

HUNTERS VIEW REDEVELOPMENT PROJECT

ENVIRONMENTAL IMPACT REPORT

COMMENTS AND RESPONSES

SAN FRANCISCO PLANNING DEPARTMENT

CASE NO. 2007.0168E

STATE CLEARINGHOUSE NO. SCH 2007112086

DRAFT EIR PUBLICATION DATE: MARCH 1, 2008

DRAFT EIR PUBLIC HEARING DATE: APRIL 3, 2008

DRAFT EIR PUBLIC COMMENT PERIOD:

MARCH 1, 2008 TO APRIL 14, 2008

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COMMENTS AND RESPONSES

A. INTRODUCTION

ORGANIZATION OF COMMENTS AND RESPONSES

This document contains summaries of the comments received on the Draft Environmental Impact Report (DEIR) prepared for the proposed Hunters View Redevelopment Project, and responses to those comments.

Section B presents a list of those who provided written comments or oral testimony at the public hearing on the DEIR before the San Francisco Planning Commission on April 3, 2008.

Section C, Comments and Responses, presents all comments received during the DEIR public review period from March 1, 2008 to April 14, 2008 including written comments and oral comments made at the April 3, 2008 public hearing. Section C also includes responses to those comments. The comments are presented herein by direct quotation, edited to delete repetition and non-substantive materials only. Minor editorial changes have been made.

Comments and responses are arranged by the date the comments were received. Each comment within each letter is followed by a response. The responses include additions or revisions to the text of the DEIR. Newly inserted words and phrases are double underlined, as are new sentences that are incorporated into existing text. As the subject matter of one topic may overlap that of other topics, the reader must occasionally refer to more than one group of comments and responses to review all information on a given subject. Where this occurs, cross references are provided.

Some comments do not pertain to the scope of the DEIR, which is limited by the California Environmental Quality Act (CEQA) to analyze the physical environmental impacts of the proposed Hunters View Redevelopment Project. Responses to these comments note that they fall outside of the CEQA requirements for an EIR, but the comments are noted for informational purposes and to affirm that the commentor's concerns will be distributed to the decision makers for their consideration in approval or disapproval of the project.

These comments and responses will be incorporated into the Final EIR as a chapter separate from the text of the DEIR. All text changes to the DEIR identified in this Comments and Responses document will also be incorporated into the Final EIR, as indicated in the responses. Section D, Staff Initiated Text Changes, includes EIR text revisions to clarify information in

addition to responses to specific comments that do not affect the overall EIR findings or conclusions. The public hearing transcript and a copy of all letters received during the public review period are attached to this document in Appendix A.

B. LIST OF COMMENTORS

COMMENT LETTERS

Letter 1: Lisa Carboni, District Branch Chief, State of California, Department of Transportation, April 2, 2008.

Letter 2: Daniel LaForte, Planner, City and County of San Francisco, Recreation and Park Department, April 10, 2008.

Letter 3: Chris Buck, Member, Bayview Hunters Point Project Area Committee

Letter 4: Bryan Much, Researcher 1, California Historical Resources Information System,

Letter 5: Robert W. Cherny, Vice President, Landmarks Preservation Advisory Board.

Letter 6: Ulysses J. Montgomery, Hunters View Tenants Association, Inc.

Letter 7: Jill Fox, India Basin Neighborhood Association

PUBLIC HEARING COMMENTS

Ulysses J. Montgomery

C. COMMENTS AND RESPONSES

LETTER 1: LISA CARBONI, DISTRICT BRANCH CHIEF, STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION, APRIL 2, 2008.

Comment 1.1

Highway Operations

Due to the close vicinity of the project to Interstate 280, please provide the Level-of-Service analysis for existing, project only, existing plus project, and 2025 cumulative conditions for the Pennsylvania Avenue on and off-ramps and 18th Street on and off-ramps.

Response 1.1

An analysis of conditions near I-280, as requested in the comment, in May 2008, is summarized in the following responses.¹ Project-generated trips would likely use the Pennsylvania Avenue on- and off-ramps as the closest access to the project site to I-280 for destinations to the north or south. Project vehicle trips would not be expected to use the I-280 18th Street on- and off-ramps. Therefore, a freeway evaluation was conducted for the Pennsylvania Avenue on-and off-ramps only. The analysis evaluated the weekday PM peak hour conditions to determine the contribution of the proposed Project to the Pennsylvania Avenue on-and off-ramp conditions. The analysis included the Existing Conditions, Baseline Conditions, Baseline plus Project Conditions, and 2025 Cumulative Conditions, the scenarios completed for the Draft EIR transportation study. For this case, however, no operational differences would be expected between the Existing and Baseline Conditions and the two scenarios were consolidated and included as the Baseline Conditions.

A Level-of-Service analysis was conducted for the mainline freeway operating conditions for the freeway sections associated with the Pennsylvania Avenue ramps as well as the intersection at the terminus point of those ramps.

¹ Watson, James, DMJM Harris, Memorandum to Nannie Turrell, San Francisco Planning Department, May 14, 2008. A copy of this Memorandum is on file and available for public review by appointment at the Planning Department, 1650 Mission Street, 4th Floor in Case No. 2007.0168E.

The following table summarizes the findings of the LOS analysis for the I-280 freeway sections.

TABLE C&R-1 FREEWAY SECTION LEVEL OF SERVICE							
Freeway Section	Section Type	Baseline Conditions		Baseline plus Project Conditions		2025 Cumulative Conditions	
		LOS	Density	LOS	Density	LOS	Density
SB I-280 on-ramp at Pennsylvania Av	Merge	D	34.4	D	34.5	E	37.6
NB I-280 on-ramp at 25th St	Merge	B	17.7	B	18.0	C	26.3
SB I-280 off-ramp at Pennsylvania Avenue	Diverge	D	31.3	D	31.5	F ⁽¹⁾	37.2
NB I-280 off-ramp at Cesar Chavez Street	Diverge	C	22.9	C	22.9	D	28.4

Source: DMJM Harris – May 2008

Notes:

Calculations based on weekday PM peak hour conditions.

Density in passenger cars per mile per lane

1. In the 2025 Cumulative Conditions, the freeway off-Ramp flow rate (2,310 vph) exceeds the allowable combined freeway / Ramp flow rate capacity (2,100 vph) for a three-lane freeway merge section. This merge section would operate at LOS E without the conditional capacity constraint

In Baseline plus Project Conditions, freeway ramp merge/diverge LOS would not change, and the Project would not have a significant adverse impact on those freeway sections. In 2025, the southbound I-280 on-ramp at Pennsylvania Avenue would operate at LOS E, a significant cumulative effect. In 2025, the southbound I-280 off-ramp at Pennsylvania Avenue would operate at LOS F; also a significant cumulative effect. The northbound I-280 on-and off-ramps would operate at LOS C and D, respectively. Since LOS C and D are acceptable Levels-of-Service, this impact is less than significant.

The proposed Project's contribution to the 2025 Cumulative Condition is summarized in Table C&R-2, below.

TABLE C&R-2 PROPOSED PROJECT CONTRIBUTION TO FREEWAY SECTIONS IN THE 2025 CUMULATIVE CONDITIONS					
Freeway Section	Baseline Volume	Project Volume	2025 Volume	Contribution To	
				Total	Growth
SB I-280 on-ramp at Pennsylvania Av	5,562	9	6,375	0.1%	1.1%
NB I-280 on-ramp at 25th St	4,457	38	6,028	0.6%	2.4%
SB I-280 off-ramp at Pennsylvania Avenue	5,451	71	7,508	0.9%	3.5%
NB I-280 off-ramp at Cesar Chavez Street	4,762	17	6,224	0.3%	1.2%

Source: DMJM Harris – May 2008

Notes:

All volumes are weekday PM peak hour volumes

All volumes represent a combination of the mainline freeway volume and the ramp volume

As shown in Table C&R-2, the proposed Project would contribute less than one percent to the total volume at all of the I-280 s at Pennsylvania Avenue freeway sections in the 2025 Cumulative Conditions. The effect of the proposed Project on the I-280 ramps at Pennsylvania Avenue would be less than significant. This increase in density would be negligible and would not degrade the merge section Level of Service. In the 2025 Cumulative Conditions, the largest contribution to the volume growth of a freeway section would be 3.5 percent and would occur at the Southbound I-280 off-ramp at Pennsylvania Avenue diverge section. As noted on DEIR p. 102, for the transportation analysis, a greater than five percent contribution to cumulative growth would be considered significant. Therefore, the Project contribution to the freeway section volume growth would not contribute considerably to the significant cumulative decrease in Level of Service at the I-280 ramps at Pennsylvania Avenue.

In addition to the freeway section Level-of-Service analyses, intersection operation analyses were conducted at the following intersections:

- Southbound I-280 off-ramp at Pennsylvania Avenue / Pennsylvania Avenue (All-Way Stop); and
- Northbound I-280 off-ramp at Cesar Chavez Street / Cesar Chavez Street (Signalized).

Weekday PM peak hour traffic volumes and intersection geometry were assessed for the two intersections at the off-ramp termini. The results of the intersection analyses are presented in Table C&R-3.

TABLE C&R-3 RAMP INTERSECTION LEVEL OF SERVICE							
Off-Ramp	Traffic Control	Baseline Conditions		Baseline plus Project Conditions		2025 Cumulative Conditions	
		LOS	Delay ¹	LOS	Delay	LOS	Delay
SB I-280 off-ramp at Pennsylvania Av / Pennsylvania Av	Stop Controlled (4-way)	B	11.1	B	12.2	F	> 50.0
NB I-280 off-ramp at Cesar Chavez St / Cesar Chavez St	Signalized	D	37.6	D	37.7	F	> 80.0

Source: DMJM Harris – May 2008

Notes:

Calculations based on weekday PM peak hour conditions

¹ Delay in seconds per vehicle.

In the 2025 Cumulative Conditions, the two intersections would degrade to LOS F. To assess the effect of project-generated traffic on the freeway off-ramp intersections in the 2025 Cumulative Conditions, the proposed Project's contribution to the 2025 Cumulative traffic volumes was determined. Two different factors were calculated: the project-generated traffic as a percent of only the increase in traffic volumes, and the project-generated traffic as a percent of only the increase in traffic volumes between Baseline and 2025 Cumulative Conditions. The

percent contributions were calculated at the two I-280 off-ramps at Pennsylvania Avenue intersections and are presented in Table C&R-4.

**TABLE C&R-4
PROPOSED PROJECT CONTRIBUTION AT RAMP INTERSECTIONS IN THE
2025 CUMULATIVE CONDITIONS**

Intersection	Baseline Volume	Project Volume	2025 Volume	Contribution To	
				Total	Growth
SB I-280 off-ramp at Pennsylvania Av / Pennsylvania Av	1,348	71	2,855	2.5%	4.7%
NB I-280 off-ramp at Cesar Chavez St / Cesar Chavez St	2,699	17	3,857	0.4%	1.5%

Source DMJM Harris – May 2008

Notes

All volumes are weekday PM peak hour volumes

All volumes represent a combination of all of the controlled movements at the ramp terminus intersection

The proposed Project would contribute less than three percent to the total volume at both of the I-280 off-ramps at Pennsylvania Avenue intersections in the 2025 Cumulative Conditions. The proposed Project would contribute less than five percent to traffic volume growth at both of the I-280 off-ramps at Pennsylvania Avenue intersections in the 2025 Cumulative Conditions. As noted on DEIR p. 102, for the transportation analysis, a greater than five percent contribution to cumulative growth would be considered significant. Therefore, the Project contribution to 2025 Cumulative Conditions would be less-than-significant.

Comment 1.2

Forecasting

Please provide the new vehicle trips generated on Pennsylvania Avenue on and off-ramps and 18th Street on and off-ramps.

Response 1.2

As stated in the response to Comment 1.1, above, due to the location of the proposed Project, project vehicle trips are not expected to use the 18th Street I-280 on- and off-ramps. Project-

generated trips would likely use Pennsylvania Avenue on- and off-ramps. The number of weekday PM peak-hour vehicle trips generated by the proposed Project that are expected to use the I-280 ramps at Pennsylvania Avenue are as follows:

- Southbound I-280 on-ramp at Pennsylvania Avenue = 9 trips;
- Northbound I-280 on-ramp at 25th Street = 38 trips;
- Southbound I-280 off-ramp at Pennsylvania Avenue = 71 trips; and,
- Northbound I-280 off-ramp at Cesar Chavez Street = 17 trips.

As discussed in Response 1.1 above, the Project generated peak-hour vehicle trips would not have significant adverse effects on the freeway ramp intersections.

Comment 1.3

On page 92, Table 7, the weekday PM peak hour net trip generation for daycare use is 7 vehicles. However, from the ITE Trip Generation 7th Edition (code 565), the vehicle trip generation rate for daycare use is 13.18 trips per 1,000 square feet. As a result, there would be a total of 112 vehicle trips. Please explain the discrepancy.

Response 1.3

The daycare use trip generation calculations are based on San Francisco Planning Department's 2002 *Transportation Impact Analysis Guidelines for Environmental Review* (SF Guidelines). The SF Guidelines provide the analysis methodology for the proposed Project. Based on the SF Guidelines, the Project is expected to generate 26 vehicle trips (two work trips and 24 non-work trips) during the weekday PM peak hour.

As discussed on page 28 of the 227-229 West Point Road Transportation Study, the 8,500 square foot daycare facility would serve only residents of the proposed Project. Therefore, per the direction of the San Francisco Planning Department, an 80 percent linked trip credit was taken for non-work daycare facility trips. Given this assumption, the Project is expected to generate

seven external vehicle trips (two work trips and five non-work trips) during the weekday PM peak hour.²

Comment 1.4

On page 92, under the "Trip Distribution/Assignment" section, please provide a vehicle trip distribution map.

Please provide calculations including factors, formulas and sources for the conversion of person trips to vehicle trips.

Response 1.4

Local and Regional Trip Distribution maps are included as Figures D and E in the May 2008 DMJM Harris traffic analysis.³

Local and Regional Trip Distribution maps from the DMJM report are included on the following pages as Figures C&R-1 and C&R-2. It should be noted that for the purposes of this analysis the East Bay distribution (seven percent) and Out of Region distribution (one percent) were combined; this is reflected in Figure E. All calculations and factors used in the study are included in the 227-229 West Point Road Transportation Study Appendix footnote. The transportation study used person-trip to vehicle trip conversion factors provided in the SF Guidelines.

Trip generation, mode split, and trip distribution/assignment methods for the Project transportation analysis, based on the SF Guidelines, are described in Hunters View Redevelopment Project DEIR pp.90-92. Table 6, p. 91 presents Project person-trip generation, and Table 7, p. 92, weekday peak-hour trip generation by mode. Under the SF Guidelines, for residential land uses, the conversion of person-trips to vehicle-trips is based on the 2000 U.S. Census Journey-to-Work data. For the purposes of this study, Census Tracts 231.02 and 231.03

² DMJM Harris, 227-229 West Point Road Transportation Study, February 29, 2008. This report is available for public review by appointment at the Planning Department, 1650 Mission Street, 4th Floor, Project File No. 2007.168E.

³ Watson, James, DMJM Harris, Memorandum to Nannie Turrell, San Francisco Planning Department, May 14, 2008. A copy of this Memorandum is on file and available for public review by appointment at the Planning Department, 1650 Mission Street, 4th Floor in Case No. 2007.0168E.

were the data sources to estimate the residential mode split for the proposed Project. This data in the 2000 U.S. Census Journey-to-Work tables is included in Table C&R-5 below.

The SF Guidelines provided factors for the conversion of all person-trips to vehicle trips for the retail and daycare land uses. The factors and results of the conversion process are included in Table C&R-6, below.

TABLE C&R-5 U.S. CENSUS JOURNEY TO WORK TRIP DATA						
Mode	Census Tract					
	231.02		231.03		Total	
	Count	Share	Count	Share	Count	Share
Auto	912	76.8%	489	54.8%	1,401	67.4%
Transit	187	15.8%	404	45.2%	591	28.4%
Walk	88	7.4%	0	0.0%	88	4.2%
Other	0	0.0%	0	0.0%	0	0.0%
Total	1,187	100.0%	893	100.0%	2,080	100.0%
Auto Occupancy	1.01		1.33		1.10	

Source: DMJM Harris – May 2008.

Notes:

Census tract data based on 2000 U.S. Census Journey-to-Work data.

Auto occupancy weighted average based on total auto trips.

**TABLE C&R-6
WEEKDAY PM PEAK HOUR VEHICLE TRIPS**

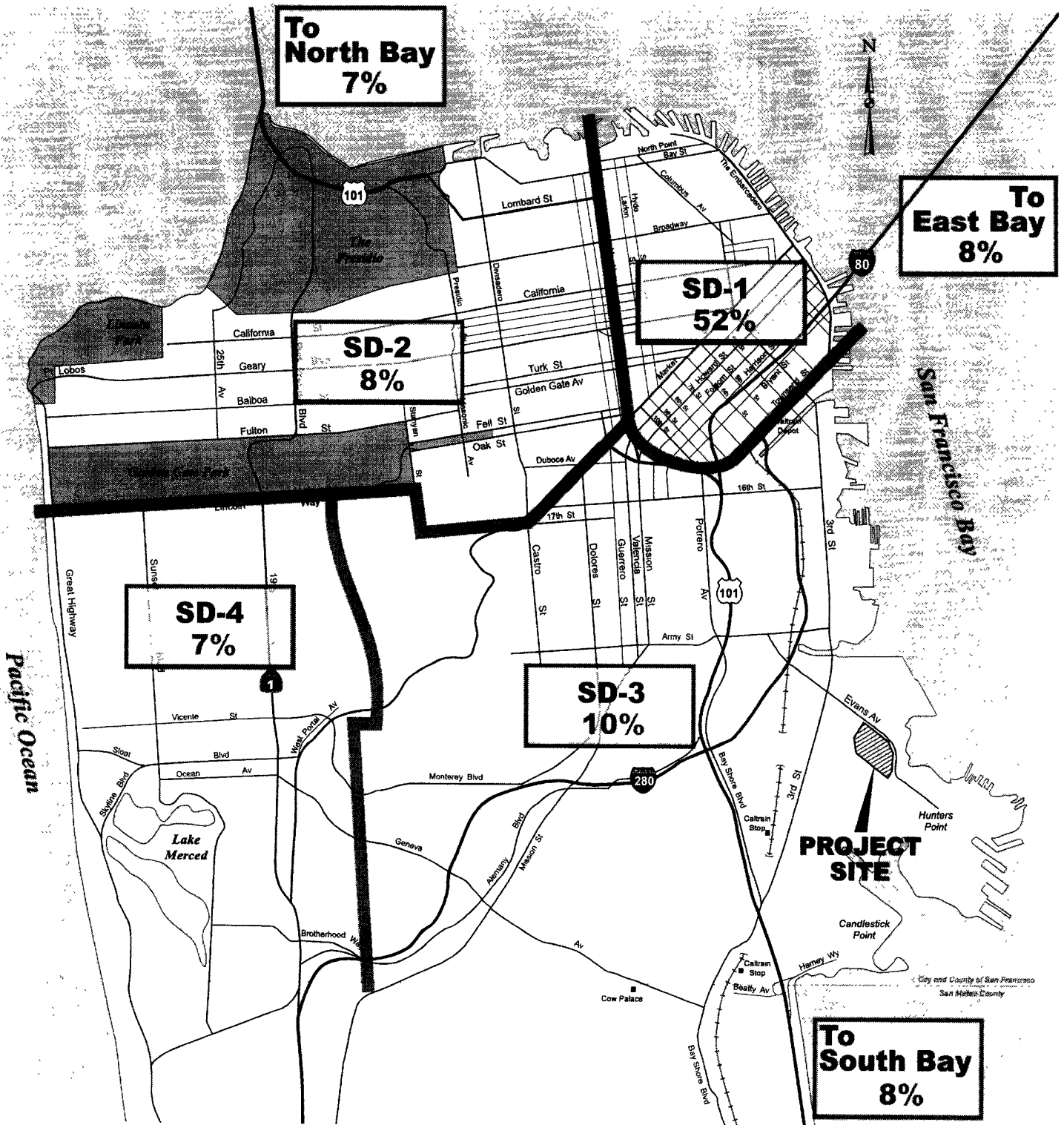
Mode	Land Use			Total
	Residential	Retail	Daycare	
Person Trips	1,023	86	103	1,212
Auto Share ⁽¹⁾	67.4%	64.4%	13.6%	-
Auto Trips	689	56	14	759
Auto Occupancy	1.10	1.85	1.95	-
Vehicle Trips	625	30	7	662

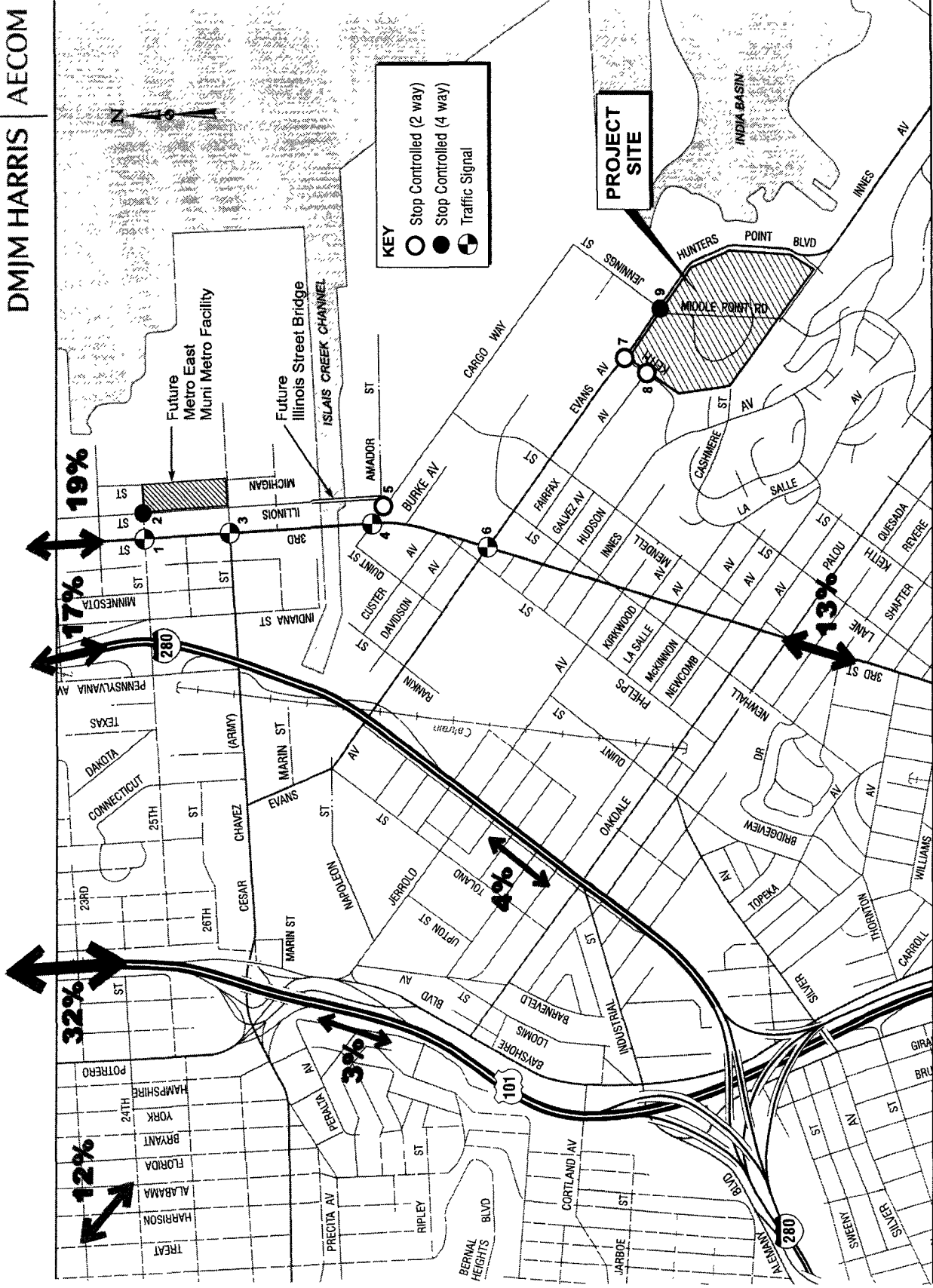
Source: DMJM Harris – May 2008

Notes:

Auto share and auto occupancy have been calculated based on factors from the *SF Guidelines*.

¹ The daycare auto share includes an 80 percent linked trip reduction for work-trips.





LOCAL PROJECT TRIP DISTRIBUTION
Weekday PM Peak Hour

Comment 1.5

Community Planning

Improved pedestrian access to public transit can reduce vehicle trip generation. Please provide adequate lighting on all sidewalks and consider using ladder-style striping for the crosswalks and installing signs to warn motorists of pedestrians at all intersections surrounding the Project. The use of ladder-style striping will help improve visibility of the crosswalk.

Response 1.5

As stated on DEIR p. 96, the proposed Project would include improved pedestrian access to public transportation via new sidewalks and linkages. In compliance with San Francisco Department of Public Works regulations, lighting, signage and street markings would be provided to ensure pedestrian safety. As shown on Figure 10, DEIR p. 95, pedestrian access to the Project Site would be provided along Middle Point Road at the north and south ends of the Project Site, at Fairfax Avenue, on the south-southeast side (if the PG&E easement is granted and the pedestrian walkway proceeds) and in the northwest corner of the Project Site adjacent to block 10. As stated on DEIR p. 94, "Transit trips to and from the Project Site would likely use the 19 and 44 MUNI lines, which travel directly through the Project Site and have high service frequencies." These lines both have stops along Middle Point Road. Residents who wish to access the T-Third Street line would likely use the Fairfax Avenue pedestrian access to Third Street since the Fairfax/Third Street intersection is about half a mile away.

**LETTER 2: DANIEL LAFORTE, PLANNER, CITY AND COUNTY OF SAN FRANCISCO,
RECREATION AND PARK DEPARTMENT, APRIL 10, 2008.**

Comment 2.1

We have reviewed the Draft of the Environmental Impact Report for the Hunters View Redevelopment Project. We would like to raise a number of comments on the current draft.

Page 13 - In the Summary section under "other impacts determined to be less than significant", "Recreation and Public space" the assertion that the addition of 800 units would not be considered a "substantial addition to the existing demand for available public recreation facilities" is supported by no apparent evidence.

Response 2.1

The proposed Project would result in the addition of up to 533 additional housing units. DEIR p. 147 states, "The 383 to 533 additional dwelling units would result is approximately 900 to 1,250 new residents at the Project Site." As stated on DEIR p. 148, "The proposed Project would increase the population in the Project vicinity by between 1.6 and 2.6 percent." In terms of public recreation facilities that serve the project site, as stated on DEIR p.151, "Park District 10, which encompasses all of Bayview Hunters Point, has 22 parks totaling about 128 acres. The open space and park areas in the vicinity of the Project Site include India Basin Shoreline Park, Bayview Park, Youngblood-Coleman Park, Hilltop Park, many similar neighborhood pocket parks, and the Candlestick Point State Recreation Area at the southern end of the neighborhood." In addition, DEIR p. 152 states "The proposed Project would provide about 58,300 sq. ft. of common open space on site and additional private open space serving project residents and the public as part of the new development, as required by the Planning Code." The provision of on-site open space would further reduce the demand on open space and park areas in the vicinity of the Project Site.

Comment 2.2

Page 50 - Under "open space" the use of the new parks proposed are not detailed in order to understand if they will meet the new communities' needs. Both active and passive recreational space is needed citywide and fields and courts are always needed with new development. This does not discuss weather playing fields, highly needed and desired, will be accommodated in these new parks. Furthermore, it is unclear who would be providing "on-site management", if

these services are to be provided by the Recreation and Parks Department, that cost and impact must be analyzed. This analysis is currently not provided.

Response 2.2

The project would include common open space that would be designed based on discussions with current Hunters View residents and with the future Hunters View residents in mind. The open space plans have not been completed, but the parks would target the needs of families and would likely include: play areas, play equipment, seating, lawns, trees and other plantings, walls, steps, trellises, accessible ramps/walkways, and lighting. Other features such as community gardens, and play equipment for specific age groups could be included in some but not all on-site open space. The Project Sponsor would design open spaces appropriate for both “active” and “passive” uses; however, the topography of the site would make it difficult to include sport courts or playing fields.

As stated on DEIR p. 50, the open space would be privately owned and would thus be, “. . . maintained by on-site management” rather than the Recreation and Park Department.

Comment 2.3

Page 151-152 and Page 155 Under Parks and Recreational Facilities. The 1990 analysis provided by the City of San Francisco's General plan is cited. First, this information is extremely outdated, the city's population has changed significantly. Second, the assertion that the additional 800 families would not be a “substantial” addition to the area and the city as a whole is without substantiation. The Recreation Assessment Report, also cited, found that citywide there is a large need for additional playfield and other recreational space and this community is no exception. Many of the parks cited in the report need significant work, or if rebuilt recently were done so to meet existing population needs. An 800 family increase to the area would certainly have an impact on the more rapid deterioration of park and community facilities in the area. This analysis needs to be included in the Final EIR.

Response 2.3

As discussed in Response 2.1, above, the increase in demand on parks and recreational facilities resulting from the proposed Project would not be considered substantial, as the proposed Project would include usable open space, would include active and passive recreation opportunities, and is near larger recreation areas. Therefore, the DEIR concluded that the

proposed Project would not have a significant adverse impact on parks and recreational facilities.

LETTER 3: CHRIS BUCK, MEMBER, BAYVIEW HUNTERS POINT PROJECT AREA COMMITTEE, APRIL 4, 2008.

Comment 3.1

Regarding Biological Resources, Mitigation Measure G-7: Significant trees (page 195).

The report needs to directly state that all trees are likely to be removed from the current Hunters View site. It appears that all the trees on the site are going to be removed, regardless if they are:

- street trees in the public right-of-way
- "Significant Trees" on private property within 10 feet of the public right-of-way, or
- any other tree on private property on the existing site.

The impact of the project to all the trees on the current site needs to be stated more clearly.

Is there really a plan to retain any existing trees? Based on a project of this scale with the amount of infrastructure replacement and construction activity to occur, it seems unlikely that any tree on site can be adequately protected and remain as part of the new design. Impacts to all trees from grading, soil compaction, construction activity and root loss will be severe.

Response 3.1

DEIR p. 50 states that, "All of the existing trees would be removed as part of the Project." According to the Arborist Report, cited on DEIR p. 43, there are currently 68 trees on the site and all but six trees are considered to be in fair, poor or very poor condition. Also, DEIR p. 50 notes that, "The Project would include new landscaping and tree planting, and would replace at least as many as the 68 trees to be removed."

Comment 3.2

The report accurately identifies that street trees and "Significant Trees" will require a permit for removal. However, the survey done by a qualified arborist needs to include all street trees and all "Significant Trees" on site. Any street tree will require a permit, regardless of its size.

The EIR report says that a qualified arborist will map and survey trees with a diameter greater than 36 inches that are proposed to be altered, removed, or relocated. It then says "Any removal of these trees associated with the proposed Project will require a permit review..." Which agency will be doing this permit review? Currently San Francisco's Urban Forestry Ordinance

does not protect private property trees or require a permit process for trees on private property if they do not qualify as "Significant Trees". Please clarify if this will be a separate permit review process, and which agency will be conducting the review.

Response 3.2

On January 12, 2007, Walter Levison, consulting arborist, conducted a survey of all of the trees on the Project Site. This document is cited on p. 43 of the DEIR. As stated in that footnote, a copy of the Arborist Report is available for review, by appointment at the San Francisco Planning Department in Case File No. 2007.0168E.

The arborist report identified 50 significant trees and 18 street trees, for a total of 68 trees on the Project Site. As stated on DEIR p. 133, "There are 50 significant trees – as defined under the San Francisco Urban Tree Ordinance, below – on the Project Site, including . . . The 18 street tree specimens along the lower portion of the site at Keith Avenue are mainly New Zealand Christmas tree (*Metrosideros excelsus*) and Brisbane box (*Tristania conferta*). There are 12 New Zealand Christmas tree specimens ranging in condition from very poor to good, and four recently planted Brisbane box specimens in good condition still affixed with planting stakes and ties."

As noted on DEIR p. 50, the project would remove all of the trees on the site. As stated on p. 195 of the DEIR, "The Project will comply with Article 16 of the Public Works Code for protection for significant trees. . . Street trees are also protected by the City's Urban Forestry Ordinance and both require a permit for removal." The additional tree survey required under Mitigation Measure G-7: Significant Trees focuses only on significant trees because, "Any removal of these trees associated with the proposed Project will require a permit review, and replacement of affected 'significant' trees as specified in the ordinance." (DEIR pp.195 – 196) The tree survey required under Mitigation Measure G-7 is in addition to the survey of all of the on-site trees conducted previously and documented in the Arborist Report.

Under Article 16 of the Public Works Code, the Department of Public Works reviews tree removal permits. All of the tree removals would occur in accordance with the Department of Public Works tree removal and permitting processes.

Comment 3.3

San Francisco's Urban Forestry Ordinance requires that all street trees and "Significant Trees" be replaced. I recommend that a survey of all the street trees, all "Significant Trees", and all the trees on private property with a diameter greater than 4 inches at breast height (DBH) be surveyed and inventoried by a qualified arborist. This data should be included as part of the Final EIR.

An estimate of the total amount of new trees to be planted as part of this project should also be calculated, in order for the public to have a better understanding of how many trees are being removed and how many new trees will be planted. The trees should be classified as street trees, "Significant Trees", or private property trees.

Response 3.3

On January 12, 2007, Walter Levison, consulting arborist conducted a survey of all of the trees on the Project Site. This document is cited on p. 43 of the DEIR. As stated in that citation, a copy of the Arborist Report is available for review, by appointment at the San Francisco Planning Department in Case File No. 2007.0168E.

As stated in Response 3.2, above, the tree survey that was conducted indicates that the site currently contains 68 trees. 50 of these trees have been deemed "significant" and 18 have been deemed "street trees". All of these trees would be removed due to their poor health and to allow for the new development. The Project Sponsor currently estimates that approximately 367 new trees will be planted as part of the new development. 305 of these would be "street trees" and 62 trees would be planted in the open space in the parks and around buildings. While tree species have not yet been selected, the Project Sponsor will seek input from current residents, city staff, and community constituents prior to making any final selection.

Comment 3.4

Section 143 of San Francisco's Planning Code requires that one street tree be planted for every 20 feet of building frontage. Will this project be required to follow section 143 of San Francisco's Planning Code?

Response 3.4

Section 143 of the Planning Code requires that street trees be planted every twenty feet. Because Hunters View will be a residential neighborhood, driveways, street light clearances and other anticipated utilities make it difficult to plant trees every twenty feet. While every effort will be made to comply with Section 143, the project sponsor can only commit to do so within the utility and traffic circulation constraints of the project. On average, street trees are currently being designed with 25 foot spacing for small trees in the typical 55-foot right-of-way (which includes most of the streets) and 30-foot spacing for the larger trees on one side of Fairfax Street and along Middle Point Road, which is a 60-foot right of way. The current tree count of approximately 367 is less than the number of trees that would be calculated under Section 143 (approximately 425 trees), and while more trees could potentially be added to the parks and open spaces, doing so would limit the amount of usable open space for the residents.

Comment 3.5

As part of the new Hunters View Development Project, who will maintain the street trees and trees on private property?

Response 3.5

Street trees that are not in the public right-of-way would be maintained by the property owner. Street trees that are in the public right-of-way are generally maintained by the adjacent property owner(s).

Comment 3.6

Will the new sidewalks be wide enough to accommodate street trees and pedestrians? These are my comments on the Hunters View Development Project.

Response 3.6

The sidewalks would be wide enough to accommodate both street trees and pedestrians. The typical sidewalk throughout Hunters View would have a width of five feet. The exception to this would be the sidewalk along Middle Point Road, which is one of the major thoroughfares through the site. The sidewalk along Middle Point Road would be six feet wide.

Current practice is that a minimum of four feet and six inches is required for street trees to grow in planting strips. Most sidewalks at Hunters View are currently designed with a five-foot planting strip that allows for trees. The planting strip along Middle Point Road would be five feet, six inches and the planting strips along Fairfax Street would be at least eight feet, six inches on one side of the street, and two feet, six inches on the other side of the street. A wider planting strip along one side of Fairfax Street would allow for larger trees to be planted and also would enable greater visibility along the curved street for automobiles and pedestrians. The planting strip on the other side of Fairfax Street would include plantings but not trees.

LETTER 4: BRYAN MUCH, RESEARCHER 1, CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM, MARCH 26, 2008.

Comment 4.1

Thank you for the opportunity to comment on this project. We commend your office on their efforts to protect and manage cultural resources. This office has following comments regarding the Hunters View Redevelopment Project Draft Environmental Impact Report:

- On page 144, it is stated that an “archaeological investigation was conducted as part of the Bayview Hunters Point Redevelopment Projects and Rezoning Final Environmental Impact Report”. This office has not received a copy of the report for this archaeological investigation and therefore can not comment on its scope or methods employed in relation to this current project.

Response 4.1

In response to Comment 4.1 the following three archaeological investigations were forwarded, via e-mail, to Leigh Jordon of the Northwest Information Center:

- Hupman, Jan M. and David Chavez, Archaeological Resources Investigations for the Bayview-Hunters Point Redevelopment Plan, San Francisco, California, August 2001.
- Hupman, Jan M. and David Chavez, Archaeological Resources Investigations for the Bayview-Hunters Point Redevelopment Plan, San Francisco, California, Oakinba and South Basin Addition Activity Nodes, May 2004.
- Hupman, Jan M. and David Chavez, Archaeological Resources Investigations for the Bayview-Hunters Point Redevelopment Plan, San Francisco, California, Evans Avenue Addition, August 2004.

The Northwest Information Center received these reports on April 8, 2008.

Comment 4.2

Based on this lack of information (as described above), and given that on page 197 (Ch. IV, section E.) it is stated that there is a “reasonable potential that archaeological resources may be present within the project site”, we recommend that prior to the commencement of project activities further work be conducted to determine if buried archaeological deposits exist within the project area.

It is further recommended that given the sensitivity of this area for Native American sites, a geoarchaeological study is warranted to determine if any buried land surfaces are present that may have been suitable for occupation by Native Peoples.

Response 4.2

As noted by the commentor, the Draft EIR recognizes the potential for archaeological resources to exist at the Project Site and recommends that Mitigation Measure H-1 be applied across the entire Project Site and for every phase of construction. Upon further review of the archaeological documentation and project geotechnical information the application of Mitigation Measure H-1 has been refined and Planning Department staff has initiated changes to the archaeological resources section of the DEIR. These staff initiated changes are located on pp. 36 – 43 of this document.

In summary, the information contained in the three reports indicated that Blocks 13, 18 and 19 of the proposed Project, as shown in Figure 2 of the Draft EIR, are the blocks most likely to contain buried archaeological deposits. The rest of the Project Site is not likely to contain buried deposits. Therefore, Mitigation Measure H-1: Archaeological Resource would be applied only on these three blocks to properly protect undiscovered resources. Pre-construction archaeological surveys are not feasible since the areas of concern are currently paved and built upon; therefore soils are not accessible for archaeological survey purposes. Once construction activities have commenced, including the demolition of existing improvements, uncovered soils would be monitored by an archaeological consultant as described in Mitigation Measure H-1: Archaeological Resource. The archaeological consultant shall first undertake a geoarchaeological study of this project sub-area to determine if any buried land surfaces available for prehistoric occupation are present.

LETTER 5: ROBERT W. CHERNY, VICE PRESIDENT, LANDMARKS PRESERVATION ADVISORY BOARD, MARCH 31, 2008.

Comment 5.1

On Wednesday, March 19, 2008, the Landmarks Preservation Advisory Board (Board) held public hearing and took public comment on the Draft Environmental Impact Report (DEIR) for the Hunters View Redevelopment Project dated March 1, 2008. After discussion the Board arrived at the following comments:

- The Board suggested listing *Black San Francisco: The Struggle for Racial Equality in the West* by Albert S. Broussard in the bibliography and including the history of the neighborhood as an African American community and the role this project played in the community.
- The Board recommended including more information on the relationship between the Hunter's View housing project and the African American community in Hunters Point.

Response 5.1

The following text based on information found in *Black San Francisco: The Struggle for Racial Equality in the West* by Albert S. Broussard has been added to pp. 142-144 of the EIR:

"Site History. The 1849 Gold Rush population boom in San Francisco ushered in a small community of African Americans who migrated to the West Coast and the promise of a "fresh start." Economic restrictions and racial inequality, however, resulted in 80 percent of African Americans in San Francisco being employed in the domestic service industry. The San Francisco black community struggled to find other unskilled, service related jobs, but the much larger Chinese community occupied most of them.⁴

Although San Francisco was considered a strong union town, African Americans were banned from participating in unions until after World War II, rendering them vulnerable to unequal working situations. Until the 1940s, African Americans encountered a general shortage of job opportunities in San Francisco; thus the majority of the black population migrated to the East

⁴ Broussard, Albert S. *Black San Francisco: The Struggle for Racial Equality in the West*, Law. Kansas, University of Kansas Press: 1993. p.17.

Bay via San Francisco, or directly to the East Bay, where they could find opportunities for industrial employment.⁵

During World War II San Francisco became the focal point of a massive migration of African Americans from the southern United States, as high-paying jobs in the defense industry and shipyards became available in the greater San Francisco Bay Area. Housing discrimination was Rampant in San Francisco, with 80 to 90 percent of neighborhoods closed to non-Caucasian tenants. The majority of Blacks in San Francisco were forced to live in the Western Addition, resulting in severe overcrowding and substandard living conditions. One-third of the Western Addition population was African American.⁶

In 1942, the federal government constructed 5,500 temporary units of emergency housing at Hunters Point Navy Yard to house shipyard employees. By 1945, Hunters Point had become one of the most thoroughly integrated communities in San Francisco; one-fourth of the population was African American. While a marked improvement from the overcrowded slums of the Western Addition, the temporary housing was sub-standard according to the San Francisco Housing Authority (SFHA).⁷

Following World War II, the Housing Authority began constructing permanent housing developments in an effort to eradicate sub-standard housing. Neighborhood demographics remained segregated due to the "neighborhood pattern" employed by the SFHA, which was meant to reflect the existing racial and ethnic composition of the neighborhood. Consequently, the agency supported the localization of African Americans to the West Side Courts development in the Western Addition because this was the only neighborhood in San Francisco that supported the African American demographic.⁸

The African American population of San Francisco continued to grow from 1945 to 1950. Housing remained substandard, and although African American workers had begun to

⁵ Ibid, 21 & 165.

⁶ Ibid, 133, 134, & 172.

⁷ Ibid, 175 & 176.

⁸ Ibid, 222-224.

penetrate the private sector, the number of jobs available to the black community in San Francisco remained far below job availability in other cities. African American leaders struggled to overturn the "neighborhood pattern," but continually met with opposition from the San Francisco Housing Authority. This pattern of housing discrimination in San Francisco lasted until the 1980s; thus, the Western Addition and Hunters Point (including Hunters View) districts remained the only heavily populated black neighborhoods.⁹

In 1952 Hunters Point originally comprised temporary housing developments that were largely occupied by African American shipyard employees. Hunters View was one of four permanent housing developments that were constructed at Hunters Point. Hunters View was completed in 1956. Despite the fact that Hunters View was originally meant for Caucasian occupancy only, the neighborhood demographic remained integrated. As of November 2007, San Francisco Housing Authority demographics revealed that 58 percent of the current Hunters View residents are African American."

Comment 5.2

The Board encourages the project sponsors to install an interpretative display describing the site's history.

Response 5.2

In response to Comment 5.2, the following text has been added to p. 200 of the EIR:

IMPROVEMENT MEASURE: An interpretive display is generally considered an on-site, publicly accessible display/exhibit area which includes interpretive materials. The display could be an outdoor all-weather plaque or a permanent collection of materials displayed in a public area, such as in the community building.

For Hunters View, interpretive materials could document the history of the San Francisco Housing Authority, history of the Hunters View Housing Development, photographs, architectural drawings and site plans, and/or oral and written histories documenting the lives of, and events associated with, past and present occupants of the Hunters View Housing Development. It is recommended that the Project Sponsor install an exterior interpretive plaque, not smaller than two by four feet, near the entrance of the community center. A recommended

⁹ Ibid, 237.

enhancement to the interpretive display would be an interior interpretive display in the community center containing a timeline and a collection of photographs and/or artifacts.

The Project Sponsor could also document the existing Hunters View and the new development site via site photography and this collection of photographs (before and after) could also serve as an interpretive display for this project.

**LETTER 6: ULYSSES J. MONTGOMERY, HUNTERS VIEW TENANTS ASSOCIATION, INC.,
APRIL 3, 2008.**

Comment 6.1

The Hunters Point Tenants Association, Inc. and the tenants of Hunters View, as a class, object to the Draft Environmental Impact Report for the Hunters View Redevelopment Project for the following main reasons:

1. The "project sponsor" listed in the report, Hunters View Association, LP (comprised of the following private entities identified in the EIR: The John Stewart Co., the Ridgepoint Non-profit Housing Corporation and Devine & Gong), and the SF Redevelopment Agency (SFRA), the SF Housing Authority (SFHA), the Mayor's Office of Housing and the SF Planning Departments officials have been processing this project illegally, which means that the EIR is being processed illegally, and therefore all government processing and consideration of this EIR should immediately cease until this illegality has been resolved.

Response 6.1

Comment 6.1 is not a comment on the adequacy of the DEIR; therefore, under CEQA no response is required. The following response is provided for informational purposes only.

This EIR has been prepared in accordance with the guidelines promulgated by the California Environmental Quality Act (CEQA). A scoping session for the EIR was held on December 5, 2007, to obtain public input on the scope and contents of the EIR. Notification of that scoping session was directly mailed to residents and neighbors within a 300-foot radius of the Project Site. The Draft EIR was published on March 1, 2008, which started a 45-day public review period that closed on April 14, 2008. At the time that the Draft EIR was published, a Notice of Preparation was sent to the State Clearinghouse along with requisite copies of the document. Notification of the publication of the draft document was provided via direct mail to residents and neighbors within a 300-foot radius of the Project Site. A hearing was conducted before the Planning Commission on April 3, 2008, at which time members of the public were invited to comment on the project. The processing of the environmental documentation for this project has been executed according to the requirements of the California Environmental Quality Act.

Comment 6.2

This illegality violates numerous federal regulations, specifically:

- a. 24 CFR 970 (d) relating to demolition or disposition of public housing projects requiring that the housing projects be first [be] offered to the tenants for purchase, and other violations under 24 CFR 970;
- b. National Environmental Policy Act (NEPA) of 1969, as amended; and under various points of the act;
- c. The National Affordable Housing Act of 1990, wherein the “project sponsors” have stated they are meeting its requirements, but they have not.
- d. Under Section 3 of the HUD Act of 1968, wherever HUD financial assistance is expended for housing or community development, “to the greatest extent feasible, economic opportunities will be given to Section 3 residents and businesses in that area.”, but the “project sponsors” failed to do this.
- e. The SFHA is violating 24 CFR 970 (b) 3 (i) by systematically evicting the tenants to avoid providing relocation assistance and other economic benefits mandated by law, wherein, since the ENA was illegally granted to the “project sponsors,” over the past three plus years, over 80% of the Hunters View residents (some who have lived there over 50 years) have either been evicted or are under the present process of being evicted (of the 157 remaining Hunters View families, 116 are presently being processed for eviction);
- f. It appears that the “project sponsors” and the relevant agencies are denying the Hunters View tenants their civil rights and equal opportunity, in violation of the 1970 US Racketeer Influenced & Corrupt Organizations Act (RICO), and have demonstrated probable cause that they are injuring the Hunters View tenants, and the residents of a number of privately owned, San Francisco affordable housing projects and SFHA public housing projects, through a series of [missing text]
- g. It appears that the local Project Area Committee (PAC) has been established and is operating in violation of federal and state laws;
- h. Because the “project sponsors” and the relevant agencies have refused, after repeated requests, to give the Hunters View Tenants Association, Inc. full disclosure of all documents pertaining to the Hunters View redevelopment, the “project sponsors” and the relevant agencies are violating both the California Records Request Act and the federal Freedom of Information Act;
- i. And other apparent violations.

Response 6.2

Comment 6.2 is not a comment on the adequacy of the DEIR; therefore, under CEQA no response is required. The following response is provided for informational purposes only.

The nexus for the National Environmental Protection Act (NEPA) compliance requirement could be threefold. The Project Sponsor would be required to obtain approval from the U.S. Department of Housing and Urban Development (HUD) for the demolition of the existing buildings and for the transfer of land. In addition, federal financing may be awarded to the Hunters View Redevelopment Project. With regard to NEPA compliance documentation, the Project Sponsor would be required to prepare an Environmental Assessment for the proposed Project. Based on the Environmental Assessment either a Finding of No Significant Impact (FONSI) or an Environmental Impact Statement (EIS) would be prepared. This is separate from the CEQA process.

Comment 6.3

2. The “project sponsors” and the relevant agencies are processing this EIR, despite the fact that the SFHA has given notice to the Hunters View Tenants Association, Inc. and the Hunters View tenants that they have the right to buy and redevelop Hunters View. The Hunters View Tenants Association, Inc. has given timely notice of its intent to exercise this right of purchase, and on March 14, 2008, submitted a formal application to purchase and redevelop Hunters View. By HUD regulations, the SFHA has 60 days from application to respond to the application, which they have yet to do.

Unless the SFHA has no intention of approving the Hunters View Tenants Association's application to purchase Hunters View, it does not make sense that it and all other relevant agencies should be processing the “project sponsors” Hunters View redevelopment plans (including the EIR).

It appears that the “project sponsors” and the relevant agencies are keeping this tenants' right to purchase and pending application a “secret”, since in no inter-agency correspondence we have seen, and in no stories reported in any media have mentioned this (although there have been numerous stories discussing the Hunters View redevelopment). Therefore, it appears that the “project sponsors” and the relevant agencies are engaged in a malfeasant “cover-up” to promote their proposed plan.

We suspect that the "project sponsors" and the relevant agencies are plotting and conspiring to deny the Hunters View Tenants Association a reasonable and equal opportunity to purchase and develop Hunters View, especially in the light of the following related incident:

- A friend inside the SFHA had overheard top SFHA officials saying, in gist: How do "those people" think that they can buy Hunters View - they can't even pay their rent? And, "those people" are crazy if they think we are **EVER** going to sell this property to them!"

Note: it is common knowledge in official circles in San Francisco government offices "those people" is a demeaning euphemism for poor black people.

Response 6.3

Comment 6.3 is not a comment on the adequacy of the DEIR; therefore, under CEQA no response is required.

Comment 6.4

The attached document, called **Black Flight**, which was a presentation to UCSF Medical Students on 2/15/08 by Ahimsa Porter Sumchai, M.D. UCSF Class of 81, is hereby incorporated in its entirety, as part of this letter.

This is not our final objection to the Hunters View EIR, but an expansion of this letter, including probable cause, will be presented in a timely manner to the Planning Department and the Planning Commission. Also attached is a copy of the December 13, 2007 letter from the SFHA offering the tenants the right to purchase, and a response by their association accepting it. The submission will be included in the expanded objection to the EIR.

Response 6.4

Comment 6.4 identifies the attachments to Comment letter 6 which are reproduced, in their entirety, in Appendix A. Comment 6.4 is not a comment on the adequacy of the DEIR, therefore, under CEQA no response is required.

LETTER 7: JILL FOX, INDIA BASIN NEIGHBORHOOD ASSOCIATION, APRIL 12, 2008.

Comment 7.1

I am writing on behalf of the India Basin Neighborhood Association with concerns about the Hunters View Redevelopment Project Case #2007.0168E Environmental Impact Report. The Hunter's View project is within the parameters of our neighborhood association.

While IBNA generally supports this project, we are extremely concerned about the "unavoidable adverse significant impact" on the intersections at Third/Evans, Thirds/25th, Third/Cesar Chavez, Illinois/Cargo/Amador, and Middle Point/Evans identified in the EIR. These five intersections are the access routes to our entire neighborhood. We hope that "unavoidable" is not considered "acceptable" by the Planning Department.

We request that additional effort be made to mitigate the adverse impact of this project on these intersections and our community. We welcome the opportunity to work with the Planning Department and project developers to find a creative solution to this problem.

Response 7.1

The City and County of San Francisco in cooperation with Caltrans District 4 have identified a series of potential, alternative improvements to transportation in the vicinity of the proposed Hunters View Housing Project. These alternatives are collectively called the "Bayview Transportation Improvements" (BTI). One key purpose of the improvements is to reduce the impact of truck traffic on Third Street and residential streets and to develop a more direct truck route between U.S. 101 and the existing and proposed industrial areas near the Hunters Point Shipyard. A separate environmental review document meeting both CEQA and NEPA requirements is in the process of being drafted for the BTI project. Several BTI alternatives are in the process of being evaluated. These improvements focus on providing better and more channeled truck traffic controls to allow more efficient traffic movements on Third Street and provide trucks with a more direct route to the freeway on- and off-ramps. The alternatives under study include a northern route and a southern route for trucks and ultimately one northern route and one southern route will be selected as the preferred alternative. The two bridge alternatives also include roadway spurs to the South Basin industrial area: all of the alternatives would reduce conflicts between trucks and other modes of travel, especially along

Third Street, and would remove trucks from Third Street by providing better and more direct access to and from the industrial areas, port and U.S. 101.

Bayview Hunters Point generally lacks direct connections to the rest of the City. The area's early, largely unregulated development resulted in mixed land use patterns such as residential, meatpacking, breweries and other businesses and industries within the same block. These land use overlaps coupled with an underdeveloped transportation system have resulted in indirect connections, gaps, dead end streets, safety concerns and lower levels of service in addition to untenable levels of truck traffic through residential neighborhoods. The T-Third Street light rail is a new connection that plays an important role in the community's vision for the Bayview/Hunters Point area. It should be noted that many of the Third Street signal operations are constrained by the T-Third Street light rail. In addition to the light rail line which runs down the center of Third Street, there are several in the planning and development stages that will improve the infrastructure of the Bayview area. These projects are shown in Table C&R-7.

TABLE C&R-7
REASONABLY FORESEEABLE PROJECTS IN THE BAYVIEW / HUNTERS POINT AREA

Project	Implementing Agencies	Proposed Uses	Status
Illinois Street Bridge	City & County of San Francisco	Provided additional two lane intermodal (rail + truck) bridge over waterway to provide an additional route for trucks	Construction underway
Bayview / Hunters Point Redevelopment and Rezoning Project	City & County of San Francisco	Use Redevelopment Tools to retain and create new businesses and housing	Plan approved
Hunters Point Shipyard Redevelopment Project	City & County of San Francisco	500 Acres of mixed industrial, maritime, industrial research and development, educational and cultural, institutional, residential and open space	One parcel graded, two parcels in the planning stage and a fourth parcel not yet planned.
Executive Park Neighborhood Plan / Yerby & UPC Development	City & County of San Francisco	A total of 2,800 new residential units and up to 50,000 square feet of commercial uses are planned and local roadway improvements to accommodate new users	Plan under review
Bayview Waterfront Project (Candlestick Point / Shipyard / India Basin Development)	City & County of San Francisco	780-acre development consisting of 9,000 new residential units, 645,000 square feet of retail uses, 2.1 million square feet of office/research and	Plan under Review

		development, new stadium-	
North and Central Bayview Traffic Calming Project	City & County of San Francisco	Use of traffic calming to reduce the impact of cut-through traffic, speeding, exhibitivie driving and excessive noise and traffic levels.	Project is underway and on-going.
The Blue Greenway	City & County of San Francisco	Recreation trail connecting waterfront, parks, open spaces, and water oriented activities	Project funding approved
Cesar Chavez Bicycle Project	City & County of San Francisco	Striping of bicycle lanes throughout the Bayview / Hunters Point Area	

Source: San Francisco Planning Department – May 2008

The MTA Livable Streets unit will perform a closer review of Bayview Hunters Point traffic patterns and explore ways to improve safety by the application of traffic calming measures. The MTA will be investigating the feasibility of site specific traffic measures throughout the study area.

As discussed in the 227-229 West Point Road Transportation Study, due to the region's location near cargo facilities and industrial land uses, truck traffic is a major concern for neighborhood residents. At the intersection of Third Street/Evans Avenue, for example, heavy vehicles account for approximately 7 to 10 percent of all traffic in the AM peak period (7:00 AM to 9:00 AM) and for 2 to 3 percent of all traffic in the PM peak period (4:00 PM to 6:00PM).¹⁰ Heavy vehicles can significantly degrade intersection operations due to their low rate of acceleration and poor maneuverability. Reducing or restricting the number of heavy vehicles at critical intersections during the weekday peak hours could improve intersection operations and decrease delay.

¹⁰ Watson, James, DMJM Harris, Memorandum to Nannie Turrell, San Francisco Planning Department, May 14, 2008. A copy of this Memorandum is on file and available for public review by appointment at the Planning Department, 1650 Mission Street, 4th Floor in Case No. 2007.0168E.

PUBLIC HEARING COMMENTS, APRIL 3, 2008.

Ulysses J. Montgomery

S1.1

Commissioners and audience,

My name is Ulysses J. Montgomery. I'm here on behalf of and for the benefit of the residents of Hunters View tenants, speaking through their legally organized entity, the Hunters View Tenants Association. We prepared our comments in the form of a letter. In the interest of saving time, I'll just hit some of the highlights on it. One. This project appears to be in violation of the fundamental rights of the residents of Hunters View; in addition, in violation of federal and state laws which attempt to protect those rights. We are submitting that this whole process, San Francisco Hope, allocating tentative and exclusive negotiating rights to selected developers, and this Environmental impact report, is illegal. And we are recommending and requesting that the whole process be stopped until these illegalities have been addressed and resolved. And I will add, they can be resolved. I'm a civil engineer. Any problem can be solved.

To specify some of the specifics, these two programs are in violation of Federal Regulation 970. They're in violation of the RICO Act, which is commonly referred to as the Racketeering Act. It's in violation of Section Three of a 1968 Housing Act. It's in violation -- not the program, but the way the agencies have been administering it -- is in violation of public information laws of the state of California. (*Ulysses J. Montgomery*)

Response S1.1

As noted in the comment, the speaker's comments were submitted in the form of a letter, which is included as Comment Letter No. 6 from Ulysses J. Montgomery. Responses to comments regarding the rights of Hunters View residents and the processing of the EIR are included as Responses 6.1-6.4, above.

D. STAFF-INITIATED TEXT CHANGES

The following text changes are made in response to the Response to Comments and additional staff initiated text changes. None of these changes result in a substantial change in the project description or analysis and do not change the overall conclusions of the DEIR. Text to be omitted is formatted as ~~striketrough~~-text and text to be added is formatted as double underlined text. The following text is added to p. 144 of the DEIR.

Archaeological Resources. An archaeological resource investigation was conducted as part of the *Bayview Hunters Point Redevelopment Projects and Rezoning Final Environmental Impact Report* (BVHP FEIR), including the Hunters View area, as summarized below.¹¹ In addition, the project was subject to preliminary archaeological review by the Planning Department.¹²

~~Before it was reclaimed, the Hunters Point shoreline extended roughly along present-day Hunters Point Boulevard and Innes Avenue. No archaeological sites are recorded within the boundaries of this portion of the BVHP area. The closest recorded sites were three shellmounds (CA-SFr 12, 13, 14; Nelson Site Nos. 391, 392, 392a) located approximately one-quarter mile to the east which were destroyed when that section of the Hunters Point Peninsula was reclaimed.~~

Since Nels Nelson did his survey of prehistoric shellmounds in the Bay Area in the early 1900s the Hunters Point-Bayview area has been known as an area with a comparatively dense concentration of prehistoric shellmound sites. For the most part these prehistoric mounds were located along/near the historic Bay shoreline, tidal lagoons, or wetlands. Many aspects of the development and uses of these mounds is subject to debate today but in general they represent prehistoric features of areas used/occupied for periods of several hundreds of years or, in some cases, more than a thousand years, and typically in association with human burials. There are no prehistoric sites including shellmounds, recorded within or adjoining the Project Site. However, CA-SFR-15 (Nelson 389a) and CA-SFR-11 (Nelson 390) have been recorded in locations that cause concern for the possibility of prehistoric deposits being present in the apparent buried soil deposits in the lower southeast portion of the Project Site in the areas described as Project Blocks 13, 18, and 19, as shown in Figure 2, DEIR p. 47. Although this location lacks the locational characteristics typically associated with prehistoric sites in this area,

¹¹ San Francisco Redevelopment Agency and San Francisco Planning Department, *Bayview Hunters Point Redevelopment Projects and Rezoning Final Environmental Impact Report*, certified March 2, 2006. File No. 1996.546E, pp. III.J-28 – III.J-30. Hupman, Jan M. and David Chavez. *Archaeological Resources Investigations for the Bayview-Hunters Point Redevelopment Plan*. August 2001.

¹² Dean, Randall. MEA Preliminary Archeological Review Checklist 227-229 West Point Road/Hunters View. 7 February 2008.

Nelson noted that the so-called 389a shellmound was an apparently interior site served by fresh water springs.

During prehistoric times, the San Francisco Bay Region was sparsely populated with native people surrounding San Francisco Bay at the time of European arrival.

In March 1776, the Spanish, led by Juan Bautista de Anza and his soldiers began to explore present-day San Francisco. When Mexico gained its independence from Spain in 1822, the government began granting large parcels of land in what is now San Francisco to individuals who engaged in the cattle and tallow trade. The entire Bayview Hunters Point neighborhood was within the boundaries of one of these ranches, the Rancho Rincon de las Salina y Potrero Viejo.

Later, this Hunters Point Shoreline area was first settled by the Hunter Brothers in the 1850s. Robert Hunter built a homestead, called India Basin Ranch, near a freshwater spring at the corner of Innes Avenue and Griffith Street. Robert Hunter and his family continued to live on India Basin Ranch into the 1870s, and for years their homestead buildings were the only structures in the area. Although this area remained largely undeveloped, a number of ship/boat/barge buildings and repair businesses were established starting in the late 1860s around Evans Avenue and Keith Street. A second Hunters Point enterprise was the Albion Brewery, which was constructed in 1870 on the east side of Griffith Street between Innes and Jerrold Avenues, about one-quarter mile south of Hunters View, and relied on the Hunter's spring as its water supply. The Albion Water Company was founded in 1913 and remains at that location. Another industry consisted of Chinese shrimp camps, two of which were located at the northeast corner of present-day Davidson Avenue and Ingalls Street alignment, and another at the foot of Evans Avenue between the Ingalls and Hawes Street alignments. Nearly one dozen buildings labeled shrimp cooking, shrimp cleaning and shed were present at the camp. Numerous other farmhouses, stables, and outbuildings were located in the area by the turn of the century.

The U.S. Navy became interested in the Hunters Point area as early as 1908 when Admiral Perry's "Great White Fleet" circled the world and sailed into the San Francisco Bay, only to find the waters of the U.S. Navy Ship Repair Yard at Mare Island too shallow. He then proceeded to the privately held drydocks at what is now Hunters Point Shipyard, where the water was deep enough to dock the ships.

The first major physical change in the India Basin Area occurred in 1917 when the construction, widening, and grading of present-day Hunters Point Boulevard/Innes Avenue began as part of

a World War I effort to transport workers and materials efficiently to the Hunters Point Drydock. The entire Chinese community and shrimping facilities located on the waterfront were evicted by Navy facility expansion in 1938.

After the United States entered World War II, nearly all the structures in this area were demolished so that the United States Housing Authority could build dozens of one- to two-story, wood-framed dormitories to house civilian shipyard employees (currently the Hunters View, Hunters Point, and Westbrook Housing sites). As discussed above under Historic Resources, the present Hunters View housing was developed on the site of those World War II buildings.

Therefore, because of Hunters View's location near San Francisco Bay, previously unidentified subsurface cultural resources dating from the historic period (approximately the last ~~200~~ 150 years) could potentially be present on the Project Site and could be disturbed during grading and construction. The proposed Project would result in soils disturbance to variable depths ranging from five to 25 ft below existing grade due for site grading, installation of one- and two-level sub-grade parking garages, redesign, replacement, and upgrade of utilities, and expected shallow building foundations. ~~involve grading and excavation up to a depth of 20-25 feet.~~ However, a majority of the Project Site is underlain by relatively shallow soil deposits underlain by decomposing bedrock at depths of 3 to 4 ft. below grade. It is unlikely that archeological deposits of sufficient integrity (sufficient sample size, diagnosticity, and associations) would be present in this area of thin soils. The southeast portion of the Project Site (Blocks 13, 18, and 19, as shown in Figure 2, DEIR p. 47) has historic fill deposits extending to approximately seven feet. below grade and is underlain by a relatively deep level of 11-12 feet of cumulative soil deposition which may have served as an historic/prehistoric living surface. To avoid any potential impacts to the portion of the Project Site (Blocks 13, 18, and 19) where there is an appreciable potential for archeological deposits to be present, the Project Sponsor would implement Mitigation Measure H-1: Archaeological Resources, in Chapter IV, pp. 197-200 which would require an archaeological monitoring program during construction activities in Blocks 13, 18, and 19 which ~~and~~ would reduce potential construction-related impacts on archaeological resources to a less-than-significant level.

Geologic and Paleontological Resources. As described in the Geology and Soils section of this EIR, the rock unit underlying the Project Site is serpentinite. This rock is the metamorphosed remains (altered by heat and pressure) of magnesium-rich igneous rocks (crystallized from molten rock) in the Earth's mantle (a thick layer of nearly molten rock just below Earth's crust). Such rock is not paleontologically sensitive because the heat and pressure within Earth's mantle

is more than sufficient to destroy any fossil remains that might have been in the original rock. The soils that overlie the serpentinite bedrock are thin and were formed by the weathering of the bedrock. Some alluvium is present in the lower areas of the site; however, the material in the alluvium is formed from the weathering and decomposition products of the underlying bedrock. Fossils would not, therefore, be found in the rock or the soils on the Project Site.

The serpentinite bedrock forms the core of most of the hills in San Francisco and, therefore, is not considered a unique geologic feature of the Project Site. No unique geologic features exist on the Project Site, thus there would be no impact on such features as the result of the proposed Project.

Human Remains. The southeast portion of the project site is characterized by deeper native soil deposits and it is more likely that human remains in prehistoric contexts would be found in such native soils, compared to locations at the site with shallow soils above bedrock. Therefore, human remains could be affected by project activities in that southeast portion. To avoid any potential impacts to human remains, the Project Sponsor would implement Mitigation Measure H-1: Archaeological Resource in Chapter IV, p 197. which would reduce potential impacts to human remains to a less-than-significant level. ~~The Project Site has historically been used for residential housing and has been previously disturbed for the foundations for the existing housing. There is no reason to believe that any human remains exist at the Project Site, and therefore, no impact would occur.~~

Cumulative Cultural Resources. As described above, the proposed Project would not impact historic resources or unique geologic features; therefore, no cumulative impact on historic architectural or geologic resources would occur. Cumulative development in the San Francisco region has the potential to encounter unknown archaeological resources. As described above, Mitigation Measure H-1 would reduce the proposed Project's potential impact to archaeological resources, to be less than significant. As such, the proposed Project would not contribute to any cumulative impact to archaeological resources.

Mitigation Measure H-1: Archaeological Resources

Based on the reasonable potential that archaeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed Project on buried or submerged historical resources. The Project Sponsor shall retain the services of a qualified archaeological consultant having expertise in California prehistoric and urban historical archeology. The archaeological consultant shall undertake an archaeological monitoring program during construction activities

in Blocks 13, 18, and 19. The archaeological consultant shall first undertake a geoarchaeological study of this project sub-area to determine if any buried land surfaces available for prehistoric occupation are present. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archaeological monitoring and/or data recovery programs required by this measure could suspend construction of the proposed Project for up to a maximum of four weeks. At the direction of the ERO, the suspension of *construction* can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archaeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Archaeological monitoring program (AMP). The archaeological monitoring program shall minimally include the following provisions:

- The archaeological consultant, Project Sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the project archeologist shall determine what project activities shall be archaeologically monitored. In most cases, any soils disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archaeological monitoring because of the potential risk these activities pose to archaeological resources and to their depositional context;
- The archaeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archaeological resource;
- The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archaeological consultant and the ERO until the ERO has, in consultation with the archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits;
- The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archaeological deposit is encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction crews and heavy equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archaeological monitor has cause to believe that the pile driving activity may affect an archaeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in

consultation with the ERO. The archaeological consultant shall immediately notify the ERO of the encountered archaeological deposit. The archaeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, present the findings of this assessment to the ERO.

If the ERO in consultation with the archaeological consultant determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed Project, at the discretion of the Project Sponsor either:

- The proposed Project shall be re-designed so as to avoid any adverse effect on the significant archaeological resource; or
- An archaeological data recovery program shall be implemented, unless the ERO determines that the archaeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

If an archaeological data recovery program is required by the ERO, the archaeological data recovery program shall be conducted in accord with an archaeological data recovery plan (ADRP). The project archaeological consultant, Project Sponsor, and ERO shall meet and consult on the scope of the ADRP. The archaeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archaeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed Project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archaeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archaeological resource from vandalism, looting, and non-intentionally damaging activities.

- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.
- *Human Remains, Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archaeological consultant, Project Sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.
- *Final Archaeological Resources Report.* The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archaeological resource shall be provided in a separate removable insert within the draft final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

Compliance with this mitigation measure would reduce impacts to undiscovered cultural resources to a less-than-significant level.

Appendix A: Comment Letters and Hearing Transcript

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 622-5491
FAX (510) 286-5559
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CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M E A

SF280134
SF-280-R5.62
SCH#2007112086

April 2, 2008

Mr. Bill Wycko
San Francisco Planning Department
1660 Mission Street, Suite 500
San Francisco, CA 94103

Dear Mr. Wycko:

Hunters View Redevelopment Project – Draft Environmental Impact Report (DEIR)

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review process for the Hunters View Redevelopment Project. We reviewed the Draft Environmental Impact Report (DEIR) and have the following comments:

Highway Operations

Due to the close vicinity of the project to Interstate 280, please provide the Level-of-Service analysis for existing, project only, existing plus project, and 2025 cumulative conditions for the Pennsylvania Avenue on and off-ramps and 18th Street on and off-ramps.

Forecasting

Please provide the new vehicle trips generated on Pennsylvania Avenue on and off-ramps and 18th Street on and off-ramps.

On page 92, Table 7, the weekday PM peak hour net trip generation for daycare use is 7 vehicles. However, from the ITE Trip Generation 7th Edition (code 565), the vehicle trip generation rate for daycare use is 13.18 trips per 1,000 square feet. As a result, there would be a total of 112 vehicle trips. Please explain the discrepancy.

On page 92, under the 'Trip Distribution/Assignment' section, please provide a vehicle trip distribution map.

Please provide calculations including factors, formulas and sources for the conversion of person trips to vehicle trips.

Community Planning

Improved pedestrian access to public transit can reduce vehicle trip generation. Please provide adequate lighting on all sidewalks and consider using ladder-style striping for the crosswalks and installing signs to warn motorists of pedestrians at all intersections surrounding the project. The use of ladder-style striping will help improve visibility of the crosswalk.

Mr. Bill Wycko/City and County of San Francisco
April 2, 2008
Page 2

1-5 ↑ Should you have any questions regarding this letter, please call Yatman Kwan of my staff at (510)
Cont'd | 622-1670.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Carboni". The signature is fluid and cursive, with the first name "Lisa" and last name "Carboni" clearly distinguishable.

LISA CARBONI
District Branch Chief
IGR/CEQA



City and County of San Francisco
Recreation and Park Department

McLaren Lodge in Golden Gate Park

501 Stanyan Street, San Francisco, CA 94117

TEL: 415.831.2700 FAX: 415.831.2096 WEB: <http://parks.sfgov.org>

April 10, 2008

Mr. Bill Wycko
City and County of San Francisco
Planning Department
1650 Mission Street
San Francisco, CA 94103

Re: Case No. 2007.0168E
Hunters View Redevelopment Project

Dear Mr. Wycko:

2-1 We have reviewed the Draft of the Environmental Impact Report for the Hunters View Redevelopment Project. We would like to raise a number of comments on the current draft.

Page 13 - In the Summary section under "other impacts determined to be less than significant", "Recreation and Public space" the assertion that the addition of 800 units would not be considered a "substantial addition to the existing demand for available public recreation facilities" is supported by no apparent evidence.

2-2 Page 50 - Under "open space" the use of the new parks proposed are not detailed in order to understand if they will meet the new communities' needs. Both active and passive recreational space is needed citywide and fields and courts are always needed with new development. This does not discuss weather playing fields, highly needed and desired, will be accommodated in these new parks. Furthermore, it is unclear who would be providing "on-site management", if these services are to be provided by the Recreation and Parks Department, that cost and impact must be analyzed. This analysis is currently not provided.

2-3 Page 151-152-and Page 155 Under Parks and Recreational Facilities. The 1990 analysis provided by the City of San Francisco's General plan is cited. First, this information is extremely outdated, the city's population has changed significantly. Second, the assertion that the additional 800 families would not be a "substantial" addition to the area and the city as a whole is without substantiation. The Recreation Assessment Report, also cited, found that citywide there is a large need for additional playfield and other recreational space and this community is no exception. Many of the parks cited in the report need significant work, or if rebuilt recently were done so to meet existing population needs. An 800 family increase to the area would certainly have an impact on the more rapid deterioration of park and community facilities in the area. This analysis needs to be included in the Final EIR.

Thank you for your attention to this matter. If you need any further information, please do not hesitate to call me at (415) 831-2742.

Yours truly,

Daniel LaForte



Mayor Gavin Newsom
General Manager Yomi Agunbiade

Planner

cc:

Dawn Kamalanathan, RPD Planning Division
Karen Mauney-Brodek, RPD Planning Division

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APR 04 2008

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M E A

Bill Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Public Comment for Hunters View Development Project
Draft Environmental Impact Report, Case No. 2007.0168E

April 4, 2008

Dear Mr. Wycko,

Regarding Biological Resources, Mitigation Measure G-7: Significant trees (page 195).

The report needs to directly state that all trees are likely to be removed from the current Hunters View site. It appears that all the trees on the site are going to be removed, regardless if they are:

- street trees in the public right-of-way
- "Significant Trees" on private property within 10 feet of the public right-of-way, or
- any other tree on private property on the existing site.

The impact of the project to all the trees on the current site needs to be stated more clearly.

Is there really a plan to retain any existing trees? Based on a project of this scale with the amount of infrastructure replacement and construction activity to occur, it seems unlikely that any tree on site can be adequately protected and remain as part of the new design. Impacts to all trees from grading, soil compaction, construction activity and root loss will be severe.

The report accurately identifies that street trees and "Significant Trees" will require a permit for removal. However, the survey done by a qualified arborist needs to include all street trees and all "Significant Trees" on site. Any street tree will require a permit, regardless of its size.

The EIR report says that a qualified arborist will map and survey trees with a diameter greater than 36 inches that are proposed to be altered, removed, or relocated. It then says "Any removal of these trees associated with the proposed Project will require a permit review..." Which agency will be doing this permit review? Currently San Francisco's

3-1

3-2
Cont'd

3-2
Cont'd

Urban Forestry Ordinance does not protect private property trees or require a permit process for trees on private property if they do not qualify as "Significant Trees". Please clarify if this will be a separate permit review process, and which agency will be conducting the review.

3-3

San Francisco's Urban Forestry Ordinance requires that all street trees and "Significant Trees" be replaced. I recommend that a survey of all the street trees, all "Significant Trees", and all the trees on private property with a diameter greater than 4 inches at breast height (DBH) be surveyed and inventoried by a qualified arborist. This data should be included as part of the Final EIR.

An estimate of the total amount of new trees to be planted as part of this project should also be calculated, in order for the public to have a better understanding of how many trees are being removed and how many new trees will be planted. The trees should be classified as street trees, "Significant Trees", or private property trees.

3-4

Section 143 of San Francisco's Planning Code requires that one street tree be planted for every 20 feet of building frontage. Will this project be required to follow section 143 of San Francisco's Planning Code?

3-5

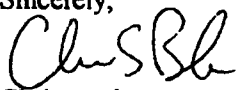
As part of the new Hunters View Development Project, who will maintain the street trees and trees on private property?

3-6

Will the new sidewalks be wide enough to accommodate street trees and pedestrians?

These are my comments on the Hunters View Development Project.

Sincerely,



Chris Buck

1657 Palou Avenue

San Francisco, CA 94124

Member, Bayview Hunters Point Project Area Committee

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



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MARIN
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MONTEREY
NAPA
SAN BENITO
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SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
1303 Maurice Avenue
Rohnert Park, California 94928-3609
Tel: 707.664.0880 • Fax: 707.664.0890
E-mail: leigh.jordan@sonoma.edu

26 March 2008

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File No.: 07-1263

Bill Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

MAR 27 2008
CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
17 L 3

Re: Draft Environmental Impact Report, Hunters View Redevelopment Project, Case
No. 2007.0168E

Dear Mr. Wycko:

Thank you for the opportunity to comment on this project. We commend your office on their efforts to protect and manage cultural resources. This office has following comments regarding the Hunters View Redevelopment Project Draft Environmental Impact Report:

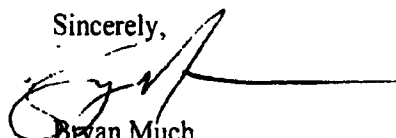
4-1

- On page 144, it is stated that an "archaeological investigation was conducted as part of the Bayview Hunters Point Redevelopment Projects and Rezoning Final Environmental Impact Report". This office has not received a copy of the report for this archaeological investigation and therefore can not comment on its scope or methods employed in relation to this current project.
- Based on this lack of information (as described above), and given that on page 197 (Ch. IV, section E.) it is stated that there is a "reasonable potential that archaeological resources may be present within the project site", we recommend that prior to the commencement of project activities further work be conducted to determine if buried archaeological deposits exist within the project area.
- It is further recommended that given the sensitivity of this area for Native American sites, a geoarchaeological study is warranted to determine if any buried land surfaces are present that may have been suitable for occupation by Native Peoples.

4-2

Once again, thank you for the opportunity to comment on this project and we look forward to working with you in the future. If we can be of any further assistance, please do not hesitate to contact us at 707.664.0880 or leigh.jordan@sonoma.edu.

Sincerely,


Bryan Much
Researcher I



LANDMARKS PRESERVATION ADVISORY BOARD

1650 Mission Street, Suite 400 | San Francisco, CA 94103-2479

TEL: 415.575.6916 | FAX: 415.558.6409

March 31, 2008

Mr. Bill Wycko
Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Mr. Wycko,

On Wednesday, March 19, 2008, the Landmarks Preservation Advisory Board (Board) held public hearing and took public comment on the Draft Environmental Impact Report (DEIR) for the Hunters View Redevelopment Project dated March 1, 2008. After discussion the Board arrived at the following comments:

5-1

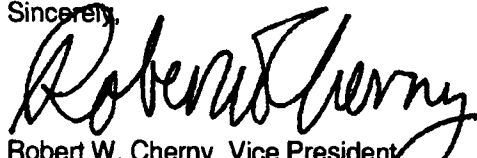
- The Board suggested listing *Black San Francisco: The Struggle for Racial Equality in the West* by Albert S. Broussard in the bibliography and including the history of the neighborhood as an African American community and the role this project played in the community.
- The Board recommended including more information on the relationship between the Hunter's View housing project and the African American community in Hunters Point.

5-2

- The Board encourages the project sponsors to install an interpretative display describing the site's history.

The Landmarks Preservation Advisory Board appreciates the opportunity to participate in the review of this environmental document.

Sincerely,


Robert W. Cherny, Vice President
Landmarks Preservation Advisory Board

The Hunters View Tenants Association, Inc.

227-229 West Point Road, San Francisco, Ca 94124

(415) 240-8135 – Tessie Ester, President

April 3, 2008

Copy to:

President Christina R. Olague
Members of the SF Planning Commission
Commission Chambers - Room 400, City Hall
San Francisco, Ca 94102

Bill Wycko, Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, California 94103

Re: Planning Dept. Case #2007.0168E – State Clearing House #2007112086
Hunters View Redevelopment Project regarding a DRAFT Environmental Impact Report (EIR),
prepared by the San Francisco Planning Dept.

Dear President Olague and Commission Members,

The Hunters Point Tenants Association, Inc. and the tenants of Hunters View, as a class, object to the Draft Environmental Impact Report for the Hunters View Redevelopment Project for the following main reasons:

- 6-1
1. The "project sponsor" listed in the report, Hunters View Association, LP (comprised of the following private entities identified in the EIR: The John Stewart Co., the Ridgepoint Non-profit Housing Corporation and Devine & Gong), and the SF Redevelopment Agency (SFRA), the SF Housing Authority (SFHA), the Mayor's Office of Housing and the SF Planning Departments officials have been processing this project illegally, which means that the EIR is being processed illegally, and therefore all government processing and consideration of this EIR should immediately cease until this illegality has been.

This illegality violates numerous federal regulations, specifically:

- 6-2
Cont'd
- a. 24 CFR 970 (d) relating to demolition or disposition of public housing projects requiring that the housing projects be first be offered to the tenants for purchase, and other violations under 24 CFR 970;
 - b. National Environmental Policy Act (NEPA) of 1969, as amended; and under various points of the act;
 - c. The National Affordable Housing Act of 1990, wherein the "project sponsors" have stated they are meeting its requirements, but they have not.
 - d. Under Section 3 of the HUD Act of 1968, wherever HUD financial assistance is expended for housing or community development, "to the greatest extent feasible, economic opportunities will be given to Section 3 residents and businesses in that area.", but the "project sponsors" failed to do this.
 - e. The SFHA is violating 24 CFR 970 (b) 3 (i) by systematically evicting the tenants to avoid providing relocation assistance and other economic benefits mandated by law, wherein, since the ENA was illegally granted to the "project sponsors", over the past three plus years, over 80% of the Hunters View residents (some who have lived there over 50 years) have either been evicted or are under the present process of being evicted (of the 157 remaining Hunters View families, 116 are presently being processed for eviction);
 - f. It appears that the "project sponsors" and the relevant agencies are denying the Hunters View tenants their civil rights and equal opportunity, in violation of the 1970 US Racketeer Influenced & Corrupt Organizations Act (RICO), and have demonstrated probable cause that they are injuring the Hunters View tenants, and the residents of a number of privately owned, San Francisco affordable housing projects and SFHA public housing projects, through a series of

April 3, 2008

6-2
Cont'd

- g. It appears that the local Project Area Committee (PAC) has been established and is operating in violation of federal and state laws;
- h. Because the "project sponsors" and the relevant agencies have refused, after repeated requests, to give the Hunters View Tenants Association, Inc. full disclosure of all documents pertaining to the Hunters View redevelopment, the "project sponsors" and the relevant agencies are violating both the California Records Request Act and the federal Freedom of Information Act;
- i. And other apparent violations.

2. The "project sponsors" and the relevant agencies are processing this EIR, despite the fact that the SFHA has given notice to the Hunters View Tenants Association, Inc. and the Hunters View tenants that they have the right to buy and redevelop Hunters View. The Hunters View Tenants Association, Inc. has given timely notice of its intent to exercise this right of purchase, and on March 14, 2008, submitted a formal application to purchase and redevelop Hunters View. By HUD regulations, the SFHA has 60 days from application to respond to the application, which they have yet to do.

Unless the SFHA has no intention of approving the Hunters View Tenants Association's application to purchase Hunters View, it does not make sense that it and all other relevant agencies should be processing the "project sponsors" Hunters View redevelopment plans (including the EIR).

It appears that the "project sponsors" and the relevant agencies are keeping this tenants' right to purchase and pending application a "secret", since in no inter-agency correspondence we have seen, and in no stories reported in any media have mentioned this (although there have been numerous stories discussing the Hunters View redevelopment). Therefore, it appears that the "project sponsors" and the relevant agencies are engaged in a malfeasant "cover-up" to promote their proposed plan.

We suspect that the "project sponsors" and the relevant agencies are plotting and conspiring to deny the Hunters View Tenants Association a reasonable and equal opportunity to purchase and develop Hunters View, especially in the light of the following related incident:

- A friend inside the SFHA had overheard top SFHA officials saying, in gist: How do "those people" think that they can buy Hunters View – they can't even pay their rent? And, "those people" are crazy if they think we are **EVER** going to sell this property to them!"

Note: it is common knowledge in official circles in San Francisco government offices "those people" is a demeaning euphemism for poor black people.

The attached document, called **Black Flight**, which was a presentation to UCSF Medical Students on 2/15/08 by Ahimsa Porter Sumchai, M.D. UCSF Class of 81, is hereby incorporated in its entirety, as part of this letter.

6-4

This is not our final objection to the Hunters View EIR, but an expansion of this letter, including probable cause, will be presented in a timely manner to the Planning Department and the Planning Commission. Also attached is a copy of the December 13, 2007 letter from the SFHA offering the tenants the right to purchase, and a response by their association accepting it. The submission will be included in the expanded objection to the EIR.

Sincerely,

Hunters View Tenants Association, Inc.

Rafael Huertas II, Montgomery

The Hunters View Tenants Association, Inc.

227-229 West Point Road, San Francisco, Ca 94124
(415) 240-8135 – Tessie Ester, President

SFHA

J Brandt

'08 JAN 14 PM 12:19

January 14, 2008

Naja W. Boyd
Deputy Executive Director
San Francisco Housing Authority
440 Turk Street
San Francisco, CA 94102

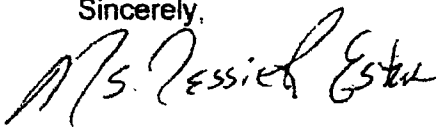
Re: Hunters View CAL 1-18 (3) Section 18 of the US Housing Act of 1937, as amended, 24 CFR 970.13 – Resident organization opportunity to purchase and Section 412, National Affordable Housing Act Offer of Sale

Dear Ms. Boyd,

Please consider this letter as confirmation that the Hunters View Tenants Association, Inc., in association with a to-be-formed development entity, are interested in purchasing and developing the Hunters View public housing project, pursuant to the above regulations.

We will be submitting a formal proposal in accordance with 24 CFR 970.11 (i) within 60 days from January 14, 2008.

Sincerely,



Tessie Ester, President
Hunters View Tenants Association, Inc.

cc: Members, Board of Directors of the SF Housing Authority
Members, Board of Directors of the Hunters View Tenants Association, Inc.



SAN FRANCISCO HOUSING AUTHORITY

440 Turk Street • San Francisco CA • 94102 • (415) 554-1200

*

December 13, 2007

Tessie Ester, President
Hunters View Tenants Association and
Hunters View Residents
227-229 West Point Road
San Francisco, CA 94124

Re: Hunters View CAL 1-18 (3), Section 18 of the United States Housing Act of 1937, as amended, 24 CFR 970.13 Resident Organization Opportunity to Purchase, and Section 412 National Affordable Housing Act of 1990 Offer of Sale

Dear Ms. Ester and Hunters View Residents:

The San Francisco Housing Authority (the Authority) is proposing phased demolition and new construction of the Hunters View public housing development. The new housing will include 267 public housing rental replacement units and approximately 500 other affordable rental, affordable homeownership, and market rate rental and homeownership housing units.

As required by Section 18 of the United States Housing Act of 1937, as amended and 24 CFR Part 970, the Authority must submit a Demolition/Disposition Application to the U.S. Department of Housing and Urban Development (HUD) to demolish the 51 buildings and 275 total residential and non-dwelling units at Hunters View CAL 1-18(3).

Prior to submitting a Demolition/Disposition Application to HUD to demolish any unit of public housing, the Authority is obligated by Section 412 of the National Affordable Housing Act of 1990 to:

- Inform you, the Hunters View residents and the organized Hunters View resident group, the Hunters View Tenants Association, of the Authority's intent to submit a Demolition/Disposition Application for demolition of Hunters View;
- Identify the project and/or the portion of the project to be covered in the application by unit and project number;
- Describe the physical conditions (see attached 2007 Comprehensive Physical Needs Assessment);
- Disclose the current occupancy status of Hunters View (see page 3);

- State, where appropriate, that the property may be purchased, with HUD's approval, for less than fair market value, based on commensurate public benefits to the community, to the public housing agency and/or to the federal government;
- Describe the plans for reuse after demolition.
- Inform you that public housing developments sold to resident organizations will not continue to receive capital and operating subsidy after the completion of the sale.
- Identify resources to provide technical assistance to the Hunters View Tenants Association and the Hunters View residents in order to facilitate better understanding of the opportunity of the Hunters View Tenants Association to purchase, the development's value and the potential use; and
- Give a date, not to exceed 30 days from the date of this letter by which the Hunters View Tenants Association must respond, in writing, its interest in purchasing, or a written response declining any interest in purchasing the development.

This letter will address the above mentioned obligations. The Authority staff will conduct an information session at the Hunters View Tenants Association monthly meeting on December 19, 2007 at 4:30 PM at the Hunter's View Tenants Association office located at 227 and 229 West Point Road. The Authority has mailed this letter to all Hunters View residents to inform them of the meeting date, the agenda, and the residents' opportunity to purchase Hunters View. The intent of the December 19, 2007 meeting is to describe in detail the Authority's obligations regarding this offer to purchase by the Hunters View Tenant Association to the Hunters View residents.

Hunters View Development

The Hunters View public housing development sits on approximately 19.65 acres of land on a prominent Bayview Hunters Point hillside in the South East sector of the City and County of San Francisco. The development has only 14 units per acre with large open space areas between the buildings. The property is just south of Evans Avenue and is intersected by Middle Point Road with apartments along either side and off West Point Road, Wills Street, and Hare Street.

There are 267 residential public housing units in 51 two- to three-story wood frame buildings with flat roofs. The exterior facing is plywood siding or cement plaster coated. The site also has a childcare center building. The management and tenant association offices are located in converted apartments. The buildings, which were never intended to be permanent, were constructed in 1956 on the foundations of World War II workforce housing. The buildings were rehabilitated twenty-five years ago in 1982.

Hunters View consists of 4 one-bedrooms, 75 two-bedrooms, 112 three-bedrooms, 68 four-bedrooms, and 8 five-bedrooms. Currently, the development is 63% occupied. There are 165 occupied units, 90 vacant units, and 8 non-dwelling units used for office and service space.

The occupancy status of the development as of November 2007 are described below:

- A total of 165 households with 495 family members currently live at Hunters View, 63% female and 37% male. The average household size is 3 persons and most, 89%, are headed by women.
- Close to one half of the residents (49%) are young people aged 17 years and younger. There are 41 children four years and under and 241 school age youth. There are 37 senior residents (7%) and 217 residents (44%) between the ages of 18 and 54.
- 58% of the residents identify as African American, 21% as Asian/Pacific Islander, and 21% as Caucasian (which includes 7% of Latino descent).
- The average household income is \$14,809 and the average rent paid per household is \$203 per month. 49% of the residents pay \$120 or less per month, 34% pay between \$121 and \$410, and 16% pay \$411 or more.
- 42% of the households have at least one household member who is employed. The source of income for 66% of the households is one or a combination of the following: aid to dependent children, aid to disabled, old age assistance, social security, state welfare unemployment, private pension, foster childcare and/or other government/public assistance.

Appraisal and Terms of Sale

The Hunters View Tenants Association has a right under Section 412 of the National Affordable Housing Act of 1990 to be given an appropriate opportunity to purchase Hunters View. Such a purchase can be for less than fair market value, with HUD's approval, as long as there is a commensurate public benefit.

**THE PRELIMINARY FAIR MARKET VALUE FOR THE HUNTERS VIEW PROPERTY
IS FIFTY MILLION DOLLARS (\$50,000,000).**

This is an approximate value and is subject to change. Copies of the complete formal appraisal will be available to residents at the December 19, 2007 information session at Hunters View.

The buyer is obligated by law to maintain the same number of very low-income units. It is the Authority's intention to redevelop the property with the public benefits described below:

- Ensure no loss of public housing - replace all current public housing units on a one for one basis and minimize temporary relocation of existing residents through phasing and other means.
- Create an economically integrated community with appropriate amenities - build a matrix of housing types that includes: public rental housing, affordable rental and ownership housing, and market rate rental and ownership housing.
- Ensure that Hunters View residents have first right to rent and/or purchase the new housing, opportunities for job training, employment in construction and other work, involvement in long-term management of the new development, and opportunities to meet the requirements of homeownership.

- Involve residents and the community in the highest levels of participation throughout the development process.

Additionally, in the event that a purchase transaction is completed with the Hunters View Tenants Association, all capital and operating subsidies will cease for the site.

Technical Assistance

In the event that the Hunters View Tenants Association wishes to obtain technical assistance in order to consider the merits of an opportunity to purchase Hunters View, included is a list of suggested consultants to contact regarding such assistance: Non Profit Housing Association of Northern California (<http://www.nonprohthousing.org/>), Community Housing Partnership (<http://www.chp-sf.org/>), and Community Economics (<http://communityeconomics.org/>). Please note, this list is non-exclusive and is a collection of suggested consultants. You may also contact the Authority's Housing Development and Modernization Department at (415) 715-3210, or the HUD Regional Office at (415) 489-6400 in order to find additional resources.

Deadline for Response

The Hunters View Tenants Association will have until 4:30 pm (PST) January 14, 2008 to notify the Authority in writing of their interest in the opportunity to purchase Hunters View. The letter of interest must be submitted to:

Naja W. Boyd, Deputy Executive Director
San Francisco Housing Authority
440 Turk Street
San Francisco, California 94102

If the Authority does not receive notice affirming or refusing the right to purchase by 4:30 pm (PST) on January 14, 2008, the Authority will understand that the Hunters View Tenants Association has no intention of purchasing the Hunters View development, and the Authority will have met its statutory obligations under Section 412 of the National Affordable Housing Act of 1990.

Contents of Proposal

Should the Hunters View Tenants Association choose to submit a letter of interest, it will have 60 days from the date of receipt by the Authority of the Hunters View Tenants Association's letter of interest to submit a proposal to purchase the Hunters View development. In accordance with 24 CFR § 970.11 (i), the contents of the proposal must include, but are not limited to the following:

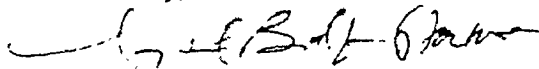
- The length of time the organization has been in existence.
- A description of current or past activities that demonstrate the organization's organizational and management capability, or the planned acquisition of such capability through a partner or other outside entities (in which case the proposal should state how the partner or outside entity meets this requirement).

- The organization's experience in the development of low-income housing, or planned arrangements with partners or outside entities with such experience (in which case the proposal should state how the partner or outside entity meets this requirement)
- A statement of financial capability
- A description of involvement of any non-resident organization (such as non-profit, for-profit, governmental, or other entities), if any, the proposed division of responsibilities between the non-resident organization and the established eligible organization, and the non-resident organization's financial capabilities.
- A plan for financing the purchase of the property and a firm financial commitment for funding resources necessary to purchase the property and pay for any necessary repairs
- A plan for using the property for low-income housing
- The proposed purchase price in relation to the appraised value.
- If applicable, justification for purchase at less than the fair market value in accordance with 24 CFR § 970.19 (a).
- An estimated time schedule for completing the transaction.
- A complete and full response to the terms of sale set forth by the Authority
- A resolution from the Hunters View Tenant Association that approves the proposal
- A proposed date of settlement, generally not to exceed 6 months from the date of PHA approval of the proposal, or such period as the Authority may determine to be reasonable

The Authority will approve the proposal if it meets the terms of sale as listed above and if it is supported by a firm financial commitment. Contrarily, the Authority may reject the proposal submitted by the Hunters View Tenants Association if it does not meet the terms of sale as provided by the Authority, and does not comply with any of the above mentioned requirements.

If the Hunters View Tenants Association and the residents would like information in addition to the enclosed formal appraisal and the 2007 Comprehensive Physical Needs Assessment of the Hunters View site, please contact Barbara T. Smith, Housing Development & Modernization Department, at (415) 715-3220.

Sincerely,



Gregg Fortner
Executive Director

Eleanora "Billie" Holiday sang of "strange fruit" hanging on southern trees. I now sing of "strange birds" flying over San Francisco's sky...

BLACK FLIGHT

Ahimsa Porter Sumchai, M.D. UCSF Class of 81
Presentation to UCSF Medical Students 2/15/08

"It was only when the Redevelopment Agency began to acquire buildings, evict occupants, and demolish structures, and urban renewal became a living, frightening reality, that real participation of the area's residents began, as they organized to defend themselves."

**City For Sale - Chester Hartmann
University of California Press 2002**

The "City by the Bay". San Francisco is an international seaport resting on a peninsula between the Pacific Ocean and the San Francisco Bay with a population of about 723,959 people. According to a 2005 demographic study fewer than 40,000 are Black. In 1970 over 126,000 Black people lived in San Francisco. Where have they flown?

In 1966 a business supported, self appointed citizens action committee called the San Francisco Planning and Urban Renewal Research Association or SPUR wrote in its booklet called Prologue for Action:

"If San Francisco decides to compete effectively with other cities for new 'clean' industries and new corporate power, its population will move closer to standard white Anglo-Saxon Protestant characteristics. Selection of a population's composition might be undemocratic. Influence on it, however, is legal and desirable for the health of a city."

An economic analysis conducted in San Francisco by ICF Consulting was released on April 5, 2006. It found that African Americans in San Francisco made on average 40% of whites in 2004 and that African Americans constitute only 6% of the city's population – down from a maximum of 18% in the 1970's.

Nationally, African Americans make 60% as much as whites. The study concluded that the wages of racial minorities lag behind White workers, in part, because they tend to have less education.

The analysis found, however, that Asians with comparable education earned less than Whites in San Francisco. Thus, the existence of institutional racism and barriers to entry based on race in both public and private sector hiring is clearly substantiated.

The study also concluded that the high housing costs and access to quality education drive the exodus from the city of African Americans and families with school age children. Nearly 78,000 residents have left San Francisco since 2000.

Don Santina is a cultural historian and third generation San Franciscan who received a 2005 Superior Scribing Award for his Black Commentator article, "Reparations for the Blues." According to his article the Black Agenda Report: Ethnic Cleansing in San Francisco, "not so long ago San Francisco was home to about 100,000 Blacks and the Fillmore district was a thriving Mecca of African American life. Today, Fillmore is gone, wiped out by "Negro Removal" in the guise of redevelopment, and the city's Black population has shrunk to 40,000.

The last bastion of concentrated Black life, Hunters Point, is slated for an ethnic cleansing designed to rob African Americans of not only a spectacular view of the Bay, but of any hope of remaining in the city."

The Fillmore was the flourishing center of Black culture in the decades following World War II. Called the "Harlem of the West", it was the economic, social and political "capitol" of Black San Francisco and the site of Black owned businesses including restaurants, night clubs, barber shops and beauty supply houses, markets, auto repair services and clothing stores. Jimbo's Bop City featured performances by jazz icons like Billie Holiday, Charlie Parker, John Coltrane and Dizzy Gillespie.

According to the Bayview Hunters Point Resident Stock Ownership Corporation's Administrative Complaint against the San Francisco Redevelopment Agency dated August 20, 2004, "The 1970 SFRA plans for the A-2 Western Addition project called for displacing 13,500 people. Opposition by the Western Addition Community Organizations (WACO) reduced the number of displaced people to about 10,000. Those who were not fortunate to find accommodation in other Black neighborhoods, such as Bayview Hunters Point were forced to leave town."

The Western Addition Community Organizations formed in 1967 in an attempt to prevent the wholesale removal of mostly poor African American families from the City's Western Addition where the Fillmore Center high rise project is now located.

In the first redevelopment case in the nation to force a city to the settlement table, WACO filed an Administrative Complaint followed by a class action law suit which led to an injunction in the 9th Federal District Court. As a result of this legal settlement 10 vacant newly cleared blocks of land were transferred to local community based, African American owned, non-profit development corporations, which built several thousand units of community owned affordable housing.

The Black Agenda Report identifies that, "... people who lived in the Fillmore were dispersed to the East Bay cities of Oakland, Richmond and to Bayview Hunters Point. As the Redevelopment Agency smashed homes and businesses, it issued thousands of certificates of preference to the people of the Fillmore. These certificates were documents which gave the displaced businesses and families a promise of preference for renting or buying other redevelopment property within the City and the right to return to the neighborhood from which they'd been evicted."

Of the 883 certificates given to Black owned businesses, only 39 resulted in business relocations. Of the 4,719 certificates issued to families, only 1,099 families returned to homes in the redeveloped project area. The remaining 590 businesses and 3,055 families were forever displaced and lost in follow-up by the SFRA.

Today, the "Fillmore" no longer exists. Renamed, the Western Addition, it has been fully gentrified or "repeopled"...a verb invented and used by Redevelopment operatives.

The SFRA turned next to 26 acres planned for San Francisco's South of Market, home to over 4000 poor residents and pensioners, 700 small businesses and 5000 workers. These residents were mostly retired and living out their years in Single Room Occupancy hotels. Many were people of color.

As Chester Hartman writes in *City for Sale* (University of California Press 2002), "Under the rubric of 'slum clearance' and 'blight removal', the Redevelopment Agency turned to systematically sweeping out the poor, with the full backing of the city's power elite. The area was referred to by planners, newspapers and City officials as 'skid row' and the people who lived there as 'bums', 'drifters' and 'transients'. These carefully cultivated negative images allowed the planners of Yerba Buena Center to present their project as a two fold public service. They were providing economic revival through construction jobs and increased tourist and convention business, and they were helping the city clear out an undesirable element.

According to Hartman, "Thus, the welfare of the elderly, single poor working people of South of Market was placed in the hands of the city's corporate and financial interests. The area's residents were

kept in the dark about their fate. An Examiner series on South of Market residents quoted people as saying: "We don't know what they're going to do...", "We're all confused...", "When the plans are ready - they're ready."

Hartman concludes, "It was only when the Redevelopment Agency began to acquire buildings, evict occupants and demolish structures, and "urban renewal" became a living frightening reality, that real participation of the area's residents began, as they organized to defend themselves."

PART II

BLACK FLIGHT

"To rise, we must hold a vision of ourselves spreading our wings, reaching for the sky, saying, 'I Can' "

Susan Taylor; Editor-in-Chief Essence Magazine

**"If you don't know who you are as a people,
you don't know who you are as a person"**

**Dr. LaFrancis Rogers-Rose
Professor of African American Studies
Princeton University**

Fast forward to 2007. The median monthly rent in San Francisco is \$2,200. A small "affordable" condo sells for \$650,000 to \$800,000. According to the 2000 census the per capita income in the wealthy Pacific Heights neighborhood is \$86,583 in Bayview Hunters Point it is \$14,482. Jobs in light and heavy industry once concentrated in the cities eastern neighborhoods have disappeared replaced by biomedical technology and a new urban professional class who have returned from the suburbs lured by a corporate "gold rush" of middle management positions.

An initiative slated for the June 2008 General Municipal election aims to integrate the Redevelopment Project Areas for the Hunters Point Shipyard and the Bayview Hunters Point Redevelopment Project's Candlestick Park Activity Node giving 750 acres of the city's most underutilized land to a financially strapped, corrupt corporation called Lennar Developers.

By the 1980's the largest population of African Americans in the state of California owned homes, property and businesses in the Bayview Hunters Point District of San Francisco, California. African Americans comprised over 60% of the districts 34,000 residents and were surpassed in number only by African Americans in Los Angeles.

Under the tenure of an African American Mayor and District 10 supervisor, the African American population in BVHP demonstrated its steepest decline to its current level of 48%. By 2005 the Area Median Income (AMI) in Bayview Hunters Point was approximately \$15.8 thousand annually, thus affordable housing units must be made available at yearly lease or rental rates of \$7,500 to retain the present population. The SFRA calculates affordable housing in the BVHP Project Area based on a citywide AMI of \$30,000.

Why do Blacks sell out Blacks? William Reed postulates in the article, "Do Poor and Wealthy Black Americans Live in Two Different Worlds?" that a widening gulf exists between the values of middle class

and poor Blacks. More and more there are two classes of African Americans - the ones with education and jobs and those with neither.

A Pew Research Center survey found Black college graduates have values that are more closely aligned with those of middle class Whites than those of lower income Blacks. A majority of Black Americans at the top of the economic ladder blamed individual failings, not racial prejudice, for the lack of economic progress made by lower income African Americans.

The survey also found the condition of the Black middle class to be more fragile than that of Whites. Middle income African American families have difficulty passing on their middle income status to their children. About 45% of Black children who grow up in middle class families will slip into a lower income bracket in adulthood. Only 16% of White children slip into a lower socioeconomic bracket as adults.

Unnatural Causes is a four hour documentary series exploring America's racial and socioeconomic inequities in health. Produced by California Newsreel, it highlights research which shows that social conditions - the jobs we do, the money we're paid, the schools we attend and the neighborhoods we live in are as important determinants of our health as are genetics, behaviors and even our medical care. The single strongest predictor of our health is our position on the class ladder. Whether measured by income, schooling, or occupation, those at the top have the most power and resources and on average live longer and healthier lives.

W.J. Wilson proposes in *The Truly Disadvantaged* that racially segregated neighborhoods create conditions adverse to health in a number of ways. These communities are often geographically isolated and have fewer resources and assets such as quality schools, grocery stores, libraries, childcare centers, parks and recreation facilities and public transportation networks.

Segregated low income neighborhoods often host toxic industries, freeways and municipal landfills. Overall, residents of high poverty neighborhoods live about eight fewer years than non-poverty neighborhoods. They also suffer more preventable events like infant mortality, pedestrian injuries and homicide. Because residents of segregated neighborhoods are often marginalized in the political decision making process, they are limited in their ability to effect change in their environments and circumstances.

The African American community in BVHP suffers from a disproportionate burden of diseases linked to environmental factors that can result in temporary and permanent disability. Although BVHP has less than 4% of the city's residents, it has one third of the city's hazardous waste sites. The area contains four times as many toxins as any other city neighborhood, according to a 1995 inventory conducted by Judy Quan of the Region 9 Environmental Protection Agency. The toxic inventory showed the area had 700 hazardous waste material facilities, 325 underground storage tanks and two Superfund sites - including the Hunters Point Naval Shipyard.

In 1995 the first health study of San Francisco's heavily polluted Bayview Hunters Point community found that hospitalizations for chronic illnesses were four times higher than the state average. Dr. Kevin Grumbach, a UCSF researcher assisted by Tomas Aragon of the San Francisco Department of Public Health noted that of 39 pollutants measured by the Bay Area Air Quality Management District in San Francisco, the highest concentration - 20 pollutants - was in Bayview Hunters Point.

The investigation revealed that hospitalization rates for asthma, congestive heart failure, hypertension, diabetes and emphysema were 138 per 10,000 in BVHP. The statewide average was 37 per 10,000. Earlier DPH studies identified excessive rates of breast cancer, leukemias, childhood cancers and cardio respiratory diseases in BVHP.

Air monitoring studies in 2003 documented select toxic air contaminants and criteria pollutants regulated by state and government agencies existing in ambient air in BVHP at concentrations exceeding the 80th percentile. These airborne toxins include sulfur dioxides, ground level ozone, particulates,

asbestos, ionizing radiation and the cancer causing volatile organic compound benzene. The Environmental Protection Agency's Office of Air and Radiation links premature infant deaths to particulate exposure.

The incidence of birth defects in Bayview Hunters Point exceeds city wide averages according to a state registry. This supports the existence of teratogenic environmental influences in the neighborhood. Infant mortality rates for African American, Asian and Latinas living in BVHP exceed city wide rates.

The infant mortality rate for Black infants statewide is 11.6 per 1000 live births. The infant mortality rate for Black infants in Bayview approaches the U.S rate of African American infant deaths - 13.5 deaths per 1,000 live births. Nationwide the infant mortality rate for whites is 5.7 per 1,000 live births. A 2004 study of premature infant deaths conducted by the San Francisco Chronicle identified a "cluster" of cases in the South Basin region of the BVHP project area.

The study, "Condition Critical: Asthma in the Bayview Hunters Point Neighborhood, 1993-1995" was published in May of 1998 and confirmed the disproportionate health impact of this disease in BVHP.

Large quantity polluters generating more than 1,000 kilograms per month of hazardous wastes operate in BVHP including the Mirant and PG&E power plants, the shipyard and 27 other facilities. Nine leaking underground storage tanks are being "tracked" by the San Francisco Department of Public Health.

In 1998 an explosion at the PG&E plant sparked a social and environmental justice movement that has been reinvigorated by activists who oppose the siting of three combustive turbine peaker plants in southeastern San Francisco and advocate for the clean up to health based standards of the Hunters Point Shipyard. The PGE plant discharged over 450,000 pounds per year of heavy metals, petrochemicals and other pollutants. The plant also discharges over 100 tons per year of PM10 particle pollution, carbon monoxide, sulfur dioxide, nitrogen dioxide, lead, ozone and volatile organic compounds.

The PG&E Hunters Point Power Plant closed in 2006 and was the site, on January 28, 2008, of the collapse of a deconstruction platform that killed one and injured two workers.

The BVHP Redevelopment project is expected to worsen air quality through the unmitigated impacts generated by the new release of toxic air contaminants and the potential for airborne dispersal and volatilization of hazardous materials documented in the Final Environmental Impact Report for the project.

The Project will worsen air quality indirectly through the creation of multiple stagnated and obstructed transportation and circulation routes identified as unmitigated in the Final Environmental Impact Report.

On January 31, 2007 the Black Caucus of the California Legislature released a report titled "The State of Black California". It found the racial disparity between Blacks and Whites in San Francisco to be much bigger than any other city in the state. Additionally it determined that:

The per capita income of Blacks in San Francisco was only 44% that of whites and the gap in median household income between Blacks and Whites is highest in San Francisco. Inequality in unemployment between Blacks and Whites is greatest in San Francisco. The poverty rate of Blacks is highest in San Francisco. San Francisco is one of four cities with the worst Black infant death rates. The felony arrest rate for Black San Franciscans is 13.9%. The felony arrest rates for Asians are .62%, Latinos 2.85% and Whites 2% in San Francisco. Blacks have the highest misdemeanor arrest rate in San Francisco at 11%.

In education the study found that Blacks outcomes relative to those of Whites are much worse in the Bay Area due to racial inequality in course quality, test scores and high school drop out rates. Racial inequality in college completion between Blacks and Whites is greatest in San Francisco.

The operative definition of genocide is given in the U.N. Convention on the Prevention and Punishment of Genocide as "any act committed with the idea of destroying in whole or part a national, ethnic, racial or religious group. This includes such acts as killing members of the group, causing serious bodily injury or mental harm to members of the group, deliberately inflicting conditions calculated to physically destroy the group, and forcefully transferring children of the group to another group.

For centuries, nomadic Arab horsemen commonly referred to as the Janjaweed have exploited Black Sudanese in the Darfur region in a slave trade according to David Ruffin's "Darfur: Genocide in Plain View".

On October 11, 2005 the University of California Sudan Divestment Taskforce submitted a Proposal For Divestment From Sudan to the U.C. Regents. I assisted Jason Miller, UCSF MD/PhD candidate and Ben Elberger, leader of Stanford STAND in the successful effort to divest university funds from businesses with indirect holdings in the Government of the Sudan. Following on the heels of this success we led the effort urging the San Francisco Employees Retirement Fund to fully divest from businesses with holdings in the Sudan.

In May of 2006 I formulated and submitted an Appeal to the United Nations Commission to End Racial Discrimination against the City and County of San Francisco and the Redevelopment Agencies attempts to implement the Bayview Hunters Point Redevelopment Project and Rezoning.

The Appeal contended that the closure of public schools in Bayview Hunters Point, the high incidence of children in foster care, the transportation of children to schools outside their neighborhood, the closure of stores and businesses by the Third Street Light Rail Project, a jobless rate estimated by a UCSF study to be as high as 40% in contrast to a City unemployment rate of 5% and the year 2000 Census documented decline in the African American population to 48%, in concert with a substantiated high incidence of police brutality fulfill United Nations criteria for Genocide.

The Appeal charged the BVHP Redevelopment plan with shifting the tax base for the entire 1,400 acre project area from the city to the state and replacement of San Francisco's city government legislative, judicial and executive branch balance of power for land use decisions for the project area to the San Francisco Redevelopment agency, a secretive quasi- governmental entity that does not comply with local Sunshine Ordinance mandates for public notice and public participation in decision making and is governed by a Commission of mayoral appointees that has been subjected to multiple Ethics Commission investigations into charges of financial and political conflict of interest in development projects in the city over the last three decades.

According to Redevelopment: The Unknown Government, "Once a redevelopment project area is created, all property tax within it goes directly to the Agency. This means that all increases in property tax revenues are diverted to the Agency and away from cities, counties and school districts that would normally receive them."

Tax increment financing also directly impacts municipal budgets by diverting city revenues into redevelopment agencies. That part of the tax increment that would have gone to the city's general fund – averaging 12% – is lost and can now be used only by redevelopment agencies. Thus, there is now money to build malls and hotels, but less for police, firefighters and librarians. Cities cannot use redevelopment money to pay for salaries, public safety or maintenance, which are by far the largest share of municipal budgets."

Tax Increment Finance Diversion and land and property seizure are identified as the mechanism of financing for the Bayview Hunters Point Redevelopment Projects in its EIR. While the Agency denies its intent to utilize eminent domain in land and property acquisitions, California state law enables the Agency to exercise eminent domain actions for the first twelve years of implementation of the project.

Additionally, the Agency has established guidelines for the use of eminent domain on non-residential properties that fail to meet code standings and for properties in regions zoned for non-residential use.

This includes the Third Street Corridor of the project which has been rezoned neighborhood commercial but includes residential units that may face risk of eminent domain action.

The BVHP Redevelopment Project threatens to deprive the African American people of Bayview Hunters Point of land, historical legacy and culture in a region where they have predominated as an ethnic group since the World War II era. The Project fails to provide a Framework Housing commitment to 1 to 1 replacement housing for displaced low income residents and identifies in its EIR that "the projected need for affordable housing may exceed that provided by the Project in the Project Area, however there are no standards of significance for the provision of affordable housing, and therefore, this is not considered to be a significant adverse impact."

Low and very low income African Americans, who have predominated as an ethnically distinct group of people in the region of the proposed land seizure by the Agency, will face displacement, dispersal and forced migration under the implementation of this plan.

The appellants contend the government action proposed in the BVHP Project parallels- in anticipated outcome- the successful genocidal campaigns waged by legitimate government entities to depopulate, disenfranchise and displace ethnically distinct communities in Armenia, World War II Germany and Poland, Bosnia, Cambodia, Southern Sudan, Rwanda and in Darfur Province, Sudan.

Thus, the appellants argue the BVHP Redevelopment plan fulfills United Nations working and operational definitions of a government sponsored genocidal campaign.



India Basin Neighborhood Association
PO Box 880953, San Francisco, CA 94188

RECEIVED

April 12, 2008

APR 14 2008

Bill Wycko, Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco 94103

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M E A

RE: Case #2007.0168E

I am writing on behalf of the India Basin Neighborhood Association with concerns about the Hunters View Redevelopment Project Case #2007.0168E Environmental Impact Report. The Hunter's View project is within the parameters of our neighborhood association.

While IBNA generally supports this project, we are extremely concerned about the "unavoidable adverse significant impact" on the intersections at Third/Evans, Third/25th, Third/Cesar Chavez, Illinois/Cargo/Amador, and Middle Point/Evans identified in the EIR. These five intersections are the access routes to our entire neighborhood. We hope that "unavoidable" is not considered "acceptable" by the Planning Department.

We request that additional effort be made to mitigate the adverse impact of this project on these intersections and our community. We welcome the opportunity to work with the Planning Department and project developers to find a creative solution to this problem.

For more information on the India Basin Neighborhood Association, please visit www.IndiaBasin.org

Thank you for this opportunity to comment.

Jill Fox

Jill Fox
IBJill@Comcast.net 415 285-9211

SAN FRANCISCO PLANNING COMMISSION
CITY HALL, 1 DR. CARLTON B. GOODLETT PLACE

THURSDAY, APRIL 3, 2008

1:30 p.m.

HUNTERS VIEW REDEVELOPMENT PROJECT
PUBLIC HEARING ON THE DRAFT EIR REPORT

CERTIFIED COPY

REPORTED BY: JUDITH LARRABEE

JOB NO. 407571

M E R R I L L L E G A L S O L U T I O N S

1 PRESENT: PRESIDENT CHRISTINA OLAGUE, COMMISSIONERS
2 MICHAEL ANTONINI, SUE LEE, WILLIAM LEE, KATHRIN MOORE,
3 HISASHI SUGAYA, SECRETARY LINDA AVERY

4 COMMISSION SECRETARY: Commissioners, you
5 are now on Item 17, 2007.0168E, Hunters View
6 Redevelopment Project. This is a public hearing on
7 the Draft Environmental Impact Report.

8 COMMISSIONER SUGAYA: Request to be recused.

9 SECRETARY AVERY: On the motion to recuse
10 Commissioner Sugaya. Commissioner Moore.

11 COMMISSIONER MOORE: Aye.

12 COMMISSION SECRETARY: Commissioner Sugaya.

13 COMMISSIONER SUGAYA: Aye.

14 COMMISSION SECRETARY: Commissioner Bill
15 Lee.

16 COMMISSIONER BILL LEE: Aye.

17 COMMISSION SECRETARY: Commissioner
18 Antonini.

19 COMMISSIONER ANTONINI: Aye.

20 COMMISSION SECRETARY: Commissioner Olague.

21 COMMISSIONER OLAGUE: Aye.

22 COMMISSION SECRETARY: Commissioner Sue Lee.

23 COMMISSIONER SUE LEE: Aye.

24 COMMISSION SECRETARY: Commissioner Sugaya
25 is excused.

1 STAFF MEMBER: Good afternoon President
2 Olaque and members of the Commission. Nannie Turrell,
3 Planning Department Staff.

4 The item before you is a public hearing on the
5 Draft Environmental Impact Report for the Hunters View
6 Redevelopment Project, Case No. 2007.0168E.

7 Today's action is a public hearing on the
8 adequacy and accuracy of the information contained in
9 the Draft Environmental Impact Report, and we ask that
10 comments be focused on this.

11 There will be no decision today on approvals or
12 disapprovals of the proposed project. That hearing
13 will follow the EIR certification hearing.

14 We're here today to receive comments from the
15 public and Commissioners regarding the Draft EIR as
16 part of the environmental review process required by
17 the California Environmental Quality Act. The public
18 and Commissioners should note that staff is not here
19 to answer comments today. Comments will be
20 transcribed and responded to in writing in the
21 Response to Comments document which responds to all
22 comments received and makes revisions to the Draft EIR
23 as necessary.

24 There's a court reporter here today. We ask that
25 all commenters speak slowly and clearly. Also we ask

1 that you state your name and address so a copy of the
2 Comments and Responses document can be mailed to you
3 when completed. After comments from the public, we
4 will take comments on the Draft EIR from the
5 Commissioners.

6 The written comment period began on March 1st.
7 It will end at 5:00 p.m. on April 14th. The Landmarks
8 Preservation Advisory Board held a hearing on the
9 Draft EIR on March 19th.

10 This concludes my presentation, and I ask that
11 the public hearing on the Draft EIR be opened.

12 COMMISSIONER OLAGUE: Thank you. Ulysses J.
13 Montgomery.

14 MR. MONTGOMERY: Commissioners and audience,
15 my name is Ulysses J. Montgomery. I'm here on behalf
16 of and for the benefit of the residents of Hunters
17 View tenants, speaking through their legally organized
18 entity, the Hunters View Tenants Association.

19 We prepared our comments in the form of a letter.
20 In the interest of saving time, I'll just hit some of
21 the highlights on it. One. This project appears to
22 be in violation of the fundamental rights of the
23 residents of Hunters View; in addition, in violation
24 of federal and state laws which attempt to protect
25 those rights. We are submitting that this whole

1 process, San Francisco Hope, allocating tentative and
2 exclusive negotiating rights to selected developers,
3 and this Environmental impact report, is illegal. And
4 we are recommending and requesting that the whole
5 process be stopped until these illegalities have been
6 addressed and resolved. And I will add, they can be
7 resolved. I'm a civil engineer. Any problem can be
8 solved.

9 To specify some of the specifics, these two
10 programs are in violation of Federal Regulation 970.
11 They're in violation of the RICO Act, which is
12 commonly referred to as the Racketeering Act. It's in
13 violation of Section Three of a 1968 Housing Act.
14 It's in violation -- not the program, but the way the
15 agencies have been administering it -- is in violation
16 of public information laws of the state of
17 California -- (buzzer sounds.)

18 COMMISSIONER OLAGUE: Thank you. Is there
19 any additional public comment? Seeing none, public
20 comment is closed. Commissioners? No comment.

21 I will remind people that the public comment
22 period ends -- could you repeat that, please?

23 STAFF MEMBER: The public comment period
24 ends April 14th at 5:00 p.m. I believe that's a
25 Monday. And comments can be delivered to the Planning

1 Department or received by the Planning Department up
2 until that time.

3 COMMISSIONER OLAGUE: Okay. Was the time
4 period extended only because the -- the date on the
5 document is the 4th. That's why I was a little
6 confused. That's why I hesitated.

7 STAFF MEMBER: Oh, oh. There was a request
8 to OPR for a shortened review period.

9 COMMISSIONER OLAGUE: Great.

10 STAFF MEMBER: And we published the document
11 with that information as though that would be
12 accepted. OPR responded immediately and let us know
13 that because the project included over 500 --
14 potentially over 500 new units -- there could be no
15 shortened review period. And so we sent out a notice
16 extending the comment period.

17 COMMISSIONER OLAGUE: Thank you.
18 Commissioner Moore.

19 COMMISSIONER MOORE: Are we commenting now
20 on the --

21 COMMISSIONER OLAGUE: Well, we had reopened
22 it. That's fine.

23 COMMISSIONER MOORE: I stumbled on page 40
24 over something which does not express itself in the
25 diagram on page 41.

1 Two sites are identified. The site is comprised
2 or composited of two pieces. The diagram on 41 makes
3 it hard to identify which the second piece is because
4 it shows a out-of-project boundary without identifying
5 side one and side two. So it would be helpful if
6 somebody sees the two sides identified. That's a very
7 minor comment. That's it.

8 COMMISSIONER OLAGUE: Thank you. We're
9 going to take a 15-minute recess. We'll be back at
10 7:00 p.m.

11 (Whereupon, the hearing concluded at 6:45 p.m.)

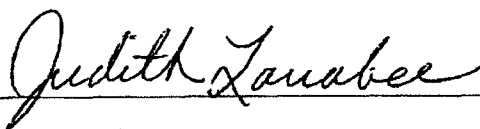
12 ---oOo---

REPORTER'S CERTIFICATE

I, JUDITH L. LARRABEE, a Hearing Shorthand Reporter in the State of California duly authorized to administer oaths, hereby certify:

That the proceedings therein were taken down in shorthand by me, a disinterested person, at the time and place therein stated, that the proceedings were thereafter reduced to typewriting, by computer, under my direction and supervision, and that the foregoing is a full, true and correct transcript of the proceedings therein to the best of my ability.

IN WITNESS WHEREOF, I have hereunto set my hand on this eighth day of April, 2008.

A handwritten signature in cursive script, reading "Judith Larrabee", is written over a horizontal line.

Judith Larrabee, Shorthand Reporter