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August 31, 2018

San Francisco Board of Supervisors
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(By Email only)

RE: Central SoMa Plan and Environmental Impact Report for Central SoMa
Plan (SCH NO. 2013042070)

Honorable Members of the Board of Supervisors and Clerk of the Board:

We present these comments on behalf of the Central SoMa Neighbors (CSN) and SFBlu, in support of our appeal of the Central SoMa Plan and the Environmental Impact Report for the Central SoMa Plan.

Central SoMa Neighbors (CSN) is a community organization composed of residents of the Central SoMa neighborhood. CSN is dedicated to preserving and enhancing the unique character of Central SoMa. CSN seeks to: 1. Help preserve and enhance the character of Central SoMa with its diversity of buildings and architecture; 2. Work towards making Central SoMa a more livable, mixed-use and pedestrian-friendly neighborhood; 3. Advocate for livability - residents need access to light, air, parks, and public open spaces; 4. Ensure the area is affordable and accessible, with the right balance of housing, office space and retail.

SFBlu is a homeowners association whose residents live at 631 Folsom Street. As longtime residents of Central SoMa, the Neighbors are committed to ensuring a safe, livable, family-friendly neighborhood. SFBlu is very much in favor of development and

planning for sustainable growth that preserves the character of what this neighborhood is becoming --- a mixed use residential neighborhood where businesses of varied sizes and types can thrive; where people have the opportunity to live in an environmentally sustainable manner; and where the unique existing historic architectural resources are retained and renewed. To accomplish its full potential the neighborhood requires more development, which if properly overseen is something SFBlu welcomes. However, the type of development outlined in the current Plan is quite likely to retard the current transformation of this neighborhood. Rather than developing into high density residential and mixed use neighborhood stretching from Mission Bay to downtown, the current plan proposes to cut the Central SoMa neighborhood off from the neighborhoods to the south and essentially isolate it.

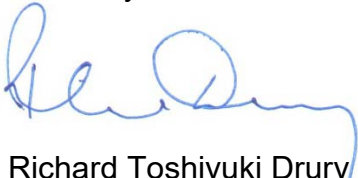
CSN and SFBlu are very concerned that the Central SoMa Plan admits that the Plan will increase cancer risk from airborne pollutants in the area by 226 per million. This is more than twenty times higher than the Bay Area Air Quality Management District (BAAQMD) CEQA significance threshold of 10 per million. It is particularly troubling since the Central SoMa area already suffers among from among the worst air pollution in the region. This significant increase in cancer risk requires the City to impose all feasible mitigation measures and alternatives to reduce the cancer risk. Yet, the EIR only proposes four weak measures that will not significantly reduce cancer risk.

We submit herewith the comments of environmental consulting firm Soil, Water Air Protection Enterprise (SWAPE). SWAPE proposes numerous mitigation measures that would dramatically reduce airborne cancer risks and safeguard the health of Central SoMa residents. We request that the City revise the environmental impact report (EIR) to analyze these mitigation measures. Among the measures proposed by SWAPE are:

- Require developers of new projects to install advanced air filtration equipment (MERV 16 or HEPA) to reduce indoor air pollutant levels by 90%.
- Require developers of new projects to pay for advanced air filtration for existing residents of Central SoMa.
- Require ride-hailing services such as Uber and Lyft to comply with the same clean vehicle requirements as required for taxis pursuant to the San Francisco Green Taxi Ordinance of 2008, which requires taxis to be either hybrid electric, fully electric or other clean-fuel powered.
- Require construction equipment to be CARB Tier 4 or electric-powered (rather than Tier 2 required by EIR).
- Other measures set forth in the attached comments.

The above measures are feasible and have been required of other projects in the State. CEQA therefore requires that they be analyzed in an EIR and imposed. As a result of these inadequacies, and the many other points raised in our earlier comments, the EIR fails as an informational document and fails to impose feasible mitigation measures to reduce the Project's impacts. The Neighbors request the City address these shortcomings in a revised draft environmental impact report ("RDEIR") and recirculate the RDEIR prior to considering approval of the Project.

Sincerely,



Richard Toshiryuki Drury
LOZEAU | DRURY LLP
Counsel for Central SoMa Neighbors and SFBlu



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August 31, 2018

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Subject: Comments on the Central SoMa Plan

Dear Mr. Drury,

We have reviewed the December 2016 Draft Environmental Impact Report (DEIR) and the March 2018 Final Environmental Impact Report (FEIR) for the Central SoMa Plan Project (“Project”) located in the City of San Francisco (“City”) that was adopted by the Planning Commission on May 10, 2018. The Central SoMa Plan is a comprehensive plan for the area surrounding much of southern portion of the Central Subway transit line, a 1.7-mile extension of the Third Street light rail line, that will link the Caltrain Depot at Fourth and King Streets to Chinatown and provide service within the South of Market (SoMa) area. The Plan Area includes roughly 230 acres that comprise 17 city blocks, as well as the streets and thoroughfares that connect SoMa to its adjacent neighborhoods: Downtown, Mission Bay, Rincon Hill, and the Mission District.

Our review concludes that the DEIR and FEIR fail to adequately implement all feasible mitigation measures. As a result, the health impacts associated with construction and operation of the proposed Project are inadequately addressed. Further mitigation should be implemented in order to lower the health risk impacts posed to nearby sensitive receptors from the Project.

Central SoMa Plan Proposed Mitigation Measures

According to the DEIR, the proposed Project would result in an excess cancer risk of 226 in one million, which far exceeds the Bay Area Air Quality Management District’s (BAAQMD) threshold of ten in one million. Therefore, in an effort to reduce the Project’s diesel particulate matter (DPM) emissions, which is a byproduct of diesel fuel combustion and is emitted by on-road vehicles and off-road construction equipment, we have identified a mitigation measure within the DEIR that should be revised in order to further reduce emissions. Furthermore, we have identified several additional feasible mitigation measures that will reduce emissions generated during Project construction and will reduce the total vehicle miles traveled (VMT) during operation, which will effectively reduce operational emissions. As

such, we recommend that the Project developer implement the following mitigation measures to reduce the Project's significant health risk impact:

1. Measure AQ-4a of the DEIR states that development projects that emit criteria air pollutant emissions above applicable screening levels or that the Planning Department otherwise determines could exceed one or more significance thresholds for criteria air pollutants shall undergo an analysis of the project's construction emissions, and if thresholds are exceeded, Mitigation Measure M-AQ-4b would be applicable to the project.

Measure M-AQ-4b states that based on the analysis described in Mitigation Measure M-AQ-4a, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) that is designed to reduce emissions to the greatest degree practicable. The measure states that the Plan should be compliant with the following requirements:

- All off-road equipment shall have:
 - i. Engines that meet or exceed either U.S. Environmental Protection Agency or California Air Resources Board Tier 2 off-road emission standards (or Tier 3 off-road emissions standards if NOX emissions exceed applicable thresholds), *and*
 - ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS) 306, *and*
 - iii. Engines shall be fueled with renewable diesel (at least 99 percent renewable diesel or R99).

We propose that this measure be revised so that it is a mandatory condition of Project approval and not dependent upon construction-related criteria air pollutant emissions exceeding thresholds, since the Project's excess cancer risk far exceeds applicable thresholds.

Furthermore, we propose that this measure be revised to state that engines must meet Tier 4 Final off-road emissions standards, which would dramatically reduce emissions.

2. Require that existing residential and commercial buildings be retrofitted with air filtration, or require that all residential and commercial units be provided with advanced air filtration units. Provide HEPA units or air filtration units with a Minimum Efficiency Reporting Value (MERV) that is adequate to address adjacent sensitive land uses according to performance standards of this mitigation measure. For example, HEPA filters have been found to remove up to 99.97% of airborne particles, while MERV 16 filters have been found to remove up to 90% of PM2.5, when used in combination with heating ventilation and air conditioning (HVAC) units. These filters must be replaced two to four times a year.

A schedule for maintenance and regular replacement of the filters, as follows, should be required to ensure effectiveness as prescribed in other CEQA projects¹:

¹ Recirculated Portions of the Draft Environmental Impact Report, Cornfield Arroyo Seco Specific Plan, May 2102 http://cityplanning.lacity.org/EIR/CornfieldArroyo/RDEIR/RP-DEIR_Volume%20I.pdf, p. 2.A-19

- For new rental units the owner/property manager shall be required to maintain the air filtration system and replace air filters in accordance with the manufacture's recommendations. The property owner shall inform renters of increased risk of exposure to TACs when windows are open.
- For new residential-owned units the Homeowner's Association (HOA) shall be required to incorporate requirements for long-term maintenance in the Covenant Conditions and Restrictions and inform homeowners of their responsibility to maintain the air filtration system in accordance with the manufacturer's recommendations. The HOA shall inform homeowner's of increased risk of exposure to TACs when windows are open.
- For existing rental units, the City should collect a fee from developers of new units to pay for the costs for the owner/property manager to maintain the air filtration system and replace air filters in accordance with the manufacture's recommendations. The property owner shall inform renters of increased risk of exposure to TACs when windows are open.
- For existing residential-owned units, the City should collect a fee from developers of new units to pay existing Homeowner's Associations (HOA) to install and maintain air filtration systems in accordance with the manufacturer's recommendations. The HOAs shall inform homeowner's of increased risk of exposure to TACs when windows are open.

Air filtration system may create more resistance to airflow because the filter media becomes denser as efficiency increases. Heating, air conditioning and ventilation (HVAC) systems shall be installed with a fan unit designed with sufficient power to force air through the air filters. The City should collect a fee from developers of new projects to pay necessary upgrade costs for existing buildings.²

3. The City should require implementation of following measures taken from California Air Pollution Control Officers Association's (CAPCOA's) Quantifying Greenhouse Gas Mitigation Measures³, which are not only effective in reducing greenhouse gas emissions, but are also useful in reducing criteria air pollutants, such as PM10.
 - Require construction equipment to be powered by alternative fuels, such as electricity, hybrid-electric drive, or compressed natural gas or electricity rather than conventional petroleum diesel or gasoline.
 - Require all Project Applicants to provide a detailed plan that discusses a construction vehicle inventory tracking system to ensure compliance with construction mitigation measures. The system should include strategies such as requiring hour meters on equipment, documenting the serial number, horsepower, manufacture age, fuel, etc. of all onsite equipment and daily logging of the operating hours of the equipment.

² A schedule for maintenance is especially important because of recent news reports that indicate maintenance was not conducted as set forth in mitigation measures for a freeway-adjacent project in Los Angeles, leaving residents potentially at risk. <http://www.latimes.com/local/california/la-me-freeway-homes-20141212-story.html#page=1>

³ <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

- Require all new buildings to provide electric vehicle parking: this mitigation measure implements accessible electric vehicle parking to reduce tailpipe emissions. Design features include conductive/inductive electric vehicle charging stations and signage prohibiting parking of non-electric vehicles.
 - Limit parking supply: this mitigation measure will change parking requirements and types of supply within the Project site to encourage “smart growth” development and alternative transportation choices by Project residents and employees, resulting in less VMTs. This will be accomplished in a multi-faceted strategy:
 - Elimination (or reduction) of minimum parking requirements
 - Creation of maximum parking requirements
 - Provision of shared parking
 - Unbundle parking costs from property costs: This measure would unbundle parking costs from property costs. Unbundling separates parking from property costs, requiring those who wish to purchase parking spaces to do so at an additional cost from the property cost. This removes the burden from those who do not wish to utilize a parking space. Parking will be priced separately from home rents/purchase prices or office leases. An assumption is made that the parking costs are passed through to the vehicle owners/drivers utilizing the parking spaces.
 - Require commercial projects to provide "end-of-trip" facilities for bicycle riders including showers, secure bicycle lockers, and changing spaces. End-of-trip facilities encourage the use of bicycling as a viable form of travel to destinations, especially to work. End-of-trip facilities provide the added convenience and security needed to encourage bicycle commuting.
 - Require Ride-Hailing services such as Uber/Lyft to provide only clean-fuel vehicles which are hybrid-electric, hydrogen fuel, natural gas, or fully electric, as is currently required for taxi services in San Francisco pursuant to the Green Taxi Ordinance of 2008. ⁴
4. Require all construction projects to comply with the following Bay Area Air Quality Management District (BAAQMD) *Additional Construction Mitigation Measures*: ⁵
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
 - Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.
 - Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.

⁴ <https://www.sfmta.com/blog/sfs-taxis-can-help-you-go-green>.

⁵ http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/Draft_BAAQMD_CEQA_Guidelines_May_2010_Final.ashx, Table 8-2, page 8-4.

- The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
- All trucks and equipment, including their tires, shall be washed off prior to leaving the site.

Sincerely,



Matt Hagemann, P.G., C.Hg.



Hadley Nolan