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April 21, 2000

Commanding Officer
Naval Facilities Engineering Command
Department of the Navy Southwest Division
1220 Pacific Highway
San Diego, California 92132-5190
Attn: Richard Mach
BRAC Environmental Coordinator
Hunters Point Shipyard

Re: Comments on the Draft Final Protective Soil Concentrations
Technical Memorandum, Parcel E, Hunters Point Shipyard, San
Francisco, California

Dear Mr. Mach:

Enclosed are comments from Lennar/BVHP Partners on the Draft Final Protective Soil Concentrations Technical Memorandum, Parcel E, Hunters Point Shipyard, San Francisco, California.

Please call me at (415) 774-2946 if you have any questions.

Very truly yours,



M. Elizabeth McDaniel

for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

Enclosures

SF:FEM/LET/WBB/61199512.1

cc: Mr. William Radzevich, Code 6229
Elaine Warren, Esq.
Rona Sandler, Esq.
Ms. Amy Brownell
Mr. Jessie Blout
Mr. Roy Willis

April 21, 2000

LENNAR/BVHP COMMENTS ON THE DRAFT FINAL VALIDATION
STUDY AND DRAFT FINAL PROTECTIVE SOIL CONCENTRATIONS
TECHNICAL MEMORANDUM, PARCEL E, HUNTERS POINT
SHIPYARD, SAN FRANCISCO, CALIFORNIA

Review of the subject documents indicates that the Navy has evaluated ecological risks to terrestrial receptors and identified ecologically protective soil concentrations (PSCs) for six metals (cadmium, copper, lead, nickel, selenium, and zinc) that were determined to pose potential risk to these receptors. We understand that risk management decisions and remedial alternatives will be further evaluated by the Navy in its upcoming feasibility study for Parcel E, and that the PSCs will be used to help define cleanup goals. We appreciate the extensive efforts that the Navy has devoted to addressing ecological risks at Parcel E, and our review of the documents indicates that the Navy's approach and methodology are technically sound. However, we have some remaining concerns and questions, which are discussed below.

The development of PSCs did not consider wetland-affiliated ecological receptors. Given the presence of waterfowl and shorebird foraging habitat on site (i.e., the seasonal wetland) and the City of San Francisco's Redevelopment Plan, which shows wetlands at Parcel E, an estimation of ecological risk that addresses only terrestrial receptors is inadequate. The Navy's response to the California Department of Fish and Game's (DFG) comment on this subject was that the onsite seasonal wetland is of marginal quality, and therefore the PSCs were "...considered by the risk management team to be appropriate for wetland habitat areas". This response lacks scientific merit given the differences in exposure factors between terrestrial and wetland receptors, and furthermore does not adequately consider the wetlands that are to be created pursuant to the Redevelopment Plan. The Navy should at a minimum run its dose calculations using appropriate exposure factors and Toxicity Reference Values for shorebirds and waterfowl, especially piscivorous species, and back-calculate PSCs for these receptors accordingly. In order to fully evaluate risks and set cleanup goals protective of the full range of ecological receptors that may be exposed to Parcel E soils under future land uses, the Navy should also consider potential risks to benthic invertebrate communities, fish, and marine mammals.

The development of PSCs also failed to consider the potential for migration of contaminants to the offshore aquatic environment, either in stormwater runoff or via groundwater. Parcel E is immediately adjacent to the most extensive shorebird foraging habitat on the San Francisco shoreline. Additionally, the waters immediately offshore are

utilized by large numbers of piscivorous birds, including the endangered California brown pelican. In its response to the DFG's comment on this subject, the Navy responded that potential contaminant impacts from surface and groundwater in "selected areas at Parcel E" will be evaluated in the FS. The Navy should identify these areas, the rationale for their inclusion in the analysis, and the rationale for exclusion of other areas.

Soil and tissue sampling data presented in the Draft Final Validation Study indicate elevated chemical concentrations at one sampling station (IR01SW2) located at the toe of a berm in IR-01/21. Most notably, lead was detected in soil at a concentration of 6,200 mg/kg, and in reptile tissue at 274 mg/kg; total PCBs were detected in soil at a concentration of 2,129 $\mu\text{g}/\text{kg}$. We are concerned that the Navy has apparently not characterized the nature and extent of contamination in berm soils. The berm is contiguous with the seasonal wetland and adjacent to extensive shorebird and waterfowl foraging habitat in the South Basin. Furthermore, the area is proposed for open space under the City's current redevelopment plan, a land use involving high potential for human exposure and continued ecological exposure. Further sampling should be conducted to better characterize the berm area prior to the evaluation of remedial alternatives in the FS. If further sampling is infeasible, the FS should recommend removal of the berm to protect human and ecological health under current and future land use scenarios.