

## **Q&A – Legal Action against the San Francisco Veterans Administration Medical Center (Complaint for Declaratory and Injunctive Relief)**

### **1. What is the substance of the Complaint?**

The Complaint is a civil action against the Department of Veteran Affairs in Washington, D.C.. It argues that the San Francisco Veterans Administrative Medical Center (VA) has violated the National Environmental Policy Act (NEPA).

The Complaint asks that the VA be enjoined from proceeding with development until a Environmental Impact Statement is completed to determine whether the proposed segmental developments on the Campus, and the placement of a wet dry laboratory building within 75 feet of the Seal Rock Drive residences will cause significant environmental impacts.

The full text of the Complaint is available at [www.fole.org](http://www.fole.org).

### **2. When and where was the Complaint filed?**

The Complaint was filed with the US District Court, San Francisco Friday, March 31, 2006.

### **3. Why was this action necessary?**

PAR and FOLE, together with other neighborhood groups (Ft. Miley Neighborhood Association, People for the GGNRA, Lincoln Park Neighborhood Association) have been meeting with SF VAMC Director and Administration staff for over two years in an attempt to craft an amicable solution that brings together all stakeholders and avoids a legal action. During this time, we have had active cooperation and participation from Representative Nancy Pelosi's San Francisco office staff, which we greatly appreciate.

Unfortunately, these meetings have been unproductive, notwithstanding the efforts of the community leaders and the Pelosi staff. The SF VAMC continues to be intransigent – attempting development in small, piecemeal segments without regard to the cumulative effects which legally trigger a NEPA review of the entire Campus – its building and expansion plans.

### **4. What about our Veterans?**

We fully support our Veterans and believe they deserve outstanding health care. And we fully support the primary mission of the VA in caring for our Veterans through clinical services.

### **5. Who is potentially affected by the SF VAMC expansion plans and operations?**

Both the City and County of San Francisco and the GGNRA are affected by the SF VAMC expansion plans and operations. This area of the City is a destination for visitors from around the world, whose experience of our City and our national parklands will be colored by the SF VAMC campus.

Individuals and families who enjoy the natural beauty and trails of the Golden Gate National Recreational Area, who visit the City of San Francisco’s Lincoln Park or the San Francisco Fine Arts Museum at the Palace of the Legion of Honor; and all those who live in the Outer Richmond district of San Francisco.

**6. Who is filing the Complaint?**

Plaintiffs include the Planning Association for the Richmond (PAR) and Friends of Lands End (FOLE).

**7. What is the timeline of events?**

2003-2005	Ongoing meetings between local organizations and SF VAMC
January 16, 2006	Freedom of Information Request (FOIA) filed regarding proposed construction of a Biohazard Two Research Lab adjacent to residential and GGNRA land
February 8, 2006	Denial of FOIA request
February 27, 2006	Administrative appeal of FOIA denial filed with the Office of the General Counsel, Department of Veteran Affairs
March 31, 2006	NEPA Complaint filed in US District Court, Northern District of California, and assigned to Judge Sandra Armstrong
May 8, 2006	Letter to Department of Veterans Affairs pointing out that 71 days have elapsed since the filing of the Appeal; demanding a determination of FOIA appeal within 10 days; advising that failure to make a determination within 10 days will be considered a constructive exhaustion of administrative remedies; and which will permit the filing of a FOIA action in the District Court

**8. Who is PAR?**

PAR (Planning Association for the Richmond), the largest neighborhood organization in San Francisco, was established in 1970. PAR has a dues-paying membership of about 1,600 households in the Richmond District. PAR's mission is

- To develop and implement policies and recommendations for the maintenance and enhancement of the physical and social dimensions of life in the Richmond District
- To stimulate formation of neighborhood organizations in the areas of the Richmond District currently not served
- To support individual associations in pursuing issues relating to planning and the physical and social environment.

### 9. Who is Friends of Lands End?

FOLE is a group of residents and others interested in preserving and improving the Lands End area in San Francisco, California, including natural, historical and social resources. The Lands End area includes Sutro Park, the West Fort Miley area of the GGNRA, the network of trails surrounding Lands End, and the USS San Francisco memorial.

#### Contacts

PAR <a href="http://www.sfpar.org">www.sfpar.org</a> Ron Miguel, President rm@well.com	FOLE <a href="http://www.fole.org">www.fole.org</a> Julie Burns fole.org@gmail.com
---	---