEVELOPMENT AND REVITALIZATION THROUGH ENERGY MANAGEMENT AND ALTERNATIVE ENERGY TECHNOLOGIES.

POLICY 17.1
Promote the Bayview as an area for implementing energy conservation and alternative energy supply initiatives.

POLICY 17.2
Strengthen linkages between district energy planning efforts and overall community development goals and objectives.

OBJECTIVE 18

REDUCE THE OUTFLOW OF DOLLARS FROM THE COMMUNITY DUE TO EXPENDITURES ON ENERGY THROUGH THE IMPROVED ENERGY MANAGEMENT OF TRANSPORTATION, HOUSING, COMMERCE AND INDUSTRY, AND COMMUNITY FACILITIES.

The India Basin Mixed-Use Project includes robust green infrastructure including onsite gray water and decentralized wastewater treatment and re-use system, net-zero public realm, comprehensive site-wide storm-water treatment, implementation of an on-site energy microgrid.

AND BE IT FURTHER RESOLVED, that the Planning Commission finds these General Plan Amendments are in general conformity with the Planning Code Section 101.1, and the Project and its approvals associated therein, all as more particularly described in Exhibit B to the Development Agreement on file with the Planning Department in Case No. 2014-004521DVA, are each on balance, consistent with the following Objectives and Policies of the General Plan, as it is proposed to be amended as described herein, and as follows:

1) *That existing neighbor-serving retail uses would be preserved and enhanced, and future opportunities for resident employment in and ownership of such businesses enhanced;*

No neighborhood-serving retail uses are present on the Project site. Once constructed, the Project would contain new retail, arts and other commercial uses that would provide opportunities for employment and ownership of retail businesses in the community. These new uses would serve nearby residents and the surrounding community. The Development Agreement includes commitments related to local hiring. The construction of the Project will provide opportunities to generate thousands of annual construction jobs and hundreds of permanent jobs at project completion, encouraging participation by small and local business enterprises through a comprehensive employment and contracting policy.

2) *That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;*

The Project would provide at full build-out up to 1,575 new residential units, including affordable housing, although one existing residential unit would be demolished in order to facilitate the construction of the Project. The Project is designed to revitalize an underutilized Bayfront vacant site and provide a varied land use program that would enhance the surrounding Hunters Point / India Basin neighborhood. The Project provides a new neighborhood complete with residential, office, retail, and potential artisan uses, along with new transit and street infrastructure, and public open space. The Project design provides a desirable, pedestrian-friendly experience with interactive and engaged ground floors. Thus, the Project would preserve and contribute to housing within the surrounding neighborhood and the larger City, and would otherwise preserve and be consistent with the neighborhood's unique context.

3) *That the City's supply of affordable housing be preserved and enhanced;*

The Project would enhance the City's supply of affordable housing through its affordable housing commitments in the Development Agreement As detailed in the Development Agreement, the

Project exceeds the inclusionary affordable housing requirements of the Planning Code, by reaching a 25% affordability level.

4) *That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;*

The Project would not impede transit service or overburden streets and neighborhood parking. The Project includes a robust transportation program with an on-site Transportation Demand Management (TDM) program, facilities to support a new bus line immediately adjacent to the Site, funding or provision of an interim shuttle service, and funding for new neighborhood-supporting transportation infrastructure, as detailed in the Transportation Plan.
The Project includes a robust bike facility on the proposed "New Hudson", which would enable bike routing to be removed from Innes, which would, in turn, enable Innes to be specifically designed to maximize transit efficiency.

Lastly, the Project contains new public parking spaces for visitors to the new and enhanced parks. This would ensure that sufficient parking capacity is available so that the Project would not overburden neighborhood parking, while still implementing a rigorous TDM Plan to be consistent with the City's "transit first" policy for promoting transit over personal vehicle trips.

5) *That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;*

While the Project is largely residential, it does include other diverse land uses that include commercial, retail, arts, and potential light industrial uses. The Project also includes a large workforce development program. All of these new uses would provide future opportunities for service-sector employment.

6) *That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;*

The Project would comply with all current structural and seismic requirements under the San Francisco Building Code and the Port of San Francisco.

7) *That landmarks and historic buildings be preserved;*

The Project would include the rehabilitation of the Shipwright's Cottage, in compliance with the Secretary of the Interior's Standards for Rehabilitation, and the rehabilitation and relocation of 702 Earl Street. Development of the 900 Innes site would include an interpretive exhibit explaining the history of the India Basin Scow Schooner Boatyard; the interpretive exhibit would be developed and installed in India Basin Shoreline Park and the 900 Innes Property

8) *That our parks and open space and their access to sunlight and vistas be protected from development.*

The Project would add roughly ten acres (900 Innes, Big Green, Public Market, Town Triangle, other privately owned public open spaces) of new open space and substantially improve another 13 acres thereby enhancing access to the shoreline within the Bayview Hunters Point

neighborhood, and would provide about 23 acres of new and improved public open space. The site plan includes provisions for site and pedestrian access through the site to the new and improved open spaces and to the shoreline.

While development of the 700 Innes property would result in net new shadow on the India Basin Open Space, India Basin Shoreline and the the proposed 900 Innes open space, the shadow was determined to not have an adverse effect on the use of such open spaces due to the limited duration, time and location of such shadow, as described in Motion 20249.

A draft ordinance, **attached hereto as Exhibit A**, would remove Policy 1.6 and Figure 6 of the Bayview Hunters Point Area Plan, amend Map 4 of the Urban Design Element, amend Map 3 of the Commerce and Industry Element, and amend Policy 2.4 of the Recreation and Open Space Element.

AND BE IT FURTHER RESOLVED, That pursuant to Planning Code Section 340, the Planning Commission Adopts a Resolution to Recommend to the Board of Supervisors to approve the Draft Ordinance.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on July 26, 2018.

Jonas P. Ionin
Commission Secretary

AYES: Melgar, Fong, Johnson, Koppel, Richards

NOES: None

ABSENT: Hillis, Moore

ADOPTED: July 26, 2018

FILE NO. ORDINANCE NO.

[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.

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

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

Section 1. Environmental and Planning Code Findings.

(a) California Environmental Quality Act.

(1) At its hearing on _____, and prior to recommending the proposed General Plan Amendments for approval, by Motion No. _____, the Planning Commission certified a Final Environmental Impact Report (FEIR) for the India Basin Mixed-Use District Project (Project) pursuant to the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 et seq.), the CEQA Guidelines (14 Cal. Code Reg. Section 15000 et seq.), and Chapter 31 of the Administrative Code. A copy of said Motion is on file with the Clerk of the Board of Supervisors in File No. _____, and is incorporated herein by reference. In accordance with the actions contemplated herein, this Board has

reviewed the FEIR, concurs with its conclusions, affirms the Planning Commission's certification of the FEIR, and finds that the actions contemplated herein are within the scope of the Project described and analyzed in the FEIR.

(2) In approving the Project at its hearing on _____, by Resolution No. _____, the Planning Commission also adopted findings under CEQA, including a statement of overriding consideration, and a Mitigation Monitoring and Reporting Program (MMRP). A copy of said Motion and MMRP are on file with the Clerk of the Board of Supervisors in File No. _____, and is incorporated herein by reference. The Board hereby adopts and incorporates by reference as though fully set forth herein the Planning Commission's CEQA approval findings, including the statement of overriding considerations. The Board also adopts and incorporates by reference as though fully set forth herein the Project's MMRP, dated _____ and on file with the Clerk of the Board in File No._____.

(b) Planning Code Findings.

(1) Under San Francisco Charter Section 4.105 and Planning Code Section 340, any amendments to the General Plan shall first be considered by the Planning Commission and thereafter recommended for approval or rejection by the Board of Supervisors. On _____, by Resolution No. _____, the Commission conducted a duly noticed public hearing on the General Plan Amendments pursuant to Planning Code Section 340, and found that the public necessity, convenience and general welfare required the proposed General Plan Amendments, adopted General Plan Amendments, and recommended them for approval to the Board of Supervisors. A copy of the Planning Commission Resolution No. _____, is on file with the Clerk of the Board of Supervisors in File. No. _____, and incorporated by reference herein.

(2) On _____, the Planning Commission, in Resolution No. _____, adopted findings that the actions contemplated in this ordinance are consistent, on balance,

with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. _____, and is incorporated herein by reference.

Section 2. The General Plan is hereby amended by revising the Bayview Hunters Point Area Plan, as follows:

Figure 3, "Land Use Map," revise by changing the land use designation from "Light Industrial" to "Mixed Use" for the India Basin site.

Delete Policy 1.6:

~~*POLICY 1.6*~~

~~*Encourage development of a healthy mix of residential, retail, open space, and small trade shops along Innes Avenue to buffer the India Basin industrial area from the Hunters Point residential community.*~~

~~*The stretch of Innes Avenue leading up to the northern point of entry of the Hunters Point Shipyard serves as a buffer between the heavy industrial uses in India Basin and the residential uses on Hunters Point Hill. This area is undergoing modest private revitalization with a potential interesting mix of uses taking place. The base of the area, at the corner of Hawes and Innes Avenues, is the site for Our Lady of the Lourdes, the oldest Catholic church in the district. Several single-family homes are also located in the vicinity. Innes Avenue leading up to the shipyard was changed from CM to NC-2 on the northern side of the street as a result of rezoning actions taken after the 1995 update of this Plan. Additionally, an RH-1 district on the southern side of Innes Avenue was rezoned to RH-1(S), which accommodates the development of one accessory dwelling unit per lot. Directly north of Innes Avenue, an industrial park is proposed. If developed, it would be bordered by open space lands acquired by the Recreation and Park Department that will provide direct public access to the India Basin shoreline.*~~

~~*This healthy co-mingling of diverse residential, light industrial, small retail, and heavy commercial uses with natural-oriented open space areas should continue to be encouraged.*~~

Delete Figure 6, "Innes Avenue Buffer Zone."

Section 3. The General Plan is hereby amended by revising the Urban Design Element, as follows:

Map 4 – Urban Design Guidelines for Height of Buildings, add new shading on India Basin site and add new height range to legend that indicates 30-160 feet.

Section 4. The General Plan is hereby amended by revising the Commerce and Industry Element, as follows:

Map 1 – Generalized Commercial and Industrial Land Use Plan, remove Light Industry designation from India Basin site.

Section 5. The General Plan is hereby amended by revising the Recreation and Open Space Element, as follows:

POLICY 2.4

Support the development of signature public open spaces along the shoreline.

* * * *

Southeastern Waterfront

The recent development of Mission Bay, the passage of the Eastern Neighborhoods plans (Mission, East SoMa, and Showplace Square/Potrero Hill, and Central Waterfront Area Plans), ~~*the India Basin Shoreline Plan*~~ and the proposed Candlestick Point and Hunters Point Shipyard developments will bring growth, which will require increased access and open spaces throughout the Southeast. Most of these plans are accompanied by specific open

space strategies for parkland along the waterfront, where active water-oriented uses such as shoreline fishing, swimming, and boating should be promoted.

* * * *

Section 6. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 7. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

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

By: _____
ANDREA RUIZ-ESQUIDE
Deputy City Attorney

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RECREATION AND PARK COMMISSION
City and County of San Francisco
Resolution No. 1807-004

RESOLUTION RECOMMENDING TO THE PLANNING COMMISSION THAT THE NET NEW SHADOW CAST BY THE PROPOSED PROJECT AT 700 INNES WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE USE OF INDIA BASIN SHORELINE PARK, THE 900 INNES FUTURE PARK SITE, AND INDIA BASIN OPEN SPACE, AS REQUIRED BY PLANNING CODE SECTION 295 (THE SUNLIGHT ORDINANCE).

WHEREAS, Under Planning Code Section 295, the Planning Commission may not approve a building permit application for a structure with a height of 40 feet or higher if the resulting shadow will have an adverse impact on property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission, unless the Planning Commission, upon recommendation from the General Manager of the Recreation and Park Department in consultation with the Recreation and Park Commission, makes a determination that the shadow impact will not be significant; and

WHEREAS, the Recreation and Park Commission ("Commission") has jurisdiction over real property located in San Francisco known as India Basin Shoreline Park, 900 Innes, and India Basin Open Space; and

WHEREAS, BUILD Inc., ("Project Sponsor") proposes to construct a mixed-use urban village consisting of residential, retail, commercial, office, institutional, flex space, and recreational and art uses. The EIR for the project contains two options: 1) a residentially-oriented project with approximately 1,575 dwelling units, 209,106 square feet of commercial space, and 1,800 parking spaces; or (2) a commercially- oriented variant with approximately 500 dwelling units, 1,000,000 square feet of commercial space, 50,000 square feet of institutional space, and 1,932 parking spaces. Both BUILD options would include recreation and open space facilities; and

WHEREAS, BMT Fluid Mechanics Limited analyzed the new shadow cast by the proposed Project on 700 Innes and determined that the Theoretical Annual Available Sunlight ("TAAS") for India Basin Shoreline Park is 1,030,667,780 square feet hours ("sfh"), The approximated amount of shadow currently cast on India Basin Shoreline Park by existing buildings is 0.44% of the TAAS for the park. The additional shadow cast by the Project would constitute 0.05% of TAAS, bringing the approximated total annual shading of India Basin Shoreline Park as a percentage of TAAS to 0.49%; and

WHEREAS, BMT Fluid Mechanics Limited analyzed the new shadow cast by the proposed Project on 700 Innes and determined that the Theoretical Annual Available Sunlight ("TAAS") for 900 Innes is 329,764,418 square feet hours ("sfh"), The approximated amount of shadow currently cast on 900 Innes by existing buildings is 8.98% of the TAAS for the park. The additional shadow cast by the Project would constitute 4.53% of TAAS, bringing the approximated total annual shading of India Basin Shoreline Park as a percentage of TAAS to 13.51%; and

WHEREAS, BMT Fluid Mechanics Limited analyzed the new shadow cast by the proposed Project on 700 Innes and determined that the Theoretical Annual Available Sunlight ("TAAS") for India Basin Open Space is 1,187,539,675 square feet hours ("sfh"), The approximated amount of shadow currently cast on India Basin Shoreline Park by existing buildings is 0.07% of the TAAS for the park. The additional shadow

cast by the Project would constitute 5.23% of TAAS, bringing the approximated total annual shading of India Basin Shoreline Park as a percentage of TAAS to 5.30%; and

WHEREAS, the 700 Innes project is subject to environmental review and approval under the California Environmental Quality Act (CEQA), and the Planning Commission will determine the EIR certification on July 26, 2018; and

WHEREAS, the Project will provide the following public benefits to the City: Approximately 400 units of below market rate and inclusive housing, the 5.7 acres Big Green Open Space and improvements to the existing India Basin Open Space natural areas – totaling 12 acres of new and improved park, annual payment of $1.5 million for a Community Facilities District ("CFD") to provide enhanced maintenance and public operations, overall community-wide transit, bicycle, and pedestrian network improvements, new green infrastructure onsite, and formation of Facilities ("CFD") to address long-term Sea Level Rise; and

WHEREAS, the Commission finds that the additional shadow cast by the Project will not have a significant adverse impact on the use of India Basin Shoreline Park for the following reasons: (1) all of the new shadow cast by the Project would occur during winter in the morning with all shadows gone no later than 9:00am, affecting a maximum area of 2,522 square feet shadowed at a single time, or 8.94% of the park area (8:23am on December 28); (2) all new shadows occur in the morning, and thus the Project would not cast shadows during mid-day and early afternoon hours when usage of the Park is generally higher;

WHEREAS, the Commission finds that the additional shadow cast by the Project will not have significant adverse impact on the use of the potential park site at 900 Innes for the following reasons: (1) the new shadow cast by the Project would occur throughout the year in areas currently not accessible to the public; (2) the proposed park design has incorporated the expected impacts of this neighboring project into its design; and (3) the duration of proposed project-generated new shadow would vary throughout the year, with most of the shading occurring on transitory pathways and would not significantly impact the usage of the future park site;

WHEREAS, the Commission finds that the additional shadow cast by the Project will not have a significant adverse impact on the use of India Basin Open Space for the following reasons: (1) the proposed park, which will be designed and improved by the Project Sponsor, has incorporated the expected impacts of this project into the park design; and (2) the duration of proposed project- generated new shadow would vary throughout the year, with most of the shading occurring on transitory pathways and does not significantly impact the usage of the Park; now therefore be it

RESOLVED, the Commission recommends that the Planning Commission find that the shadow cast by the proposed project at 700 Innes will not have a significant adverse impact on the use of India Basin Shoreline Park, pursuant to Planning Code Section 295 (the Sunlight Ordinance); and be it

FURTHER RESOLVED, the Commission recommends that the Planning Commission find that the shadow cast by the proposed project at 700 Innes will not have a significant adverse impact on the use of the potential park site at 900 Innes, pursuant to Planning Code Section 295 (the Sunlight Ordinance); and be it

FURTHER RESOLVED, the Commission recommends that the Planning Commission find that the shadow cast by the proposed Project at 700 Innes will not have a significant adverse impact on the use of India Basin Open Space, pursuant to Planning Code Section 295 (the Sunlight Ordinance).

Adopted by the following vote:

Ayes	7
Noes	0
Absent	0

I hereby certify that the foregoing resolution was adopted at the Recreation and Park Commission meeting held on July 19, 2018.

Margaret A. McArthur

Margaret A. McArthur, Commission Liaison

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Planning Commission Resolution No. 20261

HEARING DATE: AUGUST 23, 2018

Case Nos.:	2014-002541ENV PCA MAP DVA CWP India Basin Mixed-Use Project and 900 Innes Avenue
Zoning:	Existing: NC-2 / M-1 / M-2 / P 40-X Height and Bulk Proposed: NC-2 / Mixed Use General (MUG) India Basin Special Use District 20/160 – IB Height and Bulk
Blocks/Lots:	4644/001-018, 004, 004A, 005, 005S, 006, 006A, 007, 008, 009, 010, 010A, 010B, 010C, 011; 4631/001, 002; 4620/001, 002; 4607/025, 024; 4596/ 026; 4597/ 026; 4606/ 026, 100; 4621/016, 018, 021, 100, 101; 4630/005, 007, 100; 4645/001, 003A, 004,006, 007, 007A, 010, 010A, 011, 012, 013; 4630/002; 4645/014, 015
Project Sponsor:	India Basin Investment, LLC c/o BUILD 315 Linden Street San Francisco, CA 94102
Staff Contact:	Joshua Switzky – (415) 575-6815 Joshua.Switzky@sfgov.org

RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND INDIA BASIN INVESTMENT LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, FOR A CERTAIN REAL PROPERTY GENERALLY BOUNDED BY INNES AVENUE ON THE SOUTHWEST, THE GRIFFITH STREET RIGHT-OF-WAY ON THE NORTHWEST, THE SAN FRANCISCO BAY ON THE NORTHEAST AND THE EARL STREET RIGHT-OF-WAY ON THE SOUTHEAST (LARGELY EXCLUDING PARCELS WITH STRUCTURES), ALTOGETHER CONSISTING OF APPROXIMATELY 24 ACRES, FOR A 30-YEAR TERM AND ADOPTING VARIOUS FINDINGS, INCLUDING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, Chapter 56 of the San Francisco Administrative Code sets forth the procedure by which a request for a development agreement will be processed and approved in the City and County of San Francisco.

WHEREAS, the Development Agreement would enable the India Basin Mixed-Use Project ("Project"). The Project proposal includes developing approximately, 1,575 units, 209,000 of commercial

use, 1,800 off street parking space, 1,575 bicycle parking spaces, and 15.5 acres of publicly accessible open space. The Project also includes construction of transportation and circulation improvements, new and upgraded utilities and infrastructure, geotechnical and shoreline improvements and other green infrastructure.

WHEREAS, the Board will be taking a number of actions in furtherance of the Project, including the adoption of the India Basin Special Use District ("SUD") which refers to an associated Design Standards and Guidelines document ("DSG"), and Zoning Map amendments, which together outline land use controls and design guidance for both horizontal and vertical development and improvements to the site.

WHEREAS, in furtherance of the Project and the City's role in subsequent approval actions relating to the Project, the City and India Basin Investment LLC (Developer) negotiated a development agreement for development of the Project site, a copy of which is attached as Exhibit A (the "Development Agreement").

WHEREAS, the City has determined that as a result of the development of the Project site in accordance with the Development Agreement, clear benefits to the public will accrue that could not be obtained through application of existing City ordinances, regulations, and policies, as more particularly described in the Development Agreement. The Development Agreement will eliminate uncertainty in the City's land use planning for the Project site and secure orderly development of the Project site consistent with the DSG.

WHEREAS, the Development Agreement shall be executed by the Director of Planning, and City Attorney subject to prior approval by multiple City Commissions and the Board of Supervisors.

WHEREAS, on July 26, 2018, the Planning Commission reviewed and considered the Final EIR for the India Basin Project ("FEIR") and found the FEIR to be adequate, accurate and objective, thus reflecting the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and certified the FEIR for the Project in compliance with the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and Chapter 31 by Motion No. 20247.

WHEREAS, on July 26, 2018, the Commission by Motion No. 20248 approved CEQA Findings, including adoption of a Mitigation Monitoring and Reporting Program (MMRP), under Case No. 2014-002541ENV, for approval of the Project, which findings and MMRP are incorporated by reference as though fully set forth herein.

WHEREAS, on July 26, 2018, by Motion No. 20251 the Commission adopted findings in connection with its consideration of, among other things, the adoption of amendments to the Planning Code, under CEQA, the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code and made certain findings in connection therewith, which findings are hereby incorporated herein by this reference as if fully set forth.

WHEREAS, on July 26, 2018, by Motion 20250, the Commission adopted findings regarding the Project's consistency with the General Plan and Planning Code Section 101.1, including all other approval actions associated with the project therein, which findings are hereby incorporated herein by this reference as if fully set forth.

WHEREAS, on August 23, 2108, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on the proposed Development Agreement.

WHEREAS, the Planning Commission finds that holding this hearing to recommend approval of the Development Agreement to the Board of Supervisors after the hearing where it recommended approval of the Planning Code and Map Amendments furthers the public interest, by giving the public full notice and ample opportunity to consider the Development Agreement.

WHEREAS, as a part of the requirements of the Development Agreement, the Project Sponsor has committed to implementing a Transportation Plan / Transportation Demand Management Plan, that among other commitments, includes a goal of reducing estimated aggregate daily one-way vehicle trips associated with the 700 Innes and India Basin Open Space properties by at 20 percent compared to the aggregate daily one-way vehicle trips identified in the project-related Transportation Impact Study. The Mitigation Monitoring Reporting Program requires that such trips be reduced by at least 15 percent, therefore the new 20 percent target is consistent with this requirement.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission hereby recommends that the Board of Supervisors approve the Development Agreement, in substantially the form attached hereto as Exhibit A.

AND BE IT FURTHER RESOLVED, that the Commission finds that the application, public notice, Planning Commission hearing, and Planning Director reporting requirements regarding the Development Agreement negotiations contained in Administrative Code Chapter 56 required of the Planning Commission and the Planning Director have been substantially satisfied in light of the regular meetings held for the last two and a half years, the multiple public informational hearings provided by the Planning Department staff at the Planning Commission, the information contained in the Director's Report regarding the India Basin Development Agreement negotiations, and the mailed and published notice issued for the Development Agreement.

AND BE IT FURTHER RESOLVED, that the Commission authorizes the Planning Director to take such actions and make such changes as deemed necessary and appropriate to implement this Commission's recommendation of approval and to incorporate recommendations or changes from the Port Commission, San Francisco Municipal Transportation Agency (SFMTA) Board of Directors, the San Francisco Public Utilities Commission (SFPUC), the Recreation and Park Commission (RPD) and/or the Board, provided that such changes taken as a whole do not materially increase any obligations of the City or materially decrease any benefits to the City contained in the Development Agreement attached as Exhibit A.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on Thursday, August 23, 2018.

Jonas P. Ionin

Commission Secretary

AYES: Hillis, Melgar, Fong, Koppel, Moore, Richards

NAYS: None

ABSENT: Johnson

ADOPTED: August 23, 2018

FILE NO. 180681 SUBSTITUTED 7/24/2018 ORDINANCE NO.

[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 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.

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

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

Section 1. Project Findings.

The Board of Supervisors makes the following findings:

(a) California Government Code Sections 65864 et seq. authorizes any city, county, or city and county to enter into an agreement for the development of real property within the jurisdiction of the city, county, or city and county.

(b) Chapter 56 of the San Francisco Administrative Code ("Chapter 56") sets forth certain procedures for the processing and approval of development agreements in the City and County of San Francisco (the "City").

(c) India Basin Investment LLC, a California limited liability company ("Developer") owns the approximately 14.7 acre site along Innes Street, between Earl and Griffith Streets, and holds options to purchase an additional 2.4 acres of adjacent land (the "Developer Property"). The City owns approximately 6.2 acres of open space along the shoreline, adjacent to the Developer Property, together with various street areas (the "City Property", together with the Developer Property, the "Project Site").

(d) Developer filed an application with the City's Planning Department for approval of a development agreement relating to the Project Site (the "Development Agreement") under Chapter 56. A copy of the Development Agreement is on file with the Clerk of the Board in File No. _____.

(e) The Developer proposes a mixed use development on the Project Site that will include a new publicly accessible network of improved parkland and open space and a mixed-use urban village, including up to 1,575 dwelling units, approximately 676,052 square feet (15.5 acres) of publicly accessible open space, and approximately 59,500 square feet of public and private open space, as well as approximately 209,106 square feet of commercial space and up to 1,800 off-street parking spaces, all as more particularly described in the Development Agreement (the "Project").

(f) As set forth in the Development Agreement, the City agrees to initiate the process to vacate portions of Hudson Avenue, Griffith Street, Arelious Walker Drive and Earl

Street and, following any vacation and satisfaction of any applicable City conditions, to convey the underlying land to Developer in connection with the land assembly required for the Project (the "Street Vacation Actions"). In return, Developer will convey certain land to the City.

(g) Concurrently with this Ordinance, the Board is taking a number of actions in furtherance of the Project, as generally described in the Development Agreement, including Exhibit E to the Development Agreement (the "Approvals").

(h) While the Development Agreement is between the City, acting primarily through the Planning Department, and Developer, other City agencies retain a role in reviewing and issuing certain later approvals for the Project. Later approvals include approval of subdivision maps and plans for horizontal improvements and public facilities, design review and approval of new buildings, actions relating to the Street Vacations Actions, and acceptance of Developer's dedications of horizontal improvements and parks and open spaces for City maintenance and liability under the Subdivision Code. As a result, affected City agencies have consented to the Development Agreement.

(i) The Project is anticipated to generate an annual average of approximately 3,505 construction jobs and, upon completion, approximately 477 on-site jobs and 833 total jobs, with an approximately $4.3 million annual increase in general fund revenues to the City. In addition to the significant housing, jobs, urban revitalization, and economic benefits to the City from the Project, the City has determined that development of the Project under the Development Agreement will provide additional benefits to the public that could not be obtained through application of existing City ordinances, regulations, and policies. Additional public benefits to the City from the Project include: (1) an increase in affordable housing that exceeds amounts otherwise required and will equal twenty five percent (25%) of the total number of housing units for the Project; (2) workforce obligations, including significant training, employment and economic development opportunities as part of the development

and operation of the Project; (3) construction and maintenance of the publicly accessible open space, totaling approximately eleven (11) acres of parks and the improvement of existing City Property along the shoreline; (4) child care space to serve not less than 40 children; and (5) sea level rise improvements as part of the development, and future funding for additional future sea level rise improvements; all as further described in the Development Agreement. The Development Agreement will eliminate uncertainty in the City's land use planning for the Project Site and secure orderly development.

(j) In particular, the City intends to create a series of contiguous, integrated waterfront parks, including both the India Basin Open Space and the Big Green, as well as the neighboring 900 Innes and India Basin Shoreline Park (collectively, the "India Basin Park System"), for the benefit of the southeast community and the residents of San Francisco and California at large. The City further intends to connect the India Basin Park System to the Northside Park, when completed as part of the Candlestick/Hunters Point Shipyard development project.

(k) Funding for maintenance of the India Basin Park System will include special taxes under a community facilities district (CFD) to be formed by Developer and the City, as more particularly described in the Financing Plan attached to the Development Agreement. The CFD funds also will be available to pay for future sea level rise improvements.

(l) To assemble the land for the Project development, including the City's no-cost acquisition of land from Developer for the Big Green, the City, the State Lands Commission and Developer will enter into a public trust exchange agreement, substantially in the form attached to the Development Agreement (the "Public Trust Exchange Agreement"). The City will record a land use covenant against specified lands subject to the public trust that will be placed under the Port's jurisdiction for purposes of the trust, but that will be maintained and operated by the Recreation and Park Department.

Section 2. CEQA Findings.

On _____, by Motion No. _____, the Planning Commission certified as adequate, accurate and complete the Final Environmental Impact Report ("FEIR") for the Project pursuant to the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.) ("CEQA"). A copy of Planning Commission Motion No. _____ is on file with the Clerk of the Board of Supervisors in File No. _____. Also on _____, by Motion No. _____, the Planning Commission adopted findings, including a rejection of alternatives and a statement of overriding considerations (the "CEQA Findings") and a Mitigation Monitoring and Reporting Program ("MMRP"). These Motions are on file with the Clerk of the Board of Supervisors in File No. _____. In accordance with the actions contemplated herein, this Board has reviewed the FEIR and related documents, and adopts as its own and incorporates by reference as though fully set forth herein the CEQA Findings, including the statement of overriding considerations, and the MMRP.

Section 3. General Plan and Planning Code Section 101.1(b) Findings.

(a) The Board of Supervisors shall consider companion legislation that adopts public necessity findings of Planning Code Section 302 and General Plan amendments. A copy of the companion legislation is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by reference.

(b) For purposes of this Ordinance, the Board of Supervisors finds that the Development Agreement will serve the public necessity, convenience and general welfare for the reasons set forth in the companion legislation identified in subsection (a).

(c) For purposes of this Ordinance, the Board of Supervisors finds that the Development Agreement is in conformity with the General Plan, as proposed to be amended, and the eight priority policies of Planning Code Section 101.1 for the reasons set forth in the companion legislation identified in subsection (a).

Section 4. Public Trust Findings.

The Board of Supervisors finds that the Project is consistent with and furthers the purposes of the common law public trust and statutory trust under the Burton Act (Stats. 1968, ch. 1333), as follows:

(a) Approximately 2.63 acres of the City Property, consisting of portions of Fairfax Avenue, Evans Avenue and Arelious Walker Drive (formerly Fitch Street), lie waterward of the historic ordinary high tide line and, as such, are subject to the public trust and held within the administration and control of the Port Commission in accordance with the Burton Act and the City Charter (but this land is managed by the Recreation and Park Department as part of the India Basin Open Space). An additional approximately 9 acres of City Property, of disputed trust status, consists of streets under the jurisdiction of the Department of Public Works and parcels within the existing India Basin Open Space under the jurisdiction of the Recreation and Park Department and the Department of Public Works.

(b) The Developer Property includes filled lands that are not subject to the public trust and lands that are of disputed status.

(c) As the public trust is presently configured, most of the lands on or adjacent to the shoreline are either free of the trust or have uncertain trust status. At the same time, the filled lands proposed for private development are further inland and cut off from the water, and therefor are not useful to the public trust, yet they are encumbered with disputed trust claims. The Developer Property has remained undeveloped and inaccessible for decades, despite its waterfront location and adjacency to the existing waterfront parks.

(d) The proposed public trust exchange would eliminate all trust title uncertainties within the Project Site and will facilitate the improvement and expansion of the India Basin Open Space. The exchange would not remove any existing trust property from the Burton Act trust, but the public trust would see a net gain of filled lands that will be useful to the trust. As

required under the Development Agreement and the SUD, all lands exchanged into the public trust will be used for public open space, habitat restoration and water-oriented uses, all of which are consistent with the Burton Act. The proposed trust settlement will consolidate the public trust lands along the water for open space and public access, providing significant benefits to the public trust over existing conditions.

(e) As set forth in the Public Trust Exchange Agreement, the lands to be freed from public trust claims have been filled and reclaimed, are cut off from access to the waters of San Francisco Bay, constitute a relatively small portion of the lands granted to the City and County of San Francisco and are not needed or required for the promotion of the public trust. In addition, the Project would not cause a substantial interference with public trust uses and purposes by virtue of the exchange. The lands or interests in lands to be impressed with the public trust have an economic value equal to or greater than that of the lands or interests in lands that will be freed from the public trust.

Section 5. Development Agreement.

(a) The Board of Supervisors approves all of the terms and conditions of the Development Agreement, in substantially the form on file with the Clerk of the Board of Supervisors in File No. _____, subject to the consent of the Port Commission, the Municipal Transportation Agency, the San Francisco Public Utilities Commission and the Recreation and Park Commission.

(b) The Board of Supervisors approves and authorizes the execution, delivery and performance by the City of the Development Agreement as follows: (i) the Director of Planning and (other City officials listed thereon) are authorized to execute and deliver the Development Agreement, with signed consents of the Port Commission, the Municipal Transportation Agency, the San Francisco Public Utilities Commission, the Recreation and Park Commission, and the San Francisco Fire Department, and (ii) the Director of Planning

and other applicable City officials are authorized to take all actions reasonably necessary or prudent to perform the City's obligations under the Development Agreement in accordance with the terms of the Development Agreement. Without limiting the foregoing, (A) the Port Director, the Recreation and Park Department General Manager, and the Director of Property are authorized to execute and perform all City obligations under the Public Trust Exchange Agreement substantially in the form attached to the Development Agreement, and (B) the Director of Public Finance and the Controller are authorized to take all preliminary actions required to form the CFD as described in the Financing Plan, provided the actual CFD formation documents and issuance of debt will be subject to the review and approval of the Board of Supervisors.

(c) The Director of Planning, at his or her discretion and in consultation with the City Attorney, is authorized to enter into any additions, amendments or other modifications to the Development Agreement that the Director of Planning determines are in the best interests of the City and that do not materially increase the obligations or liabilities of the City or materially decrease the benefits to the City as provided in the Development Agreement. The Port Director and the Recreation and Park Department General Manager, at their discretion and in consultation with the City Attorney, are authorized to enter into any additions, amendments or other modifications to the Public Trust Exchange Agreement that they determine are in the best interests of the City and that do not materially increase the obligations or liabilities of the City or materially decrease the benefits to the City as provided in the Public Trust Exchange Agreement.

Section 6. Board Authorization and Appropriation.

By approving the Development Agreement, the Board of Supervisors authorizes the Controller and City Departments to accept the funds paid by Developer as set forth therein, and to appropriate and use the funds for the purposes described therein. The Board

expressly approves the use of the development impact fees as set forth in the Development Agreement, and waives or overrides any provision in Article 4 of the City Planning Code and Article 10 of the City Administrative Code that would conflict with the uses of these funds as described in the Development Agreement.

Section 7. City Administrative Code Conformity and Waivers.

In connection with the Development Agreement, the Board of Supervisors finds that the City has substantially complied with the requirements of Administrative Code Chapters 14B and 56, and waives any requirement to the extent not strictly followed. The Development Agreement shall prevail in the event of any conflict between the Development Agreement and City Administrative Code Chapters 14B and 56, and without limiting the generality of the foregoing, the following provisions of City Administrative Code Chapters 14B and 56 are waived or deemed satisfied as follows:

(a) The Project comprises approximately 28 acres and is the type of large multi-phase and/or mixed-use development contemplated by the City Administrative Code and therefore satisfies the provisions of Chapter 56, Section 56.3(g).

(b) The provisions of Development Agreement and the Workforce Agreement attached to the Development Agreement as Exhibit P shall apply in lieu of the provisions of City Administrative Code Chapter 14B, Section 14B.20, and Chapter 56, Section 56.7(c).

(c) The provisions of the Development Agreement regarding any amendment or termination, including those relating to "Material Change," shall apply in lieu of the provisions of Chapter 56, Section 56.15 and Section 56.18.

(e) The provisions of Chapter 56, Section 56.20 have been satisfied by the Memorandum of Understanding between Developer and the Office of Economic and Workforce Development for the reimbursement of City costs, a copy of which is on file with the Clerk of the Board of Supervisors in File No. _____.

(f) The Board of Supervisors waives the applicability of Section 56.4 (Application, Forms, Initial Notice, Hearing) and Section 56.10 (Negotiation Report and Documents).

Section 8. Planning Code Waivers; Ratification.

(a) The Board of Supervisors finds that the impact fees and other exactions due under the Development Agreement will provide greater benefits to the City than the impact fees and exactions under Planning Code Article 4 and waives the application of, and to the extent applicable exempts the Project from, impact fees and exactions under Planning Code Article 4 on the condition that Developer pays the impact fees and exactions due under the Development Agreement.

(b) The Board of Supervisors finds that the Transportation Plan attached to the Development Agreement includes a Transportation Demand Management Plan ("TDM Plan") and other provisions that meet the goals of the City's Transportation Demand Management Program in Planning Code Section 169 and waives the application of Section 169 to the Project on the condition that Developer implements and complies with the TDM Plan.

(c) The Board of Supervisors finds that the Design Standards and Guidelines attached to the Development Agreement sets forth sufficient standards for streetscape design and waives the requirements of Planning Code Section 138.1 (Streetscape and Pedestrian Improvements) and Public Works Code Section 806(d) (Required Street Trees for Development Projects).

(d) All actions taken by City officials in preparing and submitting the Development Agreement to the Board of Supervisors for review and consideration are hereby ratified and confirmed, and the Board of Supervisors hereby authorizes all subsequent action to be taken by City officials consistent with this Ordinance.

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Section 9. Other Administrative Code Waivers.

The requirements of the Workforce Agreement attached to the Development Agreement shall apply and shall supersede, to the extent of any conflict, the provisions of Administrative Code: (i) Chapter 82.4 (Coverage); (ii) Chapter 23, Article II (Interdepartmental Transfer of Real Property); and (iii) Chapter 23, Article VII (Prevailing Wage, Apprenticeship, and Local Hire Requirements), but only to the extent any of the foregoing provisions are applicable to the conveyance of vacated streets from the City to Developer and the other land conveyances contemplated by the Development Agreement.

Section 10. Subdivision Code Waivers.

The Public Improvement Agreement, as defined in the Development Agreement, shall include provisions consistent with the Development Agreement and the applicable requirements of the Municipal Code and the Subdivision Regulations regarding extensions of time and remedies that apply when improvements are not completed within the agreed time. Accordingly, the Board of Supervisors waives the application to the Project of Subdivision Code Section 1348 (Failure to Complete Improvements within Agreed Time).

Section 11. Effective and Operative Date.

This Ordinance shall become effective 30 days from the date of passage. This Ordinance shall become operative only on (and no rights or duties are affected until) the later of (a) 30 days from the date of its passage, or (b) the date that Ordinance _____, Ordinance _____, and Ordinance _____have become effective. Copies of

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these Ordinances are on file with the Clerk of the Board of Supervisors in File Nos. _____ and _____.

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

By: _____
Charles Sullivan
Deputy City Attorney
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Planning Commission Resolution No. 20215

HEARING DATE: JUNE 21, 2018

Case Nos.:	2014-002541GPA
Project:	India Basin Mixed-Use Project
Zoning:	Existing: NC-2 / M-1 40-X Height and Bulk Proposed: NC-2 / Mixed Use General (MUG) India Basin Special Use District 30/160 – IB Height and Bulk
Blocks/Lots:	4644/001-018, 004, 004A, 005, 005S, 006, 006A, 007, 008, 009, 010, 010A, 010B, 010C, 011; 4631/001, 002; 4620/001, 002; 4607/025, 024; 4596/ 026; 4597/ 026; 4606/ 026, 100; 4621/016, 018, 021, 100, 101; 4630/005, 007, 100; 4645/001, 003A, 004,006, 007, 007A, 010, 010A, 011, 012, 013; 4630/002; 4645/014, 015
Project Sponsor:	BUILD 315 Linden Street San Francisco, CA 94102
Staff Contact:	Mat Snyder – (415) 575-6891 mathew.snyder@sfgov.org

ADOPTING A RESOLUTION TO INITIATE AMENDMENTS TO THE BAYVIEW HUNTERS POINT AREA PLAN, THE URBAN DESIGN ELEMENT, THE COMMERCE AND INDUSTRY ELEMENT AND THE RECREATION AND OPEN SPACE ELEMENT.

WHEREAS, Section 4.105 of the Charter of the City and County of San Francisco provides to the Planning Commission the opportunity to periodically recommend General Plan Amendments to the Board of Supervisors; and

BUILD, the Project Sponsor, is proposing the development has submitted applications to the San Francisco Planning Department ("Department") for Environmental Review, and to enter into a Development Agreement ("DA") in association with the proposed India Basin Mixed-Use Project ("Project"). Along with the required Environmental Review and DA, General Plan Amendments, Planning Code Text Amendments, Planning Code Map amendments, and the establishment of a Design Standards and Guidelines ("DSG") document would be required for the implementation of the Project.

Pursuant to Planning Code Section 340(c) the Planning Commission has requested that the General Plan be amended as further described below.

Relatedly, the Board of Supervisors is scheduled to introduce legislation to amend the Planning Code (Planning Code Text and Planning Code Map amendments) by rezoning the underlying portions of the site from M-1 (Light Industrial) to MUG (Mixed-Use General), rezoning the height district from 40-X to 30/160-IB, and establishing the India Basin Special Use District ("SUD") across the 700 Innes site. The Board of Supervisors is also scheduled to introduce legislation regarding entering into a DA with the Project Sponsor.

On December 9, 2014, BUILD in partnership with the San Francisco Recreation and Parks Department ("RPD") submitted an application for joint Environmental Review for the Project.. On September 14, the Department published the Draft Environmental Impact Report ("DIER"). On September 14, 2017 through October 19, 2017, the Planning Department provided the public with an opportunity to comment on the DEIR; a public hearing was held on October 19, 2017 to further provide public comment on the DIER. A hearing is tentatively scheduled for July 26, 2018 for Final EIR certification and CEQA findings adoption.

The Project site is located on roughly 24 acres of undeveloped land at 700 Innes Avenue, which is located immediately northeast of the Hunters Point Shipyard. The site is within the Bayview Hunters Point Area Plan; most of the site is currently designated for industrial development with site's few parcels along Innes Avenue designated for mixed-use development.

The Project proposal includes developing approximately, 1,575 units, 209,000 of commercial use, 1,800 off street parking space, 1,575 bicycle parking spaces, and 15.5 acres of publicly accessible open space. The proposal would also feature newly created public streets, pedestrian paths, cycle track, and the continuation of the Bay Trail. Buildings on the site are proposed to range from 30 feet to 160 feet in height that would step with the site's terrain down to the water.

The site is referenced in the General Plan as being designated for industrial use with a height limit of 40-feet. As such, the Project could not be constructed under the current provisions of the General Plan.

The subject General Plan Amendments would (1) remove Policy 1.6 and Figure 6 and amend Figure 3 of the Bayview Hunters Point Area Plan, which currently identifies the subject site for industrial use; (2) amend Urban Design Element Map 4 by establishing maximum heights consistent with the proposal; (3) amend Commerce and Industry Element Map 3 by removing the land use industrial designation; and (4) and amend the Recreation and Open Space Element Policy 2.4 by removing the reference to the India Basin Shoreline Plan, which was previously proposed but not adopted.

Planning Code Section 101.1(b) establishes eight priority policies and is a basis by which differences between competing policies in the General Plan are resolved. An initial analysis for consistency with the priority findings has determined that the Project meets the findings in that it supports new neighborhood serving retail and opportunities for local businesses without unduly competing with existing retail clusters; that it provides significant new housing opportunities, in a context that will better connect and relate to the surrounding neighborhood; that it calls for the development of a robust pedestrian network to encourage travel by foot; that it provides for new construction job opportunities and some permanent job opportunities without displacing existing industries, and that it calls for establishment of a new green pedestrian and open space network. Analysis for consistency for the eight priority policies will be included in all final actions for the proposed General Plan Amendments.

An initial analysis of applicable General Plan objectives and policies has determined that the proposed General Plan, Planning Code, and Zoning Map amendments are, on balance, consistent with

the General Plan as it is proposed to be amended. The proposed actions offer a compelling articulation and implementation of many of the concept outlined in the General Plan, especially the Housing, Urban Design, and Recreation and Open Space Elements. A final analysis for consistency with the General Plan will be included in the final actions for the General Plan Amendments.

A draft ordinance, **attached hereto as Exhibit A**, would remove Policy 1.6 and Figure 6 of the Bayview Hunters Point Area Plan, amend Map 4 of the Urban Design Element, amend Map 3 of the Commerce and Industry Element, and amend Policy 2.4 of the Recreation and Open Space Element.

NOW, THEREFORE BE IT RESOLVED, That pursuant to Planning Code Section 340, the Planning Commission Adopts a Resolution to Initiate amendments to the General Plan.

AND BE IT FURTHER RESOLVED, That pursuant to Planning Code Section 306.3, the Planning Commission authorizes the Department to provide appropriate notice for a public hearing to consider the above referenced General Plan amendments contained in the draft ordinance, approved as to form by the City Attorney in **Exhibit A**, to be considered at a publicly noticed hearing on or after July 26, 2018.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on June 21, 2018.

Jonas P. Ionin
Commission Secretary

AYES: Melgar, Johnson, Koppel, Moore, Richards

NOES: None

ABSENT: Hillis, Fong

ADOPTED: June 21, 2018

SAN FRANCISCO
PLANNING DEPARTMENT

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Suite 400
San Francisco,
CA 94103-2479

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August 24, 2018

Ms. Angela Calvillo, Clerk
Supervisor Malia Cohen
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: **Supplemental Transmittal Packet of Planning Department Case Number: 2014-002541 ENV/GPA/PCA/MAP/CWP/SHD**
India Basin Mixed-Use Project
BOS File No: 180681
Planning Commission Recommendation: *Approval*

Dear Ms. Calvillo and Supervisor Cohen,

On July 26, 2018 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed General Plan Amendment Ordinance for the India Basin Mixed-Use Project. Subsequently, on August 23, 2018 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Development Agreement for the India Basin Mixed-Use Project.

Previous transmittal packets were submitted to the Board of Supervisors on August 2 and August 7, 2018 covering other actions related to the India Basin Mixed Use Project. This current submittal packet (8/24/18) includes the official transmittal of the General Plan Amendment Ordinance along with the actions related to the approval of the Development Agreement.

The proposed General Plan Amendments and Development Agreement were analyzed in *the India Basin Mixed Use Project EIR* (the "EIR"). The Commission certified the EIR on July 26, 2018 with Motion No. 20247 and adopted CEQA findings at the same hearing with Motion No. 20248.

At the July 26, 2018 hearing, the Commission voted to recommend **approval** of the proposed General Plan Amendments and on August 23, 2018 voted to recommend **approval** of the proposed Development Agreement. Please find attached documents relating to the Commission's action.

If you have any questions or require further information please do not hesitate to contact me.
Sincerely,

Aaron D. Starr
Manager of Legislative Affairs

cc: Brittni Chicuata, Aide to Supervisor Cohen
Andrea Ruiz-Esquide, Deputy City Attorney
Erica Major, Office of the Clerk of the Board
Alisa Somera, Office of Clerk of the Board
John Carroll, Office of the Clerk of the Board
Anne Taupier, Office of Economic and Workforce Development

Attachments (one copy of the following):
Planning Commission Resolution No. 20250 regarding General Plan Amendments
Draft Ordinance for the General Plan Amendments
Planning Commission Motion No. 20261 regarding the Development Agreement
Draft Ordinance for the Development Agreement (Board File No: 180681)
Draft Development Agreement

180816
180680
180681

SUBMITTED IN COMMITTEE
9/17/18

GREENACTION
for Health & Environmental Justice

August 27, 2018

Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlettt 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

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Planning Commission Motion No. 20247

HEARING DATE: July 26, 2018

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.

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. Ionin
Commission Secretary

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

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 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

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

(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

GREENACTION
for Health & 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 ad soils, mineral/energy resources, agriculture and forest resources. Some of these will be explain 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 is 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 if 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 adaption 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

-----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

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 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

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..."*

559 Ellis Street, San Francisco, CA 94109 • Telephone: 415-447-3904 Fax: 415-447-3905
P.O. BOX 277, Kettleman City, CA 93239 • Telephone: 559-583-0800
www.greenaction.org

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

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

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

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

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

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/calenvirosreen
Email: CalEnviroScreen@oehha.ca.gov

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

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

GREENACTION
for Health & Environmental Justice

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?

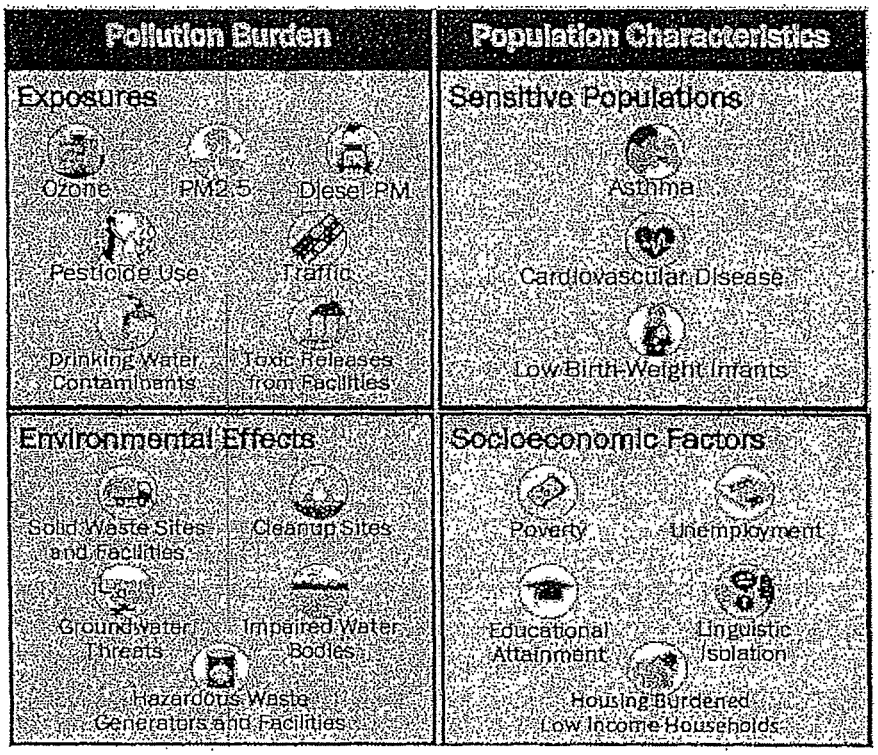
They are the combination of different factors that when added together result in a higher impact.

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

CalEnviroScreen measures indicators through these four main groups:

- **Exposures** – *Contact with pollution*
- **Environmental Effects** – *Adverse environmental conditions caused by pollutants*
- **Sensitive Populations** – *Populations with existing health conditions that may increase the effects of pollutants*
- **Socioeconomic Factors** – *Community characteristics that result in increased vulnerability to pollutants, such as poverty*

The CalEnviroScreen results are the pollution burden times the population characteristics



GREENACTION
for Health & Environmental Justice

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

Bank of America
ACH R/T 121000358

5260

11-35/1210 CA
91292

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

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

RECEIVED
BOARD OF SUPERVISORS
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San Francisco Planning

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2018 AUG 27 PM 4:59
BY ll

BOARD OF SUPERVISORS APPEAL FEE WAIVER
FOR NEIGHBORHOOD ORGANIZATIONS

APPLICATION

Appellant's Information

Name: Bradley Angel

Address: 315 Sutter St 2nd floor SF 94108

Email Address: bradley@greenaction.org

Telephone: 415 447 3904 x102

Neighborhood Group Organization Information

Name of Organization: Greenaction for Health and Environmental Justice

Address: 315 Sutter St 2nd floor SF 94108

Email Address: greenaction@greenaction.org

Telephone: 415 447 - 3904

Property Information

Project Address: 700 Innes

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,

My 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. TheBanya 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 there 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 ! 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 a space were 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 Banya ventilation system. If i can quickly summarize in our facility we have two parikas . these are russian 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 key components that you need when enjoying our facility. 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 Banya and the community. 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 navy yard 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, Klm, 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, P.E.
Reg. Civil Engineer 019897
Reg. Geotechnical Engineer 506
Expiration 9/30/2001

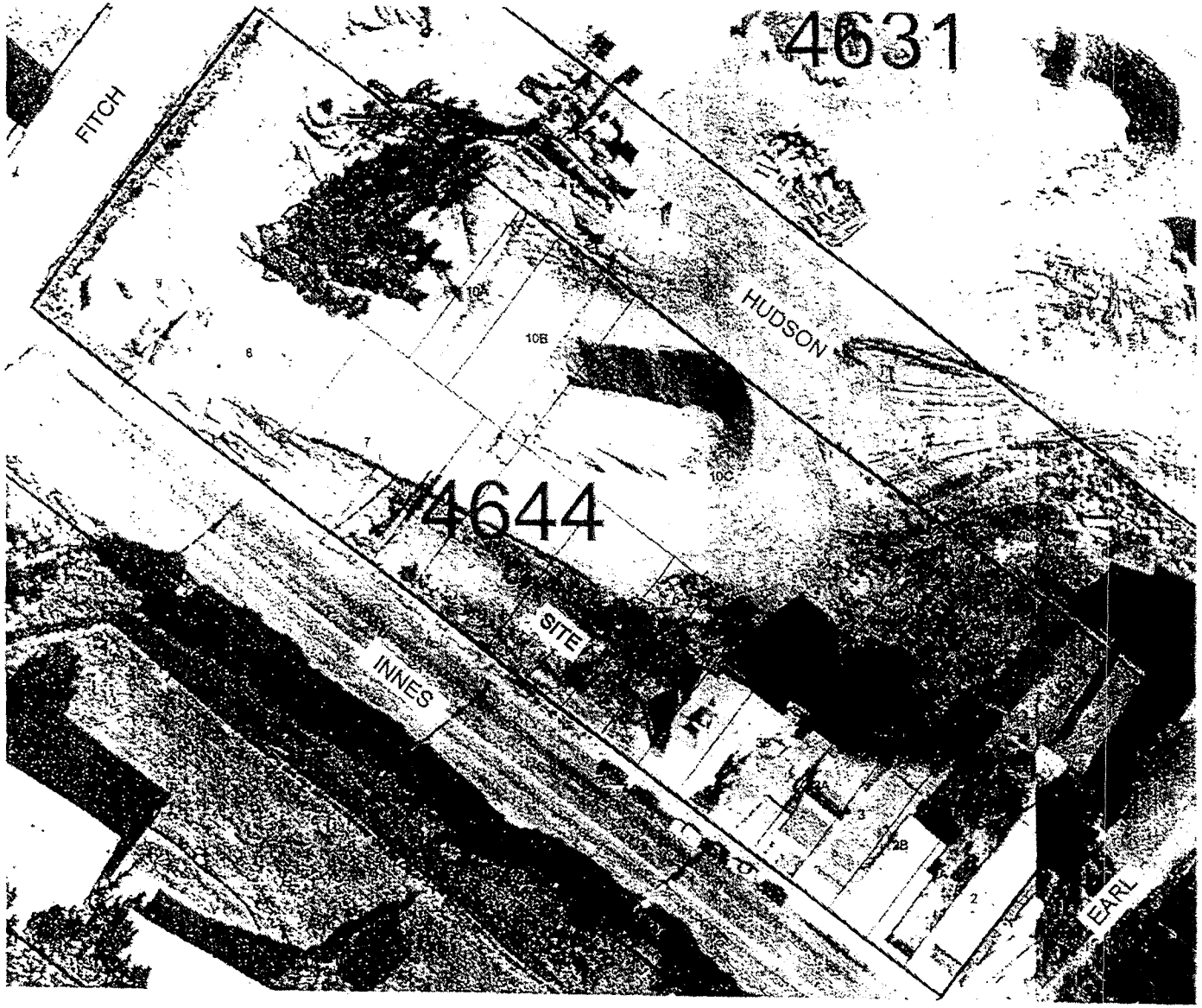
(Six copies submitted)

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

WPN:1535001.RE2

SF Digital Basemap

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



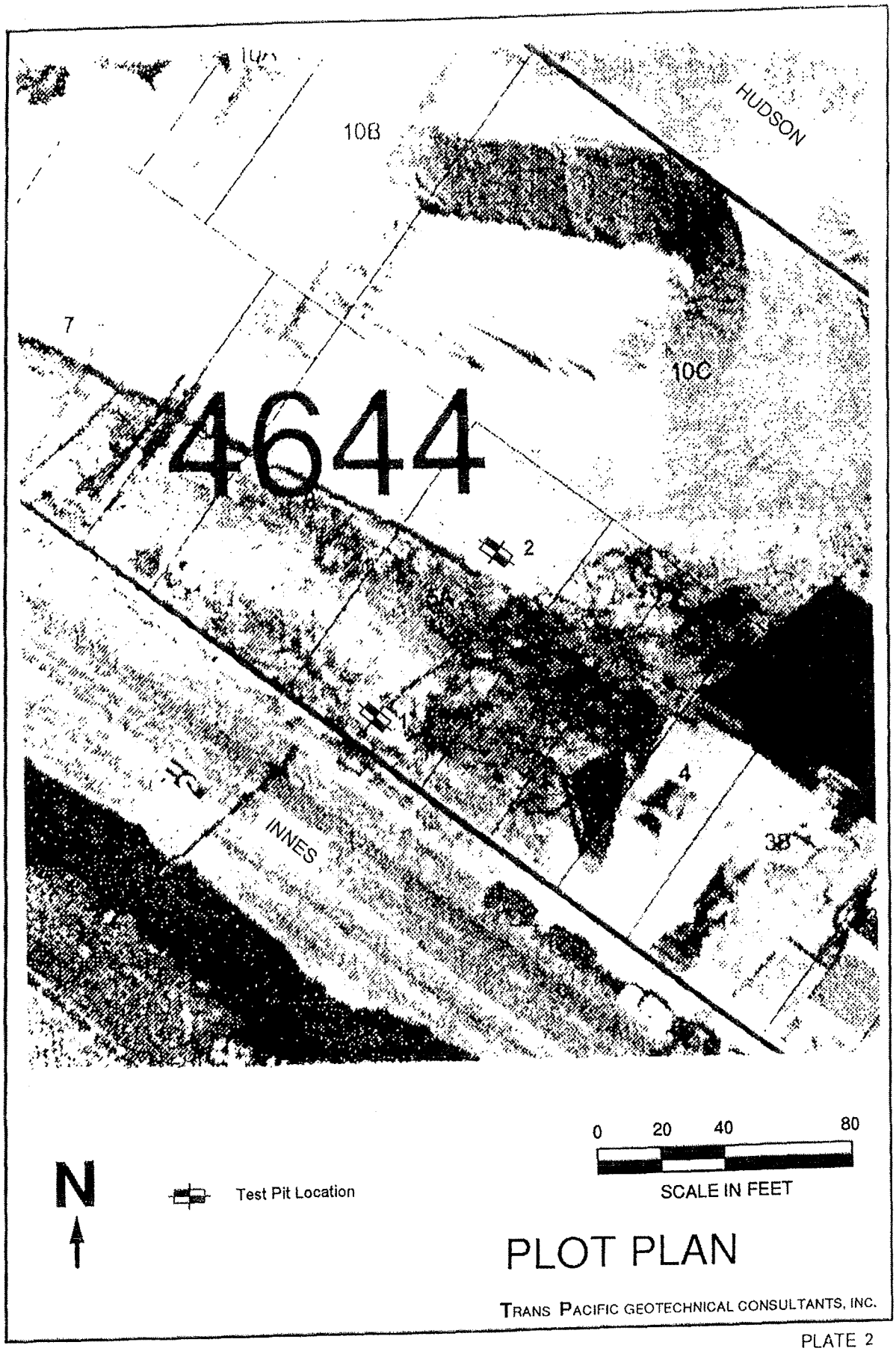
VICINITY MAP

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

PLOT PLAN

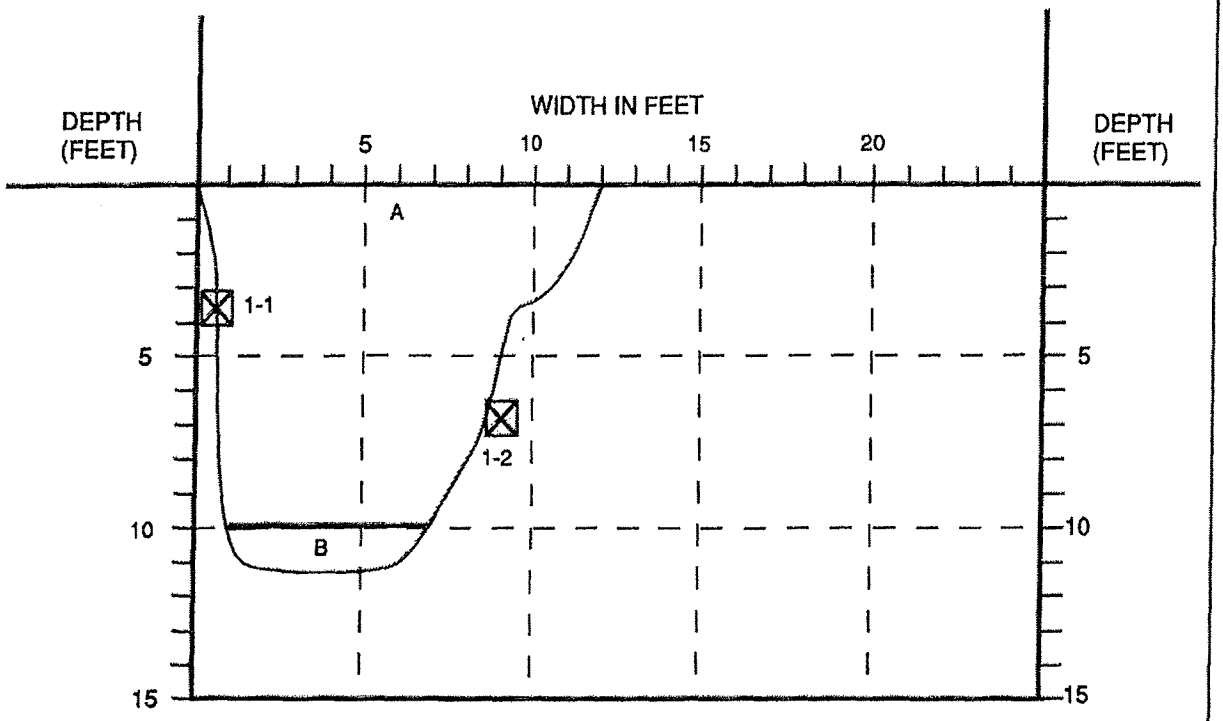
TRANS PACIFIC GEOTECHNICAL CONSULTANTS, INC.

PLATE 2

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.

1535-00, Proposed Russian Spa, Innes Avenue, San Francisco, California

LOG OF EXPLORATORY PIT

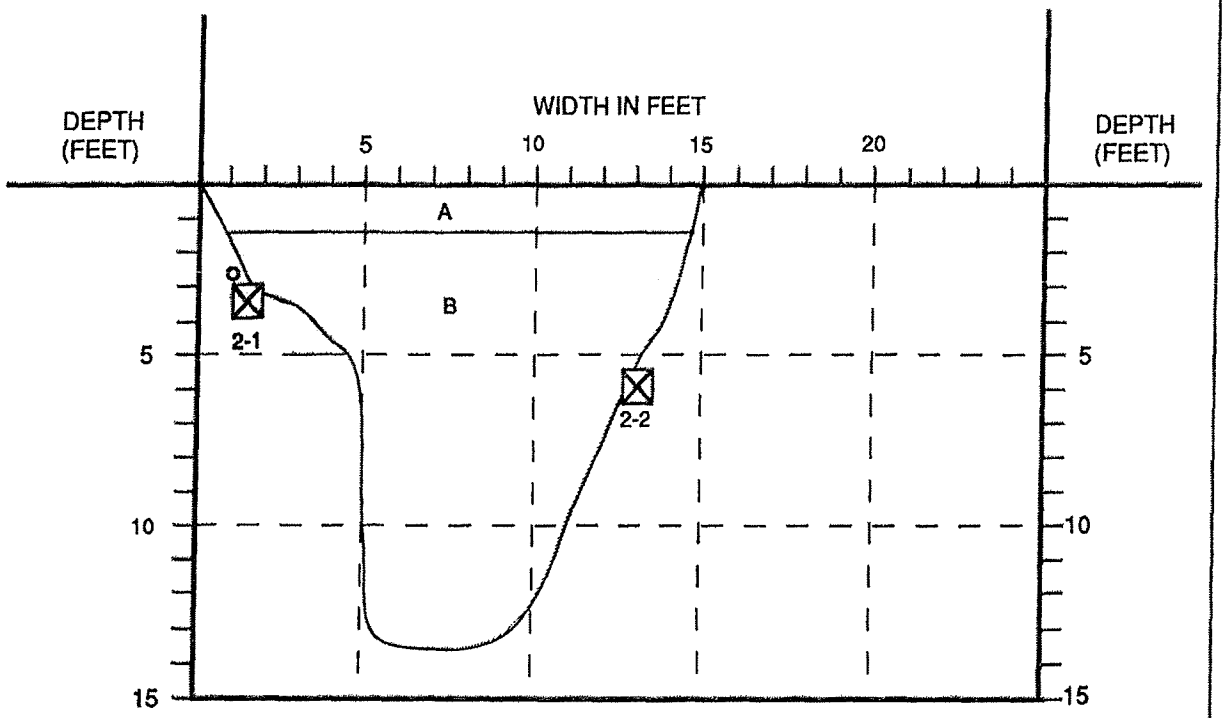
Trans Pacific Geotechnical Consultants, Inc.

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

o 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].

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

LOG OF EXPLORATORY PIT

Trans Pacific Geotechnical Consultants, Inc.

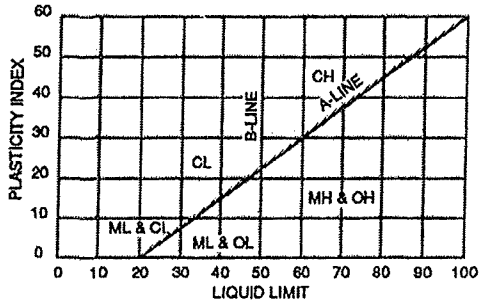
PLATE 3B

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	FOR VISUAL CLASSIFICATION, THE 1/4" SIZE MAY BE USED AS EQUIVALENT TO THE NO. 4 SIEVE SIZE	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		
	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
	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			

THE NO. 200 U.S. STANDARD SIEVE SIZE IS ABOUT THE SMALLEST PARTICLE VISIBLE TO THE NAKED EYE

PLASTICITY CHART



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

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 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.

PLATE 4

APPENDIX

Report

Prepared By

CALTEST ANALYTICAL LABORATORY

Laboratory No. 9906-181

June 25, 1999

CALTEST ANALYTICAL LABORATORY
1885 N. Kelly Rd. • Napa, California 94558
(707) 258-4000 • Fax: (707) 226-1001

CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

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 (TTLC) 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

Todd M. Albertson
Project Manager

Enclosure(s):
Caltest Lab Order # 9906181

CALTEST ANALYTICAL LABORATORY
1885 N. Kelly Rd. • Napa, California 94558
(707) 258-4000 • Fax: (707) 226-1001

CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

LAB ORDER No.: 9906-181

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

Lab Number	Sample Identification	Matrix	Sampled Date/Time
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

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.

CALTEST ANALYTICAL LABORATORY
1885 N. Kelly Rd. • Napa, California 94558
(707) 258-4000 • Fax: (707) 226-1001

CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

LAB ORDER No.: 9906-181

INORGANIC ANALYTICAL RESULTS

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.

CALTEST ANALYTICAL LABORATORY
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CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

INORGANIC ANALYTICAL RESULTS

LAB ORDER No.: 9906-181

ANALYTE	RESULT	R.L.	UNITS	D.F.	METHOD	ANALYZED	QC BATCH	NOTES
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

ORGANIC ANALYTICAL RESULTS

LAB ORDER No.: 9906-181

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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CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

ORGANIC ANALYTICAL RESULTS

LAB ORDER No.: 9906-181

ANALYTE	RESULT	R.L.	UNITS	D.F.	ANALYZED	QC BATCH	NOTES
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	
(continued)							
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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CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

LAB ORDER No.: 9906-181

ORGANIC ANALYTICAL RESULTS

ANALYTE	RESULT	R.L.	UNITS	D.F.	ANALYZED	QC BATCH	NOTES
LAB NUMBER: 9906181-2 (continued)							
SAMPLE ID: 2-2 (A & B) 5'6"							
SAMPLED: 04 JUN 99 09:40							
METHOD: EPA 8020A							
AROMATIC HYDROCARBONS				1	06.09.99	V990064G9A	1,2
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				
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 % Type	NON-ASBESTOS % 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

Analysis performed by EMSL Milpitas (NVLAP, AL and Delta 9/30/96 0, ELAP #1566)

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CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

LAB ORDER No.: 9906-181

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

QC Batch ID	Method	Matrix
A990421ICP	6010B	SOIL
A990428MER	7471A	SOIL
T990148TPH	8015M	SOIL
T990151OCP	8082	SOIL
V990064G9A	8020A	SOIL

Todd M. Albertson
Project Manager

Christine Horn
Laboratory Director

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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CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

LAB ORDER No.: 9906-181

METHOD BLANK ANALYTICAL RESULTS

ANALYTE	RESULT	R.L.	UNITS	ANALYZED	NOTES
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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CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

LAB ORDER No.: 9906-181

METHOD BLANK ANALYTICAL RESULTS

ANALYTE	RESULT	R.L.	UNITS	ANALYZED	NOTES
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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CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

LAB ORDER No.: 9906-181

LABORATORY CONTROL SAMPLE ANALYTICAL RESULTS

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\			

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CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

LAB ORDER No.: 9906-181

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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CERTIFIED ENVIRONMENTAL SERVICES
CALIFORNIA ELAP #1664

LAB ORDER No.: 9906-181

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 (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: T9901510CP 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\			

Caltest ANALYTICAL LABORATORY

1885 N. KELLY ROAD • NAPA, CA 94558 • (707) [illegible]8-4000 • Fax (707) 226-1001 • www.caltestlab.com

SAMPLE CHAIN OF CUSTODY

PAGE 1 OF _____

LAB ORD: 9[illegible]6181

PROJECT # / PROJECT NAME: 1535-001 Russian Spa

P.O. #:

CLIENT: TRANS PACIFIC GEOTECHNICAL CONSULTANTS, INC.

REPORT TO: EDDY T. LAU

ADDRESS: 445 GRANT AVENUE, SUITE 403, CITY: SAN FRANCISCO, STATE: CA ZIP: 94108

BILLING ADDRESS: SAME

PHONE #: (415) 788-8627 FAX PHONE: (415) 788-3211 SAMPLER (PRINT & SIGN NAME): Don Fowler / Don Fowler

ANALYSES REQUESTED

TURN-AROUND TIME: [X] STANDARD [ ] RUSH

DUE DATE: _____

CALTEST #	DATE SAMPLED	TIME SAMPLED	MATRIX	CONTAINER AMOUNT/TYPE	PRESERVATIVE	SAMPLE IDENTIFICATION SITE	CLIENT LAB #	COMP. or GRAB	8015M-DIESEL	PCB	BTEX	CAM MET (17)	ASBESTOS	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"								
↓	6-4-99	8:40		glass jar		1-2b 6'6"								
-1	6-4-99	9:20		brass tube		2-1a 3'6"			X	X	X			
↓	6-4-99	9:20		glass jar		2-1b 3'6"						X	X	
-2	6-4-99	9:40		brass tube		2-2a 3'6"			X	X	X			
↓	6-4-99	9:40	↓	glass jar	↓	2-2b 5'6"						X	X	

HOLD until further notice per client 6/7/99 — TNT

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
Don Fowler	6-4-99 1:00	E. Ran	E. Ran	6/4/99 12 NOON	LABORATORY/REFRIGERATOR
LABORATORY/REFRIGERATOR	6/7/99 9:30 AM	E. Ran	E. Ran	6/7/99 1106	Todd Scott

Samples: WC ___ MICRO ___ BIO ___ AA ___ SV ___ VOA ___ pH? Y/N ___ TEMP: ICE ___ SEALED? Y/N ___ INTACT? Y/N

BD: BIO ___ WC ___ AA ___

CC: AA ___ SV ___ VOA ___

SIL: HP ___ PT ___ QT ___ VOA ___

WIL: HNO_3 ___ H_2SO_4 ___ NaOH ___

FIL: HNO_3 ___ H_2SO_4 ___ NaOH ___ HCL ___

FOR LAB USE ONLY

COMMENTS

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 = 40mL VOA; OTC = Other Type Container

REV. 2/99

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

INDIA BASIN NEIGHBORHOOD ASSOCIATION

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

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

Jill Fox, Chair

Advocating for our community since 1994

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

Member, Board of Supervisors
District 4

City and County of San Francisco

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

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(415) 554-7460 · TDD/TTY (415) 554-5227 · E-mail: Katy.Tang@sfgov.org · www.sfbos.org/Tang

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.

Supervisor Katy Tang
Chair, Land Use & Transportation Committee

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BOS-11, Aides, COB, Clerk, Deputies, Mayor's Office, Deputy City Atty

President, District 10
BOARD of SUPERVISORS

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San Francisco, CA 94102-4689
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Malia Cohen

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2018 SEP -6 AM 10:45
BY:

PRESIDENTIAL ACTION

Date: 9/6/18

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,
Pursuant to Board Rules, I am hereby:

☒ Waiving 30-Day Rule (Board Rule No. 3.23)

File No. 180816 Cohen
(Primary Sponsor)

Title. Ordinance amending the General Plan to revise the Bayview Hunters Point Area Plan, and the Urban Design, Commerce and Industry, and

☐ Transferring (Board Rule No 3.3)

File No. _____ _____
(Primary Sponsor)

Title. _____

From: _____ Committee

To: _____ Committee

☐ Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor _____

Replacing Supervisor _____

For: _____ _____ Meeting
(Date) (Committee)

MC

Malia Cohen, President
Board of Supervisors

SAN FRANCISCO
PLANNING DEPARTMENT

1650 Mission St.
Suite 400
San Francisco,
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August 24, 2018

Ms. Angela Calvillo, Clerk
Supervisor Malia Cohen
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: **Supplemental Transmittal Packet of Planning Department Case Number: 2014-002541 ENV/GPA/PCA/MAP/CWP/SHD**
India Basin Mixed-Use Project
BOS File No: 180681
Planning Commission Recommendation: ***Approval***

Dear Ms. Calvillo and Supervisor Cohen,

On July 26, 2018 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed General Plan Amendment Ordinance for the India Basin Mixed-Use Project. Subsequently, on August 23, 2018 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Development Agreement for the India Basin Mixed-Use Project.

Previous transmittal packets were submitted to the Board of Supervisors on August 2 and August 7, 2018 covering other actions related to the India Basin Mixed Use Project. This current submittal packet (8/24/18) includes the official transmittal of the General Plan Amendment Ordinance along with the actions related to the approval of the Development Agreement.

The proposed General Plan Amendments and Development Agreement were analyzed in *the India Basin Mixed Use Project EIR* (the "EIR"). The Commission certified the EIR on July 26, 2018 with Motion No. 20247 and adopted CEQA findings at the same hearing with Motion No. 20248.

At the July 26, 2018 hearing, the Commission voted to recommend **approval** of the proposed General Plan Amendments and on August 23, 2018 voted to recommend **approval** of the proposed Development Agreement. Please find attached documents relating to the Commission's action.

If you have any questions or require further information please do not hesitate to contact me.
Sincerely,

Aaron D. Starr
Manager of Legislative Affairs

cc: Brittni Chicuata, Aide to Supervisor Cohen
Andrea Ruiz-Esquide, Deputy City Attorney
Erica Major, Office of the Clerk of the Board
Alisa Somera, Office of Clerk of the Board
John Carroll, Office of the Clerk of the Board
Anne Taupier, Office of Economic and Workforce Development

Attachments (one copy of the following):
Planning Commission Resolution No. 20250 regarding General Plan Amendments
Draft Ordinance for the General Plan Amendments
Planning Commission Motion No. 20261 regarding the Development Agreement
Draft Ordinance for the Development Agreement (Board File No: 180681)
Draft Development Agreement

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
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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.

Angela Calvillo, Clerk of the Board

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