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OUR FILE NUMBER

WBB-65622

December 18, 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

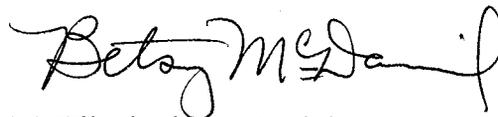
Re: Lennar/BVHP Comments on "Groundwater Beneficial Use
Evaluation for Parcels C, D and E, Hunters Point Shipyard, San
Francisco, California"

Dear Mr. Mach:

Enclosed are comments from Lennar/BVHP Partners on the "Groundwater
Beneficial Use Evaluation for Parcels C, D and 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

Enclosure

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LENNAR /BVHP COMMENTS ON "Groundwater Beneficial Use Evaluation for Parcels C, D and E, Hunters Point Shipyard, San Francisco, California"

The following are Lennar/BVHP Partners' comments on the above-referenced document.

1. The Navy uses the highest historical TDS concentration to represent site conditions. It would be likely more representative of long term future site conditions and certainly more conservative to use the opposite approach and use the lowest concentration data point. The Lennar/BVHP team believes that using the lowest measured TDS value would yield an appropriate analysis as the TDS concentration is likely to decrease with time. This is likely to occur as sewer lines are repaired, the pumping of site groundwater is decreased, and the movement of saltwater onto the site through the existing leaky sewers is eliminated (either through the Navy's actions or the developer's as the site is developed). As the repairs are made and the groundwater pumping decreased, the existing groundwater gradients that are inward (from the Bay onto Hunters Point) will reverse, and change to outward (towards the Bay) across the entire base. This should result in an overall decrease in TDS at the site with time as fresh water migrates through these areas. We ask that the Navy create a comparative analysis using this methodology (posting and contouring of the lowest TDS concentrations) to assess whether it would significantly change the interpretation.
2. Many of the TDS data points that the Navy is relying upon to represent TDS contours were collected during 1990/1991 and have not been re-validated by current sampling results. In addition, many of the locations have been sampled only once, and may not be representative of actual conditions at the particular location as there are no other data with which to compare the result. Lastly, several well samples exhibited the highest concentration that was not consistent with the historical TDS concentration range for that well (for example see wells IR06MW45A, IR28MW122A, and IR58MW31A). The Navy states in its submittal that additional A aquifer TDS data collection is proposed to be part of its Phase II data gaps groundwater sampling. To address the above stated concerns, we propose that Navy re-sample wells that are currently represented by only 1 data point, are only represented by older 1990/1991 data, or where the data point used in its contouring is not consistent with the historical range for that well.
3. The Navy has improperly quoted the Regional Water Quality Control Board resolution 88-63. The Navy's letter implies that groundwater may not be considered potentially suitable for municipal or domestic supply based solely upon the expectation by Regional Boards for the groundwater to supply a water system.

The accurate quote from resolution 88-63 is:

"a. The total dissolved solids (TDS) exceed 3,000 mg/L (5,000 uS/cm, electrical conductivity) and it is not reasonably expected by Regional Boards to supply a public water system, or ..."

In other words, in order to disqualify a groundwater resource from beneficial use under Resolution 88-63, both conditions must be met before the groundwater can be considered non-suitable or potentially non-suitable for municipal or domestic supply.

4. The Navy's Figure 2 "Areas Assumed to Meet State and Federal TDS Criteria in A-Aquifer Groundwater" misrepresents the extent of TDS. In several instances on Parcels C, D, and especially on Parcel E, the Navy has without technical justification moved the boundary between areas that "do not meet Federal or State criteria" and "meets only Federal Criteria" too far inland. The Navy's interpretation is not practical or reasonable and the Navy should either adjust these boundary lines to more accurately represent the data or eliminate Figure 2 from its report.