

# CHAPTER I Introduction

This chapter provides a broad overview of the Candlestick Point–Hunters Point Shipyard Phase II Development Plan Project (Project), in the City and County of San Francisco (City); summarizes the San Francisco Planning Department (Planning Department) and the San Francisco Redevelopment Agency (Agency) planning context for the Project site and surrounding area, including the previous environmental reviews undertaken in connection with related City and Agency plans and approvals; identifies the purpose of the Environmental Impact Report (EIR); summarizes the environmental review process under the *California Environmental Quality Act* (CEQA); and outlines the content of this Environmental Impact Report.

As required by CEQA, this EIR serves to (1) assess the expected direct, indirect, and cumulative impacts of the Project’s physical development; (2) identify means of avoiding, minimizing, and/or mitigating potential significant adverse environmental impacts; and (3) evaluate a reasonable range of alternatives to the Project, including the No Project Alternative.

## I.A PROJECT OVERVIEW

Overall, the Project would include new plans for the Candlestick Point and Hunters Point Shipyard areas of San Francisco. A detailed description of the Project is provided in Chapter II (Project Description).

The Project proposed by the Project Applicant, Lennar Urban, is a large-scale, mixed-use development proposal for the Candlestick Point and Hunters Point Shipyard Phase II areas of the City. The Project includes a new stadium for the San Francisco 49ers National Football League (NFL) team. The Project encompasses an approximately 702-acre area east of United States Highway 101 (US-101) in the southeast area of the City and occupies the area from India Basin to the approximate western edge of Candlestick Point at Candlestick Cove. This EIR provides a project-level analysis of the environmental impacts of the Project.

## I.B HISTORY OF PLANNING PROCESS

### I.B.1 Introduction

Over the past three decades, various planning and development activities and associated environmental reviews have been undertaken for the Bayview Hunters Point (BVHP) neighborhood, including Candlestick Point and Hunters Point Shipyard (HPS). This overview explains the context for the development and planning activities proposed for the Project, which are described in detail in Chapter II of this EIR.

The Project is located in two Redevelopment Project Areas governed by two redevelopment plans: the HPS Redevelopment Plan and the BVHP Redevelopment Plan. The HPS Redevelopment Plan includes policies and development controls for the HPS Phase II portion of the Project site, and the BVHP Redevelopment Plan, which addresses the Candlestick Point portion of the Project site. The *San Francisco*

*General Plan* (General Plan) also includes policies pertaining to the Bayview Hunters Point neighborhood. Additionally, a voter initiative approved in June 2008 (Proposition G) adopted a comprehensive set of development policies and objectives for the Project.

The Project includes amendments of the BVHP Redevelopment Plan and the HPS Redevelopment Plan and Design for Development,<sup>12</sup> as well as revisions to the General Plan, *Planning Code*, and Zoning Map. Chapter II and Section III.B (Land Use and Plans) of this EIR describe the proposed amendments in greater detail.

## I.B.2 Redevelopment Plans

### ■ Hunters Point Shipyard Redevelopment Plan

HPS served as a working naval shipyard from 1941 to 1974 to provide construction and maintenance support for United States Navy (Navy) ships. After World War II (WWII), HPS served as a submarine maintenance and repair facility and was the site of the Naval Radiological Defense Laboratory. The Navy officially closed the shipyard in 1974, and in 1976, entered into a long-term lease with Triple A Machine Shop, who controlled most of the property until 1986 when the Navy reclaimed the property. In 1989, the US Environmental Protection Agency (EPA) placed HPS on the National Priority List under the federal *Comprehensive Environmental Response, Compensation, and Liability Act* (CERCLA) because of the presence of hazardous materials resulting from past shipyard operations and the operations of the commercial machine shop. In 1991, the Navy, EPA, the California Department of Toxic Substances Control (DTSC), and the San Francisco Bay Area Regional Water Quality Control Board (RWQCB) entered into a Federal Facilities Agreement (FFA) that established a procedural framework and schedule for investigating and remediating conditions at HPS. Additionally, in 1991, HPS was selected and approved for closure and disposition by the Base Realignment and Closure (BRAC) Commission. Operational base closure occurred in April 1994.

In 1997, following an extensive community-led planning effort, the Board of Supervisors approved the HPS Redevelopment Plan (Ordinance No. 285-97). The HPS Redevelopment Plan calls for redevelopment of HPS with a mix of uses, including residential, mixed use, industrial, research and development, maritime industrial, cultural and educational, and open space/recreational. In 1999, the Agency entered into an Exclusive Negotiations Agreement (ENA) with Lennar Urban to prepare a specific development plan to implement the HPS Redevelopment Plan and negotiate transaction documents for the conveyance, management, and redevelopment of HPS. As required by CEQA for base closure actions, the San Francisco Planning Commission (Planning Commission), the San Francisco Redevelopment Agency Commission (Agency Commission), and the San Francisco Board of Supervisors (Board of Supervisors) prepared and certified the Hunters Point Shipyard Reuse Plan Final EIR (Case

---

<sup>12</sup> The 1997 HPS Redevelopment Plan establishes the land use standards for development in the Redevelopment Project Area. The 2004 Design for Development document outlines the design objectives, development standards, and urban design guidelines for projects developed in the Redevelopment Project Area.

No. 1994.061E) on February 8, 2000.<sup>13</sup> The Final EIR analyzed the closure and disposal of HPS by the Navy and the proposed Reuse Plan (i.e., the HPS Redevelopment Plan) for the site.

In 2003, the Agency Commission and the Navy entered into a Conveyance Agreement setting out the terms and conditions for transferring HPS to the Agency. The Conveyance Agreement envisioned that the Navy would transfer the property in phases as the Navy completed its environmental remediation. The Agency and Lennar Urban agreed that development would be phased to correspond to the receipt of parcels from the Navy, and that the parties would enter into a series of disposition and development agreements (DDAs) and related transaction documents to govern each phase of development.

On December 2, 2003, the Agency Commission approved and authorized the execution of the first set of transaction documents with Lennar Urban, including the HPS Phase I Disposition and Development Agreement (Phase I DDA) for a portion of HPS identified as Parcel A-Prime and Parcel B-Prime. In connection with the approval of the Phase I DDA, the City prepared an Addendum to the Hunters Point Shipyard Reuse Plan Final EIR (Addendum No. 1, Case No. 2003.0241E). Addendum No. 1 analyzed certain revisions to the development program reviewed in the Final EIR, including changes in the location and mix of uses, height increases, and updated and detailed information about the development design. The Phase I development program included 1,600 residential units, commercial space, community-serving facilities, an Interim African Marketplace, research and development/office space, support retail space, and necessary infrastructure improvements.

In accordance with Navy procedures for complying with CERCLA, the Navy issued a Finding of Suitability to Transfer (FOST) for Parcel A-Prime in October 2004, a document indicating that the Navy found the property met the CERCLA requirements for transfer. The EPA, DTSC, and the RWQCB concurred with this conclusion, along with the City's Department of Public Health, and the Agency accepted the title in December 2004. On April 5, 2005, the Agency transferred the portions of Parcel A-Prime to be privately developed to Lennar Urban to construct the infrastructure improvements required under the Phase I DDA.

Subsequently, the transfer of Parcel B-Prime from the Navy to the Agency was delayed. As a result, on October 17, 2006, the Agency Commission approved an amendment to the Phase I DDA to remove Parcel B-Prime from the Phase I development and to shift the entitled residential units from Parcel B-Prime to Parcel A-Prime. Addendum No. 2 to the Hunters Point Shipyard Reuse Plan Final EIR analyzed those development plan revisions. Additionally, Addendum No. 2 analyzed a variety of changes to the Design for Development standards, which were approved in 2004, such as dwelling unit density standards, height and bulk limits, off-street loading, lot sizes, street design, and other similar topics. The approved development plan for Phase I includes infrastructure, approximately 1,600 residential units, and 132,000 square feet of commercial space on approximately 75 acres.

---

<sup>13</sup> On June 16, 2000, the Navy issued the *Final Environmental Impact Statement (EIS) for Disposal and Reuse of Hunters Point Shipyard* pursuant to the *National Environmental Policy Act*. The Navy published the Record of Decision for the EIS in the Federal Register on November 20, 2000. The Navy is preparing a Supplemental EIS analyzing the proposed changes to the reuse plan reflected in the Project covered in this EIR. The Draft Supplemental EIS is expected to be published in 2010.

In May 2007, the Agency and Lennar Urban amended and restated the ENA (referred to as the Phase II ENA) setting forth the terms and conditions under which the Agency and Lennar Urban would negotiate one or more DDAs and related transaction documents for the remainder of HPS and Candlestick Point. The portions of HPS that are not included in Phase I remain under the jurisdiction of the Navy and are referred to in this EIR as Phase II. HPS Phase II and Candlestick Point collectively form the Project site.

### ■ **Bayview Hunters Point Redevelopment Plan (formerly the Hunters Point Redevelopment Plan)**

The Hunters Point Redevelopment Plan (HPRP) was adopted in 1969 and amended in 1994 and 2006. The original plan encompassed 137 acres that were formerly occupied by wartime housing. The original HPRP's goals included creating a mixed-income neighborhood through construction of new single- and multi-family affordable housing (for renters and owners), new community facilities, parks, schools, new streets, and utilities.

In 1997, Agency staff began working with the Bayview Hunters Point Project Area Committee (PAC) on the development of the Bayview Hunters Point Community Revitalization Concept Plan (Concept Plan). In November 2000, the PAC approved the Concept Plan, which serves as a vision statement for the community to guide the redevelopment planning process. The Concept Plan contains goals and objectives for revitalization of the area. This planning effort led to the 2006 amendment of the HPRP.

The 2006 amendment of the HPRP provided the implementation tools to meet many of the goals included in the Concept Plan. This amendment renamed the plan the Bayview Hunters Point Redevelopment Plan (Ordinance No. 113-06). The amendment also added 1,438 acres of the BVHP Survey Area, or Project Area B, to the existing 137-acre Project Area (Project Area A). The resulting BVHP Redevelopment Project Area consists of 1,575 acres. The primary redevelopment programs of the BVHP Redevelopment Plan include an Economic Development Program, Affordable Housing Program, and a Community Enhancements Program. Due to the large size and the diversity of Bayview Hunters Point, the BVHP Redevelopment Project Area is divided into seven Economic Development Activity Nodes. The Candlestick Point portion of the Project site is within the Candlestick Point Activity Node. The Alice Griffith public housing site, also included in the Project site, is within the South Basin Activity Node. The BVHP Redevelopment Plan is supported by the Bayview Hunters Point Redevelopment Projects and Rezoning Final EIR (BVHP Final EIR, Case No. 1996.546E), certified by the Agency Commission and the Planning Commission in March 2006.

## **I.B.3 The San Francisco General Plan**

### ■ **Bayview Hunters Point Area Plan**

The Bayview Hunters Point Area Plan (formerly, the South Bayshore Area Plan) is an element and area plan of the General Plan. It covers the southeastern section of the City, bounded by Cesar Chavez Street to the north, US-101 to the west, the San Francisco Bay to the east, and the San Francisco county line to the south, exclusive of HPS. Candlestick Point is within the geographic boundaries of the BVHP Area Plan. In March 2006, the Planning Commission adopted amendments to the BVHP Area Plan that

reflect themes and goals included in the Concept Plan prepared by the Agency and the BVHP PAC for the Bayview Hunters Point area.

The BVHP Area Plan supports revitalization efforts in Bayview Hunters Point. It contains policies and objectives addressing Land Use, Transportation, Housing, Commerce, Industry, Recreation and Open Space, Urban Design, Community Facilities and Services, and Public Safety.

## ■ Propositions

### **Propositions D and F—San Francisco 49ers Stadium Development Retail/Entertainment Center**

In June 1997, San Francisco voters adopted two measures—Proposition D and Proposition F—providing for the development of a new state-of-the-art stadium for the San Francisco 49ers football team and an entertainment/retail shopping center at Candlestick Point. Proposition F amended the General Plan, *Planning Code*, and Zoning Map, and established the Candlestick Point Special Use District to accommodate the development of a stadium suitable for professional football and a shopping and entertainment center with open space and related parking facilities as principal uses, as well as other conditional uses, such as residential, subject to the approval of the Planning Commission. Proposition D authorized the City to use lease financing to borrow up to \$100 million toward building a new stadium at Candlestick Point.

In late 2006, the San Francisco 49ers decided that the proposed stadium did not meet their needs. A site for a new stadium at Hunters Point Shipyard was identified and pursuant to a February 2007 Board of Supervisors approved resolution urging the Agency to work with the City to amend its exclusive negotiating agreement with Lennar to combine the Candlestick Point and the Hunter Point Shipyard redevelopment projects, the Agency's ENA with Lennar Urban to develop Hunters Point Shipyard was amended to include Candlestick Point as one integrated Project. In May 2007, the Board of Supervisors and the Mayor endorsed a Conceptual Framework for the planning and development of the Project site, which included HPS Phase II and Candlestick Point.

### **Proposition G**

In June 2008, and in response to the Conceptual Framework, the San Francisco voters approved Proposition G, which is called the Bayview Jobs, Parks, and Housing Initiative (refer to Appendix B [Proposition G]). Proposition G repealed Propositions D and F. Proposition F had established a special use district for the Project site, whereas Proposition G proposed that new zoning be established along with a land use program. Proposition G also established City policy to encourage, subject to public input and the environmental review process, the timely development of Candlestick Point and HPS with a mixed-use project including (i) over 300 acres of public park and open space improvements; (ii) approximately 10,000 homes for sale or rent; (iii) about 700,000 square feet of retail uses; (iv) about 2,150,000 square feet of “green” office, science and technology, research and development, and industrial uses; (v) a possible arena or other public performance site; (vi) a site in HPS for a new stadium if the San Francisco 49ers and the City determine in a timely manner that the stadium is feasible; and (vii) additional “green” office, science and technology, research and development, and industrial space, and/or additional housing if a new stadium is not built.

Proposition G established City policy that the integrated mixed-use project must be consistent with the following objectives:

- The integrated development should reunify Candlestick Point and HPS with the larger BVHP neighborhood and should protect the character of the Bayview for its existing residents.
- The integrated development should produce tangible community benefits for the BVHP neighborhood and the City.
- The integrated development should include substantial new housing in a mix of rental and for-sale units, both affordable and market-rate, and encourage the rebuilding of Alice Griffith Public Housing.
- The integrated development should incorporate environmental sustainability concepts and practices.
- The integrated development should encourage the San Francisco 49ers—an important source of civic pride—to remain in San Francisco by providing a world-class site for a new waterfront stadium and supporting infrastructure.
- The integrated development should be financially sound, with or without a new stadium.

All of the objectives of Proposition G and the Project are discussed further in Chapter II.

## I.C PURPOSE OF THE EIR

This EIR has been prepared by the Agency and the City (Planning Department) as co-lead agencies for the Project, in conformance with the substantive and procedural requirements of CEQA and the CEQA Guidelines (as amended through 2007),<sup>14</sup> Agency CEQA guidelines, Chapter 31 of the *San Francisco Administrative Code*, and Planning Department CEQA guidelines. In accordance with *Public Resources Code* (PRC) Section 21002.1, the purpose of this EIR is to identify the significant environmental impacts of the Project, to identify alternatives to the Project, and to indicate the manner in which those significant effects could be mitigated or avoided. As defined in CEQA Guidelines Section 15382, a “significant effect on the environment” is:

... a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

This EIR evaluates the development Project’s environmental effects at a project level of detail and examines all phases of the Project, including planning, construction, and operation, as well as the direct, indirect, and cumulative impacts that might result. The Candlestick Point-Hunters Point Shipyard Phase II EIR is a Redevelopment Plan EIR pursuant to CEQA Guidelines Section 15180 and a project EIR pursuant to CEQA Guidelines Section 15161. The CEQA “Project” includes the proposed Candlestick Point-Hunters Point Shipyard Phase II Development project, the proposed amendments of the Bayview Hunters Point and Hunters Point Shipyard Redevelopment Plans, and the proposed amendments of the San Francisco *General Plan* and the San Francisco *Planning Code*.

---

<sup>14</sup> *California Environmental Quality Act*, (*Pub. Res. Code* Sec. 21000 et seq.) and the CEQA Guidelines (*Cal. Code Regs.* Sec. 15000 et seq.).

It is anticipated that each discretionary approval related to the implementation of the Project would rely on this EIR and would not require preparation of subsequent environmental documentation, unless otherwise required by CEQA pursuant to PRC Section 21166 and CEQA Guidelines Sections 15162 through 15164. Anticipated approvals for the Project are included in Chapter II.

As stated in Section 15121(a) of the CEQA Guidelines, an EIR is an “informational document” intended to inform the Board of Supervisors, Agency Commission, Planning Commission, other public agencies with discretionary authority over aspects of the Project, the general public, the local community, and other organizations, entities, and interested persons of the scope of the Project, significant environmental effects of the Project, possible measures to avoid or minimize the significant effects, and a reasonable range of feasible alternatives to the Project. The Agency and the City must consider the information in this EIR and make certain findings with respect to each significant effect identified in this EIR. The Agency and the City will use the information in the EIR, along with other information available through the public review processes, to determine whether to approve, modify, or disapprove the Project, or a Project alternative, and to specify applicable environmental mitigation measures as part of the Project approvals.

This EIR has been prepared in accordance with CEQA (PRC Section 21000 et seq.), the CEQA Guidelines (*California Code of Regulations*, Title 14, Section 15000 et seq.), and the City’s and Agency’s local CEQA procedures. The determination that the Agency and the City are the “lead agencies” is made in accordance with Section 15367 of the CEQA Guidelines, which defines the lead agency as the public agency with the principal responsibility for carrying out or approving a project and conducting the environmental review.

As provided in both CEQA and the CEQA Guidelines, public agencies are charged with the duty to substantially lessen or avoid significant environmental effects where feasible for projects subject to CEQA (refer to PRC Section 21004, CEQA Guidelines Sections 15002(a)(3) and 15021(a)(2)). In discharging this duty, the public agency has an obligation to balance a variety of public objectives, taking into account economic, environmental, and social issues. The EIR is an informational document that informs public agency decision-makers and the general public of the significant environmental effects and the ways in which those impacts can be reduced to less-than-significant levels, either through the imposition of mitigation measures or through the implementation of specific alternatives to the project as proposed. In a practical sense, EIRs function as a technique for fact-finding, allowing an applicant (e.g., Lennar Urban), the public, and agency staff an opportunity to collectively review and evaluate baseline conditions and project impacts through a process of full disclosure. Additionally, the EIR provides the primary source of environmental information for the lead agency to consider when exercising any permitting authority or approval power directly related to implementation of a Project.

## **I.D ENVIRONMENTAL REVIEW PROCESS**

Lennar Urban filed an Environmental Evaluation application (EE application) with the Planning Department on August 27, 2007. The filing of the EE application initiated the environmental review process as outlined below. The EIR process provides an opportunity for the public to review and comment upon the Project’s potential environmental effects and to further inform the environmental analysis. As a first step in complying with the procedural requirements of CEQA, the Notice of

Preparation (NOP) process was used to determine whether any aspect of the Project, either individually or cumulatively, may cause a significant effect on the environment and, if so, to narrow the focus (or scope) of the environmental analysis.

The Agency and City filed the NOP with the California Office of Planning and Research, State Clearinghouse, as an indication that an EIR would be prepared. In turn, the State Clearinghouse distributed the NOP to public agencies and interested parties for a 30-day public review period. The purpose of the public review period was to solicit comments on the scope and content of the environmental analysis contained in the Draft EIR. In addition, in order to solicit further comments on the scope and content of the environmental analysis to be included in the EIR, the Agency and City held two public scoping meetings.

### I.D.1 Notice of Preparation and Summary of Comments

The Agency and the City distributed the NOP on August 31, 2007, announcing its intent to prepare and distribute an EIR (refer to Appendix A [Notice of Preparation (NOP) and NOP Comments]). The NOP was distributed to responsible or trustee agencies in accordance with Section 15082 of the CEQA Guidelines. In addition, the NOP was also sent to organizations, companies, and/or individuals that the Agency and the City believed might have an interest in the Project. A copy of the NOP is included in Appendix A1 to this EIR. The NOP included the India Basin Shoreline, which would be evaluated on a programmatic basis, as part of the Project; however, since publication of the NOP, the Agency and the City decided to remove the India Basin Shoreline area from the Project and will analyze development in that area as part of a separate EIR.

In response to the NOP, nine comment letters were submitted to the City by public agencies, organizations, and individuals. The NOP comment letters are summarized below:

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

addressed consistency of the proposed Bay Trail improvements with the Bay Trail Plan and the relationship of the trail with proposed transportation improvements.

- **City of Brisbane** provided comments regarding the characterization of the US-101/Geneva/Harney interchange and Geneva Avenue extension and analysis of the Project in relation to future transportation improvements necessary to serve the Project.
- **Literacy for Environmental Justice** provided comments regarding the cleanup of the HPS, and stated that such actions must be to residential standards.
- **Arc Ecology** provided comments regarding Project alternatives, social and economic impacts, and the level of environmental review that was proposed for the Project. Additional concerns focused on the content of the NOP.
- An **individual** resident in Bayview Hunters Point provided comments regarding accessibility to the waterfront, aesthetics and neighborhood character of the waterfront area, and traffic.

The Agency and the City held two public scoping meetings for the EIR, on September 17, 2007, and September 25, 2007. The scoping meetings provided the public and affected governmental agencies with an opportunity to present environmental concerns regarding the Project. Agencies or interested persons that did not respond during the NOP public review period or the Scoping Meetings will have an opportunity to comment during the public review period for the EIR, as well as at scheduled hearings on the Project. The NOP, the NOP comment letters, and scoping meeting minutes are included in Appendix A1.

The Draft EIR has considered the CEQA-related concerns listed above, as well as other concerns raised through the scoping process. These issues are addressed in Chapter III (Environmental Setting, Impacts, and Mitigation Measures).

## I.D.2 Public Review of the Draft EIR

In accordance with CEQA, the CEQA Guidelines, Chapter 31 of the *San Francisco Administrative Code*, and the Notice of Preparation, the EIR reviews the potential environmental effects of the Project in Section III.B through Section III.T of Chapter III of the EIR, which includes:

- Land Use and Plans (Section III.B)
- Population, Housing, and Employment (Section III.C)
- Transportation and Circulation (Section III.D)
- Aesthetics (Section III.E)
- Shadows (Section III.F)
- Wind (Section III.G)
- Air Quality (Section III.H)
- Noise (Section III.I)
- Cultural and Paleontological Resources (Section III.J)
- Hazards and Hazardous Materials (Section III.K)
- Geology and Soils (Section III.L)
- Hydrology and Water Quality (Section III.M)
- Biological Resources (Section III.N)
- Public Services (Section III.O)
- Recreation (Section III.P)

- Utilities (Section III.Q)
- Energy (Section III.R)
- Greenhouse Gas Emissions (Section III.S)

This EIR evaluates the direct, indirect, and cumulative impacts resulting from planning, construction, and operation of the Project in accordance with the provisions set forth in CEQA and the CEQA Guidelines. Also, in preparing the EIR, pertinent City policies and guidelines, existing EIRs, and background documents prepared by the City or the Applicant were evaluated for applicability to the Project and used, where appropriate. References are provided throughout this EIR as footnotes.

Following publication of the Draft EIR, there will be a public review and comment period to solicit public comment on the information presented in the Draft EIR. The public review period is from November 12, 2009, through December 28, 2009. Additionally, the Agency Commission and the Planning Commission will hold public hearings on this Draft EIR. The Agency Commission hearing will be December 15, 2009, in Room 416. The Planning Commission hearing will be December 17, 2009, in Room 400. Both hearing rooms are located in City Hall, Dr. Carlton B. Goodlett Place, beginning at 1:30 P.M. or later (call (415) 588-6422 the week of the hearing for a recorded message giving a more specific time).

In addition, readers are invited to submit written comments on the Draft EIR. Written comments should be submitted to:

Stanley Muraoka  
Environmental Review Officer  
San Francisco Redevelopment Agency  
One South Van Ness Avenue, Fifth Floor  
San Francisco, CA 94103

or Bill Wycko  
Environmental Review Officer  
City and County of San Francisco  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

The documents referenced in this Draft EIR are available for public review by appointment at the San Francisco Redevelopment Agency, One South Van Ness Avenue, Fifth Floor, San Francisco, CA, 94103, or at the City Planning Department, 1650 Mission Street, Fourth Floor, San Francisco, CA, 94103. The EIR will be posted for public review at <http://www.sfplanning.org> and [www.sfgov.org/sfra](http://www.sfgov.org/sfra).

### **I.D.3 Final EIR and EIR Certification**

Following the close of the public review and comment period, the Agency and the City will prepare and publish a document titled “Comments and Responses,” which will contain a summary of all written and recorded oral comments on this Draft EIR and written responses to those comments, along with copies of the letters received, a transcript of the public hearings, and any necessary revisions to the EIR. This Draft EIR and the Comments and Responses document will constitute the Final EIR. The Agency Commission and the Planning Commission, in an advertised public meeting(s), will consider the documents and then, if found adequate, certify the Final EIR as completed in compliance with CEQA and the CEQA Guidelines.

## I.D.4 CEQA Findings for Project Approval

Where a certified EIR identifies significant environmental effects, CEQA Guidelines Sections 15091 and 15092 require the adoption of findings prior to approval of a project. According to PRC Section 21081, the Lead Agency must make specific Findings of Fact (Findings) before approving a Project for which a Final EIR has been certified that identifies one or more significant effects on the environment that may result from that Project. The purpose of the Findings is to establish the connection between the contents of the Final EIR and the action of the Lead Agency with regard to approval of the Project, if the Lead Agency approves the Project. Prior to approval of a Project, one of three findings must be made, as required by PRC Sections 21081 and 15091 of the CEQA Guidelines:

- Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR

If the Agency and City were to approve the Project, despite significant impacts identified in the Final EIR that cannot be mitigated, if any, the Agency and City must state in writing the reasons for its actions, under CEQA Guidelines, Section 15093. Those findings, called a Statement of Overriding Considerations, must be supported by substantial evidence in the record, and are used to explain the specific reasons why the benefits of a Project make its unavoidable environmental effects acceptable.

## I.D.5 Mitigation Monitoring and Reporting Program

At the time of project approval, CEQA and the CEQA Guidelines require lead agencies to adopt a reporting and mitigation monitoring program, which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. (CEQA Section 21081.6; CEQA Guidelines Section 15097) This Draft EIR identifies and presents mitigation measures that would form the basis of such a monitoring and reporting program. Any measures adopted by the Agency and City as conditions for approval of the Project would be included in the Mitigation Monitoring and Reporting Program (MMRP).

## I.E ORGANIZATION OF THE EIR

This EIR has been organized for ease of use and reference. To help the reader locate information of particular interest, a brief summary of the contents of the EIR include:

- **Summary**—The Summary provides a brief Project Description, a synopsis of Project objectives, and a summary table of Project impacts and mitigation measures. The Summary also presents Project alternatives and variants and their comparative environmental effects.

- **Chapter I (Introduction)**—The Introduction provides an historical overview of the planning context for the Project, the purpose of the EIR, a summary of the environmental and public review process, and a brief outline of this document’s organization.
- **Chapter II (Project Description)**—The Project Description provides a detailed description of the Project, including its location, the existing site land use characteristics and history, Project objectives, Project components and characteristics, including the land use plan, green building concepts, parks and open space plan, transportation and infrastructure improvements, and community benefits. The Project Description also includes the development schedule (including anticipated construction activities), and approval requirements (or intended uses of the EIR), and technical, economic, and environmental characteristics of the Project.
- **Chapter III (Environmental Setting, Impacts, and Mitigation Measures)**—This chapter provides analysis for the nineteen topics previously identified. Each environmental topic contains a description of the environmental setting (or existing conditions), regulatory framework, and project-level and cumulative impacts. Each impact discussion includes the significance criteria used to determine the nature or magnitude of environmental impacts, significance conclusions, and feasible mitigation measures that would avoid, minimize, or mitigate significant or potentially significant environmental impacts, if required.
- **Chapter IV (Project Variants)**—This chapter describes five variants to the Project. These variants are also evaluated at a project-level in this chapter as follows:
  - > Variant 1: San Francisco 49ers move outside the project area (no football stadium constructed at HPS Phase II)—Research and Development Variant
  - > Variant 2: San Francisco 49ers move outside the project area (no football stadium constructed at HPS Phase II)—Housing Variant
  - > Variants 3a, 3b, and 3c: Three Candlestick Point tower variants would have the same land use program and overall description as with the Project, but would have different locations and heights for residential towers at Candlestick Point.
  - > Variant 4: A utilities variant would include an automated solid waste collection system, decentralized wastewater treatment, and district energy.
  - > Variant 5: Shared stadium where both the San Francisco 49ers and Oakland Raiders would play at the stadium at HPS Phase II
- **Chapter V (Other CEQA Issues)**—As required by Section 15126.2 of the CEQA Guidelines, this chapter summarizes significant and unavoidable environmental impacts, irreversible changes to the environment, and growth-inducing impacts of the Project. This chapter also addresses agricultural resources and mineral resources, which are “Effects Not Found to Be Significant.” In addition, this chapter also addresses secondary land use effects, including urban decay.
- **Chapter VI (Alternatives)**—This chapter analyzes alternatives to the Project, including the required No-Project Alternative, compares their environmental effects to those of the Project, and identifies the environmentally superior alternative. Alternatives evaluated in this chapter include the following:
  - > Alternative 1: No Project
  - > Alternative 2: CP-HPS Phase II Development Plan, HPS Phase II Stadium, State Parks Agreement, and without the Yosemite Slough Bridge

- > Alternative 3: Reduced CP-HPS Phase II Development, San Francisco 49ers Stay at Existing Candlestick Park Stadium, with Limited State Parks Agreement, and Yosemite Slough Bridge Serving Only Transit, Bicycles, and Pedestrians
- > Alternative 4: Reduced CP-HPS Phase II Development, Historic Preservation, No HPS Phase II Stadium, Marina, or Yosemite Slough Bridge
- > Alternative 5: Reduced CP-HPS Phase II Development, No HPS Phase II Stadium, No State Parks Agreement, and Without the Yosemite Slough Bridge
- **Chapter VII (EIR Preparers and Persons and Organizations Contacted)**—This chapter identifies the individuals responsible for the preparation of this EIR, as well as the persons and organizations contacted during preparation of the EIR.
- **Chapter VIII (Acronyms/Abbreviations and Glossary)**—This chapter provides definitions for the acronyms and abbreviations that are used throughout the EIR. It also provides definitions for key words or phrases used throughout the EIR.
- **Appendices**—The technical appendices to the EIR, which include studies completed in support of the EIR, are bound under separate cover.

