From:	Theroux, Debra M CIV OASN (EI&E), BRAC PMO West
To:	Cummins, John M CIV NAVFAC SW; McFadden, Patricia A CIV OASN (EI&E), BRAC PMO West; Kito, Melanie R CIV NAVFAC SW; Forman, Keith S CIV OASN (EI&E), BRAC PMO West; Callaway, Rex CIV NAVFAC SW; Larson, Elizabeth A CIV OASN (EI&E), BRAC PMO West
Cc:	Hill, John M CIV OASN (EI&E), BRAC PMO West; Bui, An H CIV OASN (EI&E), BRAC PMO West
Subject:	FW: FOSL - response to your questions
Date:	Wednesday, October 19, 2011 10:36:03 AM

Finally received feedback from SFRA regarding their need to lease Parcels B & G. Still don't agree that what they want is doable under a lease but we'll discuss.

-----Original Message-----
From: Amy Brownell [mailto:Amy.Brownell@sfdph.org]
Sent: Wednesday, October 19, 2011 9:30
To: Theroux, Debra M CIV OASN (EI&E), BRAC PMO West
Cc: Hill, John M CIV OASN (EI&E), BRAC PMO West; Tiffany Bohee; Wells Lawson
Subject: RE: FOSL - response to your questions

Deb:

thanks for your clarifying questions.

In response, we'd like to clarify that we are seeking to have these items added to a master FOSL for all property on Parcels B and G with the concept of having all future foreseeable possibilities covered in the FOSL. Then when we actually have a request to lease a certain property we could negotiate the actual details of what will be allowed in the lease. If the Navy, at the time we seek the lease, decides it can not allow a certain activity, for instance soil stockpiling on one side of one building, then you will be free to tell us, for the timeframe of the lease we are seeking, that soil stockpiling would interfere with your work so we can't do that activity, even though in concept it could have been permitted under the FOSL. We just want to be sure that the concept of all allowable activities is included in the FOSL so we don't ever have to go back and rewrite the FOSL. The specific time constrained leases can prohibit whatever you need to prohibit based on the site conditions at the time the lease is sought. Obviously, we will work with you if, for instance, our sole objective for a particular lease is to stockpile soil and make sure we find an area of the Parcels that will fit within the Navy's constraints.

So with that in mind:

Under A):

1. Soil stockpiling - Do you have a sense of the quantity of soil requested for stockpiling? Concern is that clean areas within the parcels are limited and the Navy would like to ensure enough flexibility exists to support ongoing Navy requirements.

ANSWER: the Navy will be free to limit the areal extent and the time period of any soil stockpiling at the time the lease is executed. We will follow whatever restrictions you list at the time the lease is executed. So when we come to you to ask permission to stockpile we will give you the quantity and time frame we are requesting and you can allow or deny or modify our request based on your site constraints at the time. We don't have any specific amounts in mind at this time.

2. Please identify the buildings proposed for retrofitting.

ANSWER: Based on the current draft of the Soil Vapor Intrusion Report, there are three one-acre areas on Parcel B and three one-acre areas on Parcel G that will have a VOC ARIC in place for the foreseeable future. The VOC ARICs are the only areas where we might be required to retrofit a building in order to lease it. Within these VOC ARICs, we are only interested in potentially leasing Buildings 302 and 439 on Parcel G in the future. So those are the only buildings that we might want to retrofit to meet the requirements of the VOC ARIC. Of course, we will only propose retrofitting if that is what is required to meet the VOC ARIC. If other alternatives to meet the VOC ARIC requirements are available that are less time-consuming or less costly then we probably won't propose retrofitting.

3. Demolishing of any building without a LIFOC in place is still something that Navy is taking a hard look at.

ANSWER: OK - we would like to be able to demolish buildings under a lease

Under B):

1. What kind of temporary utility systems would be required to be underground to maintain the current services or support the proposed activities sought to be authorized under this new agreement?

ANSWER: The types of utilities we might want to underground would be construction trailer power,water and telecommunications lines.

thanks,
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"Theroux, Debra M CIV OASN (EI&E), BRAC PMO West" <debra.theroux@navy.mil>
07/26/2011 08:03 AM

To "Amy Brownell" <Amy.Brownell@sfdph.org>, <Tiffany.Bohee@sfgov.org>

cc "Hill, John M CIV OASN (EI&E), BRAC PMO West" <john.m.hill@navy.mil>

Subject RE: FOSL - follow-up on previous emails

Tiffany and Amy,

Thanks for the background info on what the current leases allow. They do provide for a lot of flexibility for non-soil disturbing activities. After discussion with Counsel and Environmental staff, answers to a few questions will help Navy determine the necessary RE documentation required to support the City's request:

Under A):

1. Soil stockpiling - Do you have a sense of the quantity of soil requested for stockpiling? Concern is that clean areas within the parcels are limited and the Navy would like to ensure enough flexibility exists to support ongoing Navy requirements.

2. Please identify the buildings proposed for retro-fitting.

3. Demolishing of any building without a LIFOC in place is still something that that Navy is taking a hard look at.

Under B):

1. What kind of temporary utility systems would be required to be underground to maintain the current services or support the proposed activities sought to be authorized under this new agreement? I deleted this last sentence, feeling it is unnecessary for this email and perhaps negated by the City's response to this question.

Overall, Navy still needs to determine what RE document is appropriate for the requested actions. One that is compliant with regulations and existing DoD and Navy policies and guidelines. A FOSL can be prepared to support the scope of any interim lease or LIFOC with appropriate environmental protection provisions in place. If you'd like to have another phone call vice provide a written response just let us know.

R, Deb

-----Original Message-----
From: Amy Brownell [mailto:Amy.Brownell@sfdph.org]
Sent: Monday, June 27, 2011 13:12
To: Hill, John M CIV OASN (EI&E), BRAC PMO West; Theroux, Debra M CIV OASN (EI&E), BRAC PMO West
Cc: Kito, Melanie R CIV NAVFAC SW; Forman, Keith S CIV OASN (EI&E), BRAC PMO West; Dunn, Jacqueline E CIV NAVFAC SW, PACO; Leslie.Lundgren@CH2M.com; Tiffany Bohee; Andrea Bruss
Subject: Fw: FOSL - follow-up on previous emails

Hi John and Deb:

It was good to meet you John at HPS and glad you and Deb could make the tour with us.

As we mentioned, we want to continue moving the discussion forward on the issue of future leases for the base. I suggest that we plan on talking about this immediately after our big group conference call that is currently scheduled for Thursday, June 30 at 10 am. I'll set up a call-in number for us to use.

More background information for our discussion of FOSL and leases:

The bulleted list below in my first email was our laundry list of items we wanted the Navy to consider including in a new lease. We would like to work with you to refine the list to make it work for the Navy.

We looked at the existing lease and license documents on the base.

We have looked at the current Amended 2011 license for the entire Shipyard. Allowable activities under the license include (1) abatement, removal or remedying of lead based paint (LBP), asbestos containing materials (ACM), polychlorinated biphenyls (PCBs), and mercury switches, and (2) environmental testing, soil, geo-technical and/or infrastructure investigations, measurements and testing as reasonably required for the redevelopment, design, construction or permitting of the Hunters Point Naval Shipyard.

We have also looked at the current leases for Parcel B artists and Bldg 606. Allowable activities within this lease include operation, maintenance and repair of the following building systems and appurtenances: structural (including roof); fencing; plumbing; electrical; heating and cooling systems; exterior utility systems (including fire hydrants and mains); pavement and grounds maintenance (including grass cutting, shrub trimming and tree removal); pest and weed control; security and fire protection within Leased Premises; refuse collection, removal and disposal; and utilities maintenance necessary for the protection of Leased Premises. This covers work that is required to to assure weather tightness, structural stability (excluding any seismic retrofit and/or modification to foundations resulting from extraordinary natural occurrences such as earthquakes and landslides), protection from fire hazards or erosion, and elimination of safety and health hazards. Also, the Agency is responsible for the repair and maintenance of all utility systems, distribution lines, connections and equipment to the extent such repair and maintenance does not require excavation or otherwise disturbance of the soil. These systems include but are not limited to: heating plants, steam lines, traps, transformers, substations, power distribution lines (overhead and underground), poles, towers, gas mains, water and sewage mains, water tanks, fire protection systems, hydrants, lift stations, manholes, isolation valves, meters, storm water systems and catch basins.

So we are interested in the Navy, at a minimum, finishing the FOSL for Parcels B and G so that all the buildings on Parcels B and G can be leased and allow the same activities that are already allowed in the current leases for the artist buildings and police.

In addition, we would like to discuss two categories of items, that are not already included in the existing leases, that I have copied and reorganized from my bulleted list below

A) Using the property and buildings without disturbing soil
stockpiling imported soil that meets import criteria or is imported from Parcel A
demolishing buildings excluding foundations
leasing buildings in a VOC ARIC understanding that we would be responsible for any required retrofit to the building in order to meet the requirements of the VOC ARIC

B) Maintaining tenants and property and having to disturb small amounts of soil - Assume that lease would include Risk Management Plan protocols for disturbing soil. Activities would be:
digging and installing temporary utilities to service existing tenants
digging and installing temporary utilities to service construction uses - like on-site trailers

Please note - we have decided that we no longer need to have these three activities included in future leases

demolishing foundations
moving soil around on site - including grading activities
installing permanent utilities

thanks,
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----- Forwarded by Amy Brownell/DPH/SFGOV on 06/24/2011 11:33 AM -----

Amy Brownell/DPH/SFGOV
06/06/2011 11:50 AM

To
melanie.kito@navy.mil, keith.s.forman@navy.mil, jacqueline.dunn@navy.mil, Leslie.Lundgren@CH2M.com

cc
Andrea Bruss/MAYOR/SFGOV@SFGOV, cnglenn@treadwellrollo.com, dcshipman@treadwellrollo.com, drathnayake@mactec.com, DRSmallbeck@mactec.com, JAustin@Geosyntec.com, JJFenton@mactec.com, RBrandt@Geosyntec.com, sreinis@treadwellrollo.com, stephen.proud@lennar.com, Suzanne.Hudson@lennar.com, Tiffany

Bohee/MAYOR/SFGOV@SFGOV, Wells
Lawson/MAYOR/SFGOV@SFGOV
Subject
Re: FOSL - follow-up on previous
emails(Document link: Amy Brownell)

Melanie, Keith, and Jackie:

Following up from Tiffany and John's conversation this morning, let me know if you have any questions about my email below and the need for B&G FOSL to continue moving forward so that it can be finalized prior to or at the same time as the EIS.

Also would like to continue moving forward with FOSLs for any other parcels where the writing of FOSL can provide opportunities for moving the project forward - UC-1, UC-2, UC-3, D-1, C, inland E area?

look forward to discussing further

thanks,
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Amy
Brownell/DPH/SFGO
V
04/15/2011 11:15
AM

To
melanie.kito@navy.mil,
keith.s.forman@navy.mil,
Leslie.Lundgren@CH2M.com,
Jacqueline E Dunn

cc
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Subject

FOSL - follow-up on previous emails

Hi Melanie:

As stated before, we would like the FOSL to allow maximum use, subject to restrictions for areas of active remediation or areas with additional use restrictions (e.g. final VOC ARICs)

at the time the lease document is written for a specific building or a particular area - the Navy can always add additional restrictions because of new information or a particular cleanup/closure activity that they are undertaking

We are particularly interested in being able to lease existing buildings for commercial uses. We notice that occupancy of structures in your current draft B & G FOSL is prohibited - we are specifically asking for that prohibition to be deleted.

1) Already allowed if written into a license - request that continue to be allowed under any new license or lease

lead and asbestos abatement

This is our complete wish list - I understand that we may be pushing the limits on some of these items - we would at least like to talk about the land disturbing activity items and see if possible.

2) Activities that we request be allowed under any new lease

leasing buildings for commercial uses - understand and accept that there might be extra requirements in any VOC ARIC
interior upgrades (tenant improvements)
exterior upgrades - fixing windows, rebuilding stairs that have been removed, etc.
demolishing buildings
demolishing foundations
moving soil around on site - including grading activities
stockpiling imported soil that meets import criteria or is imported from Parcel A
digging and installing temporary utilities to service existing tenants
digging and installing temporary utilities to service construction uses - like on-site trailers
installing permanent utilities

thanks,

amy