

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#); [BOS-Administrative Aides](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Support for SB 37
Date: Tuesday, April 13, 2021 8:09:53 AM
Attachments: [2021.04.12.SF SB 37 Support Ltr.pdf](#)

From: Richard Drury <richard@lozeaudrury.com>

Sent: Monday, April 12, 2021 10:15 PM

To: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Lovett, Li (BOS) <li.lovett@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; MelgarStaff (BOS) <melgarstaff@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>

Cc: Letitia Yang <letitia.yang@gmail.com>; Youjeong Kim <ykimellis@gmail.com>; Camack2@comcast.net

Subject: Support for SB 37

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**RE: Supporting California State Senate Bill 37
(Contaminated sites: the Hazardous Waste Site Cleanup and Safety Act)**

Honorable Members of the Board of Supervisors:

I am writing on behalf of THoR, an association of neighbors living near 1776 Green Street, San Francisco, to strongly urge you to adopt the resolution to support SB-37. Furthermore, we'd like to express our sincere gratitude to Supervisor Mar, President Walton, and Supervisors Melgar, Peskin, Preston, and Chan for sponsoring this resolution. Your support of SB-37 is critical to ensuring the health and well-being of all San Franciscans, but it is even more important from an environmental justice perspective. Too often, it is our most vulnerable communities that are severely impacted by toxic contamination.

As you know, SB-37 was recently introduced by Senator Dave Cortese in order to clarify that CEQA exemptions are prohibited for proposed construction projects on contaminated sites, known as Cortese List sites. The Cortese List was created by Senator Cortese's father over 35 years ago in order to safeguard public health and the environment. CEQA review ensures that the public is properly informed of the situation, and that these sites are appropriately remediated to minimize the health

risks for construction workers, current and future residents, and community members. These health risks can be quite significant, and for example, can include the impairment of mental and physical development in young children and can cause life-threatening diseases, such as cancer.

1776 Green Street is a perfect example of why CEQA exemptions should be strictly prohibited for Cortese List sites. In 2019, the San Francisco Planning Department issued a categorical exemption for a residential development project at 1776 Green Street and neglected to inform the public that the site was contaminated with cancer-causing substances at levels over 900 times above residential standards. It was only through THoR's considerable efforts and a public records request to the Department of Public Health, that we became aware of the potential dangers of developing the site without proper remediation.

THoR was left with no other option but to appeal to the Board of Supervisors in early 2020, which prompted the Planning Department to rescind the categorical exemption only to replace it with a Common Sense exemption. THoR advocated for over a year to ensure that the residential development project would only proceed with an appropriate remediation plan that would address the highly contaminated nature of the site. However, this process took a great emotional, psychological and financial toll on our members, and also required the intervention of Supervisor Stefani, which enabled us to reach a resolution that would help ensure the health and well-being of our community.

While THoR was able to advocate for its members and the broader community, one can safely assume that San Francisco's most vulnerable residents may not be in a position to do so. It is in this context that we urge you to adopt the resolution in support of SB-37 as a matter of public health and environmental justice.

Sincerely,

Richard Toshiyuki Drury
LOZEAU DRURY LLP

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Richard Drury
Lozeau Drury LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612
(510) 836-4200
richard@lozeaudrury.com



T 510.836.4200
F 510.836.4205

1939 Harrison Street, Ste. 150
Oakland, CA 94612

www.lozeaudrury.com
richard@lozeaudrury.com

BY E-MAIL

April 12, 2021

President Shamann Walton and Members of the Board of Supervisors
c/o Angela Cavillo, Clerk of the Board of Supervisors
San Francisco City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Board.of.Supervisors@sfgov.org
angela.calvillo@sfgov.org
bos@sfgov.org
li.lovett@sfgov.org

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SB 37 - SUPPORT

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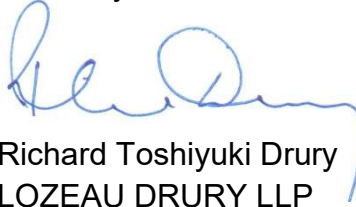
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Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Drury", with a long, sweeping underline.

Richard Toshiyuki Drury
LOZEAU DRURY LLP