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## The Breathers of Bayview Hill: Redevelopment and Environmental Justice in Southeast San Francisco

By Lindsey Dillon\*

### Toxic Tour

The bus idled on a hilly residential street overlooking the Hunters Point Naval Shipyard—an irregularly shaped expanse of largely man-made land, extending into the San Francisco Bay from the southeastern edge of the city. It was a clear day in February 2015. Staff members from the city of San Francisco’s environmental, health, and public works departments and a few employees from the development company, Lennar Inc., emptied out into the street for a better view of the United States Navy’s old dry docks, where mid-century shipyard workers had built and repaired large warships. Beyond the dry docks stood a staunch row of Lennar’s new condominiums. The Navy closed the shipyard in 1974, leaving land polluted by industrial warship-building and radioactive waste from a nuclear defense laboratory.<sup>1</sup> Today the Navy is remediating the Hunters Point Shipyard, while Lennar seeks to transform it into a landscape of expensive, LEED-certified townhomes, offices, and waterfront parks.<sup>2</sup> Residents from the Bayview-Hunters Point neighborhood, which surrounds the shipyard, have challenged various aspects of this large, market-led redevelopment project for nearly two decades, in part by calling attention to the health hazards of toxic cleanup and the gentrifying effects of an upscale development project in this historically marginalized area of the city.<sup>3</sup>

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1. Lisa Davis, *Fallout: The Past is Present: The Nuclear Witness*. SF WEEKLY (Jul. 31, 2002), <https://archives.sfweekly.com/sanfrancisco/fallout-the-past-is-present/Content?id=2145516> [<https://perma.cc/F6PS-QPMC>].

2. *Hunters Point Shipyard and Candlestick Point Project Area*, CITY & CTY. OF SAN FRANCISCO OFFICE OF CMTY. INV. & INFRASTRUCTURE, <http://sfocii.org/hunters-point-shipyard-and-candlestick-point> [<https://perma.cc/Z5CA-GYB2>]; *The Shipyard/Candlestick Point*, U.S. GREEN BLDG. COUNCIL, <https://www.usgbc.org/projects/shipyardcandlestick-point> [<https://perma.cc/K9NY-VACK>].

3. Daphne Matziaraki, *The San Francisco Shipyard: Who Will Live in San Francisco’s New Town*, KAWL (June 10, 2014), <http://kalw.org/post/san-francisco-shipyard-who-will-live-san-francisco-s-new-town#stream/0> [<https://perma.cc/GK6XNEUL>]; Jane Kay, *Feds Will Check on Bayview Asbestos: Neighbors’ Complaints Prompt Examination of Airborne Dust*, SFGATE (Aug. 3, 2007), <https://www.sfgate.com/bayarea/article/Feds-will-check-on-Bayview-asbestos-Neighbors-2526842.php>; Lindsey Dillon, *Redevelopment and the Politics of Place in Bayview-Hunters Point*, INST. FOR THE STUDY OF SOC. CHANGE WORKING PAPERS (Aug. 2, 2011), <https://escholarship.org/content/qt9s15b9r2/qt9s15b9r2.pdf> [<https://perma.cc/PA7Y-CMZ7>].

The Hunters Point shipyard was one stop along a longer “toxic tour” of Bayview-Hunters Point that day.<sup>4</sup> Led by two African American activists, the tour was organized in the aftermath of a successful campaign to stop Lennar from demolishing Candlestick Stadium by exploding it.<sup>5</sup> The former stadium property (it has since been manually torn down) is adjacent to the shipyard, and currently part of Lennar’s 700-acre redevelopment project.<sup>6</sup> According to an addendum to the Environmental Impact Report (EIR) for Candlestick Point, released by the San Francisco Planning Department in September 2014, the explosion would have only minimally affected the health of local residents.<sup>7</sup> The campaign against the explosion, led by the Bayview Hill Neighborhood Association, with help from Golden Gate University’s Environmental Justice Law Clinic, challenged this assessment, arguing that the explosion posed an unacceptable health risk for local residents, who have long borne the toxic burden of San Francisco’s urban economy.<sup>8</sup>

This article situates the Bayview Hill Neighborhood Association’s campaign within a longer struggle against airborne redevelopment dust since Lennar’s construction began on the shipyard in 2006. While the development company and city agencies typically portray construction dust problems as anomalous, technical issues, many residents experience redevelopment dust as a form of environmental racism, and part of a longer history of Black marginality in San Francisco. In the winter months of 2014-15, some residents also connected the threat of the stadium explosion with the Black Lives Matter movement, and the political significance and resonance of Eric Garner’s last words at the hands of a police officer: “I can’t breathe.”<sup>9</sup> Building from this connection, I suggest urban breathing space is a political site from which activists seek to challenge and reconfigure urban geographies of racism in the United States today.

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4. Toxic tours are activist strategies intended to make visible forms of pollution and risk that are often invisibilized, and which is often linked to the marginalization of the place and the people affected by pollution. According to Pezzullo, toxic tours differ “from the more institutionalized tours of toxic sites by drawing on discourses of uncertainty and contamination, of social justice and the need for cultural change.” See Phaedra C. Pezzullo, *Toxic tourism: Rhetorics of pollution, travel, and environmental justice*. UNIV. OF ALA. PRESS, 2009.

5. The technical term is “structural implosion.” Matier & Ross, *Candlestick to Get a Smashing Farewell*, SFGATE (Feb. 2, 2013), <https://www.sfgate.com/bayarea/matier-ross/article/Candlestick-to-get-a-smashing-farewell-4247560.php> [<https://perma.cc/M5QL-LZ4T>].

6. *Hunters Point*, *supra* note 2.

7. ENVTL IMPACT REPORT, SAN FRANCISCO PLANNING DEP’T, Addendum 3 (Sep. 19, 2014) [http://sfmea.sfplanning.org/2007.0946E\\_Add3.pdf](http://sfmea.sfplanning.org/2007.0946E_Add3.pdf) [<https://perma.cc/J75Y-AM4Y>].

8. Tim Redmond, *Kaboom! The Plan to Blow Up Candlestick—and the Health Impacts on the Neighborhood*, 48HILLS (Jan. 6, 2015), <https://48hills.org/2015/01/kaboom-the-plan-to-blow-up-candlestick/> [<https://perma.cc/D7DT-WQTL>].

9. Lindsey Dillon & Julie Sze, *Police Powers and Particulate Matters: Environmental Justice and the Spatialities of Insecurities in US Cities*, 54 ENGLISH LANGUAGE NOTES 1, 13–22 (2016).

## Organizing for Environmental and Health Justice in Bayview Hunters Point

Bayview-Hunters Point is a mixed industrial and residential neighborhood in the southeast corner of San Francisco. The area has a rich history of Black political activism, one in which women have played a strong leadership role.<sup>10</sup> A cadre of women dubbed “the Big Five,” who grew to prominence as political activists during President Lyndon B. Johnson’s War on Poverty, are legendary figures in the neighborhood, and their names are now etched onto the local landscape.<sup>11</sup>

During the 1960s and 1970s, the Big Five and other neighborhood activists advocated for affordable housing, better infrastructure, and job opportunities in a neighborhood racially segregated by a history of discriminatory urban planning. Bayview-Hunters Point was increasingly impoverished by demobilization at the shipyard—which closed in 1974, but had been the city’s largest industrial employer—and by deindustrialization and the loss of blue collar jobs in the city more generally.<sup>12</sup> Activists also linked campaigns for better housing and more jobs with health care issues through the federally-funded Hunters Point-Bayview Community Health Service, which started in 1967.<sup>13</sup> Prefiguring the environmental justice movement, which emerged in the 1980s, the Community Health Service defined “health” in broad, social terms, looking for the “root causes” of sick bodies, such as racial inequalities.<sup>14</sup>

During the late 1970s, community health concerns in Bayview-Hunters Point became more directly linked to changes in the built environment, as emphasized in protests against the expansion of the Southeast Sewage Treatment plant. In the 1990s and 2000s a new generation of activists successfully fought to prevent the building of a new power plant in the area, and ultimately to close the existing

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10. These include political activism around civil rights, affordable housing, employment opportunities, health care, and environmental justice, as a few examples.

11. See, for example, the Ruth Williams Memorial Theater at the Bayview Opera House, and Westbrook Plaza Health Center and Housing Complex, named for Eloise Westbrook; see also Rachel Brahinsky, *Race and the Making of Southeast San Francisco: Towards a Theory of Race-Class*, 46 ANTIPODE 46 1258–1276 (2014).

12. *Hunters Point Naval Shipyard, Economic Re-use Study*, San Francisco Mayor’s Office of Econ. Dev. (Dec. 1973); Arthur D. Little, *Commercial and Industrial Activity in San Francisco: Present Characteristics and Future Trends* (1975).

13. *Hunters Point-Bayview Community Health Service News*, SAN FRANCISCO DEP’T OF PUB. HEALTH.

14. For example, according to an article in the first issue of the *Hunters Point-Bayview Community Health Service News*, “What as a matter of fact, constitutes health services? Do we arbitrarily limit ourselves to fixing teeth, healing sick bodies and the like? Or do we perhaps try to get at the root causes of sickness and try to eradicate these causes.” Thinking through the causes of a young man’s depression, the article asks, “What kind of education did he receive?” and “How did his life differ from that of his white contemporary in the Richmond?”; see Arthur Coleman, *The Hunters Point-Bayview Community Health Service*, 1 SAN FRANCISCO DEP’T OF PUB. HEALTH (Aug./Sept. 1969).

Hunters Point power plant.<sup>15</sup> This legacy of struggle for environmental and racial justice informs today's protests against redevelopment dust at the Hunters Point Shipyard.

### The Dust of Redevelopment

Toxic remediation and urban redevelopment are large, earth-moving operations. Since 2006, hundreds of thousands of cubic yards of soil have been excavated and removed from the Hunters Point Shipyard as part of cleanup efforts, some of which has been radioactive waste.<sup>16</sup> As contaminated soil is trucked out, uncontaminated soil is brought in as backfill. This soil transfer is facilitated by large diesel trucks, which drive through parts of the Bayview-Hunters Point neighborhood that include low-income public housing developments. These and other redevelopment activities generate a significant amount of airborne particulate matter.<sup>17</sup> Lennar's dust mitigation plan for its construction work includes wheel washing stations, inspections of vehicles, air monitoring, and wash-downs of large dirt piles to tamp the dirt down and prevent it from blowing away.<sup>18</sup> Redevelopment dust from the Hunters Point Shipyard is particularly worrisome because the bedrock in this area contains serpentinite rock, which has naturally

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15. Clifford Rechtschaffen, *Fighting Back Against a Power Plant: Some Lessons From the Legal and Organizing Efforts of the Bayview-Hunters Point Community*, 14 HASTINGS W.-NW. J. ENV'T L. & POL'Y 537 (2008).

16. *Third Five-Year Review of Remedial Actions*, U.S. NAVY (2013), [https://www.bracpmo.navy.mil/content/dam/bracpmo/california/former\\_naval\\_shipyard\\_hunters\\_point/pdfs/all\\_documents/environmental\\_documents/basewide/hps\\_201311\\_3rd\\_5\\_yr.pdf](https://www.bracpmo.navy.mil/content/dam/bracpmo/california/former_naval_shipyard_hunters_point/pdfs/all_documents/environmental_documents/basewide/hps_201311_3rd_5_yr.pdf) [<https://perma.cc/LL4L-PNZC>].

17. Peter Fimrite, *Housing Blooms at Once-Toxic Hunters Point Shipyard Site*, S.F. CHRON. (June 8, 2015), <https://www.sfchronicle.com/science/article/Housing-blooms-at-last-at-once-toxic-Hunters-6314858.php> [<https://perma.cc/9F4K-MVNS>]; Sarah Phelan, *Lennar's Lawsuits*, S.F. BAY GUARDIAN (July 29, 2008), <http://sfbgarchive.48hills.org/sfbgarchive/2008/07/29/lennars-lawsuits/> [<https://perma.cc/6GZS-BMHK>]; and Marie Harrison & Eric Brooks, *Getting the Facts Straight About Lennar's Environmental Violations*, SAN FRANCISCO EXAMINER (Nov. 20, 2016), <http://www.sfexaminer.com/getting-facts-straight-lennars-environmental-violations/> [<https://perma.cc/GXT6-6WAY>].

18. *Revised Dust Control Plan Parcel A' Phase I Development, Hunters Point Shipyard* (Feb. 2007), [http://mission.sfgov.org/oca\\_bid\\_attachments/FA28085.pdf](http://mission.sfgov.org/oca_bid_attachments/FA28085.pdf) [<https://perma.cc/BQ9B-PTCW>].

occurring asbestos.<sup>19</sup> Naturally-occurring asbestos only becomes toxic through erosion and construction activities, which makes it airborne and inhalable.<sup>20</sup>

Bayview-Hunters Point residents have raised health concerns about redevelopment dust since 2006, when Lennar began grading hillsides in preparation for its new condominiums.<sup>21</sup> Between 2006 and 2007, residents living near the shipyard reported a myriad of health problems from breathing Lennar's construction dust.<sup>22</sup> At the same time, the asbestos monitors operated by a company subcontracted by Lennar repeatedly malfunctioned.<sup>23</sup> According to later findings by the California Department of Public Health ("CDPH"), the asbestos monitors were not even certified for fence line monitoring. Rather, they were designed for "personal/breathing zone monitoring, plant walk-through surveys, remediation site worker exposure monitoring, and indoor air quality."<sup>24</sup> The report also notes that while there were complaints about dust from the beginning, there was no asbestos monitoring data available for the few first months of grading, due to operator error and equipment malfunctions.

During this time, public environmental meetings on the shipyard were packed with residents concerned about dust exposure. Although the Bay Area Air Quality Management District ("BAAQMD") issued Lennar a fine, later health studies by state agencies concluded that the dust exposures did not put nearby residents at harm.<sup>25</sup> The CDPH report, for example, found that "a seven year exposure to the levels of asbestos measured around the excavation was estimated to have risks that, on a personal level, would be considered low," even as it also acknowledged that it was "not able to interpret whether dust exposures in the community occurred that would explain some of the community health complaints such as headaches, bloody noses, adult onset asthma, respiratory symptoms, nausea and vomiting."<sup>26</sup> In short, the report focuses on the risk of asbestos specifically, not the potential health risks of construction dust in general. The CDPH report did not take cumulative or possible synergistic impacts into consideration.<sup>27</sup>

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19. Construction also requires Asbestos Monitoring Plans. For Lennar's Dust Mitigation Plan at Hunters Point, see <https://www.sfdph.org/dph/files/EHSdocs/ehsHuntersPointdoc/BAAQMDADMPRINNOA0023.pdf> [<https://perma.cc/ZM7U-JTLU>] (Aug. 4, 2009). For the most recent dust and asbestos plans at Candlestick, see San Francisco Office of Comty. Investment and Infrastructure, <http://sfocii.org/candlestick-point-hunters-point-shipyard#Dust%20Control> [<https://perma.cc/7A2B-ASWJ>].

20. Letter to Captain Susan L. Muza, Agency for Toxic Substances and Disease Registry, Cal. Dep't of Pub. Health (Sep. 10, 2007), <https://www.sfdph.org/dph/files/EHSdocs/ehsHuntersPointdoc/HPCDPHltr.pdf> [<https://perma.cc/3JTP-RSQA>].

21. *Id.* (Specifically at Parcel A, an area of the shipyard that had been designated "clean" and transferred to the development company for redevelopment).

22. *Id.*

23. *Id.*

24. *Id.*

25. Cal. Dep't of Pub. Health, *supra* note 20.

26. *Id.* at 4 (The next line reads, "we recommend using dust monitors that have been certified for fence line monitoring.").

27. Bd. of Educ. Res. 79-25A1, First Reading of Suspension of Rules, Reg. Mtg. (2007). The San Francisco School Board noted this in adopting a resolution, noting "in

Residents' experiences of health problems, combined with inadequate air quality monitoring, reinforced for many residents a feeling of disposability and the sense that their lives were put at risk for a development project that was "not for them."<sup>28</sup> Concerns about construction dust continued beyond 2007. Between 2011 and 2013, I attended monthly public meetings led by the U.S. Navy on environmental remediation work at the shipyard. The U.S. Navy is not responsible for Lennar's construction dust. However, its monthly meetings had the effect of providing a public space in which residents could voice health concerns about the activity on the shipyard in general.<sup>29</sup> Construction dust had remained an ongoing problem, and residents often raised concerns about "exceedences" of air quality health standards.<sup>30</sup> "How does an average citizen find out about the daily exceedence from the shipyard construction?" one woman wanted to know at a meeting in January 2011. She continued by saying that Lennar's work was "killing people" and these were "crimes against humanity."<sup>31</sup> For many residents I spoke with, construction dust was a form of racial violence. At that same meeting another woman drew connections between the hazards of toxic cleanup with "the previous generation's" exposure to industrial workplace hazards on the Hunters Point shipyard. As another long-time resident and community activist had told me over the phone a few months before the community meeting, the eventual lung cancers from Lennar's dust exposures would be "the second round of deaths."<sup>32</sup> The first round of deaths were caused by shipyard workplace exposures, although this resident referred specifically to the radiation laboratory that operated on the Hunters Point Shipyard from 1946 to 1969.<sup>33</sup> In both cases, cleanup and redevelopment did not symbolize progress and opportunity. Rather they were experienced as part of a longer history of environmental racism and what scholar Rob Nixon calls "slow violence": a "violence of delayed destruction that is

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opposition to Lennar Corporation's Hunters Point Naval Shipyard Development and in support of the community's demand for a temporary stoppage and an independent health and safety assessment to protect our students and their families" that Bayview Hunters Point residents are "overburdened with the cumulative impacts of a multitude of environmental health threats." See <http://www.sfusd.edu/assets/sfusd-staff/board-archive/memberreso/Mar%20Maufas%20%20Lennar%20%20209%2025%2007.pdf>.

28. Erin McCormick, *Bayview Revitalization Comes With Huge Price to Black Residents*, EXODUS. S.F. CHRON. (Jan. 14, 2008), <https://www.sfgate.com/bayarea/article/Bayview-revitalization-comes-with-huge-price-to-3298240.php> [<https://perma.cc/SFC4-4AGW>].

29. A particularly contentious aspect of the cleanup project is shipyard Parcel E-2.

30. These concerns were raised by residents at the U.S. Navy's Community Informational Meetings on the Hunters Point Naval Shipyard, which I attended between 2011 and 2013.

31. U.S. Navy Community Meeting, Bayview Hunters Point YMCA (Jan. 26, 2011).

32. Telephone Interview with Lynne Browne (Hunters Point resident) (Dec. 15, 2010).

33. Lisa Davis, *Fallout*, SF WEEKLY (May 2, 2001), <http://www.sfweekly.com/news/fallout-2/> [<https://perma.cc/WRP9-U5HX>]; and U.S. Navy. 2006. "Final Hunters Point Naval Station Historical Radiological Assessment." U.S. Naval Facilities Engineering Command.

dispersed across time and space, an attritional violence which is typically not viewed as violence at all.”<sup>34</sup>

In November 2011, I attended a protest with Greenaction for Health and Environmental Justice, at BAAQMD’s offices on Ellis Street. Problems with construction dust for residents living near the shipyard had continued, reinforcing the perspective of many Bayview-Hunters Point residents that this was a systemic problem, not a set of isolated incidents or technical malfunctions. The organizers of the protest included long-time community leader Tessie Ester from Hunters View public housing. Ester helped organize the protracted campaign against the Hunters Point power plant in the 1990s and 2000s. In 2003, she told a *San Francisco Chronicle* journalist, “I would like to breathe some fresh air.”<sup>35</sup> A decade later Ester was still organizing for better air quality—this time however, not against a power plant but the airborne debris from an upscale redevelopment project. Ester brought a group of teenagers from Hunters Point to the BAAMQD protest. Some wore surgical masks covering their mouths and noses, and they held signs reading, “Let us live.” A diverse group of speakers at the event testified to illness ranging from respiratory symptoms to cancer.

These longstanding concerns about dust exposures and toxic air quality, coupled with a history of feeling neglected and marginalized in San Francisco, formed the grounds for the Bayview Hill Neighborhood Association’s campaign against the explosion of Candlestick Stadium.

### **The Breathers of Bayview Hill**

Lennar’s original plan for demolishing Candlestick Stadium, which was approved by the San Francisco City Planning Commission in 2010, was a manual tear down operation.<sup>36</sup> In the fall months of 2014, however, residents in Bayview-Hunters Point learned that the company now sought the cheaper and quicker method of exploding it, which would also speed up the development process. Local residents felt that the San Francisco City Planning Commission had rushed an addendum to the original Environmental Impact Report (“EIR”) to allow for the explosion, without any meaningful public notice or input.

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34. NIXON, ROB, *SLOW VIOLENCE AND THE ENVIRONMENTALISM OF THE POOR* 2 (Harvard Univ. Press, (2011)).

35. Erin McCormick, *Southeast Side Residents Fight Against Power Plants, They Say They Bear the Brunt of Pollution*, SFGATE (Sept. 12, 2003), <https://www.sfgate.com/green/article/Southeast-side-residents-fight-against-power-2573409.php> [<https://perma.cc/RB65-YNQ8>].

36. SAN FRANCISCO PLANNING DEP’T., *supra* note 7 (on June 3, 2010, the San Francisco Planning Commission and the Redevelopment Agency Commission certified the Final Environmental Impact Report for the Candlestick Point—Hunters Point Shipyard Phase II Project); *see* Addendum 3 to Environmental Impact Report, San Francisco Planning Department (Sept. 19, 2014), [http://sfmea.sfplanning.org/2007.0946E\\_Add3.pdf](http://sfmea.sfplanning.org/2007.0946E_Add3.pdf) [<https://perma.cc/JT2X-WWS9>].

Built in the 1950s, Candlestick Stadium was filled with asbestos and coated with lead paint.<sup>37</sup> Today these materials are banned by the EPA, but, like the serpentinite rock underneath the stadium, they can become animated and reintroduced into contemporary urban environments and bodies through demolition and redevelopment activities.<sup>38</sup> Although Lennar's plan for Candlestick Stadium required lead and asbestos abatement, promising to remove these toxic materials before the explosion event, it is likely trace amounts would have remained. Moreover, the silica dust of concrete poses its own health risks, such as respiratory illness, weight loss, chest pain and fatigue.<sup>39</sup>

Alice, who lives uphill from Candlestick Point, learned about the new demolition plan at a community meeting in November 2014, after the city planning department had approved the revised EIR.<sup>40</sup> During November and December 2014, Alice walked door-to-door with others from the Bayview Hill Neighborhood Association, handing out fliers and encouraging her neighbors to attend the subsequent public meetings. The Neighborhood Association also gathered signatures for an internet campaign against Lennar, and consulted with Golden Gate University's Environmental Justice Law Clinic. After a heated public meeting at a local elementary school and growing press coverage of the anti-explosion campaign, Lennar reverted back to its original plan of manual tear down.<sup>41</sup>

In early February 2015, as the manual tear down was in its early stages, I met with Alice and one of her neighbors, at the neighbor's house—a tall building perched on the edge of Bayview Hill, overlooking the stadium's parking lot. Alice had brought fliers from the Bayview Hill Neighborhood Association's campaign and a copy of the planning department's addendum to the EIR, which justified the explosion. "At the meetings, it's called a controlled implosion," Alice told me,

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37. See *Candlestick's Impending Implosion Raises Health Concerns*, CBS NEWS (Jan. 8, 2015), <https://www.cbsnews.com/news/candlestick-stadiums-impending-implosion-raises-health-concerns-for-neighbors/><https://www.cbsnews.com/news/candlestick-stadiums-impending-implosion-raises-health-concerns-for-neighbors/> [https://perma.cc/MW4T6U6X]; see also Jonathan Bloom, *Candlestick Will No Longer Go Down With a Bang*, ABC 7 NEWS (Jan. 16, 2015), <http://abc7news.com/health/candlestick-wont-go-down-with-a-bang/477553/> [https://perma.cc/N28K-6JNH].

38. Final Environmental Impact Report, Candlestick Point-Hunters Point Shipyard Phase II Development Plan Project, SAN FRANCISCO REDEVELOPMENT AGENCY (Aug. 2017), [http://sfmea.sfplanning.org/CP-HPS\\_FEIR\\_Vol\\_II\\_2017-08-11.pdf](http://sfmea.sfplanning.org/CP-HPS_FEIR_Vol_II_2017-08-11.pdf) [https://perma.cc/B6T3-RAC9]; and Nicky Gregson, Helen Watkins & Melania Calestani, *Inextinguishable fibres: demolition and the vital materialisms of asbestos*, 42 ENV'T AND PLANNING A1065, 1065–1083 (2010).

39. *Frequently Asked Questions: Respirable Crystalline Silica Rule*, OCCUPATIONAL SAFETY AND HEALTH ADMIN., [https://www.osha.gov/silica/Silica\\_FAQs\\_\\_2016-3-22.pdf](https://www.osha.gov/silica/Silica_FAQs__2016-3-22.pdf) [https://perma.cc/NJ2Y-LZJ4].

40. I have changed all names used in this paper for anonymity.

41. Stephanie Chuang & Jean Elle, *'Developers Don't Live Hhere: SF Resident on Demolition of Candlestick Park*, NBC BAY AREA (Jan. 5, 2015), <https://www.nbcbayarea.com/news/local/Developers-Ddont-Live-Here-SF-Resident-on-Demolition-of-Candlestick-Park-287552431.html> [https://perma.cc/MP4H-YGZ6].

adding, “but you can’t control the wind.” Alice has lived on Bayview Hill for twenty years, and she knows the way the wind blows there: erratically and in circles.<sup>42</sup> How could the development company promise to control the dust from the stadium demolition?

Alice opened the EIR addendum to a page showing an aerial Google Maps image of the stadium and laid it on the coffee table between us. Bright-colored lines circled the stadium, depicting the area that differently sized particles from the explosion would travel, under “still” or “windy” conditions.<sup>43</sup> According to the planning department’s calculations, the demolition dust would have settled within these neat circular patterns which, with the exception of a small slice of the Candlestick Cove residential area, would have stayed neatly within the stadium’s parking lot, and hence Lennar’s property. The report introduces a caveat in this map—that it cannot model the impact of “fine dust” under windy conditions. However, “[g]iven the prevailing winds at Candlestick Point which are from the west, the dust could would travel over the stadium lots and then out to the bay, where it would disperse.”<sup>44</sup> Alice, her neighbor, and I stared at the clean lines on the page together, with shared disbelief. “There are no people here,” Alice said, tapping her finger on the report. “It’s like the people who live here don’t exist. This is just another assault on the community.”

The anthropologist Ali Kenner writes that breathing is “[t]ypically unnoticed, unconsidered, unseen—an *invisible other*” that becomes visible in particular moments or for particular groups of people.<sup>45</sup> For example, asthmatics experience the act of breathing quite differently than those who do not typically struggle to breathe. For Bayview-Hunters Point residents who showed up at meetings on the stadium explosion, the threat to their breathing space was entangled with a larger critique of anti-black racism and racial violence put forward by Black Lives Matter, a growing social movement in the winter months of 2014. As one resident told a CBS reporter, the proposed explosion was a “Black Lives Matter situation.”<sup>46</sup> Over the phone, another activist linked the protest against the stadium’s demolition dust with Eric Garner’s struggle in a police chokehold in Staten Island, telling me, “We need to breathe also.”<sup>47</sup>

In reinterpreting and scaling up the potential dusts of the stadium demolition as a Black Lives Matter issue, residents called attention to breath and the act of breathing as political sites through which social and environmental inequalities are

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42. Nicknames for Candlestick Stadium have included “Windlestick” and “Cave of the Winds.”

43. S.F. Planning Dept., *supra* note 7.

44. *Id.* at 14.

45. William Girard, *Field Notes: Invisibilities* (Kenner Ali. *Invisibilities: Provocation Invisibilities*, Field Notes series edited by William Girard. *Cultural Anthropology* website. June 15, 2013), <https://culanth.org/fieldsights/332-field-notes-invisibilities> [<https://perma.cc/JEE9-YYD8>].

46. *Candlestick’s impending implosion raises health concerns*, CBS THIS MORNING (Jan. 8, 2015), <https://www.cbsnews.com/news/candlestick-stadiums-impending-implosion-raises-health-concerns-for-neighbors/CBSNews> [<https://perma.cc/AEP8CKUM>].

47. Telephone Interview with Dr. Raymond Tompkins, (Science professor and environmental activist) (Jan. 8, 2015).

created and reproduced, and also challenged.<sup>48</sup> The political significance of Garner's words, "I can't breathe," which is today worn on t-shirts and written on protest signs across the country, resonated with longstanding struggles against toxic air quality and racial injustice in southeast San Francisco. In connecting the stadium demolition with Black Lives Matter, Bayview Hunters Point residents also called attention to racial inequalities produced or exacerbated by Lennar's redevelopment project. I argue that these inequalities were implicitly acknowledged by the presence of many city agency staff, and even a few of Lennar's employees, on the toxic tour, which was conducted after the company agreed to the manual tear down. Still, the struggle continues. Recent news reports detail how the company hired by the U.S. Navy to lead the cleanup effort at the shipyard, Tetra Tech Inc., falsified almost all of its data on radioactive soil samples.<sup>49</sup> These reports reinforce the notion that the shipyard redevelopment project is sacrificing people's health for the profit of a few companies.

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48. Dillon & Sze, *supra* note 9.

49. Chronicle Editorial Board, *Editorial: SF deserves answers about falsified cleanup at Hunters Point Shipyard*, S.F. CHRONICLE (Apr. 13, 2018), <https://www.sfchronicle.com/opinion/editorials/article/Editorial-SF-deserves-answers-about-falsified-12833157.php> [<https://perma.cc/L6CU-RXNR>].

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