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LETTER N

WILLIE LEWIS BROWN, JR.

June 24, 2002

Ms. Timarie Seneca
US Navy Southwest Division
Naval Facilities Engineering Command
1230 Columbia Street, Suite 1100
BRAC Operations Office
San Diego, CA 92101-8517

Re: Draft Environmental Impact Statement (DEIS) for the Disposal and
Reuse of Naval Station Treasure Island, San Francisco, California

Dear Ms. Seneca:

On behalf of the City and County of San Francisco ("City"), the Treasure Island Development Authority ("Authority") has reviewed the Draft Environmental Impact Statement ("DEIS") for the Disposal and Reuse of Naval Station Treasure Island ("Project") with the assistance of technical consultants. The Authority submits the following comments for your consideration. As the Local Redevelopment Authority for Naval Station Treasure Island and the proposed recipient of the land in question, the Authority has an interest in assuring that this document is adequate, accurate, and complete under the National Environmental Protection Act ("NEPA"). The Authority has reviewed the document and believes that the DEIS may be inadequate or inaccurate in several respects. For example, the DEIS contains incomplete or inadequate information; fails to identify all significant environmental effects; and fails to propose adequate mitigation measures.

Our comments are described in detail below. We appreciate your consideration of these comments and hope that you will take them into account in issuing the Final EIS for the Project.

I. General Comments

FHWA Land Transfer: The DEIS does not consider the transfer of certain interests in land to the Federal Highway Administration ("FHWA") to be part of the Navy disposal and has thus excluded it from the DEIS. The Authority does not agree with this approach. The Navy executed a land transfer with the Federal Highway Administration

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("FIIWA"), who in turn transferred property to Caltrans for construction of the replacement span for the Bay Bridge. The transfer included property transferred in fee to the agencies as well as the granting of temporary construction easements ("TCE") for the construction period. These transfers, however, may not transfer the entire fee and, even where the fee is transferred, the property may revert to the Navy or its designee, in this case the Authority, when the need for the interest no longer exists.

While this issue has been the source of some debate over the past year and half, the property was included in the Authority's Economic Development Conveyance Application to the Navy, and the Authority's understanding is that the Navy may agree to transfer the fee interest in TCE properties subject to the easement rights. The Authority maintains that such a transfer constitutes part of the Project being considered by the EIS; thus those properties should be included in the project description and analyzed for any potential impacts. Otherwise, because FIIWA did not analyze the effects of the transfer in this document or any other, the effects of the transfer would remain unanalyzed.

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Baseline Data/Interim Circumstances: The DEIS does not use a consistent baseline. The DEIS purports to (correctly) use a baseline of full operations immediately prior to the closure in 1993 for some resource areas, but then without explanation states that for some resources a 1996-1997 baseline is used. This discrepancy could result in different types of data that are difficult to compare or a skewed perspective of the impacts on some resources. The Authority recommends that the DEIS use a consistent baseline or explain why using two baselines is an acceptable method.

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Moreover, while the Authority agrees with the use of a 1993 baseline, the DEIS should take account of events that have transpired since 1993 to give an accurate assessment of the current situation on the Project site. The Authority notes some such events in its specific comments below.

II. Specific Comments

Proposed Action and Alternative: This Section is incomplete. Table 2-3 on page 2-24 should indicate that the Navy must seek a Coastal Zone Management Act consistency determination from the San Francisco Bay Conservation and Development Commission ("BCDC") for the proposed disposal action.

N-3

Land Use: Section 3.1 is incomplete and the information on page 3-5 should reflect the fact that BCDC has received approval from their Board to prepare an amendment to the Bay Plan that will address future land uses on Treasure Island and Yerba Buena Island.

N-4

Cultural Resources: This section contains several inaccuracies and improperly relies on an unsigned Memorandum of Agreement ("MOA") to mitigate significant effects to both historic and archaeological resources. Please note the following:

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- The DEIS notes that "Building 262 is within the area transferred to FIIWA and is not part of the disposal and reuse." (Section 3.4.2, Zone 1.) This statement is incorrect. The footprint of Building 262 is specifically excluded from the FHWA transfer. N-5
- Building 111 (associated with Building 3 on Treasure Island) should be added to Table 4-2. N-6
- The DEIS notes that "the area where the reported human remains were found was within the area transferred to FHWA" (Section 3.4.2, Zone 2). This statement may be inaccurate. The deed to FHWA only includes property up to the 270-foot elevation contour on Yerba Buena Island. The Authority is concerned that the area described in the text is above the 270-foot elevation. N-7
- The DEIS describes the Draft MOA between the Navy and the State Historic Preservation Office ("SHPO"). The Authority has provided the Navy with comments on the Draft MOA and these comments have not been incorporated into the version attached as Appendix H. The Authority requests that the Navy incorporate these comments or explain why they are not included. The attached Draft MOA is not acceptable to the Authority. Parts of the Draft MOA are not enforceable and the Draft MOA is extremely confusing as to its applicability. The Draft MOA in Appendix H also does not include any of the Exhibits to the Agreement. The public cannot properly evaluate the document without the proposed exhibits. In addition, the DEIS does not inform the Authority or the public as to the status of the MOA. Most importantly, it does not indicate whether the version included as Appendix H is final or could change before the DEIS becomes final. N-8
- The Navy should provide additional support for its finding that under Alternative 2 (Section 4.4.2), the Loss of Potentially Significant Historic Resources (Factor 1) is not a significant impact. While the DEIS (Section 4.4) notes that "compliance with the MOA is intended to ensure that project effects are not significant" and implementation of the MOA may mitigate the impacts, the MOA contains obligations that require approval by the San Francisco Board of Supervisors, and the City is not a signatory to the MOA. The DEIS cannot rely on future actions of a party who is not a signatory to the MOA to conclude that the MOA will reduce impacts to historic resources to a less-than-significant level. N-9
- Furthermore, an adverse effect through modification of an historic resource or a change in setting could constitute a significant effect. The DEIS (and MOA) focus on direct impacts to buildings through rehabilitation or demolition under various alternatives. It is less clear how the setting of historic resources might be changed. For example, development of the marina may have an effect on historic buildings when new features are constructed that will change the N-10

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setting. While these may end up being not significant or not adverse, this should be evaluated in the DEIS.

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- The Navy should provide additional support for its finding that under Alternative 2 (Section 4.4.2), the Loss of Potentially Significant Archaeological Resources (Factor 2) is not a significant impact. The "archaeologically sensitive zone 2" is not addressed in the MOA, and is afforded no special protection by the MOA. The inadvertent discovery clause within the MOA provides for an expedited consultation process, but does not "eliminate any potential significant impacts." Additional mitigation measures, above and beyond reliance on the MOA, should be proposed to reduce potential adverse significant impacts.

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- The DEIS also does not adequately address the existence of underwater archaeological resources. While the underwater survey cited in the DEIS did not reveal the presence of shipwrecks, it did reveal several possible underwater archaeological features and recommend that a diver verify them. This has not been done; thus the survey is incomplete. The possible underwater resources should be identified in the Section 106 process and addressed in the MOA.

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Transportation: The DEIS contains several inaccuracies and inconsistencies in this section and should be corrected as follows:

- The information related to Muni service to and from Treasure Island is incorrect (Section 3.5.3, Page 3-43). The 108 line operates at 20-minute frequencies in the morning and afternoon peak periods, there is 24-hour service to the island, and there is service on Saturday, Sunday and holidays.

N-13

- The analysis of the alternatives does not consider the fact that Caltrans will be replacing the eastbound on-ramp (east side) as part of the San Francisco Oakland Bay Bridge (SFOBB) seismic replacement project (Section 4.5.).

N-14

- The parking availability around the Ferry Building has changed, so the DEIS should reflect present circumstances (Section 4.5. p. 4-45.).

N-15

- The DEIS is inconsistent in its discussion of the ferry terminals. On page F-18, the DEIS states that there would be a west-side ferry terminal, but on page F-22 the DEIS states that only the eastern terminals would be updated and used. The DEIS should clarify the plans for ferry terminals on Naval Station Treasure Island.

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In addition, the DEIS does not accurately discuss the levels of significance as to Transportation Impacts (Section 4.5). The significance criteria for transportation impacts are vague and do not coincide with the local criteria standard for the City and County of San Francisco. For example, it is stated that if the truck traffic increases or the

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parking demand exceeds the supply, the impact would be significant. This implies that any increment in the number of trucks or parking regardless of its size would be significant. The DEIS also reports that the "Implementation of all of these [transportation] measures would reduce this impact to a non significant level." (Section 4.5, page 4-40.) There is no technical documentation, however, to support this statement. The DEIS must support this statement and other statements claiming to reduce transportation impacts.

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Water: The DEIS should note recent events in this area. While the DEIS says that the Regional Water Quality Control Board ("RWQCB") "recommends deleting water supply as a beneficial use for the Island's ground water," it is the Authority's understanding that RWQCB has already taken this action. (Section 3.10.3, Page 3-122).

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Utilities: This Section contains unsupported conclusions and needs additional information and analysis to meet the standard for adequacy. Note the following:

- It is impossible to evaluate the discussion of the alternatives without the individual utility demand calculation summary sheets. These should be included in the Appendix. The DEIS assumes, but does not analyze, the feasibility of providing adequate utilities under each development scenario. The DEIS should discuss the necessary provision of utilities under each alternative and whether each development scenario could support the necessary upgrades.

N-19

- The DEIS should include a better description of the utility "backbone" system, specifically in regard to where utilities are located on the island.

N-20

- The DEIS also ignores the fact that the age and condition of the water line across the East Span of the Bay Bridge is in question and may need to be replaced. Moreover, the DEIS should include a discussion of the availability of emergency back up water service system from East Bay MUD.

N-21

- The DEIS also concludes that the electrical and natural gas distribution systems are adequate, but does not discuss providing service to plan loads. The DEIS should comment on the capability of undertaking this.

N-22

- The DEIS states that the degraded condition of the cable line and PacBell are currently at capacity, but does not analyze or comment on the need for a new master switch for the Naval Station Treasure Island.

N-23

Public Service: This Section should note new existing conditions and identify the impacts to public services. For example, current levels of police and fire staffing should be noted as they currently differ significantly from the baseline information provided. (Section 3.12.) In addition, the analysis of the alternatives should identify the fact that each of the three alternatives would have an impact on the provision of public services. (Section 4.12.) Mitigation to this impact should also be discussed. For example, this

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impact could be mitigated by the City through the expansion of service to Treasure Island, using facilities and funding sources that could be made available. The financial feasibility of accomplishing this mitigation for the various alternatives would also need to be addressed.

N-24

Hazardous Materials: The Authority is concerned that a CERCLA ROD has not been signed for Naval Station Treasure Island. The absence of any specific documentation makes an evaluation of the adequacy of the mitigation measure impossible. The Authority requests a full discussion of the CERCLA process including the preliminary assessment/site inspection, the Hazard Ranking System (HRS) scoring, the NPL site listing process, the Remedial Investigation/Feasibility Study (RI/FS), the remedy selection process and preferred alternative, the public comment phase, the selection of the final remedial action, and the schedule for completion of the ROD. In addition, the Authority requests a discussion of any Applicable or Relevant and Appropriate Requirements (ARARs), standards, criteria or limitations that have been established under federal or more stringent California law.

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Specifically for each site, to the extent available, the Authority requests a discussion of the nature and extent of the contamination, the applicable clean-up levels, the remedial alternatives evaluated, the remedial alternative selected and rationale for selection, the schedule of implementation, the long term maintenance or monitoring required, the potential impacts, and the current regulatory status of the site. Please depict the location of each site on maps of each Alternative, with a key describing the type of site and target clean-up levels.

N-26

We look forward to additional information and clarification on these issues.

Sincerely,



Stephen Proud
Deputy Director
Treasure Island Development Authority

cc: Ron Plaseied
Laurie Nelson
Annemarie Conroy
Michael Cohen
Kate Stacy
Susan Cleveland
Denise Heick

Response to Comments

Response to Comment N-1. Please see response to comment B-2 regarding inclusion of the FHWA/Caltrans easements in the Final EIS analysis.

Response to Comment N-2. As noted on page 3.1-2 of the Final EIS, 1993 is used as the baseline for analysis since this more accurately reflects environmental conditions during operational status of NSTI. This condition provides a better gauge of potential impacts under reuse than would a comparison to conditions after closure of NSTI. Data was collected for the baseline year of the project whenever possible; however, if accurate data was not available for the baseline year, data from closest available year was presented and used for the analysis. For example, cultural resources investigations conducted in 1996, following closure, are intended to be representative of 1993 conditions. Data from 1993 was not available for other resources, such as water resources, so data from the closest years available (1990 and 1995) were used to represent 1993 conditions. Finally, analysis of post-1993 conditions for certain resources, such as hazardous materials, should be considered in the EIS.

The text on page 3.1-2 of the Final EIS has been revised to read:

The environmental baseline year for the EIS is 1993, which reflects conditions before NSTI was designated for closure. This follows Navy BRAC policy, which recommends using the last year the installation was in full operational use as the baseline year instead of a baseline year portrayed as the property under caretaker status. Since data from 1993 was not available for some resource areas, the baseline for those resources relies on data from the closest year that is representative of 1993 conditions. The analysis of hazardous materials and waste is unique in that, because hazardous materials remediation is ongoing, it is based on current conditions at NSTI. The physical conditions present in 1993 are the same as the physical conditions present in later years; the entire infrastructure for NSTI is still physically present on the property and has not been significantly altered since 1993.

Response to Comment N-3. As noted in section 3.1, federal property is considered to be outside the state coastal zone, as defined under the CZMA. The Navy has determined that a Coastal Consistency Determination with the BCDC Bay Plan is not necessary for disposal of NSTI. Upon conveyance of the property to a nonfederal entity, Bay Plan policies would be in effect and reuse activities would be subject to BCDC priority use designations. Please see response to comment J-3 regarding consistency with Bay Plan policies.

Response to Comment N-4. Please see response to comment J-3 regarding applicability of BCDC priority use designations to NSTI.

Response to Comment N-5. At the time the Draft EIS was published, the MOA between Navy and SHPO had not been finalized. The MOA that was included in the Draft EIS was incomplete in that suggested changes to the MOA by the City and County of San Francisco and others had

1 not been resolved and incorporated. As stated in the EIS, NSTI cannot be conveyed to the
2 designated property recipient until a MOA ensuring protection of cultural resources has been
3 executed.

4 The revised MOA was completed by Navy and resubmitted to SHPO on September 15, 2002.
5 The City and County of San Francisco is included as an invited signatory party. A complete
6 copy of the Final MOA is found in Appendix H of the Final EIS.

7 Building 262, the Torpedo building, is within an area for which FHWA/Caltrans was granted a
8 permanent aerial easement for the SFOBB retrofit project. All land surrounding this building
9 was conveyed in fee to Caltrans. All areas transferred to FHWA were previously considered to
10 be too encumbered to permit conveyance and were not considered in the Draft EIS. Recent
11 discussion between Navy and TIDA have led to a determination that the TCE and aerial
12 easements are available for disposal. Consequently, Building 262 is now considered part of the
13 project and preservation measures are included in the MOA.

14 **Response to Comment N-6.** The text in Table 4-2 of the Draft EIS (now Table 4.4-1 of the Final
15 EIS) has been revised as follows:

16 **Building 3 (including related Building 111), Treasure Island**

17 **Response to Comment N-7.** The Final MOA includes provisions to accurately delineate
18 portions of the "area where human remains were found" in addition to testing all known sites
19 and sensitive areas prior to disposal.

20 **Response to Comment N-8.** The MOA has been revised to reflect City comments and
21 appropriate exhibits have been compiled.

22 **Response to Comment N-9.** The EIS states that loss of historic resources under Alternative 2
23 would be a significant and unmitigable impact. Please see response to comment N-5 regarding
24 the MOA for cultural resources.

25 **Response to Comment N-10.** The revised MOA specifically states that construction or other
26 modifications must be evaluated with regard to the potential effects on the integrity of setting
27 for historic properties and historic districts.

28 **Response to Comment N-11.** The revised MOA addresses archaeologically sensitive resources
29 in all zones and specifically describes responsibilities of the Navy with regard to testing and
30 mitigating to reduce or eliminate potential adverse effects.

31 **Response to Comment N-12.** The potential for submerged cultural resources has been
32 considered in the revised MOA. The stipulation includes all sensitive archaeological zones and
33 requires testing and possibly mitigation of as yet undiscovered resources that are considered
34 potentially significant.

1 **Response to Comment N-13.** The text in section 3.5.3 has been revised per your comment.

2 **Response to Comment N-14.** The EIS was prepared in 1996 at which time no SFOBB east span
3 retrofit design was available. The technical analysis will not be affected by the new east span
4 because it would not affect trip generation, trip distribution, modal split, and trip assignment
5 analysis. The only potential effect the new east span would have on the EIS analysis is
6 increased merging lane for the eastbound on-ramp onto the SFOBB, which would enhance the
7 safety of vehicle entering the SFOBB from Treasure Island and Yerba Buena Island. This benefit
8 is documented in section 4.5.1. of the EIS.

9 **Response to Comment N-15.** Parking supply in the vicinity of the San Francisco Ferry Building
10 has not changed substantially. Most of the parking facilities in the vicinity of the Ferry Building
11 are inside of high-rise office buildings, such as the Embarcadero Center. There has been no
12 major parking garage constructed or major parking facilities removed in the area. Most of the
13 new parking garages constructed as part of new developments in the vicinity were on previous
14 parking lots. Regardless of the change, the conclusion stated in the EIS that NSTI visitors who
15 would drive to the Ferry Building may not find readily available parking in the vicinity or may
16 not be willing to pay the cost of parking in downtown would not change.

17 **Response to Comment N-16.** Page F-18 of the Draft EIS (now page F.3-B-6 of the Final EIS)
18 provides the water transit policies presented in the Draft Reuse Plan (San Francisco 1996e),
19 which calls for the update of the existing docking facility on the east side of Treasure Island and
20 the construction of a new docking facility on the west side. As discussed in section 2.4.1, section
21 4.5, and in the transportation appendix (Appendix F) of the Draft EIS, a new ferry terminal
22 would be built on the west side of Treasure Island under Alternatives 1 and 2, but not under
23 Alternative 3. The reference to only using eastern terminals on page F-22 of the Draft EIS (now
24 page F.3.B-10 of the Final EIS) referred only to assumptions made for Alternative 3.

25 **Response to Comment N-17.** The Draft EIS does not conclude that truck and parking impacts
26 would be significant. Both truck impacts and parking impacts are listed in the EIS as "Not
27 Significant Impacts".

28 **Response to Comment N-18.** Please see the response to comment K-2 regarding beneficial use
29 of groundwater beneath Treasure Island.

30 **Response to Comment N-19.** Utility demand calculation summary sheets have been added to
31 Appendix E of the Final EIS. The utilities impact analysis considered proposed upgrades in its
32 methodology and evaluated the ability of the upgraded utility systems to meet the utility
33 demand requirements estimated for each alternative. Implementation of the proposed
34 upgrades is one of the critical assumptions underlying the analysis in the EIS.

35 **Response to Comment N-20.** Maps of the utility infrastructure can be viewed at the office of
36 the San Francisco Public Utilities Commission, Treasure Island Utilities Manager, Treasure
37 Island, Building 264. Most of the project alternatives would abandon the existing utility
38 infrastructure and install new infrastructure throughout NSTI, with utility mains installed in a

1 perimeter corridor. Because most of it would be abandoned, the location of the existing
2 infrastructure was not an important component of the impact analysis.

3 **Response to Comment N-21.** None of the documents or personnel consulted indicated that the
4 existing transmission line was in less than satisfactory condition or was in need of replacement.

5 **Response to Comment N-22.** Because projecting specific requirements for natural gas,
6 electricity, and telecommunications would be speculative, the analysis assumed that future
7 loads would be of the same magnitude as baseline loads. Utility providers would be expected
8 to accommodate any increases and any individual utility requirements.

9 **Response to Comment N-23.** Section 4.11.1 states that future development would require
10 expanding the capacity of the telecommunication switch. This could be accomplished through
11 replacement of the master switch.

12 **Response to Comment N-24.** The Draft Reuse Plan includes the provision of adequate public
13 services for NSTI. This can be accomplished only by establishing adequate police and fire
14 stations at NSTI, including adequate staffing and equipment levels. Therefore, the analysis
15 assumes that these conditions would be present at buildout of each alternative.

16 **Response to Comment N-25.** Please see response to comment C-12 regarding inclusion of
17 CERCLA information in the EIS.

18 **Response to Comment N-26.** Please see response to comment C-12 regarding inclusion of
19 CERCLA information in the EIS. Information on remediation activities at each site have been
20 updated in section 3.13 of the Final EIS.

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June 27, 2002

Ms. Timarie Seneca
BRAC Operations Office, SW Division
Naval Facilities Engineering Command, Code 06CM.TS
1230 Columbia Street, Suite 1100
San Diego, CA 92101-8517

Dear Ms. Seneca:

We are in receipt of your request for review and comments on the DEIS for "The Disposal and Reuse of Naval Station Treasure Island". The San Francisco Railway Service Planning staff have the following comments on this primarily land use plan.

We request that Section 4.12 Public Services include the need for public transit services between the island and the main part of the City. We are currently providing extensive bus service to numerous visitors and residents of the island and this demand has grown exponentially over the past two years as the population of the island has increased.

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In regards to the land use plan, if any large scale transit facilities, as were originally envisioned for the island, are anticipated in the future, accommodations for them should be made now.

Sincerely,


Peter Straus
Manager of Service Planning

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1 **Response to Comments**

2 **Response to Comment O-1.** Transit service to NSTI is discussed in the transportation section of
3 the EIS. The Draft Reuse Plan (San Francisco 1996e) outlined proposed transit improvements,
4 including both ferry and bus (MUNI and AC) services. The EIS transportation analysis assumes
5 that these recommended improvements will be provided by MUNI and also acknowledged that
6 additional funding would be required (see page 4-49 of the Draft EIS).

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ARC ECOLOGY COMMENTS
DEIS ON DISPOSAL AND REUSE OF NSTI

EXECUTIVE SUMMARY

ES.3 DISPOSAL AND REUSE PROCESS

The DEIS is unclear which portions of the property Caltrans has acquired in fee and on which portions Cal Trans has been given easements (the temporary construction easement and the permanent aerial easement referred to on page ES-3). It is also unclear why the portions of the property covered by these easements have been excluded from the EIS. The explanation offered, that "This land is no longer available for transfer by the United States and, as such, is no longer available for community reuse in accordance with the NSTI Draft Reuse Plan" does not seem to apply to the land covered by the temporary easement which will become available for transfer when construction on the bridge has been completed, within the buildout period of the Reuse Plan. The Government should not expect that sale of these sites to produce significant revenue, given the constraints on access that traffic imposes on development of Treasure Island and Yerba Buena Island as a whole.

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Recommendations:

- Please provide information about the location and number of acres covered by (i) the temporary construction easement and (ii) the permanent aerial easement, and (iii) identify both sites on Figure ES-2.
- Explain when, and under what authority the Navy made the policy decision to exclude the land covered by the easements from the Economic Development Conveyance. Was the public informed of this decision prior to publication of the DEIS?
- Analyze the changes the Reuse Plan needs to make to accommodate the shrinkage of the Project area.

Es.5 PUBLIC INVOLVEMENT PROCESS

We question the adequacy of the scoping process used in the preparation of this EIS because it occurred six years ago. Environmental conditions have changed since 1996. The Project itself has also changed, since 144 acres of dry land (out of a total of 552) have been removed from the Project and transferred to the Department of Labor, the Coast Guard, and the Federal Highways Administration. Rules governing the transfer of BRAC properties, CERCLA, and the use of Public Trust land at Treasure Island have also changed during the interim.

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Recommendation:

- Prepare an updated Notice of Intent in order to revise and recirculate the DEIS.

Es.10 OTHER CONSIDERATIONS – ENVIRONMENTAL JUSTICE

The DEIS is too quick to dismiss the potential for disproportionate impacts on minority and low-income populations. The statement that "The potentially affected area adjacent to NSTI does not include disproportionately high minority populations or low-income populations compared to adjacent communities is misleading; NSTI itself includes high concentrations of low income and minority populations. Low income, minority children from the San Francisco Tenderloin attend a school located on Site 12, a former waste disposal area. All of the residents in the TIHDI housing and members of the Job Corps are low income and many are people of color. The significant

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impacts identified by the DEIS, associated with hazardous materials and waste, could disproportionately affect these on-site minority and low-income populations, particularly as cleanup proceeds.

In addition, the Reuse Plan has the potential to displace these populations.

Recommendation:

- The EIS needs to evaluate and mitigate any disproportionate impacts of cleanup actions that would occur as a result of disposal and reuse on these minority and poor populations.
- The EIS also needs to evaluate and mitigate disproportionate displacement impacts of disposal and reuse.

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CHAPTER 1 PURPOSE AND NEED

1.1 PURPOSE AND NEED

Additional information is needed about the portions of the site with easements given to Caltrans – how big they are, where they are, and changes to the Project that are needed.

Recommendation:

See ES.3.

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1.3.2 DISPOSAL PROCESS REQUIREMENTS

The description (including Table 1-1) of the property transferred to FHWA and Caltrans does not distinguish between sites that the Navy has transferred in fee and those for which it has only provided FHWA and Caltrans with easements only.

Recommendation:

See ES.3.

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CHAPTER 3 AFFECTED ENVIRONMENT

TABLE 3-1 ENVIRONMENTAL ISSUES AND REGION OF INFLUENCE

The Reuse plan area is identified as the region of influence for hazardous materials and waste. The potential impacts of NSTI hazardous materials and waste issues could extend to the waters of San Francisco Bay.

Recommendation:

- Include the Bay in the ROI for hazardous materials and waste.

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PAGES 3-1 –2 DISCUSSION OF BASELINES

Publishing an analysis in 2002 of Project impacts on environmental conditions that existed in 1993 ("for most of the resource areas") is inconsistent with both the letter and the spirit of NEPA. The justification that the "trough [between the decision to close the base and its reuse] is temporary, constantly changing, and a wholly artificial situation that cannot provide a stable and meaningful basis for measuring the environmental impact of subsequent redevelopment" is inaccurate. The trough has lasted for almost a decade – long enough for any unused environmental capacity to be absorbed by subsequent development in the region. If conditions on the base are changing more than elsewhere, relying on an obsolete baseline would undermine the NEPA analysis. Finally there is no evidence that the conditions are artificial or unique.

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Nor is there any provision in NEPA for using a baseline so far in the past. Although it is true that CEQA provides that, under certain conditions "the determination of whether the reuse plan may have a significant effect on the environment may, at the discretion of the lead agency, be based upon the physical conditions which were present at the time that the federal decision for the closure or realignment of the base or reservation became final", there is no evidence that NEPA allows the use of the earlier baseline. Since this EIS is not combined with the EIR, it is difficult to understand why it relies on CEQA to justify using an obsolete baseline.

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In some instances a 1996-97 baseline is used. The mixing of baselines further threatens the integrity of the analysis. When the DEIS evaluates project impacts against more than a single baseline, the public and decision-makers have a much more difficult task sorting out the effects of disposal and reuse from other changes occurring over time. The mixing of baseline also raises the possibility that the document has chosen a baseline for each resource area to minimize impacts.

Recommendation:

- Revise the analysis based on current conditions.

3.1.1 REGULATORY CONSIDERATIONS

On page 3-7 the document states that "the State Lands Commission has allowed existing specialized or single-purpose facilities to continue as nonconforming public trust uses for their useful life." This is true for Treasure Island, but it is not true for other bases.

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Recommendation:

- Revise the text to refer to the specific provision of the Migden Bill for Treasure Island to avoid creating the impression these provisions apply to other bases.

3.1.2 REUSE PLAN AREA

The statement on page 3-11 that "Caltrans currently possesses 97 acres (39ha) of dry and submerged land on Yerba Buena Island for the SFOBB, including 10 acres of easement property and structures that it previously occupied and maintained in fee" is very confusing.

Recommendations:

- Clarify whether "10 acres of easement property" refers to property on which Caltrans has easements now or whether this refers to a previous easement.
- What is meant by "occupied and maintained in fee"? Did Caltrans previously own property for which it now has easement rights?

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3.5.1 ROADWAY NETWORK

The statement that "Figure 3-5 shows the locations of the six ramps and the Caltrans easement across Yerba Buena Island" is inaccurate. Figure 3-5 does not display any information about the location of easements.

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Recommendation:

- Provide clear, straightforward information about the ownership status of land at NSTI to clarify sites that have been conveyed to Caltrans in fee, and sites for which temporary and permanent easements have been granted.

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3.7.2-3 EXISTING NOISE AT TI AND YERBAN BUENA

Relying on a 1986 baseline, in conjunction with the model used to predict Project impacts, underestimates potential noise conditions. Traffic levels – which drive the noise impacts – were significantly lower sixteen years ago. The model used to project total noise levels adds Project impacts to the baseline. The total is compared to a set standard. An undercounted baseline, therefore, results in an undercount of total noise against which land use compatibility is evaluated.

P-11

Recommendation:

- Use current levels of noise to describe existing conditions, and as the baseline for modeling future noise levels.

3.9.4 GEOLOGIC HAZARDS AT NSTI

Recommendation:

- Cite the Treadwell and Rollo report (San Francisco, 1995b) Existing Conditions Report, Volume II: Geotechnical Report prepared by Treadwell and Rollo, August 1995.

P-12

3.10.2 SURFACE WATER RESOURCES

It is unclear why 1998 is the baseline year for the analysis of water quality. Data is available that can show trends as well as a baseline years consistent with other resources.

P-13

Recommendation:

- Use a baseline year that is current and consistent with the baseline used to analyze other resources.

3.11 UTILITIES

Question:

- What are the potential impacts of Caltrans owning the utility infrastructure on the portions of the land it has acquired?

P-14

3.13.3 INSTALLATION RESTORATION PROGRAM

No RODs, or even a complete RI, have been approved, therefore the statement, "and no further action under CERCLA is recommended" is inappropriate.

P-15

Recommendation:

- Change the phrase to "no further action under CERCLA is anticipated."

3.12 PUBLIC SERVICES

The problem of mixing baselines is demonstrated in this section. It is unclear whether the baseline is the level of fire and police protection provided in 1993 or 1997.

P-16

Recommendations:

- Identify a baseline year that is consistent with the baseline used to analyze other resources.
- Include information about the number of firefighters and police officers per person, including supervisory and support personnel.

P-16

CHAPTER 4 ENVIRONMENTAL CONSEQUENCES

PAGE 4-2 FHWA PROPERTY

The statement on this page, that "FHWA acquired 97 acres (39 ha) of Navy dry and submerged land on Yerba Buena Island and conveyed this land in fee to Caltrans for the SFOBB east spans retrofit project" conflicts with the earlier statements on pages 3-11 and ES.3 that the 97 acres includes the site for which easements were given.

P-17

Recommendation:

- Please clarify as we have previously requested.

4.1.1 LAND USE – ALL ALTERNATIVES

The DEIS overlooks the potential for substantial land use conflicts between the Reuse Plan (which was devised prior to plans for bridge realignment) and the bridge project. However, the DEIS dismisses these potential impacts with the following *non sequitur*: "The existing SFOBB or the proposed realignment would not be affected by changes in land use that are part of community reuse. Land on Yerba Buena transferred to FHWA to accommodate the SFOBB realignment is no longer available for transfer and reuse and consequently no land use conflict exists."

P-18

Recommendations:

- Analyze the uses that the Reuse Plan designates for portions of the property that are now under the control of Caltrans.
- To mitigate the conflict between a reuse plan devised before Caltrans obtained its property and subsequent conditions, include modifications of the Reuse Plan that would allow these pre-empted uses to occur elsewhere.

4.2 VISUAL RESOURCES

The DEIS dismisses visual impacts because they are short term. In this case, short term appears to be more than the decade, through buildout in 2015. In any case, NEPA does not allow an agency to ignore impacts simply because they are not permanent.

Recommendation:

- Analyze and mitigate the impacts the visual impacts of on-going construction that will take place during the long buildout period, especially on existing and early phase residents.

P-19

The DEIS dismisses potential visual impacts caused by light and glare based upon undocumented assumptions. The DEIS assumes that lighting levels "are similar to urban lighting at the San Francisco waterfront, with shielding to prevent upward glare visible to SFOBB drivers..." Nothing in this section prevents development from exceeding conditions similar to

P-20

urban lighting at the San Francisco waterfront. Nothing requires appropriate shielding. The DEIS also assumes that City Planning Commission Resolution 9212 will protect against project-related glare impacts. This resolution only addresses glare from mirrored or reflective glass surfaces, not from all shiny surfaces.

P-20

Recommendation:

- Analyze and mitigate potential light and glare impacts.

4.3 SOCIOECONOMICS

TABLE 4-1

Table 4-1 uses baseline data that is 14 years old – even more obsolete than the 1993 data that the DEIS tried to justify earlier. This table mixes data from 1988 with data from 1990. No reason is given for choosing a baseline so far in the past.

Although Table 4-1 provides information (however dated) on three related factors – jobs, resident population, and housing – the DEIS fails to explore the interaction among these variables. The discussion of the issues of employment, housing, and jobs-housing balance is part of an effort to ensure that housing will be available for the people attracted to the Bay Area by the new jobs at Treasure Island. A simple comparison of the number of jobs with the number of housing units does not address the issue.

For example, the 4,920 jobs projected for Alternative 1 would be predominantly low-paying ("Most of the jobs associated with this alternative would be created through reuse of parts of Treasure Island for a themed attraction, hotel and conference facilities, restaurants, film studios, community services, and a variety of recreational facilities."¹). Given the extraordinarily high cost of housing in San Francisco, the assumption (based on 1997-1998 data) that 55 percent of these mostly service employees would be able to live in San Francisco² is unsupported; it is far more likely that most will have to commute from the East (and the North) Bay where affordable housing is more available. As the DEIS point out, however, there is no bus service from the East Bay to Treasure Island. For this Project, the environmental impacts of creating low paying jobs that are inaccessible by public transportation to affordable housing are especially severe.

P-21

Even if the assumption were reasonable that 55% of the Treasure Island workforce will live in San Francisco, the DEIS fails to address the housing impacts generated by the other 45%. The DEIS argues that the Reuse Plan provides more than enough housing (2,850 units) to house the 4,920 employees because only 55% (2,706) are expected to live in San Francisco where there are 1.6 workers per household (requiring 1,690 units to house the 4,920 employees in San Francisco). However, the 45% of the workers (about 2200) who would live elsewhere in the region will also need somewhere to live. Two pages earlier the DEIS states that impacts would result if the Project were to "create a demand for additional housing in San Francisco, Oakland, or the surrounding communities." The DEIS ignores this housing impact.

The problem is not addressed by the argument³ that the projected population increase generated by the Project of 2,395 people would not have any impacts because they are "accounted for in

¹ Page 4-24

² *ibid.*

³ page 4-23

ABAG's projected population increases." There is nothing in the methodology of ABAG's projections that suggests that the demand for housing of projected growth will be accommodated. There is no implication that the scenario projected by ABAG has mitigated its environmental impacts. ABAG did not prepare an EIR on the projections. The projections are simply projections, not an environmental envelope.

Recommendations:

- Provide baseline information from a single, current, date.
- Analyze housing opportunities for the Treasure Island workforce, taking into account the low incomes that Reuse Plan jobs will produce. Revise assumptions about where the work force will live.
- Adjust trip assumptions in the transportation analysis to reflect that a higher proportion of the workforce will live in the East Bay, which is not linked to Treasure Island by public transit.

P-21

4.5 TRANSPORTATION

PAGE 4-34 DEFINITION OF IMPACTS

The list of potential transportation impacts, by including "parking demand exceeding the supply", in effect precludes mitigating traffic congestion with a substantial reduced parking requirements, yet this mitigation is one of the most effective approaches known.

In addition, the list of potential impacts does not address an important indicator of increased traffic congestion on a roadway (especially one where diversion is not possible) that is already operating at capacity: the spreading of the peak.

P-22

It is surprising that there is not analysis of the potential for the Reuse Plan to cause an increase of accidents on the bridge.

Recommendations:

- Omit shortage of parking from the list of traffic impacts.
- Add to the list of impacts the spread of the peak over an increased number of hours.
- An increase in the number of accidents as vehicles enter and exit bridge traffic should be analyzed as a potential impact.

PAGE 4-34 TRAFFIC ANALYSIS METHODOLOGY

It is not legitimate to substitute projections of traffic in 2010 for traffic in 2015. Acknowledging that the reconstructed bridge will not reduce congestion is not equivalent to evidence that conditions in 2015 will be the same as they were in 2010. There is the potential for substantial growth and increase in traffic during this five year period.

It is also unacceptable to use ABAG 1994 projections of land use and demographic conditions at buildout (2015), no matter which baseline is used. ABAG projections published in 2002 are available and are more likely to present an accurate picture of conditions in 2015.

P-23

It is similarly unclear why the DEIS used the 1994 Highway Capacity Manual instead of the 1998 version.

Recommendations:

- Use traffic projections for 2015.
- Use the most recent projections and methodologies available.

P-23

TABLE 4-3 ESTIMATED NBTI VEHICLE-TRIP GENERATION

The traffic day – 6:00 am to 6:00 pm – is defined to narrowly to capture the true volume of traffic, especially when the DEIS itself states that the peak period extends until 7:00 pm. In addition, there is a substantial amount of traffic between 6:00 pm and 6:00 am.

Relying on a single hour to define the peak (8:00 am – 9:00 am and 5:00 pm – 6:00 pm) undercounts the peak load and is less likely to capture changes in volume. As we suggested earlier, one of the main indications of increased congestion is a spreading of the peak period. This effect is not taken into account if the peak period is arbitrarily reduced to a single hour. Table F-5 shows a westbound peak on I-80 that in 1993 extended from 6:00 am through at least 11:00 am, and an eastbound peak extending from 2:00 pm through 8:00 pm.

P-24

Furthermore, the single hour chosen to represent the peak does not even capture the period of highest traffic volumes.

Recommendations:

- Provide a 24-hour trip count for I-80.
- Analyze Project impacts on traffic volumes over the full peak period.
- Identify any spreading of the peak that will occur at 2015.

4.5.1 ALTERNATIVE 1 SIGNIFICANT AND MITIGABLE IMPACTS

The DEIS is unclear whether the significant impact of increased volume and queuing on the bridge ramps can be mitigated. The document acknowledges that the most effective mitigation proposed – to upgrade substandard ramps – may not be implementable.

Projecting that TDM measures can reduce trips by 6-12% is not justified if the package of TDM programs is not specified. The TDM examples mentioned – to encourage travel during off-peak hours, and flexible work hours – are probably infeasible since the peak extends over most of the day.

The most effective means to curtail trip generation is to limit parking, a mitigation that is missing from the list (except for visitor parking).

P-25

Mitigating transit impacts by monitoring transit demand is not a useful approach since transit demand is strongly determined by the quality of transit services (headways, distance from transit stops, etc.). The analysis of transit impacts should instead evaluate the impacts on transit systems that would be caused by meeting goals for transit usage (based on the calculated need to divert trips from automobiles to transit).

Recommendations:

- Clarify the relative contribution of each mitigation measure to reduction of impacts so that it is possible to determine the package of mitigations needed to fully mitigate impacts.

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- Include a drastic reduction of parking as a primary mitigation measure.
- Analyze the impacts on transit providers of providing transit with the routes and headways that would be needed to meet transit goals.

P-25

NOT SIGNIFICANT IMPACTS

The assumption that the Project would create no impacts to Bridge-I-80 operations because metering lights regulate the flow of traffic overlooks increased delays of longer meter cycles and potential for metering lights to be in operation for longer periods of time (another indication of peak spread).

The assumption that the Reuse Plan will limit truck service and freight delivery to off-peak hours is unrealistic when the peak extends over most of the day.

The judgment that construction impacts will be short term for a project that will not achieve buildout until 2015 is unrealistic.

Assuming that the Project includes "two new ferry terminals (at Candlestick Point in San Francisco and at Golden Gate Fields on the Berkeley/Albany border)" substitutes wishful thinking for an analysis of impacts and mitigations. Similarly *assuming* that transit service will be adequate because the Reuse Plan calls for service that accommodates demand is an evasion of NEPA responsibilities.

P-26

Recommendations:

- Replace mitigations that would divert traffic to off-peak hours with a rigorous analysis of capacity during the entire peak and rely on mitigations that would be effective during peak periods to mitigate peak period impacts.
- Mitigate construction impacts.
- Replace ability to meet transit demand as the standard of transit adequacy with a target of diverting a specific proportion of automobile trips to transit, and analyze the routes and headways that would be needed to achieve this goal.

4.6 AIR QUALITY

It is not clear whether air emission calculations are based on the 12-hour trip numbers or 24-hour numbers.

- Base emission calculations on a 24-hour day.

P-27

4.13 HAZARDOUS MATERIALS AND WASTE

The discussion of the Installation Restoration Program does not provide for the potential conflict between the Reuse Plan and long-term groundwater monitoring and treatment.

- Provide mitigations to ensure that construction will not damage monitoring wells and will not disrupt water flows to the wells.
- Provide mitigations to ensure proper oversight of any institutional controls.

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LETTER P

CHAPTER 5 CUMULATIVE PROJECTS AND IMPACTS

5.1 CUMULATIVE ASSUMPTIONS

- Since this DEIS uses a 1993 baseline (among others), it is necessary for the cumulative analysis to take into account all development that has occurred since then within the region of influence for each resource area.

P-29

CHAPTER 6 OTHER CONSIDERATIONS REQUIRED BY NEPA

6.4 ENVIRONMENTAL JUSTICE

This analysis must address the potential for hazardous materials, displacement, and traffic congestion impacts on the minority and low income residents of Treasure Island.

P-30

Response to Comments

Response to Comment P-1. Please see response to comment B-2 regarding inclusion of the FHWA/Caltrans easements in the EIS analysis.

Response to Comment P-2. The Navy does not concur that scoping and circulation of the Draft EIS be done again. Although portions of NSTI have been transferred to US Department of Labor, US Coast Guard, and FHWA/Caltrans since scoping was conducted in 1996, the project area and the overall reuse concept remains largely the same. All regulations governing transfer of federal property are addressed in the EIS and would not be affected by another round of scoping. Consequently, it is unlikely that reinitiation of scoping would result in the identification of any substantial new issues to be addressed in the EIS. In addition, the public may identify any issues that it believes should be addressed in the EIS during the public review and comment on the Draft EIS.

Finally, another round of scoping and recirculating the Draft EIS would result in extensive delays in the process of transferring the property. Such delays would not be consistent with the BRAC mandate for timely disposal of property for the benefit of the community and would place a burden on the designated property recipient in its efforts to move forward with reuse.

Response to Comment P-3. Clean up and reuse of IR Site 12 would not disproportionately affect minority or low income populations because the areas in which soil disturbance would occur would be subject to land use controls and regulatory requirements that would reduce the potential human health effects and environmental effects to acceptable levels. CERCLA remedial actions will ensure that human health and the environment will be protected based on continued residential use of the area. If the CERCLA remedy for a particular site includes land use controls, the acquiring entity or entities will be required to comply with the land use controls during construction or operations to ensure continued protection of human health and the environment. These requirements apply to all areas requiring CERCLA actions and would affect all populations using these areas of NSTI.

In addition, this EIS evaluates the potential effects of reuse of NSTI. A detailed evaluation of the effects of CERCLA remediation on NSTI is not properly within the scope of this document.

The Treasure Island Homeless Development Initiative (TIHDI) was consulted in the development of the reuse alternatives and in 1995 submitted a comprehensive Notice of Interest for surplus property at NSTI for incorporation into the LRA's Draft Reuse Plan. The alternatives include provision of economic development opportunities and employment for homeless individuals and affordable housing, as described in Chapter 2, Proposed Action and Alternatives. While the reuse alternatives have the potential to displace the current residents of TIHDI housing (and could result in negative effects on these individuals), the reuse alternatives were developed (in consultation with TIHDI and the public) to provide an overall beneficial result for San Francisco's low-income populations.

Response to Comment P-4. Please see response to comment B-2 regarding easements granted to FHWA/Caltrans for the SFOBB.

1 **Response to Comment P-5.** Please see response to comment B-2 regarding easements granted
2 to FHWA/Caltrans for the SFOBB.

3 **Response to Comment P-6.** The ROI for hazardous materials, as well as other resources, is the
4 reuse plan area. Because the area proposed for disposal includes submerged lands around
5 Treasure and Yerba Buena Island, this area by definition includes waters of the San Francisco
6 Bay. Analysis of potential impacts from hazardous materials and waste includes discussion of
7 migration of contaminants into the surrounding Bay waters.

8 **Response to Comment P-7.** Please see response to comment N-2 regarding the baseline for
9 analysis in the EIS.

10 **Response to Comment P-8.** Please see response to comment L-1 regarding the public trust at
11 NSTI.

12 **Response to Comment P-9.** The text has been moved to beneath the heading *Non-Navy Land*
13 *Uses* within section 3.1.3 of the Final EIS and has been revised to read:

14 The FHWA conveyed 98 acres (40 ha) on Yerba Buena Island held by Navy to
15 Caltrans for right-of-way purposes in connection with the construction,
16 operation, and maintenance of the SFOBB east spans retrofit project.
17 Approximately 20 acres (8 ha) of dry land were permanently conveyed in fee and
18 are not part of the disposal action evaluated in this EIS. The remaining 78 acres
19 (32 ha) comprises TCE or permanent aerial easements of dry and submerged
20 land on Yerba Buena Island. Land within the TCEs and aerial easements are
21 available for disposal and are part of the proposed disposal action evaluated in
22 this EIS.

23 **Response to Comment P-10.** Figure 3-5 has been revised to show the FHWA/Caltrans
24 easements.

25 **Response to Comment P-11.** The results of the noise monitoring conducted in 1986 on Treasure
26 Island are a reasonable representation of conditions on Treasure Island at the time of closure
27 (1993). Noise levels at present are likely to be similar or lower than conditions in 1986 since
28 there is currently far less activity on Treasure Island. The majority of Treasure Island is too far
29 from the SFOBB to be measurably affected by traffic noise. As noted in the text, additional
30 measurements were taken in 1998 near piers 11 and 12 to model noise levels from SFOBB traffic.
31 Traffic noise is a larger concern on the Yerba Buena Island portion of NSTI. Consequently,
32 additional noise monitoring was conducted by Navy in 1996. Noise monitoring by Caltrans in
33 1988 is also included in the EIS analysis.

34 **Response to Comment P-12.** The existing conditions geotechnical report by Treadwell and
35 Rollo is cited as San Francisco 1996b in the Geologic Resources section.

36 **Response to Comment P-13.** Please see response to comment N-2 regarding the baseline year
37 for the analysis.

1 **Response to Comment P-14.** Please see response to comment A-1 regarding utility easements
2 and rights-of-way within the lands transferred to Caltrans.

3 **Response to Comment P-15.** The decision to proceed or not proceed with an action pursuant to
4 CERCLA is based on a recommendation by Navy, which relies on information gathered
5 thorough the CERCLA process. Concurrence with the recommendation must be provided by
6 DTSC and/or the respective RWQCB. The text has not been revised.

7 **Response to Comment P-16.** Please see response to comment N-2 regarding the baseline year
8 for the analysis. Text has been added to the introduction in section 3.12 to explain the use of
9 two baselines for public services. Because the baseline ratio of the number of firefighters and
10 police officers to the number of residents was not used to determine the future demand for
11 service personnel, that ratio was not calculated and presented in the EIS. Instead, the
12 equipment and personnel requirements for each of the service providers under the reuse
13 alternatives were determined through direct consultation with the San Francisco Fire
14 Department, the San Francisco Police Department, and the San Francisco Department of Public
15 Health.

16 **Response to Comment P-17.** Please see response to comment B-2 regarding easements to
17 FHWA/Caltrans for the SFOBB. The text on page 3-11 and ES-3 in the Draft EIS, as referenced
18 in the comment, has been revised based on previous comment P-9.

19 **Response to Comment P-18.** Although the approximately 20 acres of land transferred to
20 FHWA was designated for publicly oriented, open space, and residential uses in the Draft
21 Reuse Plan (San Francisco 1996e), this represents only a small percentage of the total reuse plan
22 area designated for these uses. Since the Draft Reuse Plan provides only a very general land
23 use development concept, it is assumed that the uses proposed for the FHWA lands can be
24 accommodated elsewhere in the reuse plan area, either by slight changes in the boundaries of
25 the defined use areas or by slight changes in densities. Furthermore, the analysis dependent on
26 acreage of land uses are not measurably affected by the loss of such small areas and the loss of
27 land uses that contribute little in terms of traffic, jobs, etc. Please see response to comment B-2
28 for further discussion of the FHWA/Caltrans easements.

29 **Response to Comment P-19.** Since construction activities and the associated visual impacts
30 would shift during the different phases of redevelopment, no one viewpoint would be
31 significantly affected in the long-term. Further, it is beyond the scope of the analysis in this EIS
32 to attempt to evaluate the visual impact from specific construction activities since the locations,
33 timing, and extent of these activities are not known, nor is it known where all potentially
34 sensitive visual receptors may be found during the different phases of reuse.

35 **Response to Comment P-20.** The EIS evaluation of potential impacts from light and glare is
36 based on very conceptual land use development plans, including the Draft Reuse Plan.
37 Consequently, reasonable assumptions about conditions under reuse must be made. It is
38 reasonable to assume that, since the City and County of San Francisco would be the ultimate
39 recipient of the property, conditions on NSTI under reuse would be comparable to those on the

San Francisco waterfront and that San Francisco Resolution 9212 would apply. The designated property recipient will be required to evaluate and, if necessary, mitigate potential impacts from light and glare under the final development plan.

Response to Comment P-21. Please see response to comment N-2 regarding the baseline year for the analysis. Projections of future socioeconomic conditions were derived from the most current data available, since this most accurately reflects future conditions. The assumptions of the analysis are based on the best available information concerning the projected employment opportunities on Treasure Island, future housing availability, commuting patterns, and projected population growth. Although, it is possible that more of the employees who would work in these industries would live outside San Francisco, a more accurate estimate of the future distribution of these employees is not available. Employees live and work in San Francisco in the industries identified in the Draft Reuse Plan. Employment on Treasure Island during reuse also will be composed of people already living in San Francisco (and other parts of the Bay Area), who are unemployed, under-employed, or who would change jobs, as well as new residents that might migrate into the area as a result of the new jobs created by the reuse projects.

Response to Comment P-22. It is reasonable to identify parking shortage as an impact. While not providing a sufficient number of parking spaces could suppress auto ownership, typically this occurs in the center city area, where abundant transit services are available and support retail stores are conveniently located within a short walking distance. Treasure Island is an isolated location, unlike downtown San Francisco. However, a parking shortage is identified as a not significant impact due to the City's "transit first" policy.

A significant and mitigable impact has been added due to peak-hour spreading, as follows:

Impact: Increased peak spreading on SFOBB/I-80 (Factor 1). Under Alternative 1, increased traffic onto and off of the SFOBB during the A.M. peak period (6:30 to 9:30) and P.M. peak period (3:30 to 6:30) would cause westbound traffic on certain segments of the SFOBB to deteriorate from LOS D to LOS F during the last hour of the A.M. peak period (8:30 to 9:30) and to deteriorate from LOS B to LOS E or LOS F during the first hour of the P.M. peak period (3:30 to 4:30) (Table F-22). The increase in other connecting regional freeways would likely be less.

Mitigation. Monitor traffic volumes to ensure that the transportation goals and objectives established by the Draft Reuse Plan are successfully implemented. Monitoring traffic volumes would inform San Francisco whether traffic onto or off of the SFOBB at each phase of development is resulting in deterioration of traffic conditions on the SFOBB. If at some point it is determined that traffic from NSTI is constraining the capacity of the SFOBB, either more aggressive TDM and transit improvements must be implemented or additional developments should be delayed until such improvements are implemented. Implementing this mitigation measure would reduce this impact to a not significant level.

Similar impact statements have been added for Alternatives 2 and 3 as well.

1 Traffic on the Bay Bridge is controlled by the metering lights and, therefore, the total SFOBB
2 mainline traffic volumes would not significantly change in the future. In fact, the current
3 number of vehicles allowed by the metering lights may be decreased if the traffic from Treasure
4 Island were to increase. Current traffic accidents on the Treasure Island ramps are generally
5 low, except the westbound off-ramp on the east side of the tunnel and eastbound off-ramp on
6 the west side of the tunnel. Future increases in traffic volumes at these two ramps could
7 increase the number of accidents.

8 **Response to Comment P-23.** Please see response to comment H-6 regarding updated
9 projections for the project area.

10 **Response to Comment P-24.** The SFOBB 24-hour traffic volumes are presented in Table F-5 of
11 the Draft EIS (now Table F-7 of the Final EIS). SFOBB traffic was analyzed for the peak period,
12 and the results of the analyses are presented in Tables F-21 through F-23 of the Draft EIS (now
13 Tables F-23 and F-25 of the Final EIS). The EIS presents only the AM and PM peak-hour traffic
14 impacts, those hours having been selected to represent the worst-case condition during the day.
15 The shoulders of the two-hour peak period (the hour before and after the peak hour) are likely
16 to have less traffic or, at the most, the same amount of traffic as the peak hour, so impacts to
17 traffic conditions would be less than during the peak hour.

18 Please see the responses to comments for P-22 regarding spreading peak-hour traffic conditions.

19 **Response to Comment P-25.** The EIS for the disposal and reuse of NSTI primarily evaluates the
20 potential impacts of the federal action, disposal of the property. The potential impacts of reuse
21 are necessarily evaluated in a general way because the parameters of reuse have not yet been
22 determined. It is not known at this time which of the three reuse alternatives most accurately
23 represents the full buildout conditions of reuse. Because of the uncertainty of the reuse
24 scenario, the transportation issues and choices under reuse cannot be accurately predicted at
25 this time, so it is not possible to estimate the relative contribution of each mitigation measure to
26 overall traffic reduction. For this reason, two monitoring mitigation measures are included in
27 the mitigation program to provide feedback on the effectiveness of the various traffic
28 mitigations. Both monitoring measures suggest that if significant impact were to occur, either
29 more aggressive TDM and transit improvements must be implemented or additional
30 development should be delayed until such improvements are implemented.

31 Appendix F3 provides a list of TDM measures that would be implemented, several of which
32 involve limiting parking supply, such as restricting visitor parking, prohibiting parking for
33 certain uses, such as the themed attraction, establishing parking restrictions, and prohibiting
34 free parking.

35 Potential transit impacts are presented in the EIS and include estimated ridership level and
36 frequency. Detailed analysis would be necessary at a later date, depending on the origin and
37 destination of the residents, workers, and visitors.

38 **Response to Comment P-26.** Please see responses to comments P-24 regarding the peak period
39 analysis. As illustrated in Table F-5 of the Draft EIS (now Table F-7 of the Final EIS), it is not
40 correct to state that the peak period extends over most of the day.

1 At present there is no data available on future construction activity, and construction impacts
2 would be analyzed for each individual project at a later date. Construction activity at Treasure
3 Island would occur in phases, depending on market and availability of financing sources for
4 these projects.

5 The Water Transit Authority has been established with the responsibility of implementing a
6 regional ferry system in the Bay Area. The Water Transit Authority has identified service to
7 Treasure Island as a tier one project.

8 **Response to Comment P-27.** All emission calculations in the EIS were tabulated based on daily
9 activity estimates. Construction emissions assume daytime activity. Vehicle traffic and ferry
10 service emissions assume daily trip patterns.

11 **Response to Comment P-28.** The EIS identifies a potentially significant but mitigable impact
12 under each of the alternatives as a result of potential conflicts between construction activities
13 associated with reuse and remedial actions pursuant to CERCLA. As stated in the mitigation
14 for this potential impact, no CERCLA ROD has been signed and therefore it would be highly
15 speculative to attempt to impose measures to mitigate potential impacts at this time. It is
16 assumed that any necessary controls would be developed through the CERCLA process and
17 implemented through land use controls on the specific property or properties.

18 **Response to Comment P-29.** Because NSTI is on an island, there is no nexus between the
19 proposed disposal and reuse and many other past, present, and reasonably foreseeable actions
20 throughout the Bay Area. The cumulative analysis accounts for all projects that could
21 reasonably be expected to cumulatively interact with the proposed action. Many other smaller
22 projects have occurred or will occur in the region that will not produce measurable interactions
23 with the proposed action except through incremental changes in traffic conditions on the
24 SFOBB. To account for these changes, the traffic analysis is based on MTC regional
25 transportation model which forecasts land use changes for purposes of estimating traffic
26 conditions.

27 **Response to Comment P-30.** Clean up and reuse of NSTI would not disproportionately affect
28 minority or low-income populations, as described under comment P-3. Development at NSTI
29 under any of the three reuse alternatives would not incrementally contribute to a cumulative
30 impact from hazardous materials or waste.

31 Please see comment P-3 regarding potential for displacement impacts on the minority and low
32 income residents of Treasure Island.

33 Although low-income populations would be among those affected by cumulative traffic
34 congestion, these populations would not be particularly or disproportionately affected since
35 cumulative traffic congestion would affect all populations parking at ferry terminals that would
36 provide service to and from NSTI. The three reuse alternatives would contribute a small
37 increment to projected traffic volumes on the new SFOBB, which would be considered
38 cumulatively significant. The contribution to cumulative congestion attributable to the reuse
39 alternatives could be reduced by implementing the TDM measures identified in section 4.5,
40 Transportation.

LETTER Q

**Draft Environmental Impact Statement on
Disposal and Reuse of Naval Station Treasure Island
San Francisco, California
June 11, 2002**

SPEAKER REGISTRATION/COMMENT CARD

Please check your affiliation below:

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| <input checked="" type="checkbox"/> Individual (no affiliation) | <input type="checkbox"/> Citizen's Group |
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Name: MICHAEL DZIADK
Organization (if applicable):
Street Address (optional): 1230 A NORTH POINT
City/State/Zip (optional):
Phone number (optional): 71
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Do you wish to speak this evening? ☐ Yes ☐ No

If you prefer to provide your comments in writing instead of orally, please write your comments below, using the back of the card if necessary.

Is there any corporate
involvement behind
Alternative 2 if yes
who is backing this
proposal

Submit written comments tonight, or mail by June 24, 2002 to:
Commander, Southwest Division, Naval Facilities Engineering Command
Attn: Ms. Timarie Seneca (Code 06CM 15)
1230 Columbia Street, Suite 1100
San Diego, CA, 92101-8517

Q-1

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1 **Response to Comments**

2 **Response to Comment Q-1.** The alternatives were developed by the Navy and the City and
3 County of San Francisco to reflect a range of possible development patterns for NSTI. While
4 specific elements of each alternative may have the support of corporate or development
5 interests, such interests were not involved in the development of the alternatives, nor were they
6 involved in the preparation of the EIS.

7

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LETTER R

Norman L. de Vall
P.O. Box 3
Elk, California 95432
ndevall@mcn.org
(707) 877-3551 877:1861

June 24, 2002

US Navy, Southwest Division
Naval Facilities Engineering Command
1230 Columbia Street, Suite 1100
BRAC Operations Office
San Diego, California 92101-8517
(6129)532-0955 532:0940
transmitted via fax 6.24.02

Attn: Ms. Timarie Seneca

re: Draft Environmental Impact
Statement for the Disposal and
Reuse of Naval Station
Treasure Island, San Francisco,
California

Dear Ms. Seneca,

Please accept the following as my Comment Letter relative to the above
referenced DEIS.

First and foremost, I wish to protest the lack of availability of the DEIS and the very short comment period allowed. Most upsetting is that after attending the Meeting of the Treasure Island Development Authority on June 12, 2002 in San Francisco, also attended by Mr. Steve Edde of BRAC Operations, Code O6CA.SE, where I was assured that I would receive a copy of the document, none has been received to date, the last day of comment.

R-1

Therefore, with such protest having been made, and only having an hour to review a desk reference copy, I wish to state:

1. The DEIS is woefully inadequate relative to the prospective options and opportunities presented by the island as a neighborhood of the City of San Francisco.

R-2

LETTER R

2. The DEIS recommends that Alternative 1 and 2 include a marina with mooring buoys. As a sailor with over 45 years of experience on the Bay, I submit that the location of such a facility is adverse to the public interest, poorly located, a cause for further impacting of the traffic on the Oakland-San Francisco Bay Bridge, and would create an environmentally negative impact.

Decision makers must ask "Why would this be a desirable marina? The DEIS does not address the need for on-shore facilities, such as radio repairs shops, a rigging shop, or sailmaker, nor does the marina create a facility of a "critical mass" size; therefore, all boat owners, except for the most simple purchase at the Chandlery, will travel to either Oakland or Sausalito for the necessary repairs and equipment.

R-3

The number of motor vehicle moves, relative to the use of boats and their crews is measurable, especially on three day weekends, national holidays and Opening Day. The DEIS does not address traffic patterns of users of the proposed marina.

3. The proposed marina at the Cove would take up and change the use of a very special asset in the Bay of San Francisco. Centrally located it is the ideal place for sail training, not to mention the phenomenal beauty of the Cove. The DEIS does not address the negative impacts to the visual character that such a facility would create.

R-4

4. Nor does the DEIS address whether or not the Public will be allowed on the floats of the marina. While there is questionable need for locked gates, the further taking of public assets for private benefit is not in the public interest. The DEIS should address this issue.

R-5

5. The DEIS does not address the presence of the existing piers on the east side of the Island, nor does it address the possibility of locating the marina there or anywhere else. Such glaring oversights should be addressed.

R-6

In conclusion, the DEIS serves more as an Economic Development Master Plan rather than as a Draft Environmental Impact Statement. It appears to this reader that the Navy is attempting to "polish the apple" well enough for the City and County of San Francisco to buy into a huge redevelopment project with endless problems and limitations.

R-7

In fact, the No Option Alternative should not be discarded. Treasure Island can eventually become the most expensive land for the City of San Francisco to provide city and county services.

LETTER R

And lastly, I again protest the lack of availability of the DEIS, which in my mind is grounds enough to seek judicial remediation.

] R-8

Sincerely,



Norman L. de Vall
Mendocino County Board of Supervisors, 5 Dist., Retired

cc: US. Representative Michael Thompson, CA 1 District
California State Senator Wesley Chesboro
Zan Hensen, Esq.
Latitude 38
President, County of San Francisco, Board of Supervisors
Annamarie Conroy, Exec. Director, TIDA

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Response to Comments

Response to Comment R-1. The Navy has made a diligent effort to make the Draft EIS available for the public to review. A notice of availability of the Draft EIS was published in the Federal Register on May 10, 2002 and notices of the public hearing, including where to get copies of the EIS, were published in the Oakland Tribune and San Francisco Chronicle on May 26 and 27, 2002. The Draft EIS was distributed to 175 individuals and organizations, including libraries in San Francisco and Oakland. Notices were also sent to another 1,300 individuals and organizations. A copy of the Final EIS will be provided to all individuals and agencies who received or who commented on the Draft EIS, including the commentor. The commentor may review the Final EIS and provide comments to the Navy on whether specific issues have been adequately addressed.

Response to Comment R-2. As described in Chapter 2 of the EIS, the alternatives analyzed in the EIS were developed to reflect the extensive public input and planning that took place during the formulation of reuse concepts for NSTI. Alternative 1 was developed to reflect the land use plan presented in the Draft Reuse Plan (San Francisco 1996e). The Draft Reuse Plan itself was prepared under the guidance of the citizen reuse committee and included a number of public meetings and workshops. Alternatives 2 and 3 were developed to reflect other input on the reuse potential of NSTI, including the review of the Draft Reuse Plan by the Urban Land Institute, the City's Alternatives Report, public input on these studies, and public scoping comments on the EIS. Finally, the final development plan is likely to be similar in the general types of land uses proposed to the alternatives presented in the EIS, but it may differ in any number of small ways.

Response to Comment R-3. Although development of a marina is considered under alternatives 1 and 2, details of commercial facilities associated with the marina are not considered at the level of analysis provided in the EIS. Such facilities would be developed by the designated property recipient in the final development plans for NSTI. The potential traffic impact analysis provided in section 3.5 includes assumed vehicle trips generation by the marina for each of the reuse alternatives.

Response to Comment R-4. The EIS acknowledges that the expanded marina under Alternatives 1 and 2 would add new visual elements to Clipper Cove. The impact of the marina expansion is deemed to be less than significant since this development would not substantially affect sensitive views. The text in section 4.2 of the Final EIS has been revised read:

The expanded marina with approximately 300 slips and 100 tie-up buoys, compared to the existing 100 slips, would add new visual elements to what is now a relatively undisturbed cove with primarily open water, although the expanded marina would be to some extent visually consistent with the existing marina and pier features along Clipper Cove.

Response to Comment R-5. Although development of a marina is considered under alternatives 1 and 2, details of the marina and its operation are not considered at the level of

1 analysis provided in the EIS. Such details would be developed by the designated property
2 recipient in the final development plans for the property.

3 **Response to Comment R-6.** The only pier that currently is on the east side of the Treasure
4 Island is Pier 1, which would be retrofitted under all reuse alternatives for use as a ferry
5 terminal. Another pier previously was located on the east side of Treasure Island, north of Pier
6 1, but this pier was dismantled and is not addressed in the EIS.

7 **Response to Comment R-7.** The federal action evaluated in the EIS is the disposal of property
8 at NSTI. The EIS does not propose or advocate any reuse alternatives but analyzes the
9 reasonable reuse alternatives for NSTI that have been developed by through the reuse planning
10 process. The final alternative will be selected in the Navy ROD for the proposed action;
11 however, the ultimate reuse scenario will be developed by the designated property recipient.

12 **Response to Comment R-8.** Please see response to comment R-1 regarding the availability of
13 the Draft EIS.

14

Ruth Gravanis
74 Mizpah Street
San Francisco, CA 94131
(415) 585-5304
gravanis@earthlink.net

LETTER S

June 24, 2002

Attn: Ms. Timarie Seneca
Code 06CM.TS

Commander, Southwest Division
Naval Facilities Engineering Command
1230 Columbia Street, Suite 1100
San Diego, CA 92101-8517

FAX: (619) 532-0940

Re: Draft EIS for Disposal and Reuse of Naval Station Treasure Island
5090 - Scr 06CA.TS/0472

Dear Ms. Seneca:

I appreciate the opportunity to comment on the DEIS for Disposal and Reuse of Naval Station Treasure Island (DEIS-NSTI). My comments are limited to two topics:

Wildlife Habitat

The discussion of Existing Conditions indicates that there are remnants of native wildlife habitat on Yerba Buena Island. Yet Table 2-2 shows zero acres of Wildlife Habitat for Alternatives 1 and 3, and the 18 acres shown for Alternative 2 presumably refers to the new habitat to be created on Treasure Island. The habitat areas on YBI have significant value that should be recognized as such and not referred to merely as open space/recreation.

S-1

Traffic and Transportation

The table on page 2-25 implies that constraints to vehicular circulation would be a negative environmental impact. In fact, the limited capacity of the on-ramps should serve as a positive inducement to create a transportation plan that reduces private automobile trips, thereby improving the environment in a number of ways (noise, air quality, runoff, etc.). Upgrading the on- and off-ramps should not be regarded as environmental mitigation. And the constraints to upgrading them are not merely geology and structural limitations, as noted in the DEIS, but also the negative impacts that would result from the associated destruction of open space and habitat.

S-2

DEIS comments
Page Two

Table 2-4 (and the discussion in Section 4-5) mentions some useful mitigation measures (encouraging ferry and bus use), but omits or gives short shrift to other mitigation measures that will prevent the problem (too many cars for the conditions) rather than treating the symptom (congestion): encouraging rail transit on the Bay Bridge, with a station stop on YBI; a City Car-Share Program on the islands; convenient bicycle rentals; and limits to parking on the islands, with appropriate pricing for the few spaces that are provided. Monitoring measures are not mitigation. Spreading out the peak periods to cover more hours is not mitigation.

S-3

Please feel free to contact me if clarification would be useful.

Yours truly,

Ruth Gravanis

Response to Comments

Response to Comment S-1. Text has been added as a footnote to Table 2-2 to indicate that open space includes areas of native habitat on Yerba Buena Island. Native habitat on Yerba Buena Island is addressed by habitat type in the biological resources section of Chapter 3. While it is true that native habitat does exist on Yerba Buena Island, there is not an impact assessment on these habitat types unless they are designated by the USFWS as being critical habitat, are designated as being rare or sensitive by the CDFG, or otherwise provide habitat for any rare or endangered species. There is no record of these habitat areas supporting any sensitive species. Furthermore, these habitat types are in the open space areas and would not be affected by the closure or reuse plans.

Response to Comment S-2. Comment noted. The adequate flow of traffic on NSTI under the reuse scenarios is regarded as a negative impact; however, the commentor is correct that a reduction in vehicle trips would reduce potential impacts to other resources. Vehicle trip reduction is the objective of the TDM measures identified in the recommended traffic mitigation measures. As noted in the EIS, upgrades to the on- or off-ramps are suggested as possible mitigations measures but such upgrades may be constrained by geology of the site and structural limitations.

Response to Comment S-3. Mitigation measures suggested in the comment, such as car-share or bicycle rentals, may be effective at limiting potential traffic impacts and have been added to the TDM assumptions in Appendix F as additional examples of TDM measures that may be implemented to reduce potential transportation impacts. Measures such as encouraging rail service on the SFOBB is not reasonably within the scope of the potential reuse scenarios evaluated in this EIS. Restriction in the available visitor parking on NSTI is assumed in the EIS as a component of the TDM measures for all alternatives.

Although monitoring measures do not in and of themselves mitigate potential traffic impacts, such measures are recommended as part of TDM and transit service mitigations to ensure that these measures effectively address potential impacts. While measures to shift vehicle trips toward off-peak hours do not reduce the number of vehicle trips, these measures do mitigate potential traffic impacts by reducing vehicle trips during peak hours when the transportation system is at capacity.

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LETTER T

Draft Environmental Impact Statement on
Disposal and Reuse of Naval Station Treasure Island
San Francisco, California
June 11, 2002

SPEAKER REGISTRATION/COMMENT CARD

Please check your affiliation below:

<input type="checkbox"/> Individual (no affiliation)	<input type="checkbox"/> Citizen's Group
<input type="checkbox"/> Private Organization	<input type="checkbox"/> Elected Representative
<input type="checkbox"/> Federal/State/Local Government	<input type="checkbox"/> Regulatory Agency

Name: RICHARD T. HANSEN
Organization (if applicable): _____
Street Address (optional): 2531 COLUMBIA ST.
City/State/Zip (optional): SAN FRANCISCO, CA 94121
Phone number (optional): 415 782-9412
E-mail (optional): _____

Do you wish to speak this evening? ☒ Yes ☐ No

If you prefer to provide your comments in writing instead of orally, please write your comments below, using the back of the card if necessary.

PLEASE EXTEND COMMENT PERIOD TO
PERMIT MAKE BEST TIME FOR ANALYSIS.
ENDING OF JULY 24, 2002
IS PREFERRED.

Submit written comments tonight, or mail by June 24, 2002 to:
Commander, Southwest Division, Naval Facilities Engineering Command
Attn: Ms. Timarie Seneca (Code 06CM1S)
1230 Columbia Street, Suite 1100
San Diego, CA, 92101-8517

T-1

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1 **Response to Comments**

2 **Response to Comment T-1.** The BRAC legislation requires that the Navy complete transfer of
3 property within a specified time frame in order to support efficient reuse of the property. In
4 addition, CEQ guidelines state that a lead agency may grant an extension of the comment
5 period but the guidelines further state that an extension shall not be granted solely because an
6 interested party has not had sufficient time for review of the document.

7 The Navy has attempted to allow maximum public participation in the review of the Draft EIS,
8 including mailing the EIS to 174 interested agencies and individuals and notices to another
9 1,300 interested agencies and individuals, as well as publishing notices in local papers and the
10 Federal Register. A total of three requests for an extension of the comment period were
11 received during the review period based on insufficient time for review of the document.

12 The Navy has determined that these requests did not meet the CEQ recommendations for
13 granting an extension, nor did they represent a substantial public interest an extension.
14 Furthermore, it should be noted that the public will have the opportunity to review and
15 comment on the Final EIS during the 30-day no action period prior to issuance of a ROD on the
16 proposed action. Copies of the Final EIS will be distributed to all parties who commented on
17 the Draft EIS or otherwise requested a copy.

18

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LETTER U

VIA FAX TO : (619)532-0940

Emeric Kalman
211 Granville Way
San Francisco, CA 94127
(415)665-5777

June 24, 2002

Ms. Timarie Seneca
BRAC Operations Office
Naval Facilities Engineering Command
Code 06CM.TS,
1230 Columbia Street, Suite 1100,
San Diego, CA 92101-8517

Dear Ms. Seneca:

I am pleased to provide you my comments on the DEIS for "The Disposal and Reuse of Naval Station Treasure Island" in the context of the Stewart B. McKinney Homeless Assistance Act; the Base Closure Community Development and Homeless Act of 1994 and the provisions of 10 U.S.C.2687, Armed Forces.

The documentation is incomplete with no information to the size and nature of the homeless population in San Francisco, the availability of existing services to meet the needs of the homeless in San Francisco and the totality of the buildings and property in the Treasure Island complex suitable for maximum use for the needs of the homeless in San Francisco. (10 USC 2687 Sec.2905(b)(7)(H)(i) (I) and subsequent non-conformity to subclauses (II);(III);(IV);(V):).

U-1

I do believe that the DEIS for "The Disposal and Reuse of Naval Station Treasure Island", by exclusion without justification of a MAXIMUM HOMELESS USE ALTERNATIVE PLAN is not serving its purpose and mandate.

U-2

The Draft Reuse Plan was approved by HUD on November 26, 1996 and commended as a model for base redevelopment and balancing the (homeless) needs of San Francisco.

The tragic reality is that, literally in plain view, human beings are let to die by the hundreds do to the inadequacy of homeless assistance leading agencies approach and oversight by HUD and other federal and state agencies!

Would you amend the "Reuse" plans to save lives?

U-3

If you have any questions, or wish to discuss my comments, please call me at (415)665-5777.

Thank you.

Sincerely,

Emeric Kalman

Emeric Kalman

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1 **Response to Comments**

2 **Response to Comment U-1.** DBRCA legislation calls for surplus federal property, such as
3 NSTI, to be transferred to a local reuse entity for use in a manner that benefits the full needs on
4 the community. As part of the disposal process, the Navy is required under the Stewart B.
5 McKinney Homeless Assistance Act, to consider benefits to the homeless community as a key
6 part of the process. The homeless assistance planning process for NSTI is described in section
7 2.3 of the EIS. This process resulted in the development of the 1995 Homeless Assistance Plan,
8 which provides economic development opportunities and employment for homeless
9 individuals.

10 **Response to Comment U-2.** Comment noted.

11 **Response to Comment U-3.** Alternative 1 evaluated in the Draft EIS is based on the Draft
12 Reuse Plan (San Francisco 196e). Upon completion of transfer of the property, TIDA will select
13 a development partner and develop a Final Reuse Plan. As acknowledged in the Draft Reuse
14 Plan, the Plan is by no means reflective of the only way development may occur. The
15 designated property recipient and/or development partner would be required to comply with
16 CEQA and evaluate potential environmental impacts of the specific development plan
17 ultimately chosen for the property.

18

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LETTER V

Sailing Yacht Service

CONSULTATION • MAINTENANCE
REPAIR • RIGGING • DELIVERY

by WARWICK M. TOMPKINS • 50 PORTOLA LANE • MILL VALLEY • CALIFORNIA 94941 • TEL/FAX (415) 383-0949

24 June 2002

US Navy SW Division
Naval Facilities Engineering Command
1230 Columbia Street, Suite 1106
BRAC Operations Office
San Diego, CA 92101-8517

Attention : Timarie Seneca, FAX # 619 532 0940

Or To Whom It May Concern:

I attended the Tuesday 11 June 02 meeting convened on Treasure Island to hear public comment on the Draft Environmental Impact Statement (DEIS) prepared by the Navy and made public on 09 May 02.

Two other speakers and I requested an extension of the period available for study and comment of the DEIS. I handed, on that occasion, a letter to Ms Timarie Seneca, noting *several objections to the DEIS, and formally requesting an extension of the period available for public study and comment. The period I requested was a further forty-five days (45).*

On 21 June I received a telephone message from Ms Seneca, informing me that the Navy was "disinclined", I believe were the words used, to extend the period allowed for public study and or comment. Today, 24 June, the final day of the original forty-five day public commentary period, I was informed by Ms Seneca that "informally, the time for public comment was to be extended until the end of this week."

I wish to go on record as objecting strenuously to this brief, informal extension. Firstly, virtually no-one can be aware that the extension has been made, therefore its usefulness is next to non-existent. Secondly, the DEIS is a dense and complicated document, packed with information which cannot be digested quickly. Unless an individual were able to devote himself exclusively to reading and analysis of such a document, the time allowed is insufficient. The ability to focus solely on such a document does not describe any member of the public of whom I am aware.

v-1

LETTER V

I am conscious that the process of transferring title of Treasure Island/Yerba Buena from the Navy to the City of San Francisco is a lengthy and time consuming one, and that as Ms Seneca stated to me there are target dates to be met. Time pressures notwithstanding the public commentary aspect is critical if the ultimate goal of open and aboveboard government and management is to be met.

Please reconsider and grant those of us in the public domain a further forty-five (45) days to study and comment upon your document. My and the other two requests for extension were the only public comments offered. One of the other speakers made reference to her difficulty in obtaining the DEIS as did I, both orally and in my letter.

Failure to grant this extension makes a mockery of the public commentary process.

Respectfully submitted,

Harwick Macomber

Cc: Barbara Boxer
John Burton
San Francisco Chronicle

V-1

1 Response to Comments

2 Response to Comment V-1. Please see response to comment T-1 regarding an extension of the
3 public comment period on the Draft EIS.

4

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LETTER W
Sailing Yacht Service

CONSULTATION • MAINTENANCE
REPAIR • RIGGING • DELIVERY

by WARWICK M. TOMPKINS • 50 PORTOLA LANE • MILL VALLEY • CALIFORNIA 94941 • TEL/FAX (415) 383-0949

US Navy, Southwest Division
Naval Facilities Engineering Command
1230 Columbia Street, Suite 1100
BRAC Operations Office
San Diego, CA 92101-8517
Attn: Ms. Timarie Seneca

Dear Ms. Seneca:

I am writing with regard to the DRAFT ENVIRONMENTAL IMPACT STATEMENT published by the Navy on 09 May 2002. I find sections of the Statement incomplete, and others inaccurate.

The incomplete issues relate to the effects that dredging and pile driving are likely to have on the wildlife in the area. The noise level of these activities are discussed and then dismissed. The issue of the toxicity caused by the bottom paints of the vessels in the proposed Marina, or the effect of wastes discharged from these vessels is not mentioned.

W-1

My scaling of the area suggests that dredging and pile driving will take place, at its closest, within five hundred feet (500') of the Yerba Buena shoreline, rather than the twelve hundred (1200") mentioned in the Statement.

Further, obtaining copies of this document has been difficult, negatively impacting the time available to study it in its entirety. Three of the seven libraries listed as having copies of the DEIS could not locate it. In addition, the telephone numbers listed in the document are all FAX numbers, which precluded direct contact with you.

W-2

Treasure Island and its development are a highly visible and potentially very significant addition to the ambience of this area. It would be shameful if the development of the islands were done hastily or improperly.

In view of the above I officially request an additional forty-five (45) day review period.

W-3

Sincerely,


Warwick M. Tompkins 11 June 2002

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1 **Response to Comments**

2 **Response to Comment W-1.** The potential impacts on wildlife of dredging and noise from pile-
3 driving are discussed in section 4.8 (Biological Resources). The existing marina at Clipper Cove
4 is approximately 500 feet from the eelgrass beds; however, expansion of the marina in Clipper
5 Cove is proposed to occur east of the existing marina, approximately 1,200 feet from the
6 eelgrass beds. As noted in the EIS, any in-water construction activities associated with marina
7 expansion would require a permit from the COE and consultation with CDFG and NMFS. Such
8 a permit would include conditions to reduce potential impacts to this habitat. In addition to
9 permit approvals to address potential sources of contamination from marina construction, as
10 described in section 3.10, the marina would also require an industrial stormwater permit to
11 ensure potential contamination is avoided during operation.

12 **Response to Comment W-2.** Please see response to comment R-1 regarding availability of the
13 Draft EIS.

14 **Response to Comment W-3.** Please see response to comment T-1 regarding an extension of the
15 public comment period on the Draft EIS. As described in response to comment T-1, the Navy
16 has determined that an extension of the comment period was not warranted. While the Navy
17 made no express commitment to its ability to address comments received after the close of
18 public comment period, in order to try and accommodate requests by members of the public,
19 the Navy did offer to try and incorporate comments received by these individuals after the close
20 of the formal comment period. The Navy has addressed concerns that were submitted after the
21 close of the comment period.

22

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PUBLIC HEARING

1 not references. It's just the way that it is laid
2 out.

3 RON PLASEIED: If it's just how the text
4 was written, if it's written more CEQA-wise in your
5 mind, rather than NEPA-wise, feel free to throw out
6 a comment on that. We'll gladly get back to you.

7 Why don't we take a ten minute break.
8 We'll come back and we'll start hearing our
9 comments. Thank you very much.

10 (A short recess was taken.)

11 RON PLASEIED: Welcome back. We'd like to
12 start our second phase with the public hearing,
13 which is, of course, the public comment period.

14 We're having some technical difficulties.
15 It's a simple slide. The goal of this entire public
16 hearing is to hear public comments. It's a very,
17 very important part of this process.

18 We now turn our attention to that.
19 Speakers will be called in order of the receipt of
20 the cards. I have one. We ask that when you do
21 come up and speak you limit yourself to five minutes
22 so everyone can get a turn. I think we'll have
23 plenty of time. Don't worry, we'll also allow time
24 to following on speakers if you have more questions
25 or want to make a general comment.

PUBLIC HEARING

1 I do ask that when you do get up you speak
2 clearly and more slowly than I did during the
3 presentation, so that the court reporter here can
4 accurately capture all the information. Please give
5 your name, community you're with, organization you
6 represent or whatever the pertinent information is.
7 We'll make sure that we get that down.

8 Written comments are also encouraged whether you
9 give them tonight or whether you get them postmarked
10 to us by the 24th. At the end, we'll put up a slide
11 that will give you the address of where those
12 comments should go.

13 When you're called if you wouldn't mind just coming
14 up to the podium. We only ask that so that you can
15 get closer to the court reporter so we can
16 accurately transcribe everything that is said. And
17 please forgive me, I have a difficult name myself,
18 so that gives me the purview and right to slaughter
19 other people's names.

20 Warwick Tompkins?

21 **WARWICK TOMPKINS:** That's close. It's an
22 English name. The second "W" doesn't get
23 pronounced.

24 **RON PLASEIED:** Ah, Warwick?

25 **WARWICK TOMPKINS:** Warwick Tompkins is my

PUBLIC HEARING

1 name. I'm a sailor. I represent myself. I'm
2 trying to be a good citizen, and I'm here because
3 I'm concerned about Clipper Cove and it's use in the
4 future.

5 The environmental impact statement -- the
6 whole political process surrounding this is sort of
7 strange to me, it's new. I'm not an activist, and
8 I'm learning. It's a little painful. I'm meeting a
9 lot of nice people. I know a lot of hard work has
10 gone into all this so far.

11 My comments are really not so much about
12 your statement as they are about the cove and what
13 might happen. And I will say about the statement
14 that I haven't had enough time to look at it, and I
15 have filed with Timarie a request for more time for
16 me and others like me to study. I found difficulty
17 in getting the statement. When I did get it, I
18 studied it for a couple of hours today, and I found
19 things that I thought were hasty, incomplete, and
20 sometimes I thought inaccurate. Mainly with the
21 cove, and the rest of the island I don't know about.
22 I'm not even sure exactly how the draftee's plan is
23 going to go, but I am a sailor of considerable
24 experience, and I have real positive ideas about the
25 cove, and I will say them tonight.

PUBLIC HEARING

1 Am I speaking loudly enough? Slowly
2 enough?

3 Clipper Cove, in my view, is a very unique
4 sheet of water. It separates the two islands in a
5 very obvious way. Everybody who came here a little
6 earlier than I probably saw a small boat sailing out
7 there.

8 There is a marina planned for the
9 development, and it is apparently the apple of the
10 development authority's eye. It certainly would be,
11 and I am the first to agree that a marina is very
12 much in order for this part of the bay.

13 It's a central location. For all the
14 reasons that Clipper Cove is unique, a marina in
15 this area would also be unique. It would be, in my
16 view, a great tragedy to build a marina on such a
17 unique body of water. It's an obvious place to
18 build a marina, but if you think about how the
19 sailing which is presently taking place as we speak
20 on Clipper Cove is going to be eliminated by a
21 marina -- and it will be because of the wind
22 direction -- and the way it's used by sailing boats
23 of all sizes, that sailing will be a thing of the
24 past.

25 I attended a fundraiser for the Treasure

PH-1

PUBLIC HEARING

1 Island Sailing Foundation, and all of their slide
2 presentations showed activity in the water which
3 will be occupied by the marina.

4 It appears that the San Francisco No
5 Treasure Island Sailing Center Foundation is in
6 league with the developers of the marina, and they
7 are committed to supporting the marina, and they are
8 doing so.

9 My vision of this area, for the record, is
10 that the southern shore of Treasure Island should be
11 turned into a marina or park, and there should be a
12 good enough looking topography that you'd say, "I
13 want to take my family there and have a picnic. I
14 want to go there with my sweetie and hold hands."
15 If the buildings are kept the way they're said to be
16 kept, building number 1 and 180 were eliminated, you
17 could build an interesting land site there, which
18 would be covered, in my view.

19 In any case, if you could build a handsome
20 place there, those people in that park would look
21 across a stretch of water which would be filled with
22 small boat activity for a good share of each day,
23 and they would look at the north shore of Yerba
24 Buena Island, which is just as beautiful as Angel
25 Island, and this could be a jewel of a place.

PH-2

PUBLIC HEARING

1 Presently, when I drive down the causeway,
2 I see breathtaking views to the west across the city
3 across the Golden Gate, the Marin hills, it's a
4 spectacular view. When you look to the right, you
5 see Treasure Island, which is sorely in need of
6 help, and a little lagoon. And the lagoon is a
7 jewel, and I think could be kept that way. And I
8 think if it were, that it would be a real asset to
9 the community. Public access to the water via a
10 park and small boats sailing via something either
11 run by the public park or an independent franchise
12 maintained mainly roughly 40 to 50 boats of
13 different sizes using that water would be a
14 brilliant use of the area, in my view.

15 Additionally, to the east on Treasure
16 Island, I think the parking lot should be made
17 accessible to the water's edge so it would be a
18 launching area for major international activities
19 would come to San Francisco bay.

20 As a sailor, the uniqueness of this area
21 and the closeness to all wonderful sailing centers
22 is special. It's very special, and it should be
23 preserved in my view.

24 That concludes my comments. Thank you.

25 RON PLASEIED: Did we get any more comment

PH-2

PUBLIC HEARING

1 cards?

2 **RICHARD HANSEN:** My name is Richard
3 Hansen, and I'd like to request that the deadline be
4 extended by one month, until the 24th of July, to
5 prepare -- to provide people with additional
6 opportunity to read the recommendations and to make
7 a better assessment of what's coming.

8 I personally am disappointed that the
9 meeting is so poorly attended, and I'm disappointed
10 that the city could not make a more detailed
11 presentation as to what their plans could be, but it
12 seems to me it's an important topic that deserves
13 more time, more attention. So one month would be
14 helpful.

15 **RON PLASEIED:** Thank you. Any more? One
16 more?

17 **SUSAN DEVICO:** It's real quick. I'm Susan
18 DeVico. I'm a resident, and I wanted to echo the
19 sentiment of the gentleman that just spoke.
20 Residents did not have an understanding of the
21 importance of this meeting. I can tell you that as
22 someone who tries to stay abreast of the things
23 going on. I urge you -- this is a very digital
24 community -- to please post this online
25 electronically. You have a beautiful representation

PH-3

PH-4

PUBLIC HEARING

1 with maps and a PDF file, something that could be
2 download. We have a community bulletin board here.
3 I didn't see anything online about it at all. TIDA
4 and the Navy is well aware of that.

5 RON PLASEIED: Thank you. Any others?

6 Okay. Would anyone like to have any
7 follow-up questions comments or concerns? Okay.

8 DALE SMITH: I have one.

9 When the transfer of land to CalTrans took
10 place to facilitate the expansion of the east
11 extension of the Bay Bridge, does that remove it
12 from clean up?

13 RON PLASEIED: No.

14 DALE SMITH: This is kind of an
15 off-the-wall thing.

16 RON PLASEIED: The clean up
17 responsibilities for the areas which were backed by
18 that conveyance, the property is CalTrans property,
19 state property. The clean up responsibility still
20 rests with the Navy, and it's still a part of our
21 program.

22 We have to now do a little more
23 coordination with the state contractors, but we will
24 be doing that clean up.

25 Any more questions?

PH-4

PH-5

PUBLIC HEARING

1 Okay. If there's no more questions or
2 comments, again, thank you very much for your
3 attendance tonight. We are still actively seeking
4 any comments. We have until the 24th. Any comments
5 you have will be postmarked by the 24th to that
6 address.

7 Thank you very much. This concludes the
8 public hearing meeting. Have a great evening.

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1 **Response to Comments**

2 **Response to Comment PH-1 (Mr. Warwick Tompkins).** Please note that expansion of the
3 marina is considered only under alternatives 1 and 2, with a smaller expansion under
4 Alternative 1. The details of marina expansion and related shoreline development will be
5 determined in the final development plan by the designated property recipient.

6 **Response to Comment PH-2 (Mr. Warwick Tompkins).** Please see response to comment PH-1
7 above regarding changes to Clipper Cove.

8 **Response to Comment PH-3 (Mr. Richard Hansen).** Please see response to comment T-1
9 regarding an extension of the public comment period on the Draft EIS. The purpose of the
10 public meeting held on June 11, 2002, was to receive comments on the Draft EIS prepared by the
11 Navy for disposal of NSTI. Specific development plans for NSTI are part of a separate process
12 being conducted by the designated property recipient. TIDA is currently reviewing a detailed
13 Draft development plan for NSTI. This plan can be reviewed at the TIDA website
14 (www.ci.sf.ca.us/treasureisland).

15 **Response to Comment PH-4 (Ms. Susan DeVico).** Although the Draft EIS was not available
16 on-line, it was made available through a number of other means, including direct mailing and
17 area libraries.

18 **Response to Comment PH-5 (Mr. Dale Smith).** The Navy is responsible to complete all
19 remedial activities currently being pursued under CERCLA on property that was conveyed to
20 Caltrans for realignment of the SFOBB.

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