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**To:** [Wallace J. Lee](#)  
**Bcc:** [abrooks.portside@gmail.com](mailto:abrooks.portside@gmail.com)  
**Subject:** CEQA Appeal Hearing June 25 and Other Nav Center Updates  
**Date:** Wednesday, June 19, 2019 11:47:14 PM  
**Attachments:** [image.png](#)

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## **1. Board of Supervisors CEQA Appeal Hearing**

The Board of Supervisors will be hearing Safe Embarcadero for All and Portside HOA's CEQA appeals next week:

Tuesday, **June 25, 2019 at 3:00 P.M.**

Legislative Chamber, Room 250

[City Hall, 1 Dr. Carlton B. Goodlett Place](#)

Although the Board of Supervisors is expected to vote against the appeal, here are some reasons why you may still want to show up for public comment:

(1) It's your last chance to vent about the Navigation Center (keep reading below to see new reasons to vent!)

(2) Address the Board of Supervisors directly

(3) Address Matt Haney directly—call him out for breaking his already-meager promise not to support the Embarcadero Navigation Center unless the Mayor first proposed another site outside of District 6

(4) Make sure the City knows that we care about our community—break the perception that we are political nobodies because we traditionally have low voter turnout and rarely make noise at City Hall.

The CEQA appeal is on the special order calendar, meaning that it will start at 3 PM regardless of the progress the BOS makes on other agenda items. Arrive before 3:30 P.M. and you'll almost certainly be in time for public comment.

## **2. The City's CEQA Response is a Blessing in Disguise**

Although the CEQA appeal is limited to CEQA issues, the City couldn't resist the opportunity to use its [CEQA response](#) to overplay its hand. As you know, the Port's counsel previously agreed with Safe Embarcadero for All's position that the Port must obtain State Lands Commission approval on the lease of Seawall Lot 330. A letter from the Port, attached to the [CEQA response](#), takes a complete 180, suddenly asserting that it has the authority to enter into the lease without seeking approval.

SEFA's litigation counsel says that the Port's decision to cut the State Lands Commission out gives us a strong argument in court that the City is taking illegal shortcuts, with the likely result of getting months of delay on the project before even getting to our other arguments. It also gives SEFA a good reason to bring the lawsuit in Sacramento County, rather than in San Francisco, where the City doesn't have a hometown advantage.

The City's CEQA response also makes a number of other curious arguments, like saying that the project does not need to go through the typical Waterfront design review process because the project size is under ½ acre—even though the City

admits several times elsewhere in the same document that the project size is over one acre.

### **3. Recently-Disclosed Internal Documents Confirm Navigation Centers are Bad Neighbors**

Back in March, City officials were tripping over each other to tell us what an asset Navigation Centers are for the surrounding community. But a recently-disclosed internal email shows that HSH Director Kositsky was at the same time, in his own words, “getting a great deal of complaints about tents” cropping up around the Division Circle Navigation Center. He admitted that “we need to do a better job of complying with our good neighbor policy.” If you’ve been to Division Circle recently, you’ve seen that HSH hasn’t made much progress in being a better neighbor.

-----Original Message-----

From: Kositsky, Jeff (HOM) <jeff.kositsky@sfgov.org>

Sent: Monday, March 25, 2019 2:12 PM

To: Walton, Scott (HOM) <Scott.Walton@sfgov.org>; Abbott, Kerry (HOM) <kerry.abbott@sfgov.org>; Marshall, Kaki (HOM) <kaki.marshall@sfgov.org>

Subject: 13th and south van ness

I'm getting a great deal of complaints about tents in this area. Can you please Have HSOC handle this today or tomorrow. Also, we need to do a better job of complying with our good neighbor policy in the area. Scott can you please talk to Saint Vincent de Paul about this and coordinate with Kaki so that the hot team and HSOC and the police fulfill our commitment to the neighborhood. Thank you very much

Sent from my iPhone

If you want to see more examples of Navigation Centers being bad neighbors in just the last few months, click [here](#). Highlights include:

- A guest kicked out of the Bayshore Navigation Center set up camp with others next door. A fire from his tent caused damage to the neighboring small business. The business owner also complained that his employees were threatened with weapons.
- HSH directed that a camper set up behind the Bryant Navigation Center should not be removed because "she is very mentally ill."
- A former Dogpatch Navigation Center guest pitched a tent around the corner and used the tent as a drug den for current guests. After Navigation Center staff complained to the City that the tent was still there after reporting it, they were told to complain again four days later if the tent was still there.
- Debris being piled up next to the Bryant Navigation Center so that people could climb over the fence.

### **4. Incident Reports Show 911 Calls Will Be a Daily Occurrence at Embarcadero Navigation Center**

The City has also disclosed a series of hundreds of “Critical Incident Reports” from the last six months arising from existing Navigation Centers. Those CIRs report deaths, overdoses and other calls for emergency services. The Bryant Navigation Center, which has an 84-bed capacity, generated 17 calls for police or paramedics in April (the last full month for which the City has released the reports). In the same month, the Division Circle Navigation Center, with a capacity of 126 beds, generated 23 calls. At those rates, a 200-bed Navigation Center can be expected to generate up to 40 calls a month! Or more than one per day. How will that affect traffic on the busy Embarcadero? How will it affect the already-stretched first responders in our

area? It is no surprise that even Supervisor Haney says “[with the new Nav Center coming, we will need to expand staffing and services at \[Station 8\].](#)” But is the needed expansion happening?

### **5. Contribute to Safe Embarcadero for All**

The community’s continued financial support is needed to fund the next steps of the legal challenge. The CEQA appeal is only the first step. In addition to pursuing CEQA litigation, SEFA will also be challenging the cut-price sweetheart lease the Port gave the City at the expense of taxpayers.

Please send contributions by check to:

Peter Prows  
Briscoe Ivester & Bazel LLP  
155 Sansome Street, Seventh Floor  
San Francisco, CA 94104

Checks should be made out to Briscoe Ivester & Bazel LLP with “SEFA” on the memo line. Please also email [info@safeembarcaderoforall.org](mailto:info@safeembarcaderoforall.org) when you send your check so that SEFA can make sure it is received.

Updates from Safe Embarcadero for All will be posted to the Safe Embarcadero for All website: <https://safeembarcaderoforall.org>.

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If you were forwarded this email, please email me ([wajlee@gmail.com](mailto:wajlee@gmail.com)) if you would like to receive future updates. Please also let me know if you don't want any more emails.